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Caveat, February 10, 1981

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FEB 10 1981

the Caveat

GOLDEN GATE UNIVERSITY

Vol. XVI No.19

February 10, 1981

PUBLIC INTEREST CLEARINGHOUSE

There is a profound and continuing need for lawyers trained to serve those who traditionally go without adequate legal representation, and most students are aware of the academic program established by the Bay Area Public Interest Law Consortium to respond to that need. The Consortium, established in July, 1979, consists of Golden Gate, Hastings, University of San Francisco, and the University of Santa Clara Schools of Law.

The Consortium does not, however, train only law students to represent the public interest. Its second project -- the PUBLIC INTEREST CLEARINGHOUSE--is a resource and training center designed to increase the effectiveness of the practicing public interest bar as well. The Clearinghouse has also proven itself a unique educational experience for the 148 students currently enrolled in the Public Interest Law Program.

Also begun in July, 1979, the Clearinghouse fills the unmet need for legal services by providing an information network, training, and other resources of the kind taken for granted by members of the traditional bar, but badly lacking among public interest attorneys. The many students who work in the Clearinghouse, either as volunteers or to fulfill the requirements of the Public Interest Law Program, gain an overview of how public interest law is practiced and what the pervasive problems of such practice are, as well as a valuable opportunity to meet some of the hundreds of local attorneys and activists who, whether as full-time public interest attorneys, as pro bono advocates, or through outside professional activities, are active in representing low-income, minority, women, and other public interest clients.

IMPACT, the bimonthly "California Digest of Public Interest Practice," keeps activists up to date on litigation, administrative actions, legislation, and other developments in the legal arena, as well as on issues of funding, attorneys' fees, and other matters of emerging concern. Students in the Public Interest Law Program do the substantive research for IMPACT articles, during which they are in close contact with attorneys working in various fields including prisoners' rights, consumer law, landlord/tenant, domestic relations, environmen-

Cont. p. 8.

NLG summer Projects

By Bob Mueller

In the past eight years the National Lawyers Guild has placed hundreds of law students and legal workers from all over the country in a great variety of projects. Summer interns have fought the death penalty, cutbacks in minority admissions in law schools, nuclear power plants and police crimes. They have supported organizing efforts of farmworkers in Texas, Ohio and California, and rank and file Teamsters in Detroit.

Since 1973 the program has grown to include 20 projects stretching from Puerto Rico to Seattle. The 1981
Cont. p. 7.

A Night at the Tenants' Union

By Leslie Tick

The small child on the couch was pulling my keys from my sweater pocket and trying to eat them. Her mother was busily filing her nails. Mr. Pershansky was sitting at my desk telling me haltingly about how he bought his neighbor's rug and then the landlady (who must surely be a Nazi and belong to a landlady's union) didn't believe him when he said it was his, and besides, his doorbell didn't work. Then the phone rang and Gladys (who wanted to remain anonymous) told me all about how everyone in her building was Chinese and Spanish and none of them spoke English -- not even the super -- and wasn't there a law, dear, that said the super had to speak English?

I told Mr. Pershansky all about Cal. Civil Code § 1942 and Repair and Deduct and suggested he try a simple written request first. He walked out muttering about Nazis and landlady's unions. The small child was now digging holes in the couch with my keys as her mother asked whether she could get her last month's rent back even though she gave one week's notice and how she could get her \$100 nonrefundable deposit back. Those problems were relatively straightforward, but then she started talking about the 87 year old woman who was being evicted from her building

Cont. p. 4.

❧ JOB OPPORTUNITIES ❧

Employment Law Center

Currently accepting applications for summer law clerk positions. Students must be work-study eligible or clinic credit can be arranged.

Bancroft - Whitney Company

Second year students interested in legal research and writing as a career are encouraged to apply for the Summer Intern Program with this law book publishing company. Salary: \$1394.00 per month.

Fair Employment and Housing ,Dept.7

First and second year students are needed to work as law clerks for the summer. Salary \$5.80-\$7.50

National Labor Relations Board Division of Trial Examiners

Second year students are being recruited for summer and part-time positions for fall '81. Application deadline is Feb.20.

Attention 1st. year students

A local firm is now recruiting first year students for summer and fall employment. See job listing # 168.

JUDICIAL EXTERNSHIPS FOR SUMMER, 1981, AND FALL, 1981

Judge Marilyn Patel, United States District Court, San Francisco, is accepting applications for externs for Summer, 1981, and Fall, 1981. The deadline for submitting a resume and writing sample is February 28, 1981. Please check with Marge Holmes in the Law Dean's office for further information.

HISPANIC LAW STUDENTS LEADERSHIP PROGRAM

A Hispanic Law Students Leadership program will be conducted by the Coro Foundation of Southern California from June 8, 1981, to August 14, 1981. Stipends of up to \$2,000 will be available to the twelve students selected for the program. The applications are due by March 15, 1981. Please check with Marge Holmes in the Law Dean's office for further information.

U.S. ATTORNEY'S OFFICE IN RENO AND LAS VEGAS - SUMMER 1981

There are 4 work-study positions available in the U.S. Attorney's office in Reno and Nevada. They will start June 1, 1981. You must have completed your first year. Please submit resume and writing sample to Marge Holmes by February 18th if you are interested in applying.

We must report, with deep regret, that David Walker, a third-year law student, died February 4, in Anchorage, Alaska, during surgery. He was on an externship with the Alaska Judicial Council.

PAID ENVIRONMENTAL INTERNSHIPS FOR

SUMMER 1981

More than 100 paid summer internships with corporations, government agencies and community organizations are now available through the Environmental Intern Program/California (EIP). Qualified students who seek professional level work experience with environmentally related projects are encouraged to apply to EIP. The deadline is March 2, 1981. Both the list of projects and the application form are available through the Placement Center.

For further information, please contact the Placement Center, or Robert Lawrence or George Geer at the ENVIRONMENTAL INTERN PROGRAM/California, 681 Market Street, Room 970, San Francisco, 94105, phone: 319-1293.

LEGAL EXTERNSHIP FOR SUMMER, 1981 OR FALL, 1981

A full-time practitioner would like an extern for Summer, 1981, or Fall, 1981. His practice encompasses Family Law totally, with emphasis on custody cases. If you are really interested in this subject matter and have good writing skills, please contact Marc Stickgold or Marge Holmes for further information.

JUDICIAL EXTERNSHIP FOR FALL, 1981

Judge Ramirez, United States District Court, Sacramento, will be accepting applications for an externship for the Fall, 1981, semester. The externship will entail a minimum of 40 hours per week doing legal research on civil matters pending before the court. Preference will be given to those students who have satisfactorily completed Federal Courts. Please check with Marge Holmes in the Law Dean's office for the address to send your resume and writing sample as Judge Ramirez would like them as soon as possible.

ANNOUNCEMENT

Notre Dame Law School is offering an opportunity to selected students to study in London for the full second year of law school. This program has been fully accredited by the ABA and all courses offered satisfy ABA and AALS standards. Interested members of the first year class should address inquiries to Assistant Dean William O. McLean, Notre Dame Law School, Notre Dame, Indiana 46556. Deadline for application is March 1, 1981, so hurry.

joe russell: security guard

By Leslie Tick

Ever wonder about the tall, dark and handsome man in the cowboy boots and blue uniform who's much too friendly to be a cop?

Joe Russell has been the security guard here since 1974. "I really like working here. The students are all very nice, and I say that with pride."

Russell patrols the building each day from 3:30-11:00 p.m. He can be reached at any time via his beeper by either contacting him from either the library desk or the lobby information booth. At 9:45 p.m. each night before closing up the building, he waits in the lobby for students who need escorts.

"The law students are very good about leaving in pairs. This area really isn't too bad as long as you have someone with you," Russell explained.

He said that most of the trouble came from kids hanging around the building. "The bums just want a place to come in from

the cold. I just tell them to move on and they never give me any trouble."

Russell said that the University is trying to get the lights in the alleys around the school fixed. "It's really the city's problem, but we keep calling them and never get any answer." He explained that the back alley leading to Market Street is well-patrolled, as the parking lot attendant is there until 11, "and he watches out for our students."

Russell went on to talk about the chronic malfunctioning of the fire alarm. He explained that the recent trouble is caused by the rain. Bay Area Alarms has been over a number of times to try to fix it. "The alarm system really works -- its just that nobody believes in it anymore," Russell said.

Russell's only complaint is that the law students create a traffic jam in the elevators each night at 6:45 p.m. "The elevators aren't staggered right and get very confused when there's too much traffic at once."

THANKS FROM ADMISSIONS

Many thanks to all first year students who returned questionnaires to the Admissions Office. We are compiling your comments and will use the information to improve our operation in all ways possible. A special "thank you" to those of you who indicated a willingness to participate in a "Second Year Advisory Group" for incoming first year students next fall. We will announce a general meeting to organize and discuss future services in the next issue of the Caveat.

DEFEND AND PROTECT YOURSELF AGAINST ASSAULT

Golden Gate University is sponsoring a two hour workshop for men and women addressing the problems of verbal, physical, and emotional assaults. The course will consist of films, demonstrations, and discussion. The class will be presented by Beth Doolittle of the Women's Protection Program.

NATIONAL LAND USE CONFERENCE '81

The third annual National Land Use Conference will be held at Golden Gate University on March 18-21, 1981. The focus this year is "The Land Use Decision Making Process," including sessions on economic and fiscal impacts of growth choices, alternative dispute settlement mechanisms, inclusionary zoning, due process in land use decisions, the implications of decisions for housing, and an analysis of growth management techniques.

The Conference is structured to address the needs and interests of a broad range of professionals who work with land use issues. The faculty and the registrants for the Conference include lawyers, public administrators, planners, economists, public officials, developers, and academicians.

If you would like more information about the Conference, contact Vivian Walker, Conference Director, at 442-7000, extension 7405.



REGISTRATION FORM

Name: _____
Address: _____
Phone: _____

\$5.00 check or money order must accompany this form.

Make checks payable to Golden Gate University.

Registration must be received by March 1, 1981.

Self Protection Workshop
March 23, 1981
4:15 - 6:30
Your employer: _____

Mail to: Director of Facilities
Golden Gate University
536 Mission Street
San Francisco, CA. 94105

Women's Association



POTLUCK and MEETING: Friday, FEBRUARY 13TH at the home of Nicki Skovronski. The meeting begins at 5:30, the potluck at 7:00. Address and directions can be picked up from DeeDee in the Faculty Center or from the Women's Association Office. (Note the change in date.) If you're planning to stay for the potluck, please bring one of the following items, according to the first letter of your last name:

- | | |
|-----|----------------|
| A-D | Beverages |
| E-G | Salads |
| H-S | Entree |
| T-Z | Desserts/Bread |

STAFF MEETING: Wednesday, FEBRUARY 11TH, 5:30 PM, Women's Association Office. If you are a staff volunteer, or would like to begin staffing, it is important that you attend this meeting. Please contact the Women's Association, ext. 7457, if you're unable to attend.

OFFICE HOURS: The Women's Association is open every weekday between noon and 1:30, and on Wednesday evenings between 5:45 and 6:45. Drop in!

12th NATIONAL WOMEN AND THE LAW CONFERENCE: More information about this event will be distributed at the Women's Association meeting on FEBRUARY 13TH. Women who have expressed interest in attending the conference should contact Pat Warner, 524-8256 (evenings), if you won't be able to attend the meeting.

WOMEN-ENERGY: The Women's Association is seeking someone to represent the Association at FSC meetings. We would also like to encourage more people to join our office staff. Please contact the Women's Association if you are interested.

TENANTS' UNION

Cont. from p. 1.

because the landlord wanted to make some major renovations (that in her opinion really didn't need to be done) and jack up the rent. As we pondered the inequities of written law and cruel reality and tried to determine the correct agency to appeal to, a taperecorded voice was telling me that my phone was off the hook and then started beeping loudly to emphasize its point. My phone is off the hook because we don't have enough money for a hold button and there are four people waiting in the outer office, I said angrily. The small child stopped digging holes in the couch and gave me a puzzled stare.

My next "client" faced eviction because the Catholic Church wanted to buy his house to open an old age home. He knew he was entitled to some kind of payment for the remaining four months on his lease, but wondered what he could get for the option to renew clause. As he told me all about the shutters he had installed

ANNOUNCEMENTS

The Barristers Club of the BASF held a "Bridging the Gap" seminar program on January 10 and 17 for new Bar admittees. The free programs are held semi-annually to provide practical information for attorneys who are beginning their careers in the law.

CEB Videotapes will again be shown at noon on Tuesdays during February and March. Programs are: Feb. 3, "Evidence for the Business Lawyer"; Feb. 10, "Preparing a Case for Trial"; Feb. 17, "Preparing Expert Witnesses"; Feb. 24, "Examining Expert Witnesses"; and Mar. 3, "Joint Ownership."

"WOMEN AND THE LAW" SERIES

Dru Ramey is the opening speaker at the "Women and the Law" noon lecture series beginning on Wednesday, January 28, in Terman Auditorium, Stanford University. Ms. Ramey will discuss "An Overview of Constitutional Cases on Women's Rights."

Other topics and speakers in the series are: Feb. 4, "Women in the Trenches: Cases Women Bring" by Nancy Davis; Feb. 11, "Current Issues in the Abortion Controversy" by Margaret Crosby; Feb. 18, "Sexual Harassment of Working Women" by Catherine MacKinnon; Feb. 25, "Women and the Judiciary" by Judge Marilyn Patel; Mar. 4, "Current and Future Issues in Employment Law" by Victoria Diaz; and Mar. 11, "Family and the Law" by Carol Branch.

HUMANISTIC EDUCATION IN LAW PROGRAM

The Project for the Study and Application of Humanistic Education in Law is offering a two-week summer program at Columbia, July 10 to 24. Cost is born by the Project. Jill Danelski has brochures describing the program. See her in room 207.

himself and painting the bathroom, I struggled to recall Sternberg's practical applications of property law, blend them with Jones' contract theory and come up with an answer for this guy. But what he really wanted was his apartment, he told me sadly, but fight the church? How could he ask them for money when they needed it for all those old people? As he mused, the phone rang and a woman told me very excitedly about how she used to have a drinking problem and got drunk one night and broke the toilet and now her landlord (the bastard) was trying to withhold her security deposit for the damage. But she knew her rights, she said, and wanted to claim diminished capacity in order to get all of her money back.

(The San Francisco Tenants' Union (555 Capp Street) provides information on the rights of tenants. Phone lines are manned and womanned on a volunteer basis. The Union will also provide assistance to tenants who want to organize their buildings for more effective assertion of rights.)



life is rough

by Cindy Ossias

HOW TO LOSE YOUR SENSE OF HUMOR

First, attend classes; pay attention and take clear concise notes; contribute to discussion; read the cases; compare the facts; compare rationales; note the rules, the exceptions, the common law, the Restatements, the majority and minority opinions, the formulae and the application; maintain an overview by reading law review articles.

Second, do the above for Torts, Contracts, Property, Civil Procedure, Criminal Law and Procedure; note connections among these segments of the law.

Third, write four briefs and a memo; write a longer memo and rewrite it; write a federal complaint, points and authorities, and an appellate brief; spend many hours in the library.

Fourth, eat breakfast, lunch and dinner; wash the dishes; feed the dogs; check the mail and mail some checks; do the laundry; buy milk, eggs, plain yoghurt, etc.; caulk and seal your cement bedroom floor so that if it rains, you're not stepping into puddles in the middle of the night; take your car in for a tune-up, oil change and lube; have the radio, the windshield squirter and the horn fixed; see the doctor, dentist, and lawyer.

Fifth, call your parents so that they don't worry; call your Gramps so that you don't worry; write to brothers and sister and aunt; write to friends; call the boyfriend "on the outside."

Sixth, find an apartment; move; send Change of Address forms to the Postmaster, Rolling Stone, Ms., the doctor, dentist, and lawyer; contact the Department of Motor Vehicles, Social Security Administration, auto insurance company, and Co-op with your new address.

Seventh, find enough writers to handle story assignments Tuesday; help proofread Wednesday; dream up more story ideas, headlines, and general layout Thursday; make sure the typist receives stories, news items, memos, announcements, etc. Friday; spend 9 hours laying out paper Sunday; distribute and look for mistakes Tuesday; listen to direct and behind-the-back criticism every day of the week; hope stories will be in by Wednesday's deadline, but expect to find bitingly sarcastic Letters to the Editor in the library box as late as Saturday that must appear Tuesday unless you're prepared to hear accusations of censorship.

Finally, ask yourself if this is the way you want to lead your life; but, like Scarlett, decide to think about it tomorrow.

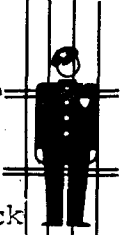
February 04, 1981

Dear Cindy,

Enclosed are a stamped, self-addressed envelope and payment for your booklet entitled "Twenty Halfway Houses with a View of the San Francisco Bay."

Mr. Taback Goes To Washington

Harris Taback



Trying to get an interview with Reagan is tough as it is, but being a Caveat reporter does not make it any easier. Me and my big mouth had to analogize Ronald Reagan to Adolph Hitler in my last report...I'm lucky I haven't been shot on the spot by the Secret Service slobs who drool at the very thought of firing their weapons.

Luck was on my side, however, and my developing reporter instincts have paid off already. The man loves the Führer! I'm not kidding; I hear Nancy decorated their 'private' bedroom in early German-American bund...

As Washington celebrates the arrival of the Reagan administration's thirst for expensive bourbon and high-class evening wear, the Society people remain too drunk in their excesses to awaken before 5:00 p.m. to see their hero at work. Already, Secretary of State Haig has pledged continued support to the right-wing terrorist government of El Salvador. Reagan has allowed the decontrol of oil prices months before it was scheduled to occur. (By now, it's clear where any money we get back from taxes will go.) And Reagan has had extensive meetings with Jamaica's new right-wing Prime Minister concerning the development of a U.S. policy toward Latin America. (Our history is filled with incidents of bloody intervention in Third World developing nations: talking Reagan into focusing our interest on Latin America has to be as easy as getting the Marines to charge.)

Lucky for us Reagan knocks off work pretty early and hits the bourbon with Nancy so the two can stumble and slur their way through the East Coast Society Scene. (There's nothing more sickening than observing high-class Presidential groupies grovel and salivate at the feet of the Reagans as they partake of the offerings of the culture the Reagans are so committed to saving.)

Back to my instincts paying off: Reagan was so flattered by being compared to Hitler that I was invited to interview him privately next week. Cindy, I hope you're reading this, because for this I'm going to get you. I don't know how or when, but it's all over, believe me. Where's that bourbon?!!

I am especially interested in those houses with gourmet kitchen facilities, fireplaces, and direct 220 lines for electric vibrators.

Thank you --

Bernice Soohoo Lee



where is...?



By Joyce Saltalamachia

In the past, the search for state or federal agency regulations has usually been a frustrating experience. Although there are hundreds of agencies and thousands of regulations, there has never been a simple or convenient way to find them. However, the Law Library has recently acquired two new indexes that will make locating these regulations much less of a problem for the researcher.

The INDEX TO THE CODE OF FEDERAL REGULATIONS is a five-volume set of books that indexes all of the federal regulations located in the CFR. Although the CFR itself includes an index, it is only in a single volume and has always been totally inadequate for sifting through the maze of federal regulations. The new index is much larger and includes many more subject headings than were provided before. This expanded number of headings makes it easier to find regulations on the particular topic or agency being researched since each regulation can be listed under several different headings. The index includes regulations since 1977, so that you can trace the history of a current regulation.

While the CFR has always had at least a minimal index, the California Administrative Code has dealt with the indexing problem in a unique way -- it has never included a complete index of any sort. Thus, in order to find the agency regulations on a specific subject, one had to guess which agency handled that subject, then wander through the regulations of that particular agency, searching for the desired topic. There were some short indexes within each agency title, but these were seldom of much help. . . . being the case, it is a gross understatement to say that the COMPREHENSIVE INDEX--CALIFORNIA ADMINISTRATIVE CODE is a very important new research tool. We are able, for the first time ever, to look up a specific subject and get cited to the regulations on that subject. This may seem like a simple thing but it was impossible to do before this index was published. Along with the subject access to regulations, there is a section which gives the cross reference from the administrative code to the corresponding legislative code section and another which goes from the legislative code back to the administrative code. For example, Health and Safety Code section 325 authorizes the State Department of Health Services to designate "tests and regulations" to detect sickle cell anemia. The cross reference table of the COMPREHENSIVE INDEX directs you to Title 22, section 40401 of the Administrative Code, which lists the regulations themselves. ■

ON SECOND THOUGHT, SEND FOR MY LAWYER!

(Reprinted from Student Lawyer, Feb. '81)

Kevin Foster was one of hundreds of St. Louis citizens who got a sign emblazoned with "Send Help," part of a citywide drive against rape. He tossed it in the back of his car and forgot about it. So when a policeman drove by recently and saw the sign in Foster's car, he stopped to see what was wrong. "He was just sitting there, rolling a joint," the police officer said. Foster was booked for possession of marijuana.



THINGS GOT SO BAD, THEY WERE HIDING IN

TAX SHELTERS

A Senate subcommittee is investigating reports that overzealous IRS agents in Idaho tried to get their pound of flesh by publicly embarrassing delinquent taxpayers. During the mid-seventies, they chained taxpayers' autos to telephone poles and parking meters, and also put locks on the doors of businesses, along with signs explaining that the owners of the businesses were delinquent taxpayers. The IRS in Idaho says there's nothing like that going on now.

EDITOR'S NOTE TO ALL WRITERS:

Some guidelines for submitting articles to the Caveat:

- 1) Please type your articles. It makes it easier to see what you are saying.
- 2) Keep the articles relatively short. (No more than 500 words.)
- 3) Be sure to put your names on the articles and your phone numbers -- where you can be reached during the day and in the evening on Wednesday and Thursday. (Remember the Weds., 5 p.m. deadline...) Because of their responsibility for the final product, the editors must retain a certain degree of discretion in the editing/proof-reading process. If we do have problems or questions, we want to be able to get in touch with you.

Thank you for your cooperation.

CAVEAT

The Publication of
Golden Gate University School of Law

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Joel Morgenstern.....Copy Editor
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The Secret of Room 322

By Randy Barrow

The tall, bearded professor stood at one end of the blackboard, pensively gazing at his stocking feet.

"Alright!" he exclaimed, and he whirled around to stalk to the other end of the blackboard, all the while, grinning sardonically.

"Tell me class what effect would the Acme decision have in a no-fault system?"

I didn't know the answer, of course, and if I had, I surely would not have risked exposing myself to almost certain scorn, ridicule, and mortification by raising my hand. My ego was still smarting from mid-term grades. Besides, I had already raised my hand once this semester.

Failing to elicit a response, the professor turned to his audience. Hands clasped and still grinning sardonically, he looked like a bearded vision of Uriah Heep. But no "umble" servant, this professor.

Coolly pausing, the professor bowed his head and gathered his notes. In total indifference to the class, he shuffled the papers on the podium and evened out the stack like a five-card-stud dealer in a border town casino. Sensing the proper mood of anticipation among the students, he raised his head to speak.

This was it. The way to nail that "A" on the final exam. The secret to passing the Bar in torts. Maybe even the key to a Supreme Court nomination in later years. I didn't really know what to expect, but my palms were sweating and my mouth was unexplainedly dry.

Before his head was vertical, there was a terrific flurry of student activity. Fresh pages were turned in notebooks; tape recorders were repositioned and tuned for greatest sensitivity; pens started clicking; Bics started Bicing, and a multitude of pencils were held in trembling anticipation. One hundred pairs of eyes glued themselves to the spot behind the podium. You'd have thought he was going to tell us what E.F. Hutton said.

Still sardonically smiling, eyes glistening, eyebrows almost meeting over the long, aquiline nose, the professor spoke:

"We're going to take that topic up at our next meeting, so I'd like to move on to something else right now in these last few moments we have left."

Bending down to a student in the front row, the professor asked to borrow a student's wristwatch. He began to discuss a new case and strode down an aisle away from the blackboard, occasionally staring down at a desk top as he passed.

Disappointed, but with appetites whetted, the students dutifully copied every word. The professor occasionally paused to ask simple questions, but

got few responses. The students had cleared out entire sections of cerebral mass in expectation of a divine revelation and could not respond.

The class time finally came to an end and the professor quickly gathered up his papers and hurried toward the door. Several students approached him with questions, but he just pointed to the door with his lighter and lit a cigarette as he passed into the hall.

I sat at my desk thinking as the others filed out. He had gone, and now I had to wait until the next class to glean that golden fleece of legal wisdom. But a nagging phrase kept surfacing in my thoughts. Had I really heard him whisper it to himself as he passed by my desk, or was it just my imagination?

Throughout the following weekend I tried my best to study other subjects. I even worked on a writing and research project that wasn't due for at least a week. But whenever my mind wandered, the phrase came back to me as if it was part of my very being or a piece of Jung's collective unconscious. Maybe it wasn't the philosopher's stone of torts, but I couldn't shake the sound of the professor's voice and the recurring edict:

"DISTRIBUTE THE LOSS!"

NLG SUMMER PROJECTS

Cont. from p. 1.

projects will provide even broader opportunities. The projects will continue to provide support to many significant political struggles, including pregnancy discrimination, women and employment, utility rate increases, the draft, the Klan, Native American Rights, Veterans' Rights, brown long and more. They will provide interns with work experiences in alternative practices of law in a political field.

All Summer Project participants will be provided with a stipend of \$1,250 to cover room, board and expenses.

Recruitment for the projects will be conducted on a national basis. Minority persons, women and the handicapped are encouraged to apply. It is hoped that participants in all projects will remain committed to the organizations and people they work with.

All applications must be postmarked by March 13, 1981. Please submit applications sooner if possible. Selections will be made by the project coordinators. However, to achieve sexual, racial, and geographical balance and to provide an opportunity for those new to the Guild, the National Summer Project Committee will review the selections.

For a catalogue, drop by the SBA office, or the NLG office at 558 Capp St. San Francisco (phone: 258-5066). If you have any questions please write or call THE NATIONAL LAWYERS GUILD, SUMMER PROJECTS COMMITTEE, 1205 Smith Tower, Seattle, WA 98104 (phone: (206) 622-5151).

tal and energy law, and labor relations. Guest columnists write articles on topics such as the move to dismember the Legal Services Corporation or how a recent appellate decision may mean greater opportunities to litigate consumer cases. The regular "Profiles" column highlights a local public interest organization.

The DIRECTORY OF PUBLIC INTEREST ORGANIZATIONS lists nearly 300 groups in the Bay Area. Students at the University of Santa Clara are preparing a comprehensive update of the South Bay counties, which should be published this summer. The Directory is in nearly every public library and legal aid office in the Bay Area, and is relied upon by referral services, job seekers, working attorneys who constantly need the collaboration of experts in other fields, and community activists.

The PUBLIC INTEREST LIBRARY and BRIEF BANK being compiled by students at the Clearinghouse will offer a reference source on issues including attorneys' fees, standing, class actions, and developments in substantive fields of law. The Brief Bank will provide sample pleadings, like those in the traditional attorney's form books, to increase low-cost representation in consumer, landlord/tenant, and other often routine--but seemingly complex--cases.

This spring, the Clearinghouse is offering a series of SEMINARS for attorneys and non-lawyers on various methods of public interest advocacy. The first seminar, on LOBBYING SKILLS, was held on January 17 at Golden Gate University. The two remaining seminars will be on WORKING WITH THE MEDIA, to be held in mid-March, and on CONSUMER LAW FOR THE SOLO PRACTITIONER, in mid-May. Clearinghouse students are deeply involved in the planning and organization of sample consumer pleadings and other materials for these seminars.

The Clearinghouse also contemplates publication of public interest MONOGRAPHS on subjects such as how to effectively participate in the state budget planning process, or on some aspect of attorneys' fees. Monographs are intended to be of the scope of a law review article but, because of their practical or strategic nature, might not normally be published in a professional journal.

A PUBLIC INTEREST PLACEMENT SERVICE is being developed, as is a LEGISLATIVE WATCH which will monitor and coordinate efforts on all statewide legislation affecting the public interest.

These and other projects are rapidly being implemented at the Public Interest Clearinghouse this semester. If you have time to volunteer or would simply like to learn more about what we do, please contact Trina Ostrander or Mary Coffman Viviano at (415) 557-4014. ■



Letters to the Editor

Editor's Note: All letters to the Editor will appear as submitted, unedited. Please proof-read them carefully.

To the Editors:

I want to take this opportunity to thank Cordia Farrell for her letter of thanks and support. I very much appreciated it, specially since it is the only form of acknowledgment and support that was received during my & Brenda's tenure on the Caveat.

To the people now putting out the paper I'd like to offer encouragement. You'll learn with each issue, and so far there has been steady improvement. I hope you will consider criticisms, but stay free to make your best editorial judgments.

The Caveat can be consistent and maintain quality, but it needs both financial and emotional support from the Law School. Since the school uses the paper as a major form of communication with the students, it must take some responsibility in ensuring the regular publication of the paper. That it does not do so seems more a reflection of the careless attitude toward students' needs to know rather than financial pressures.

Andrea Karpas

Why is that every time there is a writing and research paper due that students are literally putting aside all other assignments?

What is the role of second and third year students in their jobs as tutors? How are these individuals supervised?

How can Associate Dean Rick Koyle curve students' grades when different tutors assign a variety of tasks to students and grades subjectively?

Is it true that tutors only encourage the students who they feel are capable of being successful students in writing and research and leave the rest to wallow without upperclass support?

Recognizing that first year law students study Torts, Contracts, Civil Procedure, Property and Crimes, who ever authorized legal writing and research assignments in the areas of antitrust, taxation, or trademark infringement? Would it not be simpler to utilize topics which integrate current courses of study?

WHAT IS THE WRITING AND RESEARCH COMPONENT HOPING TO ACCOMPLISH? PROVIDE STUDENTS WITH A PRACTICAL WORKING TOOL OF THE TRADE OR ALLOW A SELECT GROUP OF INDIVIDUALS IN ASSERTING THE KIND OF POWER WHICH LENDS ITSELF TO THE LACK OF AMBIANCE THAT LURED MANY TO GGU?

Can someone please explain this madness!!

Annette Cooper

LOOKING FOR LOOPHOLES

The truly artful negotiator never lets his opponent know that he has been taken. On the condition that he not be identified, a Washington attorney offered the following tale:

He was representing a client who was in the process of purchasing a large tract of land. The buyer had already negotiated a price for the land and had bought in the lawyer merely to handle the closing. The seller was a bank, which had acquired the land through a foreclosure.

In examining the settlement papers, the Washington lawyer was suddenly struck by a provision that amounted to an unexpected windfall for his client. It was a non-recourse clause, which would absolve the buyer of any personal liability should he default on the loan. The bank could foreclose, but it could not sue for anything additional. The lawyer immediately realized that the bank's attorneys had mistakenly included the provision.

"Of course, my client was delighted," he recalls. "He said he wanted to keep the recourse section in if I could figure out a way to do so."

(Reprinted from "The Art of Negotiation in Washington: GOTCHA!" by John Pekkanen, from Business & Real Estate Washington Magazine. Circulated in the American Bar Association 14th Circuit Newsletter of January 25, 1981.)

LETTERS TO THE EDITOR

Cont. from p. 8.

To the Editor:

Once again the Law School Administration is attempting to change an already existing situation for the benefit of itself and one of its own members. This concerns the possible rescheduling of the night Remedies exam. Because the original professor scheduled to teach the course was not re-hired for this semester, Rick Koyle was substituted at the last moment. Many of us did not know this until the first class. Prof. Koyle is also teaching a day section of Remedies. Because he wants to write only one exam for both classes, Prof. Koyle approached both the day and night sections about a possible change in the scheduled exam times. The alternatives for both classes were to take it on the morning scheduled for the day class (impossible for some night students), to take the exam on May 15 at night -- the time scheduled for the night class, or to take it on a Saturday when no exams are scheduled. A vote was taken in the night class last Thursday and a majority of the class wanted to keep it as originally scheduled. But did this resolve the problem? No. Prof. Koyle said that he would have to talk to Dean Sternberg about the scheduling of the exam.

This epitomizes the thinking of the administration -- of which Prof. Koyle is a part -- that it can do what it pleases to benefit itself. Prof. Koyle obviously thinks that his writing of only one exam

That wasn't going to be easy, but the lawyer gave the matter a lot of thought and finally came up with a negotiating plan. First, he combed through the settlement papers and pinpointed some two dozen points that were subject to objection by his client. But all were minor, and all were provisions that his client could easily accept. The settlement day arrived. The lawyers sat down in a friendly atmosphere and began going over the papers, word by word. Each time they came to one of the predetermined points the lawyer would raise a mild objection. He purposely conceded most of them, leaving the impression that he was eminently reasonable.

"I dragged it out for about six hours and late in the afternoon we finally reached the non-recourse section. Of course, as soon as the bank's lawyers saw it they realized the error. They had drawn up this agreement based on a previous one and just left it in by mistake."

The bank's lawyers demanded the section be removed entirely. "I acted as if I was totally surprised," says the Washington attorney. "I said I had been conceding points all day long because I thought the non-recourse section was a part of the agreement. I said I would never had made those concessions if I

(John Pekkanen is a Washington-based free-lance writer specializing in business topics.)

thought the non-recourse section was not going to remain. I told them if they now wanted it out, the entire settlement would have to be renegotiated."

He could read the dread in their eyes. Six hours of laborious nitpicking and now they would have to do it all over again. He had worn them down and set the trap.

The bank's lawyers didn't roll over and play dead, but neither did they wage a determined fight to throw out the non-recourse section. Finally, after more negotiation, the buyer's lawyer won agreement to retain a good part of the non-recourse section, an important pro-

tection for his client that the bank would never have conceded any other way.

"I suppose there are those who might question the ethics of what I did, who might say I should have told the bank about the error and gone on from there, but I had my client's interests to think about and it wasn't as if I was taking unfair advantage of someone. The bank was ably represented." To this day the lawyer has never indicated to the bank how he out-manuevered them. He never will.

"I continue to do a lot of business with that bank," he says. "We're on very friendly terms."

outweighs whatever inconvenience it might cause the students who have taken the exam schedule into account when pre-registering for courses. Personally, as a night student and a full-time worker, this will not only upset my exam studying schedule, but also my personal and working schedules.

There are other issues such as notice, due process, etc. that can be raised here, but these arguments fall on deaf ears when one is confronting the Administration and the Faculty.

Len Mastromonaco

To the Editor:

Your February 3rd issue carried a news article on an Illinois prison riot. Use of the term "rebellion" in place of "riot", description of prison conditions as "horrible" and "racist", and characterization of the state's case as fabricated and based on bribery, threats and intimidation are all expressions of the reporter's opinion and have no place in an article purporting to cover the news.

A prison situation in a distant state has been selected for political exploitation by certain groups. Caveat does not need to fall into the trap of printing their boilerplate handouts as legitimate news.

Richard Meigs
1st Year Night Student

Editor's note:

Last week's item on the Pontiac Prison riot was accidentally published without a by-line. It was written by Melinda Powers, a graduate of GGU.

SBA QUESTIONNAIRE ON ACADEMIC STANDARDS PROPOSALS

Due to a concern about low bar passage rates, the Dean and faculty have initiated a break-neck review of current academic standards policies. There are strong currents among the faculty pressing for change. So far, the proposals drafted for faculty to consider tend to encourage tightening standards by raising GPA probation levels and limiting students options.

This questionnaire is designed to get specific student reaction to the main proposal presented to faculty for discussion. This should be considered only an initial response from you. The SBA would like to encourage you to join us in drafting alternative proposals on issues and policies we think are priorities. In the meantime, please fill-out the questionnaire below.

STUDENTS ARE ASKED BY THE FSC TO ATTEND A MEETING FEB. 12 TO MAKE COMMENTS ON THESE OR OTHER PROPOSED CHANGES TO ACADEMIC STANDARDS POLICIES.

(Please see Feb. 2d issue of CAVEAT for summary of proposals referred to below.)
(ACS = Academic Standards Committee)

I. PROBATION/RETENTION POLICY

- maintain current policy
- accept ASC proposal
- accept ASC proposal only if
applies prospectively to
incoming class of 9/81
- other (write comment)

V. TUTORIAL PROGRAMME

Should a tutorial program,
distinct from Writing & Research
be offered?

- Yes
- No

Comments:

II. RE-EXAMINATION POLICY

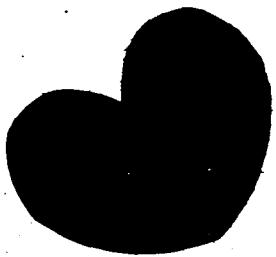
- maintain current policy
- accept ASC proposal
- accept ASC proposal
only if prospective
- other

III. CREDIT/NO CREDIT POLICY

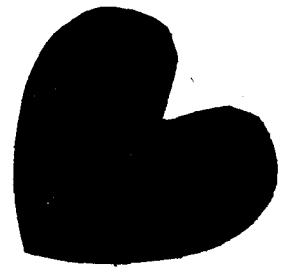
- maintain current policy
- accept ASC proposal
- accept ASC Proposal
only if prospective
- other

IV. FIRST YEAR CURRICULUM

- maintain current load
- accept ASC proposal
- other



Happy



Valentine's Day

