

3-24-1981

## Caveat, March 24, 1981

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# the Caveat

Vol. XVI No. 24

The Publication of  
Golden Gate University School of Law

March 24, 1981

## SBA ELECTIONS RESCHEDULED

by Amy Locks  
SBA President

As SBA President, I can't help but be disappointed in the SBA elections held last week because of repeated procedural mishaps: 49 night students were denied the right to vote on Thursday night because the ballot box was not staffed; day students complained that the election location was moved without notice one afternoon; and the ballots did not clearly indicate how many votes could be cast for a particular office.

I encourage all students who are running for office, including write-in candidates, to make themselves visible to the entire student body. Pass out position papers, introduce yourself to other students before classes begin, and put up posters around school. Additionally, all of you are invited to participate in a public forum in order to share your views and answer question on Wednesday, March 25, from 12-1 pm in Room 322, and from 5:30-6:30 pm in Room P-5.

All law students, including graduating seniors have the right to vote. I urge you to attend the public forum on Wednesday in order to meet the candidates, ask questions and cast an informed vote.

Elections will be held this week on the third floor. Times are as follows:

- Wednesday and Thursday: 12-1:30  
and 5:30-6:30
- Friday: 12-1:30 only

Ballots will be counted Friday at 3:30 in Room P-5. Results will be posted thereafter on the SBA bulletin board, near the entry to the law library.

If necessary, run-off elections will be held Tuesday and Wednesday of the following week (March 31 and April 1).

The new SBA Board of Governors begin their term in April, two weeks after the election is complete.

## SBA FORUM

by Cindy Ossias

SBA candidates conducted a forum Wednesday noon last in Room 306. Five people, aside from the candidates themselves, attended to hear statements by those running for office and ask questions of them.

cont'd on page 8.

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MAR 25 1981

## ICELANDIC DRUG COURT UNDER SIEGE

by HENRY McGEE, JR.

Nothing better illustrates both the extent and the intractability of the worldwide drug problem than its presence in Iceland, a nation of some 230,000 persons and about the size of Kentucky.

Situated in the middle of the North Atlantic, halfway between Greenland and Norway at a latitude north of Anchorage, Alaska, Iceland is the world's oldest continuous democracy, dating its self-government to the year 874. Host to an American naval base which maintains a watchful eye on Soviet warships passing from Russia's Kola peninsula into the Atlantic Ocean, the nation is known in the United States mostly for high quality sweaters, low fares to Europe via Icelandic Air, and the series of 1970s conflicts with England known as the "Cod Wars" in which Iceland's fishermen successfully used commercial boats to defend the assertion of a 200-mile fishing limit against the Royal Navy.

But the nation which boasts of discovering America through the courage of Viking Leif Eriksson has now found a drug problem, one that is not likely to disappear. Thought to be essentially crime-free, Iceland has justifiably boasted of incredibly low crime statistics. For example, between 1970 and 1979, the homicide rate was at most one per year. Repeat. One a year. In 1980, the rate was two a year.

The only crime of consequence in this 60 percent yearly inflation rate country is theft -- and fraud offenses of the white collar variety such as embezzlement. Reported thefts for 1978 were 2,233 and for 1979, 2,179. White collar offenses were reported at 484 for 1978, a figure which jumped as the economic situation continued to deteriorate, to 825 in 1979.

But more drug cases were adjudicated by the nation's novel (for Scandinavia) drug court in 1979 than the total number of assaults actually reported to police. Most of the latter were one-punch blows thrown during the weekend drinking binges which characterize the country's alcohol-soaked weekends. Though 144 assaults were reported in 1979, 200 drug cases were adjudicated in the drug court the same year. The drug court adjudication figure for 1980 rose to 285.

cont'd on page 5.

## Letters to the Editor

### LETTER TO THE EDITOR:

Free speech and National defense are two important and controversial issues. Last Thursday we had a Representative of the United States Marine Corps on campus trying to enlist students. We were shocked and embarrassed to hear a fellow student yell, "Marines off campus!" In today's Cavaet (sic) there was an article demanding that recruiters (sic) be barred from soliciting enlistments at GGU. We believe that this behavior is both absurd and short sighted. To get the U.S. Military back to the educational and motivational levels of the mid 20th century, we obviously need people with a higher educational level. Is there a better place to do this than on a college campus?

We all appreciate our right of free speech. The ability to hear two sides of this issue is a clear exercise of that right. Should the right of the Marine Corps to speak be of second priority? We assert that the people who are opposed to the U.S. Military (USMC) recruitment on campus obviously do not appreciate what the Military Institution (sic) is for: the defense of the United States. We ask those persons who signed the editorial in last week's Cavaet (sic): If the U.S. Military isn't around anymore, who do you expect to defend your rights?

Scott Neufeld  
Laura Wichowski  
Marc Schultz

Dear Editor:

I was rather dismayed to note the apparent close-minded attitude of some of the more liberal members of our educational institution. Contained in last week's Caveat was a signed petition demanding the banning of military recruiters from this campus. By what right? Because of ideological outrage? I was under the impression that a free society allowed the expression of all ideas, whether we in particular like them or not. Surely there are some students attending Golden Gate University who are interested in the military. If not, then I'm sure these recruiters will do like all old soldiers, and just fade away. In the meantime, for those ideologically opposed to the military, we should simply avoid affixing our signatures (sic) upon the dotted line. Because some of those enrolled in our small and somewhat insulated community are ideologically opposed to the military certainly does not give them the right to demand, respectfully or otherwise, the removal of what may be a viable opportunity for others.

Being fairly confident that I've left myself open to some rather indelicate prose in reply, my final comment would be to ask these petition signers to wake up;

not only are you attempting to (sic) violate all those constitutional principles we are so diligently attempting to embrace, but sooner or later we all have to face the real world.

Joe Long

### LETTER TO THE EDITOR

March 18, 1981

A Response to the Letter Addressed to the President:

A petition was recently circulated at Golden Gate University advocating the exclusion of United States Marine Corps recruiters from campus. Ironically, the petition was circulated in a "Con Law" class during the study of the first amendment.

We believe that to exclude recruiters because one might be "ideologically opposed" to them is not an acceptable basis upon which one can abridge their first amendment liberties.

A university must be an open, public forum in which the fostering of a free exchange of ideas and information is of paramount importance.


We, the undersigned, steadfastly oppose the denial of anyone's first amendment rights at Golden Gate University.

Robert Collins	Doris A. Caldwell
Gregory Alonzo	Steve Brookes
Michael Steuer	Judith Kaufman
Sam Ware	Antoinette Minnes
Mitchell Miller	Barbara Waldman
Cheryl Merrick	Cora Jean Loucille
David C. Duncan	Mary Jane Luther
Robert N. Davis	Anthony J. Sousa
Byron Kennedy	Juliet Gee
Julie E. Abers	Peter Sproul
Babette Rodrigues	Bob Paige
Steven Cohen	Joan Cotter
J.B. Hammond	Bob Riordan
Paul Shardlow	Judy Leibovick
Steve Klamm	Mike Baddely
Steve Shaw	John C. Cartwright
Bill Robbins	Brenda F. Comer
Jackie Hillman	Joe Long
Barbara Jo Richards	Jane Blakey
Willie Thomson	Michael D. Devito
Elaine Forester	Richard Stone
Richard P. Fanelly	Mort P. Cohen
Scott D. Benjamin	Shawn M. Throwe
Sondra M. Napell	Thomas P. Ross

To the Editor:

Regarding the letters about permitting the military to recruit on campus, Frederick Douglas once said to those working on behalf of abolition of slavery who faced the criticism of their 'liberal' friends because of tactics:

cont'd on page 4.



# life is rough

by Cindy Ossias

I don't know how I happened to find myself on Callé Mission that day. For years I'd avoided the area like the plague. Unhappy memories flooded back as I gazed at the still-imposing though decimated structure. (It was never learned where the El Salvadoran guerillas acquired the guns, ammunition and transportation to invade Los Estados Unidos, but Reagan had prophesied that California would be the first "domino" to fall.)

I put the paper bag to my lips, took a generous swig of mescal, and stumbled across the street. The entrance yawned open, the glass doors shattered long ago on that moonlit night in 1983.

The elevator shafts stared gloomily from either side. All the chrome and silver in the building had been looted (liberated, in revolutionary terminology) and sold by "those less fortunate" (as various groups of Liberales were wont to rationalize).

I trudged up the staircase to the third floor. It was tough with all that mescal in me, but at the same time, it was the mescal that made it possible.

The knob was missing. I cautiously but firmly pushed at the door. It opened onto a strangely unfamiliar scene. Through the vast expanse of empty classroom, I tread the grungy brown carpet, tripped over a ragged edge and sprawled on my face. My mescal trickled out of the bag onto the rug. A small gray rat stared up at me.

"Hello there. Are you and I the only ones left alive?"

It scurried away.

A single table tipped to the floor where a chrome leg once held it steady. I somehow recovered my feet and lurched over to it. The once-smooth cool surface was gouged out with initials and obscene graffiti. "You can fornicate with a dead body, but you can't meet with a dead mind." "P.F. & D.L." "Charlie loves Diane" I recalled the Prince's wedding, called off at the last moment. And I recalled the devastation of Lloyd's Bank in paying off policies insuring products etched with the suddenly-obsolete names and date. (The medical examination, required by British law to certify the Lady for the Job, had turned up an unexpected flaw in her physical make-up. All of her insistences of an equestrian accident were for naught.)

My heart bled for those two. True love stymied by society's hypocrisy...I started to shed a tear right

then and there for the privileged classes....

But stopped myself just in time. "Hell, it's just the mescal crying(hic). Where is it, anyway?"

And there it was on the rug where I'd left it. The rat was back, lapping it up gleefully.

"Heyyyy!!!! That'th mine!"

This time it didn't scurry, but stayed to finish its unexpected feast.

I got hold of myself and began to find my way out of the deserted corridors back to the street. It was all too depressing. Where was the promise of those years? Where was the fresh flush of youth? Ambition? Greed? Where was the hope of Golden Gate University's upwardly mobile bar pass rate? Turned to mescal and rats and three-legged tables.

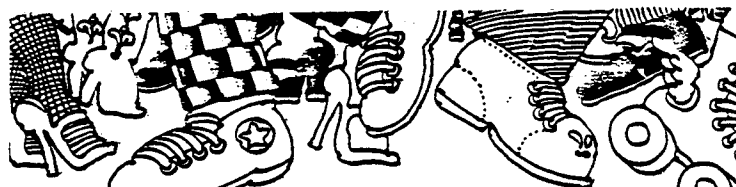
As I weaved back onto the street, a Chrysler full of soldiers rode by. A tear came to my eye once more, but this time I didn't stop it. I looked back once more at the saddest sight I'd ever seen and wandered off in search of another bottle of mescal.



## GOSSIP COLUMN

Is it true, Is it true? Yes, a certain professor owns a blazer which is older than most of the students in the law school. Who was that Rose seen slipping out a sleazy 1st Street bar at 8:00 a.m. Tuesday morning? A.P.B.: Wanted alive one law student from Conn., with curly hair. Last seen checking cites in library six months ago. Plans to complete law school via correspondence course. Hank McGee, has just returned from rinky-dink with license plates and a new lease on life. Its a shame H.Mc. will be on the road again, to Madrid, never to return to the hallowed halls of the Gate. Who is that Liz Taylor Warner look alike in Section A? Question of the day: If Tom Goetzl gets elected to the Berkeley city council will he require all the Mr.s and Ms.s in class to address him as Supervisor Goetzl? Is Rabbi Koal-Out, aka Dr. D. the hottest hunk on campus? When is A.K. going to throw another world class party? Soon I hope. I want the warm weather to return so the cruising will once again commence on the benches in front of school. Lust is never having to say "I have to study." Def.: Burden of Proof is showing a person why they should go out with you. Emotional rescue: is having supportive friends during finals.

The Ear (West Coast Edition)



"Those who profess to favor freedom, and yet depreciate agitation, are those who want crops without plowing up the ground. They want rain without thunder and lightening. They want the ocean without the awful roar of its many waters..."

Power concedes nothing without a demand. It never did and it never will."

I realize I've been privileged in seeing the other letters before the rest of the student body has and so, in the interest of maintaining some semblance of objectivity on behalf of The Caveat, I've figuratively detached myself from my position as Editor in writing this letter.

In answer to the letter that inquires,

"Because some of those enrolled in our small and somewhat insulated community are ideologically opposed to the military certainly does not give them the right to demand...the removal of, etc." :

Our right to demand the removal of the military recruiters stems from the same First Amendment liberties cited in the Response Letter, supra.

Cindy Ossias

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Editor's Note:

A letter was received re: military recruiters two days past deadline, and without a signature.

It has not been printed for those reasons. As a point of information, it was typed on GGU stationary. If the writer(s) would like to have it published next week, s/he should submit another (signed) copy by 5:00 p.m. Wednesday.

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Dear Editor:

I'd like to express my appreciation for Golden Gate's prompt and effective response to the brutal rape near the school last semester. The new plastic signs warning women not to walk alone at night are aesthetically appealing and give readers the proper "armed camp" outlook while at school.

In light of the attempted attack on the woman in the Plaza-level bathroom, I suggest it would be equally effective to display an additional sign in the women's restrooms on campus:

Warning: When using this stall at any time, for your protection, please do so in the company of at least one other person.

Respectfully,  
Beth Zacovic

To the Editor:

I heard that only a dozen or so people showed up at the candidate's forum, and that included the candidates, the Caveat editor, and one voter.

I am disgusted. (I had a dentist appointment and couldn't be there. Besides, it certainly was not well-publicized. I heard even the Caveat editor had trouble finding the room it was held in.)

For those of you among the student body who feel the student reps aren't truly representative of us, maybe this little-known fact will act as an incentive to someone out there:

The SBA President's tuition is completely remitted. Yeah. 15 or 16 units worth.

If this had been publicized earlier, would there have been more candidates for the office?

I think the elections should be held over. And in the interests of Democracy, the candidates should support this.

And there should be a general school forum, with representatives present from every interest and Third World group, like the Women's Association, ALSA, BALSAs, and RAZA students.

Did the Appellate Brief and the Law Review Writing Competition flake out everyone in the first-year class? Where's the legendary activism of Section B?

And I have one more thing to say: From what I've seen, the second-year class is politically up its collective ass.

Jeanette Cooper

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To the Editor:

Jim Scherer may be an unfamiliar name to many 2d, 3d and 4th year students. He is, however, worthy of everyone's attention.

I have had the opportunity to know and work with him this past year as a fellow member of the S.B.A. Jim is an aware, active, intelligent and enthusiastic person. He is a hard working member of the S.B.A. I feel he will be an excellent student advocate.

I fully support him for the position of President of the S.B.A.

Moss Jacobs

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TO THE EDITOR:

With all due respect, and continued support of your efforts, I believe the following two points of information should have been publicized in The Caveat:

1. Duties of the respective SBA officers; and
2. The fact that the SBA President receives full tuition remission.

More "hearsay" about the SBA surely doesn't benefit the SBA's cause! Thanks for your time.

Good Luck,  
M.J. Shea

cont'd on page

But these figures are the peak of a narcotics iceberg. Court figures show 852 police hearings involving 381 persons in 1979, and 810 hearings with 451 persons in 1980. 266 of the persons in the 1980 drug hearings had been previously involved in some form of a narcotics charge. The figure for 1979 was 226. Some of the 1980 jump is undoubtedly due to backbreaking efforts by court personnel to process proceedings as expeditiously as possible. How much of the rise is due to increased use of drugs is a matter of concerned speculation.

Though not regarded as a serious problem by law enforcement authorities in the 1960s, if a problem at all, drug use was, according to persons who constitute a fair cross-section of Icelandic citizenry, probably widespread by 1973. By then, even LSD was available, and though rare, heroin users were known to live in the island nation.

As early as 1971, the authorities responded to the situation by adding three police deputies to specialize in fighting drugs. But a major war on the illegal use of narcotics, one which the country is not now winning, was commenced in 1973 with the creation of a drug court with nationwide jurisdiction.

The court was thought to be an improvement over previously fractionated efforts because one court could deal with a case involving defendants residing in different judicial districts. Of equal or even greater importance, the judge could keep track of repeat offenders and could concentrate technically trained investigative personnel that might otherwise be spread through different policing agencies.

But sentences were (and are), by America's no doubt extravagant standards, surprisingly light, the prevailing view being that a first principle of punishment is that the length of the sentence must be perceived, especially by the prisoner, as rational. Since no crime, not even murder, actually receives a sentence that exceeds 16 years (and served in a college dormitory-style facility with less than 60 prisoners and with parole almost always granted after half the time is served), the authorities believe that severe punishment for possession of marijuana, hash or speed would be disproportionate to the gravity of the offense. (Sales of drugs are almost always by users and in very small amounts, thus not posing the problems created by professional dealers in the United States.)

Thus one of the most severe penalties has been a sentence of three years, imposed on a repeat importer and seller. (Most drugs seep into Iceland from either Amsterdam or Copenhagen.) First offenses usually bring in terms of American money, an \$80 fine for possession of, say, a gram of marijuana. Subsequent infractions, however, can result in as much as a \$2,000 fine. Jail is rare, and if imposed, the prisoner often has to wait his turn to serve time in the "prison" previously mentioned.

Thought to be a major innovation, the drug court has been a partial success at best, though its judge -- the same since it was founded -- thinks the problem would be much worse without it.

Principal reasons for the lack of success have been an antiquated criminal procedural system which slows down dispositions (some cases are backed up into a three-year time frame), the complicated and international nature of the crime (some of the culprits may be in Denmark or Holland), and a pre-trial detention system that permits defendants to easily slip out of the country through the nation's wide open airport.

Court schedules are, well, judge killers. Of a recent average of 120 cases for court disposition a month, 100 were settled by the judge without formal trial. But these cases each required handwritten reports by the judge that average 10 pages or more each. Stenographic transcripts are not used and extensive use of handwritten notes of testimony, later expanded to summaries of the testimony, are common. The residual 20 cases, however, might fill report books running to 400 or 500 pages, with 200 or more of them supplied by the judge.

It is a time-consuming process. Fifteen hour workdays are common for the judge, and police working on drug cases average some 200 hours a month overtime each.

A curiosity of the Icelandic scene is that the system does not rely on informants, paid or otherwise rewarded by the police as in America. Instead, in this largely communal society in which everyone almost literally knows everyone else, drug suspects frequently turn in their friends since cooperation is likely to be rewarded with a sentence more lenient than usual. But this cultural phenomenon has increased the workload of the police since any given arrest is likely to generate scores of suspects.

The seriousness of the problem that led to the creation of the drug court has been underscored recently by the reported appearance of PCP, allegedly used to lace poor quality hash and known in America as "angel dust." Americans here assert that no PCP has been positively identified by chemical tests, but its reported appearance is a matter of deep concern to local officials in the nation's capital Reykjavik. In a recent newspaper article here, an official of the drug department of the State Investigation Police (something like the American FBI but not exactly) said that he was "certain" that PCP existed in Iceland and had for some period of time.

The depth of national concern was evident in an interview granted this writer by the nation's new president Vigdis Finnbogadóttir. She suggested that the use of drugs and other errant behavior in her country (Iceland's buses are graffitistreaked and most outdoor public phones have been destroyed by vandals) was a product of frustration borne of a pessimism which she believes has afflicted the modern world.

The onetime director of the Reykjavik city theater, fluent in some seven languages, described herself as a "dedicated optimist" who believes that in an age in which each year seems worse than the one preceding, this generation of leaders must give the next something to hope for.

She also underscored the belief here that, unlike Denmark's Copenhagen, where

cont'd on page 8.

# ✧ ANNOUNCEMENTS ✧

## RECEPTION FOR NEWLY ADMITTED STUDENTS

On Friday, April 3, the Admissions Office will sponsor a reception for recently admitted students to Golden Gate. The reception, similar to one held last summer for the current first year class, will begin at 3 pm in the second floor auditorium, and move to the second floor foyer/balcony area for wine, cheese, and music at 3:30. The reception is scheduled to end at 6 pm. The reception has been planned to provide new admittees an opportunity to visit the School, and to compare our ambience with other law schools they may be considering.



## NICARAGUA DELEGATION SLIDESHOW

On Wednesday, March 25 at 7:30 at 143 Peralta St. in San Francisco (near Army St.), the Central America Task Force of the NLG will present a special slideshow on the Nicaraguan legal system before our regularly scheduled meeting. One of our members, Kathy Galvin, returned from Nicaragua at the end of January after speaking to judicial officers and viewing the war crimes tribunals. There will also be an update on Nicaragua including its response to the cutoff of U.S. aid and our intervention in El Salvador. People interested in joining our work around Central America are especially invited. For more information, contact Sam Krantz at 285-5417.



## ALSA MEETING

The Asian Law Students Association will hold a meeting on Tuesday, March 24 at noon, in Room 302. We will discuss the upcoming Judicial Panel (at Hastings on April 4), examining tutorials for final exams, and the future of the Association.

We will also have as a guest speaker a Golden Gate graduate who is now with the Federal Bureau of Investigation. Please come and bring your ideas (and lunches, too!)

## SUMMER EMPLOYMENT INFORMATION

The Asian Law Students Association has invited representatives from the Public Defender's and District Attorney's offices to come to talk about job possibilities in their offices in Santa Clara County. This forum will be held on Thursday, March 26 at noon in Room 322. The main purpose of this forum is to encourage minority interest in these areas. This forum is co-sponsored by the Women's Association and La Raza. ALL MINORITIES ARE URGED TO ATTEND!

## HIGH TENNIS CLUB FEES?

by Herman,  
Vice President,  
Student Association

On several occasions, law students have made inquiries why they had to pay a \$ 20 fee, while other students only needed a fiver.

The difference in fees between law students and others results from the fact that the tennis club is sponsored by the Student Association. Since the Student Association is funded by fees from non law students, it is only fair and equitable that these students pay a lower membership fee. However, other organizations are welcome to co-sponsor the tennis club. Members to those organisations can then also enjoy a reduced membership fee. For more information, contact the Student Association in the Student Union, rm. 529.



## SUMMER HOUSING SOUGHT

Professor Eric Byrne of Seton Hall University School of Law will be a visitor at Santa Clara University School of Law during the summer. He is looking for a furnished house or apartment (1 or 2 bedrooms) in San Francisco or in the Palo Alto-Santa Clara area, and has a 2-bedroom apartment which he will swap or rent separately. He may be reached at (201) 642 8500 (office) or (212) 691 5395 (home).



## CEB WORKSHOPS AT GGU

CEB videotape programs are held each Tuesday at noon. The March 24 program will be "Proving Personal Injury Claims to Arbitrators," and the March 31 program will be "Jurisdiction and Service of Process."



Applications for the July general bar examination have arrived. They are now available for pickup in Room 215 (student counter in the Registrar's Office).

Graduating seniors are reminded that the deadline for timely filing is APRIL 13 (in person) or APRIL 11 (if mailed).

Special fingerprinting service will be available to those registering for July's bar examination on April 1 and 2, on the third floor. Mr. Patrick Walsh, who has provided this service to previous classes of graduating seniors, will be present there from 2:30-7:00 p.m.. He charges \$2.00 and will only accept exact change.



# AN EXTREMELY SHORT STORY

By Randy Colfax

Sam Hazard had been watching Cathy Rigley all semester in his torts class, but he had not fallen in love with her yet. Sam knew better than to fall in love with people he had not spoken to, and since he had not mustered the courage to speak to Cathy, there was no romance.

Instead, Sam's affections turned to torts themselves. Sam knew that this indicated a certain degree of desperation, but he did not care. When he was alone he would work on perfecting an impersonation of his torts professor, booming "defendant deliberately bashes plaintiff over the head with a baseball bat: cause of action or not?" This was always good for a laugh when Sam was feeling low.

The other courses were too abstract for Sam, but the torts cases were like short stories, always livened up by the actions of the defendant. It was not that Sam liked to see people suffer, in fact he was a rather sentimental sort. Still, Sam respected change, and change was always taking place in torts. Sometimes the injuries were sad to witness even vicariously, but they represented change nonetheless, and something which Sam craved in his dreary law school years.

In the height of his madness, Sam dreamed of becoming a rich and famous personal injury attorney. He knew that this dream was merely a compensation for the bleak life which he lived in reality, but he dreamed anyway.

Sam's favorite torts case was Katko v. Briney, in which a farmer, tired of people breaking into an unused building on his property, set up a spring gun trap and eventually shot a prowler with it. Sam envisioned the irate farmer planning his trap and telling his wife that he was "gonna hurt someone." Sam imagined the wife responding "At least set the gun so it aims for the laigs, dear." Sam particularly liked the result in which the Brineys had to sell part of their farm to pay off the judgement for the prowler's injury. Because the Brineys had a small farm to begin with, Sam wondered if they had a "shrimp" farm after they paid the judgement.

NEXT: SAM MEETS CATHY RIGLEY



5TH ANNUAL TALENT SHOW

FRIDAY, MARCH 27TH

GGU Auditorium

7:00 PM

Is something missing from your life? Are you listless and weary? Do you lie in bed on a weekday morning, after the alarm has gone off, pondering whether there is life after Writing and Research? Do you find yourself daydreaming in the law library about those lazy days when a tort was simply some fancy pastry you bought in a bakery?

Well, wake up Amerika! Refresh yourself with the 5th Annual GGU Talent Show -- the showstopper of law school revues!

Geritol be damned! What you need is a good dose of total, uninhibited zaniness. Indulge yourself in the crazy light-heartedness of this end-of-the-year spectacle. GGU's very own contribution to the line-up at Napa.

It's all happening this FRIDAY night -- MARCH 27TH -- in the main auditorium. The festivities begin at 7:00 PM, with wine and other refreshments served from 6:30 on.

Bring your best belly laugh, all the friends and family you can crowd in to the old heap, and a friendly donation of \$2 (children under 14 free).

We guarantee you a totally frivolous evening, sparkling with GGU's funniest and finest and more combustive than any FSC meeting could ever be.

Be there, or be...

## THE CAVEAT

The Publication of  
Golden Gate University School of Law

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## SBA FORUM

Cont. from p. 1.

The apathy of the student body was spoken of: that students view the SBA as not representative of them, even though they elected the SBA.

The administrative details that regularly bog down SBA meetings were noted by those candidates who were 'reps' this year.

Tom Norton, candidate for Third Year Representative, recommended that certain changes be implemented in the SBA structure: That the 2nd and 3rd year representative positions be eliminated through a two-thirds vote of the SBA body to change the Constitution or through a referendum of the student body.

Jim Scherer, presidential candidate, spoke in favor of shorter, less frequent, more substantive meetings and in favor of a closer synthesis of the student representation on the FsC and that on the SBA. He drew an analogy between union organizations and a proposed SBA structure.

Scherer and Norton agreed that most policy considerations can be separated from administrative issues such as Y-passes.

Charlotte Thetford, candidate for Second Year Representative, is most concerned with minority and women's admissions. She is a re-entry, single-parent and a Native American, and feels very strongly that Golden Gate must maintain its stance on admitting people like herself. A strong concern of hers is in protecting women from the street violence in and around the school. Thetford wishes to serve on the Admissions Committee.

Meli Cook, candidate for Third Year Representative, volunteered the information that she became involved suddenly, 15 minutes before deadline for nominations, through a realization that she cares a lot, and that "if I don't do it, who will? There are almost as many empty slots on the ballot as there are people running."

Rosalie Wohlstatter, Second Year Representative candidate, showed concern for those issues Thetford had spoken of and added child care to the list. She expressed concern that the "restructuring" of the SBA should be implemented with regard for the sentiments of the student body, if not the votes.

Each FsC committee holds 3 or 4 slots to be filled by students. Concern was evinced from an "audience" member that those slots should be at least partially filled by students other than SBA representatives and officers. It was agreed by all present that one slot on each should be filled by SBA members, so that -- when the FsC becomes the FSC once again -- that synthesis between the FSC and SBA should exist.

Scherer spoke once more of interesting other student groups, e.g., BALSA, and the Women's Association, in student government, of giving those students interested in things other than Security Problems and Child Care, e.g., basketball aficionados, what they want and of dealing with Otto Butz and the new law school dean effectively.

This report will be printed after elections are held, but the people written of here will undoubtedly serve as your representatives next year. These are their views; these are the ways in which they will serve you.

## ICELANDIC DRUG COURT

Cont. from p. 5.

drug addiction has probably spread beyond the capacity of the authorities to control it, in Iceland there is still time to confine drug use to those sectors of the society in which it currently exists, and perhaps eventually to reduce the problem to one of relative insignificance.

Other persons concerned with the problem agree that Iceland's undeniably enlightened mix of special enforcement leading to certain if not severe punishment is at best containing the spread of narcotics. The problem, they believe, is so persistent worldwide that it is vain to hope that tiny Iceland, which has until recently been all but crime-free, can rid itself of drugs. The problem, of course, even in comparative terms, is nowhere near as dreadful as in the United States. But any at all is regarded here as much too much.

## GRADUATION UPDATE

by Tommy Gill, Chair  
Graduation Committee

The results of the Guest Speaker voting are in, and the Dean's office is in the process of extending a formal invitation to the person selected. When final arrangements are known, an announcement will be made in the Caveat as to who will be the keynote speaker at this year's ceremony.

The voting for Outstanding Student Contributor and Outstanding Professor will remain open until Wednesday, March 25. If you have not as yet voted, you may do so by giving your completed ballot to Jill Danelski in Room 227.

Final arrangements for the ceremony are being made at this time, and we need to know as soon as possible how many people will be participating. If you are graduating in May, we ask that you indicate whether or not you will be participating in the graduation ceremony by returning the form you received in the mail to Jill Danelski in Room 207. Your cooperation will help to make this year's graduation an immense success.

## INTERNSHIPS

by Ann Hunkeler  
Government Documents Librarian

We have just received The California Internship Program, Fall 1980 - Spring 1981, a publication designed to help students find internships this Spring. The directory identifies state agencies planning to sponsor interns and discusses application procedures. Among the many internships discussed are placements with the San Francisco Bay Conservation and Development Commission, Agricultural Labor Relations Board, California Commission on the Status of Women, Office of the Attorney General, Office of Criminal Justice Planning and Department of Justice. Information is also provided on voluntary internships with California Legislators. This guide will be shelved in the Reference Room under the call number JK 716 C34 as soon as it is processed.

## JOB OPPORTUNITIES

### Attention First Year Students!

The Regional Attorney's Office of the Department of Health and Human Services is recruiting for several summer positions. Students must submit applications by March 31, See Placement Center for details.

### Attention Third Year Students!

The District Attorney of Sacramento County is seeking applicants for the position of Legal Research Assistant. Students who will take the California Bar in July '81 are invited to apply. Deadline for resume is March 27, salary \$1364/mo. Position commences Sept. 1, 1981.

### Newspaper Assistant

Local law newspaper needs a full time student to help with reporting filings for the County, assist with legal advertising. Minimal typing required. Job # 223 Any year student eligible.

Do you know what a law clerk position entails?

These questions and more will be answered during the noon hour on March 25, in Room 223 by GGU students who have worked in various clerking jobs.

### HIRING COMMITTEE REPORT

by Marc Stickgold  
Professor and Chair,  
Hiring Committee

It is with great pleasure that I announce that both Arnold Sternberg and Susan Foote have accepted our Visitorship offers for the academic year 1981-82. Hiring is therefore finished with regard to regular faculty positions at this point.

The Dean, who appoints the Director of Legal Research and Writing, has asked me, as Chair of the Hiring Committee, to solicit and screen applicants for that position and recommend finalists to her. Other members of the Hiring Committee, as well as other first-year course teachers, have been asked to meet and interview the applicants if they are interested in doing so.

I would ask each of you who may have interesting candidates to recommend, to have them send a resume as soon as possible since we hope to close applications on March 31, and make a selection soon thereafter. The position is now a full-time one, pegged to a Visiting Assistant Professor salary range, and we are asking for a two-year commitment. You should also have in mind that this person might be involved -- at least next year -- in the development of a tutorial program within the framework of the Writing and Research course. He/she should also be able to work with the Curriculum Committee and other faculty on revising the improving the program in whatever ways are determined to be necessary.

Public Employment Relations Board  
A full-time summer intern position available in Sacramento. Position entails research and writing in public sector labor relations. See job #467.

### Litigation Assistant

Legal Assistance for Seniors is hiring work-study students for summer. Students must have completed their second year. See job #468 in summer book.

### LETTERS

Cont. from p. 4.

Did President Reagan's recent sending of military advisors to El Salvador exceed his constitutional military authority as construed by Congress in the War Powers Resolution of 1973?

The key language of the resolution states that "the constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are executed only pursuant to (1) a declaration of war, (2) specific statutory authorization (by both houses of Congress), or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces."

Regardless of one's opinion on the situation in El Salvador, the parallels with early U.S. involvement in Vietnam are striking. And it was to prevent future Vietnams that the War Powers Resolution was introduced by former Senator Javits and adopted by both houses of Congress.

The real question, then is whether sending military advisors into a country where "imminent involvement in hostilities is clearly indicated by the circumstances" ought to be a joint decision made by the president and both houses of Congress. The circumstances which exist today in El Salvador clearly indicate imminent involvement in hostilities with respect to U.S. military personnel. Indeed, President Reagan himself said recently that their presence cannot be made "risk free."

Therefore, it appears that the president, at least to the extent that his constitutional authority has been construed by Congress, had no authority to send advisors to El Salvador because there has been no declaration of war, no specific statutory authorization of Congress, and there is no national emergency.

Even though the Congress sought to pass only a resolution regarding the President's war powers and not statutory provisions (Mr. Nixon's promised veto of the War Powers Act made it impossible to enact Senator Javits' original legislation), the War Powers Resolution still stands as a historic legal construction of the President's authority in this area. Accordingly, at least part of the debate over the situation in El Salvador should be focused on this critical constitutional issue.

Sincerely,

Bob Ryan

# Writing Requirement

by Tom Norton

Second year day and third year night students should be aware that they will have to meet an additional writing requirement to graduate. Since the law school administration has not informed you of this new requirement, I will.

The following motion passed the FSC in the spring of 1980:

"In order to graduate at the end of the 1981-82 academic year and thereafter, students must fulfill a writing requirement with a passing grade of a 'C' or better in one of the following courses:

(1) Law Review (2) Appellate Advocacy (3) Legal Drafting (4) Selected Legal Problems (5) A seminar in which the student prepares a significant piece of written work under the supervision of a full-time faculty member.

"The Dean, in consultation with the Curriculum Committee, will prepare an accepted list of seminars in which students may fulfill this requirement. A writing requirement may be fulfilled only in a course taught by a full-time faculty member except when a student obtains the permission of the Dean to have a paper which has been supervised by a part-time instructor, qualified."

As far as I know, students have not received formal notice of the new requirement at any time, including during fall 1980 and spring 1981 registration. About a month ago some third year students clued me into the fact, so I asked Dean Marge Holmes about it. She told me that it did not apply to my class (second year day). Last week I saw that the above-quoted motion does apply to my class. When I again discussed this with Dean Holmes on Thursday, she said that she previously day, she said that she was previously wrong -- that the new requirement does apply to second year day and third year night students.

Last week the Chair of the Curriculum Committee, Roger Bernhardt, sent a letter to all faculty members seeking their comments on the courses that are possibly suitable for filling this requirement. They are preparing to implement this new writing requirement now.

Personally, I agree with the idea of requiring an in-depth writing assignment. But the lack of notice is inexcusable. Perhaps there are ways that the impact of this administrative neglect can be lessened. If an additional requirement burdens you, you should go see either Dean Marge Holmes or Dean McKelvey to express your views.

## Loophole<sup>®</sup>

by hal malchow

