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Caveat, January 20, 1976

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CAVEAT

Vol. XI No. 14

Golden Gate University School of Law

January 20, 1976

FROM THE DEAN

After numerous meetings with the Budget Committee and discussion with the FSC, I regret that it is necessary to announce a tuition increase. An increase in law school costs resulting from inflation and the addition of two new faculty members next year are the primary reasons for the increase. The new rate will be \$87.00 per unit and will go into effect during the fall semester of the 1976-77 academic year.

Although a staggered tuition rate is not favored by the University administration, the tuition for third and fourth-year students will be raised to \$80.00 per unit for the duration of the 1976-77 academic year only. This staggered increase is in recognition of the large increase suffered by upper-division students from \$60.00 to \$75.00 per unit which they absorbed in their 1975-76 tuition rate. Any future increases in tuition will be spread equally among all students, including those who will be third or fourth-year students next year.

Members of the Budget Committee are available to answer questions about the tuition increase and next year's budget. In addition, interested students may see copies of the budget in the Dean's office.

Dean Judy McKelvey

For an opposing view of differential tuition rates see page 3.

SBA ELECTIONS TO BE HELD IN FEBRUARY

Elections for Student Bar Association offices will be held February 18 & 19, 1976. The offices which are available include President, Vice-President (Day), Vice-President (Night), Secretary, Treasurer, ABA/LSD Representative, and Second & Third Year Representatives, (Day and Night), and Fourth Year Representatives (Night).

A special election issue of the CAVEAT will be published on February 17th. Candidate statements should be submitted by February 12th.

Nomination for candidates is accomplished by submitting a petition signed by ten students. Petitions must be submitted to the SBA box in the Faculty Center by February 6th, 1976.

Candidates may campaign February 6th - February 17th.

MASSIVE DESTRUCTION OF CRIMINAL RECORDS AVAILABLE UNDER CALIFORNIA'S NEW MARIJUANA LAW

PUBLIC USE DISCOURAGED BY NORML

More than 500,000 persons arrested for marijuana possession in Calif. prior to 1/1/76 are entitled to have all records of their arrest and conviction destroyed under the State's new marijuana law which takes effect New Year's Day.

Persons possessing small amounts will not be arrested and will not face jail

penalties under the new law, though simple possession remains technically a crime. Smokers are thus advised to confine their celebrations of the new law to their homes and other non-public places.

With this note of caution, the National Organization for the Reform of Marijuana Laws (NORML) hailed the new law, which eliminates felony possession penalties which have existed in California since 1915.

"Beginning January 1st, California will have one of the most liberal marijuana laws in the country," stated Gordon Brownell, West Coast Coordinator for NORML, the non-profit public interest group which pushed for passage of the law in the Legislature. "This marks a major step towards full decriminalization and should prevent as many as 75,000 arrests in 1976 alone. The record purging provisions, affecting more than half a million persons, are the most progressive and far-reaching in the entire nation."

Under the new law, simple possession becomes a misdemeanor, with possession of not more than one ounce being a mandatory citable offense, punishable by a fine of not more than \$100. Enforcement will be like a traffic violation, with citation instead of arrest. Possession of hashish or hash oil remains punishable optionally as a felony or a misdemeanor.

"NORML is reminding everyone--users and non-users alike-- that simple possession remains a criminal offense under the new law," Brownell added, "and we are strongly discouraging persons from smoking marijuana in public, which will most surely result in citations, fines and two-year misdemeanor records for those apprehended."

(continued on p.2)

STUDENT-FACULTY COMMITTEES
STUDENT MEMBERS
1975-1976

REP. AT LARGE TO F.S.C.	Charles Herrington (1st-day)
BUDGET COMMITTEE	Merrill Zimmershead (3rd-night) Art Swenson (1st-day) Alan Stevenson (2nd-day) Ex Officio
CURRICULUM	Renee Feinstein (2nd-night) Arlene Schwartz (2nd-day) Brian Chikowski (1st-day)
HIRING	Kathy King (2nd-day) Mary Gerber (1st-day) Jann Gurchich (1st-day)
EVALUATIONS	Barbara Herzig (2nd-day) Alan Silver (2nd-day) Doug Taylor (2nd-day) Henry O'Neill (2nd-day) Alternate
ACADEMIC STANDARDS	Walter Switzer (1st-day) Vicenta Montoya (1st-day) John Harrigan (2nd-day)

NEW MARIJUANA LAWS (continued from page 1)

"Just as improtantly,"Brownell continued, "people should remember that the new law does not change stiff felony penalties for cultivation of marijuana."

Giving away or transporting one ounce or less of marijuana is treated the same as simple possession of that amount. The sale of any amount of marijuana and the furnishing of any amount to minors remain felonies.

The new California law was authored by Senate Democratic Leader George R. Moscone now mayor of San Francisco. The bill was c6authored by Assemblyman Alan Sieroty of L.A., Chairman of the Assembly Criminal Justice Committee.

In addition to California, five other states have adopted citation laws for marijuana possession. Oregon became the first in 1973, followed by Alaska, Maine, Colorado, California and Ohio this year. Eleven days after the Alaska Legislature gave final approval to a dereminalization

bill last May, the Supreme Court of Alaska ruled unanimously that the possession of marijuana for personal use by adults at home was constitutionally protected by the Right to Privacy.

NORML has filed a major consitutional challenge to California's law prohibiting private possession and cultivation for personal use, contending that such laws v violate the inalienable Right to Privacy and other consitutional guarantees. The civil suit, brought in Los Angeles, and San Francisco counties will be heard early this year.

(NORML is a national, non-profit organization dedicated to the reform of marijuana laws. Membership to NORML costs \$15 per year and entitles one to newsletters, special reports, and action alerts. Their address is NORML, 2317 M Street NW Washington D.C. 20037.)

BARRISTERS CLUB
COMMITTEE ON VOTER FRAUD

The Barristers Club of San Francisco has formed a committee on voter fraud and solicits help from law students.

The Committee is attempting to define voter fraud, formulate a policy on how to deal with it, and make recommendations for statutory changes which may be needed.

Law students are invited to join in this endeavor. Just leave your name, address, and phone number with Jerome Fishkin, Chairperson of the Committee, by calling his law office at 1515 Vallejo St. S.F. : 673-3113. Or come to their first meeting Wednesday; January 21, 12 noon, Bar Assoc. Office, 21st Floor, 220 Bush St., S.F.

The Barristers Club consists of all members of the San Francisco Bar Association under the age of 36. The Voter Fraud Committee may be the only organization in San Francisco without a vested interest in the current controversy.

BARRISTERS CLUB PRESENTS A PANEL DISCUSSION:
LEGAL ADVERTISING-PANACEA OR PANDORA'S BOX

The panelists include Raymond Bonner, Esq. Director, Consumers Union, a non-profit organization which publishes Consumer Reports, Kurt W. Melchoir, Esq., Member of the State Bar Board of Governors, and John A. Sutro, Esq. of the S.F. law firm, Pillsbury, Madison and Sutro.

The State Bar Board of Governors has voted to submit for comment a proposed pilot program subject to State Supreme Court approval, which would permit limited advertising by individual lawyers. The tentative program would allow individual attorney advertising in the yellow pages of the phone book and law lists or legal directories containing additional information of interest to consumers of legal services. The Ethics Committee of the ABA has also invited comments from attorneys on the lawyer-advertising issue.

The panel discussion is a luncheon which costs \$6.50. If you do not want to eat, but would like to attend the discussion, you can arrive around 12:30 at the Ralston Room of the Sheraton-Palace Hotel, Market & New Montgomery Streets, S.F. The hotel asks that you do not bring your own lunch.

Check the bulletin on the Dean's board for further information.

FSC TO RECONSIDER DIFFERENTIAL TUITION

The FSC at its December meeting resurrected the old and discredited policy of differential tuition rates. Next year first and second year students will pay \$87/unit while third year students will pay \$80/unit. The reason behind this decision can at best be described as misplaced sympathy for one class of students, and at worst as good dealing by the class of 1977. In typical Tammany Hall fashion the second year class, who last year complained vociferously about the unjust quality of differential tuition, today wishes to force that same impropriety upon the rest of Golden Gate Law School.

The problem began with the class of 1975 (last year's grads). They somehow got their tuition frozen for three years at \$48/unit. Last year the class of 1977 (next year's grads) paid \$60/unit, and thus subsidized the class of 1975. Now the 2nd year students on the FSC have united to bring the system back. Their reasoning (supported by the Dean on page 1 of the Caveat) is that because their class suffered from differential tuition last year, they should benefit from it next year. They don't consider the fact that their rates last year were still artificially low as money reserves built up at GGU by previous classes were drained to keep tuition at a level far below costs.

The FSC has given preferential treatment to the class of '77 at the expense of the classes of '78 and '79. They ignore the fact that these classes have also suffered annual undergrad tuition increases. The SBA, allegedly representing the interests of all GGU students, was a major force in the implementation of this discriminatory policy. The current policy of equal tuition is sound fiscal and political policy. The FSC decision to end such egalitarianism is a mistake.

The decision can be rescinded. What is necessary is to convince those responsible of the unfairness of the decision. The FSC is comprised of all the faculty, the Dean, her assistant, the SBA president, and six student reps whose names are among those listed on the previous page. Contact these people. Ask them how they voted and their reasons. I ask all students, including those who would benefit by this inequitable arrangement to come forward and seek rescission of the differential tuition schedule. Act now because the FSC meets Thursday to reconsider its decision.

Charles Herrington
Rep at large to FSC

CALENDAR OF EVENTS WEEK OF JANUARY 20-26Tuesday, January 20

WOMEN'S ASSOCIATION MEETING : Noon, somewhere on the second floor, check signs for room #
First meeting of the new semester, all women are invited.

Wednesday, January 21

BARRISTER'S CLUB OF SAN FRANCISCO: 1. Voter Fraud Committee Meeting, noon, 220 Bush St.
(see article this issue of CAVEAT)
2. LEGAL ADVERTISING - PANACEA OR PANDORA'S BOX?
Noon in the Ralston Room of the Sheraton-Palace.
(see article this issue of CAVEAT)

GRADUATION COMMITTEE MEETING: Noon in the Dean's Office. Committee members include:
Ron Kagen, Gloria Dralla, Robie Aronson, Paul Peplau,
Vicky Hobel, and all other interested graduating students
are welcome. Main agenda item: Selecting a graduation speaker.

STUDENT BAR ASSOCIATION MEETING : 5 P.M. in the second floor hallway
Agenda will include: SBA Dues Increase Proposal;
Scheduling Committee Proposal Re: Two unit
courses; Financial Aid Problems.

Thursday, January 22

WORLD AFFAIRS COUNCIL OF NORTHERN CALIFORNIA: Panama Canal Zone Question Forum, 5:45 p.m.
406 Sutter St., S.F. The recent Governor of the Panama Canal Zone, Major General
(ret.) David S. Parker, will discuss the Canal Zone issue and the prospects for the
future of that nation at a World Affairs Council Forum. Call 982-2541 for details.

EVENING EXAMS IN THE SPRING: TIME CHANGE

Gina in the Faculty Center would like to announce that all exams scheduled for 7 p.m. to 10 p.m. in the spring will be held from 6:50 p.m. to 9:50 p.m. This change is necessary as the building must be cleared by 10 p.m. each evening.

ABA Family Law Essay Contest

The 1976 Howard C. Schwab Memorial Award Essay Contest is open to second, third, and fourth year students. First prize is \$500, second is \$300 and third is \$200.

Each contestant may select any aspect of family law and while there is no official limit, 3,000 words is suggested length. Essays scheduled to be published or published essays are not eligible.

Entry forms may be obtained from: Howard C. Schwab Memorial Award Essay Contest, Section of Family Law, ABA, 1155 E. 60th Street, Chicago, Ill. 60637. Entries must be submitted by April 19, 1976.

NOTE FROM THE DEAN'S OFFICE

PLEASE REMEMBER TO ALWAYS CHECK THE DEAN'S BULLETIN BOARD. ALL IMPORTANT ANNOUNCEMENTS AND MANY ITEMS OF INTEREST ARE LOCATED THERE. THE BOARD IS LOCATED OPPOSITE THE ELEVATOR NEAR THE DEAN'S OFFICE.

Views expressed in CAVEAT are not necessarily those of the law school nor of the Student Bar Association.

Staff meetings are held in the CAVEAT office in the law library mezzanine each Thursday at 3:00 p.m. We welcome and solicit contributions and help. If you are interested in contributing an article, voicing an opinion, or helping out on the staff, please contact Dianne Niethamer, either by leaving your name and phone number in the CAVEAT box in the faculty center, dropping by the CAVEAT/SBA office in the law library, or phoning Dianne at 465-0916 eves and 391-7800 Ext.370 days. We would especially like to hear from first year students and night students.

Editor-in-Chief: Dianne L. Niethamer