

11-10-1976

Caveat, November 10, 1976

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"Caveat, November 10, 1976" (1976). *Caveat*. Paper 81.
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NOV 1 1976

GOLDEN GATE UNIVERSITY

Vol. XII No. 13

Golden Gate University Law School

November 10, 1976

PLACEMENT NEWS OR
WHAT'S UP WITH WALLY?

UPCOMING PANELS/SPEAKERS --

Nancy Simpson, President of the San Francisco Barristers (attorneys under 35), and 2 or 3 Barrister members will speak on law opportunities in San Francisco, hopefully later this month or in January.

Irving Reichert, Executive Director and General Counsel, The Bar Association of San Francisco, together with another staff member, will discuss why clients and the public often distrust attorneys (in January).

INTERVIEWS --

- Tuesday, November 16, Army Judge Advocate Corps;
- Thursday, November 18, California 1 Legal Assistance;
- Friday, November 22, DNA-People's Legal Services, the legal services program for the Navajo and Hopi Indian Reservations in Arizona, New Mexico and Utah. Graduating students should sign up now; see the Placement board for information.

PREPARATION FOR POST-GRADUATE
EMPLOYMENT --

I'm putting together a notebook with individual sheets for specific areas of law practice (family, criminal, tax, environment, etc.) and for Federal and State agencies (Department of Justice, Public Defender, etc.). Each law area sheet will indicate preparational law school courses needed; job qualification requirements in terms of grade point/class standing, law review, school activities, and law-related work experience; post-graduate employment opportunities in the S.F. Bay Area and elsewhere. I welcome student and faculty input/comments. When completed, this information will be available to all students and should aid in preparation for eventual legal employment.

Weekly Filler:

Can a House-man give a proper-tea?

NATIONAL LAWYERS GUILD PRESENTS

Gil Graham, the attorney who represents the residents of the International Hotel in their fight against eviction, will talk about this struggle's legal aspects on Thurs., Nov. 18 at noon in Room 203. The tenants at the Hotel are attempting to remain in their community, despite the urban renewal that slumlords and speculators recommend for the poor, minority neighborhoods. Four Seas Corp. is the latest in a series of investors who have tried for eight years to tear down this Chinatown hotel. Many of the tenants live on retirement or social security. In S.F. this year, 1,000 low-income housing units have been torn down and none built. Many of the Hotel's residents are elderly Filipino and Chinese. For them, the hotel is many things: a 24 Hour-a-day community kitchen, a center of shared activity, a clinic, their homes in

their neighborhood.

In a response to the tenants' fight against eviction Mayor Moscone has come up with a plan for the City to (maybe) buy the Hotel. On Tuesday, Nov. 16 (at 2 PM) the Planning, Housing and Development Comm. of the Board of Supervisors will hold a public hearing on the I-Hotel at City Hall.

The battle for the I-Hotel has raised a number of legal issues about the concept of property, rights of tenants and landlords in respect to property use, "eminent domain" use by the state, access of the poor to housing, zoning, and community interests (whose?) in zoning. Gil Graham will be available for questions and discussion.

Terry Koch

SALT OF THE EARTH
TO BE SHOWN AT GOLDEN GATE

One of the most politically incisive movies of the 1950's is coming to GGU on Nov. 15 and 16. A semi-documentary of a strike of Mexican-American zinc miners in New Mexico, Salt of the Earth has been surrounded by controversy since the beginning of production. Accusations of communist propaganda, violence and threats of vigilante action during filming and a prospective lawsuit all nearly prevented its distribution.

The movie is not one-sided in its pro-labor perspective. It is an interesting exploration of the question of women's equality. The drama centers on the evolution of the relationship between one of the strikers and the woman he is married to. He objects to her participation in the strike, but when a court injunction bars the men from picketing, the women take over and eventually force the company to capitulate.

Everyone is invited! The movie, which is sponsored by the Law Women's Association, will be shown twice: Monday, Nov. 15 at 5 PM in Room 205 and Tuesday, Nov. 16 at 11:50 PM in Room 205.

ATTENTION VETERANS

Many students in the law school who have previously exhausted their VA benefits are now eligible for an extra nine months of assistance under the new law signed by ex-president Ford on Oct. 15, 1976.

This law extends the basic entitlement from 36 to 45 months and is effective Oct. 1, 1976. The Veteran must use these benefits within 10 years from release from active duty. The 10 year delimiting date was not changed.

See Michael Burns, the Veterans Affairs Coordinator at GGU.

PARALEGAL TRAINING SEMINARS

Three Saturday seminars in legal assistant training are being offered by The Center for Management Development of GGU, commencing December 11. These seminars are being offered in cooperation with the Law School in response to a growing need for paralegals. The seminars are Introduction to Legal Assistant Skills, Dec. 11; Interviewing Skills, Client Intake and Field Interview, Jan. 29; and Research and Writing Skills, Feb. 26. For details, consult the winter bulletin board of CMD or phone 391-7800, ext. 233.

LETTERS TO THE EDITORS

Dear Ms. Dunn:

I must take exception to your editorial of October 20 regarding the Bakke decision. Your argument is founded neither in logic nor in law. I have not read the opinion of the Court, and from your editorial it is clear that you have not either. Nowhere do you attack the case with legal precedent, except for vague references to De-Funis, a case famous for what it did not decide and to Plessy v. Ferguson, a case overruled by the famous Brown v. Board of Education decision.

As I have not seen the Court's opinion, I am not prepared to attack the case on its merits. Rather, I find much of your incidental discussion both disturbing and offensive. You imply that only facists and bigots oppose the concept of special admissions. That notion is facile and ludicrous. Discrimination is discrimination, regardless of the conditions under which it is practiced. Discrimination in education is illegal. It is equally as illegal when applied in favor of minorities as it is when applied against them. All racial and ethnic and sexual discrimination should be challenged and fought, because all of it does violence to the Constitution. The only way to end discrimination is to stop making note of a person's race, sex, and ethnic background in relation to employment, housing, credit, education and the like.

The argument that we should practice selective discrimination in our institutions today in order to compensate for past injustices may hold some emotional merit, that is to say, it might be a nice idea. However, the job of the Court is not to decide what the law might or even should be (except where there is no existing provision in law), but rather to decide what it is. You have not demonstrated in your editorial any basis for the righteous indignation you have directed against the decision. The answer is not to change the decision, but to change the institutions to protect the rights and interests of all people. The Court is only doing its job, the interpretation of the law as is.

Harry Auerbach

(ED. With the editorial spirit in tow, I must make the following comments:

I have read the Bakke decision. I had read it prior to writing my editorial. If you will note the title of my editorial (CAN THE OPPRESSED

OPPRESS THE OPPRESSORS? The Devisiveness of Racism and the Need for Unity), as well as reread it, you will find that it is not solely about Bakke; nor was it intended to be. It concerns the devisiveness of racism in our society, and Bakke stands as one example. At no point did I speak of "facists" or "bigots." The implications you read are a product of your own perception. I find your criticism that I founded my argument "neither in logic nor in law" to be complimentary. First of all, editorials are a means of expressing one's political and emotional reactions to political and emotional issues (Thus, the heading, EDITORIAL, above my "righteous indignation"). Secondly, the mixing of logic with law occasionally frightens me, especially when it serves as a means of stripping the "law" of all humanistic values and perspectives. Racism is a political issue. It is an emotional issue. Lawyers and others have spoken "logically" about it for centuries. Was segregation in education "legal" until Brown? Yes, "discrimination is discrimination." Such a statement, however, does not alleviate the fact that some people discriminate more and are discriminated against more by virtue of the color of their skin, their sex, or their economic status. Yes, the only way to end discrimination is to stop discriminating. One way to stop is to "change the institutions to protect the rights and interests of all people." Such change, however, will not come without struggle. The struggle must transcend racism if we are to achieve an end to discrimination in all spectres. The struggle must take place in the courts as well as within the political processes and in the streets of our communities. Is not the "law" the basis of our society? Does it not define our social, political, and economic relationships? By merely interpreting the law "as is," is not the court, indeed, telling us what the law is?)

For the next issue of Caveat, turn in all items for publication by 10 AM on Tuesday, November 15, to the faculty center east in the Caveat box or to one of the editors.

Please bear in mind that the views expressed in the Caveat are not necessarily those of the Law School or the Student Bar Association.

Editors: Diana Baker
Cindy Duncan
Carlos Kaslow

Staff: Mark Derzon, Bonnie Maly, Mary Gerber, Sandra Golvin, Roberta Klein, and Diane Baker.

LAW SCHOOL REMAINS UNBEATEN

The GG law school softball team extended their unbeaten string to 4 games with a 10-7 victory over USF. Gary Reing, crippled by leg injuries all year, finally played up to his superstar potential. After USF jumped to a 3-0 lead, Reing came to bat in the 3rd with two runners on. In true Joe Morgan style, the kid from New York drove one up the right-center field power alley for a stand up triple. This ignited the team, and they went on to score 6 in the inning. Earlier Randy Brummitt showed he hasn't lost any of the strength in that left arm of his that pitched Stanford to so many victories. With a runner on 3rd and one out, Brummitt caught a fly ball in deep right. He threw the ball 220 feet on the fly to catcher Richard Maxion who planted himself between home plate and the runner to complete the double play. Jim Nichols, probably the most consistent player on the team but who unfortunately seldom gets the headlines, made a beautiful backhanded running catch in center field that would have made Willy Mays jealous. Rookie Ralph Eliseo hit a tape measure home-run that clinched the victory. Ricky Rosen, the vacuum cleaner, played an outstanding game at shortstop as did the rest of the infield of Brian Chikowski, Roger Allen and Jim Moseley.

THERE WILL BE A PANEL DISCUSSION REGARDING THE BAKKE DECISION ON MON., NOV. 15 AT NOON IN THE AUDITORIUM.

MAKE-UP DAYS

Classes missed because of Labor Day and Thanksgiving holidays are scheduled to be made up as follows:

Monday classes (Labor Day) -
Make-up day will be Monday, November 29

Thursday classes (Thanksgiving) -
Make-up day will be Tuesday, November 30

Friday classes (day after Thanksgiving) -
Make-up day will be Wednesday, December 1

Saturday classes (second day after Thanksgiving) -
Make-up day will be Thursday evening, December 2

Thursday, December 2, may also be used to make up any other missed classes. However, such make-ups should be scheduled with Molly to avoid conflicts in program and space.