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Caveat, January 24, 1977

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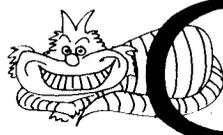
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CAVEAT

JAN 27 1977

Vol. XII, No. 16

Golden Gate University School of Law

GOLDEN GATE UNIVERSITY

WANTED: WITNESSES + JURORS, ETC.

Golden Gate Law School is going to host the Western Regional Competition of the National Mock Trials, and the effort has Professor Segal looking a little haggard.

Professor Segal is the Director of the Regional Competition which will be bringing 20-some law schools to San Francisco later this month. Among the logistical problems that he has to solve is that of providing 180 jurors, 60 witnesses and 30 judges to make the trials possible.

He is anxious to have GGU students, and

friends of theirs, volunteer to be the witnesses, jurors and also court officers. Any student who is interested should fill in a form that can be found on an envelope on Professor Segal's office door in the Faculty Center, room 210.

The largest number of persons are needed for the first round on Friday, January 28, from 6 to 10 PM. Volunteers are also needed for the semi-finals on Saturday, January 29, from 10 AM to 2 PM, and for the finals on Sunday, January 30, from 11 AM to 3 PM.

The trials will be held in the court-

room of the San Francisco Municipal Court, City Hall, Van Ness and McAllister Streets.

Golden Gate was selected to host the competition because last year's GGU team won the Western Regional and went to the National Finals in Houston, TX.

There will be two GGU teams in this year's competition composed of Maggie Kauffman, Lucy Robins, Mark Solit, Mac Vogeli, Charlotte Wade and Mary Margaret Ward.

The team is coached by Professor Segal and Professor Ted Rosenak.

MARY MINKUS, MARY MINKUS

GGU law students who have encountered problems of any sort during our law student careers (I assume that I safely speak for 100% of the student body) face the ensuing six weeks with apprehension. Mary Minkus, the one who somehow always makes sense or at least tries to make sense out of the continual incredulous institutional realities of this place, left on Friday, January 21, for a six week stay in a Los Angeles hospital. Mary submitted the following notice to the Caveat, which we will print, even though she has already left.

"Have your **problems** this week. On Friday, January 21, I'm leaving for about six weeks in a hospital in Los Angeles. While I'm gone, Les Minkus will sit in my office (notice I don't say "take my place") and will be in touch with me from time to time, so you should not notice my being gone which is why I'm bringing it to your attention. I will be at Rancho de los Amigos in Downey, California. Please, somebody write."

Mary, we will notice your absence. No one (I repeat, No one) could ever fulfill your role. We will miss you. Despite feeling a bit like abandoned children and feeling an occasional how can I possibly cope or what if ...", we send only warmest regards and best wishes. Fear not, we will patiently await your return; all our problems are in abeyance.
Cindy Duncan

INTERNATIONAL MOOT COURT COMPETITION

The Golden Gate Intramural for the Jessup International Law Moot Court Competition will be held on Friday, January 28, at 5PM in Courtroom 429 of San Francisco City Hall. Arguing for Appellant will be Charles Herrington and James Yassky. Respondent's case will be presented by Stephanie Breault, Laurie Murphy and Susan Pintar. The Tribunal will consist of Professor Judith Pais of Hastings, and Lewis O'Rourke and Michael Perna, two private Bay Area attorneys.

The Jessup Competition is held annual-

ly, and involves 130 law schools in 21 different countries. This year's problem involves the issues of international law attending the spread of nuclear weaponry through international sales of nuclear reactor fuels.

The Golden Gate Intramural on January 28 is preliminary to participation in the regional competitions to be held in San Diego in March. Anyone interested in attending the January 28 Oral argument please contact Joel Marsh at 626-4743.

MOOT COURT COMPETITION

The California Barristers Association is sponsoring the 1977 Roger J. Traynor California Moot Court Competition. The competition includes a written brief and an oral argument before a panel of judges who are members of the California bench and bar.

Tentative selections for the two students representing Golden Gate have been made from the appellate advocacy class. Any second, third or fourth year students interested in being considered for the team should submit a writing sample (preferably a legal brief) to the Moot Court Box (located in the faculty office). Writing samples must be in by Friday, January 28. For further information, contact Sheri Perlman (665-0592 or 835-1100) or Myron Moskovitz.

DOES ANYONE REALLY CARE?

Kathy Reilley, a first year student, reported to me the following information based upon her experience with the Financial Aid office. After discussion, we both felt that something should be printed in the Caveat, primarily because of the reoccurring "hassles" financial aid students experience at GGU trying to obtain adequate financial aid. Although we both agreed that the financial aid office has the primary duty to actively inform students of scholarship opportunities, we felt that the least we could do was disseminate the following information.

In October, 1976, Kathy spoke to Linda Simons, a financial aid employee,

(SEE PAGE FOUR)

IN SEARCH OF THE ADMINISTRATIVE REMEDY

There is a standard line in Otto Butz's yearly welcoming speech to law students which runs, "If you ever have a problem at Golden Gate, my door is always open." Late last semester, several law students decided to take Otto up on his offer. The "problem" was the school policy of holding financial aid checks ransom until all fees owed GGU were paid.

The students argued that however noble an ideal it might be to pay one's bills on time and thus honor contractual responsibilities, the school had absolutely no right to seize the money involved in another entirely different transaction -- i.e., the transaction between the student and the Bank of America of the federal government -- and then use tortious and strong-arm tactics to enforce its own contract with the student. Other, less legally-suspect means were available to the institution, they asserted.

Butz and John Teitscheid -- young, up and coming GGU business manager -- countered that the school's tactics might be illegal, but that they were necessary to keep the University solvent. The students maintained that this was not an adequate defense. Otto allowed that the students might be right; Teitscheid held more firm.

Butz said that he and Teitscheid would need time to make a decision on the matter. Both of them were extremely busy at present, he said, negotiating a loan for several million dollars from the Bank of America in order to expedite the erection of the legendary New Building. He proposed another meeting, on the first day of final's week, at which a decision would be announced. Some of the more cynical suspected that a stall was afoot, but it was agreed to meet again.

At the next meeting, Otto and John said that they still were in a quandry and hadn't decided anything, but that the check withholding policy would be suspended for the rest of the fall semester. This, of course, was no grand concession, in that the semester was already over. But, said Otto, seeming to chuckle at the students' apparent disbelief, they would surely have a decision by January 10, when school began again. (See accompanying Exhibit I in Otto's handwriting.) (ED. A copy may be obtained in the Caveat office.)

On January 10, Otto again announced that no decision had been made, that he had yet to talk to Teitscheid about it, but asked to be called back on January 12. Two days later -- you guessed it -- no decision. On January 18, the students had still another encounter with Otto. He told them that he was a very busy man, with many pressing matters to attend to, and that he had to go to lunch.

We wonder why Butz, whose salary we collectively pay, finds this such a difficult decision. After having admitted that the school's policy of withholding checks is possibly illegal, and that the school would probably lose if the students should take this whole matter to court, does he seriously consider retention of this policy to be a viable option? We wonder how, whether, and by whom the really difficult decisions are made around here.

Brian Chikowski
Anne Treseder
Richard Pavel

Wayne Patterson
Jan Lecklikner

Administrative Negotiating Committee, Student Organization on Financial Aid Reform

Advertisement

LAW WOMEN'S GROWTH-SUPPORT GROUP

Come see what it's about! Share, grow with and support each other. JAN. 24th, MONDAY, 3 - 5 in Room 209. Meets weekly for 2 hrs. \$5/wk. Ques? or financial concerns? Call Deborah Weinstein 552-4323

People with Problems!! Do Not Panic!!

While Mary is away, we are going to run a "Dear Mary" column. She has agreed to answer the letters in the Caveat weekly.

So, don't save all your problems for her return - - lay them on her gradually by way of your student voice, ye ole Caveat.

LETTER TO THE EDITORS:

Dear Editors:

CLEAR YOUR RECORD!

Graduating students might look up their arrest and conviction records before they apply for the Bar Exam. Mistakes in the record can be corrected and Juvenile Records can often be sealed.

This could save you some bother when you are asked about your past and/or give permission to have yourself investigated.

Peter Smith

(Ed. - Carlos is the only Editor who will cop to having a record. This information is for the entire student body.)

GOLDEN GATE REACTION TO THE EXECUTION OF GARY GILMORE

by Mark Derzon

It was difficult to take this survey. The issue is a very emotional one and many people don't like to talk about it. That fact points up one of the problems with our present system of capital punishment. It's too easy for everyone to sit back and accept it without pondering what the state is doing when they take away a life. It's too easy for juries, D.A.'s and judges to sit back far removed and order the death of a person. About six years ago when California still had a death penalty, one of its death row occupants was interviewed on T.V. He said that capital punishment was cruel and unusual. He said that he would volunteer to die in the gas chamber if all nine members of the Supreme Court would witness the event. He was convinced that this would be the last execution. My apologies to all the people misquoted in the survey.

The following are some of the responses given in response to the question, "How do you feel about the execution of Gary Gilmore?"

Marge Holmes: I am strongly against capital punishment. People took advantage of his position in order to make money. There was a lack of dignity. It was like something out of Clockwork Orange. It was completely disgusting.

Judy McKelvey: Grisly.

Ken Hausman: Interesting on a personal level but not newsworthy.

NOTICE

Margaret Sweat: I don't believe in capital punishment, but at the same time I see that some people can't function in society and are dangerous in jails. So I'm pulling my hair out on this issue.

Gregg Colman: We shouldn't be using taxpayers' money to carry out murder. The most severe and just punishment for Gilmore would have been to keep him alive.

Anonymous Member of ACLU: It should have been done sooner. We made a folk hero out of him rather than doing what the ACLU had in mind, which was to prevent the execution for precedent. There are a lot of desperate people on death row and I suspect others will now want to do the same as Gilmore.

Ruth Retzlaff: I'm unequivocally against the death penalty.

Carl Ferrentino: I believe it is inappropriate to discuss a matter like this in a school paper. I object to law students' short witticisms on this topic.

Ted Carter: To Gilmore the death penalty was an incentive to murder. How ironic that the first person executed in ten years in this country was encouraged rather than deterred by the threat of capital punishment.

Carmen Arcaya: It was terrible. We are going back to the middle ages. I chose to be a citizen of the United States and now I want to leave the country. I'm ashamed to be a citizen.

P.A.D. MEETING

Phi Alpha Delta Legal Organization will hold an organizational meeting Thursday, January 27 at 12 Noon in Room 209. After a semester of inactivity, P.A.D. hopes once again to become the vital organization it was last year. A representative from the International headquarters will be in attendance. All students are encouraged to attend this meeting.

BARRISTERS CLUB TUTORIALS

The Barristers Club Tutorial will resume January 26. There will be two sections for Torts and Contracts and one each for Criminal Law and Property.

Room and time will be posted.

WOMEN'S ASSOCIATION MEETING

The Women's Association will kick-off the second semester with a general meeting on Thursday, January 27th at 3PM in Room 207. Wine and cheese will be served to fertilize our brains for planning spring activities. All women in the law school as well as GGU staff women are invited. See the list in the lounge for the agenda.

ANNOUNCEMENT

Jerry Sack's Exam Writing Tutorial class has been temporarily cancelled. Please watch the Caveat and bulletin board by the Dean's Office for details of resuming dates.

JUDGE PECKHAM TO SPEAK AT GGU

Judge Robert Peckham of the United States District Court for the Northern District of California will speak at GGU on Wednesday, January 26, at 12:30 in the Auditorium.

WESTERN ASSOCIATION OF ART MUSEUMS NEWS RELEASE

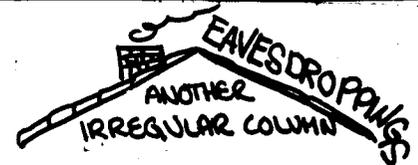
The LAW AND ART MUSEUM SEMINAR will be presented by the Western Association of Art Museums and Bay Area Lawyers for the Arts, on February 25 and 26, 9 to 5, at the Earl Warren Legal Institute, Boalt Hall, UC Berkeley.

Experts from the National Gallery of Art, The Metropolitan Museum and law schools nation wide, will discuss legal issues affecting the operation of art museums. The seminar is open to the public. For information, call 568-2773 and ask for Linda Evans.



Mother -

Call Mavis Jukes.



IS GGU FOR YOU?

by Richard Wright, C.F.P.

Change the name of old Golden Gate Law School? It has been suggested by many, both former and present law students (not to mention the local merchants), that an appropriate name should be affixed to the Law School at Golden Gate University.

When I first heard the suggestion, (the idea is by no means original), it sounded somewhat interesting but, being someone who has always been reluctant to tamper with history and tradition, I dismissed it as too radical. Upon an accidental discovery of the overwhelmingly impressive history in respect to the naming of the institution, I have changed my position and become a radical. GGU Law School must go!

History: 220 Golden Gate Avenue, home of the San Francisco YMCA, was also the home of Golden Gate Law School and University which is now located at 536 Mission Street.

Changing the name of the Law School would not change or affect the name of the University.

So what I propose is that for the new school (building) scheduled for August 1978 there should be also a new name. If you agree with this suggestion, please kindly submit your ideas to Caveat, the Dean's office, or the suggestion box care of Richard Wright.

Some suggestions already received:

Harvard-West
Boalt Basement
Lower Davis
Upper U.S.C.
Yale II (GGU - 0)

Q: If people call it "playing possum" when a person pretends that he's asleep, what do possums call it?
A: Playing judge.

Q: What's a common law lawyer?
A: One who has slept with law books for at least seven years.

OR

One who has been taking the Bar Exam for seven years without passing.

Advertisement

CO-ED ASSESSIVENESS TRAINING

Postponed one week!!

LAST CHANCE to Join is JAN. 25, TUESDAY! From 3:30 - 5:30. We will meet in Room 301. ANYONE WELCOME.
\$40.00/8 wks. 2 hrs. per week.
Ques? or financial concerns - call Deborah Weinstein 552-4323.

(continued from Page One)

about several national scholarship and loan funds for law students. Other law school catalogs provided information about them, but apparently, GGU's financial aid office had never heard of them. Linda received the information enthusiastically and agreed to find out about these outside sources of funds, as well as inquire into the potential of raising local funds (one could conceivably draw an analogy to soliciting funds for the new building). Many other law schools have donations from local companies for small scholarships; GGU has none evidently.

Linda quit in December. Kathy then spoke to Paul Jain, Director of Financial Aid, inquiring as to whether the information about national **scholarships** was being pursued. He said, "No," and doubted that it could be done for at least a month due to the fact that he was understaffed at the time. Meanwhile, many of the deadlines may expire.

Once again, law students are left with GGU's version of Darwin and Spencer -- self-help. (For an interesting comparison, students **should** note the financial aid sections of the catalogs of other private law schools.) The **Caveat** will print relevant financial aid sources **courtesy** of Antioch and Boston University Catalogs and Kathy Reilley. If there is not room for all of them, we will print more next week.

Cindy Duncan

They are:

Council on Legal Education Opportunity (CLEO)
2000 P. Street, N.W., Suite 300
Washington, D.C. 20036

Martin Luther King, Jr. Fellowships (minority veterans)
Woodrow Wilson National Fellowship Foundation
Box 642
Princeton, New Jersey 08540

The Herbert Lehman Education Fund (minority)
10 Columbus Circle, Suite 2030
New York, New York 10019

Mexican-American Legal Defense Education Fund
145 Ninth Street
San Francisco, California 94103

National Scholarship Service and Fund for Negro Students
Southeastern Regional Office
931½ Hunter Street, N.W.
Atlanta, Georgia 30314

The Leopold Schepp Foundation (single and under 30 years of age)
551 Fifth Avenue
New York, New York 10017

Hattie M. Strong Foundation, Inc.
Suite 409, Cafritz Building
1625 Eye Street, N.W.
Washington, D.C. 20006

Earl Warren Legal Training Program (minority emphasis)
10 Columbus Circle
New York, New York 10019

Special Scholarship Program in Law for American Indians
University of New Mexico
1117 Stanford, N.E.
Albuquerque, New Mexico 87131

BFW Foundation Career Advancement Scholarships
(Women who are U.S. Citizens, and 25 or over)
2012 Massachusetts Avenue, N.W.
Washington, D.C. 20036

American Association of University Women Fellowships Program
(Young women in their last year of law school who have high academic records and outstanding professional promise, and who must have financial assistance in order to finish their study.)

Deadline: December 1 of the second year of law school
(Ed. - Obviously, this is included for those first year women who plan ahead.)

Mary V. Hoch, Director, Fellowship Program
American Association of University Women
2401 Virginia Avenue, N.W.
Washington, D.C. 20037

American Bar Association Loan Program
Boston University Office of Financial Assistance
125 Bay State Road
Boston, Massachusetts 02215
Loans are made on the basis of financial need. Max per year is \$2,500, the interest rate is 7% per annum. Repayment terms are similar to the Federal Insured Student Loan Program.

WHAT'S UP WITH WALLY?

ORIENTATION FOR SUMMER JOBS --

1st Year Students, Monday, January 31, Noon, Room 207. Overview of opportunities, how to prepare and contact, resumes, a 2d year student will discuss his search and job and answer questions.

2d Year Students, Tuesday, February 1, Noon, Room 205. How to carry out a search and when, resource materials, resumes.

OFF THE WALLS

Course	Instructor
1. Jurisdiction in a state of confusion	L. Jones
2. 101 cures for insomnia	J. Smith
3. Law of the Air	C. Bressee
4. Clowns in the Property Class	R. & Harlan Bernhardt
5. How to Throw A Curve to Con Law Students	Marc "The Bird" Stickgold
6. Legal Ethics Ignored	R. Bernhardt

To do is to be ----- Sartre
To be is to do ----- Voltaire
Do be do be do ----- Sinatra

GGU Law School is more fun than:

- Putting peanuts up your nose
- Swallowing razor blades
- Sucking mule tits
- Being a Golden Gate graduate
- Stepping in dog shit
- Publishing a law review
- (Ed. - None of the above.)

For the next issue of **Caveat**, turn in all items for publication by Noon on Thursday, January 27, 1977 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, Student Bar Association, Editors, or the authors of the various articles.

Editors: Diana Baker
Cindy Duncan
Carlos Kaslow
Nathaniel Webster
(sometimes)

Staff: Mark Derzon, Poll-Cat,
Richard Wright, C.F.P.

POINT: Diana: Why don't you eat up the oranges in the refrigerator?

COUNTERPOINT: Cindy: I can't. I have herpes in my mouth.

COUNTER-COUNTERPOINT: Diana: Oranges would really set you free!

COUNTER-COUNTER-COUNTERPOINT: Carlos: What?