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CAVEAT

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MAR 22 1977

GOLDEN GATE UNIVERSITY
March 21, 1977

Vol. XII, No. 22

Golden Gate University School of Law

TALENT SHOW - A SMASHING SUCCESS

by Peter Smith

They were packed against the wall and standing in the aisles for the Women's Association Talent Show. One act after another drew standing ovations as shy performers emerged from their closets to break the maiden head of stardom under limelights masking - taped expertly to the auditorium ceiling for the gala affair.

Whether they came for duty or devotion, the most unreasonable expectations were met and surpassed as no eye was left dry by classic originals of song and verse prepared and tailored for the occasion.

Suffice it to say that no list of performers here can recreate the epic dimension of the event for those who missed it or adequately express the admiration of those willing to brave the cold of Mission St. on a Friday night.

FROM THE WOMEN'S ASSOCIATION

Thank you, Thank you, Thank you all. The first annual Women's Association Talent Show was a smashing success! The benefit for La Casa de Las Madres earned \$413.19. Thank you ticket sellers, ticket takers, ticket buyers, program makers, program givers, piano supplier, piano movers, piano players, bakers and sellers of baked goods and greedy goodie gobblers, suppliers of light and sound. Thank you closet exhibitionists and envious viewers. THANK YOU ALL FOR YOUR SUPPORT! Are you ready? Get your act together for next year.

CARTER PROPOSES TO CUT NDSL PROGRAM

By Cindy Duncan

The following is written in response to the article entitled, "Congress May Restore NDSL to Budget," printed in the Spectrum issue of March 15, 1977. I refer you to that article, which was based upon information received by law student, Kathy Riley, in response to her letter to her congressional representative concerning the proposal to eliminate the NDSL program.

the economic situation is tight, as it currently is, and the middle and low income and poor people suffer, as they always do and are now, the banks, as the majority did, cut the maximum amount of FISL money that can be borrowed. Many GGU law students who pay close to \$2500 tuition per year (more next year!) faced this current school year with a \$1500 FISL ceiling, instead of the traditional \$2500. Many of these people did not qualify for other forms of financial aid and those that did were not necessarily adequately supplemented.

CORPS OF ENGINEERS DIVISION COUNSEL TO SPEAK

Charles W. Sherrer, Division Counsel for the South Pacific Division, U.S. Army Corps of Engineers, will speak at noon on Wednesday, March 30, in room 205. The following is an excerpt from his letter to the Environmental Law Society: "We in the Corps of Engineers desire to maintain effective two way communication with the faculty and students of the leading law schools. It is our desire that all interested individuals and agencies (including but not limited to schools and universities) be informed and afforded an opportunity to be fully heard and their views considered in arriving at conclusions, decisions, and recommendations in the formulation of Corps of Engineers civil works proposal, plans, and projects and on the proposed uses of navigable waters. We wish to assure for this generation and for future generations safe, healthful, productive and esthetically and culturally pleasing surroundings." All interested persons are invited to attend.

NDSL stands for the National Direct Student Loan program, under which colleges and universities receive a certain amount of federal money. The respective financial aid offices in turn allocate the money to qualifying students. The interest rate is a low 3% and the loan is repayable at a monthly rate commencing one year after graduation.

Second, consider the increase of the amount of work study money allotted to the school. GGU law students who receive work study currently work a maximum of 19 hours per week for the minimum cut-off wage, recommended by the government, of \$3 per hour. (Where I work, Boalt and Hastings students receive \$3.50 per hour and undergraduates doing clerical/non-legal work receive \$3.20). Given the past and current history of the financial aid policy of GGU, it is highly unlikely that we will ever receive a higher-than-the-minimum wage. The financial aid office takes its grant of work study and spreads it as thinly as possible to as many qualifying students as possible. This is achieved by paying the lowest possible wage.

The elimination of this program would be disastrous. Do not be fooled by the argument that possible increases in other programs would compensate for the loss of NDSL. First, the Federally Insured Student Loan (FISL) program is administered and funded by private institutions (Many GGU law students are infinitely familiar with good-ole Wells Fargo and B of A). The federal government's involvement consists of paying the 7% interest rate for students who gross less than \$15,000 per year while they are students. Upon graduation, the students take over the interest payments; others pay the 7% all along. Therefore, the government has little, if any, voice in the administration of FISL loans, which is left to the economic insight of the banks. This translates into the following: When

Law students could conceivably work more than the 19 hours per week with an increase in work study money available. This is an unreasonable alternative. Going to law school is a full-time job in and of itself.

(SEE PAGE FOUR)

LETTER TO THE EDITORS:

I feel like making a comment about Tom Goetzl's speakers' program which is held periodically at lunch time.

The idea -- and it is an understated one -- is, that the law school does not do enough real questioning of the values which underlie our present legal system, but instead functions merely within the acceptable framework of legal analysis which long ago lost any relationship to reality. This, as I said, is an understatement, and I applaud any attempt to inject some light into this abyss of medievalism called law through which we are asked to stumble. It is laudable that the faculty has asked outsiders to come in on occasion and shout that the Emperor has no clothes. But isn't it about time that we recognized that it is we ourselves who are going naked?

My question in part comes down to this: our faculty is full of bright people who no doubt are brimming with thoughts about what is wrong with the present concept of law and society and what can be done to alleviate our now nearly desperate plight. So why must we import people to tell us these things? It is pitiable that our own faculty feel incapable of dealing with what should be their major obligation.

Should it not be every self-respecting teacher's responsibility -- and I would hope, their pleasure -- to partake of this imperative task? Isn't the desire to help bring about needed change the reason most of us are here? I certainly hope that is part of our motivation. Then why, apart from the occasional noon-time lip services, is the topic being ignored?

It seems there is no room in our courses to discuss such matters. We are allowed to recognize the law's inadequacies, but precious little consideration of alternatives. Of course the teachers are in as much of a strait jacket as the students. They must cover so much material each session. There is rarely time to digress to go beneath the given rules, to discuss political realities and spiritual possibilities. The rules are the thing. But why? Everyone admits that the rules will change anyway by the time we are out practicing. The goal, we are told, is to teach us to think. But when we want to think too deeply, then its always time to move on.

We are always being tantalized, but never satisfied. Once in a while,

a teacher will throw out a question of real importance. Bob Calhoun is very generous in that regard. But invariably, before there is time for any valuable realizations, it is time to get back to the rules.

Everyone is in a strait jacket here, and the situation is getting worse. Now GGU is trying to get accredited by AALS. But why is no one asking if that is really such a good thing? True, it means more prestige among other law schools, but it also means tighter control. It means we must adhere that much closer to the "acceptable" idea of what a law school should be like.

I submit that this is the antithesis of what a law school should really be like. The institution is rotten with intellectual and political dishonesty, prides itself on a standard of pseudo-intellectuality, and has absolutely no social conscience.

Last week Charles Reich spoke here, and he left some people disappointed, but not for what I think are valid reasons. The complaints I heard were that he was too general in his criticism, he had no real plan for creating change in society. But that is not his responsibility -- it's ours. Do you want to know a concrete way to change the whole society? I'll tell you: change the law school. Make it a real academy that turns out honest, committed, well trained, aware social engineers, dedicated to creating a truly just and functional society.

There is no excuse for a law school to turn out people who have not thought through the whole meaning and all the implications of our present-day notions of property -- of distribution of goods and services, of the right to control industry, of our class system in all its ugly detail-- and have not considered in depth all of the possible alternatives.

I cannot believe that our teachers are so morally and intellectually bankrupt that they would not willingly create such a curriculum if they thought they could, if they thought they had the power. I think their impotence is more psychological than organic. But I am not even asking for such a drastic upheaval -- just a small symposium of our professors on these important issues. Let us know where you stand, teach us from your heart, not just the casebook, give us of your spirit, not just your mind, and help us just a little to turn this ordinary intellectual prison called law school into what it could be: a living, creative, and powerful force for human salvation.

And besides, profs, you might be pleasantly surprised at how many students come to listen to you, even when they don't have to.

Rob Shubow

(Ed - Reminder: Please keep the length of letters to the editor at a minimum. And please put a phone number on your item where you can be reached on Thursday afternoons and evenings so we can contact you if we have to cut ...)

The following letter was received by the editors of Caveat. We have no way of knowing if this is a legitimate request for help from a prisoner or a creative pan-handling approach. We have typed it as it was received.

Dear Editor:

I am not truly aware of the normal guidelines for the request I am about to make; but, with kind consideration to my abnormal situation, I hope you will grant me your understanding, by printing this plea for help in your school newspaper ----

I am a prisoner in Ohio; convicted for a charge of "Felony Assault". In brief, my sister had been raped; and I had taken it upon myself to avenge her weakness being taken advantage of. Yet, I offer no excuses for myself ----

My lawyer informs me he can have me out of prison in 4-6 months - for fifteen hundred dollars (\$1,500.00); and I have absolutely no access to these kind of funds.

I am writing to your school, 'cause I had once resided in San Francisco; and, judging from the people I had met, during my short while there, I have hope of finding a bit of sympathy in respects to my dilemma ----

Of course, I could not possibly expect no one individual to be capable of donating the entire \$1,500; though, perhaps if enough concerned brothers and sisters could contribute 20 or 30 dollars, I could eventually accumulate enough to be relieved of this dead-man's end ----

If you will print my plea, and should anyone care to help me, all contributions should be sent to this following address:

Rick Neil Tucker
c/o P.O. Box 909
Mansfield, Ohio 44901

(SEE PAGE FOUR)

TO: DEANS OF ALL AMERICAN BAR ASSOCIATION CERTIFIED LAW SCHOOLS
 FROM: BOARD OF GOVERNORS, WASHINGTON STATE BAR ASSOCIATION
 RE: ADMISSIONS POLICY

For the information of your students, and applicants to your law school, we advise that it is the policy of the Board of Governors of the Washington State Bar Association that it is very unlikely that persons who have been convicted of a felony or a misdemeanor involving moral turpitude* will be permitted to take the examination for admittance to the Bar of Washington.

With regard to civil matters such as bankruptcy or unsatisfied judgments against the applicant, the pertinent facts will be investigated by the Bar Association to determine whether they constitute evidence of the applicant's unfitness to practice law.

A law student admitted to a law school accredited by the American Bar Association, who desires to practice in this jurisdiction may apply to the Board of Governors for an advisory opinion if the student feels that there may be a question raised by the Bar Association concerning the student's character or fitness to be ad-

mitted by the Bar. The opinion will not be binding on the Board of Governors which may ultimately determine whether the graduate will be permitted to sit for the examination, but is advisory only.

A student requesting an advisory opinion must cooperate fully with any investigation, including supplying all documents, records or other information requested by the Board of Governors or its investigator and, if requested, must furnish to the Board of Governors the student's full Federal Bureau of Investigation record.

Applicants to your law school and students of your law school who are interested in taking the Bar examination for admittance to the Bar of the State of Washington should be advised that when they apply to take the examination, they will be required to answer in writing the following questions:

1. Have you ever been charged, detained or arrested for violation of any laws, including minor traffic violations? If so, state date, place, court, nature of charges and disposition thereof.

2. Have you ever been charged with fraud in any proceeding? If so, give date, place, proceeding and disposition.

3. Are there any lawsuits pending against you? If so, list the names and addresses of persons involved and all pertinent information, such as amounts involved, dates, the court where pending, the nature thereof, present status, etc.

4. Have you ever been dropped, suspended or expelled from any university or college? If so, state reasons and give details fully on an attached sheet.

If the answer to any question is "yes", the individual may wish to seek an advisory opinion. They should further be advised that the Bar conducts an investigation of each applicant, prior to authorizing the student to sit for the examination.

*For the purposes of the foregoing, conviction includes any instance in which a deferred sentence or deferred prosecution was ordered.

ABA WITNESS TESTIFIES: \$600 MILLION SPENT ON MARIJUANA CONTROL COULD BE BETTER UTILIZED AGAINST SERIOUS CRIMES

The following is a press release from the American Bar Association:

The American Bar Association told Congress on March 15, 1977 that there should be no law against simple possession of marijuana. (Ed. - AKA "marihuana")

Stressing that the ABA does not approve of marijuana use, Brooksley Landau, chairperson-elect of the ABA's Section of Individual Rights and Responsibilities, said the estimated \$600 million spent yearly on marijuana control could be better utilized against serious crimes.

"As an organization of lawyers, the ABA is particularly concerned with the impact of these laws on our system of law enforcement and criminal justice," Landau said in testimony prepared for the House Select Committee on Narcotics Abuse and Control.

The ABA supports decriminalization of simple possession of marijuana by users and distribution of small amounts not for profit.

She said the ABA's stand for decriminalization is supported by "the costly impact of the current criminal laws on the lives and careers of marijuana users and their families and on law enforcement and the administration of criminal justice."

Not only does it cost millions to enforce anti-marijuana laws, she said, but marijuana cases are helping clog the nation's already overburdened court system.

She argued that at least 35 million persons -- more than 20% of the nation's adult population -- have used marijuana.

She quoted a recent Oregon study as showing there was no appreciable increase in the use of marijuana after its use was decriminalized there.

"Thus, the existing criminal laws have not had the deterrent effect which is usually the justification for the use of the criminal sanction," Landau said.

(SEE PAGE FOUR)

"SEXISM IN THE COURTROOM" - VIDEOTAPE TO BE SHOWN AT GGU

At the Queen's Bench Conference last October a lively panel discussion on sexism in the field of law was repeated for a second year. There were different panel members, but they echoed some of the same viewpoints so hotly debated the previous year at the conference. One of the most divisive issues was whose problem is sexism? Obviously we all know who suffers from sexist practices. In the long run we all do. The all-women panel, however, differed about the responsibility involved in female responses to sexism. Some panelists felt that "absorbing the attack" was the most practical method of responding to sexism in the courtroom, while others connected the problem to broader socio-political issues that need to be seriously addressed by both men and women alike. It's difficult to summarize all the articulated feelings and opinions of this forum.

The Women's Association videotaped this panel and will show the tape on March 31 (Thursday) at noon in Room 205. All law students are invited to participate. The tape lasts about an hour and we will have ½ hour or so to talk about the panel in the light of our own opinions and experiences.

(NDSL-CONTINUED FROM PAGE 3)

Working 20 hours per week in addition to attending classes and studying, not to mention the extra activities that look great on the resume, leaves little time for anything else. At least a loan is a burden that lurks in the future and need not be tackled while one is struggling through law school.

Life for financial aid students is dreary enough with the benefit of NDSL (for those who are lucky enough to receive it now). In fact, it is one of the preferred financial aid programs because of its low interest rate. Write to your congressmen and women and express your need for financial aid. Demand that NDSL not only remain, but that funding to other programs be increased. (The Women's Association sent a telegram.) Also, we should ask the financial aid office and the university to apply written support and pressure in our (their) behalf.

The proposal currently is in the budget committee. Committee chairperson is Carl Perkins (Rep. D of Ky.), House, Education and Labor Committee. He is opposed to the budget cut.

(In a future issue, I will tackle an article comparing GGU's work study program with that of other schools and attempt to explain the program in general.)

S.B.A. MEETING

March 23rd at 4PM - see bulletin boards for details.

GRADUATING SENIORS UNITE

Celebrate the last, last day of classes on April 29th from 7 PM to 12 midnight at Mr. Toads - Zellerbach Plaza. Dancing to live music, H'ors D'oeuvres, and no-host bar. Ticket price will be between \$2-\$3 depending on cost of the band. Sign-up on 2nd floor and library if you plan to attend. Tickets will be available later. If you have more questions, contact Maggie Kaplan, Mac Vogeli, Rita Whalen, or Lynda Sands.

COURSE GROUPINGS

A list of courses grouped into areas of specialized interest will be available some time this week from either Molly or the boxes outside the Dean's office.

Watch for their appearance!!

(The list also notes which classes are offered every year, which classes are required, etc.)

(LETTER CONTINUED FROM PAGE TWO)

May I please express my most sincere gratitude, now, for any and all consideration and help you may allot me in this most unusual and humble (yet desperate) request!

Sincerely yours;

Rick Neil Tucker

P.S. If I make it, I hope to return to San Francisco ----

(Ed. - the letter was postmarked in Chillisothe, Ohio on February 22nd.)

(ABA - CONTINUED FROM PAGE THREE)

She argued that there is an increasing social tolerance of marijuana use.

"When the law defines as criminal an activity in which one-fifth of the adult population has engaged, the society's respect for law may be significantly undermined," the ABA spokesperson said.

She added: "Fair and impartial law enforcement is virtually impossible in light of the extremely large number of users involved. Arrests in a given year represent a small percentage of the regular users of marijuana and an even smaller percentage of those who have ever used marijuana."

Landau said that the ABA believes education about the potentially harmful effects of marijuana is a more appropriate way to discourage its use.

NATIONAL LAWYER'S GUILD MEETING

There will be a meeting on Wed., March 23 at 12 noon in Room 205 to discuss the summer projects sponsored by the Guild. Several people who have worked on projects in past summers will be there to talk about their experiences. The projects afford 1st and 2nd year law students the opportunity to become involved in various ongoing community work programs around the country, such as The Brown Lung Project in North Carolina, The Native American Group in St. Paul, The Police Crimes Project in Denver, The Energy Group in Tennessee and The Women's Labor Project in S.F. If you are at all interested in becoming involved in any of these projects, try to come to this meeting.

There will also be discussion concerning the direction of the Guild at Golden Gate. Wine & Cheese also!

ELECTION RESULTS:

President -	Richard Wright
Vice-President (Day) -	Barbara Silverstein
Vice-President (N) -	Bob Marsden
Secretary -	Judy Massong
Treasurer -	Don Rozel
ABA/Law Student	
Division Rep. -	Eric Rasmussen
Class Representatives:	
2nd Year Day -	Larry Johnson Patrick Coughlin
2nd Year (N) -	Richard Clark Alice Montgomery
3rd Year Day -	Cindy Duncan Mary Gerber
3rd Year (N) -	Fran Best Tom Perley
4th Year (N) -	?

WOMEN'S GROUP

Women interested in discussing political aspects of being a woman in the legal profession - a group is forming to talk about such issues as elitism, working with men, working in agencies, etc. The first meeting will be held on Wed., Mar. 23, 1977 from 3-5 PM in Room 207.

ATTENTION:

Whatever info comes into the Law School about bar requirements in other states and Bar Review courses for states other than California is kept in the Dean's office.

HEARINGS ON SB 91

Hearings on SB 91, a bill to fund shelters for battered women and their children will take place Wed, March 23 at 1:30PM in Sacramento, before the Senate Health and Welfare Comm. Call La Casa de las Madres for more information - 626-7859.

Items for publication should be submitted to the faculty center east in the Caveat box or to one of the editors before noon on Thursday, March 24, 1977.

Please bear in mind that the views expressed in Caveat do not represent those of the Student Bar Association or the Law School Administration.

Editors: Diana Baker
Cindy Duncan
Carlos Kaslow

Staff: It's after 8 PM and no one has appeared to pitch in yet so I guess we don't have a staff this week.