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CAVEAT

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Golden Gate University School of Law MAR 29 1977 March 28, 1977

ANTHROPOLOGIST TELLS ABOUT U.S. DISPUTE RESOLUTION GOLDEN GATE UNIVERSITY

By David Cooper

Laura Nader, Professor of Anthropology at U.C. Berkeley was the last of a series of 4 speakers to appear at GGU Law School this semester. Her remarks were addressed to the question of how people in the U.S. today resolve their disparity and included sweeping criticism of the directions of the American legal system.

"What happens when people's contact with law is a series of one little injustice after another that the law doesn't protect them from? Law becomes irrelevant, and so to most Americans the law is irrelevant...it could drop through a hole in the ground and no one would miss it."

Prof. Nader's reflections on law grew out of a study she has also been conducting with her students in a class called Complaint Management in the U.S. Their study centered on people rather than institutional structures. They examined complaints sent to Ralph Nader, and methods that newspaper hotlines and Congresspersons used to resolve problems. They found that the workers in state and federal insurance regulation divisions were low status lawyers treated well by the companies that they were regulating and therefore tended to be hostile to those who had complaints with the companies.

People have many small complaints, Prof. Nader asserted, but most of these are seen as trivial by lawyers who see the importance of a case turning on whether a lot of money is involved or whether it involves an important legal principle. On the other hand, overworked newspaper hotline workers prioritized problems along these criteria: Is the complaining person vulnerable, old or poor, and is the problem a general one rather than unique.

An agency organized ten years ago in Illinois to eradicate corruption once

(CONTINUED PAGE FOUR)

OH, THE TIDES THEY ARE TURNING

By Cindy Duncan

During the sixties political trials were commonplace; the typical scenario depicted the government as plaintiffs and members of the Left (e.g., the Black Panthers, the SDS, the Oakland Eight, Daniel Elsborg, the Chicago Seven) as defendants. Suppression of dissent was the obvious aim of the government, especially during the height of the civil rights movement.

On March 1, 1977, the National Lawyer's Guild joined the mounting legal counter-attack, which has been primarily due to the Freedom of Information Act (The Nation magazine claims its passage "is proving to be one of the most significant political events of the last decade"). Led by NLG lawyer, Leonard Boudin, the Guild filed a class action suit in New York charging the FBI, the CIA, various government departments and individual defendants including Nixon, Mitchell, Kleindienst and Helms with conspiring to violate the civil rights of Guild members. The Guild is demanding damages in millions of dollars, an end to official harassment, and the release of all information on the Guild held in government files.

Its activities being subversive in the eyes of the J. Edgar Hoovers of the country, the Guild has long been under surveillance. The amount, however, was not known until recently

when documents obtained from government files by means of the Freedom of Information Act revealed the details. The FBI, et al., according to the Guild's court complaint, infiltrated the Guild, kept its members under physical and electronic surveillance, stole its documents, listed its members (simply because they were members) on the Security Index and its successor, the ADEX, subjected the Guild to punitive tax audits, used Cointelpro methods to cause splits within the Guild, intercepted communications between attorneys and clients, and committed a dozen other offenses.

Boudin points out that the suit involves a dimension of civil rights that has not been covered by the suits brought previously by the Black Panthers and the Socialist Workers Party: interference with the attorney-client privilege. In other words, not only has the FBA violated the rights of dissenters by innumerable forms of persecution; it has also tried to prevent dissenters from defending themselves in court, since the client's confidence in his or her attorney is crucial to an effective case. The Cointelpro style undermining of the Guild must be seen as an attempt to deprive an entire segment of society of an important - often its only - service of legal protection. (Based on Nation mag. info)

WHAT'S UP WITH WALLY?

CLASS OF 1976 - GOLDEN GATE UNIVERSITY SCHOOL OF LAW

188 total grads --
Employment status known of 164; 109 have legal (some non-legal) jobs.

Major Employment Areas - 109 Grads:
Small law firms - 50
Solo Practice - 11
Business concerns, non-legal work - 14
Legal Aid, Public Defender - 8
District Attorney, City/County Counsels - 7

Geographic locations:
California - 97 total
San Francisco Bay Area - 90
Other California (LA, Sacramento, San Diego) - 7
Other States - 12

Factors primarily responsible for grads' employment:
Law-related work experience while in school,
Personal contacts,
Compatibility

Class of '76 advice to students --

Get a law-related job while in school --clerk, clinic, work-study, summer, volunteer, extern--which provides experience and contacts, possibly full-time employment subsequent to graduation.

LETTER TO THE EDITORS:

Dear Editor -

Unfortunately, due to the vague wording of the SBA agenda, I did not go to the March 23rd meeting. To my dismay, I found that certain student funds were appropriated for an activity that no person I know was informed about.

I refer to the \$300 appropriation for spending money to be given to Golden Gate University representatives to the BALSAs Moot Court Competition. If this is a worthy venture I would be in favor of the school funding our participants for their fees, travel and lodging. But SPENDING MONEY, this I have to question.

As student coordinator of the Western Regional Mock Trial Competition I know that none of the teams from 13 schools in the West were given spending money. All of the students involved were dedicated enough to spend their own funds for incidentals. I would hope that our participants in the BALSAs Moot Court have that same dedication.

Based upon figures available to the past SBA and all students who were interested, the \$300 made available for spending money to these students represents approximately 50% of the SBA reserves (the rest having been

budgeted previously). Affirmative Action was funded in the amount of approximately \$800 plus. Why doesn't the money come from this Affirmative Action fund of which BALSAs is a part?

I must protest the capricious spending of the SBA. Further, I am appalled that such expenditures would be made without giving the student body as a whole a chance to know where their money was going. Mr. Wright (President of SBA) campaigned on a program of student involvement with such decisions. I hope his memory loss is short term, since he intends to increase SBA dues. Please, SBA ask where we want our money to go before you spend it.

Gary Reing
2nd Year Day

TO MY CONSTITUENCY

I respect the sentiment expressed in the Letters to the Editors and to me from various persons. As an elected member of the SBA, I will see that the issue regarding the allocation of \$300 spending money to three students is brought up at the next SBA meeting. I welcome comments -- pro and con from all. Cindy Duncan, Rep.

REPORT: NEW S.B.A. HOLDS FIRST MEETING!

The first meeting since the newly elected SBA officers took over was held on March 23. It was decided that the SBA would listen to faculty input regarding the selection of committee members.

Then there was a discussion on whether or not some of the committees should be chosen in the spring rather than in the fall. It was brought out that choosing some now and some next fall would ease the burden on the interviewers. It was also said that certain committees could be working over the summer if they were chosen now. On the other side, first year students, traditionally the most enthusiastic, would be eliminated from the selection process if it were done in spring. It was finally decided that the hiring committee would be chosen now. The decision on when to select the others will be made later.

Richard Clark volunteered to head up a financial aids committee.

Mark Derzon and Scott DeVries will investigate the feasibility of having some pinball machines installed. They will also be lobbying for some type of student recreational room to

be included in the new building.

Barbara Silverstein volunteered to work on the SBA's evaluation committee.

Three GGU students from BALSAs (Black American Law Students Association) appealed to the SBA for spending money for their trip to Cleveland to compete in the national BALSAs moot court competition. The SBA voted to appropriate a total of \$300 to them (provided its in the treasury.)

Cindy Duncan addressed the SBA on what she thought qualifications were for being Caveat editor/s. The editor/s will be chosen by the SBA in the coming weeks.

Mark Derzon expressed dismay at the vote in the last FSC meeting on whether to keep torts and civil procedure one semester courses, or revert to last year's schedule where all first year courses were year-long. He pointed out that a survey of student opinion showed they heavily opposed compression, yet all but one student FSC member voted for it.

The meeting was adjourned until 4PM, Wednesday, March 30th.

NEW COLLEGE LAW SCHOOL - LEARNING LAW FROM BOOKS AND LIFE

New College School of Law, a unique public-interest law school in San Francisco, specializes in training lawyers to represent traditionally underrepresented groups like consumers, workers, the poor, women, minorities, gays, prisoners and environmentalists.

Time Magazine called this "a kind of legal education hard to find elsewhere. San Francisco's pioneering New College attracts applicants because of its apprenticeship program in public-interest law."

"The apprenticeship program is part of the practical training which the school emphasizes along with traditional classroom work," says New College Dean Si Rosenthal. "Each student must apprentice for at least two years in outside law and legal service offices."

One student apprentice recently had the unusual opportunity to argue two cases before the California Supreme Court.

In addition, New College professors, who are all practicing attorneys, conduct training classes in legal skills, including videotaped mock trials in real courtrooms. Many of the professors are well known, including Sheldon Otis, who defended Steven Soliah, and Susan Jordan, who defended Inez Garcia.

The school actively seeks students with nontraditional backgrounds. There is a high proportion of women students, and gays and minorities are well represented. Applicants must have completed at least two years at an accredited college, or must pass an equivalency test. In addition, all must take the L.S.A.T.

New College's program takes four years, in part because the school, which is only four years old, is not yet accredited, and in part because of the apprenticeship program.

New College of California School of Law is at 1254 Market Street, phone (415) 863-4111.

Dear Editors:

BIG SPENDER\$ IN CLEVELAND - PER CURIAM EDITORIAL

At Wednesday's SBA meeting, with only 8 out of a possible 13 voting members present, \$300 of student funds were allocated to send three students to Cleveland for the Balsa moot court competition. These students had already received \$1000 in support from the law school administration. The plea was made very eloquently that they had received unexpected news that their plane fare was \$30 higher than they had originally budgeted for and that they were typically poor law students who could ill afford the incidental expenses involved with such a trip--e.g., bus fare from airport to hotel, possible emergency expenses, funds for the finer things Cleveland may have to offer. I am entirely in sympathy with this plight.

On the other hand, I am well aware of last year's extensive SBA scrutiny of student group budget requests and the limited amount of SBA funds available for many meritorious causes.

I am also aware of the Women's Association approach to a similar situation. When a particular women student had been selected to participate in a National Conference on Women in the Law in Madison, Wisconsin, she came to the WA with a similar request. After much debate as to the wisdom of such an allocation, we voted to deny her request on the grounds that such an expenditure, while for a very worthy cause, did not benefit the group as a whole and therefore spending such a large proportion of our total budget for the benefit of a small number of people was not justifiable, regardless of the merit of the particular cause. The member conceded that she wanted to go badly enough that she would make extra efforts to raise the money from independent sources. (It might be noted parenthetically that one of the students going to Cleveland did take it upon himself to raise outside funds for his trip.)

Another issue which was rejected by several voting SBA members present was that the allocation of money to these students could set a precedent which the SBA would be unable to carry out from a financial standpoint. I think this point should be considered --many students have equally honorable causes and it would be difficult, given the rationale propounded by the SBA in this case, to refuse future requests simply on the grounds of lack of funds.

I frankly think the SBA made an ill-considered decision and that it should be reconsidered at the next meeting.

Ruth Ratzlaff

Well, the SBA held their first meeting and the students were held up! Would you believe that the Law School is funding three students to attend the Balsa Moot Court Competition in Cleveland (a cash outlay of approximately \$1,000 to cover room, board and plane fare) and the SBA just allocated an additional \$300.00 of our dues for spending money! Yes, mathematicians, that's \$100.00 per person. One of the students explained to the SBA that the money was needed for a \$30.00 increase in airfare, transportation funds from the airport to hotel and a clothing allowance in case his pants got wet or suitcase was stolen. WE DEMAND A REVOTE ON THIS ALLOCATION!

The Treasurer was not in attendance so it was not even known if the money was available. In addition to the Treasurer, the Secretary and one second year night representative were absent. The two third year day representatives were temporarily out of the room attending another meeting. That left eight SBA members to vote on an extremely large budget allocation. (More on this later.) Of the eight, three were opposed and five were in favor. Of the five, one now regrets his decision saying "I feel like I've been duped." Thus, a little less than one-third of the SBA gave away \$300.00 of our funds.

At press time, we were unable to locate anyone with budget information. To the best of Carlos' recollection, the entire SBA fund amounts to approximately \$3,700.00. A gift of \$300.00 to three students is outrageous when other organizations which directly benefit all students receive a yearly allocation of \$100.00 (Environmental Law Society). The Women's Association, representing half the student body and sponsor of events for all students, received no funds from anyone to attend the National Women's Law Conference in Wisconsin. The Spectrum, funded by I.C.C., receives twice the amount of money Caveat gets. They have a nice light table and are not forced to do lay-outs on a window-seat in the library with very little illumination. Caveat would like some additional funds if the SBA is anxious to give away money. (As a matter of fact, we'd like the money that was allocated for this semester but has not yet been paid.)

In view of the minimal attendance, the complete lack of information regarding available funds and the confusion which enveloped at least one of the students in favor, how can an intelligent vote have been taken? In our opinion, an intelligent vote was not taken. WE WANT OUR MONEY BACK!

THE 1977 BAR OUTLINES ARRIVE!!!

Tuesday, April 5, 9 am to 1:30 pm.

Bookmobile will be in the parking lot adjacent to GGU.

Have transportation to carry books.

FEES: \$100 due if pre-registered - \$150 for new applicants.

(NADER - FROM PAGE ONE)

and for all is today still in business handling complaints on a one by one basis. San Francisco Consumer Action started out with this ad hoc approach but is today handling blocks of problems through work on systematic changes as well. Ms. Nader felt that this bandaid plus block approach would be the better way to handle dispute resolution in advanced technological society. Complaints should be handled one by one until a certain problem has reached a level of accumulation. At this point the system should take note that this is a recurring problem and should deal with systemically. As it is now Social Security is rife with problems and manufacturers respond to individual complaints with free samples.

Nader recalled a recent panel discussion with Chief Justice Burger discussing the needs of the U.S. legal system. Burger advised that the U.S. needs a Henry Ford of the law. She retorted that what we actually need is a "mass transit system of the law."

One of the major problems in dispute resolution in the U.S. in regard to the legal system is that traditional law had been built on the idea of resolving disputes occurring between people who knew each other, but today most occur between people who don't know each other and never will.

Prof. Nader emphasized that there are four changes happening which are cru-

ENVIRONMENTAL LAW SOCIETY PRESENTS
CORPS OF ENGINEERS DIVISION COUNSEL

The Environmental Law Society has invited Charles W. Sherrer, Division Counsel for the U.S. Army Corps of Engineers, to speak at Golden Gate this Wednesday, March 30, at noon in room 205.

Mr. Sherrer has indicated that he wishes the meeting to be an informal one, so students are invited to bring their lunches and participate in what promises to be a lively exchange with the counsel.

REMINDER

Videotape on "Sexism in the Courtroom" will be shown at Noon in Room 205 on Thurs., March 31. See last week's Caveat for details.

ATTENTION PROSPECTIVE CAVEAT EDITORS

On Tuesday, March 29 in Room 209 at 3 PM there will be a meeting for all students considering trying out for a Caveat editor position for next year.

cial for understanding the future role of law in our society:

1) People are having a decreased access to the legal system. We have rights without forums. 2) As societies change as ours does the legal system becomes more involved in economic administration and less involved with people's everyday problems. 3) The status of litigants is changing; the victim is forgotten. 4) The relationship between litigants has become a "fact to faceless" relationship between parties of unequal power. These changes do not augur well for law's future relevancy in maintaining order. If this trend continues, Nader warns, more repressive measures will be brought into play by those with power.

During the question period, she was asked what changes she would like to see in law school education: "The first thing I would do in law school education is I would not hire most people that were at the top of their class. (Applause) Because what you are hiring are the most obedient."

She closed the hour and a quarter with an ominous note. When we allow certain scientific developments that increase our vulnerability this can have an effect on our civil liberties. The availability of nuclear energy and the products of DNA research can make our academic discussions of rights and principles obsolete. Lawyers have been slow, she said, on picking up on this.

LAW REVIEW STAFF SELECTION PROCEDURES

Staff selection procedures for Volume 8 of the Law Review, including details regarding the writing competition, will be announced on Tuesday, March 29, 1977. The procedures will be posted on the bulletin boards on the second floor and will also be available in the Law Review office located at the rear of the Law Library.

LAW REVIEW OPEN PUBLIC FORUM

On Tuesday, March 29 in Room 209 at 12 noon, a group of current Law Review staff members will sponsor a discussion regarding Law Review at Golden Gate University and relate their experiences as staff members during the current year. All students and faculty are welcome.

Students planning on entering the writing competition are encouraged to attend and ask questions.

WOMEN'S ASSOCIATION

A general meeting will be held on Wed., March 30 in Room 205 at 5 PM.

THE FIRST ANNUAL WOMEN'S ASSOCIATION
"BANQUET"

Graduating women: You are invited be guests of the non-graduating women at a "Banquet" sponsored by the Women's Association. It will be held Friday, March 15 from 6-9:30 PM in the auditorium. There will be an informal program and lots of merriment!

All GGU women are invited with a special invitation to the staff and faculty women. Child care will be arranged.

Please see the information posted in the women's lounge and everyone sign-up!!

SBA FINANCIAL AID COMMITTEE

If there is enough interest from the student body, the SBA will appoint a Financial Aid Committee. The purpose of the committee will be to find new sources of financial aid, and to make the process of qualifying for financial aid less painful and emotional for law students. We need interested and qualified students. Those interested can apply by leaving a note in the SBA box in the faculty center or by phoning Richard Clark at 398-2553 during the day. The SBA would like to show the institution that the need is critical for more and better aid and that the students have been squeezed hard enough to resort to self-help.

OFF THE WALLS □

*I want some good grass.
CALL COST PLUS NURSERY.*

For the next issue of Caveat, turn in all items for publication by Noon on Thursday, March 31, 1977, to the Caveat box in the faculty center east or to one of the editors. (The latter action will be taken at your own risk.)

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

There aren't many weeks left in the semester, so all you budding editors and closet reporters, drop by the Caveat office on a Thurs. afternoon and pitch in...

Editors: Diana Baker
Cindy Duncan
Carlos Kaslow

Staff: Welcome Back Mark!