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CAVEAT



JAN 16 1978

Golden Gate University School of Law

January 16, 1978

SPECIAL REPORT: FINDINGS OF THE FINANCIAL AID COMMITTEE

BACKGROUND ON THE REPORT

On student Richard Clark's initiative, a group of Golden Gate law students organized themselves into an ad-hoc Law School Financial Aid Committee early this past fall. They were concerned about a number of problems of financial aid students and broke themselves down into sub-committees to deal with them. Over the years there has been a lot of bitching, some constructive and much not, about policies and practices of the Financial Aid Office. This ad-hoc group wanted to minimize the antagonistic relationship between students and the Financial Aid Office while constructively helping to change the University's policies through some disciplined research. The first fruit of their efforts has been the 30 page report on work-study funding policy and accessibility of financial aid information researched and drawn up on behalf of the committee by Kathy Reilly.

The Caveat staff has decided to print the report (less its footnotes and appendices) in its entirety for a number of reasons. First of all, as a work of student advocacy it has the potential of affecting a large number of students. Second, we feel that the report will have greater effect if a greater number of people are aware of it. Third, work-study funding has baffled many of us and a slow reading of Kathy's report can help clarify this complicated area. And fourth, the report was one of the better pieces of student writing to come across our desk and we thought that it should be passed on in a way where it would be more likely read than if left hanging idly on some bulletin board. (The original is on file in the library.)

Kathy told the Caveat that one of the things that inspired the report was the fact that during the summer many GGU law students noticed that student colleagues on summer jobs from other law schools were receiving more work-study money for the same work. Also, many work-study recipients have found it difficult to earn their full award during the school year. Kathy wrote a piece on work-study calculations in the September 19 Caveat explaining how students could earn their full work-study award under existing policies. Her report expands on the source of this problem and suggests how the Financial Aid Office should change its work-study policies to better help students.

Kathy told the Caveat that to write up the report she had to not only consider student needs but also the legitimate limitations under which Financial Aid Director Paul Jain and his staff are operating.

The report was circulated among SBA officers and representatives in early November and was overwhelmingly approved by the SBA at its November 9 meeting. (See Caveat, November 14) The SBA requested that the report be made available to the student body after its submission to GGU President Otto Butz, Vice President John Teitscheid, Financial Aid Director Paul Jain and Law Deans Judy McKelvey and Sharon Golub.

D.C.

Note from Kathy Reilly; Let the blame, credit and indifference be shared. David Cooper generously assisted in writing the final draft. Sharon Golub made me aware of what I needed to find out. Marge Holmes filled me in on past struggles and potential problems. Dozens of students let us in on their own fi-aid frustrations.

RECOMMENDATIONS OF THE LAW SCHOOL FINANCIAL AID COMMITTEE ON THE WORK-STUDY PROGRAM, STUDENT BUDGETS AND INFORMATION FOR STUDENTS

INTRODUCTION

In response to the suggestions of students, the problems students encounter in finding adequate funds to get through school, and the extraordinary burdens on the Financial Aid Office, the Law School Student Financial Aid Committee was formed early in Fall Semester 1977. The Committee has attempted to gather information from the student body about the strengths and limitations of the school's financial aid policies and practices. The Committee also studied the relevant federal regulations, spoke with program administrators at the Office of Education, and compared notes with financial aid offices at Bay Area law schools.

The following initial recommendations call generally for more flexibility in the policies governing the work-study program. Such flexibility is needed due to the wide variety of student circumstances, ages, backgrounds, needs and interests. To minimize the possibility that increased flexibility will render the program unwieldy, certain accounting checks are also being proposed. The recommended flexibility is fully within the scope of the federal regulations; indeed, many other schools already take advantage of this and offer much more flexible work-study policies than Golden Gate's.

It is hoped that the Financial Aid Office will study these recommendations and meet with our committee informally should any questions arise. Some of the following recommendations are more urgent than others; these will be noted.

We hope that these recommendations, if implemented, will promote smoother relations between the student body and the Financial Aid Office; and we believe that they will improve the student aid recipient's ability to benefit more fully from the financial aid programs offered at Golden Gate.

I. WORK-STUDY PROGRAM

A. Wage Rates

The work-study hourly wage is currently set by Golden Gate University at \$3.50 per hour. Law students who normally get part-time jobs as legal researchers often find themselves making less than their colleagues from other law schools for essentially the same work. The market rate for legal researchers fluctuates between about three and seven dollars an hour. By setting Golden Gate's work-study hourly rate at \$3.50 per hour, Golden Gate students must work longer hours to earn the same amount of money as a work-study student from Boalt. Moreover, the lower wage rate for Golden Gate students invites the insidious inference that Golden Gate students are worth less than Boalt, Hastings or USF students. It makes the school look bad.

Interestingly, the setting of one wage rate for all work-study students is prohibited by the regulations governing the work-study program. Section 175.18(c) of Title 45 of the Code of Federal regulations states that:

(c) The wage rate established for each Work-Study position must meet the requirements of §175.16(b)(5). 45 C.F.R. §175.18(c) (1976).

Section 175.16(b)(5) is a subpart of the General Limitations on Employment. It states:

Employment provided under this part--- (5) Shall be governed by such conditions of employment, including compensation, as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, proficiency of the employee, and any applicable Federal, State, or local legislation.

45 C.F.R. §175.16(b)(5) (1976)

Clearly, the regulations show that the hourly wage rate for work-study should reflect the going rate for the kind of work and skill of the individual work-study student-- not an across-the-board school-mandated rate.

When this regulation was promulgated, comments and responses were published in the Federal register. A number of comments to this regulation objected to the lack of a maximum wage rate. The Office of Education replied:

It has been determined that there is no legal authority for the Office of Education to impose a maximum wage limitation. 41 Fed. Reg. 36880 (September 1, 1976).

If the Office of Education lacks the authority to impose a maximum work-study rate, it is difficult to see how a school can do so. Indeed, Larry Merzman of the San Francisco Regional Office of Education mentioned that such practices were actively discouraged.

Shortly after the regulation went into effect, the work-study coordinator at Hastings College of the Law notified all employing agencies that:

The previous \$3.50 per hour maximum has been eliminated and it is now up to the employing agencies' discretion to determine how much per hour to pay their work-study students. It should be noted that HEW regulations state, "The wage rate for a particular job should be a function of its duties and responsibilities... Comparable wages should be paid for comparable work." This new change will become effective 2/1/77. Memorandum of Carol Auld, Work-Study Coordinator, Hastings College of Law, February 1, 1977.

After checking with Hastings, Boalt, University of San Francisco and the University of Santa Clara, we discovered that no other school had a set or maximum wage rate.

We strongly urge that the set wage rate for work-study students at Golden Gate be lifted at once and that employers set the wage rates for the work-study students. Such action would not cause the school to expend any more work-study funds; it would merely enable students to work shorter hours to earn their full award. Particularly in light of the fact that over forty percent of work-study students are more than \$100 short of earning their full award, the elimination of the set hourly rate could enable more of these students to earn their full award.

It can hardly be doubted that if students could earn their work-study award working 15 hours a week rather than 19 hours a week, some of the pressure on students would be eased. The time could be used for academic work. Also, with the present wage rate, time off work due to public holidays or illness cuts into the ability of the student to earn his or her full award. The elimination of the set wage rate will add badly needed flexibility to the work-study system.

Due to the fact that this policy violates the work-study regulations, and is also one of the policies most disadvantageous to students, we feel that this particular recommendation is urgent. This policy should be changed at the beginning of spring semester 1978.

B. Limit on Hours of Work per Week

Golden Gate currently limits the number of hours a student may work in any week to nineteen hours. This policy creates another barrier to the student who is attempting to juggle school, a part-time job and other activities. Because the demands of academic work fluctuate, there will normally be weeks in which a student is able to work more than nineteen hours per week. There will also be weeks when a student is

not able to work a full nineteen hours. Most legal research jobs also have fluctuating demands. Thus, a student may be needed for twenty-three hours in one week, and twelve hours in the next. Students should be allowed to accommodate these demands and simply work an average of twenty hours per week over a semester.

Requiring an average rather than a weekly limit will enable students to make up time lost due to holidays or illness. Other law schools contacted employed the "average" time concept successfully. There is no reason why Golden Gate cannot do so as well.

The federal regulations permit broad flexibility in the number of hours that can be worked each week by a student.

§175.19 Limitation on the number of hours of employment.

(a) Except as provided in paragraph (b)(2) of this section, Work-Study funds may not be used to pay a student for work of more than an average of 20 hours per week, averaged over the period of enrollment for which the student has received an award under this part during periods when classes in which the student is enrolled are in session, or for more than 40 hours per week during periods when such classes are not in session. Work during periods when such classes are not in sessions shall not be included in determining the 20 hour per week limitation.

(b)(1) An institution shall determine the number of hours which an eligible student may be employed under this program in accordance with its own standards and practices after considering (i) the extent of the student's financial need, and (ii) the potential harm of a particular combination of hours of work and hours of study on a given student's health or academic progress.

(2) Work-Study funds may be used to pay a student for work in excess of an average of 20 hours per week, but not more than 40 hours per week, if the institution determines that, in spite of the financial assistance made available to the student, the student's financial need remains so great that it cannot be met from earnings from a job of 20 hours per week, and that such extra work will not impair the student's health or academic progress. 45 C.F.R. §175.19 (1976).

The flexibility of the regulations would allow the school to allow students to work an average of twenty hours per week over the semester, work for forty hours during any week when classes are not in session (including mid-semester break and semester break), and permit students with special needs to work more than an average of twenty hours per week. This last category deserves special comment. Because some students are unable to obtain other sources of aid (FISLs, in particular) the Financial Aid Office should give serious consideration to assisting such students with a larger work-study award and allowing them more work-study hours under 45 C.F.R. §175.19(b)(2), quoted above. While such determinations should probably be made with the advice of the Law School Dean's Office, to avoid overloading the student, students in such circumstances should be permitted to work as much as an average of 25 hours per week. The student's unmet need would thereby be minimized. Of course, such determinations would necessarily be subject to the availability of funds, but it would seem that such circumstances would not be common, and work-study funds should be allocated according to the greatest need. Therefore, such exceptions should be made.

Because the limitation on hours that can be worked in any week imposes unnecessary burdens on students and employers, we recommend that the policy be changed to:

1. Students may not work more than an average of twenty hours per week while attending classes and forty hours per week when classes are in recess; and
2. Students whom the Financial Aid Office determines to have unmet need may, with the approval of the Law School Dean's Office, and subject to availability of funds, be permitted to work more than the averages set forth above.

These changes will also enable those students who are unable to find work-study jobs until several weeks or even months into the semester to earn a larger portion of their award.

announcements

FROM WALLY'S OFFICE

Summer employment orientations will be held on Tuesday, January 24 from 12:15 to 1 PM for second year students and on Thursday, January 26 from 12:15 to 1PM for first year students in Room 205. For evening students, orientation will be held on Thursday, January 26 from 5:15 to 6 PM in Room 207 for both first and second year students. We'll cover how to conduct a search, contacting firms/agencies, preparing resumes and cover letters and placement resources.

GRADUATION

Molly Stolmack tells us that plans for graduation have not been finalized, but graduating students will be receiving word on final arrangements in the near future. Keep watching your mailboxes and the Caveat.

STATE GRADUATE FELLOWSHIPS

February 6, 1978 is the deadline date for filing applications for State Graduate Fellowships. These fellowships are competitively available to law students who will enter their first or second year of law school beginning September 1, 1978. Details on Dean's bulletin board. Applications available in Financial Aid Office.

NLG OPENING MEETING

Wednesday, January 18, at noon in Room 205. The National Lawyers Guild will hold its first meeting of the semester. All members of the GGU community are invited to attend. The agenda will include a discussion of last semester's work on the Bakke case and proposals for speaking and writing about it currently. Also, ideas for speakers, films, etc. for this semester will be exchanged.

ABA NEWS

Essay Contest: The ABA Section on Family Law is conducting the Howard C. Schwab Memorial Essay Contest in the field of Family Law. Prizes are \$500, \$300 and \$200. The deadline is April 17, 1978, but you must send for an entry blank in advance. More info on ABA/LSD Bulletin Board.

Get Involved in the ABA: There are currently openings in the ABA's Special Committees on Housing and Urban Development, the US Department of Justice, and the United Nations. There are also positions available as student liaison to the state and local bar associations. All ABA/LSD members are eligible; first year students are especially urged to apply.

Individual Rights: The Section on Individual Rights and Responsibilities has positions available for student correspondents for its Newsletter.

Gay Rights: The ABA Subcommittee on the Rights of Gay People is seeking students interested in helping the subcommittee prepare for the ABA 1978 Annual Meeting. It also is seeking applicants to act as student liaisons to the Subcommittee on the Rights of Gay People.

National Institutes: The ABA will conduct the following seminars in January. The fee for LSD members is \$25 each. (Practicing lawyers pay several times that amount.) Applications must be submitted in advance. More info in the Biweekly Bulletin posted on the ABA/LSD Bulletin Board.

-Estate & Gift Tax Update: January 20-21, Fairmont Hotel, SF.

-Debtor/Creditor Rights: January 21, Fairmont Hotel.

-Anti-Trust Grand Juries: January 25-26, Beverly Hilton, Los Angeles.

News Update: The ABA has joined the AMA in calling for more liberal marijuana laws. The official statement is posted on the ABA/LSD Bulletin Board.

Student Lawyer Highlights

- The price of justice
- Salary survey
- Million Dollar verdicts
- Kent State
- CIA on Campus
- Federal Corruption

A copy of the current issue is posted on the ABA/LSD Bulletin Board.

Eric Rasmussen, ABA/LSD Rep.

POEM

FOR THE STRAIGHT FOLKS WHO DON'T MIND GAYS BUT WISH THEY WEREN'T SO BLATANT

by Pat Parker

You Know, some people got a lot of nerve.
Sometimes I don't believe the things I see and hear
Have you met the woman who's shocked by two women kissing
And in the same breath tells you that she's pregnant?
But gays shouldn't be blatant.

Or the straight couple sits next to you in the movie.
And you can't hear the dialogue because of the sound effects.
But gays shouldn't be blatant.

And the woman in your office spends your whole lunch hour
Talking about her new bikini drawers and how much her
husband likes them.
But gays shouldn't be blatant.

Or the hip chick in your class rattling mile a minute
while you're
Trying to get stoned in the john about the camping trip
she took with
Her musician boyfriend.
But gays shouldn't be blatant.

You're in a public bathroom and all over the walls
There's John loves Mary, Janis digs Richard, Pepe loves
Dolores, etc.
But gays shouldn't be blatant.

Or you go to an amusement park and there's a tunnel of
love.
And pictures of straights painted in the front and grinning
couples
Coming in and out.
But gays shouldn't be blatant.

Fact is, blatant heterosexuals are all over the place.
Supermarkets
Movies
At work
In church
In
Books
On television
Every day and night, everywhere
Even in gay bars.

And they want gay men and women to go hide in the closets.
So, to you straights folks, I say,
Sure I'll go, if you'll go, too.
But I'm polite.
So after you.

on bread & water

by Karen Hawkins

Remember that there is now a financial aid resource file available in Sharon Golub's office. This file lists resources for scholarships, fellowships and loans with varying amounts, criteria and deadlines. Below are listed those which have Spring application dates. Be sure to check the file for complete addresses and other application criteria.

1. Emmanuel Residence Fund: For Jewish women between 16 and 35 living in SF, Marin or Peninsula. Grants from \$500 to \$1500. Deadline varies.
2. Hebrew Free Loan: For students of Jewish ancestry. Interest free loans in multiples of \$750 up to \$2250 (local cosignor required). Deadline anytime but call for a personal interview.
3. California Student Aid Commission: For all graduate and professional students. Full tuition and fees. Deadline is April 1st.
4. California Legal Secretaries, Inc.: For 2nd and 3rd year law students. Amount of \$500. Deadline is March 1.
5. Connecticut State Scholarships: For residents of Connecticut. Amounts up to \$1000 per year. Deadline is March 10.
6. Lawrence Bar Association Scholarship: For residents of Lawrence, Andover, Methuin or North Andover, Mass. Amounts not specified. Deadline is March 1st.
7. Mercer County Bar Assoc. Scholarship & Loan Program: For residents of Mercer County, N.J. Amounts from \$300 to \$900. Deadline is June 1st.
8. San Bernadino County Bar Assoc. - John Lewis King Scholarship: For residents of San Bernadino County, California. Amounts of \$1000. Deadline varies.
9. San Diego Bar Assoc. Auxiliary Loan Fund: For 2nd and 3rd year students who are San Diego residents. Emergency loans up to \$500. Deadline is anytime.
10. Wyoming State Bar Scholarship: For residents of Wyoming. Amounts in \$500. Deadline varies.
11. Annunciation Church Cathedral (Greek Orthodox): For members of the Church's SF Parish. Amount of \$350. Deadline is June 1st.
12. Bureau of Indian Affairs Higher Education Scholarship Grant Program: For 1/4 or more Eskimo, Indian, Aleut affiliated with a tribal group being serviced by B.I.A. Amounts of \$1750. Deadline is April 1st.
13. Du Bois Memorial Scholarship Fund: For African-American students. Amounts from \$100 to \$1000. Deadline varies.
14. Earl Warren Legal Training Program: For Blacks entering as first year students or seeking a post-grad fellowship. Amount varies with need. Deadline is March 15.
15. Eleanor Roosevelt Scholarship Program: For anyone. Amounts of \$1500. Deadline is May 1st.
16. Mexican-American Legal Defense Education Fund: For Chicanos, Mexican-Americans who are 2nd or 3rd year law students. Amounts in loans of \$1000 (forgiven if recipient practices law directly benefitting the Spanish-speaking community). Deadline is July of first year.
17. Grace Legendre Fellowships: For women residents of NY state. Amounts of \$1000. Deadline is Jan. 30.
18. Women Lawyers of Sacramento Scholarship: For upper division women students. Amount varies. Spring deadline.

SOUTH OF MARKET GOURMET

by David Cooper

There are a lot of good eating places around the school and I've been amazed about how many students and staff are unaware of them. Pretty much everybody knows about the Haven, Ecker's and possibly the Sunflower, but beyond these it appears that only the aficionados who have dared to cross streets have found out these new adventures in eating. This column of restaurant/luncheonette reviews hopefully will appear weekly and its purpose will be to expand the school palate. (People are invited to submit suggestions or reviews of their own.) One thing about south of Market eating is that you can depend on it being inexpensive and in many places of high quality.

EATING AT THE PITTS

Both day and evening students need places to eat in the school's vicinity. That is why I have chosen ZAZU PITTS MEMORIAL DELICATESSEN at 515 Mission Street just across from the school's front entrance to review for this first article. Although Vic (ZAZU's proprietor) plays around with his hours he tries to keep the deli open from 7 AM to 7 PM while school is in session.

ZAZU, in its former incarnation as A&S Deli, was frequented by people on the staff and administration of the University. During the period between May and October when the old management had left and before Vic took over, the store lost much of its Golden Gate clientele, but this trend has been reversed this last fall. I ascribe this to the fact that the quality and quantity of food at ZAZU's is one of the highest that can be found in any sandwich joint in the downtown area, while prices are as low or lower than most. Meat sandwiches are in the \$1.50 to \$1.60 range (Pastrami and Roast Beef \$1.55) with fancier combination sandwiches in the \$1.70 range. Vic carries a variety of breads for sandwiching including light and dark rye, whole wheat, french sour dough as well as the standard white ("People ask for it").

For vegetarians (HOORAY!!!) ZAZU has a variety of cheese sandwiches. All except the combo cost \$1.40; combos are \$1.50. Vic carries provolone, sharp cheddar, jack, Swiss and American. Egg salad sandwiches are \$1.30 and are served with a spoon to take up the overflow.

Beyond sandwiches and potato salad ZAZU also carries specialty items all of which are of homemade quality. Taboule (TA-BOO-LEH), a blend of parsley, bulgar, tomatoes, and cucumber in lemon juice, comes in small and large cups at 50¢ and 90¢. It is a perfect salad accompaniment for meat sandwiches. Vic mixes his own bean and mushroom salad which also goes for 50¢ and 90¢ and balances the protein in the cheese sandwiches.

Sandwich substitutes include piroshki, burritos, falafel, hot dogs, and focaccia (pizza bread with cheese and salami added according to specification). Good sausages are available, mild and hot. Incidentally, the sausage and hot dogs come on sesame buns rather than the standard Wonder Bread variety.

Vic and his crew (Paul and Leila) are helpful and if the store is not too crowded are known to actually stop and talk to their customers. Although ZAZU looks like a hole-in-the-wall from the outside, the inside is very spacious and Vic encourages students to come in with their books and spread out. Vic characterizes ZAZU as your standard under-capitalized business; all the money goes into the food. The walls are bare and the linoleum on the floor is worn. Vic asked me to say that while the floor looks dirty nobody has been known to eat off it anyway.

C. Employer Contribution

The contribution the employer pays under the Golden Gate University Off-Campus Project Agreement is 30 percent of the gross salary paid the student. While 30 percent is a fairly commonly used figure, the federal regulations do not specify this percentage. Indeed, the federal work-study regulations permit to 80 percent of the student's gross salary to be paid from federal funds. 45 C.F.R. §175.22 (1976). Therefore, the employer contribution could be set somewhat higher and still comply with the federal regulations.

The advantages of increasing the employer contribution are obvious. A student earning a full \$2100 in an academic year (the full award for nine months part time) costs the employer \$630, paying a contribution of 30 percent. With a contribution of 40 percent, the student would cost the employer \$840-- only \$210 more for nine months of part-time work. Yet if the school had 80 students on work-study, the increase to the work-study fund from forty percent employer contributions would be \$16,800. This is enough to fund thirteen more work-study jobs.

With a limited amount of work-study funds and a high level of student need, such a revision would serve the purpose of expanding the work-study funds and providing more students with work-study jobs. Moreover, many employers would find no significant difference -- a \$210 increase would be trivial to many employers and \$840 for nine months work is still a bargain.

However, we are concerned lest those employers for whom this would pose a hardship decide to stop hiring Golden Gate students. Therefore, rather than increase the employer contribution across the board to 40 percent, there are other attractive alternatives. The University of San Francisco recently implemented a plan to match the employer's contribution to the salary paid the student. The Office of Education has evaluated this plan and found it satisfactory. While we do not have all the details of this plan, it essentially sets up a system of guidelines whereby an employer who wishes to pay a lower wage pays 30 percent, an employer who wishes to pay a medium wage pays 40 percent, and an employer who wishes to pay a higher wage pays 50 percent. For example:

Up to \$4.00 per hour -----	30 percent
\$4.01 - \$5.50 per hour -----	40 percent
\$5.51 and up -----	50 percent

The theory behind this plan is essentially that those employers paying the higher salaries can afford to pay the higher percentage. Of course, this is not always the case, so USF negotiates with the employer to determine the percentage if the employer cannot meet the guideline rate. Negotiation with employers to arrive at a fair and agreeable percentage is essential for this plan to work properly. Applying the guidelines without making exceptions and compromises could jeopardize students' chances of employment.

Another possibility is simply to set the percentage at 40 percent, but allow those employers who find this to be beyond their budget limitations a negotiable lower option of 30 or 35 percent. However, this method might be more work for the Financial Aid Office than the previous method.

If some version of the USF plan is adopted at Golden Gate, we would like to suggest that more divisions be made. In other words, employer contributions could variously be 30%, 35%, 40%, 45%, or 50%, depending on the salary the employer wishes to pay and the results of any negotiations. In addition, the guidelines should be adjusted periodically to reflect the range of wages paid for work-study jobs. Otherwise, there would eventually be few employers paying 30 percent, because wages would have inflated beyond the limit of the guideline.

We recommend that the Financial Aid Office investigate these possibilities for increasing the pool of work-study funds, and if possible, find out how employers are reacting to USF's plan. Should Golden Gate decide to change the method of determining the employer contribution, we recommend that comments from employers and students be solicited.

D. Assurances that student does not work beyond award limit.

The Financial Aid Committee recognizes that many of the inflexibilities in the current work-study policies stem from the real concern that students will work beyond the limit of their awards, thus incurring possible liabilities on the part of the school. In this section we propose a number of checks that will complement the proposed flexibility in hourly limits and wage rates. Because we understand that members of the Administration are particularly concerned that the Financial Aid programs

be kept within the limits of federal monies and because we realize that the hourly rate and hours per week served in part to inhibit a student's ability to work beyond his or her award limit, we propose the following procedures.

1. Award Letter Information

The award letter sent to students should specify the total award, indicate that this represents potential gross income for work-study employment, and indicate how the award was calculated. In showing how the award was calculated, the Financial Aid Office should include the other resources relied upon, the item-per-item calculation of the student budget and show the estimated net income (minus taxes and costs incidental to employment pursuant to 45 C.F.R. §175.14(c)) from work-study to be applied against the student's calculated need. Such basic information will provide the student with an understanding of the nature of the award. Without such basic information a student will be uncertain of his or her actual available funds and will consequently be unable to plan or budget properly or even correct mistakes in the calculations.

2. Keeping track of the award.

The student and the employer should each be furnished with a one-page form which, like a checkbook tally, shows the hours worked each week and the balance of the award remaining. A sample form is attached as Appendix A to this memo. The student and the employer can then calculate each pay period how much of the award remains, and consequently, how close the student is to the award limit.

3. Notice.

When the student is within 50 hours of exhausting his or her award (or some other convenient number of hours), a notice should appear on or with the paycheck. This is probably something that can be accomplished by programming the payroll computer slightly differently, or possibly by requiring the student and/or employer to indicate on the timesheet the award balance as of the previous pay period, as a result of calculations from (2) above. Already, pay checks for work-study students show the gross payment to the student for the year, although it is not clear whether it is a fiscal or calendar year. By deducting the amount of the first paycheck from the running balance on that check, the student can determine the difference between that running balance and the amount of the award earned thus far. This difference is simply the payments made before the beginning of the current award period. By deducting this difference from the running balance on any subsequent pay check, the student will know the amount of the work-study award that has been earned that semester. However, this is fairly complicated, and it would be preferable if a programming change could be effected to give the student a clear picture of how much of his or her award is left. If a programming change is impossible, perhaps the student should just be required to put the award balance on the timesheet or the Financial Aid Office could tally the timesheets as they arrived in the office, and could send out notices when the student is close to the award limit. Such notices could be simple slips that could be given to students with their paychecks.

4. Liability for payments beyond the award limit.

Both employer and student should be notified at the beginning of the employment period that no payments may be made from federal funds or Golden Gate University funds for any work done by students over the award limit. Employers of students who work over the award limit should be the ones who pay for hours beyond the award limit, and they should be notified of this in the contract. However, since the Education Amendments of 1976 amended the work-study statute to permit federal funds to be used for payments of up to \$200 over the student's calculated need when a student is receiving income from another job, employers should not be made to pay this portion. 42 U.S.C.A. §2754(a)(4) (West Supp. 1977).

5. Notice to Employers.

Employers should be notified of any adjustments in work-study awards, and also notified when the student-employee is within fifty hours of the award limit (or some other convenient number of hours). This would give the employer information necessary to planning their budget and workloads of students. It would enable student and employer to make appropriate arrangements if the student's work-study funds are about to run out.

Letters

Dear "Dick Caveat",

I had the feeling that if Mr. Cooper had reviewed The Origin of Species it wouldn't have been necessary for him to read it in order to know that because of Darwin's limited naturalistic perspective he had failed to consider the Garden of Eden theory in his analysis of evolution.

Regardless of that feeling I greatly appreciated Mr. Cooper's summary of the important points in Judge Lois Forer's discussion with us on October 26. Judge Forer is a person who gives a frock and left us with more hope than she took away, although she aptly described the "Death of the Law."

Her concern communicated hope even if in accordance with Professor Goetzl's prediction she did confirm for this first year student that which one nevertheless hoped might not always be true in the legal world; that there exists a moral void beyond the bar exam despite the appearance of substance imparted by the appellate rhetoric. The grimness like death is denied by us first yearies, despite the gallows humor bravado one hears in reference to our obvious unecessity in future society. The prospect is compoundedly bleak. We will not only be superfluous but a fragment of the problem itself. It is sorrowful. We were thankful that while the terminal nature of the disease of the legal sustem was analyzed by Judge Forer, the extent of the rampant metastasis of lawyers throughout it was tactfully not stated.

Such an analysis coming from Judge Forer's enormous experience might have affected us like some figuratively disfiguring acid flung in the face of our illusion. akin to the discovery that God is a jumorist. But even first year students have no such innocence. We should have known, we do know; it is obvious from the way the public hates us. One can elicit a knowing grimace and revolted glare just from admitting that one studies the law. Clearly, the darkest hour always precedes total blackness.

Just as clearly, there should be a terrorist supported radical revolution of the class structure as proposed by so many of out advanced and avante garde and modern thinkers. It would be grand to be needed again, to regain the prestige and title of intelligensia as opposed to scum, mouthpiece, hired gum, or lawyer with a vicious sneer implied as a matter of course. But polar bears will do it in the woods and there will have been several glaciations of North America before that succeeds, however brilliant the analysis. Until the revolution comes we'll be worse than useless as we waste valuable energy overtaking emergency medical evacuations. Think of what some farmer or soft technocrat or other non obsolete contrivutor could do with it. Or with the court time that taxes them. To make a living there will be nothing for it but to ill use that time along with the hopes of the injuree, who we shall hope to find after havng overtaken aforesaid unit, in serious, perhaps even quadriplegic, condition. Anything short of dead will do nicely.

I felt blessed to have Judge Forer's "limited perception" pointed out for me afterwards, however; that she was ignorant that the class power question was the primary one begging the legal system. That is a prettier problem to deal with than the ones she was concerned with, the lack of moral force and integrity in the legal system today. Accordingly, my consciousness was mightily eased. Indeed, it is good to be told to believe, to be excused to believe, as one often secretly but wickedly hopes, that there exists an immutability of the class structure in America as a result of a conspiracy and the law. And that therefore downward social mobility, provided I do pay my education dues, can hoin my other silly fears like no right to celibacy and anorexia nervouusa as too irrational to contemplate.

But then in spite of the assuasiveness of the raw power idea in opposition to the complexities contended by Judge Forer to be the more pressing problems, it was inevitably unavoidable to perceive that her proposals are of the utmost importance, in terms of constructiveness, for consideration. That it is at least very significant that the moral basis for the legal system is eroding beneath us. Not as palpable or profound as class repression. but true anyway.

I had to concede that the reviewer was mistaken as to Judge Forer's "limited perception" and had perhaps assumed too much regarding her unawareness that the law is only a tool of class manipulation. One can actually be aware of such an idea and believe it too as one believes in a big rock sticking out of the middle of a river, yet still finds the adjutment a cold and uninteresting place to cling to.

Judge Forer's idea that it is sad that the moral force to the law is awasting compelled me to disgorge that gnostic verity that class is after all behind it anyway, because that idea allows as to how there never was a smidgeon of moral force behind the law in the first place. I can't hate muself that much.

Judge Forer did know that for the illiterate, the irredeemably destitute, for both the downwardly mobile middle class wastrels and the upwardly mobile creative sorts, it is always better to be ruled--even by a tangled only vaguely malleable mass of illogical archaisms --by the law than by somebody. Judge Forer I think might concede that a singular focus on the nonintegrity of the law today offers nothing for us who aspire to the legal services. According to her there is much to be done.

Judge Forer was stressing the terminal possibilities of the illness, not giving an autopsy report or she wouldn't have bothered. Moral force is moral force and without it the law will have expired, and that death will extinguish any possibility of internally regulated individuals. Is the moral force of the law a nullity when we can still force the President to resign and send his top aides to prison without a tank or a single riot? In such countries where decrepit necessity compels them to abolish the classes and speak only in terms of classes the idea of such moral force being brought to bear on the most powerful for a transgression most trivial produces nervous, jiggling belly laughs, and no doubt a spasmodic gag or two. Incomprehension can do that.

People justly hate lawyers because it is too often lawyers who belittle the moral force of the law, often only with the aim of showing off their sacred knowledge. But the people know they need the law more than anything to be the law, a bona fide breakwater against the chaotic sea of society.

The nervousness aroused in some by Richard Pryor's anger toward the supporters of gay rights in Hollywood is analogous to a rhetorical avoidance of what he was really saying. It is very much like imputing "limited perspective" to Lois Forer in the hopes that class conspiracy theories will erase the facts that hard practical solutions, moral force and fewer lawyers are needed in this country. This rhetorical avoidance lies in the abuse of the term "minorities"... Certainly the term connotes any group not a majority that has met with mahority viciousness and been denied thereby full expression. But if we are to apply the term to gays it becomes a term, like juman rights, too distorted to apply also to black people. Why shouldn't Pryor object? Most of what is true about gays is totally untrue for most people who manifest their African ancestry. Race is not a sexual preference. For example, straight men, eschewing machismo (def, in Mexican slang a "stud burro"), may act with stereotypically gay mannerisms. Yet neither they not actual gays are prevented from going to professional school. They are not even prevented from attaining functional literacy as many blacks are. Being gay prevents few persons from developing full and virtuous characters. Gays have knowledge and commendably commensurate share of wealth and power. And in this region, who cares? The lack of gay rights where the cultural bias against them is really narrow and vicious or where they may become innocent scapegoats a la Hitler or Anita is a serious enough concern. But even that concern is a negligible concern and should be compared with the unconscionable, continuing material debasement of poverty that the descendants of slaves are still born into. Not only illiteracy but the nonintegrity of the moral force of the law result too often in the further debasement of black people. In the controversy of what Forer and Pryor really had to say, I can't help feeling that we intelligensia sometimes take far more for granted than we feel bound to say.

Gracias,
Christopher Robin Lucas

No wonder the law is dead --"Dick Caveat" (MD)