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CAVEAT



Vol. XIII, No. 22

Golden Gate University School of Law

February 21, 1978

Student Pres. to be Required to Explain FSC Gongs on to Students

by David Cooper

In the late spring and early fall the Student Bar Association chooses students who help govern the school through their membership on the Faculty Student Council and its various committees. Since these positions carry a degree of power over decision making in the school, the administration and faculty have been sensitive to the composition of this student representation. This sensitivity is highlighted by the fact that historically in this school the Deans and faculty have no direct input in the process of selecting these student reps. This year, in response to Administration and faculty expressions of concern that the SBA follow due process in its selection, as well as in response to student criticisms of this year's procedures, an ad-hoc committee was formed by the SBA to develop guidelines for the selection of FSC student reps. These guideline proposals were submitted at the SBA meeting last Wednesday. When they are accepted (with amendments) they will become SBA rules.

One of the more interesting proposals affecting students is the new rule on Notice which requires the SBA President to provide a description of the FSC functions in the Caveat within the first two weeks of school. The information is to include the names of the teachers on the committees, the issues likely to come up that year, the general atmosphere of the committee as well as such bureaucratic information as application deadlines and time requirements. This novel notice requirement was designed by the committee in response to first year student complaints that they were disenfranchised to the degree that they were kept ignorant of school governance.

Innovations in response to faculty and Administration concerns include setting a minimum number of interviewers (4) who would be in charge of selecting reps for a committee. It will also be a requirement that at least one interviewer be a member of the SBA Board of Governors (Pres., V.P., Treas. or Secretary) and that one interviewer have "personal knowledge" of the workings of the committee for which they are choosing reps. Although the above two requirements have been traditionally followed to some extent this is the first time they will have been formalized.

The proposed guidelines also include a section on criteria for selecting representatives. These include that the applicants indicate that they have adequate time for their duties, ability to deal credibly with the faculty, and willingness to report to the student body on FSC matters.

One proposal concerning criteria which has come under some fire within the SBA reads: "Selected candidates shall be representative of the diversity of student body views." Proponents defend the rule on the basis that the differing views in the student body should be reflected in the membership of the committees. Opponents and those supporting amendments claim that the rule is "nebulous" and impossible to administer. Some opponents expressed concern that that the rule could be interpreted to place a duty on the selection committees to find applicants for the Admissions Committee who were against affirmative action. The guidelines will be adopted with alterations and additions at the next SBA meeting after vacation.

Other SBA News: There will be an election for the 78-79 SBA President in late March. Notice will be forthcoming. The ABA-LSD expects that it will have 20% of students as members next fall which opens the student body to matching

grants on student projects. Kathy Reilley's Financial Aid proposals have received affirmative responses from both the law school and University administrations; a meeting will be held within a few weeks to explain changes in F.A. policy. Negotiations are underway to have YMCA passes distributed at the Y rather than in the Library as at present. Richard Wright is preparing an SBA position paper on the tuition increase. Students have volunteered to administer the student surveys evaluating the faculty for later this spring; results of the survey will be printed in the Caveat.

Student Demo. at USF

Students from all over the Bay Area including GGU attended a protest called by the USF Coalition against severe cuts proposed by USF Law Dean McKaskle. The picket took place preceding a Faculty meeting which was to consider the Dean's proposal to cut special admissions from 50 per entering class of 250 to 25 while increasing the school's reliance on standardized criteria to determine student acceptability. Over three hundred people protested outside and these numbers grew to about 400 when the crowd moved inside to sit in on the faculty's deliberations. Faculty Chair Tom McCarthy threatened to hold the meeting in executive (secret) session unless the aisles in the moot court room were cleared. Arrangements were made to move the session to a nearby auditorium on campus.

McKaskle's proposal was to cut admission of "disadvantaged" students to 25 while increasing the available financial aid available for each student. The USF Coalition speakers supported the request for the increased aid but were adamantly against accepting any cuts in the number of students. Apparently the motivation for the introduction of this new policy was the results of the summer Bar exam which showed a drop in the pass rate for USF students. McKaskle ascribed this fact to the failure of the third world students who were admitted through the special program. Student speakers denounced this approach saying that it was another example of blaming the victim as one speaker said, "Who has failed whom?" A few months ago students succeeded in getting the faculty to approve a special program that would help special admits through the law school curriculum once they gained admission. Speakers appealed to the faculty to consider that this new plan had been given no time to be tested. The last student speaker representing the USF Native American Law Students Association yielded her time to Professor Chuck Lawrence who has been an outspoken advocate for affirmative action in recent protests in the Bay Area. Lawrence moved that the faculty defer its decision on the matter until it had time to consider alternative proposals. The motion passed so there is now a new call out to demonstrate this Friday, February 24 at 3:00 when the faculty will be reconvening.

Many people at the protest indicated that while the Bakke decision does not by itself eliminate affirmative action, it does mean that institutions will use the decision to drop their special programs and that it will require the same kind of movement that created the programs to preserve the programs.

DC

Aff. Action Proposals

A STATUS REPORT WITH REMEDIAL PROPOSALS FOR AFFIRMATIVE ACTION: A LAST CALL

On Thursday there will be two SBA meetings on affirmative action, one at noon and the other at 5:30. The following proposal to the FSC was put together by members of the

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World Series of Poker

The M.O.L.E.s of GGU have announced that the Eric Safire Memorial World Series of Poker will be held on Saturday March 11, 1978 at 1:00 PM. Eric Safire is the president in exile of the M.O.L.E.s and one of the greatest poker players ever to step onto the second floor. After a coup de tat and in fear of his life he was forced to flee north to Alaska.

The site for this event has not yet been chosen. The format for this year's World Series is winner-take-all (modeled after the Annual Las Vegas World Series of Poker). The buy in is \$10. Detailed rules will be distributed at a later date. If you're interested in playing put your name (or pseudonym) on the sign up sheet located on the 2nd floor candy machine. This competition is open to all GGU Law Students, faculty and administration only. Sign up now as the M.O.L.E.s reserve the right to limit the series to a reasonable number of people. If that happens it's first come first serve.

LAW REVIEW WRITING COMPETITION

The Law Review Writing Competition will be held March 6-16, 1978. We plan to select approximately half (i.e., 15 first time eligibles and five second time eligibles) of next year's staff from the writing competition. (These numbers may change slightly in case of ties.) The other staff members will be selected on the basis of grades at the end of the spring semester.

Students eligible for membership for the first time are first year day, second year night, and transfer students. Those eligible for the second time are second year day and third year night students.

To enter the writing competition, students must submit a short (five page maximum, typed, double-spaced) paper discussing a recent case which will be selected by the editors and placed on reserve in the library on March 6. Supplemental Materials (probably two other cases and one law review article) will be included to aid analysis of the case. For the purposes of the writing competition, You should consider the materials provided to represent the universe of authority on the topic. No independent research should be done.

The papers should be turned in to the Law Review Office (located in the library by the vending machines) no later than 7:00 PM on Thursday, March 16. Each paper will be evaluated on the basis of (1) statement of the case, (2) organization, (3) the writer's analysis, (4) overall impression (including such things as readability, clarity, style, and originality). Equal weight will be give to each of the four criteria.

Present staff members will attend first year day writing and research sections on Monday, March 6 to answer questions about Law Review and the writing competition. There will also be meetings on Monday, March 6, at 12 noon in room 203, and at 6 PM in room 209, for other students who are interested.

SOUTH of MARKET GOURMET

THE COMPLETE NIGHT EATER

by David Cooper

Due to a weak stomach and creeping laziness I decided to let this week's column write itself. Having announced that I intended to write about places where night students could eat I received a series of recommendations from students and staff most of which I repeat for you sight unseen (tastebud untasted?).

Sunflower: Corner 1st and Mission is open 24 hours a day. Kathy says their tray food is no good but that their omelets

are great.

Giant Foot: 116 1st Street across from the bus station. They close at 7 pm. Their giant sandwiches are a foot long and cost between \$2.10 and 2.60. Their half footers which are what people usually get when they're alone, go for \$1.35 to \$1.65. Now if you go with a friend you can get two sandwiches by splitting and save money. For vegetarians I recommend their brimming avocado sandwich (\$2.10/\$1.35). Their salads come highly recommended.

Home's Hofbrau: Corner of New Montgomery and Mission. Closes at 7:30 pm. Chinese and American dishes at moderate prices. Sandwiches in the \$1.50 range.

The Minute Chef: Now don't wince, but this is actually in the Sheraton-Palace. It's hot food and it's not too expensive \$2.50 - \$4.50 range. It's open till 1 am! So it's good for after school too. To get there go out the back door of the school and up the alley toward Market. Turn left at Stevenson Alley and walk a block and a half to New Montgomery. The Chef is right on Montgomery with entrance from either the street or the hotel lobby.

Zazu Pitts: You already know about this.

All these places are convenient to rolling people except the Minute Chef.

Hiring News

by David Cooper

After weeks of interviewing prospective new teachers, the Faculty Student Council has been assembling last week and this week to hire 3 new faculty members to teach here beginning this fall. Following a few years of expanding the size and range of the faculty, this will be one of the last times for a while that such a large number of seats are to be filled in one year. The Hiring Committee which has been in charge of organizing the interviews has narrowed the list of prospectives down to nine finalists. Of the three positions two are new and the last is the one vacated recently by Laurie Deutsch

In line with a resolution adopted by the FSC in the fall, the nine candidates are mostly third-world and women attorneys. Nevertheless, there has been some factionalizing in the faculty/student body over some issues. Initially, one group in the faculty was in favor of hiring none of the presented candidates claiming that they were not as qualified as they should be for our staff. This position was highly resisted by student members of Council and by the Dean. Presently that same faction is backing a policy of having one of the three slots become a permanent visitorship rather than be filled by one of the current candidates. FSC student members indicated to this reporter that they considered the permanent visitorship policy a ruse to limit the number of third-world and women faculty. The basis for this feeling is the fact that visiting professorships of this kind are filled from the pool of experienced law professors in the country which is almost entirely white male whereas the pool of new teaching applicants is more pluralistic.

During a long meeting last Thursday it was decided to extend an offer to 2 of the candidates. (The third position will be decided this Thursday.) One is a black woman with experience in administrative law who is a graduate of a highly acclaimed law school. She was one of the student caucus' top choices and the caucus hopes that she will accept the offer. The second offer is to a candidate of Native American origin who could teach a first year subject as well as advanced courses. He is acceptable to the student caucus and is thought to be an excellent addition to the faculty.

(continued P.4)

announcements

OPEN MEETING WITH DEAN JUDY RE: TUITION-TODAY!

Today, Feb. 21, at Noon and at 5:30, Room 205. Dean Judy will be there to answer questions concerning direct costs: items involving costs specific to the law school.

SPECIAL OPEN MEETING ON AFFIRMATIVE ACTION

Thursday, February 23 at Noon and 5:30, room to be announced. At this meeting the Third World Coalition will submit its proposals on affirmative action to the SBA. Anybody who is interested in commenting on or adding to or listening to the proposals should come. For further information see article on front page.

FSC HIRING MEETING

The Faculty Student Council will meet in executive session this Thursday at 8:00 in the morning. The meeting is open to FSC members only.

SBA BOOKSALE MANAGER NEEDED

If we are to have a booksale this coming fall, we will need a manager to run it. Last year's manager, Georgia Schwaar, has compiled all the procedures so that the next manager won't have to start from ground zero. This is a paid position. If you are interested see your SBA representative or come to an SBA meeting. If you want more info on the job see Georgia or Ruth Ratzlaff.

DEMONSTRATION TO SUPPORT USF SPECIAL ADMISSIONS

Friday, February 24. 3:00 at the USF campus. The time on this has not been confirmed. Keep checking for announcements elsewhere to be sure.

FINANCIAL AID INFORMATION SEMINAR

Paul Jain, Financial Aid Director, will be here Wed., Feb. 22 at Noon in room 207, and Thur., Feb. 23, at 5:30 room 203 to answer questions about filling out the financial aid forms for next year. Fall & Spring deadline: April 3, 1978
Summer '78: April 19, 1978

STUDENT FSC CAUCUS MEETING

Student members of the FSC are requested to come to a caucus meeting to decide on our preferences for Thursday's FSC session. Caveat office: Wednesday at Noon.

PRODUCTS LIABILITY EXAMS

Mr. Hirschberg, who taught Products Liability last semester, will be here on March 15 at 6:00PM to discuss papers and exams provided that there is sufficient student interest in having him here. If you would like to meet with him please let Sharon Golub know by Feb. 24.

PHI ALPHA DELTA ELECTIONS

Any member of Phi Alpha Delta who is interested in running for office should leave a note to that effect in the PAD box in the Faculty Center East by Friday February 24. At present we have no candidates for Vice-Justice, Marshal, or Placement Director. The election will be held by mail during the week of spring vacation. If you have any questions, please contact Joey Logsdon, 339-2035 or leave a note in the PAD box or on the message board.

PROFESSIONAL RESPONSIBILITY EXAM DEADLINE NEAR

The Professional Responsibility Examination will be given on April 22, 1978 at 10:30 AM.

The filing fee therefor is \$15.00, and is non-refundable and non-transferrable.

The deadline for a timely filing is March 1, 1978. To be considered as a timely filing an application must be received in an office of the Committee on or before March 1, 1978 or postmarked no later than noon on February 27, 1978. An additional \$25.00 non-refundable late filing fee must accompany any application not received on or before March 1, 1978.

No application will be accepted for filing unless it is actually received in the office of the Committee by 5:00 PM, Monday, April 3.

The examination will be of two hours duration with ½ hour of instruction and will consist of non-essay questions.

Examination locations are San Francisco, Sacramento, Los Angeles, and San Diego.

LAW CAREERS COLLOQUIA

To acquaint students with legal and legally-related areas of practice, discuss preparation for practice while in school and answer questions, a number of our alums as well as other attorneys have agreed to share their experiences with us at law career colloquia panels during March and April. Please check the placement board for complete information including a listing of panel participants.

SOLE PRACTITIONER -- 2-PERSON LAW FIRM

Tuesday March 7 12:15 to 1:15, Room 205

AN EX-READER'S PERSPECTIVE ON THE BAR EXAM

Thursday, March 9, 12:15 to 1:15, Room 203

ALTERNATIVES TO TRADITIONAL LEGAL PRACTICE

Thursday, March 16, 5:15 to 6:15, Room 205

SMALL FIRM PRACTICE (3 to 8 members)

Thursday March 23, 12:15 to 1:15, Room 205

LEGAL SERVICES -- PUBLIC INTEREST

Tuesday, March 28, Room 205

DISTRICT ATTORNEY, PUBLIC DEFENDER, STATE PUBLIC DEFENDER, STATE ATTORNEY GENERAL

Thursday, April 13, 12:15 to 1:15, Room 205

FEDERAL GOVERNMENT -- LARGE LAW FIRM

Tuesday, April 18, 12:15 to 1:15, Room 205

TAX PRACTICE -- LAW FIRM, BANK, FEDERAL GOVERNMENT, CPA FIRM

Thursday, April 20, 12:15 to 1:15, Room 205

The reason why these names are withheld is that many applicants want to keep their identities confidential. It is for this reason that the FSC meets in executive (secret) session when engaged in hiring tasks. This year a motion was put on the floor to allow a Caveat reporter to be present but held to the same rules of confidentiality. The motion was narrowly defeated.

The Council will meet this Thursday at 8 in the morning to decide on their next choice. The student caucus will meet Wednesday at noon to review qualifications of the remaining candidates in light of the school's curriculum needs.

(Aff. Action Proposals, continued from P.1)

Third World Coalition in an attempt to give guidance to those who want to improve the status of affirmative action at GGU. Please read them to prepare for the meetings. The article on hiring which appeared in last week's Caveat should be considered a part of this proposal.

PREFACE

Three years ago, the Third World Coalition (then known as the Affirmative Action Committee) called upon the Student Bar Association and the Administration of Golden Gate University School of Law (hereinafter referred to as the SBA and the Administration, respectively) to affirmatively commit themselves to a comprehensive program which would allow it to meet its duty to provide third world attorneys to the third world community. Such a program was to include efforts toward achieving the following objectives:

1. Recruit, retain, and graduate representative numbers of disadvantaged students,
2. Provide financial aid,
3. Hire and retain third world full-time faculty members, and
4. Provide for adequate representation in and access to information about the School's decision making and administrative processes.

This call for action has gone largely unanswered. Thus, the Third World Coalition (hereinafter referred to as the Coalition) again calls upon the SBA to endorse this proposal, and demands that the Administration make a written commitment to affirmative action for disadvantaged students and take concrete steps to implement such commitment.

Subcommittees of the Coalition have met and assessed the absence of response to the original call and the resulting deterioration of any kind of affirmative action in the Golden Gate University Law School community. The following pages contain an overview of the current situation and concrete remedial proposals.

ADMISSIONS

Disadvantaged entrants are down from 43 in 1976 to 15 in 1977. These figures indicate that the previously articulated policy of "admitting any third world student manifesting a reasonable chance of success" has clearly been abandoned. Those 1977 disadvantaged applicants manifesting a 50-50 chance of success, 2.0 predictive index, were denied admissions. Even those showing a better than 50% chance of success were not admitted. Thus, it appears that a "reasonable chance of success" has become a limited LSAT-GPA predictive index score without regard for those factors which distinguish disadvantaged students, e.g., ethnicity, community involvement and experience, and the ability to achieve candidate status despite severe socio-economic deprivation, racism, sexism, and English as a second language.

We propose the following:

- 1) Recruitment: The creation of a work-study slot for a disadvantaged student approved by the Third World Coalition to serve as a Special Assistant to the director of Admissions. Said student's duties would be to design and implement a disadvantaged student recruitment program and to assist in the processing of resulting applications. Such an assistant would to some extent counter-balance the recently created full-time position for recruiting from wealthy schools, where the pool of disadvantaged applicants is negligible.
- 2) Application Form: The inclusion of a check-off permitting an applicant to indicate a desire to have his/her application reviewed by a minority, women's, or gay students' organization.
- 3) Admissions: The admission of all disadvantaged students whose predictive index manifests 51% or better chance of success. When disadvantaged students are admitted but decide to go elsewhere, these slots should be offered to other disadvantaged students.
- 4) Special Admissions: Admission of those applicants who manifest a 50-50 chance of success contingent upon their successful completion of one first year class offered during the summer. Subject area to be determined by professorial availability and interest. Course credit would be counted toward graduation, tuition for Summer, 1978 should be paid by candidates and in subsequent years by private sources. A program of this sort will afford a three-fold benefit;

- (1) to expose the candidate to the law school process,
- (2) to increase disadvantaged student enrollment, and
- (3) to provide a realistic test of the likelihood of success and produce income for the school.

FINANCIAL AID

One of the key problems facing disadvantaged students at Golden Gate University is the lack of adequate financial aid. To date, the school has maintained a policy of admitting disadvantaged students without allocating funds sufficient to cover tuition. This problem is further exacerbated by the present tuition increase to \$112 per unit. In the words of the Budget Committee, "Tuition increases mean only the rich need apply." This increase and the school's historically attendant policy is damaging to any financially dependent student's success, and fatal to the matriculation of many disadvantaged students.

In addition, disadvantaged students who academically survive despite the absence of sufficient economic support do so by mortgaging their futures to the highest bidder. The objective and desire to have disadvantaged students return to their communities is thwarted. In order to repay loans of up to \$20,000 (on top of any outstanding undergraduate loans), disadvantaged students are forced to seek high paying positions which invariably exist outside of their community. To bring present results more in line with the articulated objective, alternative and supplemental forms of financial aid are essential.

We make the following recommendations:

1. Research: create work-study positions for students who would like to serve on a joint committee to continue research and lobbying for a Federal Loan Forgiveness Program, as an alternative means of debt cancellation. Such a group would also do research, edit, and compile an alternative financial aid source booklet which would be made available to the entire student body for use as a reference

book.

2. Scholarships:

- a) Student Employment: All jobs relating to school functions presently funded from the scholarship fund should become work-study positions, rather than being entirely paid for through the scholarship fund. These positions include: tutors, video-tape operators, Law Review editors, Caveat editors, SBA president, Alumni Forum editors, moot court, Supreme Court externships, teaching and/or research assistants, etc.
- b) Recruitment and Retention Scholarships: The funds which would result from the above redistribution would be awarded on the basis of need and merit. In addition to those currently offered, merit scholarships should be offered to the four disadvantaged students who have the highest predictive index of all disadvantaged entrants. Renewal of such scholarships should be dependent upon these students remaining in good academic standing. Need scholarships would be made available to all Golden Gate Law School students, including first year students. They should be renewable each year, as long as there is evidence of need. Under no circumstances should awards made on the basis of need fall below 60% of the total scholarship fund, nor should any single award be in an amount less than \$200.
- c) Eligibility for scholarships awarded on the basis of need should be determined by the use of the following formula:

$$\frac{\text{Recommended \# Hours of Study Per Unit}}{\text{Achievement of 2.00 GPA MINIMUM}} =$$

$$\frac{\text{Actual GPA/Predictive Index}}{\text{Cost of Living Offset By:}}$$

- (1) Loans
- (2) Grants
- (3) Scholarships
- (4) Parental Support
- (5) Earned Income
 - a) Seed Money Required (\$750)
 - b) Work-study
 - 1) Traditional
 - 2) Paid Study (First Year Students Only- Checked by attendance and participation in Tutorial Program)
 - c) Non-School Related Employment, e.g., independent contracting or clerking for a firm.

OR alternatively, some other non-financial aid office procedure. Those students for whom there is evidence of physical, cultural, or racial disadvantage should receive a two-to-one advantage when calculating the amount of the award. All students failing to apply for traditional financial aid would be ineligible for these awards.

3. Work-study: Regarding work-study, we endorse the findings of the Ad-Hoc Law School Financial Aid Committee and support their position. Work-study wage rates as set by the School should be lifted and employers should set the rate. Further, the number of allowable hours should be calculated as an average of twenty (20) hours per week over a semester.

ACADEMIC STANDARDS

The study of law is a long, arduous, and fluctuating task. For three years, the student is immersed in abstract legal theories. A few of these theories are readily understandable, but the majority appear incomprehensible. Many students have searched unsuccessfully for a secret formula which would shed light on respective first year law courses. There are no secret formulas which will render the study of

law comprehensible. The only viable means of transforming a layperson into a practicing attorney is the process of studying.

Oftentimes a neophyte law student studies and studies, but he or she is unable to grasp subtle legal issues. Still more frequently, students are confronted with severe and paralyzing events in their personal lives which interfere with the best laid plans and ability. Others yet, come from cultural backgrounds where academic pursuit was viewed with a defensive, but jaundiced eye. All of these people need more time and support than others.

In light of these facts, we ask that the School adopt the following measures:

1. A Grace Period

First that the present policy requiring a 1.9 GPA to proceed to the year of anticipated graduation be abolished. Such a requirement serves only as a screening mechanism (the function of the Bar) rather than as an educational device (the function of the School, an educational institution). Instead, more consistent with the School's policy of not graduating persons failing to achieve a 2.00 cumulative average upon completion of 84 credits, day students so troubled would be permitted an additional semester and night students two semesters in which to achieve the required GPA.

2. Revision of Grade Scale

To create a more sensitive scale and to avoid the repeated return of grades to instructors, occurring with greater frequency of late, we request that the letter grades "A-" and "B+" be included in the present grading scale. Such inclusion will be more consistent with and responsive to the rising quality of Golden Gate students and the subtle differences between them. These subtle differences can only be accurately measured on an instrument of greater sensitivity than that presently used.

3. Class Standing

Because of the difficulty normally faced by Golden Gate graduates when entering the job market, we submit that the abolition of class standing would provide potential employers with a greater opportunity to view each student on his/her merits. It would allow greater appreciation of the importance of the practical experience and lawyering skills acquired in our highly successful clinic, externship, and litigation programs. Mock Trial, especially, has distinguished itself and brought favorable recognition to the School for the past three years.

In the alternative, we urge that where a student has re-examined, the re-examination grade should be allowed for calculation of class standing. When the student successfully re-examines within one year and achieves a 1.75 GPA the prior record would be expunged automatically. This would increase the probability of the disadvantaged student's placement after graduation. Moreover, it would end the horrendous punitive effect of the present system.

Presently, re-examined students are penalized on four points. They are as follows:

- a. The student is required to re-write the same course rather than being allowed to substitute the lost credits with other course work.
- b. The student must bear the cost of living, usually without financial aid, while preparing for re-examination.
- c. The student must find alternate sources of financial aid where available aid is cancelled due to the student's ouster.

- d. The student must bear the career long stigma with its limiting effects, of the continued appearance of "Disqualified" on the transcript after the student has met the required standards (self and GPA rehabilitation) and successfully completed the prescribed course of study.

4. Petitioning the Academic Standards Committee

We endorse the present Academic Standards Committee Appeals Procedure as announced in the Caveat and quoted below:

"Write up the facts of your case and submit them to Sharon Golub or a committee member. You will be allowed to present your problem personally to the committee members who will then vote on how to resolve it."

Mark Derzon, Caveat, vol. xiii no.2, 8/22/77, at 1.

In addition, we propose that the decision be announced in writing with a written explanation. Further, we propose that a petitioner be permitted to name or be represented/accompanied by an authorized representative whenever she/he deems necessary.

HIRING COMMITTEE

A pluralistic faculty has many benefits when the student body is one of diverse ethnic origin. Third world students benefit from the third world professor acting as role model and advisor who enables them to identify more closely with their chosen profession. Non-third world students are enriched through their contact with professors of differing backgrounds, since this provides them with a new and enlightening perspective on the world around them and teaches them a broader range of human experience.

All students enjoy the increased opportunity for learning inherent in a faculty which brings into the classroom a rich diversity of cultural backgrounds. Students can be more effective in the real world if their academic experience approximates the world in which they will live and work.

The Coalition emphasizes our desire for written confirmation of an Affirmative Action policy which mandates employing a number of third world faculty members which more generally reflects the composition of the Bay Area.

Census figures for the County of San Francisco and the Bay Area, as adjusted according to error claimed by the United States Census Bureau, are 26.3% and 18.4% non-whites, respectively. An approximation of 20% third world faculty is acceptable to the Coalition as a representative number. Because of the grueling pressure of the intense scrutiny to which minorities are subjected and the chilling vacuum in which they are forced to work, their effectiveness is hampered and minimized. To insure an internal support system, they should be hired in pairs in subsequent years until representative numbers are achieved. At no time should the number of third world faculty members be less than three. The term third world is meant to include Asian, Black, La Raza, and Native-American people.

The Third World Coalition requests that two full-time third world faculty members be selected for the coming school year (1978-1979) from the pool of applicants interviewed this year.

The Coalition finally asks that the Law School Hiring Committee form a special "Search Committee" to do the intensive scouting necessary to find the third world applicants desired by the school. This Search Committee would be formed to assist the Hiring Committee in its expressed goal of finding and submitting for consideration third world candidates exhibiting a reasonable chance of employment. This Search Committee should include any third world faculty members currently employed by the Law School and should be heavily weighted with third world students of the Law School. It should be adequately funded to carry out its function.

REPRESENTATION

It is highly presumptuous of any entity or group to claim to represent the interest of another which it historically and currently violates, since the two interests are frequently at odds. Any genuine commitment to affirmative action must entail the opportunity for full representative participation by its target group - here, disadvantaged students. This participation requires and insures the consideration of all involved perspectives at the formative stages of policymaking, planning, and implementation, as well as decision making. For it is only at these stages that the peculiar flavor, which makes and marks the pluralistic society in which we live and will practice, can effectively be achieved and preserved.

Therefore, the Third World Coalition proposes that a permanent seat with voting privileges be reserved for disadvantaged students on every committee in the Law School, including the Faculty-Student Committee.

SUNSHINE CLAUSE

To engage in intelligent and responsible representation, especially where one wishes to do so constructively within internal structures, it is imperative that all participants have adequate, current, valid information with which to work. The conduct of the School's business in closed sessions has only served to encourage "backroom politics" and further reduce student input into the decision-making process which affects them directly.

The above described need and harmful effects of exclusion weigh doubly upon disadvantaged students. We are small in number, have few if any highly placed friends, and struggle to survive in an environment where each attempt at self-determination and preservation must be well considered and made with great care.

Thus, we propose that all committees at the Law School operate on a policy of full disclosure. All matters having direct impact on student life should be disclosed to the full student body and faculty. Moreover, all such decisions should be announced in writing with an explanation.

CONCLUSION

The thrust of these proposals has been to present our assessment of the absence of response to our three year old call, the resulting deterioration of any kind of meaningful affirmative action, and student in-pur in the Golden Gate University Law School community decision making process. The proposals listed herein are not solely relevant to disadvantaged students. They are relevant to all students. To this extent, we cast our lot with our colleagues who also are raising questions about the manner in which our environment is being governed and seeking a greater hand in that governing process.

Because of the recognition of our peculiar perspective, shaped by our ethnic, social, and cultural experiences, we offer these specific proposals. Although we do not necessarily agree that there is a redemptive quality to unearned suffering, we do feel that it encourages an uncommon sensitivity. It is from this sensitivity that we speak.

We feel that now is the time for the SBA and the Administration to move beyond the tokenism of the past year and aggressively commit themselves to a comprehensive program of affirmative action. We demand that the Administration and the SBA stop behaving as if the Bakke case 1) has already been decided, and 2) has already been decided against affirmative action.

Though we no longer see the SBA or the Administration as forums of last resort, we first submit these proposals to you for your endorsement and action. We pray that they will be received, considered, and acted upon in the good faith manner in which they are offered.