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Caveat, March 19, 1979

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CANOEAT

GOLDEN GATE UNIVERSITY SCHOOL OF LAW

Vol. XIV, No. 24

March 19, 1979

Action Alert

HEAVEN ON THE SECOND FLOOR?

Somebody was stuck in one of the new elevators on Monday, March 5th for about 45 minutes. I was on the 3rd floor when I heard the elevator alarm at about 1:40 p.m. I shouted through the closed 3rd floor elevator doors for the person to tell me what floor s/he was on. No answer. A man's voice yelled up from below that someone from the Otis elevator company was on the way. I don't know if the stuck person got the message.

I told a person in the 3rd floor faculty center that someone was stuck in the elevator and she phoned someone in the building about it.

On reaching the 1st floor I saw that the second floor button near the elevator was lit. The person was stuck on the 2nd floor. Someone told me the elevator company had been contacted.

Upon arriving on the second floor, I established contact with the stuck person, I will call her E.C. for Extremely Calm, (which she was throughout her confinement), by yelling through the crack in the elevator door. She had trouble hearing over the noise of the air conditioner.

One of the men who works here taking care of the building and I tried to pry the elevator doors open a little and do other things to get it moving, with no luck. Through the crack you could see the elevator as stuck between the 2nd and 1st floors. I think it was one of the construction men who suggested that E.C. push in and pull out the Emergency Stop button, but she had already tried that. So I sat down next to the elevator and yelled to E.C. every 5 minutes or so to make sure she as okay and so she wouldn't be alone.

When about a half-hour had passed with no elevator repair person arriving I told Wally Walker in the law school Dean's Office about the situation. He phoned an office downstairs and emphasized that E.C. had been stuck for about a half-hour. Wally kept a check on how the situation was or was not progressing and told me to keep checking back with him until E.C. got out.

Around 2:15 an Otis elevator man arrived on the second floor. He claimed he had arrived within about 10 minutes of getting a call about the situation. He then left for the 6th floor to find the problem and fix it. I yelled to E.C. that the elevator repair person had arrived, so help was at hand.

What really distresses me about this incident is that no adequate system has been set up by the University to deal with people being stuck in the elevators. Apparently, no one is designated to stay with the situation until the stuck people are released. In some situations, if people are panicky and Otis has not arrive, it may be necessary to call the Fire Department to get the people out. It is crucial that there be someone in the building at all times it is open, who knows how to deal with various problems that may develop when an elevator is stuck and to maintain communication with the stuck people. What should be done if the air conditioning goes off? Many people would panic if stuck in an elevator as long as E.C. was. Many more would panic if they also thought everyone had forgotten about them.

I checked out the two new elevators after the incident. Both have doors that supposedly have phone behind them. On the elevator that was

PREZ CORNER

SBA ELECTIONS: REMINDER- Nomination Petitions & Candidates' Campaign Statements are due in SBA box in Faculty Center or in box outside SBA office by this Thurs., 7 p.m., 3-22. Positions open for nomination are Pres., Night Vice Pres., Day Vice Pres., Secretary, Treasurer, 2 2nd yr. day reps, 2 2nd yr. night reps, 2 3rd yr. day reps, 2 3rd yr. night reps, 2 4th yr. night reps, ABA/LSD day and night reps. GET INVOLVED. RUN FOR SBA. MAKE THE SBA A STUDENT ADVOCATE. Campaigning- Posters, speeches, and other formal campaigning by candidates begins Mon, 3-26 and continues until winners are determined. Campaigning may not begin until 3-26.

I will be in Michigan from 3-19 to 3-27. If you have any questions about elections or other matters, contact Anne Hipshman at h:461-2136 or w: 556-6069 or David Cooper during my absence.

SBA MEETING: Tues., 3-20, 5 p.m. rm. 326. Agenda: election procedures, budget committee report, constitutional by-laws report, committee selection report. One of the budgeting proposals is that next year students be allowed to allocate their \$4 SBA dues during registration to student organizations of their choice. Someone could, for example, donate \$1 to 4 organizations or \$4 to 1 organization or any combination they choose. Undesignated dues would go to the student scholarship fund with the SBA taking a percentage for operating expenses. This proposal would mean the SBA would not allocate monies to the student organizations as they have done in the past. Students are urged to attend and voice their opinions on this proposal.

MEETING TO ANSWER QUESTIONS ABOUT ELECTIONS

AND SBA: A meeting will be held Tues. 4-5 p.m. room 326 in which questions will be answered about the duties of SBA officers and reps, the function of the SBA, and questions about election procedures. Potential candidates and interested students are urged to attend.

Y PASS HOURS THIS WEEK ONLY: M-Th noon-12:30, 2:45-3:15, 6:15-6:45; F noon-12:30. Normal hours will resume starting 3-28. Pick up passes in SBA office.

Alice M. Montgomery

stuck, the phone box door is stuck or locked shut. On the other elevator, the phone box door can be opened to reveal multicolored wires leading to no phone. The top of the elevators are covered with mirrors and I can't figure out where the escape hatch is or how a person would find it if needed (to get air or get out of the elevator fast).

There is a button in each which reads "To be used in case of fire only". I think we deserve to know what pushing that button does. It may be useful in some situation other than fire. It has no Braille marker next to it and is also located 5 to 6 feet above the ground, and is therefore out of reach of people in wheelchairs and children. There is, however, about 3 feet off the ground, a big red button that reads "Push to Stop-Pull to

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ANNOUNCEMENTS

POKER COMPETITION: This is the final reminder that GGU's World Series of Poker will be held this Sunday, March 25th. For Details, See the Coffee Machine on the second floor.

PHI ALPHA DELTA: There will be a general meeting at 3 p.m., Tuesday, March 20, 1979, for the purpose of nominating candidates for the officer of Justice, Vice Justice, Treasurer, Clerk (Secretary) and Marshal. Elections will be held during the week of March 26. We will also plan a party for April 13. All members are urged to attend this meeting.

NLG CRIMINAL PROCEDURE DISCUSSION: The NLG will be presenting a discussion on the Burger Court and Criminal Procedure to be conducted by Prof. Bob Calhoun on Wednesday, March 21, in room 308 at 12:00 noon. There will also be a meeting on Tuesday, March 20, room 203 at 12:00 noon.

THIRD WORLD COALITION MEETING: Tuesday, March 20 room 300, 12:00 noon. Main topic of discussion will be a Report on proposed Fund-raising Committee for Scholarship monies.

GOLDEN GATE UNIVERSITY LAW REVIEW OUT: The GGU Law Review announces the publication this week of Volume 8 #2, a Notes and Comments issue. It is available in the bookstore for \$5.50 plus tax. This issue features articles on the Resale Royalty Act (Sharon Emley), Products Liability (Jonathan Erb), Educational Malpractice (Judy Cohen), Real Estate Speculation (Barbara Cunningham), Religion Clause (Lou Salem & Ron Schwartz), and Lender Liability (Eric Rasmussen). It is recommended that successful candidates in the writing contest buy this issue, so as to familiarize themselves with student written law review articles.

THIRD ANNUAL WOMEN'S ASSOCIATION TALENT SHOW: April 6. We want your act. No talent required. Your performance will be well rewarded. If you're interested, please describe your act and estimate its length; don't forget your name and number. Deposit your description in the Talent Show Box in the library on the front desk.

JULY BAR APPLICANTS: Finger-printing will be conducted on the second floor on Wednesday, March 21, and Thursday, March 22 from 3:30 p.m. to 7:00 p.m. Bring your fingers and two dollars. This service is not mandatory; students may make other arrangements for fingerprinting if they wish.

FACULTY EVALUATIONS: The worm turns this week and students will have an opportunity to grade their professors via official evaluation forms. Don't miss your classes this week.

CALIFORNIA BAR: The fee for registration with the Committee of Bar Examiners as a law student has been increased as of 2/16 to \$30. The late fee remains at \$10.

COMMITTEE-SELECTION COMMITTEE: This committee of the SBA is presently committed to reviewing procedures used for the selection of the student members of the seven FSC committees. To make our job less onerous we would like to hear complaints and recommendations from students concerning the procedures, especially from students involved in last year's selections. Contact Sandy van Broek, Marc Nissenbaum, or Alice Montgomery.

LAW PLACEMENT NEWS:

Attention ALL law students. This is what you have been waiting for, whether you know it or not. Starting on Wednesday, March 7th, we will be presenting panel discussions for 7 consecutive Wednesdays on various aspects of the practice of law.

I have purposely planned these panels for 12:15 -1:15 p.m. in the hope of attracting as many students as possible. Bring your lunch, if this is your lunch hour, because we're going to keep these panels pretty casual. There will be a minimum of three attorneys on most of the panels and they all seem to be enthusiastic about telling you how they got their jobs and what those jobs entail. Don't miss this opportunity to get a lot of information painlessly.

Here's the roster. (There will be flyers in the hallway on the second floor to remind you of coming events.)

In Auditorium B (yes, I know about the problems there, but bear with us):

March 7th	Small and Medium Sized Firm Practice
March 14th	What to Do Now to Get Hired After You Take The Bar Exam-3rd Year Students N.B.
March 21st	In-House Counsel
March 27th	Showing of CYLA film "Making It On Your Own" at 11 a.m. Warm up to:
March 28th	Solo Practice
April 4th	Large Firm Practice
April 11th	Working for the Government-P.D., D.A., U.S. Attorney
April 18th	Post Grad. Judicial Clerkships

This is a one-time event this year. Seize the moment.
Laura

DISCOUNTS ON NEW SCM and ROYAL
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512 MISSION

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VISA

Cont. from P. 1

Run", an "Emerg Call" button and another button or lamp marked "Emerg". All but the last have writing in Braille next to them. (By the way, one of the elevators is missing Braille markers next to some of the numbered buttons).

Most of my life I have had to use an elevator to get to my home. The longest time I have been stuck in one is for about 2 minutes. Usually the elevator would unstick itself after people on various floors would press the buttons there to coax the elevator into motion, or the superintendent (building manager) would do something to get it going. What is it about this elevator that it would get stuck for so long? Why is no one in the building trained to try a few specific things to try to get the elevator moving while waiting for Otis to arrive?

I never did get to welcome E.C. on her release from the elevator. At about 2:30 p.m. the elevator move to another floor before letting her out. However, I'd like to salute her calm. Many a person would have totally blown her cool in such a situation.

Jenny Hurwitz

OP ED

Proposal for the Re-Organization of Next Years Caveat

In the past, the editorial duties along with everything else, fell on the shoulders of either two or three "co" editors. After, being one "co" editor myself, I believe that a different structure will work better.

The most impressive thing I learned this year is the tremendous potential the Caveat has, a potential that was hardly tapped this past year. I believe to a large extent, this problem is one of structure. With only one or two persons doing all the work, the staff is very limited in what it can accomplish. Therefore, I propose the following.

First, there should be one editor-in-chief. He or she will have ultimate authority and responsibility for the paper. The editor will have organizational duties (assigning various duties to others), as well as working duties (writing articles, layout, administrative, etc.). In addition, four editorial assistants should be chosen. Their duties will be specified by the editor (eg: one person would be responsible for reporting on student government, another person might handle the advertising program, still another person might write just feature articles). The editorial assistants would have bi-weekly writing assignments. By having at least five people working on the paper, I believe that the paper can fulfill a more investigative role, cover more activities both on and off campus (if you call this a campus), and generally accomplish more than merely one or two persons. The tuition remission should be di-

vided up among the five staff members. I recommend that the editor-in-chief receive fourteen credits, and each assistant editor receive four credits. The bulk of the responsibility, of the day to day operation, would fall on the editor-in-chief's shoulders.

Second, I think a very active advertising program should be instituted. The benefits of such a program are that it would relieve the SBA of so some of the funding requirements for the paper, returning monies to the students through the SBA. Also, the paper would be able to grow, and become more independent of the S.B.A. Student contributors might be paid for articles etc. Finally, community support for the school might increase; the many small businesses in the area might come to know us better, and we might find ourselves more welcome around town.

Third, the Caveat should make a firm commitment to undertake an investigative role in reporting the events of the law school community. Part of the job description for the editor and the assistant editors should include active reporting.

Fourth, the Caveat should adopt an editorial policy that is more balanced than in the past year; i.e. the paper should include each week some humor, some carefully thought-out articles, some real reporting, as well as those dull announcements of coming events.

I strongly urge the SBA to adopt this proposal and to specifically search for people interested in implementing these goals for next years' staff.

Edward Garson



LETTERS

To the Editor:

A few days after the writing competition began, first time eligible writers began coming into the law review office in a dilemma: to cheat or not to cheat, that was the question. The problem was posed by the "large" numbers of their fellow students who chose to ignore the clearly stated rule not to use outside materials in the preparation of their papers. While I believe that issuance of modified instructions has ensured fairness to all competitors, the ethical question has not been addressed. The following is directed only to those who used outside authorities knowing full well that it was not permitted.

Your instructions couldn't have been clearer. There can be no misunderstanding. Doing outside research, i.e. reading law review notes on Marvin, was cheating. The uniform reaction of the staff has been shock and disgust. No one considered the possibility of such behavior. This problem has never arisen before despite use of the identical instruction in previous competitions.

Several rationalizations have been put forth: "everyone was doing it," fervent desire to get on law review, insecurity. These "reasons" are similar to those argued by Nixon, Mitchell, et al. Such excuses have been a substantial cause for the public outrage at the lack of ethics in the legal community. Perhaps it is naivete on my part, but I believe that principles should not be compromised on the basis of such flimsy reasons.

The writing competition is GGU's way of rejecting the elitist concept that law review staff should be selected solely on class rank. Marvin was chosen because of its controversiality, to spark interest and challenge your thinking. We rejected outside research for several reasons: 1) to give everyone a FAIR chance; 2) to minimize the burden on already overworked students; 3) to maximize our ability to evaluate analytical skills, and 4) to encourage participation. Disregarding these reasons, you thought you'd benefit by the expertise of others. This indicates a clear lack of respect for your fellow students as well as the law review staff. It illustrates a short-sightedness about your future--your classmates will soon be your colleagues. If they can't trust you now, why should they trust you in the future? Reputation is more important than you think.

Perhaps you think I'm overreacting, or that I've been co-opted by law school. Perhaps it's my sixties' education. When I entered GGU I was delighted to find a truly cooperative attitude from the classmates, an overwhelming rejection of Paper Chase methods and morality. I sincerely hope this writing competition is not an indication of what is to come. It IS more important that everyone has a fair chance, than that any individual wins. The buck stops at each and every one of us.

Lynn C. Rossman
Editor-In-Chief
Volume 10

Dear Caveat:

Suggestion: Why doesn't Otto pay the Dimwiddle Dimwits triple time to work on Sunday so they can put away their noise-makers before school is out?

Suggestion: Why doesn't the developer develop a column for this Caveat so we know where tuition increases are going and how much assistance from the private sector we can expect in the future?

Very truly yours,
Anonymous

Dear Dean McKelvey,

As a concerned member of the student body I felt it incumbent upon me to point out to you that the conditions in the new law library really suck. As a greenhouse it is not bad. All manner of exotic plants could flourish here. But as for breathing, not to mention studying, well, all around me at this very moment I see law students slowly losing the will to live.

The air conditioning has been out long enough now that I have begun to suspect that the administration views this as an act of God that the students are just going to have to cope with. Judy, I'd just like to point out to you that yours truly has invested a lot of bucks tuition-wise in this extravaganza. You all made the new building sound so neat. No one told me that it was going to be sans oxygen. Somehow it just doesn't seem right. Why at this very moment I can feel my brain seizing up on me. I'm down to about one or two cells. I treasure them. I would like to feed them.

The BART fire was mere child's play compared to this fiasco. The heat and the chemical aroma are causing people some real problems. I am not a Bedouin tribesman. I am a nice, vapid, white middle class boy who stands in imminent peril of being reduced to a moron if this heat doesn't let up. I believe the school's reputation to be at stake. Golden Gate could very well become the White-Front of law schools, turning out mentally defective lawyers. I hope something is done about this pronto. If not, I will publicly challenge you to a duel. In the meantime I have hired someone to pack me in ice when I get home from the library each night. I ask you, is this any way to live? A camel would perish in here.

Yours in Heat,
A Mediocre Law Student

Dear Editor:

I do not remember who the people were who were interested in bike parking facilities - But there is Federal money now for such projects. If they run this new Congressional legislation down, S.F. and G.G.U. might get money for a conjoint project. The parking lot at Jessie/Ecker is for sale. Wouldn't it be nice for that to be a combination park and bike parking facility? Can you find the concerned biking students?

Yours truly,
Frances Lish

(Frances enclosed an article from Hosteler's Knap-sack. Reprinted portions follow.)

Federal legislation passed in the closing hours of the 95th Congress and was signed by President Carter on November 6. The bicycle provisions of the Surface Transportation Act of 1978 include federal grants for bicycle facilities and programs, new standards for the design of facilities, an expanded definition of bikeway to include roadway widening and shoulder improvements, and a requirement that major routes used by cyclists must not be severed or destroyed through highway construction.

For each of the next four years \$20 million in federal grants is authorized for bicycle facilities and programs; the federal share will be 75 percent. The money is exclusively for bicycle-related projects. Under the new program, cities and counties as well as states will be eligible to apply for bicycle project funds.

The kinds of projects eligible for grants have been newly defined. "Bikeways" now include not only separate bike paths and lanes, but such other improvements as roadway widening to create a wide curb lane, constructing smoother or wider shoulders, and other physical measures to make bicycling safer and more attractive, including bike parking facilities and bike racks on buses.