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Caveat, August, 1979

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CAVEAT!

**August!?! But
we just left!**

An 11-cent saving prods some ulcers

A classic for-want-of-a-nail boondoggle sent shock waves through the law school's fledgling effort at pre-registration by mail, but it now appears that the actual damage may not have been great. Although no comprehensive effort was ever made to inform students of the fact, the deans and registrar early became aware that something was wrong, and were able to react before class assignments began to be made.

The problem was postage. Like most large institutions, the law school has an internal system for outgoing as well as for incoming mail. Somewhere in that system, a decision was made to save the school a few cents by treating the California pre-reg mailings as bulk mail, in spite of the clear "FIRST CLASS MAIL" hand stamps on the envelopes, which actually had to be crossed out by hand before the fourth-class postage was applied. The inevitable result was that large amounts of mailings arrived very late or never. (Most out-of-date mail apparently went first class.)

Once complaints began to come in and it became clear what had happened, it also became clear that the plan to assign priorities by incoming postmarks would have to be scrapped. Instead, all requests for a given class went, in effect, into one hat, from which applications were drawn at random. Priority was then assigned by class year, with graduating seniors first and second year day people last, until classes were filled. Since it was expected under the original plan that the overwhelming majority of registrations would be postmarked the first allowed day, the luck of the draw would have been the dominant factor in any case.

The Dean's office has announced that any necessary accommodations will be made for the sake of graduating students who failed for some reason to get the classes they needed.

Wally Walker is emphatic in his support of the people in his office who did the work of preparation for pre-reg. He goes on to say that one of the most serious continuing problems with registration by mail is effectively beyond his control, namely incorrect or missing addresses.

Although no one is willing to name the inventive mail handler, the Caveat has learned (from sources off the second floor) that he or she was the recipient of at least one blistering memo from Dean McKelvey, and perhaps other reprimands, which seems to mean little enough now.

If you had bad experiences with pre-registration other than the postage snafu, Caveat would be interested in hearing about it, and so, we may hope, would Wally Walker.

The numbers that we'd as soon be done with

A home-grown numerical grading system and a lapse of memory have combined to leave many of Roger Bernhardt's property students from last year very uneasy about their grades.

Perhaps the best way to describe the problem is by printing the text of the memo Roger posted last June. Those who have erased their memory of last year may need to be reminded that the mid-term was graded on a 7-point scale, sort of. That is, you could have had a grade which was any whole number from three through seven, but with each (except 7) having added to it either .3 or .6, with no other decimal possibilities. Matched against the eight letter grades they looked like this:

7	A
6.6	B+
6.3	B
5.6	C+
5.3	C
4.6	C-
4.3	D
3.6	F

The final, on the other hand, had three sections each graded on a 5-point scale and averaged

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So you got elected, so do something

The SBA will begin the year with an agenda which includes methods of making budget requests, Y passes, the setting of elections for first-year reps, the SBA picnic, and possible changes in the method of making committee selections.

The meeting, in the conference room of the library basement on Thursday, August 23 at 5:00 p.m., will be the first opportunity for newly-elected reps and officers to start on the jobs they asked their fellow-students to give them. In addition to the above, arrangements must be made to elect a night vice-president, a position emptied since the last election.

Scheduled to attract people from the night division, this session would be an excellent chance for first-year students thinking of running for first-year representative to get a look at the functioning of the SBA.

Child care

After six years ... a beginning

After six years of work by successive generations of students at the law school, the time remaining until the Child Care Center becomes a reality is being measured in weeks.

With a director, a staff and initial financing all in place the only remaining obstacle is-- this may sound familiar--delays in construction. As this is being written, the promised September 4 completion date is looking unlikely, but October 1 still seems possible to Director Susan Powell, who tries to avoid going down in the catacombs too much, on the theory that a watched project never boils.

Ms. Powell has been working in child care for the last eight years in San Jose, where she is currently an M.A. candidate (at S.J. State) in Early Childhood Education, and last Friday she described for the Caveat what the center will be like, and why it might be better described as a Child Development Center.

The educational functioning of the center, around which the whole is organized, will be grouped broadly into art, science and dramatics, presented in both structured and unstructured ways, and the open central floor will be divided in approximate thirds accordingly.

Around the edges will be miscellaneous play areas, a story-reading area, a section devoted to artistic stimulation, another devoted to small-muscle manipulation, the inevitable highchairs and a sleeping area. Although this will not be a Montessori school, some Montessori equipment will be used.

In addition to the above the center will have a kitchen providing nutritious breakfasts (and early coffee for harried parents), lunches, snacks and infant formulas (although mothers who want to are welcome to drop in and breast feed their babies), a visiting and greeting area, toilets and some office space. There will also be a washer and dryer, which means that parents won't be met with a plastic bag full of dirty clothes at the end of the day.

Children enrolled in the center will also get semi-annual hearing and vision checks, training in dental

hygiene, help with toilet training at appropriate ages, and general training in self-help health care.

The full capacity of the center will be thirty-four children: six infants (less than 13 months), eight toddlers (less than 27 months) and 20 pre-schoolers (less than five years). The financial break-even point is full enrollment, but unlike most fledgling enterprises, the center will have a flexible initial payroll, and a high expectation of a strong demand for its services.

There will be, besides Susan, three full-time teachers and three full-time assistants, with six part-time aides to be hired as needed. The full-time people have been chosen, but haven't yet left their current jobs, which means they can be brought onto the job here as needed. As of this writing there are only seven applications for enrollment in, but no one is too concerned. Most people need to see a place actually functioning before thinking seriously about enrolling their kids, and moreover, the licensing of the center will permit dealing with the public at large if necessary. Considering the center's location in the city, its setting here, the quality of operation that's planned and

the rates, it would be surprising if there were to be any problem getting full enrollment. In fact, parents in the University community wanting to secure a place for their children might be well advised to act early.

The Inter-Club Council of the University recently gave \$1400 for the purchase of outdoor play equipment, a greatly appreciated gift, and discussing this brought up the issue of the fountain.

Several people have wondered about the proximity of the fountain, with its small pool of standing water. Susan informed us that those who complained that the fountain looks unfinished are in fact correct. It's waiting for chrome tubing for the water spouts, and also chrome rings around the catchbasin, which will have a fencing effect. Also still to come are more potted plants, which will help further protect the fountain pool, and also will serve as a sound screen for that part of the library which fronts the plaza.

The center will begin operating from 8:30 to 5:30 p.m. five days a week, with night-time operation possible as early as next semester. Rates are \$50/wk. from full-time down to 20 hours a week and \$30/wk from there down to ten hours. No enrollments for less than 10 hours a week are being accepted, although when night hours begin it will probably be on an hourly basis. If enough support can be attracted, scholarships may become possible.

In case you're wondering whether you could ever get a look at the place without either having or borrowing a child, the answer is definitely yes. In a note to the Caveat last week, Susan Powell wrote,

"I invite and encourage any of you who, tired of daily pressures and hassles, wish to get back in touch with what the real world is all about to visit the center and the children."

Error

The 1979-80 Handbook, due to an oversight by editor Charles Ellis, failed to note that Thelton Henderson is now a full-time faculty member. We are happy to welcome Professor Henderson, and to remind readers that he makes a point of being accessible to students for informal counseling (or just conversation).

Deadline

All students should note that the absolute last day to register for the Fall semester is August 31, 1979. Graduating students should know that applications for May, 1980 graduation are now due.

LETTER

To the editor:

Having been appointed to the scheduling committee last year, I had expectations of being part of the student input into the scheduling process. It seems, however, that student input is not what the administration wants.

After helping to put together the summer schedule, this past spring, I was informed by the associate dean that the Fall 1979 schedule would be developed early this summer. I was in town all of June and July and on two occasions went to GGU for appointments with the associate dean, only to find her too busy to keep the appointments. Finally I was told I would be contacted by phone and/or mail. No contact was made.

In July I went to the associate dean to find out the status of the Fall schedule and was told that the schedule had already been completed and if there were any complaints they should be taken to her.

Now the Spring semester schedule has also been completed, again with minimal student input. Included in this schedule (as in the Fall) are classes in the 12:00 to 1:30 slot. It is very important that there is a time when all students can get together. The administration apparently does not share this view.

While explaining this year's rise in tuition the administration said that the new building would increase the opportunities for students. It seems, however, that our opportunities depend on the whim of flakcatchers.

Moss Jacobs

Alternatives

The National Lawyer's Guild will present its annual Counterorientation on Wednesday, August 22 from 12:15 to 1:15 p.m. and again from 5:30 to 6:30 p.m. in room 316.

Professor Allan Brotsky will be at both sessions, and will be joined by Marc Stickgold and Bob Calhoun, who will attend one session apiece, and several students.

The session aims to provide first-year students with alternative ways of thinking about the law, the powers and responsibilities of attorneys in this society, and what kind of attitudes are or are not required to get through law school. Of course anyone interested is welcome.

The meeting is expected to last about forty minutes, and will be followed by wine and cheese.

PRESTO! YOU'RE RESPONSIBLE

Everyone in Howard Garfield's Professional Responsibility class this summer has received an automatic Credit because of an exam question controversy. Around eight of the 25 true-false, multiple-choice questions on Garfield's final exam were substantially similar to questions on recent bar exams. Several students in the class disclosed that they or others they knew had studied those questions in a bar review course outline.

The Committee on Academic Standards met after students complained to Associate Dean Marge Holmes. Nancy Carter, Mike Golden, Allan Cadgene, Marge, and student members Linda Franklin and Liz Hendrickson reviewed the complaints and decided that the appearance of unfairness was sufficient to warrant the across-the-board Credit.

A note has been added to the part-time teacher file to discuss this incident fully with new hires in an effort to avoid a recurrence, according to Marge. This exam question episode recalls the nearly identical situation last year with the Professional Responsibility class of Thelton Henderson. All students in that class also received a Credit because exam questions were picked up from past bar exams and had been featured in a review course. Garfield apparently was not told of the previous year's incident.

Bar change

The Committee of Bar Examiners has given notice of another change resulting from its continuing study of the bar exam.

Beginning with the July 1980 exam, there will be no optional questions. Examinees will deal with nine questions in nine hours, broken into three three-hour sessions.

The committee's study of the exam, which began in 1976 and is said to be nearing completion, has already resulted in a number of major changes,

How's that again?

New York lawyer Bernard Goldstein, in a letter to the National Law Journal, April 9, 1979:

Writing is not an easy task. . . .

Most important is to keep in mind the advice of the Duchess to Alice: 'Take care of the sense and the words will take care of themselves.' That wisdom is too often relegated to the bottom of the pile, and no amount of 'simplified language' will substitute for the burial.

Grades

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together to get an overall grade on a five-point scale (a true five-point scale, with all the decimals possible).

Now you're ready for the memo, which was addressed to all Roger's Real Property Students, and dated June 19:

"Many of you have inquired as to how I factored the mid-term examination score into the final grade. I hope that the following explanation will answer most of your questions.

"I graded the final examination on a 5-point scale. Part 3 of the exam (the large essay question) was graded directly on the 5-point scale and that score was used in the computation. Part 2 of the examination (the 4 short questions) had each of the 4 questions graded separately on a 5-point scale; the 4 individual scores were added together and then divided by four in order to arrive at an overall number for that part, which number was also used in the computations. Part 1 of the examination (the multiple choice questions) was first graded on the basis of how many answers were wrongly marked; those numbers were then spread out on a chart and converted over to a 5-point scale; that number was then used in the computations. These three numbers were then added together, meaning that a student could receive a total grade on the final from anywhere between 15 and 3 points.

Certainly this public acknowledgment of the difficulty is to be commended, but there are lingering doubts in many people's minds. Interestingly, they often seem to be about things which are not directly Roger's doing, but which his lapse has thrown into sharp relief.

There is of course some natural concern on the part of some persons as to whether their particular grade is correct. (Well, not so much whether it's correct as whether it's as high as it should have been.) This can be checked by going to Roger. But there is also a sense that with this system anomalous results are possible. It's possible to verify with a small calculator that indeed the following can happen:

Person A gets a low grade on the mid-term, but by dint of hard work etc. gets an excellent grade on the final. Person B gets a good grade on the mid-term but slumps and does much less well on the final, less well in fact than A. Nevertheless, B gets the better course grade. How much better is hard to say. All that can be ascertained is the numerical edge, for the grades will of course depend on the curve, which is liable to magnify the difference as the numbers are spread.

This situation is very visible in this case because of the impact of the 7 from Roger's mid-term compared with the 5 point scales on the final. But the same thing happens anytime the count-the-mid-term-only-if-it-helps idea is adopted, for the fact is that so long as the curve is with us, anything that helps one student tends to lower the grade of another. In the example above, our instinctive sense is that the two

students are at least in some kind of parity, each having had one good and one poor exam (making no allowance for the direction of change in each case). But if the numbers aren't carefully adjusted, it won't be true that only one student is being affected by the mid-term.

It's not clear what the moral is, but it may be that only counting some mid-terms is not the mercy it seems, depending on how it's integrated into the final, and at what stage the grades are curved.

Incidentally, if anyone is inclined to try out the numbers by inventing some and seeing what happens with Roger's system, be sure you don't take a grade for the final, add it to a hypothetical mid-term and divide by two--you'll be in a completely different world. You have to hypothesize three final grade numbers (which of course can all be the same), add to the mid-term and divide by four. Have fun.

Externships

Two informational sessions on judicial and legal externships will be held on Thursday, August 23 at 12 p.m. and 6 p.m. Associate Dean Marge Holmes and Professor Marc Stickgold will be on hand to describe what externships are and how they work, and will be describing some that are currently available. The meetings will be valuable for anyone curious about these opportunities and about what kind of planning they require.

Can you leave yesterday?

At least one judicial externship is available with the Alaska Supreme Court for the Fall 1979 semester. That's right: immediately. Dean McKelvey says that schedule changes and adjustments will be made without charge to accommodate anyone who goes.

The only requirement is that an applicant have had Evidence, which probably, but not necessarily, means third-year students.

Besides invaluable experience and some good-looking paragraphs on your resume, the job pays \$100/week and travel expenses. (The certain job is in Anchorage but there may be others available. They still ride circuit in Alaska.) While that doesn't sound like much money in that country, Dean McKelvey says that students who have done it report that they get along all right, partly by getting help finding housing (perhaps with other students).

Persons interested should contact Marge Holmes immediately. If you think you might be interested but want more information, you might see if Marge can set up a meeting with Judith Pinero, who spent the summer in Alaska. (2d yr. days)

Potluck

Lesbians in Law announces a Potluck to welcome first year lesbian students to Golden Gate. The time is Saturday, August 25, at 5:00 p.m. Call Linda at 431-6968 or Diane at 285-5081 for details and directions.
