

2-17-1981

## Caveat, February 17 1981

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Vol. XVI No. 20

FEBRUARY 17, 1981

## Geronimo Pratt's Attys Discuss Defense

On Thursday, February 19, at 12:00 noon in Room 322, Stu Hanlon, Marney Ryan and John Mitchell, attorneys for Geronimo Pratt, will be at Golden Gate to discuss the background and current status of their defense work. The Golden Gate chapter of the National Lawyers Guild extends an invitation to all students and faculty to attend. The following is a recent press release which briefly discusses the case:

"On January 30, 1980, attorneys for Geronimo Pratt will file a Petition for Habeas Corpus relief before the California Supreme Court. This petition raises numerous allegations about Federal and State Government misconduct in Pratt's murder trial in 1972, and asks the Supreme Court to grant Pratt a new trial.

Pratt, a highly decorated Vietnam War Veteran, UCLA student, and former head of the Black Panther Party of Southern California in the late Sixties was convicted of the "Santa Monica Tennis Court" murder -- a robbery in which a white woman was killed. Though the murder took place in 1968, Pratt was not charged until two years later, and did not go to trial until 1972.

Pratt has steadfastly maintained his innocence and claims that he was set up for the murder conviction through conspiracy of the Los Angeles Police Department and the FBI via its famous counter-intelligence program, COINTELPRO. Pratt was specifically targeted for "neutralization" by FBI Director J. Edgar Hoover.

Pratt raises the following charges of government misconduct in his 1972 conviction:

1. The main witness against him, Julio Butler, a former Los Angeles sheriff who joined the Black Panther Party and is now a candidate for the State Bar, committed perjury in the trial when he testified that he was not working for nor was he an informant for the FBI and the L.A.P.D. Pratt's attorneys have filed documents that Butler met on at least 33 occasions with the FBI prior to his testimony in Pratt's trial.

2. The Los Angeles Police Department suppressed evidence that the only eyewitness to the crime -- Mr. Kenneth Olsen, the husband of the murder victim -- positively identified another man as the murderer a year before he identified Pratt in a highly suggestive photo identification line-up.

Cont. p. 5.

## SBA MEETS AGAIN

The SBA met again on February 4.

The Graduation Committee reported that letters have been sent out to potential speakers, and that all other operations are proceeding well.

Tommy Norton reported that he spoke with Wally Walker concerning possible disincentives to professors turning their grades in late. They are considering several alternatives, and Norton said he will report back to the SBA as soon as plans are more definite.

Joi Rhone is no longer Vice-President of the SBA because she was unable to fulfill the responsibilities of the job.

## GRADUATION

An information sheet is posted on the library bulletin board detailing graduation arrangements already made by the graduation committee. All graduating seniors are urged to read this sheet, and contact committee members with their further suggestions or comments.

To summarize:

1. Graduation will be held Saturday, May 30, 1981 at 2:00 p.m. We estimate that the ceremony will take two hours.

2. The ceremony will take place at Masonic Auditorium, 1111 California Street, San Francisco. A reception will be held on the plaza and second floor of the University following the ceremony.

3. Both Melvin Belli and Eva Jefferson Patterson have expressed interest in being graduation speakers. We have given all potential speakers until February 17th to indicate their interest, so no final decision has been made as yet.

4. Based on the survey of graduating seniors, the committee has decided to include the cost of cap and gown (\$23), diploma (\$10), Auditorium (\$5), invitations (\$unknown), reception and speaker costs (\$12) in the graduation fee. Scholarships will be available to those who are unable to pay the entirety of the graduation fee.

5. Faculty will be invited to sit on the stage, and, also based on the survey, will be required to wear cap and gown.

Acting Chair Tommy Gill announced that he will post the date and time of this week's meeting.

Other members of the graduation committee are: Sy Bieler, Judy Bloomberg, Mike Brinkman, Ann Hardgrove, Paula Hyman, Sheila Israel, Moss Jacobs, Charma Pipersky, and Pat Warner.

## Letters to the Editor

To the Editor:

Running true to form, last Thursday's Faculty-Student Council meeting never came off. By virtue of a number of manipulations, the students were denied the opportunity to present two motions before the body. The story goes on.

After the re-structuring of the FSC and the plaining of limitations on student participation, new guidelines were established by the FSC for the presentation of motions from the floor. One of these revisions was the requirement that motions be placed in writing 48 hours in advance of the meeting and submitted to the Chair of the FSC for distribution to the faculty.

This past Tuesday, the student representatives submitted two motions dealing with revisions of the Academic Standards policy and the implementation of a tutorial program. After accepting the motions, the Chair of the FSC, Prof. Tom Goetzl, consulted with Dean McKelvey. Together, they decided the motions were improper. They then scheduled an Evaluations Committee meeting to be attended by all of the faculty and cancelled the FSC meeting. The reasons behind the unilateral decision regarding the propriety of the motions remains unclear. This decision completely disregarded the procedures of the FSC as established by the faculty, and showed a complete lack of respect for the student representatives who were given no notice of the fact that the FSC meeting had been cancelled.

If a motion before the FSC is to be considered improper, that determination is to be made by the FSC meeting as a body. The only preliminary determination to be made by the Chair of the FSC with respect to motions from the floor is procedural, that is, that the motions are filed in a timely fashion. The chair is to automatically place those items on the agenda, not make any determination as to the substance of the motion.

The overstepping of authority by the Chair and the Dean in this case is inexcusable. The motions were brought in good faith, dealing with issues that are critical to the survival of this school. If this is the tenor to be set for future motions and meetings of the FSC, maybe the next step for the faculty is to have a secret meeting where they decide to disenfranchise themselves from the FSC. Is this anyway to run a law school?

Steve Bovarnick

(Editor's Note: We have published the text of the controversial student motions on page .)

I am outraged that Associate Dean Rick Koyle, King of Writing and Research issued a memorandum to his tutors saying that upon consulting with the Registrar of the Law School that "Annette Cooper" does not exist in the records.

The issue is that whether or not there is a real Annette Cooper, whoever submitted his/her analysis to THE CAVEAT said something every first year student has pondered or wanted to express.

The fact that the Associate Dean went to such extremes to identify Annette Cooper makes me glad that the letter wasn't signed by a living law student.

Is there anonymity? Is anonymity a GGU policy or a standard created by the ABA? Who does have access to those exam numbers and how does this system operate?

Unfortunately, the Annette Cooper letter only reinforces that law school can be a lonely battle. Thank goodness for THE CAVEAT in acting as the voice for the many Annettes. One fights in isolation- accepts defeat in silence. En masse we mobilize- share in the struggle, with victory in our hearts.

Annette Fan

(The following memo was seen posted on the door of Room 223. It is evidence of the fact that the Editor's policy of only printing Letters with names attached is being subverted by use of pseudonyms. Annette Cooper, whoever you are, keep those cards and letters coming.)

### Memorandum

To: The Tutors  
From: Rick  
Re: Criticisms of Writing & Research  
Date: February 10, 1981

This morning's issue of the Caveat carried a letter by Annette Cooper criticizing the Writing & Research program, several of you (not by name), and me. I have checked with the Admissions Office, the Registrar's Office, and our own records, and there is no one in the first-year class, or in the law school, with the name "Annette Cooper."

/s/ Rick

To the Editor, all members of the FSC,  
and all law students:

The student motions reprinted on page were submitted to FSC Chairperson Tom Goetzl before the deadline for the February 12, 1981 FSC meeting. In spite of this good faith effort to comply with increasing formalities imposed by the Dean, the FSC meeting was cancelled by the Dean and the Chair of the FSC without notice to the students.

Dean McKelvey reviewed the motions and decided that they were inappropriate for the FSC, and I believe she violated the procedural framework of the body.

Amy Locks  
Student Bar Association President  
Third Year Day Student

Cont. p. 5.

## Personals

To N.J. SUPER, This Eagle's heart is full of love. Learn to open your heart...Then spread your wings and come soar with me. Cal 1st.

Sandy-Mary-Debbie-Tom-Deb-Bab-Linda,  
Danke für die Hilfe und die Liebe. Ich bin gesund. Sie sind sehr wunderbar!!  
Mit Liebe, Das Mädchen aus L.A.



To you know who:

Why don't any of your columns refer to the silver (or red, or brunette) locks, fine clothes and sensuous bodies of any female profs???? You know who too.



TORTS

A Tort is a Tort, of course, of course... unless it's discussed in Neil Levy's course.

And now you ask: what is a Tort?

Well, here comes Mr. Neil.

He'll tell you this, he'll tell you that  
And soon you won't know where its at.

Well, a Tort is a Tort, of course, of course,  
And now we're convened in Neil Levy's course.  
A Tort, of course, of course, a Tort.

Please help us, Mr. Neil: the Amazing Mr. Neil.

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# NASSIF

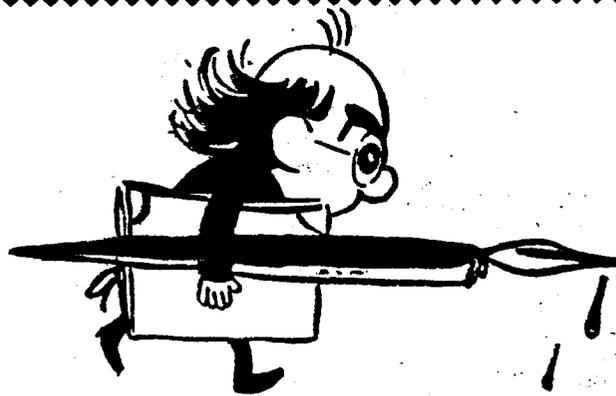
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To Bill: Happy Birthday! From all of us.

If you know what an oreo is; and you know what a banana is; you can figure out what an apple is. Where were you when we needed you?

To that Greene Woman: you have been a great help on countless occasions, we thank you, we thank you, we thank you.  
M & C.

# life is rough

by Cindy Ossias

So many gray suits in one small room... The clerk and the court reporter, both female and both in dark clothing, didn't clash with the somber countenances of the lawyers and the judge.

This wasn't kid stuff. This wasn't a mock trial. This was a bankruptcy hearing concerning a multi-million-dollar steamship company's alleged fraud and misrepresentation in its dealings with an engineer's union. Al Brotsky was, of course, representing the union.

The first anomaly was Mr. Brotsky's senior associate, a white-bearded man in brown moccasins. (Yes, moccasins.)

The second anomaly was the relief-reporter, a bleached blond in pink clothing: the only spot of color in the front half of the room. (One could not completely discount the two back bench-rows filled with an assortment of Civil Procedure students: blue jeans topped with purples, stripes, plaids, reds...not a gray in the bunch.)

The American flag in the corner stood in sharp relief to the solid wall of wood behind the judge and witness. Mr. Brotsky cross-examined the president of the steamship company in order to get him to admit he was lying. (I hate to use hackneyed phrases, but something I wrote long ago still applies only too aptly to Mr. B's style: he has the timing of George Burns.) His questions were couched in civilized terms, but his motives couldn't be misinterpreted. The president squirmed and weasled his way around a complex series of queries, admitting nothing, setting up brick walls for Mr. Brotsky to dismantle piece by cumbersome piece. Which he set about to do with aplomb. He was relentless in his search for the major truth. In fact,

Cont. p. 6.

# Job Announcements

## ADMISSIONS OFFICE NEEDS PART-TIME HELP

The Admissions Office announces an immediate part-time job opening for a clerical assistant. The hours are flexible, 10-15 hours per week, and the salary is \$4.20/hr. Interested students should see Ed Tom in room 221 immediately.

## FAMILY LAW EXTERNSHIP - PARK LAW OFFICE

Work with a private attorney who does only family law, emphasizing child custody cases. Attorney practices in family law departments of Bay Area Superior Courts, Juvenile Courts, and probate court, and is involved in volunteer efforts of S.F. Bar Ass'n, State Bar Juvenile Justice Committee, Legal Services for Children, Inc., Legal Assistance to the Elderly, Child Abuse Council, and S.F. Bar Family Law Section.

Current extern has researched and drafted numerous memoranda, attended several court hearings per week, done court-related errands, sat in on client interviews, assisted in preparation of pleadings, and attended various lawyers' groups' meetings re custody law.

Attorney desires active participation by extern in discussions of case tactics and strategy. State Bar student certification possible and encouraged.

Contact Christopher F. Emley: 556-7274.

## FIRST WOMAN DEAN CANDIDATE HERE

A dean candidate, Marge Schultz of Boalt School of Law, will be available for student interviews from 4-6:00 p.m. on Tuesday, February 17. The room number will be posted Tuesday.



## LOIS SALISBURY TO SPEAK TO P.I.L.G.

Lois Salisbury, of Public Advocates, a major San Francisco public interest law firm, will address the recently formed Public Interest Law Group on Wednesday, February 18, from 5:30-6:45 p.m. in P-3 (plaza level of the basement) on "Problems and Prospects of the Practice of Public Interest Law." All interested law students, faculty and staff are invited to attend.



## ALSA MEETING SET FOR WEDNESDAY

The Asian Law Students Association (ALSA) Golden Gate chapter, will meet Wednesday, February 17, at 12:00 noon in Room 302.

The agenda includes ratification of the chapter's constitution, co-sponsorship of a Judicial Panel to be held at Hastings on March 23, expansion of the Spring Tutorial Program to include lectures on substantive law.

Frank Yuen, a private practitioner specializing in probate, estate planning and tax will be the guest speaker at Wednesday's meeting.

# ANNOUNCEMENTS

## TIME TO APPLY FOR NEXT YEAR'S

### FINANCIAL AID

Financial aid applications (for both National Direct Student loans and work study) for Summer, 1981 and the academic year 1981-82 are now available in the Financial Aid Office, Room 104.

The deadlines for submitting completed applications are as follows:

Summer, 1981                      April 17, 1981

Academic year  
1981-82                              May 5, 1981

Applications for California Guaranteed Student Loan (CGSL) and Federally Insured Student Loan (FISL) will be mailed in early May, 1981 to all students who have previously received these loans.

Students who have received loan(s) from other guaranteed agencies (such as New York State Higher Education Service Corporation) should obtain the application from that guaranteed agency, or their lender. They should submit the application for processing to the Financial Aid Office, together with the cover sheet, which they will receive from the Financial Aid Office in May.



## NO CAVEAT PUBLISHED DURING

### WEEK OF SEMESTER BREAK

Yes, the Caveat staff will be taking next week off, too, and no paper will be printed for the week of February 23-27.

Deadline for the issue immediately following semester break is Thursday, February 19, at 9:00 a.m. Place your double-spaced, typewritten articles, letters, personals or advertisements in the Caveat box in the law library.

Enjoy the holiday!



### CAVEAT

The Publication of  
Golden Gate University School of Law

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Leslie Tick.....Staff Writer.



PRATT

Cont. from p. 1.

3. The FBI, with the Los Angeles Police Department, placed at least three informants in Pratt's defense team prior to and during his trial. These informants included not only an ex-Black Panther Party member, but also that informant's attorney.

4. The L.A.P.D. and FBI destroyed wiretap and microphone logs of the Black Panther office in Los Angeles from December of 1968, that would have proved Pratt's alibi that he was in Oakland attending a national Black Panther Party meeting was correct.

5. The FBI and the L.A.P.D. suppressed information regarding a second suspect who was identified both by the L.A.P.D. and the FBI. The identity of the 2nd suspect who could have proved that Pratt was not guilty of the murder has still not been turned over to Pratt's attorneys.

6. The government suppressed all evidence that Pratt was a target of the counter-intelligence program that attempted to destroy him.

7. The FBI's COINTELPRO did not act in isolation from the L.A.P.D., rather the L.A.P.D.'s Criminal Conspiracy section worked "hand in glove" with the FBI. This work included joint surveillance on Pratt, joint use of informants on Pratt, and many other contacts.

Pratt's petition before the California Supreme Court follows the denial of his petition before the California Court of Appeals in December of 1980. In a highly political decision an 2-1 majority of the California Court of Appeals, speaking through Justice Hanson of that Court, ruled that Pratt was not denied a fair trial because he was a violent member of a violent group and was fair game for law enforcement agencies. The court spoke approvingly of J. Edgar Hoover's comments about the Black Panther Party and what actions had to be taken to control that organization and its leader, Geronimo Pratt. A powerful dissent was written by Justice Dunn in the Court of Appeals when he stated that, "Pratt's trial was not trial at all because there were no fundamental rights involved."

Pratt's attorney, Stuart Hanlon, stated: "The opinion of the majority of the Court of Appeals was politically -- not legally -- motivated. The political bias of Justices Hanson and Lily is obvious to anyone reading the opinion. The opinion is a low point in California jurisprudence. We are confident the California Supreme Court will decide the case on the legal and factual merits, and not on the blatant political motive of defending the police and the government."

Congressman McCloskey of California, and former Los Angeles District Attorney Johnnie Cochran, have joined Pratt's defense team as attorneys of record. Cochran recently resigned the number two position in the Los Angeles District Attorney's Office. Congressman McCloskey has, for two years, pressured the FBI to turn over all its files on Pratt. Pratt is also represented by Margaret Ryan, John B. Mitchell, the ACLU of Southern California, and the National Conference of Black Lawyers.

Geronimo Pratt remains locked up in the California State Prison at San Luis Obispo, continuing to wait for justice. ■

## HOW TO FIND A LAWYER

Recent studies indicate that many people who do not have a lawyer are confused about where to turn when they need legal services.

A new pamphlet available from The State Bar of California explains what factors a person should consider when looking for a lawyer and where to begin the search. It describes a variety of ways to find a lawyer, including Lawyer Referral Services, prepaid legal services plans and legal aid for those who cannot afford to pay a lawyer.

Single copies of the pamphlet are free; multiple copies may be ordered at cost for distribution in waiting rooms, libraries, banks and other areas of public traffic.

Paulette S. Eaneman, director of public education in the bar's Division of Communications, says, "Few people realize they can arrange a preliminary meeting with a lawyer -- sometimes without charge -- to find out if they can work comfortably together and to discuss whether the lawyer is prepared to handle the case and how much the fee will be."

The pamphlet, How Can I Find and Hire the Right Lawyer?, spells out the differences between fixed, hourly, retainer and contingency fees; explains that some lawyers specialize in particular fields of law, and describes how to choose a lawyer by "comparison shopping."

The new pamphlet is the tenth in a State Bar series written for consumers of legal services. Also currently available in single or multiple copies are pamphlets on small claims courts, wills, auto accidents, landlord-tenant relations, buying a house, bankruptcy, estate planning, contracts and divorce. Pamphlets on what to do if arrested and small business are scheduled for publication in the coming months.

Single copies of pamphlets may be obtained free by sending a stamped, self-addressed envelope to State Bar Pamphlets (FH), Division of Communications, 555 Franklin Street, San Francisco 94102. Multiple copies may be ordered at cost by sending a check or money order for \$11 per 100 or \$85 per 1,000 copies to State Bar Pamphlets, 651 Brannan Street, San Francisco 94107. ■



Cont. from p. 2.

To the Editor:

Re: Mr. Taback Goes to Washington

This is the stupidest most obnoxious drivel I've seen in print recently. Better to just leave space blank for doodling than fill it with material that brings down the overall quality of the paper. And I'm no fan of Reagan's!

Judy Leibovich  
2nd Year Day Student

# Student Motions Denied

(The following is the text of the student motions submitted to the Chair of the FSC and deemed inappropriate by the Chair and the Dean.)

To: Chair of the FSC  
From: Amy Locks, Charma Pipersky, Mark Cohen

The following motions will be made at the Feb. 12th FSC meeting:

- 1) A-Because Academic Standards are of fundamental importance and concern to the students of Golden Gate as well as the faculty;  
B-And because the entire law school community deserves the right to have the opportunity to understand and appreciate why and how changes in academic standards are taking place;  
C-The final discussion and voting on proposed changes in academic standards, currently scheduled for March 7th, will be conducted before the full FSC, opened to the entire law school community of Golden Gate. Strict rules of procedure should apply to assure orderliness.
- 2) There will be no change in academic standards unless there is the creation of an effective tutorial program.

Respectfully submitted,

Amy Locks, Mark Cohen, Charma Pipersky

SBA MEETING Cont. from p. 1.  
OPEN MEETING ON BASKETBALL v.

INDIVIDUAL USE OF Y-PASSES

SET FOR 5:00 P.M. THURSDAY

The members of the SBA had a lengthy discussion regarding second and third year basketball teams using all the available Y-passes. They also discussed the first year class' request that they be allowed the same privileges. The SBA has also been hearing complaints from non-basketball players that passes aren't available when requested by individuals. Jim Scherer volunteered to talk to the Y management about the possibility of expanding GGU's use of their facilities. Scherer will report back to the SBA at its next meeting, February 19th at 5:00 p.m. in the library conference room. All students are invited to this meeting to speak out on this very important issue. The SBA resolved to allow the first year class basketball court privileges pending a decision at next week's meeting.

SBA ELECTIONS SET

Open nominations for next year's SBA officers and representatives will begin March 3rd. Candidate statements will be due March 3rd and will appear in the Caveat on or about March 17. On

## SBA

March 18, at noon and 5:15 p.m., a public forum will be held to permit all law students to hear from and question candidates on issues of importance. Elections will then begin, and continue through March 20. More details will appear in these pages after semester break.

It was reported that the Evaluations Committee, which has been discussing the granting of tenure to Nancy Carter, met without regard for the schedules of the two students on the committee. Neither student was able to attend. In addition, several faculty did not attend, and the meeting could not take place for lack of a forum.

The Unmet Needs Committee distributed \$17,000 to more than 33 petitioners who requested a total of \$200,000. Individual awards have been made based on individual need, the amount of money available, and undue hardship. Marge Holmes is taking steps to increase the amount of funds available in the future.

Cont. from p. 3.

at one point, the judge interrupted Mr. B's interruption of the witness' rambling discourse to ask him not to interrupt the witness' rambling discourses. But did Al back down? Uh uh. (This guy's been around the block. He knows how to handle judges.) He calmly stated that "to allow the witness' answer to continue into unresponsiveness would defeat the purpose of cross-examination."

During a 10-minute recess, Mr. Brotsky asked us to observe the credibility of his own witness, a union official, scheduled to take the stand shortly, compared to that of the company president. It was soon obvious to us that if this case were being heard by a jury rather than by a judge who was hard around the edges, Mr. Brotsky would win hands down.

The man's name was Jesse; and that should give you a clue. He looked like a cross between Ed Wynn and the guy who does the lonely Maytag repairman on TV. He absolutely oozed credibility. When he said "These ~~are~~ working men. They're raising families. They have to be paid...", I almost broke down.

We left at noon, had a mediocre lunch at a place near Hastings and hurried back to school to find out what we'd missed in Property. On and off throughout the day, the federal courthouse scene flitted through my thoughts. All that dark wood...all those gray suits...

Mr. Brotsky, consider this a Valentine from me and the other members of your fan club in Section B.

