SBA ELECTIONS RESCHEDULED
by Amy Locks
SBA President

As SBA President, I can attest to the rancorous elections held last week because of repeated procedural mishaps: 49 night students were denied the right to vote on Thursday night because the ballot box was not staffed; day students complained that the election location was moved without notice one afternoon; and the ballots did not clearly indicate how many votes could be cast for a particular office.

I encourage all students who are running for office, including write-in candidates, to make themselves visible to the entire student body. Pass out position papers, introduce yourself to other students before classes begin, and put up posters around school. Additionally, all of you are invited to participate in a public forum in order to share your views and answer questions on Wednesday, March 25, from 12-1 pm in Room 322, and from 5:30-6:30 pm in Room P-5.

All law students, including graduating seniors have the right to vote. I urge you to attend the public forum on Wednesday in order to meet the candidates, ask questions and cast an informed vote.

Elections will be held this week on the third floor. Times are as follows:
- Wednesday and Thursday: 12-1:30 and 5:30-6:30
- Friday: 12-1:30 only

Ballots will be counted Friday at 3:30 in Room P-5. Results will be posted thereafter on the SBA bulletin board, near the entry to the law library.

If necessary, run-off elections will be held Tuesday and Wednesday of the following week (March 31 and April 1).

The new SBA Board of Governors begin their term in April, two weeks after the election is complete.

SBA FORUM
by Cindy Ossias

SBA candidates conducted a forum Wednesday noon last in Room 306. Five people, aside from the candidates themselves, attended to hear statements by those running for office and ask questions of them.

Nothing better illustrates both the extent and the intractability of the worldwide drug problem than its presence in Iceland, a nation of some 230,000 persons and about the size of Kentucky.

Situated in the middle of the North Atlantic, halfway between Greenland and Norway at a latitude north of Anchorage, Alaska, Iceland is the world’s oldest continuous democracy, dating its self-government to the year 874. Host to an American naval base which maintains a watchful eye on Soviet warships passing from Russia’s Kola peninsula into the Atlantic Ocean, the nation is known in the United States mostly for high quality sweaters, low fares to Europe via Icelandic Air, and the series of 1970s conflicts with England known as the “Cod Wars” in which Iceland’s fishermen successfully used commercial boats to defend the assertion of a 200-mile fishing limit against the Royal Navy.

But the nation which boasts of discovering America through the courage of Viking Leif Eriksson has now found a drug problem, one that is not likely to disappear. Thought to be essentially crime-free, Iceland has justifiably boasted of incredibly low crime statistics. For example, between 1970 and 1979, the homicide rate was at most one per year. Repeat. One a year. In 1980, the rate was two a year.

The only crime of consequence in this 60 percent yearly inflation rate country is theft -- and fraud offenses of the white collar variety such as embezzlement. Reported thefts for 1978 were 2,179 and for 1979, 2,233. White collar offenses were reported at 484 for 1978, a figure which jumped as the economic situation continued to deteriorate, to 825 in 1979.

But more drug cases were adjudicated by the nation’s novel (for Scandinavia) drug court in 1979 than the total number of assaults actually reported to police. Most of the latter were one-punch blows thrown during the weekend drinking binges which characterize the country’s alcohol-soaked weekends. Though 144 assaults were reported in 1979, 200 drug cases were adjudicated in the drug court the same year. The drug court adjudication figure for 1980 rose to 285.
Dear Editor:

I was rather dismayed to note the apparent close-minded attitude of some of the more liberal members of our educational institution. Contained in last week's Caveat was a signed petition demanding the banning of military recruiters from this campus. By what right? Because of ideological outrage? I was under the impression that a free society allowed the expression of all ideas, whether we in particular like them or not. Surely there are some students attending Golden Gate University who are interested in the military. If not, then I'm sure these recruiters would do like all old soldiers, and just fade away. In the meantime, for those ideologically opposed to the military, we should allow the military to recruit on campus, Frederick Douglas once said that a free society "isn't insulated from the study of the first amendment liberties. A university must be an open, public forum in which the fostering of a free exchange of ideas and information is of paramount importance.

We, the undersigned, steadfastly oppose the denial of anyone's first amendment rights at Golden Gate University.

Robert Collins
Gregory Alonzo
Michael Steuer
Sam Ware
Mitchell Miller
Cheryl Marwick
David C. Duncan
Robert N. Davis
Byron Kennedy
Julie E. Abers
Babette Rodrigues
Steven Cohen
J.B. Hamond
Paul Shardlow
Steve Klama
Steve Shaw
Bill Robbins
Jackie Hillman
Barbara Jo Richards
Willie Thomson
Elaine Forester
Richard P. Fanally
Scott D. Benjamin
Sondra M. Napell

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To the Editor:

Regarding the letters about permitting the military to recruit on campus, Frederick Douglas once said to those working on behalf of abolition of slavery who faced the criticism of their 'liberal' friends because of tactics: "I was shocked and embarrassed to hear a fellow student yell, "Marines off campus!"

In today's Caveat (sic) there was an article demanding that recruiters (sic) be barred from soliciting enlistments at GGU. We believe that this behavior is both absurd and short sighted. To get the U.S. Military back to the educational and motivational levels of the mid 20th century, we obviously need people with a higher educational level. Is there a better place to do this than on a college campus?

We all appreciate our right of free speech. The ability to hear two sides to an issue is a clear exercise of that right. Should the right of the Marine Corps to speak be of second priority? We assert that the people who are opposed to the U.S. Military (USMC) recruitment on campus obviously do not appreciate what the Military Institution (sic) is for: the defense of the United States.

We ask those persons who signed the editorial in last week's Caveat (sic): If the U.S. Military isn't around anymore, who do you expect to defend your rights?

Scott Neufeld
Laura Wichowski
Marc Schultz

Dear Editor:

I was rather dismayed to note the apparent close-minded attitude of some of the more liberal members of our educational institution. Contained in last week's Caveat was a signed petition demanding the banning of military recruiters from this campus. By what right? Because of ideological outrage? I was under the impression that a free society allowed the expression of all ideas, whether we in particular like them or not. Surely there are some students attending Golden Gate University who are interested in the military. If not, then I'm sure these recruiters would do like all old soldiers, and just fade away. In the meantime, for those ideologically opposed to the military, we should simply avoid affixing our signatures (sic) upon the dotted line. Because some of those enrolled in our small and somewhat insulated community are ideologically opposed to the military certainly does not give them the right to demand, respectfully or otherwise, the removal of what may be a viable opportunity for others.

Being fairly confident that I've left myself open to some rather indelicate prose in reply, my final comment would be to ask these petition signers to wake up; not only are you attempting to violate all those constitutional principles we are so diligently attempting to embrace, but sooner or later we all have to face the real world.

Joe Long

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A Response to the Letter Addressed to the President:

A petition was recently circulated at Golden Gate University advocating the exclusion of United States Marine Corps recruiters from campus. Ironically, the petition was circulated in a "Con Law" class during the study of the first amendment.

We believe that to exclude recruiters because one might be "ideologically opposed" to them is not an acceptable basis upon which one can abridge their first amendment liberties.

A university must be an open, public forum in which the fostering of a free exchange of ideas and information is of paramount importance.

We, the undersigned, steadfastly oppose the denial of anyone's first amendment rights at Golden Gate University.

Robert Collins
Doris A. Caldwell
Gregory Alonzo
Steve Brookes
Michael Steuer
Judith Kaufman
Sam Ware
Antoinette Minnes
Mitchell Miller
Barbara Waldman
Cheryl Marwick
Gora Jean Locuffe
David C. Duncan
Mary Jane Luther
Robert N. Davis
Anthony J. Sousa
Byron Kennedy
Juliet Gee
Julie E. Abers
Pater Sproul
Babette Rodrigues
Bob Paige
Steven Cohen
Joan Cotter
J.B. Hamond
Bob Riordan
Paul Shardlow
Judy Leibovick
Steve Klama
Mike Badaly
Steve Shaw
John C. Cartwright
Bill Robbins
Brenda F. Comer
Jackie Hillman
Joe Long
Barbara Jo Richards
Jane Blakey
Willie Thomson
Michael D. Devito
Elaine Forester
Richard Stone
Richard P. Fanally
Mort P. Cohen
Scott D. Benjamin
Shawn M. Throwe
Sondra M. Napell
Thomas P. Ross

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To the Editor:

Regarding the letters about permitting the military to recruit on campus, Frederick Douglas once said to those working on behalf of abolition of slavery who faced the criticism of their 'liberal' friends because of tactics: 
I don’t know how I happened to find myself on Callis Mission that day. For years I’d avoided the area like the plague. Unhappy memories flooded back as I gazed at the still-imposing though decimated structure. (It was never learned where the El Salvadoran guerillas acquired the guns, ammunition and transportation to invade Los Estados Unidos, but Reagan had prophesied that California would be the first "domino" to fall.)

I put the paper bag to my lips, took a generous swig of mescal, and stumbled across the street. The entrance yawned open, the glass doors shattered long ago on that moonlit night in 1983.

The elevator shafts stared gloomily from either side. All the chrome and silver in the building had been looted (liberated, in revolutionary terminology) and sold by "those less fortunate" (as various groups of Liberales were wont to rationalize).

I trudged up the staircase to the third floor. It was tough with all that mescal in me, but at the same time, it was the mescal that made it possible.

The knob was missing. I cautiously but firmly pushed at the door. It opened onto a strangely unfamiliar scene. Through the vast expanse of empty classroom, I tread the grungy brown carpet, tripped over a ragged edge and sprawled on my face. My mescal trickled out of my face. My mescal trickled out of my face. My mescal trickled out of my face. A small gray rat stared up at me.

"Hello there. Are you and I the only ones left alive?"

It scurried away.

A single table tipped to the floor where a chrome leg once held it steady. I somehow recovered my feet and lurched over to it. The once-smooth cool surface was gouged out with initials and obscene graffiti. "You can fornicate with a dead body, but you can't meet with a dead mind." "P.F. & D.L." "Charlie loves Diane"

I recalled the Prince's wedding, called off at the last moment. And I recalled the devastation of Lloyd's Bank in paying off policies insuring products etched with the suddenly-obsoleted names and date. (The medical examination, required by British law to certify the Lady for the Job, had turned up an unexpected flaw in her physical make-up. All of her insistence of an equestrian accident were for naught.)

My heart bled for those two.

True love stylized by society's hypocrasy...I started to shed a tear right then and there for the privileged classes....

But stopped myself just in time. "Hell, it's just the mescal crying (hic). Where is it, anyway?"

And there it was on the rug where I'd left it. The rat was back, lapping it up gleefully.

"Heyyyy!!!! That's mine!"

This time it didn't scurry, but stayed to finish its unexpected feast.

I got hold of myself and began to find my way out of the deserted corridors back to the street. It was all too depressing. Where was the promise of those years? Where was the fresh flush of youth? Ambition? Greed? Where was the hope of Golden Gate University's upwardly mobile bar pass rate? Turned to mescal and rats and three-legged tables.

As I weaved back onto the street, a Chrysler full of soldiers rode by. A tear came to my eye once more, but this time I didn't stop it. I looked back once more at the saddest sight I'd ever seen and wandered off in search of another bottle of mescal.
"Those who profess to favor freedom, and yet depreciate agitation, are those who want crops without plowing up the ground. They want rain without thunder and lightening. They want the ocean without the awful roar of its many waters... Power concedes nothing without a demand. It never did and it never will."

I realize I've been privileged in seeing the other letters before the rest of the student body has and so, in the interest of maintaining some semblance of objectivity on behalf of The Caveat, I've figuratively detached myself from my position as Editor in writing this letter.

In answer to the letter that inquires, "Because some of those enrolled in our small and somewhat insulated community are ideologically opposed to the military certainly does not give them the right to demand the removal of, etc.":

Our right to demand the removal of the military recruiters stems from the same First Amendment liberties cited in the Response Letter, supra.

Cindy Ossias

Editor's Note:

A letter was received re: military recruiters two days past deadline, and without a signature.

It has not been printed for those reasons. As a point of information, it was typed on GGU stationary. If the writer(s) would like to have it published next week, s/he should submit another (signed) copy by 5:00 p.m. Wednesday.

Dear Editor:

I'd like to express my appreciation for Golden Gate's prompt and effective response to the brutal rape near the school last semester. The new plastic signs warning women not to walk alone at night are aesthetically appealing and give readers the proper "armed camp" outlook while at school.

In light of the attempted attack on the woman in the Plaza-level bathroom, I suggest it would be equally effective to display an additional sign in the women's restrooms on campus:

Warning: When using this stall at any time, for your protection, please do so in the company of at least one other person.

Respectfully,
Beth Zacovic

To the Editor:

I heard that only a dozen or so people showed up at the candidate's forum, and that included the candidates, the Caveat editor, and one voter.

I am disgusted. (I had a dentist appointment and couldn't be there. Besides, it certainly was not well-publicized. I heard even the Caveat editor had trouble finding the room it was held in.)

For those of you among the student body who feel the student reps aren't truly representative of us, maybe this little-known fact will act as an incentive to someone out there: The SBA President's tuition is completely remitted. Yeah. 15 or 16 units worth.

If this had been publicized earlier, would there have been more candidates for the office?

I think the elections should be held over. And in the interests of Democracy, the candidates should support this.

And there should be a general school forum, with representatives present from every interest and Third World group, like the Women's Association, ALSA, BALSA, and Raza students.

Did the Appellate Brief and the Law Review Writing Competition flake out everyone in the first-year class? Where's the legendary activism of Section B?

And I have one more thing to say:

From what I've seen, the second-year class is politically up its collective ass.

Jeanette Cooper

To the Editor:

Jim Scherer may be an unfamiliar name to many 2d, 3d and 4th year students. He is, however, worthy of everyone's attention.

I have had the opportunity to know and work with him this past year as a fellow member of the S.B.A. Jim is an aware, active, intelligent and enthusiastic person. He is a hard working member of the S.B.A. I feel he will be an excellent student advocate.

I fully support him for the position of President of the S.B.A.

Moss Jacobs

To the Editor:

With all due respect, and continued support of your efforts, I believe the following two points of information should have been publicized in The Caveat:

1. Duties of the respective SBA officers; and
2. The fact that the SBA President receives full tuition remission.

More "hearsay" about the SBA truly doesn't benefit the SBA's cause! Thanks for your time.

Good Luck,
M.J. Shea

To THE EDITOR:

cont'd on page
But these figures are the peak of a narcotics iceberg. Court figures show 852
police hearings involving 381 persons in 1979, and 810 hearings with 451 persons in
1980. 266 of the persons in the 1980 drug hearings had been previously involved in
some form of a narcotics charge. The figure for 1979 was 226. Some of the 1980
jump is undoubtedly due to backbreaking efforts by court personnel to process pro­
cedings as expeditiously as possible. How much of this increase is due to increased use of
drugs is a matter of concerned speculation.

Though not regarded as a serious prob­
lem by law enforcement authorities in the
1960s, if a problem at all, drug use was,
according to persons who constitute a fair
cross-section of Icelandic citizenry, prob­
ably widespread by 1973. By then, even LSD
were known to live in the island nation.

As early as 1971, the authorities respon­
ded to the situation by adding three police
depuies to specialize in fighting drugs.

But a major war on the illegal use of nar­
cotics, one which the country is not now
wining, was commenced in 1973 with the cre­
ation of a drug court with nationwide juris­
diction.

The court was thought to be an improve­
ment over previously fractionated efforts
because one court could deal with a case in­
volving defendants residing in different judi­
cial districts. Of equal or even greater
importance, the judge could keep track of
repeat offenders and could concentrate tech­
ically trained investigative personnel that
might otherwise be spread through different
courts of jurisdiction.

But sentences were (and are), by Amer­
ica's no doubt extravagant standards, sur­
prisingly light, the prevailing view being
that a first principle of punishment is that
the length of the sentence must be perceived,
especially by the prisoner, as rational.

Since no crime, not even murder, actually
receives a sentence that exceeds 16 years
(and served in a college dormitory-style fac­
ility with less than 60 prisoners and with
clearly good facilities and staff after half the
time is served), the authorities believe that
severe punishment for possession of marijuana,
hass or speed would be disproportionate
the gravity of the offense. (Sales of drugs
are almost always by users and in very small
amounts, thus not posing the problems created
by professional dealers in the United States.)

Thus one of the most severe penalties
has been a sentence of three years, imposed
on a repeat importer and seller. (Most
drugs seep into Iceland from either Amster­
dam or Copenhagen.) First offenses usually
bring in terms of American money, an $80
fine for possession of, say, a gram of mari­
jjuana. Subsequent infractions, however, can
result in as much as a $2,000 fine. Jair is
rare, and if imposed, the prisoner often has
to wait his turn to serve time in the 'prison'
previously mentioned.

Thought to be a major innovation, the
drug court has been a partial success at best, though its judge -- the same since
it was founded -- thinks the problem would
be much worse without it.

Principal reasons for the lack of suc­
cess have been an antiquated criminal pro­
cedural system which slows down disposi­tions (some cases are backed up into a three-year
time frame), the complicated and interna­tion­
al nature of law enforcement (police tech­tis may be in Denmark or Holland), and a pre­
trial detention system that permits defen­
dants to easily slip out of the country
through the nation's wide open airport.

Court schedules are, well, judge kil­
ers. Of a recent average of 120 cases for
court disposition a month, 100 were settled
by the judge without formal trial. But
these cases each required handwritten re­
ports the judge that alone could take 10 pages
or more. Stenographic transcripts are not
used and extensive use of handwritten notes of
testimony, later expanded to summaries of
the testimony, are common. The residual 20
cases, however, might fill report books run­
ing to 400 or 500 pages, with 200 or more
of them supplied by the judge.

It is a time-consuming process. Fif­
ten-hour workdays are common for the judge,
and police working on drug cases average
some 200 hours a month overtime each.

A curiosity of the Icelandic scene is
that the system does not rely on informants,
paid or otherwise rewarded by the police
as in America. Instead, in this largely com­
munal society in which everyone almost lit­
erally knows everyone else, drug suspects
frequently turn in their friends and co­
operation is likely to be recorded with a
sentence more lenient than usual. But this
cultural phenomenon has increased the work­
load of the police since any given arrest
is likely to generate scores of suspects.

The seriousness of the problem that
led to the creation of the drug court has
been underscored recently by the reported
appearance of PCP, allegedly used to lace
poor quality hash and known in America as "angel dust." Americans here assert that
no PCP has been positively identified by
chemical tests, but its reported appear­
ance is a matter of deep concern to local
officials in the nation's capital Reykjavik.

In a recent newspaper article here, an of­
icial of the drug department of the State
Investigation Police (something like the
American FBI but not exactly) said that he
was "certain" that PCP existed in Iceland
and had for some period of time.

The depth of national concern was ev­
dent in an interview granted this writer
by the nation's new president Vigdis
Finnbogadottir. She suggested that the
use of drugs and other errant behavior in
her country (Iceland's buses are graffiti­
streaked and most outdoor public phones
have been destroyed by vandals) was a pro­
duct of frustration borne of a pessimism
which she believes has afflicted the modern
world.

The onetime director of the Reykjavik
city theater, fluent in some seven languages,
described herself as a "dedicated optimist" who
believes that in an age in which each
year seems worse than the one preceding,
this generation of Icelanders must give the
next something to hope for.

She also underscored the belief here
that, unlike Denmark's Copenhagen, where

ANOUNCEMENTS

RECEPTION FOR NEWLY ADMITTED STUDENTS

On Friday, April 3, the Admissions Office will sponsor a reception for recently admitted students to Golden Gate. The reception, similar to one held last summer for the current first year class, will begin at 3 pm in the second floor auditorium, and move to the second floor foyer/balcony area for wine, cheese, and music at 3:30. The reception is scheduled to end at 6 pm. The reception has been planned to provide new admittees an opportunity to visit the School, and to compare our ambiance with other law schools they may be considering.

NICARAGUA DELEGATION SLIDESHOW

On Wednesday, March 25 at 7:30 at 143 Peralta St. in San Francisco (near Army St.), the Central America Task Force of the NLG will present a special slideshow on the Nicaraguan legal system before our regularly scheduled meeting. One of our members, Kathy Galvin, returned from Nicaragua at the end of January after speaking to judicial officers and viewing the war crimes tribunals. There will also be an update on Nicaragua including its response to the cutoff of U.S. aid and our intervention in El Salvador. People interested in joining our work around Central America are especially invited. For more information, contact Sam Krantz at 285-5417.

ALSA MEETING

The Asian Law Students Association will hold a meeting on Tuesday, March 24 at noon, in Room 302. We will discuss the upcoming Judicial Panel (at Hastings on April 4), exam-taking tutorials for final exams, and the future of the Association. We will also have as a guest speaker a Golden Gate graduate who is now with the Federal Bureau of Investigation. Please come and bring your ideas (and lunches, too!)

SUMMER EMPLOYMENT INFORMATION

The Asian Law Students Association has invited representatives from the Public Defender's and District Attorney's offices to come to talk about job possibilities in their offices in Santa Clara County. This forum will be held on Thursday, March 26 at noon in Room 322. The main purpose of this forum is to encourage minority interest in these areas. This forum is co-sponsored by the Women's Association and La Raza. ALL MINORITIES ARE URGED TO ATTEND!

HIGH TENNIS CLUB FEES?

by Herman, Vice President, Student Association

On several occasions, law students have made inquiries why they had to pay a $20 fee, while other students only needed a fiver.

The difference in fees between law students and others results from the fact that the tennis club is sponsored by the Student Association. Since the Student Association is funded by fees from non law students, it is only fair and equitable that these students pay a lower membership fee. However, other organizations are welcome to co-sponsor the tennis club. Members to those organizations can then also enjoy a reduced membership fee. For more information, contact the Student Association in the Student Union, rm. 529.

SUMMER HOUSING SOUGHT

Professor Eric Byrne of Seton Hall University School of Law will be a visitor at Santa Clara University School of Law during the summer. He is looking for a furnished house or apartment (1 or 2 bedrooms) in San Francisco or in the Palo Alto-Santa Clara area, and has a 2-bedroom apartment which he will swap or rent separately. He may be reached at (201) 642 8500 (office) or (212) 691 5395 (home).

CEB WORKSHOPS AT GGU

CEB videotape programs are held each Tuesday at noon. The March 24 program will be "Proving Personal Injury Claims to Arbitrators," and the March 31 program will be "Jurisdiction and Service of Process."

Applications for the July general bar examination have arrived. They are now available for pickup in Room 215 (student counter in the Registrar's Office).

Graduating seniors are reminded that the deadline for timely filing is APRIL 13 (in person) or APRIL 11 (if mailed). Special fingerprinting service will be available to those registering for July's bar examination on April 1 and 2, on the third floor. Mr. Patrick Walsh, who has provided this service to previous classes of graduating seniors, will be present there from 2:30-7:00 p.m. He charges $2.00 and will only accept exact change.
AN EXTREMELY SHORT STORY  By Randy Colfax

Sam Hazard had been watching Cathy Rigley all semester in his torts class, but he had not fallen in love with her yet. Sam knew better than to fall in love with people he had not spoken to, and since he had not mustered the courage to speak to Cathy, there was no romance.

Instead, Sam's affections turned to torts themselves. Sam knew that this indicated a certain degree of desperation, but he did not care. When he was alone he would work on perfecting an impersonation of his torts professor, booming "defendant deliberately bashes plaintiff over the head with a baseball bat: cause of action or not?" This was always good for a laugh when Sam was feeling low.

The other courses were too abstract for Sam, but the torts cases were like short stories, always livened up by the actions of the defendant. It was not that Sam liked to see people suffer, in fact he was a rather sentimental sort. Still, Sam respected change, and change was always taking place in torts. Sometimes the injuries were sad to witness even vicariously, but they represented change nonetheless, and something which Sam craved in his dreary law school years.

In the height of his madness, Sam dreamed of becoming a rich and famous personal injury attorney. He knew that this dream was merely a compensation for the bleak life which he lived in reality, but he dreamed anyway.

Sam's favorite torts case was Katko v. Briney, in which a farmer, tired of people breaking into an unused building on his property, set up a spring gun trap and eventually shot a prowler with it. Sam envisioned the irate farmer planning his trap and telling his wife that he was "gonna hurt someone." Sam imagined the wife responding "At least set the gun so it aims for the laigs, dear." Sam particularly liked the result in which the Brineys had to sell part of their farm to pay off the judgement for the prowler's injury. Because the Brineys had a small farm to begin with, Sam wondered if they had a "shrimp" farm after they paid the judgement.

NEXT: SAM MEETS CATHY RIGLEY

5TH ANNUAL TALENT SHOW
FRIDAY, MARCH 27TH
GGU Auditorium
7:00 PM

Is something missing from your life? Are you listless and weary? Do you lie in bed on a weekday morning, after the alarm has gone off, pondering whether there is life after Writing and Research? Do you find yourself daydreaming in the law library about those lazy days when a tort was simply some fancy pastry you bought in a bakery?

Well, wake up Amerika! Refresh yourself with the 5th Annual GGU Talent Show -- the showstopper of law school revues! Geritol be damned! What you need is a good dose of total, uninhibited zaniness. Indulge yourself in the crazy light-heartedness of this end-of-the-year spectacle. GGU's very own contribution to the line-up at Napa.

It's all happening this FRIDAY night -- MARCH 27TH -- in the main auditorium. The festivities begin at 7:00 PM, with wine and other refreshments served from 6:30 on.

Bring your best belly laugh, all the friends and family you can crowd in to the old heap, and a friendly donation of $2 (children under 14 free). We guarantee you a totally frivolous evening, sparkling with GGU's funniest and finest and more combustive than any SfSC meeting could ever be.

Be there, or be...

THE CAVEAT
The Publication of Golden Gate University School of Law

Cindy Ossias
Managing Editor

Susan Bush...............Production Editor
Joel Morgenstern..........Copy Editor
Charma Pipersky.........Staff Person
Leslie Tick...............Staff Writer
Elizabeth Tippin..........Logo
The apathy of the student body was spoken of, that students view the SBA as not representative of them, even though they elected the SBA.

The administrative details that regularly bog down SBA meetings were noted by those candidates who were 'reps' this year.

Tom Norton, candidate for Third Year Representative, recommended that certain changes be implemented in the SBA structure. There are people running for SBA positions be eliminated through a two-thirds vote of the SBA body to change the Constitution or through a referendum of the student body.

Jim Scherer, presidential candidate, spoke in favor of shorter, less frequent, more substantive meetings and in favor of a closer synthesis of the student representative on the FSC and that on the SBA. He drew an analogy between union organizations and a proposed SBA structure.

Scherer and Norton agreed that most policy considerations can be separated from administrative issues such as Y-passes.

Charlotte Thetford, candidate for Second Year Representative, is most concerned with minority and women's administrations. She is a re-entry, single-parent and a Native American, and feels very strongly that Golden Gate must maintain its stance on admitting people like herself. A strong concern of hers is in protecting women from the street violence in and around the school. Thetford wishes to serve on the Admissions Committee.

Neil Cook, candidate for Third Year Representative, volunteered the information that she is involved and interested in working with the 2nd and 3rd year representatives. She is aware of the issues that face the junior and senior years. She identifies as a re-entry, single-parent and a Native American, and feels very strongly that Golden Gate must maintain its stance on admitting people like herself. A strong concern of hers is in protecting women from the street violence in and around the school. Thetford wishes to serve on the Admissions Committee.

Rosalie Wohlstatter, Second Year Representative candidate, showed concern for those issues that had been spoken of and added child care to the list. She expressed concern that the "structuring" of the SBA should be implemented with regard for the sentiments of the student body, if not the votes.

Each FSC committee holds 3 or 4 slots to be filled by students. Concern was evinced from an "audience" member that those slots should be at least partially filled by students other than SBA representatives and officers. It was agreed by all present that one slot on each should be filled by SBA members, so that -- when the FSC becomes the FSC once again -- that synthesis between the FSC and SBA should exist.

Scherer spoke once more of interesting other student groups, e.g., BALSA, and the Women's Association, in student government. Tom Norton spoke of giving those students interested in things other than Security Problems and Child Care, e.g., basketball aficionados, what they want and of dealing with Otto Butz and the new law school dean effectively.

This report will be printed after elections are held, but the people written of here will undoubtedly serve as your representatives next year. These are their views: these are the ways in which they will serve you.
Attention First Year Students!
The Regional Attorney's Office of the Department of Health and Human Services is recruiting for several summer positions. Students must submit applications by March 31. See Placement Center for details.

Attention Third Year Students!
The District Attorney of Sacramento County is seeking applicants for the position of Legal Research Assistant. Students who will take the California Bar in July '81 are invited to apply. Deadline for resume is March 27, salary $1564/mo. Position commences Sept. 1, 1981.

Newspaper Assistant
Local law newspaper needs a full time student to help with reporting filings for the County, assist with legal advertising. Minimal typing required. Job #223 Any year student eligible.

Do you know what a law clerk position entails?
These questions and more will be answered during the noon hour on March 25, in Room 223 by GGU students who have worked in various clerking jobs.

Hiring Committee Report
by Marc Stickgold
Professor and Chair, Hiring Committee

It is with great pleasure that I announce that both Arnold Sternberg and Susan Foote have accepted our Visitation offers for the academic year 1981-82. Hiring is therefore finished with regard to regular faculty positions at this point.
The Dean, who appoints the Director of Legal Research and Writing, has asked me, as Chair of the Hiring Committee, to solicit and screen applicants for that position and recommend finalists to her. Other members of the Hiring Committee, as well as other first-year course teachers, have been asked to meet and interview the applicants if they are interested in doing so.

I would ask each of you who may have interesting candidates to recommend, to have them send a resume as soon as possible since we hope to close applications on March 31, and make a selection soon thereafter. The position is now a full-time one, pegged to a Visiting Assistant Professor salary range, and we are asking for a two-year commitment. You should also have in mind that this person might be involved -- at least next year -- in the development of a tutorial program within the framework of the Writing and Research course. He/she should also be able to work with the Curriculum Committee and other faculty on revising the improving the program in whatever ways are determined to be necessary.

Public Employment Relations Board
A full-time summer intern position available in Sacramento. Position entails research and writing in public sector labor relations. See job #467.

Litigation Assistant
Legal Assistance for Seniors is hiring work-study students for summer. Students must have completed their second year. See job #468 in summer book.

Letters
Cont. from p. 4.

Did President Reagan’s recent sending of military advisors to El Salvador exceed his constitutional military authority as construed by Congress in the War Powers Resolution of 1973?
The key language of the resolution states that “the constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are executed only pursuant to (1) a declaration of war, (2) specific statutory authorization (by both houses of Congress), or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.”

Regardless of one’s opinion on the situation in El Salvador, the parallels with early U.S. involvement in Vietnam are striking. And it was to prevent future Vietnams that the War Powers Resolution was introduced by former Senator Javits and adopted by both houses of Congress.

The real question, then is whether sending military advisors into a country where “imminent involvement in hostilities is clearly indicated by the circumstances” ought to be a joint decision made by the president and both houses of Congress. The circumstances which exist today in El Salvador clearly indicate imminent involvement in hostilities with respect to U.S. military personnel. Indeed, President Reagan himself said recently that their presence cannot be made “risk free.”

Therefore, it appears that the president, at least to the extent that his constitutional authority has been construed by Congress, had no authority to send advisors to El Salvador because there has been no declaration of war, no specific statutory authorization of Congress, and there is no national emergency.

Even though the Congress sought to pass only a resolution regarding the President’s war powers and not statutory provisions (Mr. Nixon’s promised veto of the War Powers Act made it impossible to enact Senator Javits’ original legislation), the War Powers Resolution still stands as a historic legal construction of the President’s authority in this area. Accordingly, at least part of the debate over the situation in El Salvador should be focused on this critical constitutional issue.

Sincerely,
Bob Ryan
Writing Requirement

by Tom Norton

Second year day and third year night students should be aware that they will have to meet an additional writing requirement to graduate. Since the law school administration has not informed you of this new requirement, I will.

The following motion passed the FSC in the spring of 1980:

"In order to graduate at the end of the 1981-82 academic year and thereafter, students must fulfill a writing requirement with a passing grade of a 'C' or better in one of the following courses:

(1) Law Review
(2) Appellate Advocacy
(3) Legal Drafting
(4) Selected Legal Problems
(5) A seminar in which the student prepares a significant piece of written work under the supervision of a full-time faculty member.

"The Dean, in consultation with the Curriculum Committee, will prepare an accepted list of seminars in which students may fulfill this requirement. A writing requirement may be fulfilled only in a course taught by a full-time faculty member except when a student obtains the permission of the Dean to have a paper which has been supervised by a part-time instructor, qualified."

As far as I know, students have not received formal notice of the new requirement at any time, including during fall 1980 and spring 1981 registration. About a month ago some third year students clued me into the fact, so I asked Dean Marge Holmes about it. She told me that it did not apply to my class (second year day). Last week I saw that the above-quoted motion does apply to my class. When I again discussed this with Dean Holmes on Thursday, she said that she previously said she was previously wrong -- that the new requirement does apply to second year day and third year night students.

Last week the Chair of the Curriculum Committee, Roger Bernhardt, sent a letter to all faculty members seeking their comments on the courses that are possibly suitable for filling this requirement. They are preparing to implement this new writing requirement now.

Personally, I agree with the idea of requiring an in-depth writing assignment. But the lack of notice is inexcusable. Perhaps there are ways that the impact of this administrative neglect can be lessened. If an additional requirement burdens you, you should go see either Dean Marge Holmes or Dean McKelvey to express your views.

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Loophole

by Hal Mathew

AND NOW 'THE MOMENT WE'VE BEEN WAITING FOR.' THE FINAL OF THE 'DECEMBER DOOH' TO DETERMINE THE WINNER OF THE COMEDY AND THE SELECTION OF THE PREMIER CONTENT AM JER.

AND THE WINNER IS....

NO WAY!!! NOT THE COMEDY AND THE SECELENTATION OF THE PREMIER CONTENT AM JER.

WE REPEAT...WE REPEAT...WE REPEAT...

AND THE NEW WINNER FOR THE FIFTH TIME TODAY IS 'RED HOT RANZANY' 5000...YEAH...BUT NOT A COMEDY...AND THE NEW WINNER FOR THE FIFTH TIME TODAY IS 'RED HOT RANZANY'...YEAH, BOWD...BUT...THE CHOICE IS STUPID...WE SHOVED OF ALL THE WINNERS TO THE LAST 30 YEARS.

I hate law school.