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THE ROLE OF THE BLACK LEGAL ENTREPRENEUR

Darryl Majied

The power to influence social policy is an invaluable tool for any identifiable Third World Group in America. Economic power through the ownership and control of business enterprises is one means of attaining such influence. Given the fact that sound legal advice is an essential element of a successful business, the Black attorney who is competent in the legal aspects of doing business is in a unique position to assist in the development of Black business and the acquisition of economic power.

Traditionally, the Black community has not had a heritage of substantial entrepreneurial or managerial endeavors. Therefore, the demand for legal **services** has been small, the supply of Black business lawyers has been smaller and even this limited supply has not been effectively utilized.

The problem of underutilization of Black business lawyers stems from a number of additional factors. Most Black attorneys have been forced, by law schools and professional associations, to limit their professional practice to "neighborhood practice" or legal service programs, both of which typically involve matters such as criminal defense, family law, landlord-tenant relations, et al. Consequently, there has been a lack of experience in legal matters pertinent to Black businesses. Additionally, those Black attorneys with business law expertise have had to seek employment in the white business sector because many Black business owners apparently believe that white attorneys are more competent and experienced in complex legal matters such as tax or antitrust, or that the successful resolution of business transactions depends, not only upon expertise in a given area, but upon "contacts" and "influence" - neither of which are possessed by Black attorneys to the same extent as White attorneys.

Moreover, few Black businesses possess "monopoly power" and its attendant privilege of engaging in "social preference".

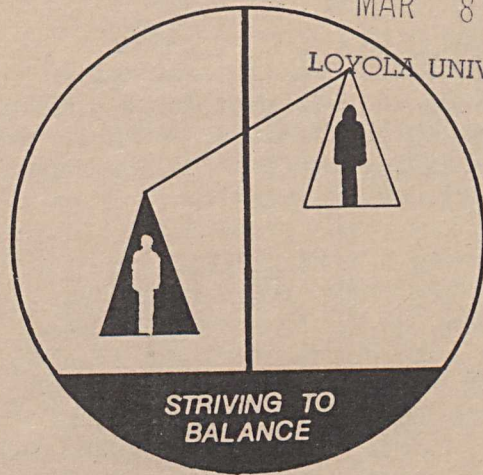
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Black American Law Students Association

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LOYOLA UNIVERSITY



Loyola Law School

Fall, 1977

PERSONAL REFLECTIONS

Bea Cooper

Sometimes I wish I could turn back to the days and a time when I wallowed in my own ignorance - and loved it. It was a time when the good life meant the latest car, a house on the hill, and being accepted for membership in the "in" social clubs. It was a time when "Who do you know," "I don't want to associate with this person because he or she doesn't have certain things," and, "My child has to go to that school because those parents are wealthy," were the essence of my very existence. It was a time when ignorance truly was bliss.

It was a time when I didn't have to deal with some of the emotions that tend to dominate my feelings these days - emotions that spring to life through Constitutional Law, Torts, Property, and Loyola in general; emotions of love, hate, shame, pride, disgust, depression, blues, blahs, -- all turned on by the deviousness, the rationalizations, the slowness, the inhumaneness, the "morality" of this thing called LAW.

This time upon which I'm reflecting was a space in my life where I never once really pondered: "Where have I been all my life?"

This process--this study of the law--is truly a test of endurance. It's bitter, it's sweet, and maybe, just maybe, as someone else has said, I'm high on the law!!

BALSA PRESIDENT'S MESSAGE

Let me first extend greetings to all returning and Freshmen BALSA members and express my appreciation to those who have actively supported and responded to the needs of our organization.

Following a very fruitful and profitable year, the association faces new, but familiar, challenges and must react to those challenges quickly and effectively. The Bakke case, now before the U.S. Supreme Court, is, of course, of paramount concern, as is the overall and unjustified attempt by some factions to discredit the leadership and accomplishments of Black and other Third World organizations.

We have all the signs before us that the quest for equality and civil rights is not yet complete. It is, therefore, imperative that BALSA, an association of prospective vanguards in this on-going struggle, step up its involvement in that arena. Increased communications with the regional and national organizations, as well as with the several civil rights groups are necessarily the prime directives. Continued loyalty to Black leadership and a keen focus on the issues to be resolved shall again provide the vehicle of deliverance.

The input of each and every BALSA member is most urgently needed. Committees have been formed and are working well. Under the current state of affairs, BALSA will depend very heavily upon its various committees to provide funds and to stimulate the interest of Black youth in the legal profession to insure a continued influx of BALSA members. Indeed, it may seem that our very existence is at stake, but let me remind you that we have accomplished greater tasks with fewer resources. Let us continue in this fashion! Get involved!!

ASANTE SANA,

Ed ("Skip") Borne
President, 1977-78

LANDLORD - TENANT

The Landlord - Tenant Committee is now in the process of compiling research and data to be used in the formulation of the Landlord - Tenant Pamphlet.

The Committee consists of five Loyola students: Jean Thomas, Michael Carolina, Edgar Borne, Darryl Majied and Anthony Cade.

The project, under the supervision of Professor Harry Laughran, is progressing well. Hopefully, a rough draft of the pamphlet will be ready by the end of the fall semester. The deadline for the finished, distributable product is the end of the spring semester. With a little luck and the hard work of the committee members, the deadline will be met.

* * * *

BAKKE DEMONSTRATION

The Los Angeles Times reported that approximately 750 people attended the rally to overturn the Bakke decision, held at MacArthur Park, on October 8, 1977.

The rally was sponsored by the Los Angeles chapter of the National Committee to Overturn Bakke.

* * * *

BAR SCORES RECORD HIGH

The National Council of Bar Examiners says bar admissions in 1976 reached a record high for the seventh consecutive year.

The NCBE, an affiliate of the American Bar Association, says the total number of people admitted to practice in 49 states, the District of Columbia, Guam, Puerto Rico and the Virgin Islands was 35,741.

Black bar candidates will definitely have to commit themselves to a lot of hard work and study to keep pace with the staggering competition.



THE ROLE OF THE BLACK LEGAL ENTREPRENEUR

BLACK LAW SCHOOL GRADUATES FIRST LAW CLASS

(continued from page 1)

Though only four years old, the Miles College School of Law of Birmingham, Alabama, already has more Black students enrolled than the other four Alabama law schools combined.

The statistic is doubly important when viewed against the fact that there are only 62 Black attorneys in the state, out of a total of 3,500 licensed lawyers, and that the Black population of Alabama is more than 1 million.

The Miles Law School is currently, with the financial support and advice of the Southern Poverty Law Center, engaged in a nationwide drive to attract the support necessary to get the school accredited. Prominent persons in the legal profession have agreed to serve on a national advisory panel for that campaign.

The Miles Law School began as not much more than a dream, but its first class of 22 graduates, 16 of them Black, will be taking the Alabama Bar Exam in February, 1978.

Sixty-four students in underclasses are now enrolled at the school, and the faculty has grown from three part-time instructors to three full-time and four part-time instructors today.

Most of the students have jobs and attend classes in the evening. Their reasons for wanting a law degree range from practical goals such as career advancement to the more idealistic concern of helping safeguard the rights of the underprivileged.

Miles College is a nationally known educational institution. Beginning in 1905, it has served as the principal four-year collegiate institution open to Blacks in the metropolitan Birmingham area. Though its enrollment remains predominantly Black, admission is open to all qualified persons regardless of race.

BALSA ADVOCATE STAFF

- * * * * *
- * Thomas De Boe Andrena G. Dancer * * * * *
- * Edgar Borne, III Darryl Majied * * * * *
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Therefore, when in need of legal services and faced with an inexperienced Black attorney and an experienced White attorney, the Black business owner is forced to relegate his "social preference" to the concerns of improving or stabilizing his firm's competitive position.

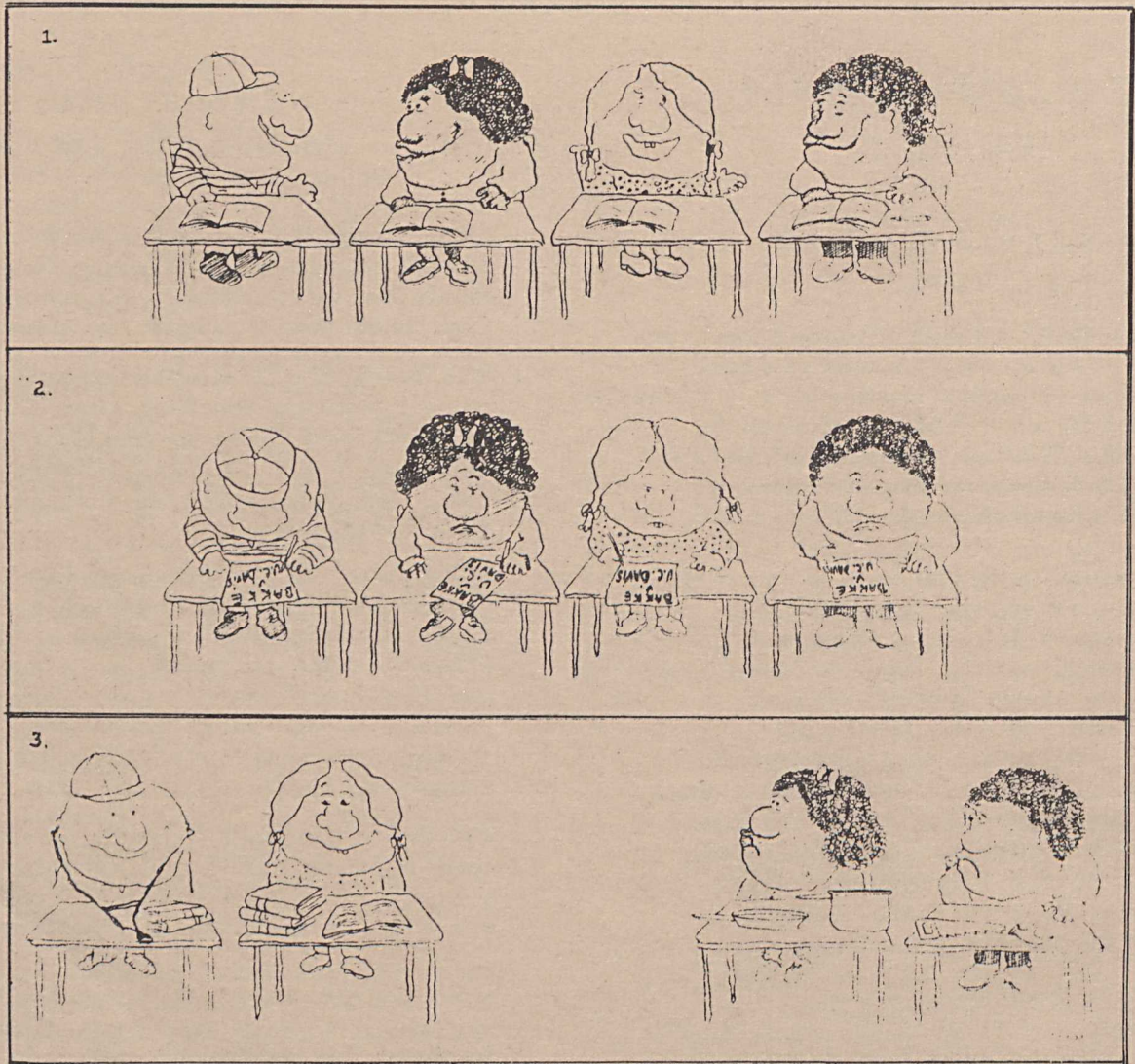
These problems make the role of the Black lawyer and law student particularly crucial. Black lawyers cannot be satisfied with merely servicing the legal needs of the Black firm. Instead, we must be concerned with nurturing entrepreneurial motivation and encouraging managerial competence. Our duty is that of legal entrepreneurs, i.e., catalytic agents in the organization, development and growth of Black business. Black law students must obtain a thorough grounding in courses such Taxation, Corporate Law, Antitrust, Securities Regulation, Labor Law and others. These subjects will serve as basic tools in the arsenal of the Black legal entrepreneur.

We must not be content to leave representation of the Black firm to the White legal community. Although, White lawyers can render competent legal services, in general, they will not act as catalysts seeking to nurture the development of Black business. This additional service is the duty of the Black bar.

Expertise in Business Law is one of many necessary prerequisites to economic power and effective Black participation in the decision-making process. The starting point is self.



REVERSE DISCRIMINATION?



The Bakke Decision = Racism

ABOUT 3% OF OUR NATION'S DOCTORS ARE THIRD WORLD PERSONS.....

ABOUT 1% OF OUR NATION'S LAWYERS ARE THIRD WORLD PERSONS.....

1% OF ALL CALIFORNIA ATTORNEYS ARE FROM THIRD WORLD GROUPS, ALTHOUGH THIRD WORLD GROUPS CONSTITUTE 25% OF CALIFORNIA'S POPULATION.

WHILE THE PHYSICIAN/POPULATION RATIO FOR THE U.S. IS 1 PER 700, THE RATIOS OF THIRD WORLD PHYSICIANS TO THIRD WORLD PEOPLE ARE:

BLACK -- 1 PER 3,800

NATIVE AMERICAN -- 1 PER 20,000

CHICANO -- 1 PER 30,333