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THE LOYOLA BRIEF

LOYOLA SCHOOL OF LAW · LOS ANGELES

Vol. 1, No. 1

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September, 1968

LOYOLA UNIVERSITY



GEER NEW ASSISTANT DEAN

New year, new Dean. His name is Hunter L. Geer, and his appointment as Assistant Dean was announced by Very Reverend Charles A. Casassa, President of Loyola University of Los Angeles, on August 28. Geer replaces Associate Dean Donald W. Cowen, who resigned in order to devote his full time to teaching.

As 1968 recipient of the J.D. degree from the University of New Mexico, Dean Geer may be presumed to be aware of the currents and undercurrents of thinking among students. During his last two years in law school, he was associated with a program of pre-legal studies for American Indians sponsored by OEO, and served as assistant admin-

istrator during his senior year.

Seven years elapsed between Geer's graduation from New Mexico State University in 1958 with a B.S. in agricultural economics and his entrance into law school. But law school was always a part of his long-range plans. Finding a dearth of demand among New Mexico ranchers for an agricultural economist, Geer developed his own insurance and real estate business to earn enough money to pursue full-time legal studies.

Experience with the program for Indians stimulated Geer's interest in law school administration and led to application for his present position. Presently, his chief

(Continued on Page 5)

LOYOLA CHANGES GRADING SYSTEM

Students will no longer have to worry about maintaining a 75 cum. The magic number now is 70. The faculty, upon recommendation of the Committee on Academic Standing, adopted a new decimal system of grading on August 12, 1968. Under the new grading system, 90-100 is A, 80-89 is B, 70-79 is C, 60-69 is D, and 50-59 is F. The cumulative averages of all students will be recomputed this semester.

A principal reason for the change was to equalize the point spread within each grade range. And, since the point spread in each grade range differed under the old system, a different formula is used to convert the grades depending on which grade range a student's grade falls within, i. e., A, B, C or D.

A grades:

= 90 + (old grade - 88) • 5/6

B grades:

= 80 + (old grade - 81) • 3/2

C grades:

= 70 + (old grade - 75) • 9/5

D grades:

= 60 + (old grade - 60) • 9/14

It should be noted that the Student Bar Assn., through the Board of Bar Governors, had a significant hand in bringing about this change in the grading system.

THE LOYOLA BRIEF

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EDITORIAL COMMENT

STATUTORY PURPOSE?

By V. James Oliver

When one opens ones mail from such diverse and exotic-sounding locales as Da Nang and IDrang, one often and quite justifiably asks the perennial "legal" question; to wit: Is this really just? Is it really equitable? DOES A GRADE OF 50, OR 55, OR 56 UNDER THE LOYOLA SYSTEM OF GRADING SERVE ANY USEFUL OR BENEFICIAL PURPOSE?

Of course, sayeth the system. It in effect prevents an obviously incompetent man from playing legal hob with the general public. To coin a more popular phrase from the present collectivist arsenal of jargon — It is for the common good, ergo, it is just.

A grade of 59 in a course, under our system, indicates (presumably) that the student is devoid of any knowledge of that particular course. He receives no credit for the course and he is obligated to repeat it in its entirety. Does this serve a function to the student? To his peers? To the courts?

Of course it does. It gives the student an opportunity to take the course over and hopefully learn the substance of it.

If a professor is concerned, and it is indeed his duty to be concerned, that a student is so incompetent in a course that he should be required to take the course over he has an executive weapon by which he can fulfill his duty. He can give the student a failing grade. It may be a 59 or it may be below 59. If he chooses the latter, he fulfills his duty to the discretionary maximum because he begins to hack away at the other grades the student has earned and received.

Query: Is this really a justifiable rule? Is not a grade of 54 the same as a failure plus 5 points "punitive damages?"

Ask Morris Mediocre. He left Loyola because of the effect a grade of 50 had on his cum. After getting the boot out of Loyola, he got the boot into the Service — he writes us letters from Da Nang.

ABOUT 'YOUR' NEWSPAPER

Many centuries ago a great ruler wanted to know if people might be living on other planets. His wisest advisors suggested that if a loud enough noise were created it might be heard on the other planets and they would answer. In order to create such a noise the great ruler ordered that all the people on earth should gather on a designated day in the villages and cities. Then at a precise moment every person would yell as loud as he could creating the loudest noise ever heard around the world.

The great ruler's decree was carried out. But do you know what happened? At the precise moment when everyone was to yell, there was complete silence. Every person, thinking his small voice would not be missed, decided instead to listen to the "greatest noise ever created."

Please don't hesitate to write letters to the editor because of a conviction that if it is worth saying, someone else will say it. This column will be devoted to comments from the students and faculty alike that relate to the content, presentation or organization of THE LOYOLA BRIEF or to any aspect of Loyola academic life.

We, the BRIEF staff, don't intend to nor do we profess to be able to create "the greatest noise ever heard." We merely want to publish for the student body a monthly newspaper that is interesting, pertinent and timely both as to news and editorial comment. The more feedback we receive the better we will be able to achieve our goal. But, if everyone decides to listen, there will be a complete silence from our most valuable source of material the members of the student body.

'GIDEON' MAY BE EXTENDED

The demand for defense attorneys, appointed by courts to defend poor persons may rise sharply if Uncle Sam has his way.

The 5th U.S. Circuit Court of Appeals in Jacksonville, Fla., was asked by the federal government Friday, 9-27-68, for a landmark decision giving poor people the right to court-appointed defense attorneys in misdemeanor cases.

Such a ruling would have an immense effect on municipal court operations by extending the Supreme Court's "Gideon decision" in felony cases to lesser offenses.

The U.S. Office of Economic Opportunity asked a three-judge panel of the 5th Circuit for a ruling on misdemeanor cases.

"If a person charged with a felony is guaranteed the right to representation, then why not someone charged with a misdemeanor?" asked attorney Bruce Rogow of the OEO's Legal Services Division.

Miami city prosecutor William Porter urged that it would be difficult to provide enough lawyers to represent all indigents charged with misdemeanors.

Regardless of one's political inclinations, there can be no doubt as to the increased demand for attorneys, including budding Loyola graduates, if Gideon is extended per the government's request.

LSCSA INCORPORATES

Status as a tax-exempt, non-profit corporation has been accorded the LSCSA (Law Students Community Service Association), an organization formed last year by a group of Loyola students. It has now been broadened to include students at UCLA and SC.

Bringing about social change by increasing the number of people from minority groups who enroll in law school is the announced purpose of LSCSA. To accomplish this purpose, a five-step program has been evolved: to locate students on undergraduate

campuses who may be qualified, to encourage these students to choose a legal career, to give financial aid to those who are accepted into law school, to conduct a tutoring program, and to provide speakers for local high schools.

Fund-raising is the urgent concern of the LSCSA at present. An effort is underway to raise enough money from corporate and other private sources to establish 240 scholarships (80 each year for three years) for Negroes and Mexican-Americans. Financial aid will range from free LSAT passes to money for living expenses.

Note that LSCSA is not to be confused with CLEO, in which the school itself participates, also for the purpose of increasing the number of lawyers who are members of minority groups.

Loyola students are participating both in the tutorial program and the speakers program of the LSCSA. Presently, 18 students have volunteered as tutors: a cumulative average of 80 is a prerequisite for this activity. Speakers from LSCSA have been accepted by the L. A. public high schools on a trial basis to speak on opportunities in the legal field, as well as to discuss jurisprudential issues of timely interest. This program is under the direction of Steve Rein.

LCSA is governed by a 16-man board of directors. Officers are three Loyola students — president Pat Nave, vice-president Jeff Harrison, and secretary-treasurer Chuck Leib. Also serving as board members are Loyola professors George Garbesi and Harry Laughran and assistant dean Hunter Geer.

Firms Interview Now For Jobs, Internships

Now is the time for 1969 graduates to start their job hunt if they wish to join a firm upon graduation. Mrs. Freeman reminds us, however, that helping to place graduates is only one of the four major functions of the placement office. She helps place experienced Loyola graduates, maintains a list of full and part-time jobs for both day and evening division students and has job information on summer employment.

Regarding the summer internship programs, firms are now interviewing second year day and third year evening division students for these positions. In addition to the obvious practical experience derived from this exposure, the student becomes a prime candidate for employment subsequent to graduation. Mrs. Freeman urges any student interested in a summer position to contact her as soon as possible.

Writer? Cartoonist? Photographer? Whatever your talent, THE BRIEF can put it to good use. Use our pigeonhole in the coffee shop for any communications.

Student - Faculty Relations Committee

EDITORIAL COMMENT

By Bob Lane

The new semester has begun and already the acute need of (energetic) communication between the administrators and administrated is apparent. The problem is hardly novel, in fact it has become rather a trite byword. Nevertheless, the problem exists in such proportions as to insulate the students from their administration, with a net result being the sterilization of the student body, the byword of which is "ME."

Rather than regressing to the "ME" concept, our reaction should be that it's individually debasing to each of our characters to attend an allegedly professional school and have little or no knowledge as to its functioning and even less control over its internal policy. Our school exists not for the perpetuation of Jesuit academic triumphs, but for the sake of giving its attendants a distinguished education. In this light the essence of the school becomes its students, not a stated goal of high Bar percentages. I submit that at our alleged intellectual maturity level, decisions for "us" should be made with our knowledge and assistance. In this way communications would bilaterally improve, in turn enhancing any communal relationship that our school might strive for internally.

Obviously this article is a reflection of personal taste, but if there is such a profoundly foundational problem (and of that there is little differing opinion) then I forward a small but convincing step toward the eradication of such malady, a simple plan based

upon a now superfluous superstructure: the faculty-student relations committee.

Though in existence last year, this committee is still in its conceptual stages. Its functioning should be one of the prime considerations of those who would seek to improve the student-administration-faculty relationship. As it stands, the committee membership seems to be entirely flexible within both the faculty and student elements. The administration as such has no present permanent position. The role of the committee last year was to serve as a pacifier, an absorber of student suggestions: such suggestions to be later discharged once the indifference index had again reached a sufficiently high level to assure the safety of the disposition. This is to say that the frustrations, in the form of suggestions, were given vent within the committee, hashed about freely and solved. But with the solution came the defeat of the committee, for the faculty chairman then took the resolutions in hand and waited until the next meeting of the entire faculty (sometimes weeks). Needless to say the entirety would reaffirm its hegemony over such trifles and disallow most of the needs suggested. In either case (disallowance or not) the point is that the committee as last known is a mere facade of usefulness whose bureaucratic process alone entails more than a month's time.

It is suggested that we make this committee into an expedient, meaningful policy shaper. The faculty would elect its representatives to the committee

in numbers approximately equal to the student faction (or a number half the number of students, but with double voting power) and empower that cross-sectional group to act with quasi-finality as to minor issues brought before the committee. As a check upon the bounds of such suggestions a representative of the dean's office would be an independent voting and counseling member of such committee. Should, after the built-in checks have been exercised, the action offend the entire faculty at their subsequent meeting, then the action could be reversed, but such would be contingent upon a hearing before the faculty of a sub-committee representing the views of the Student-Faculty Relations Committee.

This plan does not envision the Student-Faculty Relations Committee as a formulator of major policy, but in that area the committee can continue to serve as a suggestion committee, with student views on such major policy issues as might arise represented by sub-committee before the entire faculty and administration.

Father Knows Best

Father Vachon asked some of the Jewish students why there were so many absences on Monday, September 23rd. They replied that it was New Year's Day. "Don't be ridiculous," retorted Vachon. "everybody knows that New Year's is seven days after Christmas." The great debate still continues.

A bearded student recently asked Father Vachon about the High Mass. The good Father, perceiving the boy's reasons, good-naturedly explained that it refers to the manner in which Mass is said, and not to the condition in which one attends.

GEER... (Cont'd from p. 1)

areas of interest are the recruiting of students and admissions. In the former his chief concern is to upgrade the caliber of student applying for admission to Loyola, and in the latter to improve the selection of students who will succeed at Loyola. Contrary to the prevailing feeling among students, the school does not flunk anyone out, Geer claims. "Students flunk themselves out."

By fitting LSAT scores and averages into a formula, ability to succeed in law school can be estimated, Geer stated. The missing ingredient, he suggested, is how to measure ambition.

Born in Kentucky in 1935, Geer moved to New Mexico at an early age. In addition to participating in the Indian program, he was Chairman of the Inter-Mountain Moot Court Competition while at law school and recipient of a scholarship for four semesters. He is a member of the New Mexico Bar Association and the Tenth Circuit Court of Appeals.

Best of luck to Mr. Geer.

COSKRAN, LOWER, TRINKAUS NOW FULLTIME PROFESSORS

By Judith Bavetta

A combined 40 years of practical experience comes to Loyola with the addition of three new full-time faculty members. All three men have been associated with Loyola for several years teaching on a part-time basis. Two are Loyola graduates.

Walter R. Trinkaus brings to Loyola 30 years of experience in the field of General Civil Law with an emphasis on litigation. Mr. Trinkaus received his A.B. from St. Mary's College of California in 1935 and his L.L.B. from USC in 1938, at which time he entered private practice. Asked why he decided to leave his practice, he said he has always liked teaching and particularly likes law students, whom he characterizes as the "coming leaders of society."

Mr. Trinkaus will be teaching Family Law, Remedies and Federal Jurisdiction. He is also the advisor to the Scott Moot Court Competition.

When not teaching Mr. Trinkaus is involved extensively in several fields. He is currently working closely with medical groups on the rights and duties in terminal illness cases and the duty to donor in cardiac transplants.

Frederick J. Lower Jr. returns to Loyola after receiving his L.L.B. here four years ago. He graduated from Loyola University in 1956 with a degree in Sociology and then served three years with the U.S. Marine Corps.

From 1964 until the present he was a member of the law firm of Kean and Engle where he principally engaged in a trial practice. Mr. Lower said

he had always seriously considered teaching and before entering law school had been accepted as a Ph.D. candidate at U.C.L.A.

Mr. Lower is teaching Torts, Introduction to Procedure, Jurisprudence and Insurance Law.

William G. Coskran received his B.S. from Loyola University in 1957 and his L.L.B. from Loyola in 1959. He returns to Loyola to assume full-time teaching responsibilities after nine years practicing law. He practiced three years while in the U.S. Air Force and six years as a partner in the firm of O'Neill, Huxtable and Coskran where he specialized in all aspects of Real Property Law.

Mr. Coskran said that after nine years of practice he felt that he wanted something more and therefore turned to teaching. Mr. Coskran teaches Property, Future Interests, Land Use Controls and will also be teaching Real Property related electives.

The recent practical experience each of these men brings to the classroom should make for some interesting student — instructor dialogue.

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LSD-ABA Membership Now Optional for Students

By Bob Ryan

Last year, all students were required to belong to the LSD-ABA (Law Students Division of the American Bar Association). The cost to the student was \$3 which was included in the \$12 registration fee. This year, membership is voluntary.

Many students are asking themselves whether membership in the LSD-ABA is worthwhile.

Present Benefits:

Representation in LSD-ABA appears to be in name only. John Long, of USC, is the vice president of the 9th district, which covers Loyola. Supposedly, there were to be advantages in having the district vice president so close to our school. These advantages have not materialized; in fact, nobody seems to know what they were to be.

Lansing Otis was last year's Loyola representative. He was appointed by the national organization to be publicity chairman. It was felt that at last, we would get something accomplished. Perhaps we would have had Otis not resigned. As of now, this position is still vacant.

A third opportunity of reaping some benefits from this organization was the National Convention. It was held this past August in Philadelphia and Loyola was to be represented. We were not. The Student Bar Association confessed that we did not have the funds and therefore could not send a delegate.

When LSD-ABA member-

ship was mandatory, Loyola had the fourth strongest membership in the country. One would assume that we would have had a corresponding strong voice in the organization. We did not. In fact, we had practically no voice in policy, procedure, or anything else. We had the title of members but it was worthless — we each paid our three dollars and received the Journal of the LSD-ABA and that was all.

Future Benefits:

There is a possibility that LSD-ABA can be effective in the future. In particular, via a program allowing students to practice in certain courts before graduation.

Presently, only those who have passed the Bar can practice before the California State Courts. There are states which do allow students who have not passed the Bar to present a case. In the federal courts, this is a matter of discretion with the judge. A program has been introduced by the LSD-ABA permitting students in the 9th district to practice before a federal judge provided the student has an attorney of record at his side. This program, if effective, will be of great importance to the student. It will give him experience and training which he could not previously have obtained without first passing the Bar.

Is membership in LSD-ABA worth while? It has not been in the past, and it does not appear to be now, but it could be in the future.

New Criteria for Dean's List, Graduation Honors

Changes have been made in the requirements for graduation honors and for the Dean's List. Henceforth, the Dean's List will be published at the end of the fall and spring semesters and will include all students who have averaged 80 or better for that semester. It will no longer be based on the cumulative average.

Graduation with a cumulative average of 84.5 (equivalent to 84 under the old system) will be cum laude; 87.5 (old 86) will be magna cum laude; and 90 (old 88) will be summa cum laude. In addition, any student who has made the Dean's List every semester will receive special recognition.

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The second year, evening division class will sponsor a school dance during the Fall semester to raise money for scholarships. Anyone knowing of a dance band and/or entertainers willing to donate time to this worthwhile cause is requested to contact Jim Oliver or Burt Ward.

ADVERTISERS: Contact
M. Meyers (213) 476-5556
or B. Ward (714) 639-1288

From the Student Bar Association

The freshman class has been introduced to and welcomed by many of the members of the SBA through the freshman orientation program. I take this opportunity to congratulate each of the incoming students for choosing Loyola to pursue their legal education and to again welcome you to a student body now over 700 strong.

The SBA functions as the representative of the student community when it is made aware of the students' desires and ideas. The freshman class and the entire student body is urged to make use of the two lines of communication to the Student Bar Association: the class representatives and the suggestion box in the coffee shop.

There is ample opportunity for participation by students wishing to become active in school activities. They should contact the chairmen of the committees listed on the SBA bulletin board or me personally. **JOHN GUNTHER, Pres.**

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