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Loyola Law School Los Angeles

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THE LOYOLA BRIEF

LOYOLA SCHOOL OF LAW · LOS ANGELES

Vol. 1, No. 3

Nov.-Dec., 1968

GRADUATE COURSE OFFERED; OTHERS COMING SOON

Trial Advocacy, a subject somewhat neglected in under-graduate legal study, is being taught at Loyola this semester as a graduate course. A class of approximately twelve June '68 graduates of Loyola is meeting for two hours each Thursday night under the tutelage of Thomas V. Girardi, Loyola '63. Not only is the course material new here, but so also is the offering of post-graduate study.

The course is being offered for the first time, and Girardi stated that he is very pleased with the results so far. The scope of the study is the art of trial advocacy from preparation of the case through the actual trial of a civil lawsuit.

About half of the lectures are by the instructor and about half by guests.

HIGH SCHOOL SPEAKER'S PROGRAM EXPANDED THIS YEAR

The Loyola Law School High School Speaker's Program announced that it is ready for operation, and is now seeking speakers to fill commitments beginning in February, 1969.

This program in the past has been a challenging experience for those who participated in it. The year should be even better as permission has been secured to speak on public high school campuses. The program was heretofore limited to Parochial schools.

All students are eligible. Speakers will address classes at local High Schools on various topics in the law. Participating students can expect to speak one or two times each month.

Those planning to participate should leave their names, phone number, and class on a piece of paper in the LSD-ABA or the L.S.C. S.A. box in the coffee shop.

A number of famous attorneys have willingly given their time to prepare and deliver course material, according to Girardi. Also of interest are the practical demonstrations. In one instance, a deposition for use in an actual lawsuit was taken in class with a court reporter present. There was cross-examination of a doctor from UCLA Medical School on medical evidence, as well as cross-examination of witnesses.

One unusual feature was the invitation to class of jurors who had just finished duty on civil cases so they might tell what factors influenced their decisions and how.

Since Girardi graduated from Loyola he has received his Master's degree from New York University (1964), and he will shortly submit his thesis for a Doctor's degree from that school. He practices in Los Angeles.

Father Vachon said the primary purpose of the Advocacy course is to help bridge the gap between law school and law practice. As the present goal is to offer selected graduate courses in subjects that aren't adequately covered in the regular law school curriculum, no thought is presently being given to establishing a S. J. D. (LL.M.) program at Loyola.

Now in the works is a graduate course in Criminal Law and Procedure. This would be taught in a manner similar to the advocacy course, except that, via an association with the Western Center on Law and Poverty, the students would have actual cases to which they could apply the theories covered in the seminar discussions. The Western Center is a project funded by the Office of Economic Opportunity (OEO) and jointly sponsored by Loyola, USC and UCLA. It now employs about twenty attorneys and does much criminal litigation.

LSD/ABA

LOYOLA STUDENT CHAIRS NATIONAL COMMITTEE

The LAW STUDENT DIVISION of the AMERICAN BAR ASSOCIATION (LSD/ABA) recently announced the appointment of Sue Tanzman (2d year, day) of LOYOLA as chairman of the national PRE-LAW Committee. Miss Tanzman, the only national committee chairman on the west coast, was appointed on the recommendations of the Loyola Student Bar and the Ninth Circuit Vice President, John Long of USC.

The committee's basic job is to research and test ways for law schools to encourage minority students to pursue pre-legal studies both in high school and undergraduate levels. Miss Tanzman reported that a pilot project was successfully carried out in the Boston area. The committee members went into the local high schools to encourage and aid students in attempts to increase interest in the legal profession.

Miss Tanzman announced that the national committee will select five target areas and will therein carry out local visitation programs. Texas Southern University Law School (a heavily Negro law school) will serve as one area. USC, UCLA and LOYOLA will form a local group for projects in Watts and East Los Angeles. Jeanne Fries (2d year, day) will serve as LOYOLA's representative to this important committee.

Committee membership is open to all members of the LSD/ABA. Students interested in the work of this committee should contact either Miss Tanzman or Miss Fries. They can explain the program more fully and will assist students in becoming LSD/ABA members.

THE LOYOLA BRIEF

Editor-in-Chief Burton H. Ward
Managing Editor Maurice Meyers
News Editor Joanne Egan
Editorial Editor Robert K. Lane

Staff Members

Don Aimar
Judith Bavetta

V. James Oliver
Bob Ryan
Neal Wiener

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EDITORIAL

The following is a fiction of serious intent in the form of a dialogue between a teacher and a child prodigy.

By Robert Lane

"Speak, but say nothing."

The child glanced sidelong quizzically and after a moments contemplation answered: "I must love my brother."

"Excellent," said the master. "Now think of an example of debased culture."

The thought was easily accessible to the child: "Paintings of import, clasp to their respective walls by obscene clamps; burgler proof no doubt."

"Fine." The master was quite encouraged. "Something more difficult for you now—Give me an example of an atrocity committed upon the written word."

"Easy, the defilement of books. Torn remnants, missing volumes and the general marring of the contents of the libraries of Europe by the Nazis."

"OK, but perhaps an example more presently relevant—"
"Loyola's library."

"Now give me an index of maturity in an advanced society."

"The characteristics incident to the taking in of nourishment."

"Meaning more specifically . . . ?"

"Meaning whether an individual might

be characterized as a sow flinging his slop from the trough or a human being sensitive to his microcosmic responsibilities."

"Is the catalyst purely within the particular person, as to whether he reflects one or the other image?"

"Not wholly, many times a selective environment will be conducive to the psychological breakdown of an individual's ethics."

"Interesting, now relate to me your thoughts concerning academic pursuits."

"Concentration necessitates an environment that offers neither hemorrhoids nor high decibel readings."

"Have you found such an environment to be here present?"

"I have not."

"Can you offer a solution to this problem?"

"As to the former, the structural remedy is obvious; as to the latter, I am tired of advocating peace."

"Have you any other commending comments to forward before the end of the hour?"

"Yes. One. Ink is more adaptable to paper than to the walls of toilet stalls."

Letters to the Editor

Gentlemen:

Mr. Oliver's editorial in the September edition of The Brief raised the vexing question of the relationship between success in law school (or lack thereof) and "draftability." The morality of any system which operates to make a man the more "eligible" for death in the swamps of Vietnam the less he "achieves" academically would seem to be open to very serious probing.

Teachers cannot take refuge in believing that they are personally doing no more than grading individual students' legal abilities and thereby seek to spin a self-protective cocoon by which actions may be artificially severed from practical consequences.

It might be valuable to have empirical data on the way draft boards are treating the less successful students in law schools as compared with those in the upper grade echelons. For example, are those who drop out of school after the first year less exempt from the draft than their more successful classmates although under the present law men in either category are presumably equally subject to call? Is there any hard information on such matters?

Sincerely,
Elliott M. Abramson
Asst. Professor of Law

Mr. Garbesi: "CLEO" comprises the initial letters of the words Council on Legal Education Opportunity.

Editor, The Loyola Brief

Dear Sir;

First, let me congratulate you and your staff on Vol. 1, No. 2 (Oct. '68) of **The Loyola Brief**. I find it a worthy and improved successor to Vol. 1, No. 1.

If I may, one drawback (and not a serious one) I call attention to is the article by Robert Lane, listed in your masthead as Editorial Editor. If Mr. Lane's piece on Paul Jacobs was to be an editorial, it should have been clearly identified as such, and not "... a commentary on that (Jacobs)" address and on Mr. Jacobs . . ."

Mr. Lane's piece clearly was neither. Instead, it proved to be a compendium of Mr. Lane's opinions and convictions.

tions, in varying degrees, on a variety of topics I question his qualifications to discuss, and the attempt to unceremoniously ram them down the gullets of the reader.

I must take serious issue with his pronouncements, *ex cathedra*: "... It is ... a total non-understanding ... that is responsible for the status-job-money syndrome present at Loyola ..." "... Know that he (Jacobs) is an image of the societal era that is rushing past you ..."

And the deepest cut of all, Mr. Lane's bold attempt to put the words in the readers' mouths, "... 'My position in the societal hierarchy is of much greater import!' ..." Nonsense!

Mr. Lane writes with the anxiety and exuberance of youth; perhaps that is his only liability. He does not, however, reflect the careful, considered judgment or measurement of his words that would indicate he expects to be taken seriously as a journalist.

I do not insist that Mr. Lane qualify every sentence as he did once, "... in my humble opinion ..." What I do request, not unreasonably, is (1) editorials in future **Briefs** be clearly labeled as such, and (2) that Mr. Lane, or whoever else may venture such editorial opinions kindly take the trouble to prepare their remarks with a little less emotion and a lot more respect for the printed word, the space it is occupying, and the intellect of the reader.

I bow to few men in my respect for Paul Jacobs and his valiant campaign. I only wish his case, on this occasion, was presented somewhat more objectively than was exhibited here.

Very truly yours,
Henry J. Brown
First Year, Evening II

The coffee shop clutter, the damaged and missing library books, the restroom walls. Monuments attesting the present irresponsibility of those destined to become slovenly lawyers. Or perhaps they just remain lawyerish slobs! Whichever the case, the BRIEF doesn't enjoy advertising the existence of such conduct any more than you enjoy the unavoidable reflection such conduct has on the entire student body. It is the recent overactivity of an ignominious minority that makes some comment

THIS YEAR'S SENIOR PLACEMENT BROCHURE TO BE THE BEST EVER

The value of the senior placement brochure came into serious doubt this year when members of the S.B.A. saw the proposed budget for this publication (\$3500.00—nearly double the cost of last year's brochure and by far the largest single item on the S.B.A. budget). After extensive discussion; where the views of seniors, non-graduating students, Mr. Tevis, Mrs. Freeman and the editor of the 1969 brochure, Bob Leck, were fully aired, the decision was finally made to continue publication of the brochure.

The 1969 issue will have a format similar to that used in the past. But, the approach taken in compiling this year's brochure will be expanded from that of merely presenting our graduates to one of presenting our school. There will be included, for example, a list of the faculty and their credentials and a note on the history of the Loyola School of Law and its goals.

The contents and the new cover graphics seek to put Loyola's best foot forward.

Bob Leck announced that the brochure should be available by the first week in February. If all seniors cooperate by returning their questionnaires on time and by promptly appearing at the time set for having their pictures taken, Bob has assured us that the brochure will be ready on schedule.

Each graduating student, all Loyola alumni and every a.v. law firm in Southern California will receive a copy of this year's publication. In addition, Mrs. Freeman will have a substantial number of copies to distribute to law firms requesting information on the 1969 class.

Although a law school's reputation and status can be built only by the quality and achievements of its graduates, the 1969 placement brochure will serve an invaluable function by displaying to the legal community the names, pictures and academic accomplishments of the graduates upon whom Loyola depends for this year's increment in its reputation and status.

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 - Mr. Dibble — Box of penumbras-or-a supply of Earl Warren sweatshirts.
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 - Mr. Garbesi — The complete works of Barry Goldwater, with introduction by Wm. O. Douglas.
 - Mr. Goldie — Hero buttons—any kind, for anything.
 - Mr. Laughran — One bottle of enthusiasm pills.
 - Mr. Lower — Medicine for psychic nausea.
 - Mr. Ogren — Complete set of Gilbert's outlines
 - Gen. Roberts — S.B.A. award for nice guy of the year.
 - Mr. Simpson — Pair of roller skates.
 - Mr. Tevis — A razor.
 - Mrs. Yerkes — 10,000 page appellate brief to correct.
 - Mr. Nehring — A Christmas card from the administration, signed by all of his Code Pleading students.
-

necessary. The BRIEF speaks for the Board of Bar Governors and for the school administration in urging every student to stop and think before he

does something that puts him in or keeps him in that class of persons destined to become lesser men than he aspires to.

POLITICAL COMMENT

TWO FROM CALIFORNIA

By Neal Weiner

Within a week of his appearance at Loyola, Alan Cranston stated that both he and the other big winner in and from California, R. Milhous Nixon, had something in common—both had arisen from the valley of political defeat and despair. Speaking in Room A on Nov. 4th to an assemblage that filled the seats and lined the walls, the soon to be Senator-elect displayed a strikingly large number of similarities to America's most famous used-car salesman that went well beyond impending victory for each.

Both are men of careful calculation and efficiency. Cranston's competent advance man, fearing a less than full Moot Court room, switched the speech to Room A. Alan C. arrived almost exactly at 1:30 and departed right on schedule—shades of the programmed efficiency of a Nixon appearance, but we were spared the cascade of balloons. Speaking of programmed, the Senatorial candidate's answers seemed to have a mechanical quality. When he paused during an answer, it was like a computer sorting the input cards before typing the print-out.

Our new Senator, as is invariably the case with our new president, appeared dull and lackluster, incapable of generating any genuine enthusiasm or emotion and with none of the originality or dry wit of Sen. McCarthy. McCarthy also serves as a point of contrast in that his poetical talents are non-existent in the rhetoric of Dick and Alan. The former controller did try to capture the gloss of a cultured man by reading quotes from Shakespeare and Goethe, but his recitation seemed totally out of character. He was much more natural quoting Mayor Daley's blooper: "The press has castigated me, ostracized me, they have even criticized me."

Cranston's election-eve appearance at Loyola reconfirmed that, issue-wise, Dick and Al converge as strikingly as they do style-wise. Each supports a volunteer army, and each is concerned enough with not offending the oil-soaked dollars they hope will pay part of their present and future campaign

costs that they oppose reduction or abolition of the 27-1/2% oil-depletion allowance. Domestically, both stress jobs as a major element of urban ghetto rehabilitation, with Nixon putting greater emphasis on private enterprise's role. Regarding a guaranteed minimum income, Nixon opposed it and Cranston avoided mentioning it.

Both baptised in the gutters of politics, seniors in the school of smears, twice rejected by the voters, and now delivered from the despair of defeat into the glare of the elite largely by the handicaps of their opponents (Nixon's, associational; Cranston's, congenital), Americans will soon be sizing up **two from California** as they continue eating their three from Chung King.

S.B.A. BOARD OF BAR GOVERNORS ACTIVITIES

The first meeting of the Board of Bar Governors was called to order September 11th by President John Gunther.

There have been six meetings to date. The current procedure is for the Board to meet every other Tuesday for approximately two hours.

Recent meetings have been primarily concerned with the Senior Placement Brochure. In earlier meetings, the following actions were taken:

It was unanimously decided that every student would receive a copy of the Law Review, paid for out of the Student Bar Association fees. The Law Review was made an autonomous body instead of being a unit of the Student Bar Association. And the proposed \$2160.00 budget for the Law Review was approved—this is one half the cost of publishing the Law Review—the school pays the other half.

The Board also approved a budget for the year, approved the expanded format and publishing schedule of the BRIEF and heard Dean Geer explain the new grading system.

John Gunther announced the ap-

IF AT FIRST YOU
DON'T SUCCEED . . . ETC.

Sorry to report that Loyola's National Moot Court Team was eliminated in the first round of competition. Cal Western, after beating Loyola, was defeated by USD that same evening. Boalt Hall emerged Western Region Victor in the final rounds held Nov. 15. Boalt first beat USC, then went on to "trounce" UCLA 83.56 to 83.50 and concluded by out-arguing USD in the finals. Both USD and Boalt Hall are now eligible to compete in the national finals to be held in New York in December.

As this year's Scott Moot Court competition draws near, students should start considering the possibility of representing Loyola on next year's National Moot Court Team. Participation in the Scott competition, preferably with a good showing, is the prerequisite for a place on the National Moot Court team. The competition for these places should be keen as the finals in New York, sponsored annually by the Young Lawyers Committee of the Association of the Bar of the City of New York, provides one of the few vehicles for national exposure available to the law student and the school he represents. Indeed, it is no small honor to represent your school in the regional competition and no small laurel for the school that hosts the winning team in these regional matches.



pointment of Bob Keese as Chairman of the Student-Faculty Relations Committee and of Don Aimar as Loyola's LSDABA representative.

Proposals requiring some action from the school administration are referred to the Student-Faculty Relations Committee after discussion of the Board's position on such proposals. Students who wish to contribute suggestions or point out problems are urged to utilize their two avenues of communication to the Board: Their class representatives and the suggestion box in the coffee shop.



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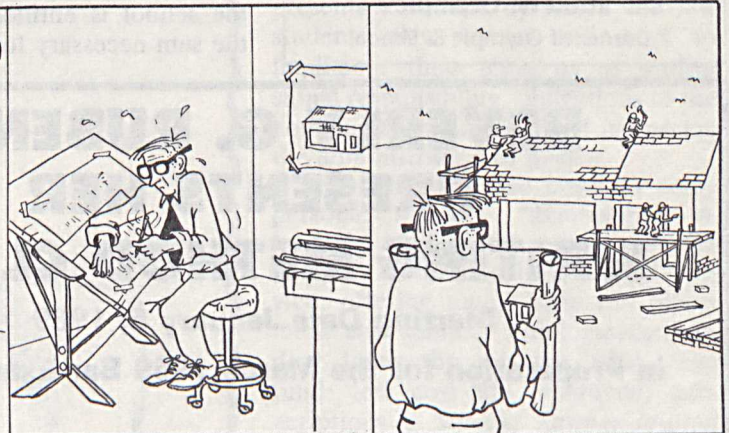
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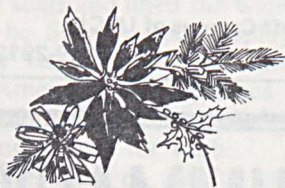
After submitting a statement of facts to Teaching Fellow Brian Barnard, Legal Writing II student Ron Berman was told to make it more interesting. With the assistance of a co-worker, Bob Carbone, Ron submitted the following graphic explanation of the case *Carter v Evans* which is the subject of this year's appellate briefs.



Poor Mr. Carter now appeals this decision in the State of Scott. And poor is the fate of Loyola's student fellows who must read and grade these many appeals since few will be submitted with the graphic clarity that is obviously the hallmark of Ron Berman's.

HUMOR IN THE LAW

The judge was old and deaf. He was wearing a small hearing aid, which he turned on and off at will, depending on whether or not he wished to hear what was being said. During a rather lengthy cross-examination of a witness, he had become bored and turned off his receiver. Later in the interrogation counsel asked the witness a question which elicited the unusual answer, "Only God knows." At this point, the learned judge apparently grasped part of the conversation, wheeled in his chair and said, "If he knows, I want him brought in!"



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Student-Faculty Relations Committee

This year's committee consists of Robert Ryan, Judy Bavetta, Robert Lane, Michael Amato and Bob Keese, committee chairman, on the student side. Mr. Laughran, Mrs. Smith and Gen. Roberts represent the faculty. The following subjects were discussed and passed upon during the committee's first three meetings this year.

Organization of New Subcommittee

The need for an effective liaison between the Student-Faculty Relations Committee and the dean and faculty has long been recognized (see Sept., 1968 Brief). The need has now been met by the formation of a subcommittee. The purpose of this subcommittee will be to discuss any motion coming out of the Student-Faculty Relations Committee with the dean and faculty. This procedure will enable the subcommittee to establish the purposes and advantages of a motion and at the same time meet any objections. The subcommittee consists of one student and one faculty member who together will present proposals agreed upon to the entire faculty at their regular meetings.

Student Loans

The school's policy on student loans is to retain the entire loan for both semesters. Many students feel that the school is entitled to retain only the sum necessary for the Fall semes-

ter tuition. And, that the second semester sum should be returned to the student, allowing him to collect the interest or apply the principal to other related uses. The school says that retention of the entire loan is a means of paying for the loan services rendered the student. Additionally, the Bank of America has asked that the loan be handled in this manner. A Student-Faculty subcommittee will meet with Mrs. Higgins in hopes of clarifying the situation. Mrs. Higgins is director of financial aid.

Electives

Members of the committee felt that the system of electives should be revised. Many students have only one semester within which they can take a particular elective, and if that elective is already full, the students are forever precluded from taking the course. Possible solutions would be to make the curriculum for the second and third years entirely elective. Another would be to offer more than one class in a designated elective. The problem with these approaches is that a student may request an elective but never end up taking the course. There is also the fact that each classroom holds only a limited number of students. The school has, however, announced that the number of electives will definitely be increased.

Kennedy Portrait

The portrait of John F. Kennedy in the Kennedy Memorial Moot Court Room is presently for sale. The S.B.A. has agreed to donate \$250 towards the purchase price of \$500. The remainder of the price will come from sources yet to be decided upon.

Noon Classes

The subcommittee is checking into the possibility of scheduling next semester's classes so that the hours between 12 and 2 are free. This, among other benefits, will allow the majority of students to attend and participate in the Speaker's Forum.

ARA Quality

Complaints of the poor quality and high prices of the ARA food have been duly noted. Presently, a committee has been formed with the ultimate goal of improving the food or contracting with a different caterer concession. No decision has yet been reached.

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FRATERNITY CALENDAR

PHI ALPHA DELTA

During November pledging ceremonies, Phi Alpha Delta brought 48 new men into the fraternity. Separate rites were held for the day and evening divisions. Many of these new members attended PAD's first year practice exam session on Saturday, December 7th.

The Los Angeles Alumni Association has announced the creation of the Mickey McDowell Loan Fund. This fund provides a \$200.00 interest free loan for a third or fourth year

fraternity member at Loyola. Repayment does not begin until one year after graduation. Interested members should leave their names in Ken Chotiner's mailbox in the coffee shop.

While final plans have not yet been made, the December social calendar includes a TGIO and a probable cocktail party before Christmas.

PHI DELTA DELTA

Pledge invitations have been sent out to all entering female students—pledging will take place soon.

The first Phi Delta Delta—Faculty happy hour is planned for December 12. This will be an annual function in future years.

PHI DELTA PHI

Fifteen new members were pledged to Phi Delta Phi this semester. Most fraternity activities have slowed down pending the election of new officers to be held December 11th. Watch the bulletin board for announcements.

LSD-ABA MEMBERSHIP A BENEFIT TO EVERY LAW STUDENT

By Don Aimar
Loyola Representative
to the LSD-ABA

Two years ago the American Bar Association opened its membership to law students to allow students to express their ideas in a forum that would some day be their own. Membership continues to increase as more students desire active participation in an organization of high prestige and far reaching influence. Students are active in national, state and local levels of bar activities benefitting the legal community.

Students involved in the Law Student Division often become associated with law students and lawyers from across the country. The ABA considers the professional problems and responsibilities which arise after admission to practice, while the LSD presents a vehicle by which the law students may express and work to implement their ideas as to professional responsibility, obligations to the community and methods of improving the administration of justice.

The ABA-LSD also provides many personal services. Membership allows the student the services of the Lawyer Placement Information Service, offering nation-wide job placement and summer employment; student loans through the ABA loan fund; low cost life insurance; subscriptions to *Student Lawyer Journal* and the *ABA News*; a discount on subscriptions to the *ABA Journal*; and special publications on law school exams and career opportunities.

The American Bar Association is continually changing to meet the needs of the law student and the legal profession. Membership in the Law Student Division provides an excellent opportunity for national involvement and a greater understanding of the profession. Such membership is open to all students and the fee is only \$3 per year.

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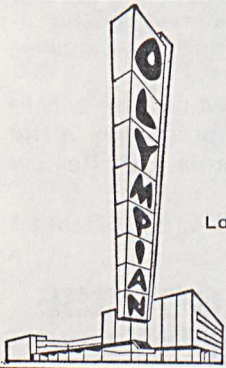
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Needed: One Spring Dance Chairman

A talented, hard-working Loyola law student is being sought by the Student Bar Association to fill the position of Spring Dance Chairman.

If you are interested in doing your fellow students this favor, please submit your name to your class representative or leave a note in the appropriate mail box in the Coffee Shop.

Ad Hoc Ski Club

Plans are now under way for a Loyola Ski trip to Mammoth or Squaw Valley over the term break. All Students, faculty members, and law school employees are encouraged to sign up on the bulletin board in the coffee shop. Everyone signing will be contacted for future meetings.

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THE LOYOLA BRIEF

SCHOOL OF LAW

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