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THE LOYOLA BRIEF

LOYOLA SCHOOL OF LAW LOS ANGELES
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VOL. 2, NO. 1

OCTOBER, 1969

OCT 28 1969

LOYOLA UNIVERSITY

Minority Groups Given SBA Vote

By Joanne F. Egan and Richard Adler

By a vote of 11 to 4 of the Board of Governors, two special interest groups, the Black American Students Law Association and the Chicano Law Students, were given voting seats on the Student Bar

Association at a special meeting held in the Moot Court Room at 5:00 p.m. on October 1.

The Board of Governors decided that it was unnecessary to submit the issue to a vote of the

students as an amendment to the SBA constitution, but that they could and did construe Article III, Section 1 of the constitution to permit additional voting members to be added to the Board. They then voted to add the two new groups.

O'BRIEN ASSUMES DUTIES AS DEAN OF LOYOLA LAW SCHOOL

Loyola Law School opened the 1969-70 academic year with a new Dean, a new Assistant Dean, and a student body about half made up of new students.

Leo J. O'Brien, appointed Dean of Loyola effective last June 15, began his duties after serving this summer as a visiting professor at the University of North Carolina Law School for a Law Teachers Clinic sponsored by the American Association of Law Schools. One of his first tasks was to fill the position of Assistant Dean, and in September the appointment of Gerald A. Cavanaugh was announced.

Dean O'Brien expressed a belief that the job of heading Loyola offers quite a challenge, and that the school is in a position to accomplish a great deal as a center of learning in a great metropolitan area. In addition to the traditional problems of finding space, faculty, and money, Dean O'Brien cited the curriculum as one area in which innovations could be expected. Ideas which are being explored are reducing the number of required courses, offering more seminars, the possibility of some speciali-



DEAN O'BRIEN

zation, and the introduction of "clinical" courses where students learn by doing.

Prior to this appointment at Loyola, Dean O'Brien was a professor at the University of Notre Dame Law School. Previously, he had served as Dean of Gonzaga University School of Law, on the law faculty of the University of San Francisco, and as visiting professor at Georgetown and

(Continued on Page 8)

The vote culminated a stormy and emotion filled special session called by Board president Mason Rose. Belvin Smith, chairman of BALSA, and Richard Cruz, chairman of CLSA, presented their requests for voting membership for their groups, which number 18 and 16 members respectively. The meeting was disorganized and sporadically interrupted by outbursts from both bar members and students in attendance. The meeting turned into a constitutional debate concerning the legality of special interest groups on the board and the validity of the constitution of the Loyola Bar Association.

Emotions ran high. Accusations of racism and the relevancy of student government echoed across the Moot Court room.

Smith pointed out that BALSA consists of some twenty chapters nationally, funded by grants, and has been approved by the school administration. He said that a voting seat had been requested last year and was denied, and that the request had been renewed this year with no action taken. Therefore, the group demanded a seat.

Richard Cruz spoke for the Chicano Law Students, which is apparently not yet organized on the

(Continued on Page 2)

SBA Board Gives Vote to Minority Groups (cont'd)

same scale nationally as BALSA, but is recognized by the Loyola administration. He echoed the demand for a vote.

The discussion then turned to the constitution. Mason Rose, Student Bar president said that as a matter of policy the fraternities had not been voting in the past, but would henceforth since the constitution expressly names them as voting members.

The constitutional Article in question reads:

"All legislative, judicial, and administrative powers shall be vested in a Board of Governors, which shall consist of two elected representatives of each day class and two elected representatives of each evening class, except that the third year day class shall have three elected representatives; the elected officers of the Loyola Bar Association; a representative from Phi Alpha Delta; a representative from Phi Delta Phi; and a representative from Phi Delta Delta."

Article III, Section 7 says:

"Other officers and representatives, appointed or recognized by the Board of Governors, may participate in its deliberations, but shall not be entitled to vote."

Rose stated that he felt it was necessary to work within the constitution, and he offered an amendment to Article III to include the new groups. The proposed amendment was shunted aside.

One BALSA member then announced that he had listened to 35 minutes of bullshit, that the students were there to create understanding but that there would be no peace and tranquility at Loyola until there was justice; that it is impossible for white people to represent blacks, and this has to be changed.

Cruz followed, throwing a copy of the constitution to the floor and declaring that it was just a piece of paper, and that he would not stand being insulted by a bunch of "technical creeps" who were afraid of progress.

From that point the meeting tended to degenerate and discussion was difficult to follow. At one point, Mason Rose was referred to as "Mussolini" and in a high point of absurdity it was charged that Rose was being controlled by Judy Bavetta, night vice-president.

There were some attempts at calm deliberation. Wayne Armstrong asked what the objection was to putting an amendment before the students, and the reply was that the constitution requires a 3/5 vote for amendment and not that many students would vote.

John Foss pointed out that since the organizations requesting votes had so few members, the representation would be grossly out of proportion to that of the classes, which number in the hundreds in some cases.

BALSA and CLSA were finally granted membership on an interpretation of Article II of the Constitution: "Loyola Bar Association shall be an integrated association; all duly enrolled students of Loyola

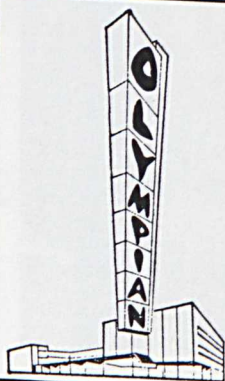
University of Law shall be Members." By vote of the Bar, the word "integrated" was given two meanings. First, that all students at Loyola regardless of race or color can be members of the Bar Association, and second, that the Board of Governors should be integrated by allowing the Negro and Chicano students each a voting seat.

Ted Hancock, second year class representative, argued that no special interest groups should be members of the governing boards.

The fraternities, however, have already introduced special interest groups into student politics. Therefore, he concluded, BALSA and CLSA should be no less privileged and allowed to vote.

Joe Beaver, third-year day representative, went on record as being opposed to throwing out the constitution.

The motions were hastily moved to a vote, and no roll-call vote was taken. Both passed by a clear majority.



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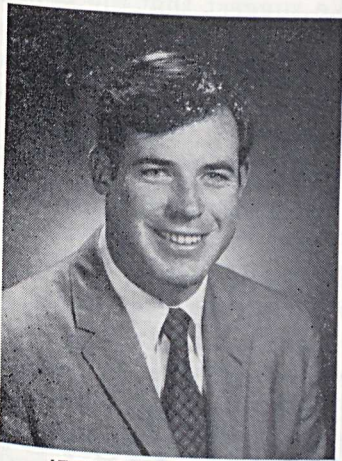
STAFF MEMBERS

Don Aimar
Gerald Blank
Bill Daniels

Carol Frank
Mary Griffin
Bill Powers

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Cavanaugh Named Assistant Dean



JEFF CAVANAUGH

There's no generation gap at Loyola so far as the Assistant Dean and the students are concerned. Gerald A. (Jeff) Cavanaugh, whose appointment to the post was announced September 25, received his J.D. degree from Notre Dame University School of Law this year. A native of New York City, he received a B.A. degree cum laude from Niagara University. Cavanaugh said that he had decided on a career as a law teacher when he graduated from law school and felt very fortunate to be at Loyola.

TANZMAN ATTENDS STATE BAR MEET

Susan Tanzman, Loyola, recently represented the 9th Circuit of the Law Student Division of the American Bar Association at the annual meeting of the California State Bar Association in San Francisco. Her role was to express the opinions of the law students to the assembled body in working for a closer relationship between law students and the Bar. The law students would like to have Bar assistance in beginning the student internship program in this state, among other problems. This was the first time an officer of the LSD/ABA had attended this meeting in such a capacity.

Welcome to Loyola Extended By SBA President Mason Rose

The Student Bar Association wishes to welcome the freshmen students to Loyola Law School. The SBA is a service organization here to serve the students and the administration. The executive board, composed of the president, a day and night vice president, secretary and treasurer, are elected by the entire student body in April to serve in the following school year. At the same time, each class elects two representatives, with the exception of the senior class, which elects three representatives. The new freshman class will elect their representatives during the month of October. Those freshmen interested in representing their class should let their interest be known so that classmates will know them by election time.

The SBA is governed by a constitution. A copy of our constitution can be obtained from your class representative.

Every student at Loyola Law School is a member of the SBA. Each student is assessed \$12 for the operation of this organization. It is our duty to see that every student gets his \$12 worth of service. In the next issue, our treasurer, Jim Stubenberg, will publish this year's budget and allocation of funds.

Some of the activities sponsored by the SBA include the Loyola BRIEF, the Student-Faculty Relations Committee, the Moot Court Competition, the Speaker's Program, the Curriculum Committee, and the Spring Dance.

Freshmen Orientation, an SBA-sponsored activity, was recently completed under the direction of committee chairman Karen Freeburg and her two co-chairmen, Herb Blanck and Josh Kaplan. The SBA wishes to thank these people for a job well done.

The SBA is presently involved

with the preparation of a resume for all senior students to aid them in obtaining the positions they desire upon graduation. We are also presently negotiating for a new food service for the coffee shop.

It is our desire to serve the students in any way that we can and to aid them toward the completion of a law school education. If a problem arises, contact a student representative, or any member of the executive board. All representatives have a mail box in the coffee shop, so that communication should be no problem. We like to think that the SBA is a progressive organization, and we are open to all suggestions.

The SBA meets at 5 P.M. every other Wednesday in Classroom E, which is upstairs. The meeting is open to all students.

Time Is Running Out On Next Year's Jobs

Law students who wish to be employed next summer, either permanently or temporarily, ought to begin their search for a job now, if they haven't already. That's the word from Mrs. Freeman, director of the Loyola Placement Office.

Interviews are being arranged with major law firms and governmental entities in Southern California for 1970 graduates and for summer interns. Firms usually spend a limited time on interviews, and sign-ups in the Placement Office are on a first-come, first-served basis.

Summer internships are offered to second-year day and third-year evening students. Besides gaining practical experience of immense value, summer interns are prime candidates for employment after graduation.

EDITORIAL COMMENT

WHO SPEAKS FOR THE MAJORITY?

It's getting difficult to tell these days whether one is at a meeting of the Loyola Student Bar, at a kindergarten for "revolutionaries", at a psychodrama staged for analysis in a class on primitive law, or simply at some mad hatter's tea party.

After listening to the argument concerning the SBA constitution, one can only applaud the wisdom of Mr. Dibble's practice of barring student discussion in his Con Law classes.

Several years ago, some Loyola students took the time and made the effort to write a constitution for the SBA. On October 1, the Board of Governors clearly violated Article III of that constitution, which expressly states who shall be voting members of the Board, by granting a vote to two groups not named therein.

The rather novel rule of construction advanced as a basis for the action was that the words of the constitution do not mean what they say, but mean anything a majority of the Board says they mean. The alternative to the Board's action was to submit the issue to the student body as an amendment to the constitution. That proposal was rejected out of fear that the amendment might not pass.

Now the question is whether the SBA constitution will survive at all. Steve Buck, chairman of the constitutional revision committee, in what can most charitably be described as an excess of bureaucratic zeal, has declared that the constitution is hopelessly beyond revision and must be abandoned altogether and a new one written. He proposes to do it.

Consider the following questions: What recourse do students have when the Board violates the constitution? What right does this Board have to declare the constitution under which it was elected a nullity? Is a new constitution to be an annual event? If so, may we suggest that it might be more appropriately done on May 1, Law Day. Then we humble students could celebrate our devotion to the rule of Law by destroying the current constitution in a fitting rite of spring.

What is the real point of all these shenanigans? Money is the root of it all; money, pure and simple. That money collected from all the students for the Student Bar Association. It is wanted for "work in the community," instead of being spent for trivia such as the Law Review.

It was claimed that a vote for these special interest groups was necessary because "whites cannot represent blacks". Assuming the truth of that argument, why is it that the thinking, energy, and time of whites cannot be employed on behalf

of blacks, but the stigma doesn't extend to the money of whites. Doesn't some variation of the tainted fruit doctrine apply here? Or is it just a sell-out of principle?

Does it matter? We suggest that the same issues now disrupting our cozy microcosm of the legal world are a preview of what will happen when we are all, blacks and whites alike, members of the larger legal community.

Unlike the Board of the SBA, the "Loyola Brief" is interested in hearing and printing the views of the rest of the student body on these questions. For those who care, one way or another, the time to speak out is now.

—J. F. EGAN

Gambling at Loyola?

There are more things law students can count on these days. It used to be only their left hand and their right hand. Now students can count on the pari-mutuel windows the administration has opened. In the past each student was a shoo-in to repeat in the same section of his class he was in the previous year. This semester's lottery system has rearranged and reshuffled each second and third section in an interesting but confusing mess.

One reason advanced for all the switching is to equalize any grading differentials between the sections. This would, theory has it, spread around the "good" professors on some kind of profit sharing basis. This of course is absurd.

What's needed is a more realistic approach by our administration. Students should be able to select their sections and professors. Students, who will soon be attorneys, must be acknowledged to have enough responsibility and common sense to be able to distribute themselves among the sections in an orderly and professional manner.

Nevertheless, the numbers game goes on. The long shots are students in the freshmen class, largest ever at Loyola. They have three big sections riding on Loyola's wheel of fortune.

What section will you be in next year?

—R. ADLER

COME, LET US RELATE TO ONE ANOTHER

In the jargon of today, the Loyola Brief wants to relate, to communicate, and to be relevant. Relevant to what we're not sure, but to be relevant.

The editors earnestly solicit the comments and ideas of the faculty and the student body, and a cross-section of these letters will be published. There is a pigeonhole in the coffee shop marked "Loyola Brief" for your convenience. Let us hear from you.

Aimar, Tanzman Report on SDA/ABA Convention

At the annual meeting of the Law Student Division held in conjunction with the American Bar Association Convention in August, Loyola's delegation took a lead in shaping the policy for the coming year. Don Aimar, LSD/ABA Representative and delegate from this school, and Susan Tanzman, 9th Circuit Governor, worked for the adoption of several resolutions that eventually became part of the national policy of the Division. These resolutions dealt with ABA financial assistance with minority recruitment programs on law

school campuses, such as the CLEO program here at Loyola; the right of law students in non-ABA-accredited schools to belong to the Student Division since they have full right to be members of the ABA after passing the bar exam; and adoption of the third year internship program in various areas of the legal world, such as administrative courts.

Miss Tanzman represented Loyola in her capacity as 9th Circuit Governor, the first time that Loyola has been so represented. The Law Student Division is composed

of an Executive Board made up of the Presidents, Secretary, Treasurer, and a Division Delegate, who is a direct representative to the ABA. These people are the administrative body for the national organization. The country is divided into 13 circuits similar to the boundaries of the Court of Appeals circuits, and each circuit elects a Governor at an annual meeting. Along with the Executive Committee, these Governors form the Board of Governors. This is one of the houses in the bicameral system of the Division.

Each school is allowed one vote in the House of Delegates, the other branch of the bi-cameral legislature. Resolutions must pass both houses before they become policy of the Division.

The Loyola delegation also worked for the election of John Long, USC, who was elected new national President of the Division, because he knows the problems of the West and Loyola had worked closely with him during the previous year. The Division is seemingly assured of a hard-working President, and Loyola can take credit for his election, since the Loyola delegation was firmly committed from the beginning of Long's successful campaign.

The major result of this years meeting seems to be that the Division has taken a firm stand for more active participation by law students and the Division in community legal assistance programs. The students expressed a strong belief in the need for direct commitment to serve the community in problem areas. Most of the funds for the operation of this organization are being poured into service programs that will give law students a role in the shaping of the society they are facing and a chance to begin to solve the problems now. This year should show some very real results in the power of a national organization of law students.

Facilities on Main Campus Are Open to Law Students

Athletic, medical, and other facilities on the main campus of Loyola University in Westchester are available for the use of Law School students.

Athletic facilities include playing fields, the gym, the swimming pool, and equipment necessary to play various games. Arrangements for the use of these should be made at least two days ahead by calling extension 255 on the main campus. Equipment may be checked out of the Athletic Office Monday through Saturday by showing the Law School ID card. The facilities are open only to students, since the number of people would be too great if they were open to families and guests.

Medical facilities consist of a doctor and nurses on duty during the day and a well-equipped emergency infirmary. A fee of \$27 covers use from September to June.

Further information will be forthcoming regarding other activities open to law students, such as athletic tickets, the school newspaper, and the possibility of including the law school in the Annual.

There is also a pre-legal club for undergraduates which needs an advisor from the Law School. Anyone interested should contact Father Rolfs, Dean of Students.

CLASSROOM WIT

One class was told of a convict who made an indecent proposal to a fellow inmate, and was killed for it. It was said of the deceased that he ended his sentence with a proposition.

ATTENTION FIRST YEAR STUDENTS!

If you filled out an application to join the Law Student Division of the American Bar Association and did not include your \$3 fee, that application is not complete.

Please pick up another form and enclose with it your \$3 membership fee and send it directly to the ABA address on the form.

Forms are available in most classrooms on the LSD/ABA poster.

Thank you.

Don Aimar,
LSD/ABA Representative

Vice Presidents Head Committees

Part of the functions of the day and night vice-presidents of the Student Bar Association is to act as liaison with various student committees and to oversee their activities. Any student who has a question and is unable to contact a committee chairman will find the appropriate vice-president available and eager to help.

Bill Powers is day vice-president, and Judy Bavetta is night vice-president. Following is a list of the committees each supervises:

Bavetta: Student-Faculty Relations, chairman Walt Jitner; Minorities, chairman Ron Berman; Graduate Placement, chairman Jim Oliver; Spring Dance, chairman Sheila Sonnenshine; Moot Court, chairman Steve Freeburg; and Elections, chairman Rich Ullman.

Powers: Curriculum, chairman Harry Zavos; Speakers Forum, chairman Bill Crosby; Constitutional Revision, chairman Steve Buck; Orientation, chairman Karen Freeburg; Loyola Brief, editor Joanne Egan, and Law Student Division of the ABA, representative Don Aimar.



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Frank Blasts Militants At Forum

A charge that campus militants are little Hitlers on an ego trip aimed at being the Instant Establishment was made by Steve Frank, a leader of VIVA and first speaker for the year at Loyola.

Frank entered L.A.C.C. after serving in Vietnam, arriving in time for efforts by militants to close the school. He became part of the successful counteraction, and joined VIVA, an organization opposed to campus violence.

It is Frank's view that the militants don't care about studies, black or otherwise, or poverty or anything except to destroy, and that they wish to destroy in order to seize control — to create a re-

volution. They practice, he said, the politics of revolution. Their goals, once the revolution is accomplished, are unclear, he stated.

Pointing to what he termed "strange inconsistencies", Frank noted that militants decrying police brutality will themselves assault students and teachers. They bemoan the stupidity of police, then insist that police science departments in colleges be closed. They bemoan the lack of educational opportunities, then try to close the schools they are admitted to.

Frank said that he was totally opposed to racism, but not cultural pride. In his view the Carmichaels and Browns are as much racists as George Wallace, and he deplored all use of black, brown, white, etc, as racist terms of thinking.

He ended with a quote from Horace Mann: "Those who cry appease, appease, end up hanged by those they tried to please."

Frank's remarks were followed by a spirited question and answer session.

Phi Alpha Delta Schedules Social, Educational Events

Phi Alpha Delta legal fraternity began its social activities early this year with an orientation swim party for the freshmen students. The party attracted a goodly number of the fledgling legal eagles as well as the new assistant dean, Mr. Cavanaugh.

More in an educational, rather than social vein was a tour of the county jail faculty on Friday, September 26. A rush cocktail party was next on the schedule on Saturday, October 4, in Van Nuys. Both new and old students were invited, along with their wives or dates, to learn about the fraternity and meet members in a relaxed informal atmosphere.

Phi Delta Phi Plans Active Semester

Another active semester is being planned for Phi Delta Phi legal fraternity. Two or three major parties, a football game, two guest speakers, and a possible joint affair with the U.C.L.A. chapter have been scheduled thus far.

The first and most important money raising event was the book sale, conducted jointly with P.A.D. This sale, held each semester, gives all students the advantage of obtaining high prices for used books, canned briefs, and outlines, yet books purchased by students at the book sale are considerably less expensive than used books available at the stores.

Membership in Phi Delta Phi is open to all male law students. Payment of the initial membership fee entitles the member to lifetime association in the largest national legal fraternity. More immediately, Phi Delta Phi offers the member both an excellent social outlet while at Loyola and a medium for service to the school.

Students are invited to attend Phi Delta Phi's rush parties.

Dear Gunther

Dear Gunther:

Do you think that the new Dean O'Brien should have a public relations man?

Grimstad

Dear Grimstad:

Dean who?

* * *

Dear Gunther:

I have bought the cans, Gilberts, Ziontz, horn books, BAR, and C.B. R.C.s for all the courses. Is there anything else I need?

Sam Gouge

* * *

Dear Sam:

Yes, you need to be admitted to the Law School.

Dear Gunther:

I heard Loyola has a high flunk out rate. Is this true?

Worried

Dear Worried:

I'll let you know as soon as they re-admit me.

QUESTION OF THE MONTH: "IS IT BAD FORM TO CHEAT ON A LEGAL ETHICS EXAM?"

When the faculty secretary says he's not at home, and those office hours just aren't the ones, that's the time to write dear old Jeff. All sufficiently insipid questions will be answered. If you desire a personal answer, or it is too hot to handle, enclose a self-addressed envelope.

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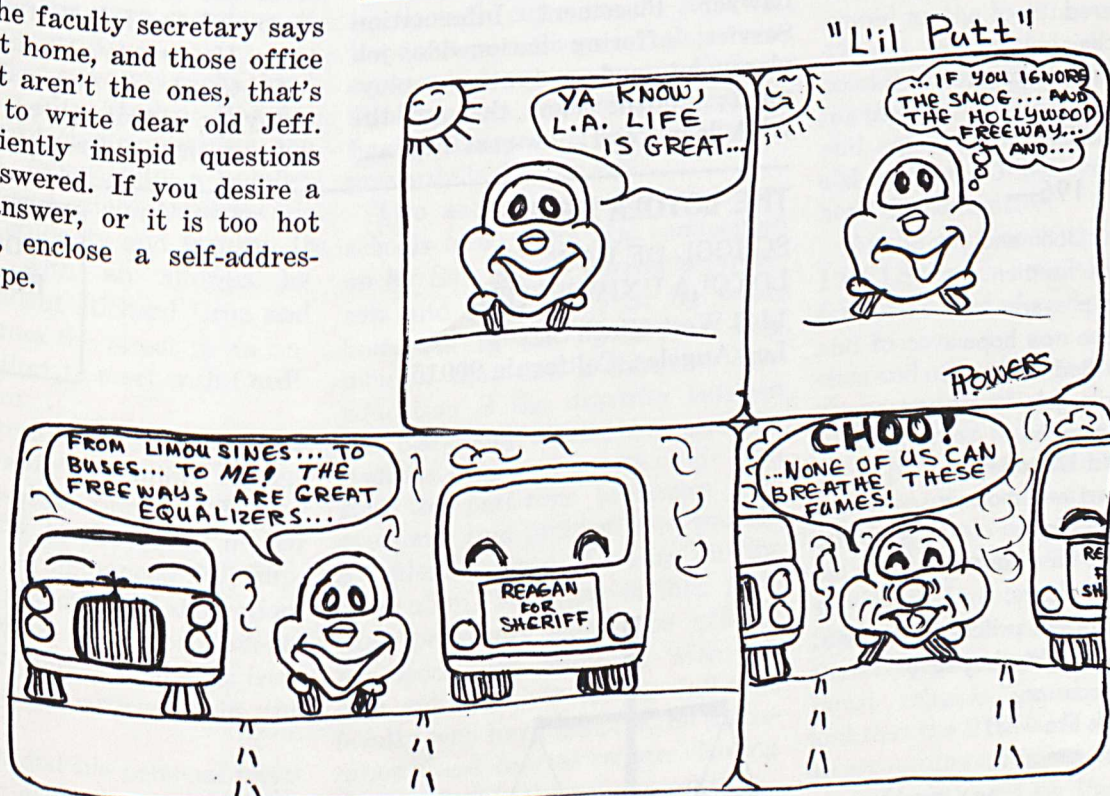
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Sophisticated, they
Gravitate from group
To hors d'oeuvre tray
Then cross the room they troop
Thoughts they weigh
Like canapes.
Mindless, less minds
Their thoughts unwind
At the bar where
They're too scared
To leave the chair
Where they mouthe air.

—o—

196—

We cheered our John and
Explored his new frontier
Martin offered prayer
And Bobby gave new hope
Empty, we all died
When the sterile gale
Blew out their promise
Yet some would kill today
To cure our past and morrow
"Destroy honkie pigs!
Tear out hate's damn heart!"
Vomit they, mindlessly,
Mouths open, brains switched off
Doubtful ends insight, they rave
"Any means necessary"
But that sounds like what
Killed us thrice before.

—BILL POWERS

Students Can Begin Bar Activities Now

Three years ago the American Bar Association opened its membership to law students in an effort to allow us to speak our minds on matters that will affect our careers in a forum that will some day be our 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, benefiting 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 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 to use the Lawyer Placement Information Service, offering nationwide job placement and summer employment; student loans through the ABA loan fund; low-cost life and

health insurance; subscriptions to the STUDENT LAWYER JOURNAL and the ABA NEWS, and 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.

O'BRIEN (cont'd)

Princeton. In addition to his academic experience, he has also served on active duty with the office of the Judge Advocate General in Washington and been associated with a private law firm.

Born in San Francisco, O'Brien holds the A.B. and J.D. degrees from the University of San Francisco and the L.L.M. from Georgetown University. He and his wife Carol are the parents of a two-year old daughter, Erin, and a ten-month old son, Leo Patrick.

THE LOYOLA BRIEF

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