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The Loyola Brief

Loyola Law School Los Angeles

LOYOLA
School of Law
BRIEF

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Lower plans more active role for law school

By Jose Galvan

"Accessibility" to faculty, students, alumni and the community is one of the main goals of the newly appointed Loyola Law School Dean, Fred Lower.

"Students are usually not aware of the demands on Administrative time," said Mr. Lower, "For example, by the first of June I will have travelled to New York, Canada, Washington and Cleveland. In addition I will also be meeting with members of the State Bench and Bar, other law school deans, faculty members and students. The time involved is phenomenal.

However, being involved is nothing new for the dean, a graduate of Loyola University and Loyola School of Law in 1956 and 1964 respectively. A former "cannon cocker" (artillery officer) in the Marine Corps, he was one of the first student fellows when that program was initiated at Loyola.

Being a student-fellow sparked his interest in teaching so that after two years of civil practice, primarily insurance law, he was asked by the then Dean J. Rex Dibble, to teach a course in insurance law. He became a full-time professor in the spring of 1968, teaching both Civil Procedure and Torts. "At one time I taught every student at Loyola in either Civil Procedure or Torts."

Lower, as chairman of the Curriculum Committee, was instrumental in proposing the current curriculum and would like to "explore" other possibilities with emphasis on the problem approach to teaching and team teaching. In regard to curriculum changes Lower said, "we must study what we have, polish what we have and explore many other courses." But, he added that it was not a good idea to make constant changes because it takes time to measure the merits of a particular curriculum.

"I would like to explore the possibility of finishing a two unit course in fifteen weeks; "the class could meet one hour per week for seven weeks dealing mostly with reading material and spend the second seven weeks dealing with actual problem solving." However, Lower indicated that it was too early to name specific courses in which this method could be explored.

Dean Lower would also like to see more problem method teaching in law school especially in the second and third year. "This can't be done in the first year, the case method is best for the first year," he said adding, "but students especially in the third year should get some practice in problems covering substantive areas."

Law school tunes in Lower

Lower feels that we owe a responsibility to the Continuing Education of the Bar program. This responsibility consists of offering post-graduate courses to provide the practitioneer with additional formal training in areas of specilization. The course would not necessarily lead to higher degrees in law and the program could easily be self-supporting. When questioned about the amount of space available for such a program, Lower indicated that under "capital expansion" the school would have to grow, although he did not want to make any speculations as to any details since formal plans have not been made. He did indicate, however, that the law school would not move from the central L.A. area.

"This is definitely the age of specialization," and the law school must be ready to provide some of the services. However I would never do anything to hinder our evening school program." The dean said the location of the law school gave students access to the state, federal and city courts, as well as the federal agencies in the inner-city area.

Another area that he would like to explore would be to have Loyola serve as a catalyst to bring together, on a national or regional basis, prominent figures on matters of substantial concern. The people involved would conduct an institute type of program geared to dealing with specific problems of either national,regional or local concern from which proposed legislation could evolve.

Lower would like to see a "reciprocal relationship" between the system of law and other disciplines, economics, social sciences, etc. An example of this would be that in proposing legislation, legislators would take into consideration the economics or social problems involved if for example a new ordinance would suddenly re-locate thousands of residents in the area. The social scientist or economist would be more adapt to handle problems of re-location or finding homes and jobs for the people involved.

On the question of the recent State Bar Examination, Lower was "disturbed" that the class did so poorly because he felt they should have done better. A faculty committee consisting of professors Tevis, Stewart and Sulnick, is looking into the low score received by the school.

The low number of minorities passing the Bar was an entirely different problem, according to Dean Loyer, which nobody has the answer to and is not peculiar to Loyola. Lower mentioned the possibility of looking at the admission procedures involved, "if indicators mean anything, then you have a competition gap between regular students and

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Law Review candidacy controversy climaxes here

By Judi Bloom

"It seems imperative that a law school devoted to the philosophical study of law, as is Loyola, have a vehicle by which to transmit the important work which is done there. A law review fulfills this communicative function." With those words Louis Burke, Associate Justice of the California Supreme Court introduced the Loyola Law Review.

Loyola's law review is a student-run publication. A Board of student editors decides policy and oversees the student writers. Students participate by writing Notes, Comments, and Recent Decisions.

A Note is an analysis of one significant recent case. It includes the reasoning relied upon, the cases cited as well as the cases ignored and the significant issues. It is a determination of what the case does and does not say. Second year students write Notes and Recent Decisions which are shorter analyses of recent significant decisions.

Third year students write Comments which are more detailed explorations of a general area of the law. The Comment writer discusses the problems and possible solutions of a specific aspect of an area of the law.

The tools required for Law Review participation are proficiency of legal analysis and writing. Participants are expected to discuss the crucial issues in an intelligent lawyer-like manner. Dick Wright, Editor-in-Chief emphasized, "Students are expected to have some of those skills by their second year. We can't teach them legal writing on Law Review; we can only sharpen those skills." Editor Wright and Comment Editor Bill Weisman both emphasized the importance of first year Legal Communication as a preparation for Law Review. "I thought it was a waste when I took it, but you have to know h to research. Most employers are interested in the writing ability of the people they hire," commented Wright.

Besides writing, Law Review participants are expected to do cite-checking. "For each significant statement in an article," explained Weisman, "there must be a footnote with a source, a further explanation or some tangential analysis. The accuracy of that footnote is crucial."

The reader looks to the students research; therefore the source cited must support the statment. "This is a highly educational experience," declared Weisman, "for the student must quickly find the heart of the case and be able to separate the holding from dicta."

Both Wright and Weisman emphasized the value of Law Review when seeking employment. Wright cautioned, "We want people who are interested in Law Review for itself, not just for their resumes. We expect a two year committment." The two year committment is not enforced at Loyola, although it is highly encouraged. The Law Review committment precludes other activities such as the clinical programs or Moot Court.

The standards for Law Review membership changed during the past year. This change resulted in some confusion and unhappiness among the second year candidates. Out of an original 114 candidates, thirteen have so far been admitted to the staff.

Several of the disgruntled students called an ad hoc meeting the first day of this semester. Although there was no notice, approximately thirty people attended. The students who had not been accepted were in two categories: 1) those who were asked to withdraw and 2) those whose acceptance would be conditioned upon their demonstrating publishability by add day.

These students wrote a memo to Editor Wright, listing the most serious grievances. The areas of disappointment are as follows:

1) Change in membership standard. The change from the requirement of a "good faith effort" to actual demonstration of publishable work proved devastating to the students' expectations. The result was that some students' work will be published while the authors have not qualified for membership.

2) Lack of editorial supervision. Here, the candidates believed the editors did not adequately guide their work. As the memo explains, "What could have been an enjoyable learning experience has been for many a frustrating and unnecessarily wasteful process of trial and error."

3) Discourtesy and misplaced priorities. The major complaint in this area was the pre-occupation with deadlines to the exclusion of the personal needs of the participants. The participants cited the lack of personal warmth and the atmosphere of tension.

4) General lack of communication. The misunderstanding as to the qualifications for membership led to many candidates investing extra time and effort in the mistaken belief that they qualified for membership. Because most candidates were not notified of their acceptance/rejection until the semester's end, most assumed they had been accepted. Another complaint was the lack of specifics as to why many were rejected.

A list of requests ended the memo. They included a question of why the standards changed and a definition of the new standard. They asked for the return of all drafts and that none should be published without the author's permission. The candidates also asked to be informed specifically of their deficiencies and how they might improve.

Concluding by stating, "We are serious students and have not refused nor do we now refuse to work diligently for a Review which will be a credit to our school . . . We are cognizant and appreciative of the long hours and personal dedication of the Board of Editors to that end," thirty-four students signed the memo.

A responding memo by Dick Wright for the Board of Editors expressed regret for the lack of communication.

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Viable alternatives to Socratic method offered

By Richard Vanoni

Langdell of Harvard, in proposing the casebook method of teaching law, believed that instruction should be of such a character that students "might at least derive a greater advantage from attending class than from devoting the time to private study."

Contemporary law schools should be subjected to Langdell's test. Should law schools find methods that might help more students cover the material more quickly and with a higher level of accomplishment, these methods should be adopted. Thus we may examine the current methods of legal education in relation to the four primary skills which are necessary to the practice and study of law.

Skills required for law

They are:

1) A basic knowledge of the general principles of the law.

2) An understanding of what these rules are and how they came about,

3) The ability to identify and analyze situations in which the rules apply, and

4) The ability to argue these rules, both orally and in writing, when faced with a case.

I take it as an assumption that one becomes proficient at what one practices. Given that assumption, I contend that the current system of legal education does an adequate but inefficient job of meeting the first two goals, but leaves the students totally to their own devices in mastering the last two skills.

The casebook method is the device through which students are exposed to general principles of law. The disadvantages of the case method are obvious. Primarily, they center around the inefficiency of reading cases — i.e. real situations usually involving a number of legal points — in order to devine the law in one specific area. Needless to say, the law's reliance upon stare decisis makes some case reading essential, but the question is whether the case method is the best way in which to give students an overall view of the law. Rather, the case method is limiting by reason of the amount of time it takes to properly read a case, and the stifling sameness of perspective provided by case materials. As a matter of reality, when push comes to shove, students, teachers and lawyers rely upon canned materials (outlines, hornbooks, and commentaries) for easily digestible principles which they can simply apply once faced with an exam, a class, or a case.

Hornbooks favored

In short, in discarding an orthodox reliance upon casebooks for a general view of a subject in favor of hornbooks or outlines, the time saved could be applied to other areas or other sources of study.

But even if the case method were the ideal method of developing an understanding of the general principles of law, its use in conjunction with the Socratic method restricts the development of the other skills necessary to the practice of the law, and successful exam taking. The case method is not designed to and does not impart the skills of issue identification or advocacy. If one could say that the case method teaches advocacy or issue identification, then by analogy one could say that a person could become a great artist by travelling from museum to museum looking at great art.

The theory of the Socratic method is that through dialogue, student and teacher can practice advocacy, explore what the rules are, and explore new ideas about what the rules should be. In all three areas, as currently practiced, the Socratic method provides the illusion of meeting all of these goals, but in reality, falls short of the mark.

Socratic method fails

The Socratic method as used within the context of a class of fifty to eighty students, does not allow anyone except to the teacher the chance to engage in dialogue (and then, it's with himself and a few students who are discourteous enough to interrupt a man talking to himself). As a matter of mathematics, if the professor occupies half of the class hour, twenty-five minutes are left (or less than a half a minute per student). Thus, the student is nothing but a foil for the teacher's monologue.

The Socratic method fails since within the context of the competitive pressure of law school, the attempt of the student is to survive rather than to seek knowledge. The foreboding presence of the professor — who doubtless already knows the answer to the question which he poses — puts the student in the position of Christian before the lions. In the Coliseum of legal study — the fickle masses being the blood thirsty classmates — there is no percentage in arguing what has already been decided in the appellate courts and in the law journals. Of course all of this data is before the professor and in his mastery.

The effects of this educational Roman Circus are that the continuity of a full and reasoned argument is often destroyed; that the already obvious pressures of law school are increased; that aggressiveness, rather than insight, is rewarded; and that time that could more profitably be spent by professors in engaging students in smaller groups where practice in skills might occur, is spent fueling the animal passions of the class. The conclusion is obvious: the Socratic method fails.

Goals should be outlined

On a practical level, what could be done to improve legal education? The following are suggestions which if implimented could not only improve the efficiency of law schools as professional schools, but might even make law school a more pleasant experience.

First, the orthodoxy that law is taught in large classes with professors drilling students from the front of a lecture hall should be abandoned. In its place, an eclectic approach should be adopted. The size of the class should be adapted to the skill or goal which is to be achieved. For example, lectures are fine for surveying material, but poorly tuned to practicing skills.

Second, law school should be oriented to teaching skills. To repeat my basic assumption: students gain proficiency at what they practice. Students should be examined on what they are taught. As a result, no student should be faced with writing an exam without having had the opportunity to practice within the course structure the skills and materials required for writing the exam.

Third, a positive learning climate should be established based on recognizable, attainable goals. Objective levels of achievement should be outlined as specific course goals. Having established for example that the goal of the first two weeks of contracts is to learn the elements of offer, the student should have a basis by which he can test whether he has mastered that topic.

Alternatives suggested

Finally, the administration and planning of law schools should be oriented to the educational needs of students as outlined above. Budgets, for example should reflect an investment in helping students to achieve educational goals. Given the choice between buying a teaching machine or hiring a professor, the choice should be made based on which would be more helpful and more efficient in helping students master the skills and materials necessary to being a lawyer.

By way of closing, I'm reminded of a story told by a man who was hired to set up an apprenticeship program for minorities training to enter the building trades union. The old apprenticeship program required four years to complete. The program as structured by the trainer took fourteen days. One might ask how long it might take to train a lawyer if one could get rid of the union?

Letters to the Editor

Students question selection process for new dean

When students in Berkeley many years ago were told they couldn't set up tables on their campus they stopped the running of a major University to protest. We owe a lot to those students for as a result of their rebeliousness, students today at colleges and universities throughout the country are planning curricula, reforming grading systems and even choosing deans.

At Loyola a new dean was selected and four students had a voice in that decision.

Dean O'Brien announced his resignation early in November and at that time a faculty committee headed by William Coskran was selected to choose the new dean. On the suggestion of Doug Butler, student bar president, a student committee selected by him was formed to aid in this selection process.

Butler, limited the committee to three students, two men, one third year and one second year, and one woman, third year. His rationale was the efficiency of a small group. These four supposedly represented a cross-section of the students.

This committee interviewed the three faculty members who showed an interest in the deanship for two weeks. At that time students decided that because so many law school deanships were open this year, they would accept the faculty committee's recommendation and not go outside the school to look for prospects. Effectively, they agreed with the faculty committee's selection of Fred Lower.

This somewhat hasty and indiscriminate process reveals the attitude that student government and students have towards the role they paly in this institution's decision making process. Butler, by his hand picking of "acceptable" students for the selection committee and his non-selection of first year students who are the most affected by the decision, as well as the students' conceptions of their role as a mere approval body rather than as a body which can effectively shape policy are but a few of the examples in which students accept a meek, passive role. In short, the ease with which the faculty and administration selected the new dean is but one illustration of the docile role students play in the running of their institution.

Did the students make a good choice? That question is unfairly posed for the choice was not theirs, but the final decision rested solely with the faculty. Well then, did the students make a good recommendation? Only time will tell. We don't know Fred Lower well enough to say. The point is that we were never asked. Were you? Why not?

Why weren't we all asked who we wanted for dean? For that matter why aren't we asked which courses are to be required and who should be hired to teach these courses and what the standard for failing should be? These are questions which affect the everyday lives of all students, and the faculty should not be the only ones making these decisions.

To be fair to the faculty, some students are asked to answer some of these questions. But who ultimately has the final say? The answer to all of these questions is the faculty.

We have an alternate plan. From now on, students approved by the SBA should sit on all committees which make decisions affecting student life. Just as faculty committee recommendations must be approved by the faculty at large, before final decisions are made, the students at large should be consulted, on all decisions which affect their lives. Students and faculty members should be seen as equals in the decision making process.

It seems that the leadership of the SBA takes the position that while this goal may be desirable, it prefers to ask for concessions rather than work for them. We disagree. There is a certain well defined quantum of power available in the running of this school, and students here are not going to get their share by asking. It has not happened at other schools, and it will not happen here.

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Objective tests

Editor:

There seems to be a prevailing view among the faculty due to the increased size of classes, to give objective examinations. This fact alone does not offend traditional notions of fair play and substantial justice considering the work load of the faculty and the objective portion of the bar exam.

However, what is offensive to the reasonable student is that no notice is given by the instructor that an objective exam is forthcoming. The reason for requiring notice is the totally different method of studying employed for such an exam. Hours of useless memorization could be replaced by hours of anaylsis.

Furthermore, students repulsed by the ambiguous A,B, C, D, both of these, all of these, none of these, or the hell with all of these, and then getting no feedback on the exam, because the instructor wants to use the same exam again the following year, feel like they are getting ripped-off.

Therefore, we urge:

1) students be notified as soon as possible what type of exam will be given in that course;

2) mandatory review of exams.

Allan Wilion

Letters

All letters to the editor should be placed in the Loyola Brief mail box and should be typed, triple spaced with margins set at 10-65. No letter will be printed unless signed, but names will be withheld upon request.

OPINION

Loyola School of Law BRIEF

The Brief is a monthly publication, funded by the Student Bar Association of Loyola University School of Law, 1440 West Ninth St., Los Angeles, Calif. 90015. All opinions expressed herein are solely those of the staff and in no way reflect the views of the SBA or the Administration.

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Pathology of Oppression

By Patricio Vargas

"Lawyering is the best hustle around, in this society you have to be either a beggar or a prostitute."

Thus spake Ms. Florynce Kennedy, Tuesday, February 6th, in the moot court, packed with will-be lawyers. Elegant, sure of her ground, her spine fused because of illness . . . she could barely turn her greying, naturalized head. She wittily flagelated greed, government, and mindlessness.

She went on to talk about herself and her philosophy on sex, on the establishment, endemic poverty, all the while pointing out that to be a lawyer was to be comfortable, to be beneficial, if the price was right.

Calling the vice-president "Spirochete Agnew," (1) it was easy to find her "entertaining and thought-provoking," as a typically nice-guy Loyola type, (with the up-to-date hip clothes and predatory industrial revolution mentality) said to his girlfriend, as they left the building.

Urging the crowd to make some useful social contribution but at the same time to make their own killing, Ms. Kennedy missed the point that 57 years on earth should have taught her. Loyola's future remoras on the corporate shark need no coaching on economic survival or social strategizing . . . (2)

Her black experience should have made her more than just canny and sly; however, it's an established American perversity that we learn to lamely expect the deprived, the suffering, the socially dislocated to be ennobled, enriched, and somehow morally fertilized by their degrading experiences . . . as the American prison pendejada shows us every day. Ms. Kennedy, esquire, was just applying her life-long training in American society.

Calling "Slicky" Nixon and his goons "true militants" because they have bombers and troops at their demented disposal while she has only her mind and body, Ms. Kennedy was just another victim pointing out the filth and tragedy behind this crazed nation that fools no one but itself into thinking that this is the best way around. The splendid youth everyone cheered as the global hope and mankind's sanctuary two centuries ago, turned into a berserk, murderous cretin double-speaking to everyone about honor and democracy and stomping it out wherever it threatened to bloom.

Who plans all this?

Is it Ms. Kennedy's unwitting, hapless "niggerized (3) niggerizer" (4) who is just in too deep to back out? Are happenstantial events and fiascos snowballing into incomprehensible conduct and subsequent tragedy?

There is no quarrel with Ms. Florynce Kennedy, she is a remarkable social rarity, a middle-aged Black woman lawyer, protesting and denouncing a grotesque American anti-people tradition. She is a worthy person in any setting, but hers is the Fate of all participants in this American sack-race for luxury, this forever scrambling and demeaning and being demeaned, chasing the greased pig of success.

It's not what she's done to herself, it's what's existing in these United States, and staying alive here, has done to her. It's done the identical same smooth job on everybody, with some oddball exceptions that everybody knows are nuts anyway. To remain here alive and well, the PYRAMID must be scaled; all who don't or can't or weren't allowed to make it are condemned to hold up the base. Those few nimble ones who wise up quicker, who have an in with circumstance or who meet current criteria manager to find footholes and make it.

There is no choice. No one remains neutral. Either you scramble and live or you don't and you atrophy. It was never survival of the strongest, it's always been survival of the sliest, the wiliest. It took no brawn to capture woolly mammoths, it was cunning, and it was never muscle that won the fairest lady, it was jive. Had it been survival of the fittest, the strongest, our feet wouldn't be flat, our teeth wouldn't crumble, our genetically crippled and retarded sector wouldn't be so numerous, our hair, heart, eyes, and skin wouldn't start going in our twenties. Roman Gabriel would be the average guy.

And this primeval ethic rules everybody today, with all the specialists practicing in America . . . Ms. Kennedy has history, tradition, and experience on her side, together with the best training arena on earth — law school.

Ms. Kennedy, brain-washed by a life-time conditioning, responded to her world in the only terms she had been taught, fully aware of the killing they had done on her. She could do nothing else but show us by her example what choice not to make.

1. **spirochete**: a parasitic, spiral-shaped bacteria, as in syphillis.
2. **remora**: a parasitic fish with sucking disks on its head, with which it attaches itself to sharks.
3. **niggerized**: to be regarded as having no worth, victimized, preyed-upon social debris.
4. **niggerizer**: a human entity that regards other people as niggers, treating them as having no worth, victimizing and preying upon this "social debris" not realizing he himself is being auto-niggerized.

Furor over Clark misses the point

By Melanie Lomax

The controversy surrounding Governor Reagan's appointment of Appellate Justice William P. Clark Jr. to the State Supreme Court, centers around the fact that Justice Clark flunked out of Loyola University School of Law. It is the thinking of this writer that Justice Clark's career has amply demonstrated that the fact that he did not graduate from law school has nothing to do with his abilities as a jurist.

As law students, we are naturally predisposed to feel that only those who have endured what we have, submitted to the vigorous instruction and discipline we have undergone, should be admitted to the Bar and, later, to the bench. But we cannot blind ourselves to the fact that, in the final analysis, it is the Bar examination which is the ultimate criterion for admission to the Bar. Which law school you went to, how well you did while you were there, and whether or not you graduated are immaterial if you cannot pass the Bar. That is the test.

Critics of the Clark appointment feel that the fact that Clark is without a law degree has considerable significance. State Senator George Moscone, who opposes the appointment, was quoted as having said, that "mediocrity in our high courts is clearly unacceptable." However, there has to be some basis for branding William Clark as mediocre, or unqualified, other than the fact that he did not complete law school. Surely the fact that he could pass our stiff Bar examination, without completing formal study is no indication of mediocrity or the lack of qualification.

Recently the school administration here at Loyola posted a bulletin stating that 22 students had flunked out last year for failing to maintain the required grade point average. No one would deny that grades do not always accurately reflect the quality of a student's mind. As a matter of fact, it is a rarity when grades do. Students with little to their credit but persistence often get better grades than more billiant students.

It can not seriously be argued that all 22 of the students who flunked out are incapable of being lawyers and judges. Law students fail to graduate for a variety of reasons, many having nothing to do with the law or their abilities.

In Clark's case, he worked full time as an insurance adjuster and had to support a family during the time he was at Loyola. Those facts should speak loudly in his behalf.

The fact that Clark flunked out of law school is, therefore, irrelevant to the issue of whether or not he is qualified to serve on the California Supreme Court. The very fact that the State Bar allows people to take the Bar without having completed law school, attests to the fact that graduates are not the only ones deemed capable of passing and fit to practice the profession.

Furthermore, the fact that there have been 14 California Supreme Court Justices and ten United States Supreme Court Justices without law degrees, indicates that the possession of a degree is not an absolute requirement for appointment to either one of these high courts.

Clark's nomination must be approved by the Commission on Judicial Appointments. It seems rather odd that the commission had no difficulty two years ago in approving Clark's appointment to the State Court of Appeals, which is only one notch below the California Supreme Court.

At that time, no issue was made of the fact that he had failed to graduate from law school. If the Commission rejects Clark's nomination now, it will be placing itself in the position of reversing itself to a serious degree. This writer would agree that the standard for the State Supreme Coort should be higher than for the Court of Appeals, but that standard should not include consideration of a lacking law degree if that was not an original requirement. As State Senator Robert J. Lagamarsino commented, "to say that he is not qualified, simply because he flunked out of law school, is to say you can't be an officer unless you graduate from West Point or Annapolis."

Therefore, when the State Bar conducts an inquiry into Clark's qualifications as the State Supreme Court Chief Justice Donald R. Wright has asked them to do, and when the State Commission on Judical Appointments votes on his nomination, the only valid criteria should be how Justice Clark has conducted himself since he was admitted to the Bar, his knowledge of the law, and his subsequent performance on the bench, in the Superior Court and later on the Court of Appeals.

Law a good hustle

Black feminist defends abortion

By Patti Clemens

Black feminist and co-author of the **Abortion Rap**, Florynce Kennedy, spoke on the "Pathology of Oppression" on Feb. 6 here sponsored by Loyola Women. Ms. Kennedy proved to be a dynamic speaker on such subjects as abortion,the Catholic Church and the practice of law.

Ms. Kennedy was graduated from Columbia Law School in 1951 and, as she tells it, "at the bottom of the class." She had been an honor student as an undergraduate but found law school a tedious maze of memorization little of which had any correlation with actual practice and that accounted for her poor performance.

Ms. Kennedy referred to law as a good "hustle" and said she had no qualms about having a perfectly "good hustle" while remaining anti-establishment. She also expressed optimistim with respect to legal aid clinic cutbacks and encouraged students to go into private practice, forming a law firm of 10 to 12 associates. By doing this she said, "You can make lots of money and still do an anti-establishment trip. You don't need to join a poverty clinic."

On abortion Ms. Kennedy attacked most adamantly the Catholic Church because she said she could not understand "rules laid down by people who don't get pregnant or impregnate others." She refers to all anti-abortionists as "fetus fetishists." Ms. Kennedy has filed suit against the Archdiocese of New York claiming that the Catholic Church is not entitled to its tax exempt status because it engages in political lobbying in regard to anti-abortion laws.

On oppression Ms. Kennedy said she views the establishment as the force responsible for "putting everyone against each other." She added, "The more we decree what people ought to do the more we maintain and promote the concept of guilt." Ms. Kennedy illustrated this type of oppression with this example. "The Church has taught that it is a sin to have intercourse, therefore abortion must be outlawed to discourage intercourse," she said. An example in the legal field of a kind of "oppression" was Ms. Kennedy's observation of a judge's robe, which she described as "basic black with fullsleeves"adding that "not too many men wear them" and, yet women cannot practice law in the courtroom wearing pants. Ms. Kennedy ended her discussion of oppression on this note, "the myth of the middle class has a lot to do with the politics of oppression, we're all niggers here in this room."

Kennedy's advice to students who seek an alternative to the "traditional" practice of law was aimed at setting up a private law practice,not joining a poverty law clinic. Her reason for suggesting this avenue was the freedom and independence of such a practice.

She also suggested that students specialize in copyrights, representing tenants and suits against prisons for mistreatment of prisoners. Ms. Kennedy said her main objective, however, was to encourage students to take an active role against the government for its inability in keeping narcotic dealers away from the overseas troops who return home hooked on narcotics with their lives generally ruined by such addiction.

Group tix for "Deep Throat" offered

An ad-hoc committee has announced plans to purchase group tickets for a screening of the First amendment classic "Deep Throat" in Hollywood. The plans were announced in response to the inquiries of numerous students enrolled in Consitutional Law, as well as laymen. "Deep Throat" said one, "illustrates the outermost limits of the First Amendment as developed through a long line of cases. It provides concrete examples of those abstract generalizations handed down by the high court such as "socially redeeming value," "nexus" and "interstate commerce," he added.

Meanwhile authoritative sources close to the registerers office flatly deny that any units will be given for attendance plus a paper. "No academic credit will be given under the auspices of the jurisprudential requirement of medico-legal," added the source.

Tickets will only be purchased if there is sufficient interest in the program. On the other hand, if the response is overwhelming, tickets can be obtained for two evenings. Season tickets are not available however.

Those who are interested should clip the coupon below and leave it in the Brief box in the cafeteria. Those especially interested should fill out the coupon before they turn it in. Prices have not yet been determined, but may depend on the quantity of tickets purchased.

Clip the climactic constitutional classic coupon

.....

Sign on the dotted line

Announcements

Significant statutory and regulatory changes are being made in the Federally Insured Student Loan Program effective March 1, 1973 as a result of the Educational Amendments of 1972 passed by Congress at the last session, according to Mrs. Isabel Higgins, director of Financial Aids.

One of the changes is in regard to the procedure for applying for the loan. As a preliminary step, all students must fill out a Confidential Students Statement and send it to the College Scholarship Service in Berkeley for evaluation by February 15, 1973. These forms are available in the Financial Aid Office.

This one CSS statement will also suffice for the National Defense Student Loan and Work Study.

Mrs. Higgins requests that students watch the Financial Aid Bulletin Board, which is located across the hall and approximately 15 feet south of the Financial Aid Office. Information will be posted on this board so that students will be advised at all times of the new procedures and deadlines for the loan programs.

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The State Bar of California established a special committee to review the matter of the Bar's relationship with the law students of California, and to investigate methods of improving communication between law students and the State Bar.

A resolution of the board of governors of the Bar established this committee at its December meeting, Marshall Jacobson, ABA-LSD 9th Circuit vice governor and 4th year student at Loyola, announced the creation of the committee.

Jacobson explained that this committee is the culmination of meetings set up by him and ABA-LSD 9th Circuit Governor Jeffrey A. Wayne during the past year with State Bar president Leonard Janofsky, and governors Garvey and Michael di Leonardo. Also, he added, several law students had written the Board personally requesting the creation of such a committee.

"We are of course delighted to learn of the creation of this committee. This is the first time that the State Bar has officially set up a group to review the matter of its relationship with the 20,000 law students of California.

Loyola published the first edition of its Consumer Protection Journal during the summer of 1972. This student-managed publication is designed to fulfill the need for a legal journal dealing with the issues in the rapidly evolving area of consumer protection law.

The Journal is the first and to date the only law school publication of this nature. It currently enjoys a nationwide readership as well are serving subscribers in Canada and Australia.

Work on the Journal's second edition is presently well under way and it should appear in the late spring or early summer of 1973. Additional student help will be necessary for this issue to be completed on schedule. The Journal staff encourages students interested in participating in the publication to donate a few hours of their time during the Spring Semester.

The work consists primarily of cite-checking, proofreading and helping with the paste-up. This entails 10 to 15 hours of work during the semester. No experience is necessary the staff noted, and all volunteers will be recognized as "Staff" members in the Journal. A sign-up sheet is posted on the consumer law bulletin board (in the hall outside of room A).

The Journal is now seeking qualified students to fill its 5 editorial positions during the 1973-74 academic year. Application forms and an interview schedule are available. Further information about these positions will also be posted on the consumer law bulletin board. Students with questions may contact either Dean McAlpin-Grant or Kent Bridwell.

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Students and faculty here raised $1,000 for the family of Ray Emery. The money was to help support his wife and four children children who moved to Southern California last summer from South Dakota.

Ray Emery was a fourth year night student who died last summer.

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Leonard Orr, candidate for Mayor of Los Angeles will speak at noon on February 15 in the Moot Court. He is presently campaigning on a grass roots level for community support.

Orr's program is to demonstrate active government by organizing a system of precinct representation.

Orr's opponents include Sam Yorty, Jess Unruh, Tom Reddin and Tom Bradley.

Lower . . .

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minority students. The pre-law training that minorities receive is not of the caliber that regular students receive, therefore we should talk about a support program but not a different post-admission curriculum." The support program would involve possible writing courses, tutorial programs and seminars. "To do anything less would be a fraud on the public and the minority students involved. The last thing that minority communities need is ill-prepared lawyers."

The new dean would like to establish a firmer relationship with the Bench and Bar especially in conjunction with the Clinical programs. He forsees using practicing attorneys in the program so as to give the students and program a "difference with distinction," "We have to let the rest of the community know what we are doing." Lower wanted to bring to the attention of students the fact that Loyola has one of the largest and most effective clinical programs in the nation as well as a very unique faculty in the sense that what we are doing is successfully blending the theoretical with the practical."

At the present time Lower is examining the administration framework at Loyola and mentioned that Professor Gerry Ulemen will be his Associate Dean in addition to the two assistant deans presently at Loyola. He feels that the school should use a computer to give a more orderly program to the individual student and make it easier to plan his three year curriculum. He said that there will be more counseling both by the deans and members of the faculty. This is in line with his program of being accessible to the students.

Law Review controversy . . .

(Continued from Page 1)

Wright explained that the standard of publishability was in effect since August 21. This standard took into account the editorial assistance necessary. Too much editorial guidance, Wright explained, would permit students to become staff members who had not actually demonstrated proficiency in legal writing.

"Meeting deadlines is crucial to the publication of a top quality scholarly journal," Wright emphasized. "The Law Review committment is a full-time committment to editors and wirters alike."

Wright acknowledged the lack of communication but cited an improvement over the previous year. He also cited the small number of editors to oversee so many writers. Decisions were delayed to give every candidate a full opportunity to comply with the membership criteria.

The editors have returned all drafts with comments, the memo explained. Also, all drafts belong to Law Review.

This interchange of memoranda resulted in several changes. Candidates who may qualify now have until March 1 instead of February 1 to add the unit. Also, a room has been set aside for the candidates.

Elliot Tulenfeld, one of the candidates commented that after the exchange of memoranda he sensed a change in attitude and communication. The editors, he feels are now more responsive to the needs of the candidates. He urged each candidate to contact his or her editor and to demand the specific reasons for rejection and what must be done to make an article publishable.

As of February 1, three of the ten editors are women, one of the seven associate editors is a woman, and five of twenty-one staff members are women.

Clinical group wins suit on counsel appointment

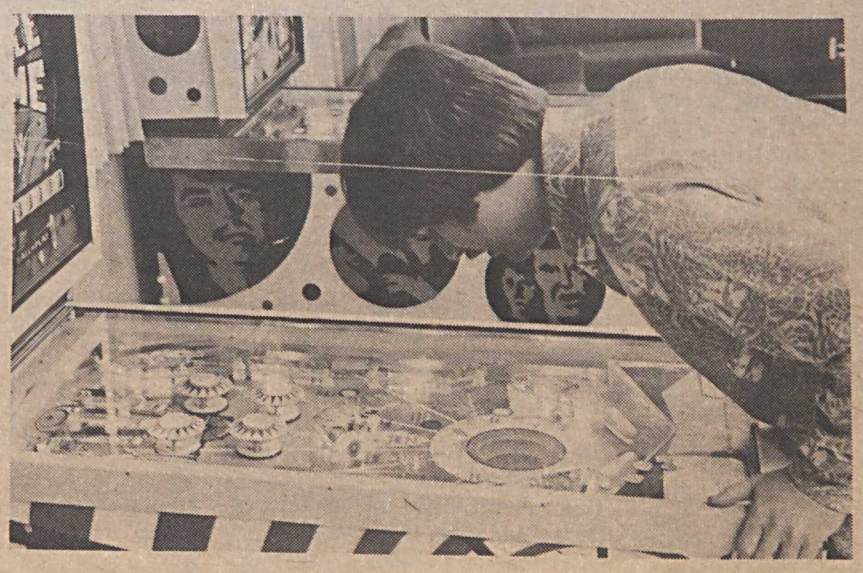
One of the Frontera Clinical program's clients, a young mother convicted of second degree murder along with her common law husband of their common law child, provided the program with an interesting test of California law on the issue of appointment of counsel on appeal in a civil action.

While incarcerated at the California Institute for Women at Frontera, on her conviction, the client gave birth to a second child by the same common law husband. In 1972 the County commenced a civil action pursuant to Civil Code Section 232(d) to deprive the parents of permanent custody of the child. At the custody hearing a motion was made to continue the action until disposition of the appeal of the criminal conviction was made, which motion was denied.

Judgment was then entered that freed the child from permanent custody of either parent. The mother then appealled this judgment and requested court appointed counsel for sppeal. This was denied because the Civil Code does not provide for appointed counsel on appeal in Section 232(d) proceedings.

Frontera staffer, Nancy Menzies, with the assistance of Profs. Daniel Stewart and Anthony Ching, prepared a petition that the court vacate the order denying the appointment of counsel on the ground that the interest of parent and child is fundamental and that an appeal without counsel is meaningless.

On Feb. 7 the Court of Appeals vacated its order denying counsel and appointed Stewart counsel for the appeal. Commented Stewart, "it is obvious that the persuasiveness of the petition was such that no opposition was filed thereto and the court finding good cause granted the petition."



Pinball: painless panacea for the psyched-out student