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The Loyola Brief

Loyola Law School Los Angeles

Human rights above national politics, urged

by Melanie Lomax

"The proposition that human rights have to be placed above politics has been losing ground in the last 25 years, but lawyers can help reverse this course," Louis Henkin, Professor of International Law at Columbia University School of Law, said at a recent symposium on the Lawyer's Role in the Protection of Human Rights under International Law.

The symposium, held early last month at the Hilton Hotel was organized by Loyola's Malvina H. Guggenheim and sponsored by Loyola and the American Society of International Law. It focused mainly on new United Nations procedures for bringing individual petitions against governments which are accused of violating human rights.

Professor Henkins said that lawyers are particularly well suited to protect individual rights because "lawyers have a very strong sense of process, are very good at shaping remedies for problems and are adept at identifying legal norms."

Stating that he believes "international protection of human rights only becomes necessary when national protection of those rights fails," Henkins said he thinks there is a particular place for the civil rights lawyer in this area.

"By virtue of the great progress that the United States has made in the civil rights area," he said a marriage between the international human rights lawyer and the civil rights lawyers is in order "because they share the same ends."

The consensus of the meeting seemed to be that new United Nations procedures have definite strengths and weaknesses and are a definite improvement over the traditional viewpoint that individuals do not have standing to bring suits before international tribunals, along with the traditional reluctance of states to file complaints against one another alleging violations of human rights.

The requirement for bringing these petitions, according to Clarence Clyde Ferguson, Jr. United States Ambassador to UNESCO, who spoke at the symposium, are "Stiff" and time consuming.

In order for individual petitions to be entitled to a hearing, there must be shown "a consistent pattern of gross violations of human rights by the state involved."

Ferguson said, "The only time there is a remote possibility of a hearing on the petition is when the petitions meet the 'gross' standards test, are thoroughly documented and reliably attested to," he added that there is also a requirement that the petitioner exhaust his local remedies before turning to the United Nations.

Professor Guggenheim was troubled by the fact that "United Nations procedures make no provision for impartiality of the working group that evaluates the petitions."

"The U.S.S.R., which is opposed to non-governmental agencies bringing complaints before the U.N." would not be barred from sitting on the committee evaluating a petition from one of its own citizens, she pointed out.

Despite the problems and the inevitability of some states' displeasure with the internationalization of human rights, Ambassador Ferguson felt that lawyers and others concerned could make the procedures viable. He said "they must be handled with caution, but also with courage."

LOYOLA School of Law BRIEF

Vol. 4 No. 3 | Los Angeles, California | March, 1974

Golden Gate gets 4th woman dean

SAN FRANCISCO — Professor Judity G. McKelvey has been appointed Dean of Golden Gate University School of Law here, President Otto Butz announced today.

She was selected from a field of 35 candidates to succeed Dean J. Lani Bader who will retire at the end of the current semester.

She is thought to be one of only four women law school deans among the country's 152 accredited schools of law. The others are Scia Mentschikoff of the University of Miami; Dorothy W. Nelson of the University of Southern California, and Judity Younger, Syracuse University.

Ms. McKelvey has be3n a member of GGU's faculty for the past six years, joining in 1968 as an assistant professor. She became associate professor two years later and was named professor in 1973. Her teaching specialities are property and Constitutional law. In 1968, GGU students elected her "best teacher of the year."

After earning her J.D. degree at the University of Wisconsin Law School in 1959, Ms. McKelvey became an attorney for the Federal Communication Commission in Washington D.C.

She is a member of the Wisconsin and California Bar Associations.

Her appointment will be effective July 1.

Hugh class action in Dixie

An all-time high $1.8 billion class action was filed in Alabama federal court last month in behalf of the survivors of the Tuskegee syphillis experiment.

The experiment, which came to public attention last year, began in 1932 in an effort to determine the long-term effects of syphillis on "untreated victims."

The complaint alleges that the majority of the participants had less than a sixth grade education and were induced to join the study by "offer of free medicine (with the exception of medication for syphilis), cash payments of $35, inexpensive burials and free hot meals on examination day"

The suit, filed by the NAACP Legal Defense Fund, asks $1.5 million in compensatory damages and an additional $1.5 million under the federal tort claims act, for each plaintiff or his survivors.

Naming the United States Public Health Service, the United States Center for Disease Control, the Alabama Department of Public Health and the various directors of the study as defendants, the complaint alleges that the plaintiffs' rights had been violated under the 5th, 9th, 13th, and 14th amendments to the United States Constitution, as well as Article I, section 6 of the Alabama Constitution.

In addition to the prayer for damages, plaintiffs seek an injunction against continuation of the study and any similiar studies by the state and federal governments, "except with the informed consent of the subjects and with stricter standards for human experimentation."

It has been reported in several medical journals that the study has added very little to medical knowledge of syphillis.

LEOP controversy

Peaceful demonstration

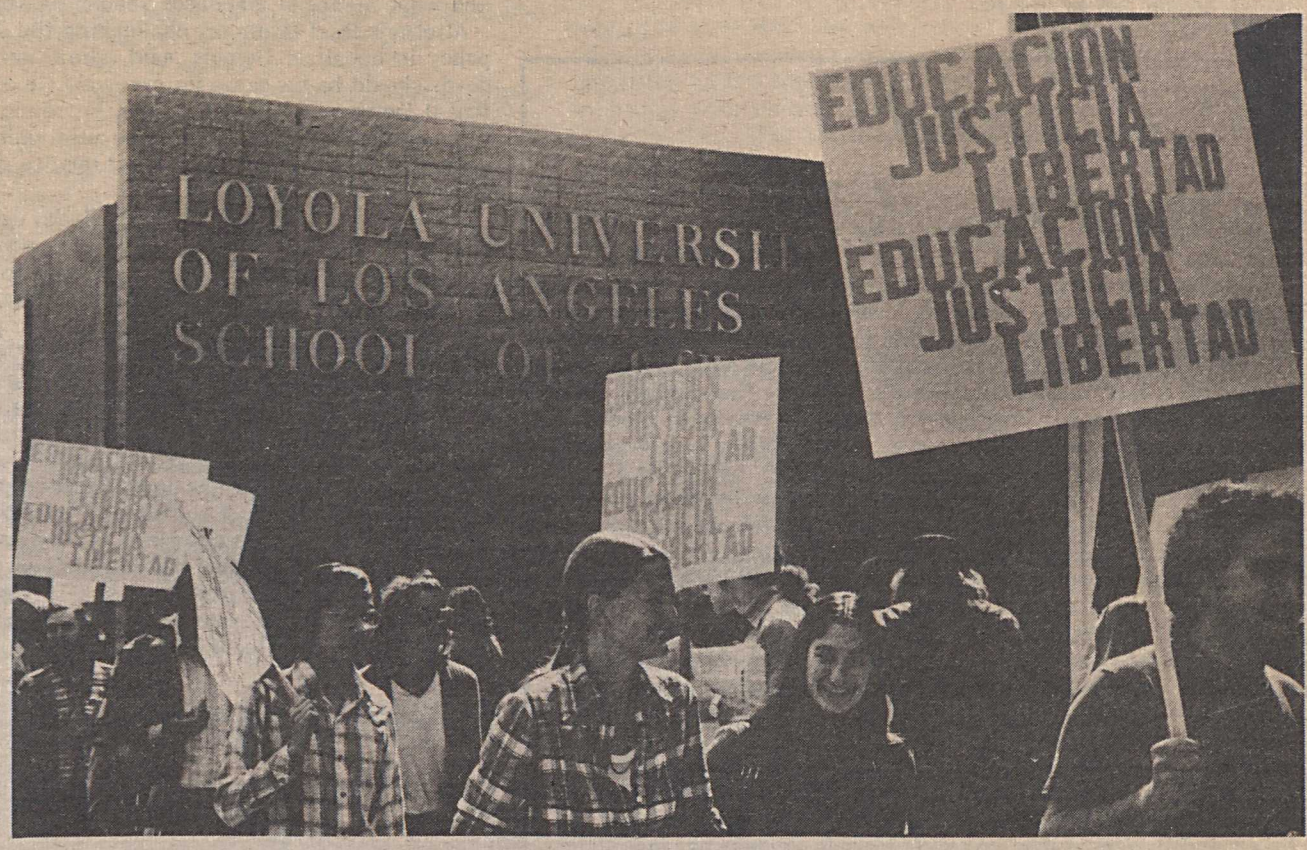

Photo by Ross Hart

Marching around Loyola

Shouting, "Lower No" and "L.E.O.P. Yes," about 150 demonstrators marched in front of Loyola Law School Mar. 6.

The demonstration, organized by the Loyola Chapter of the National La Raza Law Student Association, was called to protest what was termed "the imposition of a highly discriminatory and restrictive Legal Education Opportunities Program (better known as L.E.O.P.) and to protest the cutback that had been made in the program."

The crowd which was mainly composed of Mexican-Americans and non-minority student sympathizers, was orderly and no incidents were reported.

According to LaRaza, modifications in the L.E.O.P. program and standards for admissions developed by Dean Lower, the administration and the faculty, will result in "eliminating all but the educationally elite, with little regard for community involvement or financial need."

After marching for an hour, the protestors adjourned to the patio to hear speeches by students and members of the community who were in opposition to the charges being made in the program.

Dwight Hunt, the vice-president of SBA, angrily accused the administration for allegedly lying to the students. He stated that Lower's precessodor, Dean O'Brien, had promised that there would be no modifications in the minority admissions and that "Lower has modified it."

Hunt, claimed that the 450 LSAT score and the 2.5 GPA which is required for admission, "keep out minorities who have lived in the ghetto all their lives and suffered from an inferior form of education." He believes that a 1.9. GPA and a 250 LSAT score should be the admission standard.

One speaker termed the cutbacks in L.E.O.P. an "act of agression" against members of minority groups which told minorities that they "could not expect to be given anything, that they had to take it."

There appeared to be general opposition to the Defunis case which is now before the United States Supreme Court. At one point, the crowd shouted "down with Defunis," referring to the suit brought by the white Washington State law student who claimed that his equal protection rights were violated because minority students with lower test scores and grades then he, had been admitted to law school.

The crowd seemed to be in agreement that should the High Court side with the student who brought the suit, it would constitute a threat to the L.E.O.P program at Loyola, as well as minority admissions programs throughout the country.

The protest rally ended with a "demand" for repeal of conventional standards and a call for "the restoration of a more viable minorities program with control being taken out of the hands of Mrs. Grant, and the administration and given to respective minority communities."

Before the group broke up, word was sent out by Dean Lower that he would meet with student representatives during the SBA meeting to be held the next day.

LOYOLA
SCHOOL OF LAW
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Protecting Student privacy a must

The kidnapping of Patricia Hearst is such a tragedy that no student newspaper, regardless of how removed from the daily news scene, should issue without taking note of it.

In the aftermath of the kidnapping, it occurs to us, for whatever it is worth, to urge school administrators to take steps to protect the sancitity of school records.

There has been strong indication that the kidnappers of Ms. Hearst obtained her address out of the University of California's student directory which is easily accessible on campus.

Student registration packets both at private and public schools, contain address cards which students often believe must be filled out along with everything else in the packet. Schools do not make it clear where the names and addresses will appear nor do they let students know their options as far as filling materials out are concerned.

We are not pointing our finger at Berkeley, because it is not alone in this practice, nor are we saying that Patty Hearst would not have been kidnapped had it not been for the directory. We are not even saying for sure that the kidnappers got her address out of the directory.

What we are saying is that school administrators have a responsibility to protect the privacy and, thus, the well being of their students and that without the informed consent of the students, this duty is breached when they publish the names and addresses of their students in a directory which anyone has access to.

SBA proposal: change pass/fail

Under the present pass/fail grading system, a student who earns a C- or above passes the course and gets credit for the number of units involved. A student with a grade below C- not only does not receive credit, but in addition a grade of 55 is recorded and averaged into the student's record. The Student Bar Association proposes that pass/fail courses be treated as credit/no credit courses, whereby a student failing such a course would receive no credit, and no grade.

The Student Bar Association makes this recommendation because it is illogical and incongruous to attribute a grade for failing work when no grade is attributed for passing work. No one would be so outrageous as to suggest that work falling between a 70 and a 99 should be automatically defined as the equivalent of A work, so why should work falling anywhere between a 69 and a 55 automatically be defined as F work. The function of a pass/fail system should be to avoid all numerical equivalents: the student should only be given credit when the work has been satisfactory, or denied credit when it has not.

If the purpose of the 55 is to create an additional incentive in students to study in pass/fail courses, that incentive is totally unnecessary. A student who has paid sixty-six dollars a unit and expended considerable time and energy in a course has more than enough incentive to pass the course. Defining the cut off point for failing work as anything below a C- further insures that the student produce satisfactory work in the pass/fail course.

Ideally, a pass/fail system should function so as to encourage students to take courses "out of their fields" which are perhaps more fifficult. However, the present system operates so as to discourage students from taking any course pass/fail, because the potential hazards far outweigh the benefits. On the other hand, if a credit/no credit system were to be adopted, more students would elect to take courses pass/fail and the ideal could be realized. Additionally, under a credit/no credit system the obvious inequities in the present system would be eliminated.

For the above stated reasons, the Student Bar Association urges the adoption of a credit/no credit grading system.

Join the Brief

Opportunities await aspiring Loyola Brief editors and staff writers.

Staff writers, photographers, and advertising solicitators are needed. Persons interested in joining the present staff of the Brief are requested to contact Melanie Lomax or place a note in the Brief box in the Coffee Shop.

The editorship and the assistant editorship will be vacant next fall and volunteers have ample opportunity to work their way up.

Experience is not necessary as is evident by todays' issue.

Defunis case illustrates classic "cake" problem

By Melanie Lomax

The "reverse discrimination" case argued late last month before the United States Supreme Court involving a Washington State student who claims he was denied admission to law school because he is white, presents the High Court with the classic "cake" problem: the age-old human dillemna of wanting things both ways.

Defunis v. Odegaard will test the commitment that America has made in the last several decades to "right old wrongs" and will highlight the conflict between that dedication and the claims of democracy that people should be judged only on their individual merits.

The controversy arose when Marco Defunis, Jr., a white male was rejected by the University of Washington Law School. He brought suit to require the school to admit him on the ground that he had been denied equal protection of the law since 37 minority students with grades and test scores lower than his had been admitted.

The Supreme Court of Washington reversed a trial court order requiring Defunis to be admitted, finding that he had not been denied equal protection. The court went on to say the law school could constitutionally consider racial and ethic background and other criteria other than grades and test scores in its admissions procedures.

Regardless of the outcome of this particular case, Marco Defunis, by taking action, was able to achieve his immediate goal of receiving training at the school of his choice because Justice William O. Douglas stayed the State Court's order that he leave school. He is expected to graduate this June.

Neverthless, the case, will, have implications for subsequent Negro and White applicants and for admission standards in generally.

Given the limit of finite resources, it is obvious that there is not adequate space to accomodate all qualified applicants. It is thus inevitable that some one is going to get the ax. The only question is who? and what means or standards should be applied?

Attorney Josef Diamond, challenging the state's policy in behalf of Defunis, said admission standards should be the same for everyone.He alleged that if Defunis had been a Negro, he would have been admitted but that because he was white and apparently did not have the highest quality grades and scores, he was kept out.

Washington's Attorney General Slade Gorton argued that the law school would be "lily white" if admissions were based solely on scholastic standards. Thus, the school must have broad discretion to take steps to end what he saw as racial discrimination in admissions by assuming that the student body and the Bar have a more representative member of minorities in their ranks.

In recent years, a major effort has been made on the part of educators, in general, and law school administrators, in particular, to make their student bodies more reflective of society by going beyond the standard admissions criteria of grades and test scores. Formal recognition has been given to the fact that a student's grades regardless of his race are not always an accurate index of the quality of his mind. This has meant that in some instances, admisssion boards have given a chance to members of minority groups who, because of cultural and economic deprivation were apparently not on an equal footing at the entrance line with white applicants. This has been done by de-emphasizing grades and test scores and looking at other indicators of academic fitness.

There has also been increasing recognition of a dedication to the goal of intergrated education which the Supreme Court has mandated in every major civil rights case handed down since **Brown v. Board of Education.**

But it is useless to espouse a goal without taking practical steps to implement it. Inevitably, implimentation requires hard and fast decisions and admission procedures which don't satisfy everyone, and may not, be the fairest to all by traditional standards. But that is the price which must be paid for closing the gap between our protestations and our practices and betweeen moral standards and the realities of American life.

A decision holding that Marco Defunis right to equal protection was violated and that Washington State's admission criteria are unconstitutional will have implications not only for that law school but for state schools throughout the country, as well as for private institutions receiving state funds. Such a decision would constitute a step backwards.

Special admissions programs for minorities whose scholastic averages reflect, and are a product of, the racial problems of this country may be a necessary evil.

But this "evil" will be required until we have a generation of American Negroes, Mexican, and other minorities who have not been made to suffer or been held back because of their race and who will have had an equal chance with their white counterparts.

This is not to suggest that minorities are intellectually inferior, or that the special admissions programs cannot, and have not, been abused. Nor that, that standards should be lower for minorities once they have gained entrance, nor that special pleadings have to be made in behalf of all minorities, because this is not true.

What is being said is that, a consideration of racial background as one factor in the law school selection process is not a violation of the equal protection clause. Rather, it can be an implementation of equal protection, because it allows individuals to truely be judged on their merits. The fact that some non-minority students are displaced is justified by the "compelling state" interest of promoting intergrated education and the fact that "the good life" does not just belong exclusively to them.

In the final analysis, this case and the problem it presents can not be looked at outside of its historical context. It is one thing to see competing values here. It is another to say they are of equal weight. As in most things, it is a matter of priorities, and the priority, said the Washington Supreme Court, is appropriately for minorities over some displacement of the majority.

Announcements

Announcements

The Loyola Academic Standards Committee submitted a detailed report and six recommendations to the faculty on March 6.

Several copies of the report have been placed on reserve in the library. Although the recommendations will not affect any student currently enrolled, Dean Lower has requested comments from students.

The receptionist in the administration office will accept written comments and pass them on to the committee. If you care to comment, you must do so by 11 a.m., March 15, 1974 in order that the committee will have enough time to prepare copies of the comments.

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We would like to have a coming events section in the Brief. To place announcements regarding your group or organization's plans for conferences, seminars, lecture and workshops leave a note in the Brief Box in the coffee Shop.

Financial Aids Office

Graduating students who have received National Direct Students Loans are requested to start making appointments with Mrs. Higgins, Director of Financial Aids, between March 25 and April 8, to sign their exit interview papers. This is a government requirement. Students are requested to drop by the office or call to make their appointments.

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Federally Insured Student loan forms will be available in the Financial Aids office beginning April 1st. Forms must be completed and returned to the office by April 12.

National Direct Student Loan forms may also be picked up starting April 1st, however, no committments can be made on this program until Congress has allocated the funds. **Reminder** Students can not receive financial assistance before they have made out and sent the student's confidential statement to Berkeley.

The Loyola Woman's Union will presenting a panel on "Women in Politics" on Wed, April 3, 1974 from 12:00-2:00 p.m. Speakers will include Cathy O'Neill, candidate for Calif. Secretary of State; Joan Dempsey Klein, Presiding Judge of the Municipal Court and candidate for Superior Court; Roz Wyman, former L.A. City Councilwoman; Muff Singer, Administrative Assistant to Assemblyman Howard Berman; and Shiela Pokras, Councilwoman in Lakewood.

Volunteer VISTA. Lawyers volunteer to assist low-income groups. Work in legal services programs, legal aid agencies. Urban and rural areas, Indian reservations, Chicano communities, etc. Information: Bruce Mazzie, ACTION OCP Box 314, Washington, D.C. 20525.

Profile of a Professor: Gerald Rosen

by Bruce Robinson

Prof. Rosen was born in Minneapolis, Minnesota in 1912 and it would not be exaggerating to say that he has been on the go ever since.

Upon graduating from Harvard Law School in 1936 he came to Los Angeles by himself and went to work almost right away with the law firm of Haight, Triffet & Syverston. After two years at that firm he switched to the law firm of Salisbury, Robinson & Himrod where he did a lot of their tax work. He had been with the Salisbury firm for two years when he decided to go out on his own.

In 1940 he taught Sales at the Loyola University School of Law on a part-time basis. But not for long because in 1941 he became "a guest of the United States Government traveling around the world". Translation: He was in the Navy during World War II. And, believe it or not, Rosen was at Pearl Harbor on December 7, 1941.

When the war was over he came back to Los Angeles and again took up his practice and teaching Sales. There were about 8 to 10 people in classes then and Rosen thinks he must have earned all of $300 for teaching the full course at $5.00 per hour. They obviously taught for the fun of it in those days and not for the money.

Then one day he was gone again and this time he went away for almost twenty years. It seems that he had enjoyed teaching per se, but the grading of exam papers had become "onerous".

When he left his home in Florida to visit Los Angeles in 1971, he came over to the law school and Father Donovan suggested he come back to Loyola to teach, and he did again.

The following question and answer session with Prof. Rosen took place in his office here at the law school.

Q. What did you do between the last time you quit teaching and your return to Loyola?

A. In 1953, or thereabouts, I drifted out of practicing law and went into business. Then in 1958 I went back East and became a financial officer for the American Heritage Publishing Co. I stayed there until the beginning of 1966 when I went down to Florida and ran a manufacturing business. In 1971 I came back to teach at Loyola.

Q. What do you like to do with your summers?

A. I go back to Florida every summer. I still have a business there which my partner runs. The first year I was away the business had the best year that we've ever had and when I told that to Dean O'Brien his only comment was something about my management. But the business had a lousy year last year.

Q. Do you travel just for the pleasure of it?

A. Not really. I haven't been able to. I've had new courses to teach all along and I've spent a great deal of the past few summers getting ready for them.

Q. Why did you choose Bunkder Hill Towers as your residence?

A. I've always had a house in the past, but once your children leave the nest it no longer becomes necessary to have one.

My wife selected Bunker Hill Towers because it was downtown and close to the law school. I find any kind any of commuting distasteful.

Q. I remember that you told me earlier that you think Bunker Hill Towers is like a prison. Why?

A. Maximum security buildings distress me. I'm not accustomed to living that way. I've never been afraid of being robbed.

At Bunker Hill Towers they have guards, gates to get in and out of the car and all kinds of locked doors. I'm just not very protection minded.

Q. What do you like to do at home after you leave work?

A. Well, this year I have classes three nights a week. So that leaves only two nights a week and weekends.

I spend a lot of time preparing for classes and simply keeping up to date on things that I'm supposed to be knowledgeable about takes up an awful lot of time. This demands a good deal of my evening.

Q. Do you ever watch any T.V.? For instance, the news?

A. Occasionally. I consider T.V. the "boob tube" and its suitable for the dumb. The news is sophisticated as far as I'm concerned.

Q. Do you have any favorite newscasters?

A. Not really. I watch John Shubeck because he's in my Contracts class. I occasionally watch Eric Severeid for sentimental reasons because years ago, during World War II, his younger sister lived in the same apartment building with us and my wife and I got to know her.

Q. What do you like to do on weekends?

A. I like to play around with boats, if I have a chance. I don't have my own boat now, but if I get a ride on a sailboat, I'll go sailing any day of the week. Over the last 15 years or so I've done an awful lot of sailboat racing and this happens to be something I enjoy tremendously.

Q. If I were to walk into your bedroom and took a look at your night table, what kind of reading material would I find there?

A. You would find a couple of yachting magazines, Rawls' book called "The Theory Of Justice" which I've put myself to sleep with a number of times, Halberstam's "The Best And The Brightest", Adam Smith's "Super Money" and a couple of art books. I also read murder mysteries if I can find any good ones.

Q. Do you have any favorite mystery writers?

A. During this past year I thought John Dickson Carr was the best of the murder writers. Nowadays the only one that I've found that intrigues me is Rex Stout with his Nero Wolfe series.

I read mysteries for the puzzle and the more elaborate the puzzle the better I like it.

Q. What kind of movies do you like?

A. Comedies. I go to the movies to be entertained. As far as vioence is concerned in movies, I detest it in all forms. I've been to some and they were very badly done and I just don't find them entertaining.

Q. What was the last comedy movie you went to that you thught was really good?

A. "M*A*S*H". I though it was riotously funny. The T.V. show is second rate. They threw away more wit in that movie than appears in most others.

Q. Do you do anything for creative expression? Do you paint or write?

A. I might do a little handicraft, but it's fourth rate and not worth talking about.

One year I was going to write a murder mystery and my wife objected to that claiming that she didn't want me sitting around in my room thinking about homicide and ways of killing people.

What really stopped me on this is that I could figure out two abnormal sex relations but I couldn't figure out a third and I thought that a good modern murder had to have three to five sex scenes and all I could figure out was two. So I just dropped the project.

Q. What do you like to advise students today regarding fields of legal specialization?

A. My own observation is that those who specialize tend to do better financially if they specialize in areas that other lawyers are afraid of, for example, lawyers are afraid of Bankruptcy, Patent Law and Admiralty.

Places to eat

Food for thought

by Leslie Shaw

Editor's Note: Leslie Shaw, a first year student, who epitomizes the saying: "the way to a man's heart is through his stomach," will be writing a column on the better and cheaper places around town to eat, in coming issues of the Brief. Contrary to Governor Reagan's sentiments, we can only hope that there are no botulism epidemics.

What do George Miller, Primo Carnera, and Jack Newman have in common? Nothing, you would probably say, and you're most likely right. Yet these three people double as the names for sandwiches at DARIO'S, a somewhat out-of-the-way Italian restaurant-delicatessen located at 410 Ord St. (one block north of Broadway).

Up until now, DARIO'S only claim to fame has been that they are the people who put the "gas" in gastronome. Yet it remains one of the better places in the downtown area to get a good submarine sandwich. It's not the type of spot you go to for atmosphere. The only seating is in the "back room", amongst the boxes of rigatoni and cases of Progresso minnestrone. Yet you get an opportunity to eat with some interesting people, in addition to many uninteresting attorneys from the nearby courts. (You can always tell the lawyers from the law students; the students are the ones reading the Daily Journal).

The menu is varied. Sandwiches range in price from 75 cents to a $25, a six foot long extravaganza that serves twenty-five people. They also have hot dishes, in addition to hot dishes on rolls, known as hot sandwiches. Come to think of it, all they have is sandwiches, but they are really quite good.

DARIO'S claims to have been in business since 1925, and I guess that must be right since I can't remember it ever not being there. If you haven't run across this place, it would well be worth a visit. Also, if you're short on time, you can call ahead (628-4736), and they'll have your order ready when you get there. It's only about 5 or 10 minutes from Loyola, and is well worth the trip.

If you have to wait to get into DARIO'S (and who doesn't have to wait to get gas these days), you might want to wander down Broadway a little ways to the GOLDEN DRAGON (another Italian place, right?). The interior is done in early Denny's, but the food is possibly the best Chinese food anywhere in Los Angeles.

GOLDEN DRAGON is relatively cheap ($1.50 to $2.00 per person is about average), but the special attraction are the Chinese tea cakes that they serve for lunch, which is approximately 11 AM to 2 PM. The cakes cost anywhere from 15 to 25 cents each, but three or four should be enough for lunch if you also order a bowl of Wor Won Ton (as in soup). In addition to the regular won ton and vegetables (which you never see anywhere but in a Chinese restaurant), the GOLDEN DRAGON throws in shrimp, pork, chicken, and some other things I haven't been able to place yet. Tea cakes and wor won ton is enough of a meal to make the price very reasonable.

If you're at all interested in Chinese food, and you're tired of the "let's go to Ah Fongs" type of syndrome, give the GOLDEN DRAGON a try. It's located directly across the street from Chinatown, on Broadway.

Report on academic standards at Loyola

The Academic Standards Committee of Loyola Law School, issued a report late last month, which recommends among other things, the abolition of the present requirement that students maintain a 70 cumulative average, stating that this is "too low a standard."

The committee, whose purpose is to "analyze the academic atmosphere at the law school and review Loyola's Bar performance," came into existence last year. It is chaired by Professor Daniel Stewart. The other members of the committee are, Professor Lloyd Tevis, Robert Sulnick, Father Vachon and Ms. Elizabeth Shaw.

The report, which was issued on February 21, states that a C- average "indicates that a student has not met acceptable academic standards," and it has been proved, the report states, that students with a C- average do very poorly on the Bar. The committee recommends that students should be required to have a 75 average in order to be in good standing.

If this recommendation is adopted by the faculty, it will not affect students currently enrolled in the school.

The committee also recommends that the first computation of a student's standing take place at the end of the first year, irrespective of whether the student is on LEOP or is an evening student.

Under the present system, first year evening students and those on LEOP do not have their grades computed until the end of the summer session. The committee, in recommending the end to different standards, states that disqualification, if it is to occur at all, should take place when "less is at stake," namely at the end of the Spring semester.

The report, which is critical of the delays on the part of the faculty and the registrar's office, in getting grades in, suggests that one way of insuring promptness in recording gardes, is to hold up salaries until they are "recorded.

Once a student has been disqualified, the committee recommends a retention of the system whereby, students may re-enter predominantly by examination method reserving petitions only in very rare instances.

If the recommendations of the committee are adopted they will abolish the different standard which is presently employed for student on LEOP.

At the present time, a LEOP student is in good standing if at the end of his first year his cumulative average is 67 or better. The cumulative average of such students is calculated at the end of the summer semester if he took less than a full load. The present rule also requires that a LEOP student maintain a 70 average in subsequent years and that he raise his overall average to 70 before he graduates.

In rejecting a different standard for those on LEOP the report states, "that the program now attracts applicants whose undergraduate records and LSAT scores combine to predict a greater degree of success

(Continued on Page 4)

ABA holds workshop to upgrade offender literacy

WASHINGTON, D.C., — A two-day workshop designed to upgrade reading programs for inmates in correctional institutions was conducted here last week.

The workshop, believed to be the first of its kind, was attended by 85 specialists from 17 states and the District of Columbia who work in prison literacy programs as teachers, supervisors, administrators and volunteers.

Cosponsoring the sessions held at the Mayflower Hotel were the American Bar Association's Clearinghouse for Offender Literacy Programs, a project of the ABA's Commission on Correctional Facilities and Services, and the Federal Bureau of Prisons.

The ABA workshop speakers presented alternative techniques for teaching inmates how to read. Systems approaches, the use of new reading technologies, and volunteer tutoring programs dominated the discussions.

A jail literacy program in use at Pittsfield, Mass., was explained to workshop participants by a 50-year-old "student" inmate from the correctional institution there. Another reading technique was presented by officials of the Robert F. Kennedy Youth Center, Morgantown, W. Va. How volunteers can teach inmates to read was explained by officials of the Job Corps and the Mott Foundation, Flint, Mich.

The ABA's Clearinghouse for Offender Literacy programs also is sponsored by the American Correctional Association and the National Association of Public Continuing and Adult Education. The clearinghouse, launched last August, attacks the high rate of functional illiteracy which often hinders other rehabilitation efforts.

Corrections officials estimate that between one-third and one-half of the nation's estimated 300,000 prisoners can be classified as functionally illiterate.

ABA House of Delegates endorses prepaid legal services program

HOUSTON — The American Bar Association's policy-making House of Delegates has approved establishment of a corporation to aid and encourage development of prepaid legal service plans.

In other major actions during its midyear meeting here, the House also tabled a motion of the Law Student Division calling for public hearings on impeachment of President Nixon by the U.S. House of Representatives. But it approved two Law Student Division proposals dealing with discrimination. These proposals prohibit employers and landlords from discriminating on the basis of marital status, and would eliminate alleged discrimination against single persons in tax matters. The House also adopted a similiar motion opposing discrimination in credit practices based on sex or marital status.

Duties of the ABA's newly-created corporation, the American Prepaid Legal Service Institute, include collection and evaluation of data on prepaid plans and education of state and local bars and others about such programs.

Heavy debate also preceded House approval by a 136-105 vote of the proposed Uniform Marriage and Divorce Act. The delegates went along with a view tending to accept a couple's word that their marriage had suffered an "irretrievable breakdown."

Seven additional uniform state law proposals also won House approval. They are the Uniform Residential Landlord and Tenant Act, Uniform Drug Dependence Treatment and Rehabilitation Act, Uniform Parentage Act, Uniform Crime Victims Reparations Act, Uniform State Antitrust Act, Uniform Abortion Act and an amendment to the Uniform Controlled Substances Act.

The ABA rejected a proposed journalists' shield law generated lengthy debate before it was voted down, 157-122. The House agreed with opponents that the measure to protect journalists against compelled disclosure of confidential news sources would create "a privileged class." It also was argued that it is too difficult to define clearly and narrowly who the proposed law would protect.

A large majority of the House approved tabling of a Law Student Division open impeachment resolution after hearing arguments that the recommendation was not appropriate. Opponents pointed out that impeachment deliberations involving President Nixon were already in progress and that open proceedings would deprive the President of his right to a confidential hearing.

The House approved a recommendation urging governmental agencies to maintain existing environmental standards as far as possible in adopting measures to resolve the energy crisis. It deferred action on a recommendation calling for establishment of an administrative agency on both state and federal levels to help resolve conflicting environmental and economic considerations in industrial site selection.

An end to the election of judges is sought in another recommendation adopted by the House. The approved ABA standards of Judicial Administration call for governors to select appointees from a list prepared by a nonpartisan judicial nominating commission.

The standards also call for mandatory retirement of judges at age 70, judicial discipline and removal commissions, adequate salaries and compensation for judges, and unified state court systems.

The House endorsed an amended proposal to implement the 1967 ABA recommendation to abolish the Electoral College and substitute a system of direct popular election of the President and Vice President of the United States. The amendment would provide that the newly-elected Congreee — not the lame duck session — would select the President or Vice President if any candidate failed to win at least 40 percent of the popular vote. In addition, each senator and representative would have one vote.

Academic report . . .

(Continued from Page 3)

than in past years and that since the LEOP students are better qualified there is no reason to continue with the double standard."

An unidentified dissenting member of the committee felt that a lower standard of 73 GPA should be maintained for those on LEOP, stating "LEOP students are special students who come to law school with a variety of sociological and cultural problems and require a period of adjustment in excess of the first academic year. Therefore, the special student should be allowed the second year to raise his or her average to the requisite 75."

It was further recommended that in order to prevent students from putting in a reduced effort after their first year that a "two semester rule" be instituted.

If a students grades fall below the required 75 for two consecutive grading period he or she would disqualified. The report, states that "such a rule would be an antidote to a noticable trend among many students at Loyola to just "slide by" after the first year." It would also be a means of requiring a "consistently satisfactory academic performance."

The committee's report is on reserve in the library, for those students who wish to read it in its entirety. It is again emphasized that the recommendations have not been adopted and have no effect on students currently enrolled.

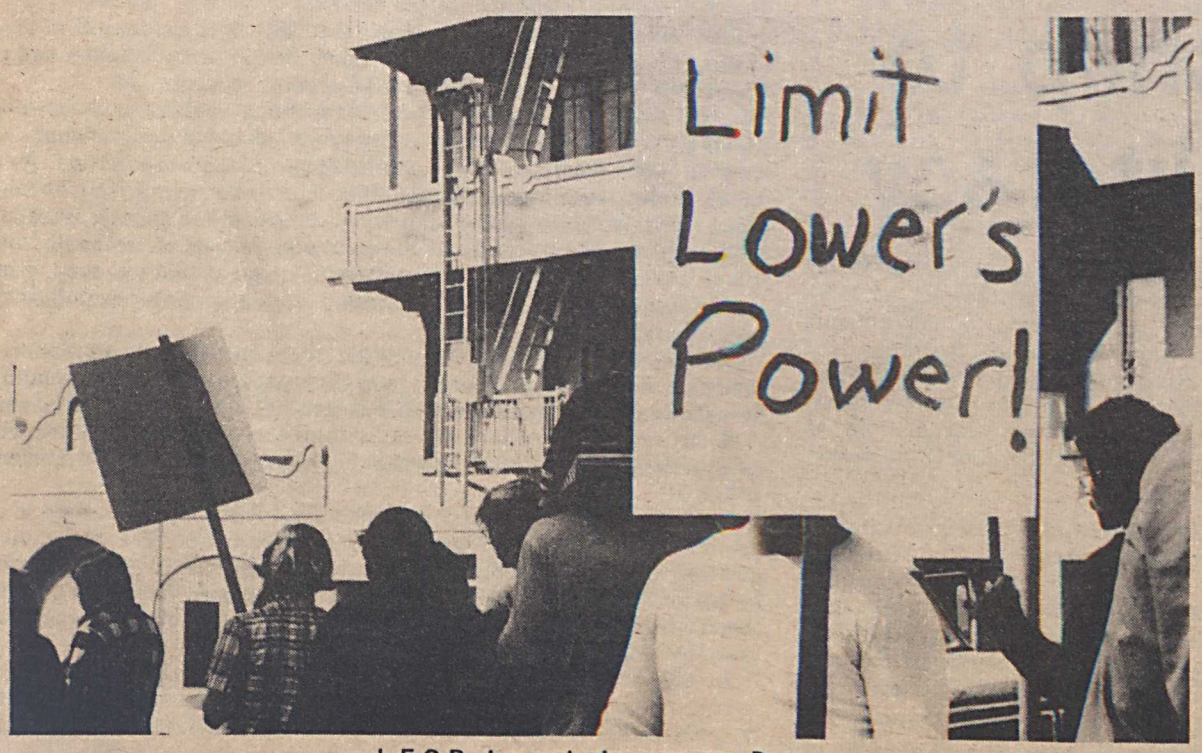
Dean Lower and committee have invited student comment on the proposals, and written remarks are being accepted by the Dean's office until March 15. The faculty to expected to begin it consideration of the recommendations on March 20th.

The committee's next reports are expected to deal with the current problems with the pass/fail system and the SBA's proposal to change the grading system.

Letters to Editor

Do you have a beef? Is there something that you want to get off your chest about school, the law, your life, etc. Write a letter to the editor. Comments on the quality of the school newspaper are welcome as long as they are favorable.

All letters to the editor should be typed triple space with margins of 10 and 65, placed in the Brief box in the coffee shop.



L.E.O.P. demonstrator opposses Dean

What is happening in the legal world

Neither the American Bar Association, nor any other national group, has the authority to discipline lawyers at the national level, Chesterfield Smith, ABA president, said at a recent regional ABA conference.

However, Smith said, "the profession already has taken strong steps to remove the stain of Watergate by taking disciplinary action against those lawyers involved."

The State Bar of California, he said, has opened disciplinary investigative files on Richard M. Nixon, John D. Erlichman, Donald H. Segretti, Herbert M. Kalmbach, Gordon G. Strachan, and Robert Mardian.

G. Gordon Liddy has been disbarred by the New York Court Court of appeals. The State Bar of Washington is investigating Erlichman and Egil Krogh.

John W. Dean III has been suspended from legal practice by the District of Columbia Court of Appeals pending further order of the court.

Smith also noted that, unrelated to Watergate, a special three-judge panel in Maryland had unanimously recommended the disbarring of former Vice President Spriro T. Agnew.

* * *

How does the idea of law school via television grab you?

This month, the Columbus School of Law of the Catholic University in Washington, D.C. begins sponsoring three 14-week courses via private TV.

The courses are for law firms and are conducted in cooperation with the Joint Continuing Legal Education Committee of the ABA and the American Legal Institute.

The cost of the three courses is $750 per firm, including electronic and antenna connection installation. The series is also shown at the National Lawyers Club for $75 per person.

The courses are Federal Taxation, U.S. Supreme Court Issues and Trends, and Modern Real Estate Transactions.

The series is carried by Microband and will be made available in other major cities when carrier facilities begin transmission. Video cassettes will then be rented to interested groups. Further information may be had from Harvey Zuckman, planning chairman and law professor, The Cathhlic University, 4th St. and Michigan Ave., N.E., Washington, D.C. 20017.

* * * * *

Hidden dangers in "Do It Yourself" Divorce are outlined in a pamphlet from the State Bar of California Committee on Family Law. William P. Hogoboom, former presiding judge of Los Angeles County's family law court, warns would be "Do It Yourselfers" that, "You never know if you have a simple case until an expert looks at it. It's like a pain in the side. Only an expert can tell whether it should be treated with aspirin or by surgery."

Problems of self-done divorce may not "surface for a few years until the petitioners return to court to settle clouded titles to real property or review spousal support or child visitation agreements."

The pamphlet recommends public or private agencies first for help in solving problems of marriage before divorce, then adds:

"The State Bar agrees that for the truly simple divorce, a consultation with an attorney may be enough."

It refers principles to the lawyer reference service, in addition to the telephone directory, for names of competant counsel.

"The traps for the unwary" getting their own divorce, says the pamphlet, are the process of filling out the forms and service, child support, custody or visitation rights, alimony, now called spousal support, division of responsibility for debts, division of property, taxes, and insurance.

* * *

A dramatic increase in the number of women law students was reported today by the American Bar Association from its Chicago headquarters.

The ABA also noted a substantial gain in minority group enrollment and said that for the first time there was not a single "unfilled seat" in the first-year class of any ABA-approved law school.

Women enrolled this past fall numbered 16,760, a 37.8 percent increase over 1972. Minority group enrollment rose 12.9 percent, far outpacing the overall enrollment increase of 4.3 percent.

Total enrollment in the 151 approved law schools rose by 4,394 to 106,102 from 101,707 in the fall of 1972, according to Millard H. Ruud, who served as ABA consultant in preparing the report.

Enrollment of first-year women law students this past fall, totalled 7,464, a 35.2 percent gain over 1972. The additional 1,956 women this fall contrasted with a decline of 69 in men.

The study showed that women were admitted at a somewhat higher rate than men, reflecting a slight edge in law school admisstion test (L.S.A.T.) scores.

Minority group enrollment climbed to 7,601 from the fall, 1972, total of 6,730. The 1973 figure is two and one half times higher than the 1969 enrollment.

Enrollment of blacks grew 394, or 8.9 percent, and Mexican-Americans increased 187, or 17.7 percent.

The full house dilemma facing prospective law school students comes after a phenomenal increase in demand for legal educaton combined with comparatively little growth in facilities.

In the three years ending with 1971, only one accredited university — Hofstra — established a law school. Six more have begun classes since — Antioch School of Law, University of Puget Sound, Brigham Young University, Franklin Pierce College, University of Hawaii and Southern Illinois University at Carbondale.

Next month, however, the council of the ABA's section of Legal Education and Admissions to the Bar will consider applications for provisional approval.

Despite predictions that law school admission test administrations would level off this year, the ABA said test administrations are running 11 percent ahead of last year. Indications are that the number of law school applicants next fall will be about 10 percent higher than this year.

The marked increase in law school enrollments and recent graduates has prompted concern about employment potential in the legal area.

Professional degrees in law awarded by approved law schools have tripled since 1963, reaching 27,756 last year. At the end of 1973, there were an estimated 375,475 lawyers in the United States.