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TV movie still not real thing

by Melanie E. Lomax

Someone once said that "the wheels of justice grind slowly." This is equally true for a TV movie about the "wheels of justice" entitled "The Law," which was aired by NBC on October 22, 1974, and which will probably be a series next season.

In what was billed as an "expose" on criminal justice in America, the writers barely managed to avoid adding to the myth of the law as generations of Americans have seen it through series like "Perry Mason," "The Defenders," "Owen Marshall" and, most, recently, "Petrocelli." The film did little to destroy the myths, or clear up the confusion about the system and may have even created a few new fantasies about the law.

"The Law" revolved around an agonizing young Public Defender, played by Judd Hirsch, who was concerned about the system and its casualties. He is described as having "guts and brains." Hirsch spends the next two and half hours attempting to get a good deal for a client who was being given a bad one in a sensational murder case. When asked if he is an ambulance chaser he responds, "I don't know if I am, but if the patient is in the ambulance then that is where you will find me."

The producers of this film were obviously

attempting to give a more realistic view of the law and allow the viewer to see the disparity between the ideal and the practice, and to a certain degree they succeeded. The audience is taken through the more obvious defects in the system.

However, the major shortcoming of the film was that it attempted too much. "The Law" was an attempt to touch most, if not all, aspects of the criminal justice system and, as a consequence, hit very few effectively. The writers and producers seemed to be torn between going the entertainment route of the traditional melodramatic view of the law and going for a more realistic, semi-documentary portrait.

The result was a mildly entertaining combination of believable and unbelievable characters, with truths, half truths and outright distortions of the "system."

The first mistake was made when the writers attempted to capture the reality of the legal world by using an unrepresentative and sensational case. The whole plot revolved around the ritualistic and cult killing of a very popular football player—hardly the typical case. Using Manson type killing hardly lends itself to a view of the "system" without distortions.

On the positive side, the political aspects of the District Attorney's office were nicely handled in the film. The "meritorious" manner in which a Deputy District Attorney was chosen to handle a big case, reveals that it is not always the best Deputies who prosecute. In the film the attorney assigned to the case had an opportunity to go from obscurity to overnight fame and the criteria of his selection appeared not to be who was the best and the brightest but who was the most presentable fair-haired boy.

Besides the concerned Public Defender, there was a super lawyer type who represented the other defendants. This superlawyer flew in on a superplane to do a super job selling himself and his clients down the river. He was the type of lawyer who was able to pick the top cases and make noises about "money being secondary, (I've got plenty)" while he was negotiating publication rights in lieu of attorney's fees.

The movie also succeeded in showing some of the ins and outs of plea bargaining and how, at times, those who are not guilty are forced to compromise their innocence to avoid the greater risk of being found

guilty. Further, there was a rather clumsy and heavy-handed juxtaposition of white collar and blue collar crimes. But it served the purpose of illustrating the dual system of justice which at times exists. Too bad, this was completely extraneous to the plot.

The idea of deflating the myths that surround the law has undeniable validity. But the film had definite philosophical failures. Somewhere along the line the writers and the producers abandoned reality and went for something slightly more commercial. They could not resist the "white knight syndrome," the idea of a hero rescuing the innocent person who is about to be swallowed up in the system that is not always designed to detect innocence is polyanic. What the writers failed to deal with is that as a society we have got to get away from the idea of white knights rescuing us from our own indifference and inadequacies, as well as devolving ourselves of and away from the idea that there is some outside force that is going to bring justice and functions reasonably well will only be created when there is a relatively equal degree of participation by all involved and there is no reliance on "white knight" heroic impulses, or public defenders with missions.

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BRIEF

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Laws block birth control in developing nations

by Alan Munn

On October 24, 1974 Pushpa Schwartz gave a lecture at Loyola entitled "Legal Aspects of Population Policy: Abortion, Inheritance, and Tax Law in Traditional Societies." It was about birth control and the law in poor countries. Her talk, delivered to about twenty-five students and a few teachers, was sponsored by the Loyola Women's Union and the International Law Society. Ms. Schwartz, an economist, was once a correspondent for the New Republic and a research associate for a U.S. Senator. Now she is an associate editor of *Digest of Development*.

Recently, in her capacity as director of the Project on Population of the National Academy of Sciences, Ms. Schwartz organized five international conferences. Each was in a different region of the world, and was concerned with population problems of the poor countries in that region.

Each conference she organized was attended by a wide variety of leaders of countries in that region. The leaders came in their private capacities and spoke off the record only.

Not all poor countries' leaders think that they have too large a population or one that is growing too rapidly. For example, some African countries' leaders think that their countries are underpopulated. However, most leaders of most poor countries think that their populations are growing too rapidly. In addition, most would like to redistribute their populations, either by reducing the rate of urbanization, encouraging the emigration of their hard-core unemployed, discouraging the emigration of their educated or skilled workers, or some combination of the above.

Ms. Schwartz told her audience that managing population growth in poor countries is extremely difficult for various reasons. Many people in poor countries are ignorant of all but a few facts about reproduction. Also, there are severe shortages of personnel and money available for population programs. Politicians in poor countries are often interested in programs which offer quick improvements rather than in long-range improvements such as reductions in birth rate.

In spite of all these factors and more, several poor countries have achieved good birth control according to Ms. Schwartz. Among them are Iran, Singapore, Korea, Ceylon, and Costa Rica.

Among the many obstacles poor countries must overcome to achieve lower rates of population growth are the laws of these countries. In general, especially in Moslem countries, inheritance and land laws favor men. Because old people in these countries depend on their children for support, parents have many children. Parents prefer to have boys, who will be favored over girls in the inheritance of land.

Ms. Schwartz said that elimination of sexist laws with regard to inheritance and land would reduce the pressure to have male children, and thus would reduce family size. Pensions for the elderly would also have this effect. Raising the minimum age for marriage would reduce population growth.

In China, the minimum marriage age for men is twenty-six and for

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Death, taxes and the Bar Exam

by Edward Siegler

Death, Taxes and the Bar Exam all have an aspect of inevitability which should carry with it a certain degree of respect. In a recent Senior Forum presentation, Dean Lower spoke on the mechanics of Bar Exam grading. His observations were based upon experiences as a member of the Committee of Bar Examiners in the Spring of 1974, where he had a first hand opportunity to see the amount of time and preparation expended in writing, revising and grading the Exam.

The basic format of the Exam should be common knowledge. There are 2 1/2 days of testing, composed of 1 1/2 days of essay questions and 1 day for the multi-state objective section. The essays are divided into three sittings wherein the applicant chooses four out of five questions per sitting and makes the most out of the 52 minutes for each question. Starting with the February 1975 exam, there will also be a special session devoted to a legal ethics question which will be mandatory. It seems that more evolved from Watergate than just a Campaign Reform Act and a windfall for at least one recording tape Company. Your ultimate grade on the exam is obtained by averaging both the essay and the objective sections which will hopefully be above the pass cutoff of 70.

Lower explained that the drafting of the essay questions is the handiwork of out-of-state law professors and lawyers. The submitted questions are then thoroughly edited and revised if necessary. If it be any consolation, the Committee after the exam does send the essay questions to all the Deans of California law schools. The questions are then circulated to the teachers of required bar courses who have a chance to comment on the fairness of the question as it relates to what they have been teaching their students. Lower noted that the Committee does consider such replies, a case in point being a suggestion by Father Vachon last year that was duly considered and adopted by the Committee.

The only relationship of any intimacy that the exam offers the applicant is the fleeting one with the exam-reader. Such a relationship should not be taken lightly simply because it is an intellectual rendezvous of limited duration. As incredible as it seems, even Bar Exam readers are human and susceptible to any charm that manages to find its way into your writing. Lower emphasized that the spoils de la guerre fall to the applicant who make a friend out of the reader.

Most of the readers are graduates of Northern California law schools or lawyers who practice in

the Bay area. This is a practical consideration necessitated by the Committee headquarters being in San Francisco. Most have clerked for judges or are in private practice. For the Spring 1974 exam, there were four readers per essay question excepting the questions on Wills and Community Property which had two. Of the usual 4 readers who consider all answers on one particular question, at least one reader has had the dubious pleasure of reading Bar Exams on 5 previous occasions. You can't find friends like that.

After the exam, each reader is sent 20 answers picked at random. The readers then get together and prepare a sample analysis of the question in a narrative style of 1000 words or less. Authorities are cited and disagreements are ironed out among themselves. The readers then assign tentative grades to the answers and compare the grades given by their associates. If a variation of more than 10 points is found, the readers are required to seek a greater degree of uniformity.

After this preliminary standardization of grading technique, the readers come before a meeting of the full Committee for two days of additional standardization. The Committee on which Lower participated early this year was composed of nine lawyers, six law school deans, a board of reappraisers who read the exams of multiple takers, and the Administrative staff of the Committee.

The committee spends 1/2 hour on each question. All the readers for a particular question are called in and one is asked to give a four to five minute oral analysis of the issues. One answer, previously rated by the readers as between 65 to 70, is read before the Committee to see if it agrees with the grading standards of the readers.

The method of assigning grades is based on a scale of zero to 100 with a passing mark being 70% of the highest grade received by any applicant on the Exam. The instructions from the Committee to its readers emphasize that in judging the overall quality of the answer, "sufficient judgment, analytical ability and a knowledge of the subject matter in a particular question" are the determining criteria in assessing whether the answer is a pass or fail.

If a reader is certain that a given answer is definitely a failing effort, he has the choice of assigning any grade from zero to 65. Rarely does the grade fall below 40 unless the applicant has left the question unanswered or has compiled an intellectual junk shop. Readers are advised to be

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LOYOLA SCHOOL OF LAW

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Editor Ardie Johnston
Assistant Editor Bruce Horace Robinson
Copy Editor Janet Brown

Staff
Ross Hart Michael Vanic
Wally Wade Leslie Shaw
Ed Siegler Margot Demopoulos

Before it's too late, again

by Michael Vanic

How many students can claim to be pleased with the classroom performance of every professor he or she has encountered here at Loyola? How many would acclaim the abilities and intellectual prowess of each and every member of the staff? And how many feel that every moment spent in class challenged and stimulated them intellectually. A few? One? Two? None?!

It is this predominant displeasure with the performance of some of the members of the faculty that is of paramount importance to the legal education of the student body, not a mere personality or ego conflict.

At present, the Faculty Standards Committee, composed of 4 faculty members and 2 student participants, is in the process of preparing and proposing a "course and teacher evaluation form" of the questionnaire type to be issued to the students to evaluate the performance of their instructors.

Should such form be approved and utilized as it has been in the past, we can all expect the refuse collector to be miffed at his grossly increased intake during the periods of its use.

At the very best, a questionnaire type evaluation form is normally a token expression on the part of the administration and tenured faculty of concern for student opinion in the matter of a professor's classroom performance. It is grossly inefficient utilization of resources and analytical ability.

Having two students of a total of six committee members also bespeaks tokenism.

What is desperately needed is effective and efficacious student input into the evaluation and tenure granting procedures here at Loyola. It has to be meaningful input, not a response to a questionnaire that will quickly be filled depreciatingly in circular files throughout our hallowed halls. And it has to be direct, not indirect or convoluted in manner.

At present, after an individual has been a member of the faculty for 1 1/2 years on presumably something of a near full time basis, the entire body of tenured faculty members meet to consider granting tenure. If the secret ballot proves an affirmation of the co-professors intent to maintain that member's position, he or she is granted tenure in the fifth year.

There are seven criteria or ingredients of filtration involved in this process. Only two primarily concern the individual's classroom capabilities. But one is the result of student input. The first is a series of classroom visitations made by various members of the faculty to observe and analyze performance. The second results from various comments students have made to members of the faculty or administration concerning the individual in question.

That is the sole student input into the process, indirect as it is, hearsay upon hearsay upon hearsay, spoken and respoen, perceived and reperceived, considered and reconsidered. Can anyone seriously believe that it is of any real value by the time it reaches the tenured faculty body? Can anyone seriously attribute to it any level of efficacy in the entire process? Can anyone seriously presume that the student body is involved, even remotely, in the analysis of the capabilities of a perspective tenured faculty member or the desirability of maintaining him?

Who, however, is in a better position to do so?!

It is regrettably ironic that a more direct and meaningful participation by the student body is not actively and avariciously solicited.

All members of the student body are adults, intelligent thinking adults, subjected directly and immediately to the various faculty members on nearly a daily basis. The failure to pass the bar in February or July bears a direct relationship to the skills and abilities of the instructors as well as the students themselves. The professional ability of Loyola's newly licensed graduates is directly affected by the classroom performance and teaching ability of the professors they have studied under. The knowledge assimilated is the product of the combined cooperative effort of the student and faculty members he has encountered. In analyzing the result, one certainly may not be divorced from the other.

Therefore, as an institution struggling to project in reality and essence the highest caliber of legal education possible through highly competent students, graduates and faculty members, it should be not only desirous but absolutely necessary to cultivate active, direct and effective student participation in the tenure granting process at Loyola.

Fear it is said is a great motivator; it is also the great maintainer of the status quo. We can all ask ourselves if, as individuals who will always be associated with Loyola in some manner or on some level, we desire to maintain the status quo. Or do we desire to improve on all levels of performance our Law School?

Birth control . . .

(Continued from Page 1)

women is twenty-two. Ms. Schwartz hopes other poor countries will raise their minimum ages for marriage.

Another legal problem, especially on Caribbean islands, is the lack of legal penalties for abandonment of children by their fathers. If fathers were required to provide for their parents, or at least live with them, fathers might have fewer children.

Ms. Schwartz suggested that two key types of law that require change are those that impose import duties on contraceptives, and those that restrict or prohibit the practice or discussion of birth control. Again, old attitudes and practices change slowly. In addition, some men fear that their wives will be unfaithful when freed of the fear of pregnancy.

from Nazisto Capote

San Francisco Film Festival

by Michele Lomax

Truman Capote was there, though he didn't bring Lee Radzwill as was hoped. Some 20-odd members of the local wing American Nazi Party were there too. Between those extremes, there were Jean Stapleton, at the side of Mayor Alioto (we didn't spot Angelina); Goldie Hawn, in white sweater and slacks, with her blonde mop bleached to death; Brenda Vaccaro and Michael Douglas, who have announced they plan to legalize their union ("No matter how circuitous the route, respectability in the end," to quote Alexander Pope); Melvin Belli and his comparatively child bride gravitated — gravitated as in rushed headlong, for the limelight; and represneting the optimistic grace of another generation, Frank Capra.

The occasion was opening night of the 18th annual San Francisco Film Festival Oct. 16 at the Palace of Fine Arts Theater. The Festival was a marathon two-week affair that accomplished what it was supposed to, i.e., give a forum for worthy work, and bolster the publicity of not-so-worthy work, pay tribute to those who deserved it, and Truman Capote as well. Opening night was a gala affair, if gala translates to black tie.

The film selected for the evening was "The Odessa File," the cinemazation of Frederick Forsyth's novel about die-hard Third Reichers and an avenging journalist, which is doubtlessly putting audiences to sleep in Los Angeles, just as it did at the Festival. The Nazis were there to picket the film as anti-white, we were more inclined to think it anti-movie—the film seemed to fall asleep shortly before we did. The Nazis were taken to be a Columbia Pictures' publicity stunt by many ("no, they're real, the same old bunch," said a jaded policeman), but not by the wife of music critic Phil Elwood, who walloped one brown-shirter who did not respond in kind, or any other way. Ah, they are a highly disciplined lot. So much for the froth of the affair. The film was unfortunately preceeded by a retrospective commercial for the great products Columbia has turned out in its 50 years. To follow "It Happened One Night," "Mr. Deeds Goes to Town," "You Can't Take It with You," "Mr. Smith Goes to Washington," "Lost Horizon" (all Capra films), "From Here to Eternity," "On the Waterfront," "Bridge on the River Kwai" and "Dr. Strangelove" with "The Odessa File" is to imply a rather precipitous fall for the studio.

But opening night was for the big money, not always the people who make statements that enrich people's lives. Of the films that mean something, that were better made than not made, perhaps the most important are "Hearts and Mind," a documentary on the Vietnam War, as fought here and abroad, and "Janis," the documentary on that sad little girl from Port Arthur Texas, who sang the blues of a generation and died for its sins. Daniel Ellsberg was in the audience for "Hearts and Minds," which has totalled everyone who has seen it, being as it is not so much about a war, but a mirror reflection of the dark side of our national hearts. Columbia Pictures has not yet decided to

release it, according to producer Burt Schneider, perhaps thinking it too painful a thing to unleash on the public.

Of the Janis Joplin film, debuted here in the city that made her, Phil Elwood said, "In contrast with the books dealing with Janis, all of which emphasize everything other than her music and her sometimes pathetic restless insecurity, this motion picture does give us the music and The Star and leaves the editorializing and second-guessing in the gutter where they belong."

Another film with strong appeal to aging-youth was Fred Haines' treatment of Herman Hesse's "Steppenwolf," the adopted bible of the youth who came after "Catcher and the Rye," and before those who gave up linear communication for macrame. It stars Max von Sydow and the decadent beauty of Dominique Sanda, and contains animated sequences (oh what "The Yellow Submarine" started).

The critical success of the entries was Ingmar Bergman's "Scenes from a Marriage," one of the rare films Bergman has allowed to be shown at a film festival. It stars Liv Ullman and is an account of the dissolution of a superficially perfect marriage, another entry in the all-human-social-arrangements-are-hopeless sweepstakes.

Hisses and boos greeted a film in the new directors series, "The Second Coming of Suzanne," directed by Michael Barry, Gene's son. Based on Leonard Cohen's beautiful song "Suzanne," the film is, explained the director later, a treatment of the Christ story, with a woman (Sondra Locke) on the crucifix. Despite a cast which also included Richard Dreyfuss ("American Graffiti" and "Duddy Karvitz"), Paul Sand ("Sons and Lovers"), and Gene Barry (many things), it is a dud. That fact didn't forgive the rudeness of the audience, though Barry did. The other new director honored was Cinda Firestone (as in rubber) for her great documentary, "Attica."

As of this writing, the retrospective tributes to Jeanne Moreau, the wildman Sam Peckinpah, and the un-shy Shelley Winters, haven't taken place. The honorees will all be present. Truman Capote was present for his tribute, but barely, behaving in a manner that was indifferent, perfunctory and whimsical, in general behaving as if boredom was a prerogative of talent. In truth, great writer that he is (or maybe was), his screen output is neglible. It's assumed he was honored more for the drawing value of his name.

Cinematographer James Wong Howe was no such disappointment. At 75 years old, he is one of the men who made the movies (the PBS series should pardon the use of its name), having started in silents and worked last on "Funny Lady," the sequel to "Funny Girl." Here was one instance where you didn't have to separate the man from his work. His great genius is in inverse proportion to his moderate ego. He is also a charmer of the first water and a great raconteur. Someone should get to him with a tape recorder, quick.

Bar Exam . . .

(Continued from Page 1)

certain before making the decision to give a failing grade on a particular answer.

On a more cheerful note, if the reader is undecided whether the answer is a pass or fail, the doubt is resolved in favor of the applicant. In such a case the reader is to give the answer a mark of 70 which in effect is a neutral score. Since all the answers are averaged together, such a grade only maintains the bottom limit of passing.

Of more importance to Loyola students, is when the reader definitely rates the answer as a pass. It can then be graded anywhere from 75 to 100 using five point increments. A rule of thumb used by readers is as follows: 75 — barely passing; 80 — clearly passing; and 85 to 100 — reserved for very good to outstanding performances. To ease the minds of many, Lower did say that a score of 100 is not impossible to get. It is not true that such a grade is reserved only for the perfect answer or even the single best answer. The Committee calmly states that such a grade should be given to any answer which the reader believes is an exceptional job considering the time and circumstances. I wouldn't expect too many, however.

After the Committee meeting, most of the readers return to their regular jobs. Most of them work full-time while in the process of reading Bar Exam answers. The average reader during the 29 days subsequent to the Examination will read approximately 36 answers a day. The result for the reader is a month of long evenings culling over your clever insights. This is one reason why the applicant should make some effort to present a congenial or at least a readable work product to the reader.

The final averaging of your scores into one grade is the basis for either your vacation or your evacuation. If you pass the Bar it means your essay and multi-state sections averaged out to at least a 70. You will never know how well you did — the final humbling experience. A score of 65 or below makes

you a messenger clerk for one more season. Should the average of your scores fall between 65 and 70, the essay answers are reread by the Board of Reappraisers. One member reads the entire set of answers and has the option to grade up, down or leave the same. Lower's impression is that reappraisers are harder graders than the readers.

Lower describes the Exam procedure as an enormous undertaking, (not to be taken literally) which is carried out with the highest degree of thoroughness. It is interesting to note that there are two distinct attitudes held by the Committee: it resolves doubtful answers in the applicant's favor, yet at the same time it is reluctant to view grades over 85 as readily attainable. This may reflect back on the applicants or the Committee. At any rate this latter trait could be to the applicant's advantage since the passing grade of 70 is not adjudged in a vacuum but rather as 70% of the highest grade received.

Presently there is only one copy of the multi-state exam available to the public. The Committee, which makes available the essay questions, has decided to publish some of the answers in the near future. For some graduates the near future may not be near enough.

Lower emphasized that the Exam rewards two skills in particular. These are the ability to selectively resolve the issues in the proper order of importance, and thoroughly analyze the facts. Any "catechism recital" of the law is best retained in the mind of the applicant and applied only as specifically relates to the question.

An important practical consideration is that one very bad answer can hurt more than two outstanding answers. It seems from what Lower learned at the Committee meetings that it is more productive to get a passing grade on each answer than attempting to make any one answer worthy of a Gutenberg printing.

Profile of a Professor: Michael Josephson

by Bruce Horace Robinson

Dear Aaron Burr:

I find it quite remarkable, to say the least, that in 1974, 138 years after your death in 1836, we have a professor at Loyola who is the very essence of your famous quote: "The law is what is boldly asserted and plausibly maintained." His name is Michael Josephson.

I want to start out by being frank with you. Somewhere along the line when I had Josephson for Evidence in my second year of law school, I began to feel that he was the biggest s.o.b. in the world. I even felt like doing a number on him like the one you did to Alexander Hamilton. But those feelings grew in direct proportion to my frustration with Evidence itself. Josephson just happened to be a handy scapegoat.

Well, to make a long story short, I made it safely through Evidence in the end, and thanks to this professor who lives and breathes "the law is what is boldly asserted and plausibly maintained," I know as much Evidence as I need to know in order to answer the Evidence question on the Bar exam and to do well in court.

I still think Josephson is an s.o.b. He just isn't the biggest one in the world anymore.

But my letter doesn't end there, Aaron. I had to find out what makes this guy tick and I think I did just that when I interviewed him on October 21, 1974. I'm writing to you now because I thought that you might like to know something about the man who has adopted your words as the guiding light of his life so that you can judge for yourself whether or not he measures up. I think that you will conclude that he does.

Aaron, you won't believe this, but fourteen hours per day for work are the norm for Josephson. He gets up at 6:00 A.M. every day and he works at home until about 8:00 A.M. Then he leaves either for his law school office or his BRC office. And get this: last year he traveled fifty or sixty thousand miles all over the country. These trips were connected with BRC activities and other committee and lecture activities.

I'm afraid that it's symptomatic of our times that dynamic, creative types like Josephson have eschewed a quieter existence for the hustle and bustle of our century. In Josephson's favor is the fact that he deliberately chose his way of life and he enjoys it. He wasn't forced into doing what he does.

To boldly assert and plausibly maintain the law today requires immense amounts of energy and Josephson seems to possess enough to light up both New York and Los Angeles. He could solve any energy crisis all by himself.

I discovered that Josephson's preparation for his present success and hard working lifestyle is rooted in his father's influence in his childhood.

"My father is the typical Jewish father," Josephson told me, "He was very strict with his children and he has an extraordinarily dominant personality. He was very concerned about our grades and education and he pushed my brothers and sisters and myself tremendously when we were young. The rule in my house was 'anything for the children.'"

Josephson also described his father as a man who is "super intellectual" and "enormously creative." His father never went to college but he wanted his children to have the opportunity to get an education and the only way to do that was to work hard and to get good grades in school.

Some, if not all of Prof. Josephson's dynamic personality and enormous drive, which delight some and anger others, is a direct result of the influence of his father.

When he was about 17 years old, and while working for a family business selling carpets and draperies, Josephson acquired a lifelong love for clothes which he chooses to compliment that incredible, and, at times, overwhelming personality he possesses.

He stated, "I could never stand getting up in the morning and doing the same thing every day, and this includes the way I dress," Josephson said. "To a large extent dressing is an extension of my personality. It's an upper for me and its an expression of 'I know who I am.'"

Contrary to some of the rumors going around, Josephson doesn't have his own tailor locked up in a dungeon at his house. Shock of shocks, he buys his stuff off the rack all over the country when he travels and he tries to hit sales when ever he can.

Ever since Josephson graduated from the UCLA School of Law in 1967, his rise to his present prominence and position has been nothing short of meteoric. Everything really began to snowball when he was faced with the possibility of being sent to the war in Vietnam. He was very much opposed to

the war in 1967 and when he gave his valedictory speech at his law school graduation he vigorously attacked the war and its supporters. The speech consequently wound up in the Congressional Record. Not a bad start for the young man.

He had no desire to teach law upon graduation from law school. He sort of backed into it because he wanted to avoid the draft. The first teaching position he ever had was at the University of Michigan School of Law and from that point on his credits and kudos have accumulated to a height which would rival Mount Everest's height of 29,028 feet.

How Josephson sees his mission as a teacher will also aid your decision, Aaron, as to whether he measures up to your quote because more than one half of my interview with him concerned his feelings about his role as an educator.

"In a sense, I frankly view my role as a teacher as being similar to that of a D.I., like in the movies," he told me. "I prefer to be liked, but it's not essential. As long as my students are tough and can handle themselves when they get out of here is all that really matters."

Good grief! A D.I.! I couldn't believe what my ears had heard. So, I asked him whether his attitude was similar to that of the law professor, Mr. Kingsfield, in the movie "THE PAPER CHASE." He replied, "I view him (Kingsfield) as the exact paragon of what I don't want to be. I don't think he was interested in the students. He was teaching because that's what you do if you're a great professor and teaching is part of the penance such a professor has to pay. This was the basis of his condescending attitude towards his students and his total impersonality of not knowing who they were and not even caring.

"To me the only possible source of evaluating me as a teacher is to evaluate my students because the only product of education is the person being educated. It's not what I know, it's what you know after you have confronted me in the classroom. So, while I have some of Kingsfield's arrogant personality quirks, my genuine concern is with the student."

Aaron, I believed him. I really did. I wish you could have heard him. He spoke with such religious fervor and passion that you

couldn't do anything else but believe him.

In fact, he speaks that way all the time. He also talks so fast most of the time that you find yourself startled when you see him suddenly and audibly drawing in a breath and then proceeding at his MACH 2 talking speed without missing a beat in syntax.

Here are some more of his thoughts on legal education which I think you will find enlightening:

"A lot of my educational theories are developed around trying to prevent somebody like me from getting through the way I got through. In my entire educational career (college and law school), I don't think I did all of the assigned reading for more than three courses. I found that I could beat the system and the average professor's method of evaluating what you should know is so shallow that I developed the knack of telling the professor what he or she wanted to know on an exam, which was much easier than reading all of the crap they told me to read. I consequently learned very little. I didn't buy any books for my last two years of law school. I didn't need to. They let me get by. They never challenged me and they never insisted.

"In teaching, I aim for the type of person who doesn't study for the sake of studying. I was much more interested in my social life, my student government political activities and athletics. College and law school came last. I want to set the priorities as a teacher. I think that's my obligation. I have no personal qualm about pushing and smashing and jabbing and doing whatever I can until that student does what will make that student know more and be able to do more when he comes out. Especially in Evidence. Evidence is a competitive area. You can be eaten alive by somebody else who not only knows the law better but also the tactics. You must not only know the law, but you must know the law so that you will have confidence. I figure that if I'm a big enough s.o.b., and by the end of the year I can no longer intimidate the students, they have learned something. They've developed substantially. They probably won't meet anybody as nasty as me."

Well, Aaron, I hope that I have given you all that you need to make your decision.

Respectfully,
Bruce

Places to eat

Food for thought

By Leslie Shaw

"Food for Thought," takes a turn for the worst this month, and makes two recommendations of places you would be best off avoiding when looking for a good place to eat. Traditionally, if tradition can be so quickly established, this column has dedicated itself to highlighting some interesting (certainly far more interesting than this column) places to eat that may not be known to the general public. This month, we will look at two places that should not be known by members of the general public. In order of appearance, today's stars are: BROTHERTON'S, and VIA FETTUCINI.

BROTHERTON'S most appealing feature to the Los Angeles resident is that it is located in Pasadena. Considered a local institution by many, it can be best compared to other Pasadena institutions such as the Pasadena General Hospital and Blair High School cafeterias when it comes to culinary abilities. My father always warned me about two things: never eat at a place called "Mom's," and never play cards with a guy named "Doc." All he forgot was to warn me against the dangers of eating at a restaurant that had a large sign outside claiming "home style meals." Take my advise: stay at home.

The interior of BROTHERTON'S resembles an old fashioned house. The reason is simple: the restaurant used to be someone's home. I felt compelled to eat quickly so that we could go back in the kitchen and help wash the dishes so that everyone could be comfortable in the living room in time to watch "The Waltons." The cook seemed to be in agreement. This may be the only restaurant that I have ever been to where when they say that

they serve soup and salad, they really mean that you get them both at the same time.

If you are not sufficiently discouraged, I must point out that no meal on the menu at BROTHERTON'S is over \$3.25. I must also point out that it is only open until 8:30 P.M. So if you are still game, you will find BROTHERTON'S on Colorado Blvd., west of Sierra Madre, in Pasadena.

VIA FETTUCINI is "in." The waiters wear tee shirts that say "Via Fettucini" on the front, and their names on the back (cute names like Desi, etc.). On the night that I was there, Joni Mitchell was seated in a corner booth (actually, now that I think about it, it was the only corner booth), and everyone was dressed in Neo-Hollywood (Fred Segal meets the Wolfman). I will not go as far as to say that their food is bad (which would be an understatement in referring to BROTHERTON'S), but I would point out that they give you very little, while you give them quite a bit. Now, of course, everyone has the freedom to enter into bad contracts as well as good ones, but in the case of VIA FETTUCINI, the whole deal is unconscionable. An order of spaghetti "a la Fettucini" (specialty of the house; a plate covered with spaghetti, covered with spaghetti sauce) is about \$3.00. This does not include a salad, it barely includes bread (upon many requests), and, in our case, due to poor service, it did not include water. My recommendation would be to go to VIA FETTUCINI with a small appetite, and a large canteen. Better yet, skip it altogether, and go to PINK'S around the corner. That's right, VIA FETTUCINI is located on Melrose, 1/2 block west of LaBrea, around the corner from the best chili dogs in town.

Write A Letter to the 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 news-paper 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.

Women and the law

by COLLEEN CHAPMAN, MARIE COURCY

Golden Gate University School of Law hosted the 4th Annual Western Regional Conference on "Women and the Law" the weekend of September 28. Approximately 1,200 women and men attended. The conference opened on Saturday with a welcome speech at the Sheraton-Palace Hotel by Dean Judith McKelvey of Golden Gate University. A panel discussion followed, dealing with the ramifications of Supreme Court abortion decisions and the proposed constitutional amendments regarding fetal rights.

Some of the panel members were Margie Pitts Hames, the attorney in the Supreme Court case Doe v. Bolton dealing with abortion legalization, Harriet F. Pilpel, member of the National Board of Directors of Planned Parenthood World Population who discussed the cases leading up to the Doe v. Bolton decision, Professor David W. Louisell of Boalt Law School and Florence Fee Esq. who discussed the fetal rights aspect of the issue. The panel by its very nature generated much discussion, at times emotional, but at the very least, thought-provoking and educational.

That afternoon and all day Sunday, the participants in the conference chose among the various workshop/panels being offered. Some of the topics were, Women in Traditional and Alternative Legal Practices, Rape, Women's Credit, Women as Trial Attorneys, Legal Problems of Minority Women, California Community Property Laws, Women and the Media, and Welfare Laws and Women.

One of the more interesting panels dealt with prostitution, its major theme being how to work for the decriminalization of prostitution in California. Another panel dealt with the legal ramifications of marriage as well as the rights and obligations created by marriage contracts, meritricious and putative marriages. The panel on the Equal Rights Amendment discussed the history of sex discrimination cases and how future decisions of this type will be affected by the passage of the ERA.

The majority of the workshops and panels were led by women attorneys, working in an unbelievably wide range of alternative law practices. Many of these women dealt with law as it relates to issues of feminist concern.

The range of these alternatives included an attorney for a pre-paid legal service (similar to medical insurance), equal opportunity employment manager for a large corporation, legal counsel for the legislative Joint Committee on Legal Equality, and a member of the D.A.'s Rape unit in San Francisco.

The conference bore many fruits for its participants in terms of broadening awareness, gaining knowledge of the legal process in action, and becoming a part of the energy that exists in people working throughout the country for women and the law.

by Colleen Chapman & Martie Courcy

"The Rocky Horror Show"

by Peter Gordon

As the great cabaret days are upon us, and before World Depression II engulfs all theaters, you owe it to yourself to snicker and snort at The Rocky Horror Show. On that black-tie evening when, tapping your French cigarette on your monogrammed cigarette box, you stand by the door of your Excabillur wondering where to take your favorite vision of the vamp as she descends from her steps, you may be ready for the current offering at the Roxy Theater. To make the experience especially piquant, an early dinner at Ma Maison is to be recommended. Then, off to one of the heart-spots of tinselly Hollywood, that hulking dark building near the Beverly Hills end of the Strip, where a red "R" rocks in its neon circle.

You may have acclimated yourself to this British musical spoof of the 50s, sex, and Transylvania with the ping-pong wit of Private Lives or the banal remembrances of street-corners past in Lords of Flatbush, but these will not ease your psychic dislocation once the usherette (Jamie Donnelly) prances her way down the center gang plank — her hair a blonde fuzz, red-sucker lips, and translucent tights — singing about the late-night science-fiction double-feature picture-show you have come to watch. The excellent house band, perched above, begins its more than audible syncopations, as we are invited to follow the misadventures of Brad Majors and Janet Weiss, super-heroes.

Picture a year somewhere in the 1950s, then a night heavy with black pendulous clouds with the rain billowing down. Brad (Bill Miller) and Janet (Abigale Hanes), the genuine ingenuous all-American couple, are driving home from the wedding of Mr. and Mrs. Ralph Hapshat where Janet had caught the bridal bouquet. They take a wrong turn and end up with a screeching blow-out; bolts of lightning herd them along their path back to the dimly lit castle that, while driving, they had passed. Prad wants only to use the phone, Janet only to accompany him lest he be detained by some fair damsel overnight. Together, in the pouring rain, they finally reach the gate to the Frankenstein place, lorded over by Frank N. Futter. As they knock on the door, the narrator comments that it was to be a night out that they would remember for a very long time to come.

Thus far, you may have been lulled into thinking that, after all, you were in the midst of yet another revival of the 50s, with the benefit of music burning rubber from the start. But once inside of the Frankenstein place, the mirrors of the fun-house start warping your mind-frame. Frankie Futter is not a mild mannered castle proprietor but a sweet transvestite, wearing a black corset and stockings, bouncing up and down in his platform shoes and just oozing with anticipation over the variety his new guests will afford him. We also learn that Frankie is no mean little scientist on the side, for his

experiments in the laboratory have lead him to finding the sources of life. This discovery was not motivated by his zeal for the advancement of science, but rather to create his ultimate attendant; a blonde and muscular Charles Atlas. Unfortunately, all does not go according to plan. Frankie's current attendants, the depraved and debauched appearing Riff-Raff and Magenta — who are from the planet Transsexual in the Galaxy of Transylvania — lamentably, along with Rocky, turn on their master and bring on his end.

Paul Jabara has replaced Tim Curry in the lead role of Frank Futter and commands far less presence than the Mick Jagger-like ambivalent sexuality and guttiness of voice that were Curry's. (Tim Curry is in London starring in the filmed version of the Horror Show currently in production.) Jabara has had to resort to more crudities in gesture than might be called tasteful and sets a general tone tinged with more decadence than was the rule in the show some three months past. The supporting cast is in large measure comprised of the same actors as are on the Horror Show album. Bill Miller as Brad and Abigale Hanes as Janet are especially well played in their transformation from innocents to rather lustful proponents of Frank N. Futter's philosophy of absolute pleasure. While Frank's freakish female attendants, Jamie Donnelly as Magenta and Boni Enten as Columbia, bring a tart and taunting sexual presence by their own antics and gesturings. It is these performer's voices that you hear when your favorite radio station plays one of the many fine songs from the Show — which in my estimation is the best sound-track since Hair — and seeing the performance in the Roxy's intimate setting, without reservations, is a dynamite combination (though the price is steep, \$7.50 per seat).

The Rocky Horror Show as a whole is a madcap mingling of science fiction, aberrant sexuality, and 50s straw-women and men transported by Futter's supersonic transducer device into a sexually vitalized young couple with much of their awakening yet left to share. What exposure the Show may present of other than normal sexual styles is brought over in a far from offensive manner in the riotous good fun of the chain of pursuits where seeker never pairs with the one sought. Rocky tells Frank to move over so Frank wedges himself between Brad and Janet.

The rights of passage gained through Frank's agency is a sexual spoof not unlike the plot in one of Moliere's plays. The fleshiness of it is a sign of our unrestrained times and that these days, theater tends to exact its ounce of flesh.

The show, in sum, is an audio-vibratory transport device taking you into a time warped evening you will not soon forget.

Juvenile Court Experience

Law Wives Association Hear Judge Kenyon

by Mike Squires

Having worked with computers, I hate the phrase, "Due to computer errors . . ." and other such nonsense. However, as far as we in the Law wives are concerned the "computer" and the Loyola main administration did make an error — in fact, several! We received a list of all married law students, alphabetized (by first name?) and used that to mail out over 550 October newsletters. We got more than 20 back as "addressee unknown." My wife's name was omitted, along with many others. So, to those of you who did not get a copy, or to those law students, female and male, who got copies meant for their spouse, or to the spouse addressed as "Mrs. Tom Smith," whose names are "Susie Jones," our apologies! We were working with rather limited resources. We hope this will not prevent you from taking part in our activities in the future.

On the subject of activities: we, like any other service organization, are limited in what we can do by money, human resources, and the interests and talents of our membership. We would very much like to expand our activities but are low on people-power at the moment. If you, like us, would like to see us expand, please encourage your husbands, wives, living companions and friends to join. Information on the Loyola Law Students Wives Association may be obtained from Sarah Henderson, 835-6503; or from me, Mike Squires, at 542-5417.

At the October 12th meeting, our speaker was Judge David Kenyon, who talked about his experiences and observations after two years in the Juvenile Courts system. Judge Kenyon is one of a group of four judges who, along with 30 counselors, handle over 30,000 juvenile cases a year in Los Angeles county. His talk was very much informal, but that style seemed to suit both his subjects and himself, and one of his recurring themes was the role of the juvenile court judge in providing and overseeing alternatives for youthful offenders. He graphically illustrated this with "real world" examples, such as that of a slightly retarded boy with violent tendencies, slated for juvenile camp, who Judge Kenyon helped get into a hospital instead, and then to a foster home. One boy had led two riots at camp and then went over the wall at juvenile hall. He was picked up 11 months later, by an officer who recognized him as he was walking down the street. Judge Kenyon used his resources to find out that the boy had not been in any kind of trouble during that period; instead, he had gotten a part-time job and was supporting his mother. In spite of the fact that an order existed calling for his return to Juvenile Hall, Judge Kenyon sent him to camp for three months with the "deal" that, given a perfect record for that time, he would go out on probation. The boy is now married and fully employed.

These and other examples show the uniqueness of the juvenile court in its almost unlimited power to mold general rules to the individual offender, taking into consideration their backgrounds, attitudes and potentials.

Our next business meeting will be November 9 at 10AM at the law school in trailer #1. The speaker will be Professor William Coskran, talking about the ins and outs of buying property. Guests and law students, as well as members, are welcome.

SBA News . . . Day and Night

During the month of September, the Student Bar Association, Day Division, conducted elections which involved all of the Day students.

All students were eligible to vote on the issue of ratification of the proposed Day Division Constitution. 282 voted in favor of the measure, and 31 voted against it; it passed.

All student were eligible to vote on the issue of ratification of the proposed slate of officers to the various offices of the SBA, Day Division: Mike Magnuson, President; Carol Frederick Vice-President; Bill Landers, Secretary; Fred Hong, Treasurer; Penny Grandall, Third Year Rep; Steve Piccola, Third Year Rep; John Grant, Second Year Rep; Lane Thomas, Second Year Rep; Jim Bendat, Curriculum Committee; Steve Galindo, Curriculum Committee; Saul Sancedo, Curriculum Committee; Carlos Villanoweth, Curriculum Committee. 286 day students voted in favor of the proposed slate, and 44 voted against it; the election of these officers was ratified.

All Day students were eligible to vote for the Faculty Representative from the Day Division. In this election, which was re-run because the spring election had been inconclusive, Hunter Sheldon was elected with a majority of the votes cast.

Elections for First Year

Representatives were held, with only first year students eligible to vote for one candidate from their section. Eight women and 14 men were candidates for these positions, and one woman and two men were elected to the position of Section Representative by a majority of their section: Peter Gordon, Section One; Michael Dwyer, Section Two; Kathy Kennedy, Section Three.

The month of October was devoted to discussions of the various by-laws under which the SBA proposes to run. Some of the areas discussed included who would have the power to vote, how budgetary decisions were to be reached, and how and when elections would be conducted.

The people you have elected to serve as SBA officers and representatives are very anxious to hear from you. We want to know your ideas and your opinions, and there are at least a few ways for you to be heard. First, you can come to our meetings, which are held on Tuesday afternoons, from 5:00 p.m. till 6:00 or 6:30 p.m., in the Moot Court. These meetings are always open, and your presence and your comments will be welcome. If you can't come to the meetings but want to express some concern, you can contact your class or section representative or any of the other SBA officers or representatives you happen to know or recognize. If

neither of these solutions seem to meet your needs, you can always leave a note for any one in the SBA in one of three places: in the mailbox pidgeonholes located on the right side of the entrance, just inside the coffee shop; in the Suggestion Box, located just under the pidgeonholes; or taped to the SBA door. The pidgeonholes are probably your best bet, unless you knock on the SBA door and just talk to whomever you find inside. For those of you who have not yet seen it, the SBA office is located in the east hallway, on the mainfloor, between classrooms A and B. The location of the SBA office is important for another reason: we post minutes of our meetings and other newsworthy items on and around the door. Your representative will periodically report to you or poll you in class, but there are some obvious limits to the frequency with which this sort of communicating can take place. So, when you want to know something, talk to your representative or check the SBA door. We look forward to seeing you, to hearing from you, and to working with and for you.

The Loyola Bar Association (Evening Division) is now meeting regularly, serving as the officially recognized representative organization for evening students at Loyola.

A strong feeling developed

among evening students last year that there was need for greater responsiveness on the part of the faculty and administration to evening student needs. It was also hoped that the participation of evening students in all phases of school affairs could be increased. In order to accomplish these aims, efforts were made to establish a student bar association especially to represent evening students.

In September of this year elections were held, and evening division students ratified a constitution and chose officers and class representatives to serve on the newly established evening division association. Those elected were:

Scott Rasmussen, President
Andy Stites, Vice President
Bob Pendleton, Secretary-Treasurer
Carla Woehrle, Faculty Representative
Andrew Cipes, Curriculum Committee Representative
Joanne Bokian and Pat Johnston, Fourth Year Representatives
Patricia Strimple and Wally Wade, Third Year Representatives
Keith Talmadge and Cherry Trumbull, Second Year Reps.
Ana Maria Gilliam, First Year Rep (Sec. I)
Jim Moultrie, First Year Rep (Sec. II)
Regular Meetings of the Loyola Bar Association (Evening

Division) are held on Tuesday nights at 10:00 pm in the Moot Court. The major items of business currently being considered include this year's budget, grading reform proposals, and the drafting of by-laws. All evening students are invited to attend the meetings, and are urged to contact their class representatives for more information or to make any suggestions.

Join the Brief

Opportunities await aspiring Loyola Brief editors and staff writers.

Staff writers, photographers, and advertising solicitors 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 today's issue.