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Fr. James N. Loughran, S.J. New LMU President

Father Loughran, 44, replaces Rev. Donald P. Merrifield, S.J., who resigned earlier this year, citing the need for change after 15 years of service. The new president brings to LMU experienced and varied experience as an academic and administrator. He received his doctorate in philosophy from Fordham University and continued there as a member of the faculty. In addition to his teaching duties, Father Loughran also served as dean of Fordham College, the 3,000 student undergraduate college of Fordham University. According to Rev. Robert V. Caro, S.J., chairman of the Trustee Search Committee and rector of the Loyola Marymount Jesuit community, the new president will bring outstanding qualities to the position.

"The Trustee Search Committee was not only aware of Father Loughran's administrative talent and experience but was especially conscious of his vision-ary and charismatic qualities: his warm and magnificent personality; his sense of humor; his gifts in speaking and writing; his ability to articulate a sense of direction and inspire others to follow him," Father Caro said.

In beginning his new position, Father Loughran stated, "The university is healthy and sure of itself after a long period of growth and change; having taken its basic shape for at least the next decade, the university should now re-express and renew its latent, but still lively educational commitments, make a host of recognized and not-yet-recognized improvements, and assume a more prominent role in Southern California and beyond as a quality Catholic University."

In an interview with Father Loughran follows on page three of this issue.

Scott Moot Court Honors Competition

The winners of the 1984 Scott Moot Court Honors Competition were announced on April 12 at a reception following the oral rounds of the competition. Ann Malcolm received the award for Best Oralist and Veronica Norris the award for Best Brief.

The Scott Moot Court Competition was instituted at Loyola Law School in 1952. It is named in honor of Joseph Scoppettone, the school's first dean, and one of Los Angeles' most respected civic leaders and legal minds. The six finalists this year argued the GALLOWAY vs. CBS defamation suit before the Moot Court of Appeal consisting of the Honorable Shirley M. Hufstedler, Presiding Justice, the Honorable Otto M. Kahn, Associate Justice, and the Honorable Clarke E. Stephens, Associate Justice.

In addition to the awards for Best Oralist and Best Brief, the members of the 1984-85 national, state, and specialty teams were named. Ann Malcolm, Harrie Montalich, and Jeannette Viu were chosen for the national team; Scott Alderton, Karen Honeyman, and Les Small for the state team; and Richard Kinnun, Cynthia Lopez, and Scott Norton for the specialty team.

The Scott Moot Court Honors Program is a student-administered competition. This year, the program was organized by Phyllis Meadows, Chief Justice, and Karen Friedenberg. Scott MacLatchie and Tormon Ong, Associate Justices, under the faculty guidance of Professor Lionel Sobel. The 1984-85 program will be administered by Carol Sanbon, Chief Justice, and Kaye-Evelth-Burns and Susan Gentile, Associate Justices.

Evening SBA Scholarship Fund Announced

The Evening Division of the Loyola Law School Student Bar Association has endowed the Law School with a scholastic award fund specifically designed to honor evening students. The "Evening SBA Scholastic Student Award" will be initially given to three evening students a year, one out of each of the second, third, and fourth year classes. The honor will be bestowed towards the end of the fall semester and each student will receive at least $250.00 to be applied against spring tuition or course book purchases. The amount and/or number of awards will grow as the fund grows over time through capital appreciation and future donations.

Criteria for receiving the award are as follows:

- Must be a full-time second, third, or fourth year evening student;
- Must be employed full-time (32 hours or more per week);
- Must be ranked in the top 10% of the class (based on class rankings through the previous summer semester);
- Must not have received a scholarship for the academic year;
- Must be an active member of the Evening SBA;
- Must have a minimum grade point average of 3.0 in their last academic term;
- Must be nominated by at least one faculty member in the classroom and have demonstrated outstanding academic achievement and contribution to the classroom.

The award will provide support for student financial aid and encourage education to evening students who may not have the financial resources to continue their education. The award is designed to help evening students to excel in the classroom and to contribute to the law school community.

NEWS BRIEFS

November 8

ALUMNI DINNER

The Alumni Board of Governors chose the Reverend Donald P. Merrifield, S.J., past president of Loyola Marymount University, as the recipient of the 1984 Alumni Association Distinguished Service Award. Father Merrifield served as president of Loyola Marymount for the past fifteen years and now holds the office of Chancellor of the University.

Father Merrifield will accept the Distinguished Service Award at the annual Alumni Dinner to be held on Thursday, November 8, at the Baltimore Hotel. The dinner this year is co-chaired by Kevin Fiore, ’69, Roman Silberfeld, ’74, and Brian Bradley, ’78.

In addition to the award given to Father Merrifield, special recognition will be given to the Class of 1934 which celebrates its golden anniversary.

The committee announced that invitations to the dinner will be mailed to alumni early in September. Tickets for the dinner will be $45.00 per person. Tables for ten may be reserved for $450.00. Further information is available from the Alumni Office, 736-1044.

September 24

STATE BAR CONVENTION BREAKFAST

Attending this year’s State Bar Convention in Monterey will gather for a breakfast organized by the Law School. The breakfast will be held on Monday, September 24, at 7:30 a.m., in the Hyatt Del Monte Hotel. The breakfast will provide alumni an opportunity to renew acquaintances and meet in formal with Dean Frank and other members of the Law School Faculty and staff.

Alumni attending this year’s convention will be located at One Old Golf Road, Monterey. The charge for the breakfast is $15.00 per person. Reservations may be made through Mark Weiner, Alumni Relations Office.

BOARD OF GOVERNORS ELECTION RESULTS

Five members were elected to the Alumni Board of Governors during the July election. Three members were reelected while two new governors were added to the board.


At this time of year, the names of those appointed to the Board of Governors are not yet available. The complete composition of the board with profiles of the new members will be found in the next edition of the Lawyer.
New Administrators

From the Dean

The lifeblood of the law school is its students and faculty. Administrators are necessary to help create an environment conducive to the highest levels of professional and academic legal achievement, but the major resources of the school—its students and faculty—must be continually improved to maintain and improve academic quality, not to create a self-serving bureaucracy.

With this basic principle in mind, we have attempted to mold an efficient, multi-dimensional administrative staff which recognizes its obligation to student services and faculty and enjoys meeting the challenge of service.

There are over three hundred students in the Loyola Law School and almost one hundred faculty. Despite this, an unusually large percentage of our administration is undertaking added responsibilities. We also see some new, and some recently added, responsibilities in important positions. Let me introduce some of them to you.

Bill McGeary who has served Loyola since 1980 as Director of Development will supervise all business and operations aspects of the law school. As Assistant Director for Business and Development, he is responsible for the daily supervision of auxiliary services.

Joan Yamamoto who holds a degree in Sociology from Cal State, Northridge, was formerly a director of admissions at UCLA. Since arriving at Loyola in 1978 she has served as our Director of Admissions and, most recently, as Executive Director for Student Affairs. Ms. Yamamoto has been responsible for the outstanding record of achievement and an intimate knowledge of all aspects of student services.

Dean Yamamoto in providing student services are three administrators with major new responsibilities.

Bill McGeary is our new Director of Placement and Career Planning. He joined us in 1983 as the Assistant Placement Director. With a B.A. from George Washington and a Master's in Counseling Psychology at Catholic University, Bill has responsibilities for the coordination and supervision of auxiliary services.

This program is designed to meet the challenges of a selective and sophisticated job market and a student body whose career objectives are coming more varied both professionally and geographically.

Carol, who is a graduate of U.C. Berkeley, previously served as a counselor at Cal State, Long Beach and the coordinator of the women's re-entry program at San Francisco State University. She will, additionally, help provide administrative support to the Institute for Corporate Counsel. The Institute will have as its new general administrator, Ami Silverman, formerly director of advanced professional programs at Loyola.

Cecilia Morris who is relinquishing her administrative responsibilities for the faculty and the J.I.C.C. is undertaking what is, perhaps, the greatest administrative challenge of all.

As our new Director of Admissions, Cecilia who holds a B.A. in English from LMU must not only maintain the high professional standards set by Dean

continued on page 6

League of Senior Citizens Honors Loyola Alumnus

Various civic and local organizations honored David S. Smith at an open house hosted by the California League of Senior Citizens. Professor Smith, a 1942 graduate of Loyola Law School, began his volunteer efforts with the League of Senior Citizens in 1949 and has been actively involved with it since then.

Mr. Smith received five awards recognizing his outstanding contributions to community service to senior citizens in the Los Angeles area. Kathleen Sobel, on behalf of Professor of History William Burnett, presented Smith with a certificate naming him a Citizen of Honor of the city of Beverly Hills. Both the City of Beverly Hills, through the office of Councilman Cunningham, and the County of Los Angeles, through the office of Supervisors, gave awards thanking Smith for his years of service to the Los Angeles community. Mr. Harold Haskins, representing the Los Angeles County Department of Senior Citizens' Affairs and the Committee of Concerned Alumni, commended Smith's work among the aged and underprivileged of the area. Finally, Lily Lilen in Chan, Chairman of the Los Angeles County Committee on Aging of Los Angeles County and whose husband Stanley was a former professor at Loyola Marymount, presented Mr. Smith with a memento of LMU. In accepting the awards, Mr. Smith acknowledged that the open house had kept a complete secret from him. He thanked the representatives for their concern on his behalf and commitment to the underprivileged and aged in the Los Angeles area. The League of Senior Citizens, which has been in operation for over forty years, has done so in a continued on page 6
Loyola Lawyer: Fr. Loughran, prior to becoming president of Loyola Marymount University, you were a philosophy professor and then dean at Fordham. What factors influenced your decision to move to California as LMU president?

Fr. Loughran: As an administrator, I feel that the law school can address this tradition brings to an institution such as the law school which has such a diverse student body?

Fr. Loughran: One thing that I admired at Fordham was the diversity—especially the ethnic diversity—of the students there. Jesuit universities have traditionally served students from a wide variety of backgrounds, and I am pleased to note that LMU carries on this tradition.

In an age of careerism, Fordham has not lost its commitment to liberal arts education. Any first-rate university—whether it be secular or religiously affiliated—must emphasize the education of the whole person. I find that emphasis at LMU.

Loyola Lawyer: Fr. Loughran, you mentioned the importance of a liberal education. Could you comment further on this in relation to the law school which offers a professional course of study?

Fr. Loughran: There is, of course, a difference between what goes on in a professional school—especially one on the graduate level with an older student group—and what occurs with younger undergraduates. With the former group there is a concentration on professional training, while with the latter, the focus is on a broader liberal arts program. But I doubt that liberal arts education need be thought of as entirely separate from professional training or that a professional school should have no liberal arts dimension.

Any good school seeks to develop students’ talents, to “free” them. Any good school, whether undergraduate or professional, will encourage students to ask questions and show them how to find answers. Any good school will encourage students to realize what is studied to the larger question of what it is to exist and flourish in a complicated, evolving world.

Loyola Lawyer: What particular concerns do you have for the law school?

Fr. Loughran: As an administrator, I have to make sure that the school is well financed and properly run. Naturally, we all look for legal education that is indeed excellent and recognized as such by the legal community. But beyond that, students should be left here with a sense of service and responsibility for a just society. Their experiences here, the relationships and friendships they develop with the faculty, staff, and other students should encourage them in this ideal.

Loyola Lawyer: What particular influence do you think the Jesuit tradition brings to an institution such as the law school which has such a diverse student body?

Fr. Loughran: When at the heart of Jesuit education is that of “personal care”—mutual concern among our students, our faculty, and our staff. In our schools we must always have time for and interest in one another. We are kind and fair to one another, but we also demand the best from one another. This spirit of “personal care” is something that students should expect from us and that should be communicated to everyone who comes in contact with us. I might add that, in my brief time here at LMU, I sense that this spirit is very much alive and thriving—both at the Westchester campus and here at the law school.

Loyola Lawyer: Fr. Loughran, as a Jesuit you speak from a long tradition of Catholic education. Does this tradition bring some sort of distinctive character to education?

Fr. Loughran: This question obviously continues the previous one. Secular humanism at its best approaches the education of the individual with this conviction: that he or she is a unique person with talents to be developed for the individual’s own satisfaction and for the good of society. Now think what the president of Christian faith adds to this. Human beings and the world in which they live are God’s unfinished creation; through education we help to complete God’s own work. Human beings are called by God to union with Himself and with one another; education assists in the pursuit of that common destiny.

But, as the gospels dramatically portray, a battle between good and evil—generosity and selfishness—rages within human hearts and within society; education attempts to lead men and women to an awareness and appreciation of where their true good really lies.

If, in a school, this Christian vision and dream are alive, it means even greater commitment to academic excellence, hard work, mutual respect, and service of others. We always fall short in practice, of course, but, as even colleagues who do not share this faith will agree, it is essential not to lose sight of these ideals.

Loyola Lawyer: There has been a great deal of concern recently about the reputation of the legal profession and legal ethics; how do you feel that the law school can address this issue?

Fr. Loughran: I think we should try to avoid over-simplification or a certain trendiness in our response to this question. While courses in legal ethics should be required part of any law school curriculum for the ethical issues should pervade all our courses. A good professor in any discipline will help us develop a healthy attitude toward the ethical dimension. In the study of law, I bet, the constant temptation is to confuse the legal with the moral. Thus there should be ongoing efforts—colloquia, seminars, debates—invoking the whole law school community to make sure that ethical issues are noticed and dealt with. I would hope that the total environment of the law school would encourage an ethical sense among our students. After all, one way we teach justice is by our own practice of justice and by the fairness with which we treat one another.

Loyola Lawyer: Are there any additional qualities which you think the law school should exhibit?

Fr. Loughran: We have already discussed the “personal care” ideal of Jesuit education. Here are some other questions we should certainly ask ourselves: Are the faculty being stimulated to grow as teachers and scholars? What is the quality of their contribution to the legal profession and to the larger society? Do our students, through clinics and internships, come in compassionate contact with the poor, with those on the “fringe” of society? Do the atmosphere and programs of the school nourish the spiritual, cultural, and intellectual lives of both the faculty and students? Does the school as a whole witness to higher values than materialism, consumerism, and the other ills of our times?

Loyola Lawyer: The Los Angeles area had the largest legal community in the West; what contribution do you see Loyola Law School making to the community of Los Angeles?

Fr. Loughran: If, year after year, we send into this area well-trained, compassionate, and dedicated lawyers, what an enormous contribution we make. If, moreover, the school itself is a place where not only lawyers in the area, but other friends as well, can come to find intellectual and cultural stimulation, then our range of effectiveness is even further broadened. Finally, the present services rendered by our faculty, clinics, and internships are positive examples of the contributions made by this school to the Los Angeles area.

Loyola Lawyer: Do you have any final word for our readers?

Fr. Loughran: Only this: The law school stands out for excellence within the university. I pledge, during my time as president, to do all I can to safeguard and even increase that excellence.
Sunday, May 27, 1984 was a warm and happy occasion for all who attended the Loyola Law School 63rd Commencement exercises held on Regents Terrace at Loyola Marymount University. Although the program was lengthy in order to include the many speakers and special recognitions and awards, this graduation was one of the finest in Loyola’s history. It was well orchestrated that even a pleasant ocean breeze passed gently over the proud and excited graduates and their guests.

After the traditional procession march accompanied by Pomp and Circumstance, Dean Frank welcomed the audience and introduced the two student speakers. Janet S. Moore, a 1984 gradu­ate anderved as the Invocation Division, received a warm cheer from her fellow classmates as she approached the podium. Janet, focusing her attention first to the guests, family and friends in the audience. She graciously and sincerely thanked them for their kind assistance and unending support throughout the trying years of law school. Her theme of appreciation continued as she turned to directly address the class of ’84. Emphasizing the significance of this day in each gradu­ate’s life, Janet acknowledged that several students would be recognized for the special achievements this afternoon but that everyone present should, indeed, value the importance of their individual success in law school.

Speaking for the Day Division, Kurt Alan Moll immediately established the humorous tone of his discourse as he addressed faculty, classmates, Justice Broussard ... and members of the Financial Aid committee. Kurt wittily demonstrated the analogy of Moses’ cry before Pharaoh to “let my people go”, and the unique slavery which law school imposes upon its captives. Later he rendered his painting of the new graduate-immigrant arriving in the legal land of opportunity where dreams flourish unrestricted. He continued, “All of our dreams will somehow be reflected in a process known as billing the cli­ent.” Kurt departed only after leaving his fellow classmates with three rules for their consideration: Be honest, be open, be cool … certainly sound advice from a rising attorney.

The program moved to a more serious note following the student speakers. A special award designated by the faculty was announced by Dean Frank to honor Burton R. Cohn, posthumously. He was an alumnus of the law school, Class of 1977, successful businessman, adjunct professor and friend to all. But had died suddenly on New Year’s day. His wife, Thelma, was presented with the medalion award, which was established in 1982 by the faculty in memory of Fr. Richard Vachon, associate dean of Loyola for many years, to honor his dedication to the service of others.

The Commencement address was delivered by the Honorable Allan E. Broussard, Associate Justice of the California Supreme Court. Justice Broussard offered enthusiastic congratulations to the Class of 1984 on their special day, indicating how special, indeed, it was as he reflected upon his own graduation 31 years prior. He invited the graduates to look around and recognize the diversity present … • Do you realize that less than two decades ago this would most likely have been an all-white, all-male graduating class? I believe that some progress has been made.” Justice Broussard went on to challenge the class, exploring with them not the kind of law which they might choose to prac­tice, but the kind of lawyer which they hoped they would choose to be. He em­phasized the responsibility of the legal profession to struggle for social justice and to protect the successes of the 1960s. “If you will find that if you but try, you can make a difference.” In his closing remarks he appealed to the audience to continue the struggle to maintain the independence of the judiciary … • a judiciary free to decide legal issues based upon the application of legal and constitutional principles, rather than upon the judge’s perception of prevail­ing public opinion at the moment. This is the very essence of our democracy.”

Before the awarding of diplomas, Dean Frank introduced Fr. Merrifield, who had recently announced his retire­ment from the presidency at LMU, and read a faculty resolution honoring and congratulating him for his 15 years of service.

Finally, the long awaited for moment arrived for each of the 270 and 87 evening graduates of the class of 1984. Associate Dean Daniel Stewart called each graduate to the platform to receive his diploma while Assistant Dean Arnold Siegel announced the winners of academic awards. Applause filled the campus as the final degree was conferred and the celebration began in earnest. A reception followed on the Alumni Mall where faculty, friends and graduates exchanged congratulations, best wishes and good-byes.

First Annual Barrister’s Ball

On May 24, the 1984 graduating class gave birth to a new tradition at Loyola Law School with the first annual Loyola Barristers’ Ball. More than 200 celebrants gathered at the Riveria Country Club for cocktails, dinner, and an evening of fun, all underwritten by the Barrister’s Ball, sponsored by the Student Bar Association and funded almost entirely through ticket sales. The ballroom of third-year SBA representative Phyllis Meadows. Joni Greenberg coordinated the financial details from site selection to providing the fresh flowers for the men and women. A gift of 1000 tickets was accepted gratis for this first annual event.

The Bar’ Ball featured a consideration of all the fun and excitement associated with this event. The students and faculty in attendance were to the graduation of the class of ’84. Plans for the Barristers’ Ball II are already underway.

State Bar Exam Reception

A reception in honor of the 74 Loyola Law School graduates who successfully passed the February Bar Exam was held in the Faculty Lounge on Monday, July 23. Professor William Coskran and Dean Arthur Frank congratulated the alumni on their achievement and expressed their confidence in the continued success of Loyola Law School alumni. Dean Frank stated that he, along with the faculty and members of the bar, were proud of the graduates and that they had accomplished much more than two decades ago. The graduates were honored for their achievements and presented with special awards by the faculty and friends.

The Law Review received a gift of $40,000, which will be used to purchase new computer equipment for the law review. The donation was made by the Los Angeles Law Firm of MacDonald, Halsted and Laybourne. Kevin Fiore, ‘89, and Assistant Dean Richard Broussard, who accepted the gift, expressed gratitude to the donors for their generosity.

The faculty continued their congratulations and expressed their appreciation for the students’ hard work and dedication. They emphasized the importance of the three rules for the students: be honest, be open, and be cool. The graduates were encouraged to use these principles in their future endeavors.

The final words of the ceremony were given by Professor Gerald Uelmen, who expressed his gratitude to the students and their families for their support throughout their law school years.

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The Law Review received funding for a word-processing machine donated by the Los Angeles Law Review. The equipment was given specifically to the law review, it will be used to update the contents of the law review and to produce the next volume of the law review. The donation, valued at $40,000, consists of two Lanier LTE-2D Text Editors and printers plus one ASCII II communication device.
The year is 1991. The long-awaited decision of the United States Supreme Court in the case of John Bankhead v. United States is being announced. Three witnesses, John Bankhead, acknowledged expert on the details of a terrorist plot which culminated in the murder of the President of the United States and four members of his cabinet. The assassination took place during opening ceremonies at the annual National Exposition in Philadelphia on July 4, 1991. When he was summoned before a federal and jury, however, Bankhead refused to testify, despite a grant of immunity. Prosecutors then applied for a search warrant, to permit a physician to attach electrodes to Bankhead’s scalp, and monitor his thoughts for a 24 hour period. The application for examination of personal images produced by the human brain was recently perfected, and this case presents the first attempt to put it to use as a law enforcement tool.

Chief Justice Verbum announces the opinion of the Court, upholdng the validity of the search warrant. Applying the Fourth Amendment, the Court held that the warrant requirements of probable cause and particularity, he finds that both requisites are met, comparing the warrant to a “balancing test.”

Rejecting the claim that uncomunicated thoughts are entitled to absolute protection against governmental intrusion, he relies on recent precedents establishing a “balancing test.” Even if thoughts are given greater Fourth Amendment protection than other forms of evidence, he concludes that the gravity of the threat to national security presented by this case clearly justifies the intrusion.

Justice Veritas then presents the following dissenting opinion:

Even in the frightening world of “Thought Police” conjured by George Orwell in 1984.

“With all their cleverness, they have never mastered the secret of finding out anything about another human being was thinking.”

That secret has now been mastered, and this Court is finally presented with the profound question predicted by Justice Brandeis in Olmstead v. United States, 277 U.S. 438, 479 (1928):

“Advances in the psychic and related sciences may bring means of exploring unsuspressed beliefs, thoughts and emotions . . .”

To Lord Camden a far slighter intrusion seemed "subversive of all our liberties," but Lord Chief Justice Jeffreys, who later achieved infamy for the “Bloody Assizes,” Algrenon Sidney raised the same objection. The warrant clause is raised by the petitioner in this case: Col. Sidney then, my Lords, is a Right of Mind, which, to ex­cluded by all studious men, that they write in their own Closets what they please for their Memory, and no man can be answerable for it, unless they publish it.

Lord Chief Justice Pratt: “Just go away with that right of mankind, that it is lawful for me to write what I please for my own Closets, unless I publish it; I have been told. Curse not the King, nor any of his Officers; but look to it, Bed-Chamber, the Birds of the air will carry it. I took in to be the duty of mankind, to serve that.”

Fifteen years after Sidney was drawn upon a hurdle to Tyburn Hill to be hanged, drawn, quartered and beheaded, his “treasonous” papers were published as Discourses Concerning Government, the work of six leading non-regime colonists who led a revolution against another English King a century later. The American colonists also drew inspiration from the prosecution of another English dissenter whose case, eighty years later, ended more happily. On April 22, 1763, a newspaper called The North Briton appeared on the streets of London, labeling the King’s Ministers “tools of despotism and corruption,” and accusing King George III himself of complicity in dishonest negotiations for the recently concluded Treaty of Paris. A warrant was issued commanding four officers to seize the publishers “together with their papers.”

In execution of this warrant, houses were entered, breakable walls were caved in to break open locked bureaus, papers were seized, and nearly fifty suspects were rounded up.

Among them was John Wilkes, a rakish member of Parliament who used his prosecution to rally opposition to government. His publisher was the Earl of Sandwich, later immortalized for feeding his appeal­ tion to both King and Hanover Rye. Sandwich taunted Wilkes, saying he would die “either of the pox or the gallows.” Wilkes responded, “That de­pends, my lord, whether I embrace your mistress or your principles.” After gaining his release on a charge of parlia­mentary privilege, Wilkes brought suit against the Secretary of State for trespass. The government spared no expense in defending its action, spending the enormous sum of £100,000 on its legal defense. Wilkes won a judgment of £4,000 when the warrant was de­clared invalid because none of the sus­pects was named. Wilkes became London’s idol, and its Lord Mayor as well.

Soon after the decision in Wilkes’ case, the English courts were presented with the case of another political pam­phleteer, John Entick. Entick had been named in the warrant under which his papers were seized, though. Thus, the question of the validity of any warrant purporting to justify the seizure of pri­vate papers was directly presented. The answer, provided by Lord Chief Justice Camden, was a resounding reaffirmation of the sentiments expressed by Algrenon Sidney a century before.

Wilkes’ cause was also championed in Parliament by William Pitt, a boy­hood friend of Lord Chief Justice Camden. The parliamentary debate pro­duced Pitt’s eloquent and oft-cited de­fense of the constitutional right of privacy.

“The poorest man may, in his cot­tage, bid defiance to all the forces of the Crown. It may be frail, its roof may shake; the wind may blow through it; the storm may enter; the rain may enter, but the King of England may not enter: all his force dares not cross the threshold of the ruined tenement.”

These events were widely reported in the American colonies, and achieved tremendous symbolic importance. Wilkes, Pitt and Lord Camden, who lat­er served as Lord Chancellor, were among the loudest critics of the colonial policies which led to the American Rev­olution. Their heroism was memorial­ized in the names of colonial cities and towns. Camden, N.J., Pittsburg, Pa., and Wilkes-Barre, Pa. are modern re­minders of this courageous trio.

Their attacks on the use of warrants to seize private papers were remembered when the former colonists fashioned a Bill of Rights.

This history breathes life into the command of the Fourth Amendment that “the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and se­izable, shall not be violated.” As the ma­jority reads these words, they add abso­lutely nothing to the warrant clause. They can only serve to detract from the warrant clause, by allowing warrantless searches which are “reasonable.” Yet the history of the Fourth Amendment convincingly demonstrates that the “rea­sonableness clause” was added because the warrant clause alone was deemed insuffi­cient protection against the excesses of governmental intrusion.

By purporting to “balance” the inter­est of the individual in the privacy of his thoughts against the interest of the state in effective law enforcement, the majority has stacked the scales. How can the intangible benefits of un­trammelled thought, even thought which con­templates the destruction of society, be measured against the concrete cost imposed by the escape of those who have struck a mortal blow against the fabric of our society?

Right now, the “balancing scale” of Fourth Amendment protection remains at sea, with no anchor. There is literally no extreme beyond which governmental intrusion is absolutely forbidden. With the privacy of human thought left to the warrant clause of the Fourth Amendment for protection, we have come full circle in our Fourth Amendment odys­sey, back to the position espoused by Lord Chief Justice Jeffreys in the trial of Algrenon Sidney over three centuries ago.

“Cure not the King, not in thy thoughts, not in thy Bed-Chamber, the Birds of the air will carry it.”

Professor Gerald Uelmen is the 1984 recipient of the American Bar Association Journal’s Ross Essay Award for his contribution, “1991: A Fourth Amendment Odyssey.” Professor Uelmen’s essay, written as a futuristic hypothetical Supreme Court opinion, asks the question, “Can officials search and seize your thoughts?”

The Supreme Court must decide whether a duly licensed physician can attach elec­trodes to the head of an accused to expose his thoughts or whether such an action would constitute unreasonable searches and seizures. The following is an excerpt of Professor Uelmen’s essay which appears in its entirety in the September issue of the ABA Journal. This excerpt is printed with permission of the ABA Journal.

PROFESSOR UELMEN WINS ROSS ESSAY AWARD

1991: A FOURTH AMENDMENT ODYSSEY

PROFESSOR GERALD UELMEN WINS ROSS ESSAY AWARD
Advocates Continue Efforts

Bill Schneider, '69, chair of the 1984 Advocates Campaign, announced that the Advocates' goal of $127,000 had been reached through the contributions of more than 800 alumni and friends of Loyola Law School. The success of the campaign is evident in the increase of donors from 375 in '82-'83 to more than 800 during the past year.

The 1985 Advocates Campaign will be chaired by Arthur Barwick, '74, and Angela Hawekotte, '79, acting as vice-chair. Because of the great success of the special '80's graduate reunion, Anne Vaughan, '82, will continue as chair of this group of alumni. Under her leadership, the reunion increased from 35 donors in 1982-83 to more than 200 in the 1984 campaign with an average contribution of $100.

In addition to the general Advocates Campaign, alumni from the decade of the 60's will be invited to participate in a project to renovate the Moot Court at Loyola Law School. This particular fundraising effort, chaired by David Chodos, '66, will seek pledges of $100 to $1,000 per year for five years for a total of $750,000. The goal of the 60's will receive recognition both as contributors to the Advocates Campaign and as alumni donors to the Special Moot Court Project. The names of the alumni donors to this project will be inscribed on a commemorative plaque in the new Moot Court Room.

Assisting David Chodos in coordinating the 60's Moot Court Project will be class chairs. So far, the class chairs are Martin L. Burke, '61, Peter Menjou, '64, John Harris, '65, Dennis Burns, '67, and John Burke, '69.

Alumni from the 60's and 70's are being asked to volunteer for the special projects committee. Interested alumni should contact O. Weiner at the Development Office (736-1046). Other Alumni wishing to be involved in the Advocates Campaign should contact Michael Moodie, J.S. (736-1043).

Placement Center

Career Planning Assistance

The 1984-85 academic year continues the commitment of the Law School and the Career Planning and Placement Office to provide career counseling opportunities for all students and alumni. The two counseling professionals, Bill McGurty and Carol Ross-Burnett, have been promoted to Acting Director and Associate Director, respectively, and bring to the students the knowledge and experience gained from their varied academic and business contacts.

The Career Planning and Placement staff considers effective career planning an integral part of the law school experience. The student or alumnus should be viewed as a unique, multifaceted individual who may need assistance in goal setting, self-assessment, and the development of an efficient job-search strategy. In addition, the staff maintains continuous contact with the legal employment community in an attempt to generate specific employment opportunities for Loyola students and alumni.

The state of legal employment has produced great variety over the past few years. The question has frequent been asked, "Is the legal market flooded?"

An article in the July 2nd edition of the National Journal notes that over the past decade there has been a fifty percent increase in the number of firms, the number of lawyers, and in gross law revenues. The June 14th edition of the Los Angeles Daily Journal stated that the California firms have the highest average gross receipts per lawyer in the country in the 100,000-150,000 category. The past five years have seen ninety-two to ninety-five per cent of Loyola graduates who passed the bar to secure employment within a few months following the bar exam results. The reality is that the legal employment market must be approached with a systematic, well-planned strategy with various target options considered.

A second question asked concerns the future job market for lawyers. According to the National Association of Law Placement, there are approximately 35,000 legal positions opening annually due to attrition alone. This matches up favorably with the annual number of law school graduates. In addition to providing information to law schools are lower than in past years and this trend is expected to continue. As we move steadily into the "information era" with its more complex law structure, social planners foresee an increasing need for sources of legal advice and representation.

In an article in the Student Lawyer, L. Wayne Greenberg, past president of the National Association of Law Placement, notes with growing concern in the following legal specialty areas: tax, estate and probate, bankruptcy, securities, aviation tort, personal injury, products liability, family, environmental, employee benefits, workers compensation, health care, and communications.

The National Association of Law Placement Convention in Minneapolis focused on problems with the current legal recruitment process and its national emphasis on the candidate's law school and academic standing. The Career Planning and Placement Center staff is involved in seeking alternative methods which can assess potential performance and provide an additional facet of marketability.

Other developments on the Career Planning and Placement front include: Loyola's participation in the newly formed Southern California Law Placement Consortium with other area law schools for purposes of information sharing and program coordination and a possible joint Loyola/UCLA public interest forum in the spring of 1985. The number of job interviews by both faculty and public interest organizations participating.

The Career Planning and Placement Center staff is committed to providing increased services to alumni. Present services include the monthly Attorney Job Bulletin mailed by request, extended evening office hours, job listings and referrals available at the library Reserve Desk, and professional counselors to assist in career decisions and other efforts. An alumni reunion referral service is anticipated for 1984-85.

Law School Receives Pickford Foundation Scholarship

Mr. Edward G. Stotzsenberg, president of the Mary Pickford Foundation, presented a $20,000 grant to Loyola Law School. The grant, with an endowment of $50,000 to establish the Mary Pickford Foundation Endowment for Scholarships. The sum given by the foundation represents a capital investment, the interest from which will provide scholarships for Loyola Law School students.

Mary Pickford, famous for many starring roles and her husband, Buddy Rogers, who starred with Mary Pickford in the film "My Best Girl," worked for many years on behalf of a number of civic and charitable efforts. Mary Pickford was active in the war bond ef- forts and worked tirelessly for the Red Cross and March of Dimes in the campaigns against polio. Buddy Rogers continues his own efforts on behalf of various disabled veterans associations.

The Mary Pickford Foundation was established after the death of Mary Pickford from bequests from her estate. The endowment from the Mary Pickford Foundation will enable the Law School to give additional financial assistance to its students. The recipients of the award are to be selected through the endowment will be selected on the basis of financial need as well as scholastic achievement.

Senior Citizens (continued from page 2)

Yamamoto in that office, but also face the crucial task of developing new strategies to encourage a broader range of qualified individuals to consider legal education at Loyola. With the great expansion of law school applications, nationally, a third of the past, it is a real challenge to maintain the quality of our student body. Based on her record of achievement and professional growth since she joined the law school staff in 1976, "Glee" should meet the challenge.

Susan Shepard in less than two years at the law school has professionalized our personnel offices establishing yet service-oriented policies and, with the able assistance of Sharon Chavez, maintaining the high level of individual service.

As director for Special Projects, Susan will also serve as our project administrator in the development of "Infomation Era" a research grant program to supplement our own faculty development efforts. Most importantly, she has the responsibility to develop and effectuate an administrative component which, in coordination with the career center, will allow us to meet all of our student service, alumni and faculty support functions in an efficient and expeditious manner.

In this new role Susan will have a unique opportunity in experience in organization and personnel development, Susan is a highly accomplished classical singer who has graced the stages of many of the world's foremost opera companies including Berlin, Zurich and Covent Garden. She continues to tour during vacation periods and to perform in the musical at several major Los Angeles religious institutions. Susan has done her best to bring out the sometimes elusive musical talents of the faculty, staff and students. Professor David T. Sacks has been in this position as Associate Dean. Susan joins the Associate Dean's position as primary academic officer of the law school and that has distinguished such predecessors as Professors Chris May, Gerry Gelman and, most recently, Art

Finally, it is important to mention the major institutional changes which have taken place at Loyola Marymount University. You all know that Mr. Merrifield has relinquished the presidency of LMU to become Chancellor. Fr. Jones Loughran, S.J. is the new president. Fr. Loughran's views are expressed in this issue of the Lawyer. Fr. Charles Casassa, former president and Chancellor who played a critical role in the development of Loyola Law School, will continue to serve the University as Vice Chancellor. Additionally, LMU has a new chairman for its Board of Trustees, Thomas Grojean. Mr. Grojean promises to continue the energetic leadership provided by his predecessor, Dick Archer.

What is most important for us is that the new president will work for LMU University with its fine law school bodies well for the continuation of the outstanding cooperation and beneficial relations we have enjoyed with Loyola Marymount. Although he has not been with us long, it is already clear that Fr. Loughran is a man of great personal charm and warmth and a great appreciation for both the intellectual and spiritual values of Jesuit-related education.

Fr. Merrifield in his new role as Chancellor will continue work at the law school and will be an invaluable asset in our efforts to provide better and better service at the law school and at LMU whose efforts are critical to our continued success. I hope to meet you with some of the many in future issues of the Lawyer. As always, I welcome all comments, criticisms and suggestions of alumni and friends of the law school concerning our administration and ways in which we may continue to better serve the community.

Arthur N. Pratt
Dean

Presenting the Excellence in Teaching Award for the 1983-84 academic year is John O. Weidner, President of Loyola Marymount University. The award is presented to an LMU faculty member who has demonstrated excellence in teaching. This year's recipient is Dr. John O. Weidner, Professor of History. Dr. Weidner has been at LMU since 1980 and is currently serving as Chair of the Department of History. He is also the Director of the LMU Center for the Study of American Democracy. Dr. Weidner's teaching and research focus on American constitutional law and political theory.

The Excellence in Teaching Award is presented each year to recognize and celebrate the exceptional teaching of an LMU faculty member. This award is given to a faculty member who has demonstrated excellence in teaching and has made a significant contribution to the education of LMU students. The award is sponsored by the LMU Center for the Study of American Democracy and is presented by the President of LMU.

The award ceremony is held each year on the last day of classes and is attended by the entire LMU faculty, staff, and students. The recipient is presented with a plaque and a cash prize to support their teaching efforts. The award is seen as a celebration of the dedication and excellence of the LMU faculty and is a tribute to the important role that teaching plays in the education of LMU students.
If you have news, contact your Class Committee Chair and Professor Mookie, S.J. Alumni Relations Department, Loyola Law School, 1440 N. Street, Suite 100, Los Angeles, California 90015.

1930

BAROLD S. SNOW has been a volunteer at Bruin Institute for the blind in Los Angeles, and a 1930 graduate of the College of Engineering.

1931

JUSTIN M. McFARLAND was elected to the Field of Elusive and in college until 1931. His firm, Redstone and Reinhart of Riverside, has represented the firm in a number of real property litigation cases involving the property rights of the Santa Fe Line and the Inland Water District.

HON. BURCH DONAHUE has retired from the Superior Court. Testimonial events to honor him were held in Long Beach.

1932

YALE D. Coggan is now in private practice in Santa Barbara. He is retiring from a journalism court reference position.

WILLIAM E. COOMBS, a solo practitioner of Real Estate and Corporate Law in the Los Angeles County Superior Court, has been designated by the Timken Foundation to receive the University of California, Berkeley, and Santa Clara, California 90015.

1933

THOMAS E. GNATKOWSKI has dissolved the partnership of GNATKOWSKI & SCHMIDT and relocated his practice to Los Angeles.

 Ere LAVON is a member of the L.A.O. O.C. Criminal Law Association and the Los Angeles Bar Association. She is also a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

STEVEN K. SMITH, after seven years with the Los Angeles Public Defender's Office, is now in private practice in Santa Monica, specializing in criminal law.

MICHAEL C. MITCHELL, of Macfadden, Luterman, Stark & Davis, is in the process of qualifying to become a partner in the Los Angeles Bar Association, in the offices of Bassi, Winter & Associates.

DAVID ROTHS is becoming a member of the firm of Kohl, Decker, Fetter & Herman in Los Angeles.

1934

ROBERT S. LEE, a partner in the firm of Goldsmith, Rosenblum, & Andrews, has been appointed legal advisor to the Los Angeles County Bar Association. He is also a member of the Los Angeles County Bar Association and the Los Angeles Superior Court since 1975.

HARRISON L. SATIN is hosting "Dispute Resolution," a one-hour radio show which is aired on KCRW-FM, 89.9, and is heard by millions of listeners.

FRED A. ALPER is in private practice in Los Angeles. He is a partner in the law firm of Shearman & Sterling.

1935

HAROLD S. SNOW is in private practice in Los Angeles. He is a partner in the firm of Reinheimer & Snow and is counsel to the Los Angeles County Bar Association. He is also a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

1936

ROBERT A. BESSLER, of the firm of Bessler, Zeller & Ripin, has been appointed legal advisor to the Los Angeles County Bar Association. He is also a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

JEFFREY R. STEIN has become a certified specialist in criminal law and practices in San Luis Obispo.

1937

DANN W. BOYD has recently opened his own practice in West Los Angeles, specializing in family law and civil litigation.

MARK E. LEIBMAN is now a senior associate of the firm of Smith, Foran & Leibman. He is a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

JAMES H. MYERS is general counsel for the Los Angeles County Bar Association, Los Angeles County Bar Foundation, and the Los Angeles County Bar Committee on Legal Aid. He is also a member of the Los Angeles Superior Court.

DAVID J. PASTERNAK was installed in presiding of the Los Angeles County Bar Association on June 29. He is a partner in the firm of Pasternak and Associates, which was formed the year ago Los Angeles law firm by the age of more than 30 years of practice.

DONALD F. COOPER has formed a partnership with Steven S. Pal and his office at Bertsch, Hall & Associates. He will specialize in the areas of litigation, family law, and business litigation.

LESLEY J. SHAW, of Feldman, Shaw & Deveore in So. Lake Tahoe, has become a certified specialist in family law. LESLEY J. FELDMAN is also in partnership with the firm.

STEFFEN G. TITTEL, a partner, is also in the association assistant vice president of USF&G, Inc. He was employed as a partner in the firm of Van思 & Company.

1938

JAMES B. SINGER, of the firm of Singer & Singer, has become a senior partner of the firm. He is married to Eileen and has been practicing law in Los Angeles for more than 30 years.

1939

MARGO KRAKOFF is a law clerk at the firm of Luttman, Rosenblum, & Andrews. She has been a member of the firm since 1976 and has been practicing law for more than 10 years.

1940

LINDA L. BARKER, a partner in the firm of Bark & Associates, has been appointed legal advisor to the Los Angeles County Bar Association. She is also a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

1941

GERALDINE MUND has been elected president of the Temple of Israel of Hollywood at the recent 50th anniversary Congregational meeting. She is a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

TIMOTHY M. MURPHY, of the firm of Murphy & Murphy, has been appointed legal advisor to the Los Angeles County Bar Association. He is also a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

BRUCE A. NASH, in complex in civil litigation.

JOAN PATSY OSTER has been named a partner at the firm of Oster & Trubee. She specializes in family law, business law, and real estate law.

WILLIAM E. PETERSON is a partner in the firm of Peterson & Peterson. He specializes in business law and real estate law.

1942

MARK E. LEIBMAN is now a senior associate of the firm of Smith, Foran & Leibman. He is a member of the Los Angeles County Bar Association and the Los Angeles Superior Court.

1943

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JAMES R. MORGAN has had a general practice in Walnut Creek, CA, since graduation. In 1982, he defended K. J. Krause in Beringo 130 Cal. App. 2d 359, 280 P.2d 594, and has continued his practice in Walnut Creek and maintains an active civil practice there. He has been appointed a lecturer and taught seminars on the pros and cons of small estate planning, and has continued his practice in Walnut Creek and maintains an active civil practice there.

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WILLIAM E. PETERSON is a partner in the firm of Peterson & Peterson. He specializes in business law and real estate law.
Cory C. Wesley Richards has been engaged in business law and litigation, real estate and construction.

Jeffrey Bruce has been promoted to assistant vice president & general counsel at Financial Decision Systems, Inc., a nationwide computer software and imaging house serving Fortune 500 corporations and major financial institutions. He is associated with Public Counsel and is actively handling a legal aid case at present. He is also teaching a course in computer law at a local university.

Malcolm S. McNeil is currently associated with the law offices of Brian Zimmerman, as well as involved as campaigns manager for Lionel Allen, a Republican candidate for Congress in the 27th congressional district of California.

Alexandra K. Mells has been selected for inclusion in the 1985 edition of Outstanding Young Women of America. The Outstanding Young Women of America program is designed to honor and encourage exceptional young women between the ages of 21 and 36 who have distinguished themselves in their homes, their professions and their communities. Accomplishments such as these are the result of dedication, service and leadership—qualities which deserve to be recognized and remembered.

James D. Redwood passed the July 1983 New York Bar. He is associated with Filibuster, Madison & Stoia in San Francisco and welcomes Loyola students, faculty and alumni coming to the Bay area to contact him.

Alan D. Wallace has become associated with Paechter, Gold & Schaefer.

Steve Jacques, of Gentte, O'Reilly, Agnew and Breidt, plans to take the New York and Connecticut Bar exams this year.

Mark Lamker is associated with the law firm of Spence & Woodward in Torrance.

Janice Lipeles has blessed with the birth of her son, Jeffrey David Lipeles.

Eric K. Marcus has been promoted to executive vice president & general counsel at Financial Decision Systems, Inc., a nationwide computer software and imaging house serving Fortune 500 corporations and major financial institutions. He is associated with Public Counsel and is actively handling a legal aid case at present. He is also teaching a course in computer law at a local university.

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