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hastings law news

Vol. 19, No. 3

Hastings College of the Law

San Francisco, California

November 5, 1985

Students' first choice

Rose Bird to speak at commencement

BY JERRY EVERARD
and BOB YATES

Chief Justice Rose Bird will deliver the commencement address at next May's graduation. Bird was the first choice of the third-year class.

The selection this year of the students' number one choice is significant in the wake of dissatisfaction with the selection process in recent years. In 1983, many students felt that the selection of comedian Robin Williams was inappropriate. The following year, the students successfully sued the Board of Directors to enjoin it from preventing the students' number one choice, Eva Paterson, from speaking at commencement. At last May's graduation, many students expressed dissatisfaction at the method in which speaker Peter Ueberroth was chosen.

Bird accepted Dean Bert Prunty's invitation less than one week after the Board of Directors approved a 29-name invitation list. The list, compiled from nominations by students, faculty, and administration, was endorsed by the Board on October 24. Bird's name topped the list and within a few days, Prunty had procured her commitment to speak at the May 22 graduation.

This is not the first time Bird has been asked to speak at a Hastings commencement, Prunty noted. "We tried to get her last year," he explained, "but we failed because she was getting an honorary degree from the University of the Pacific the same day."

Prunty attributed the smoothness of this year's selec-

tion process to cooperation. He said that the Board's Education and Policy Committee Chairman Myron "Doc" Etienne and the senior class representatives had been "forthright, open, and cooperative" in putting together an invitation list. Lynda Robisch, chairperson of the student commencement speaker committee, also noted the feeling of cooperation in this year's process. "The Board was far more cooperative than we anticipated," she said.

The invitation list approved by the Board was compiled over a month-long process of nominations and endorsements by various factions in the College. In late September, the third-year class selected 25 names in a nomination and election process. The Alumni Board of Directors endorsed the student list and added no new names. Seven nominations by the faculty and administration brought the list up to 32 names.

In early October, the student committee met with Etienne and agreed to eliminate the names of three nominees. The student nomination of Benjamin Weir and faculty nominees Judge Wapner and Nina Totenberg were removed from the list.

The Board approved the 29-name invitation list, giving the student nominees the highest priority. Bird topped the list, followed by student nominees Mario Cuomo and Sandra O'Connor. Prunty promised that he would extend the invitations by "going down the list in descending order."

Prunty said that he believes this year's method of selecting the commencement speaker is a good system



Chief Justice Rose Bird

because "it permits responsible selection." "The idea that we have a confrontational system is erroneous," he said.

Although the selection of this year's commencement speaker went smoothly, Robisch said that the student committee is not content with the process. She said that the committee will examine the procedure used at other law schools in drafting a revised process that will give students more control over the selection of the speaker. Robisch said she hopes to present a proposal to the Board of Directors at its December 13 meeting.

Board evaluates position

Woody dropped as academic dean

BY BOB YATES
Editor-in-Chief

Wayne Woody was appointed academic dean in July of 1981. At that time he was told that his performance would be reviewed at the end of five years.

That review has been completed and the Board of Directors has decided not to reappoint Woody to another five-year term. Woody will be stepping down from his position on January 1.

"It was a Board decision with requisite faculty input," Dean Bert Prunty explained. He said that although he and Woody "have differences in style," the academic dean "has been a splendid administrator."

Prunty said that the decision not to retain Woody as academic dean coincides with a broader examination by the Board of the job itself. Prunty said that the position of academic dean was created in 1979 and the Board is now considering whether the post should be eliminated. He explained that after Woody leaves, the position will be filled by an acting dean until the Board reaches a decision on whether to make a permanent appointment. Prunty said he does not know yet who will serve as acting dean.

Woody has tenure at Hastings, Prunty explained, and is welcome to continue teaching. He said that Woody requested and was granted a six month sabbatical. "My expectation and hope is that he will be back in the fall," said Prunty.



Wayne Woody

Woody refused to discuss the circumstances surrounding the change but was willing to reflect on his years as academic dean.

"I have had a great time being academic dean," he said. "An academic dean here is largely responsible for focusing the spotlight on the curriculum. The question has always been: 'Is there something overall that we can do better?'"

Woody said that his job sometimes included mediating differences that arose between faculty members. He noted that, including adjunct professors, the school's faculty has 140 members. In a group that size there is diversity, he said, which sometimes leads to conflicts. "My

job was to try to prevent professional differences from being elevated to personal differences," he explained.

"Leadership is a very nebulous position," Woody said. "Some feel that a dean should stake out a course and follow it. Others feel that a dean should find out where a group wants to go and lead them. I am inclined to the latter."

Woody said that he has relied heavily on faculty support to solve problems. "All I can do is say, 'Gee, here's a problem.' I need others to help me determine if the problem really exists and how to handle it."

Woody appears proud of his accomplishments as academic dean. He noted, however, that many undertakings have not yet been completed. "Things don't happen quickly in academic life," he said. "Whatever you do in academic life you don't do instantly. It takes years to see the effect."

He said that it was easier to make academic changes in the early years of his administration, during what he terms "the honeymoon period." Woody points to the changes in the admissions process and the school's grading policy as his two greatest accomplishments.

Woody said that there are several projects he has started that he would like to see continued after he steps down. He noted of particular importance are the improvement of the clinical program, the academic development of younger faculty members, and the continued

enhancement of student/administration relations.

There has been a great improvement in the relations between students and administration, Woody said, but he acknowledged that there was still some progress to be made. "We must treat students as if we were going to ask them for a donation as alumni," he said. Woody pointed to the changes in the records office as one of the most recent examples of the administration's effort to improve relations with students.

Woody said that while he is on sabbatical he will spend the time "gearing up for full-time teaching." He said he fully expects to be back at Hastings and teaching next fall.

Correction

In the October 7 issue of the *News*, the story on the faculty review of the school's law journals contained two errors. Academic Dean Wayne Woody is quoted as saying that *HICLR* has a staff of 35 students and last year published 10 student notes.

The *News* correctly quoted Woody. However, the numbers provided by the dean are incorrect. According to *HICLR*'s editor-in-chief, Tom Ruby, the publication currently has a staff of 67 students. Last year the review published seven student notes.

The *News* regrets the error.

in brief...

Upcoming SANWI events

SANWI encourages all interested students to attend the following events on nuclear weapons issues:

November 18 or 19: Dr. Robert Bowman, former research director of Advanced Space Program Development will speak on "Star Wars: Defense or Disaster?" Time and place to be announced.

November 18: Candelight vigil at 7:30 on the eve of the summit meeting.

Natural resources attorney to speak

Natural Resources Defense Council attorney Trent Orr will be speaking to the Environmental Law Seminar, Thursday, November 7, from 4:40 to 5:30 in room 510 at 200 McAllister. The Environmental Law Society welcomes everyone who is interested to attend. Orr will discuss environmental groups' current strategies and goals with particular emphasis on off-shore oil and gas developments.

What do you think?

Third years: Have you enjoyed your years at Hastings? If you could do it all again, would you go to law school? To Hastings? Will you make financial contributions to the school after you graduate?

The *News* is conducting an informal survey of third-year students to determine students' general impressions of the law school experience at Hastings. It is an opportunity for you to let the administration know how you feel about school.

A very short survey form will be in your folder at the SIC today. Please take a minute to answer a half dozen questions (multiple choice, no essays) and return the survey to the *News* box in the SIC.

Complete anonymity is guaranteed. The surveys will be tallied at 5:00 on Wednesday, November 13. The results will be published in the next issue.

Apartheid protested

BY THOMAS P. TOLLER

On Friday, October 11, the Hastings Anti-Apartheid Coalition (HAAC) sponsored a "Free South Africa Day" as part of a nationwide weekend of protests focusing on apartheid in South Africa. The major event of the day was the demonstration rally held on the Beach, unofficially renamed Nelson Mandela Plaza for the occasion. Approximately one hundred students participated, and many expressed their commitment to the movement by wearing the red ribbons HAAC provided as a symbol of protest.

Mike Harris, a member of Hastings Alumni for Action, was the opening speaker. He told the crowd of his recent correspondence with Dean Bert Prunty regarding divestment. Harris said that the success of any divestment policy will be directly related to the number of current and former students who join in pressuring the administration to cooperate. Declaring divestment a "moral issue," Harris urged students to get involved and remain involved as alumni.

A representative of the Bay Area Free South Africa Movement (BAFSAM) gave a brief historical overview of the colonization of South Africa. Comparing it to the colonization of America, she drew parallels between the plight of the American Indians and the present-day treatment of the black majority in South Africa.

Nalda Crane, a Hastings student who recently visited South Africa, spoke from experience about the oppression that exists there today. She said she was frequently treated in a degrading manner because she is black. Summing up her observations of the segregation

and economic disparity she witnessed, Crane said, "People always think America is the best at everything. Well that's not true. South Africa *hates* better!"

Bill Beasely, another representative from BAFSAM, commented on the likelihood of armed struggle in South Africa's future. He pointed out Nobel Peace Prize winner Bishop Desmond Tutu's observation that armed struggle would be the lesser of two evils. Stating that non-violent protest movements historically fail to end oppression, Beasely seemed to suggest that revolution was not only imminent, but necessary.

Harriet Hawkins, the president of BLSA, concluded the demonstration with an update on the status of HAAC's September 20 petition to the Hastings Board of Directors. She said that the Board has indicated that it will address the petition at its December 13 meeting. The 13-point petition includes demands for divestment of Hastings' funds invested in companies that do business in South Africa.

Marc Bender, HAAC member, said that the purpose of the demonstration was two-fold. He said that HAAC hoped to show the Board of Directors that there is indeed student opposition to investment in South Africa. Bender said that the group also wanted to increase the legal community's awareness of the situation in South Africa because "lawyers ostensibly have something to do with justice."

After the demonstration, HAAC held a strategy meeting to plan future events. Said Bender, "HAAC will remain active until apartheid ends."

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Assault sparks demand for escort service

BY MARIANNE BOWERS
Staff Writer

On September 26, at approximately 6 p.m., a first year student at Hastings was assaulted by a man with a knife on the corner of Golden Gate Avenue and Leavenworth Street while on her way to a Muni stop.

"I was crossing (Golden Gate Avenue) and had just reached the corner when a man jumped at me. I don't know where he came from, all of a sudden he was right in front of me. He raised his hand above my head; I thought he was going to hit me. Then I saw he had a knife in his hand, like a large kitchen knife. I ducked out of his way and ran across Leavenworth. I noticed he was chasing me . . . some guy yelled, 'that guy's got a knife' . . . I don't remember looking for traffic, I just ran as fast as I could, crossed Leavenworth again and ran into the (McAllister) Towers."

Cathy (not her real name) immediately reported the incident to the city police whom she described as "not very sympathetic." The officer told her, "it is a dangerous neighborhood and occurrences like that happen in dangerous neighborhoods." Soon afterward she reported the incident to Hastings Security Chief Robert Owens and Director of Student Services Patsy Oppenheim. Learning that Hastings has no formal escort service, Cathy joined in the drive to establish such a service.

In response to concerns voiced by Hastings students individually and through ASH, Dean Bert Prunty recently appointed a committee to

study the feasibility of a formal escort service. "If a need (for an escort service) is demonstrated then the committee will look at the options," he said.

A formal Hastings escort service has been proposed in the past, but never implemented. Most recently, security chief Owens proposed a plan whereby one or two additional security officers would be hired to perform this function, but the proposal was cut from the security budget earlier this year.

ASH President Donna Cole-Wallen, whose election campaign platform included the promise to work toward establishing an escort service, said that an ASH subcommittee is currently working on the issue.

"Hastings is being negligent in not providing an escort service," said Cole-Wallen. "They (the administration) must show that they care, and the best way to show this is to care about students' health and safety."

"Hastings is being negligent in not providing an escort service."

—Donna Cole-Wallen

Owens estimated that two additional security personnel would be needed to institute a formal escort service during the evening hours. He estimated the cost of such a service at over six thousand dollars per security officer per year. He added, however, that he believes the current staff meets the school's security needs. There are presently 13 full-time and 3 part-time security officers at Hastings.

Owens said he does not think the

two blocks on which Hastings is located present any significant security problems. "If it were a problem" he said, "everyone would know about it." Owens said he has only heard of two incidents in the past two years, including the assault on Cathy.

Owens said it is presently the policy of the security office to provide officers to escort students upon request. He said that officers will escort students up to a block and a half from the school. Owens estimated that the office gets about one or two such requests per night and about 15 students use the service regularly. Although this service has been available for three years, many students were unaware of its existence until it was announced in *The Hastings Weekly* on October 21.

The security chief said that there is a minimum of three security personnel on duty at any given time and that one is usually available to escort students. He added, however, that this service is not "on demand" and students may have to wait 10 to 15 minutes, or longer, for an escort. Instead of waiting for an escort from the security office, Owens suggested that "walking in pairs to the Tower is probably sufficient." "What we're doing now is probably adequate," he added.

Martha Mannix, president of Clara Foltz Women's Union, said she does not think the students' needs are being met. "It's shocking that there's such a lack of concern on the part of the administration," Mannix said. She noted that many students, particularly women, don't study at Hastings after hours because no escort service exists.

"It shouldn't have to be the situation that you can't study in the library at night because of fear of being at Hastings after dark."

Mannix pointed out that this is not strictly a women's issue; everyone's safety is at issue. She said that Clara Foltz has held a meeting of its own to consider how to get an escort service started at Hastings.

Both Oppenheim and Prunty have expressed concern on the issue of the school's liability.

"We have an interest in preventing harm to our people."

—Dean Bert Prunty

Prunty said, "Liability is an issue but not a road block. We have an interest in preventing harm to our people. We would rather have legal liability than have a student suffer," he stressed.

Prunty said he does not think that Hastings is in a dangerous neighborhood, preferring to describe it as "annoying." He said, however, that the administration will do what is "reasonable to meet the demonstrated needs to students and staff."

Oppenheim said that the committee appointed by Prunty will meet next month to compile several escort service proposals. She said she hopes that the proposals will be available in time for the January 14 issue of the *Hastings Law News* so that students can consider them. Oppenheim said that soon after she wants to have an open meeting for student input on the proposals.

450 attend speech at Hastings

Gary Hart plots 'third course'

BY JERRY EVERARD
and KAREN PARNELL

Senator Gary Hart of Colorado opened his speech at Hastings on October 18 in Gary Hart style: a short quip indicating surprise "that so many people were interested in trade on a Friday night," a quick thanks, and a headlong plunge into a discussion of the "dawn of a new era of global affairs." Though the speech was billed as a presentation of trade issues, Hart managed to side-step those issues by focusing the content of his speech on this new era and "the rising importance of international economic concerns in America's foreign policy." Approximately 450 people turned out for the event sponsored by the Dickenson Society, Phi Delta Phi, and the World Affairs Council.

The 1984 presidential candidate stressed the rising importance of trade in the Pacific Rim. "Our Pacific trade now exceeds our Atlantic trade by close to \$30 billion each year," Hart said. He cited trade deficits and loss of jobs as evidence of an impending "trade crisis." Hart noted the effect of this trade crisis on the domestic economy, unemployment, and "America's self-esteem." "If we take no steps against the crisis," he said, "we condemn our nation to a future of fewer jobs, smaller markets, lower incomes, and shrinking expectations."

The senator assailed the trade policies of both the Democrats and the Republicans and proposed his own. He said both the laissez-faire attitude of the Republicans and the protectionist policies of his own party were ineffectual. "Protectionism and unilateral free trade are equally irrelevant to the trade challenge

facing our nation," he argued. His own "third course," he proposed, "provides a new trade strategy for a competitive American future." Hart noted that he will introduce legislation soon which outlines this third course.

While Hart did not have the intention of discussing this new legislation, he did discuss "three sets of fundamental American values" which he said, "a forward-looking, constructive trade strategy must advance." Those values are to "give Americans more control over our economic future," "genuine patriotism," and "to reinforce our foreign trade policy."

The first value of Hart's plan is to give America control of its economic future. He pointed to the overvalued dollar as the primary villain. He noted that, "Today, one force above all has robbed our workers and businesses of economic self-determination: the overvalued dollar." According to Hart, "devaluation of the dollar through deficit reduction is 'the fundamental solution.'"

"Genuine patriotism" is the second value Hart said should guide our trade policy. "Instead of conceding we can't compete," he stressed, "we should increase our nation's ability to compete and win." Hart said he is also looking to industrial re-investment and modernization of key industries such as steel and automobiles to increase the nation's ability to compete.

In his discussion of the value of using trade to reinforce foreign policy, Hart focused on Latin America. He characterized the debt of Latin American countries as a "permanent parasite."



Senator Gary Hart of Colorado spoke at Hastings on his plan for new economic development of international trade.

Photo by Brian Condon

editorial

\$12,000 isn't enough

Twelve thousand dollars is not much money when you have to split it 37 ways. Praise is due Esther Sanchez and her ASH Finance Committee. The committee equitably divided up the \$12,000 ASH budget among the 37 student organizations seeking funds (see budget, page 10). This was not an easy task. The groups ranged in size from a half dozen members to several hundred. Each organization had plans for the school year and the requests for funding were generally reasonable.

As a group, the 37 organizations requested over \$32,000. Through an extensive application and interview process, the Finance Committee determined the "bare bones" needs of each organization. The committee whittled \$32,000 of requests down to \$12,000 in allocations, and did it in the fairest way possible.

Needless to say, not many organizations received the funding they need. Many, such as the Sexual Harassment Clinic and the Unemployment Project, have noble goals that may not be met. There was simply not enough money to go around.

Now that this year's budget process is finished, we need to focus on the heart of the problem. The ASH budget comes primarily from student fees. Six dollars out of the annual tuition of each student goes to ASH. The answer to our budget woes is simple, let's raise the student fee.

A mere \$10 increase in student fees would swell the ASH coffers by \$16,000. For a California resident, tuition would rise from \$1212 to \$1222, an increase of less than one percent. ASH would then have \$28,000 to allocate to student groups and nearly every organization would receive the funding it needs.

Raising student fees, like raising taxes, can be a difficult task. According to Director of Student Services Patsy Oppenheim, increasing student fees by \$10 will require a referendum approved by two-thirds of the student body. That's not two-thirds of those who vote, but two-thirds of the *entire* school. With voter turnout in recent elections at only 45 percent, the most difficult job will be overcoming student apathy.

The funds ASH receives from student fees has remained constant for seven years while the number of student groups competing for a piece of the same pie has jumped from 22 to 37. It's about time we baked a bigger pie.

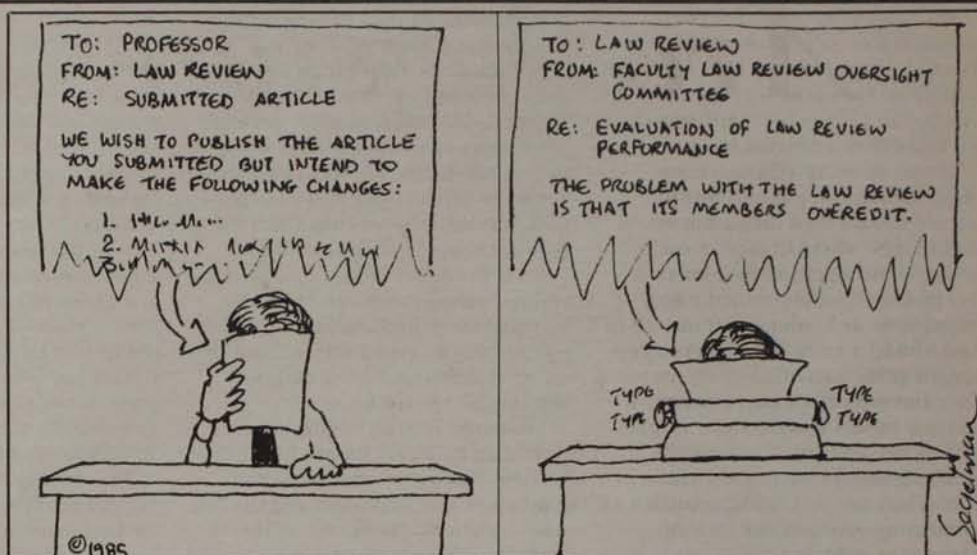
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lettersletterslettersletters

Hovenkamp's comments unfair Editor:

Why were 83 students disqualified from Hastings last year?

Hastings Law News reported (Sept. 10) that Professor Herbert Hovenkamp thinks it's because a large number of students enter law school with "less than 100 percent commitment."

Why were the majority of the disqualified students LEOP?

Hovenkamp says it's because some LEOP students "don't have the necessary skills to succeed in the highly competitive law school environment."

We of the National Lawyer's Guild and other concerned students feel Hastings owes the student body a much better explanation. And we are sure Hastings owes a great deal to those disqualified students who, contrary to Hovenkamp's outrageous assertions, committed themselves completely for a precious one or two years of their lives, only to be disqualified for failing to meet ill-defined, arbitrary and culturally-biased standards of exam performance.

Hovenkamp's comments disregard Hastings' systematic policy of over-enrolling a significant number of students each year. It cannot be coincidental that the number of students over-enrolled and the number disqualified were virtually the same. This fall, apparently continuing this policy, Hastings has over-enrolled eighty new students. No doubt professors may still be counted on to use failing grades to adjust enrollment levels.

If there is any failure here, it

is certainly not on the part of the disqualified students. It rests instead with Hastings and professors like Hovenkamp who have been unable to develop means of administration and instruction that do not rely on the appallingly crude and brutal methods of intimidation and calculated failure.

But there is a more fundamental evil here. Professor Hovenkamp's comments demonstrate the "blame the victim" attitude that permeates this institution. It is an attitude that is at once racist, sexist and classist. It produces policies that define one's achievements in terms of others' failures. We invite the Hastings community to join us in opposing these policies and their disastrous consequences.

National Lawyers Guild,
Student Chapter, Hastings

Prejudice at Hastings

Editor:

John is a first-year student at Hastings who is troubled. It seems that none of his classmates talk to him. Why? Well John is one of those guys. You know... THEM. That's right John is a "blue" person. You know how they are. They hang out together in their little cliques and don't have anything to do with us "regular" people. They look, act and talk alike. I'll bet they even think the same way.

Sounds pretty ridiculous, right? Well think about it. Replace "blue" with any nationality, race, gender, religion or sexual preference.

What is prejudice? Webster's defines prejudice as "an opinion or leaning adverse to something without just grounds or before sufficient

knowledge." Now think back to John—why do people shun him? Because he's blue! How stupid, yet it happens right here in our little "haven" called Hastings.

Two examples that come to mind are having classes on Yom Kippur, the holiest day in the Jewish calendar, and professors who have used derogatory racial terms in class. But what is most disconcerting to me is that this habit of preconceived opinions happens between us—the students. Why? I don't know if there is any one answer. I do, however, believe that one root of all prejudice is fear—whether it's fear because of intimidation, fear of not being in the majority, or one of a hundred other fears.

What's the point? The point is that this shouldn't be. We are more educated than 90 percent of the population. Why do we keep these petty judgements alive? If we can't deal with people who are different now, how will we deal with them when we're professionals?

Just once today talk to someone you don't normally talk to who is "different" from you. You might actually learn something from them. Why, you might even like them! Or better yet, attend a function of an on-campus group that you never would have thought about attending. Sure some people might resent that you are there. But remember where you're coming from. In order to wipe out prejudice we're going to have to deal with plenty of it along the way. Let's work together and make the Hastings community a better place in which to live, work and study.

Steven J. Elie

op-ed

Are the states obsolete?

BY CHARLES D. MELTON

A constitution is that body of rules which governs the character and pattern of government and, by extension, the internal economic and social life of the state. This definition of "constitution," simple as it is, conveys the truly immense import of such a document upon our lives. It follows that if there is a preferable alternative to our present constitution, we could, by adopting it, improve our lives and well-being.

The Constitution of the United States was constructed within the political constraints of a federalist framework. Yet, such a framework, when compared to a unitary one, is inferior. Assuming this to be true, a constitution embodying the principles of a unitary system would be preferable to one embodying the principles of a federal system. If the theoretical base upon which an instrument of government is premised is no longer viable, that document should be substituted with another constructed on a stronger foundation.

The greatest indictment against federalism is its inherent wastefulness. Every individual is made to endure the burden of two separate and usually conflicting bodies of political officers, two differing judicial systems, and two systems of oppressive taxation.

The major argument in support of federalism was Montesquieu's thesis that governments are likely to be tyrannical if they are responsible for administering large territories, for they must develop the organizational capacity characteristic of a despotic state.

Yet, modern technology and mass communication have rendered this argument powerless.

Nor is the contention of Thomas Jefferson, that local governments are closest to the people, free

from rebuttal. The concentration of the mass media upon the issues and personalities of the national government has made the proposition an absurdity. Recent studies indicate that people know much more about their national government and vote in greater numbers in national, versus local, elections.

This short discussion now turns to a very brief outline of a proposal for a new system of government based on a unitary system. One warning, the outline is meant only as sparse overview of my concept. As a result, many topics are not addressed.

The executive branch. The president and vice-president would be elected, independently of one another, for six-year terms by direct national elections. The president would possess both veto and line veto powers. A veto would be capable of being overridden by a 65% vote in both houses of Congress, while the line veto would be capable of being overridden by a simple majority in both. The Cabinet would be institutionalized as an organ of the executive branch, with an accompanying provision that all government entities be subservient to a department of a member of the Cabinet. Members of the Cabinet would be appointed by the president and approved by the Senate.

The legislative branch. The term for members of the House would be three years and its membership limited to 400. The election of the Senators would be determined by proportional representation — the requirement that offices be proportional to the distribution of the popular vote among the competing political parties. The only limitation upon the scope of Congress' ability to legislate on all matters would be provided in a section of the constitution dealing with the fundamental social, cultural, economic, and political rights of individuals (as well as their requisite duties).

The judicial branch. The membership of the Supreme Court would consist of 15 justices serving 15-year terms, three being appointed every three years. Said appointment would be by the president as approved by the House. The Supreme Court would hear all and any impeachment proceedings brought against the president by a 65% vote in both houses of Congress. The power of judicial review would be institutionalized in the constitution itself.

The amendment process. The procedure for the amendment of the constitution would be such as to increase the participation of the body politic. It would require a 65% vote of both houses of Congress and the passage by national referendum in two consecutive House elections occurring immediately after passage.

Financial Matters. A balanced budget provision would be included, as well as a taxation provision delineating those methods allowable. In addition, a section centralizing the monetary and fiscal policy decision-making bodies, the Federal Reserve Board and the United States Treasury, respectively, in the form of a national, central bank would be provided. To complete the major reform in this area, a section would disallow the earmarking of revenues for allocation to specific spending projects. Rather, a general fund system would be mandated.

The proposals above, when taken as a whole, would represent a significant improvement over the present system, economically and politically, and thereby socially. A new constitutional convention needs to be spawned with the power to address the present unacceptable state of affairs, the solution being a new constitution and the elimination of the fifty states as we now know them.

Charles D. Melton is a second-year student from Bakersfield, California.

BY RAY FORRESTER

We Americans are so accustomed to a relatively stable and orderly society that we are inclined to overlook the underlying reasons. The basic reason is the overall quality of our people and their faith in and respect for our system of government. This has led to the formation of a strong tradition of republicanism under the rule of law. We expect to choose our leaders by popular vote, to make our laws through elected representatives, and to have those laws obeyed by the governors as well as the governed.

With the tragic exception of the Civil War, this tradition has been our guiding force for two centuries. The officials as well as the people have obeyed it.

The legal foundation of the system has been the Constitution. Though it is not the primary reason for the success of the system, it has established a structure of government that has materially aided in that success. The Constitution is a part of our lives. It is the house of government in which we live. Physically, it is only a piece of paper, but in the minds of the people it is a powerful force. It lends stability and protection to the lives of 235 million highly diverse and potentially volatile humans.

Basic to its plan is the concept of federalism. In a nation covering a vast expanse of land, federalism is a device for the distribution of power. Madison stressed this in Federalist 51 and 45. In a sense, federalism is a compromise between central authority and local autonomy. Some problems are best solved

close to home, where the governed have immediate and ready access to the governors in the solution of local difficulties familiar to both. Experience shows that power is most responsive to the will of the

people in such a setting, whether it be a town, a country, or a state. Experience also shows that as the size of the unit increases, the specific sensitivity and knowledge of officials diminish. But there are some problems that cannot be managed locally. Central control is required. Decisions respecting war, commerce, regional prejudice, human rights, the value and volume of printed money and the size of the public debt demand uniform authority.

Madison said that the idea of federalism and the diffusion of power is based on human nature, as revealed by the history of political life. Lord Acton said, "Power corrupts, and absolute power corrupts absolutely." If Acton is right, the psychology of power produces increasing concentration, unless checked and balanced by separated and independent forces.

At least, that is the theory of the Constitution. And its very success is the strongest argument against major change, such as the abolition of the states.

The resiliency of federalism is an additional consideration.

Fifty-one governments, rather than one, afford more opportunity for experimentation, especially in response to the local problems and values of a highly diverse nation, both geographically and culturally.

We, as a nation, have serious governmental problems, though federalism is not one of them.

I am concerned with:

1. The power of one person, the president, to launch or provoke a nuclear war.
2. The compulsion of our politicians, especially in Congress, to spend public funds in order to stay in office, leading to an ominous national debt, which threatens our greatest source of strength in the world — a strong and healthy economy. Our present appearance of prosperity is based on the reckless spending of borrowed money by politicians, who are convinced they must spend to win.
3. The manipulation and control of our politicians by special interests, especially through the device of political contributions, which one U.S. senator observed are only a "hairbreadth" from bribery, itself.
4. The concentration of ownership and control of the national media, which invites the manipulation of public awareness and opinion by unilateral and self-serving presentation and selection of news and commentary. The media is our source of facts and knowledge — our current education — upon which our very survival depends. It is the food upon which our thinking depends. It must be balanced and honest — free of prejudice — if we are to be a safe and sane society.
5. The quality of our politicians, who become judges, members of Congress, powerful executive officers. The present system is not selecting our best people. Too many agents for special interests, employees-on-leave are attaining dominance, mainly because they are selected and supported by individuals and organizations with the enormous funds essential today for successful political packaging and merchandising. We must make the public aware of this and devise means by which the best among us, in character, intellect and experience, are the candidates. We must encourage our young people to participate in politics and, on occasion, to stand for office as an unselfish avocation in devotion to the general welfare, rather than as a means of self-aggrandizement as a full-time career. One means of doing this may be by the establishment of citizen groups throughout the nation, charged with the mission of identifying the most able among us and finding the means to support their candidacy.

Professor Forrester teaches constitutional law and is a member of the 65 Club. Copyright © 1985 by Ray Forrester.

We the People . . .

features

Attorneys who play together stay together

BY DANIEL SMITH
Staff Writer

Hastings and San Francisco boast what may be the only musical group that could double as a law partnership. The Hastings Trio, a chamber music group, is made up of three practicing attorneys, all graduates of Hastings. All three brought extensive musical backgrounds to law school.

Cellist Steven Stiller, Hastings Class of '79, studied at the San Francisco Conservatory of Music and received his bachelor's degree from U.C. Berkeley. He also studied with master cellist Colin Hampton, and has performed in Washington, D.C., Asia, and Europe as well as in the Bay Area. Steven was formerly a principal with the Berkeley Symphony and Oakland Ballet Orchestras.

Pianist David Moore, Class of '82, studied piano, cello, and musicology at Texas Christian University with Luiz de Moura Castro and Madame Lili Kraus. He later spent several years as a legislative librarian in Oklahoma. He continued his involvement in music by organizing and participating in an annual chamber music series and by writing the program notes for the Oklahoma Symphony Orchestra. Some of the justices of the Oklahoma Supreme Court convinced David to go to law school and he moved to San Francisco to attend Hastings, much to the delight of the other two Trio members who had been searching for a pianist.

The third member of the group, violinist Pamela Bouey, Class of '80, studied with the late Professor Harold Whelan, founder of the Spokane Symphony, and at the Dubrovnik School of Music. She received her bachelor's

degree from California State University at Hayward, and was concertmistress of the East Bay Youth Chamber Orchestra and of L'Orchestra de L'University D'Aix-Marseille.

Why would three such highly trained and skilled musicians decide to change their professions to enter law school? The bottom line for all three was money. They all agreed that they could not maintain the lifestyles they wanted on musicians' salaries. "We all spent a lot of time playing things we didn't want to play in order to earn

extra money," Stiller explained.

The three have not, however, forgotten their dreams of musical glory as they pursue their legal careers. "We promised each other that we would all quit the law after signing our first big recording contract," Bouey said.

Stiller and Bouey have played together on and off for years in a variety of settings, beginning with a youth orchestra in the East Bay. They got together again while both were at Hastings, and began playing lunchtime concerts in the Old Commons,

then the *only* commons. They played with a number of different musicians, usually other law students. No one line-up stayed together for too long until they met Moore. The three began playing together in January of 1982. Their first big break came at a party given for Stiller's parents. The head of a music production company heard the Trio perform, was quite impressed, and began to assist the group in arranging other performances. The Trio has since performed in a variety of settings, including private parties and local clubs and restaurants.

The Trio performs a variety of music, corresponding to their great range of musical tastes. Listeners are treated to everything from Gershwin to Wagner, from waltzes to jazz. The group even tried to introduce a Cyndi Lauper song into their repertoire, but sadly they were unsuccessful.

Despite their extensive backgrounds in music, none of the Trio practices entertainment law. Stiller practices international and immigration law. Moore does general business litigation with a current emphasis on condominiums. Bouey works in the field of corporate health maintenance law. "There is not much entertainment law practiced in the Bay Area," Moore explained. "If you want to do entertainment law, you really have to go to Los Angeles or New York."

The Trio usually performs at least once a month at the Sutter 500 Restaurant on Sutter at Powell. The Trio will next be performing there for Sunday brunch on November 17. The group said that Hastings students, faculty and staff are welcome to attend.



The Hastings trio consists of violinist Pamela Bouey, pianist David Moore, and cellist Steven Stiller. All three are alumni of Hastings.

GAAP reaches out to Tenderloin

BY TIM MURPHY

The General Assistance Advocacy Project (GAAP), an organization independently created and managed by six Hastings students, grew from the harsh realities faced by those on General Assistance Welfare. These six students, Sandy Weiner, Rochel Mason, Kathy Moore, Ty Mahmud, Margaret Lane, and Pat Richards, said that they found the motivation for the project in the fact that, for those on General Assistance Welfare, there is no place else to go.

Co-founder Weiner said that General Assistance is the last line of social relief. She said that those on General Assistance are in the weakest position to protect the most fundamental of personal possessions, their dignity. GAAP is a response to this dilemma.

In working with community assistance auxiliary groups in the Tenderloin surrounding Hastings, Weiner noted that the six students found aid to the street people to be "repulsively low and difficult to obtain." She explained that GAAP works to help these people assert their rights against a bureaucracy which can be overwhelming to the typical GAAP client, who is male, unemployed and confused. In fact, Weiner said, these people often find themselves in a nightmarish Catch-22 situation: their abject poverty which most qualifies them for General Assistance is that which presents the largest barrier to meeting the technical requirements of

the Welfare Office.

Simply qualifying for General Assistance by obtaining a California identification card, or getting a note from one's landlord verifying residency, can become an overwhelming task to someone without the necessary records or money to obtain them, Weiner explained. She said that once a person does qualify, the Welfare Office has several other regulations which must be met in order for General Assistance to continue. One of these relate to job searches required of the General Assistance recipient. Job search sheets must be turned in to the Welfare Office for verification. If, upon calling one of the places listed, the manager says he has no recollection or record of the applicant, support can be withdrawn. Many times this happens, Weiner explained, yet often the fault lies in the "manager not remembering," or "the application already having been thrown away."

The General Assistance recipient faces all this, Weiner explained, for the right to live on \$288 per month cash and \$69 per month in food stamps. The need for advocacy is urgent, she said.

Typically, a student will be assigned a client and will follow the case through to its conclusion, she said.

Weiner said that the time requirement for this process is not overwhelming, usually about four to six hours per client. Weiner said she believes that "what is

neat about this is the great follow-up and seeing your case to its conclusion."

The GAAP has ambitious plans for expanding its scope of operations and impact within the Tenderloin community, Weiner said. The program intends to incorporate and expand services within the financial aid of several organizations, including the Tenderloin Community Fund, local developers and the Hastings' Alumni for Action.

An increase in political activism within the community is also being planned, she explained. A coalition is being formed with other local community organizations to fight for indigent rights by blocking new restrictive regulations proposed by the Social Security agency while proposing new regulations to meet indigents' needs. Weiner said the coalition members will include the San Francisco Neighborhood Legal Aid Foundation, the Bar Association, Lawyers' Committee for Urban Affairs, the Hospitality House, and Salvation Army.

Weiner points out that what makes this an enriching experience for the law student is the human context in which the volunteer's legal skills are sharpened. "Law school can tend towards the sterile and abstract," Weiner said, "but volunteering for GAAP can bring one back to the social awareness that people going into the legal field get pulled away from."

Warren Shattuck: The man and the myth

This is the third in a seven-part series on the members of the 65 Club.

BY MARK COON

Three minutes before his Contracts class is about to begin, Warren Shattuck is striding across Hyde Street. He's not looking for familiar faces among the students he passes, but when one calls out his name, he's quick to give a friendly nod.

With his colorful shirts and trademark tweed jacket and hat, Shattuck doesn't quite fit the stereotypical East-comes-West professorial mode.

"He seems like a William O. Douglas, backwoods type," whispered one of the women in my first-year section, during the first Contracts class that year. Even so, his wife displayed all the charm of a blue ribbon charity hostess during the tea party she hosted for the section women. The guys were waiting for a cigar and bourbon session with the prof himself. Disappointingly, it never happened.

From the first week of school, almost everyone in the section predicted that despite his unassuming, low-key appearance outside of class, he would be the most demanding professor we would have all year.

They were right, his class turned out to be a litmus test of one's law school survival skills. At each session he would inundate us with seemingly unrelated questions, or set out numerous examples of a particular contract doctrine. Which doctrine it was, nobody knew. "Clear as mud," muttered the student sitting next to me after every class. Sometimes Shattuck would lead up to an announcement of Black Letter law, and the whole class would tilt forward in their seats, listening carefully for those few words of cer-

tainty. Yet, almost every time, Shattuck lapsed into his incomprehensible Southern drawl at the moment of truth, hopelessly obscuring the sentence. Nobody ever had the courage to ask him to repeat himself.

The professor often preyed on those who were unprepared. Once he called on a student who normally took the class with another section, but just happened to be listening in on the morning lecture. The guy thought he could hide in the back, safe from any attacks from the lecturer. I'm sure that I was not imagining the hint of a smile I detected crossing Shattuck's face as he called out the student's name.

Despite his demanding teaching style, by the end of the year, Shattuck had gained the respect and even affection of a good many students in my section. Certainly there were some critics. Yet those who took advantage of his open-door office policy and his willingness to explain matters in detail, person to person, realized that Shattuck was truly concerned with preparing the class for the complexities of the legal profession.

These and other first year memories crowded my thoughts as Shattuck recounted his career late one afternoon.

Warren Shattuck had been working for a small trust company in Idaho in 1931 when the idea of going to law school first struck.

"It was during the Depression, and

the company had gone broke," he explained.

Having dealt with financial agreements from a practical standpoint, Shattuck decided that this was as good a time as any to learn contract law first-hand.

Predictably, Shattuck concentrated on that area of the law. He worked his way through law school — at 50 cents an hour — helping the school's dean write the annotations for the first Restatement of Contracts.

All of the professors then took the Socratic method pretty seriously, Shattuck said. "Students that were called on would have to stand up, and recite all the pertinent points of a certain case. Then the professor and the class would critique their performances. There was too much emphasis on formality, too little on problem solving," he said.

After graduating from law school, Shattuck went to Yale University where, under the guidance of Arthur Corbin, he completed his doctorate degree. "He had a genius for communicating complex ideas in simple language," said Shattuck, pointing to the volumes of Corbin's works lining his bookshelf.

After he completed his doctoral thesis — on promissory estoppel — Shattuck headed back west, to Washington, where he taught classes at the University of Washington law school and built up a consulting practice. "I was a lawyer's

lawyer," he said with unveiled pride.

"Contract law was exceedingly complex back then, prior to the writing and adoption of the UCC," Shattuck said. "I was glad when the UCC came along. I lobbied for it in the legislature and integrated it into my teaching as soon as it came out."

Shattuck gave a rueful chuckle. "You know, it cost me a lot of money when it was adopted — cleared up a lot of the uncertainties in the field."

Shifting gears to his teaching at Hastings, I asked whether, as some have suggested, he merely redirected the confusion out of the law and into his classroom, just to keep students on their toes.

"No, no, not true," he answered. "I try to get the students to think, to see all the angles of a problem. There are still so many nuances to every issue, and they have to be detected."

Why, I asked, is he said to have an almost Jekyll-and-Hyde image, a reputation for being an extremely demanding, sometime even harsh professor in class, but an easy-going accommodating teacher after the bell rings.

"Well, I'm not so sure the two are mutually exclusive," he responded. "I've got only fifty minutes at a time, and the classes must be carefully structured, moving at a brisk pace, with precise articulation of the relevant issues. Outside the classroom I can take the time to counsel the students and go over the material more slowly."

"I really do enjoy the students," he added. "They regenerate their professors. I'm pretty pleased now that they've finally given me two sections of Contracts to teach. I got that through sheer stubbornness and persuasion."



Professor Warren Shattuck

HVA outbids itself at auction

BY NANCY GEORGIU
Features Editor

A growing band of dedicated volunteers has been gradually renovating and redesigning the interior facade of Hastings College. Once-drab hallways are livening up with artistic displays of paintings, photographs, and posters. In fact, parts of the 200 McAllister building resembles a finely-styled cultural center more than a law school.

The group responsible for the renovation of the College calls itself the Hastings Volunteer Association. It is largely comprised of approximately 100 alumni, faculty wives, parents of past and current Hastings students, interested members of the legal community, and students. Originally the group comprised a number of faculty wives, but that image is rapidly changing.

"The Association is open to anyone interested in joining," said Maureen Conroy, current HVA board member and past president. "We have a diverse group. It's not just a faculty wives' club." For the first time since its inception in February 1976, HVA has male auxiliary board members: professors Bill Wang and Howard Downs.

Conroy added that HVA is more than just a social group. The group promotes itself as "a service and cultural organization which strives for the enrichment of the Hastings community."

During the past five years, HVA has been the impetus for directing fundraising to provide for paintings in the Hastings Art Gallery as well as the faculty portraits and frames which line the

hallway of the second floor in the 200 McAllister building. The Alumni Reception Center and the Art Gallery were partially developed under HVA's leadership. Overlooking the designing of these rooms was Dean Bert Prunty's wife, Lois Prunty, HVA's President for 1985-86. A group of alumni worked with Dean Prunty on the fund-raising campaign. A committee to approve the art selections for the gallery was chaired by Ruth Schlesinger, wife of Professor Rudolf Schlesinger.

The most ambitious fundraiser which the HVA has accomplished is the "Silent Auction." The first auction was held in 1983 at the Kitt Mansion on Broadway.

"It was wonderful," Conroy said. "Over 140 people attended, and we cleared seven thousand dollars. It was quite an undertaking. The women on the board decided to cater and make all the food themselves. It took hours of preparation, but was well worth it."

The auction resulted in such a surprisingly high profit that HVA was able to give the College additional artwork, as well as the grand piano located in 200 McAllister.

On October 3, HVA hosted its second auction, to welcome the Hastings Art Gallery's showing of 26 Rockwell paintings on loan to the school. Half of those paintings are now on permanent display in the Art Gallery, donated by Stanley Bernhard. HVA members held a cocktail buffet and reception in honor of the Rockwell opening.

About 80 items were auctioned at the event, including lunch with Speaker Willie Brown Jr., a one-hour scenic plane flight over the Bay



Jackie Douglass places a bid at the HVA's silent auction.

Photo by Jim Partridge

Area with Professor Gordon Van Kessel, a baseball autographed by the 1959 San Francisco Giants (including the signature of Willie Mays), the ever-popular Big Game tickets for Bears fans, a tray designed by Gump's donated by Mayor Dianne Feinstein, and tickets to the San Francisco Ballet.

The auction was tastefully decorated. "For the first time in the history of 200 McAllister, balloons lined the stairway and halls of the second floor," Conroy said. "They added pizzazz to the whole evening."

The auction proved to be a highly successful event, with more than \$10,000 profit.

"This year, the proceeds will be used to furnish the student lounge in the 200 McAllister building," Conroy stated.

Anyone interested in volunteering their services to HVA should contact Dean Prunty's secretary and leave a message for Lois Prunty, or Membership Chairman Kay Pardini. Conroy said that students have been involved in the Association in the past, and have been able to join the Association at a student discount rate.

Students face double standard in Korea

BY NANCY GEORGIU

Features Editor

Come summer, many first-year students have visions of relaxing in cities far away from Hastings. Others, who have survived the first-year grind and are comfortable with paranoia, decide to become drudges, available to every associate and senior partner for a fraction of the pay.

There is a way to cheat the system. Three Hastings students discovered the responsibilities of clerking and the joys of traveling to South Korea this past summer. Now in their second year at Hastings, the students commented on their atypical summer experiences.

Mina Kim, a native Korean who has been living in San Francisco for four years, found that being taken seriously was the biggest challenge she had to overcome.

"What I experienced was what happened here in this country about fifty or sixty years ago when women wanted to be lawyers," she said. "People thought it was a joke. They would ask me, 'Do you really want to study so hard? What about a family?'"

Kim said that she found the first two weeks of her internship to be frustrating. The firm she worked for last summer, Lee and Ko, had 35 Korean attorneys, 10 American attorneys and two full time translators on staff, yet she was asked to do translating and some minor revisions. The firm did not trust her abilities, she said, and even the fact that she had received her master's degree in English literature did not convince them that she was capable of proofreading memorandums or contracts in English.

"I finally went to the senior partner after two weeks, and told him I wanted to clerk, not translate," Kim said. "One of the American attorneys was the first to give me my first serious assignment."

Another Hastings student, Beth Barbu, had originally decided against going to Korea. "At the last minute," she said, "I changed my mind and took a plane to Seoul."

"I went there because I always had wanted to see Korea," she explained, "and I thought that I'd look for a job."

Within the week, Barbu had acquired a position at Shin and Kim, a firm doing business in patent and business law.

"Mr. Shin and I hit off really well," Barbu said. "He wanted me to set an example. If the firm was going to be professional and international, it needed to show that it was encouraging women."

A different perspective came from Mike Pappas, who clerked



Mike Pappas, Beth Barbu, and Mina Kim sought an alternative to the usual summer clerking experience. The three clerked in South Korea last summer.

Photo by Brian Condon

for the firm of Kim and Chang.

"It was a blessing in disguise that I didn't know the language," Pappas said. "The Korean-Americans did the translations, and I would help with the documents and restructuring of Korean arguments. American lawyers tend to think in lineal thought, where thought 'A' leads to thought 'B' which leads to thought 'C,' and then to the conclusion. Koreans try to paint a whole picture, and their points jump around. I tried to get it more straightforward, with more clarity."

Pappas found that many Korean attorneys had the attitude that one must be an American in order to proofread papers efficiently.

"One Korean attorney asked me to look over a draft he had written," Pappas said. "I turned to the other Korean clerk next to me, to ask him what he thought. The attorney told me, 'No, I asked you, not him.' The other clerk was offended at that remark."

Kim pointed out that she never met any female Korean attorneys during the summer, and this phenomenon was shared by Pappas and Barbu. Pappas is optimistic that the cultural differences will adjust as more Americans influence the course of the business.

"With more female international counsel doing business, there will start to be more female attorneys visible in Korea," he predicted.

Nevertheless, the students were quick to point out the advantages of working in Seoul, despite initial cultural differences. Surprisingly, the students discovered that there were a number of Hastings alumni who work in Korea. Hastings is considered one of the top United States law schools, Barbu found, and generates respect in Korea.

"One of the two attorneys where I worked had graduated from Hastings," Barbu said. "Plus, I worked with the chairman of the Hastings Alumni chapter in Seoul."

Pappas found that there were representatives from Hastings at his firm as well. "Two of the four American attorneys at the firm were Hastings grads," Pappas said.

Pappas noted that one factor of Korea's attraction to foreign attorneys is the camaraderie found among the group of practicing Americans.

"There are plenty of opportunities for advancements in Korea," Pappas said. "You meet people in the top measures of the business. At one reception, for example, I met the ambassador to Korea, the vice president of General Motors for that region, among others. Since there are so few Americans there, they all tend to congregate together. For attorneys, it's one of the biggest pluses: you have the political and business connections."

Lest one think that it is all play and no work in Seoul, the students quickly added that their work schedules were demanding and required intense dedication.

"Of course, we weren't worked as hard as the attorneys," Barbu explained, "but we had a five-and-a-half day week, including Saturdays."

"I worked from 9 o'clock to 6 p.m.," Kim said, "and it was a demanding job. There are many responsibilities which one wouldn't have had if one worked in an American firm."

Kim added that some of her responsibilities included working with top-name products and companies. "By the end of the summer," she stated, "I had drafted memorandums for Christian Dior, the Summer '88 Olympics, and major Hong Kong-London banks."

Kim said that the country is becoming more attractive to clerks and students. "Korea is in need of American attorneys who can help and stay longer than two or three years," she noted. "Now they are receiving hundreds of applications, which is a big change from a few years ago. Now they want to know if the clerks are serious about coming back."

The students agreed that in spite of their heavy schedules, they were able to enjoy the Korean lifestyle. Barbu and Pappas lived with Korean families, and occasionally the three students met at dinners and clubs and compared notes on their varied situations.

As a result of the summer, the students said that they not only gained immeasurable experiences and responsibilities, but that they were also able to learn more about the culture, as seen through the eyes of its businesses and political factions.

"If we hadn't gone to work, we wouldn't have ever known one-tenth of the culture," Pappas said. "Now we can say that we were more than 'just tourists.'"

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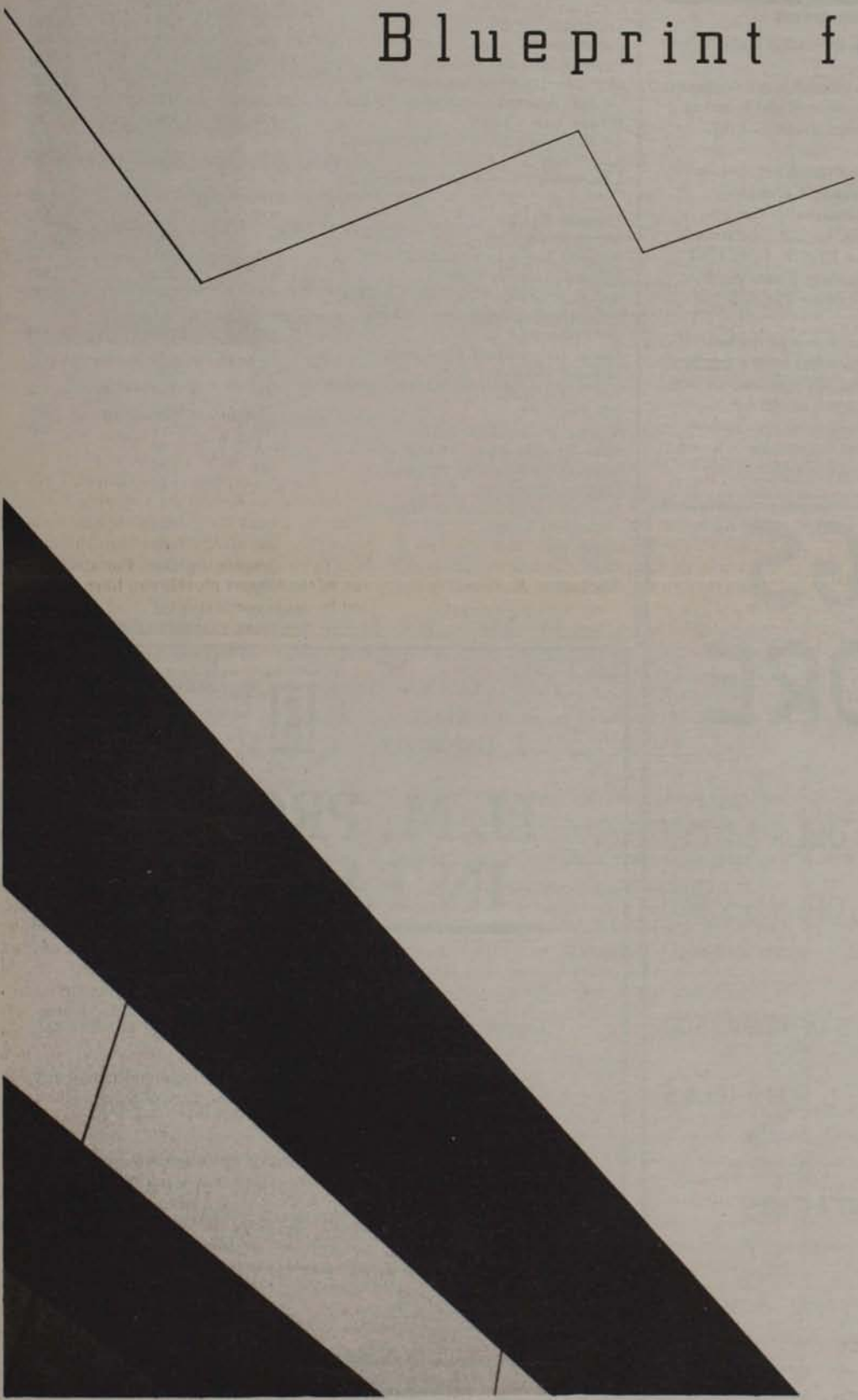
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The next issue of the News will be published January 14.

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An abstract geometric design on the left side of the page. It features a jagged line that starts at the top left, goes down, then up, then down, and finally up again. Below this line are two large, solid black triangles. One triangle is positioned higher and further to the left, while the other is lower and further to the right, creating a sense of depth and structure.

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General Counsel resigns

BY BOB YATES
Editor-in-Chief

General Counsel Aletha Owens is resigning this month to accept a position with the Lawrence Berkeley Laboratory. Owens has been the law school's attorney since 1977.

Owens sums up the work she has done in her eight years as Hastings' general counsel in one word: "varied." She said that she has been involved in every legal aspect of the school's operation from defending law suits brought by students to more mundane tasks such as reviewing rental agreements.

"I have had the opportunity to be involved in all aspects of the school," Owens said. "Everything comes through this office. Being counsel for a college is just like being counsel for a large corporation."

Owens said that the changes the law school has gone through during her tenure have not always been smooth. "There have been growing pains in the community," she acknowledged. "There has been some turmoil in the past."

She said, however, that the school has grown greatly in stature in recent years and she attributes that growth to Dean Bert Prunty. "This dean has a real direction for this institution," she said. "He really cares."

In addition to her position as general counsel, Owens has served as secretary to the Board of Directors. "It has been a



Aletha Owens

real thrill to work for such a dedicated Board," she said.

"You know, so often it is not communicated to the students how much caring there is in the administration of this school."

Owens' new position as counsel for the Lawrence Berkeley Laboratory represents a continuation of her long tenure with the UC system. She served as attorney for the Regents from 1964 until 1977. She proudly points out that she was the first woman appointed to that position.

Prunty said that it will be difficult to replace Owens. "She has been a terribly important member of the team," he said. "She is a person upon whom we've relied heavily. There is no way I could adequately express my sorrow in losing her."

ASH budget approved

On October 2, ASH approved budget allocations for the 37 student groups requesting ASH funding. The allocations are as follows:

Organization	Allocation 1984-85	Request 1985-86	Allocation approved for 1985-86
Alternative Law Journal	\$ 250	\$ 650	\$ 250
Amnesty International	N/A	200	150
Anti-Apartheid Coalition	N/A	700	300
Asian/Pacific Law Student Assoc.	825	1719	825
Assoc. of Communication, Sports & Entertainment Law	100	1400	300
Bay Area Sexual Harassment Clinic	200	714	365
Black Law Students Association	825	1180	825
Business & Tax Club	200	600	50
Clara Foltz Women's Union	275	775	275
Campus Republicans	N/A	185	50
Dickinson Society	150	800	240
Environmental Law Society	400	1425	400
Experienced Law Students	N/A	1105	100
Gay Law Students Association	225	785	325
General Assistance Advocacy Project	N/A	500	400
Hawaii Law Caucus	150	550	50
La Raza Law Students' Association	825	1052	825
Law News	1750	3974	1750
Law Students Civil Rights Research Council	N/A	250	25
Lesbians in Law	225	1115	325
Motor Cycle Club	N/A	100	0
National Jewish Law Students' Network	N/A	1000	250
National Lawyers Guild	600	1000	500
Native American Law Students Assoc.	400	745	200
Other Disadvantaged Law Students Association	550	1110	450
Pacific International Law Society	150	350	70
Personal Computer Users	N/A	539	25
Phi Alpha Delta	200	350	0
Phi Delta Phi	200	1050	200
Players Society/Law Revue	700	2251	900
Saint Thomas More Society	N/A	150	50
Second Year Memory Project	85	75	25
Student Democrats	N/A	140	50
Students for Awareness of Nuclear Weapons Issues	250	500	250
Third Year Class	400	1400	400
Unemployment Project	300	610	400
Workers' Rights Clinic	300	1295	400
TOTAL	\$10,535	\$32,344	\$12,000

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LITTLE KNOWN TORTS

During our years of researching dusty, dank, dingy law libraries and other known (and even some unknown) niches and crannies in search of potentially bizarre bar exam questions that might be sprung on unsuspecting students, we discovered certain "little known torts" that have yet to appear on any exam. As a special student service, we thought it only fair to bring one of these unknown torts out in the open, just in case.

After a long, arduous journey across the bounding main, wracked with scurvy, beri-beri, hideous storms and sea serpents, the sailing vessel "Mayflower," complete with ship's company, landed safely at Plymouth Rock. Unfortunately (and not at all in keeping with other historical records) mayhem broke loose in the form of Private Peter Pilgrim.

As Peter Pilgrim was disembarking from the ship, the wet gangway slipped off Plymouth Rock, propelling him over the rock, landing on (and destroying) a festive table, laden with mouth-watering goodies painstakingly prepared by Chief Chuckie Cheez and his tribe.

Chief Chuckie Cheez, after reviving Private Peter Pilgrim (and removing mass quantities of cranberry sauce from his nostrils and a drumstick from his left ear) sued Private Peter Pilgrim for damages for destruction of property.

Private Peter Pilgrim in turn sued Captain C. Way for negligence for allowing him to disembark on the wet gangway.

Captain C. Way in turn sued Far Flung Funships (owners and operators of the "Mayflower") on the grounds that the vessel was equipped with an unsafe gangway.

Far Flung Funships then sued Gangway Gratings Ltd. for product liability since the gangway was "guaranteed" to be "slip proof."

Gangway Gratings Ltd. sued Chief Chuckie Cheez for negligence for improperly using Plymouth Rock as a disembarking place since it was moss encrusted and was therefore a dangerous mooring facility.

After a long and very vocal trial, Judge N. Jury ruled and his verdict is one of the answers listed below.

So, to add a little enjoyment to the story and in "thanksgiving" of the verdict, if you send in an answer by November 29, and it matches the Judge's, we'll send you a coupon worth \$25 off a Josephson/Kluwer Bar Review Course or Josephson/Kluwer Workshop. Oh, and that's in addition to the current fall discount of **\$100**

Answers (check one)

- ☐ Private Peter Pilgrim was held liable because he was clumsy.
- ☐ Chief Chuckie Cheez was held liable because he knowingly placed the dinner table too close to the "slippery" rock.
- ☐ All parties were held to be partially at fault and ordered to sit down at a dinner table and to "give thanks" that no serious damage was done and to celebrate the momentous occasion at least once a year.

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