

3-26-1997

Hastings Law News Vol.30 No.7

UC Hastings College of the Law

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Recommended Citation

UC Hastings College of the Law, "Hastings Law News Vol.30 No.7" (1997). *Hastings Law News*. Book 231.
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HASTINGS LAW NEWS

San Francisco, California

March 26, 1997

Volume 30, Number 7

Funding for Summer Grants Questioned

Zehnder Says Public Interest Group Should Return Money

Molly Peterson
EDITOR IN CHIEF

Saying that "the crux of the problem [has] procedural" and "this procedure reeks," second-year student Joe Zehnder brought a complaint regarding the imposition of the Hastings Public Interest Law Foundation \$5 fee to fund summer grants at the Board of Directors at the board's quarterly meeting held Friday Mar. 14.

The \$5 fee Zehnder challenges failed to garner more than 50% of the counted votes in last year's popular election. However, the Associated Students of the University of California at Hastings General Council passed resolution 96-28 last year by a vote of 22-1 recommending the imposition of the fee, and the recommendation was approved by a 6-3 board of directors vote. Fees for the 1996-97 year included the \$5, which money was turned over to HPLIF to be held in trust after collection.

In a 20-page, five-exhibit investigative report, Zehnder alleged that because the HPLIF initiative failed the \$5 fee should not have been levied. He also alleged that both last year's \$5 summer grant fee and this year's

\$10 fellowship fee are illegal under the U.S. Constitution, the California Constitution and U.C. fee policies. Further, Zehnder claims that ASUCH Internal Vice President and former HPLIF President Scott Kuhn and two other students committed ethical violations through conflicts of interest.

The initiative put on the ballot by student petition for the April 10-11 election last year asked, "Should there be a \$5 Student Activities Fee to fund HPLIF summer grants?" The measure did not pass, but the controversy has not waned either.

Zehnder's substantive argument is that the imposition of the fees is unconstitutional. "They're good causes but it's a violation of my First Amendment right to have some group with a political and ideological purpose which I disagree with . . . reach into my wallet and take US to go to their purpose."

However, section 14 of U.C. policies adopted by Hastings legalizes student-initiated fees passed in accordance with election regulations by a simple majority. After the ruling in the recent California Supreme Court case *Smith v. Regents*, students who disagree with fees on First Amendment grounds can petition for a refund of money actually spent in furtherance of speech by asserting

that the funded activity conflicts with a student's truly-held beliefs.

ASUCH has promulgated procedures to comply with the *Smith* mandate since 1994. Hastings policy post-*Smith* sends such appeals to the ASUCH Finance Committee for a decision and then, if appealed, to the ASUCH general council. The board of directors would not hear a *Smith* appeal.

Zehnder next complained that the HPLIF resolution of last March was fatally tainted by the fact that it did not achieve a 50% approval vote, and that the election should be thrown out on procedural grounds.

Article IV section 9 of the ASUCH constitution provides that all fee increases must be submitted to the student body for approval and that a valid election takes place only when more than 50% of the student body votes. The total number of ballots turned into the polling place was 584, 49.5% of the total 1179 Hastings students registered last spring. Of the ballots returned to the polling place, 400 were marked in favor of the measure.

Five students were on leave last semester and were not on campus for the election. Whether these students count towards the total of eligible voters is unclear since

See ZEHNDER, p. 2

Bennett Criticizes Congress Clinton's Lawyer Attacks Partisan Politics

Cyril Yu
NEWS EDITOR

Robert Bennett, a nationally recognized trial and appellate lawyer who currently represents President Bill Clinton, gave the Marvin J. Anderson Lecture on Friday Mar. 7, 1997. The title of his speech "The Politicization of the Legal and Ethical Processes" focused on the partisan nature of congressional hearings.

Bennett warned that the crisis of confidence in our basic institutions of government appears to be getting worse. "This crisis threatens the ability of innocent people to receive a fair hearing in courts of law, congressional hearings, and in the court of public opinion," Bennett said. "Remember the McCarthy days, days which I fear are returning."

As a federal prosecutor, defense attorney, and legal consultant to Congress, Bennett witnessed political games firsthand. "Only a generation ago, it was unusual that Congresspersons, justices of the Supreme Court, or the President himself would be subjected to intense scrutiny. By contrast, 'we now have the spectacle . . . of many many independent counsels spending millions and millions of taxpayer dollars investigating many routine and ordinary matters that are more properly investigated by the professionals at the Department of Justice,' Bennett lamented.

Bennett attributes the change to Watergate. "The aura of respectability that surrounded political figures has never quite recovered," he stated. "Americans became much less willing to trust their leaders. . . . Congress became more willing to launch investigations into the Executive Branch. . . . new ethics laws were passed. . . . the press became much more aggressive in reporting potential scandals." Bennett summarized.

As for the current imbroglio surrounding President Clinton, Bennett spoke of intense political pressure conforming the chief executive. When the independent

counsel Robert Fiske, a moderate Republican, exonerated White House staff of illegal activities concerning Madison Guaranty, his character was attacked by conservative Republicans who demanded Fiske be replaced. When Kenneth Starr was appointed, Democrats criticized that he was too partisan. And when Starr announced he was stepping down to become Dean of Pepperdine University, Starr became the target of conservative Republicans and later changed his decision. "Imagine being the subject of an investigation by someone who was under such intense pressure to bring indictments," Bennett concluded.

Bennett noted that the politicization of the legal and ethical processes has blinded the American public and eroded public confidence. "It is my view today that politicians are cleaner, more ethical, and less corrupt than at any other time in American history," he said. But "the politicization of the legal and ethical processes has painted a false, disfigured portrait of contemporary American politics," he added.

The most damning effect, he noted is, "we stop acting like citizens, and start acting like spectators; and by doing so, we give away one of our greatest birthrights, the right to participate in our country's government."

Bennett also reminded the audience of its role in reforming the process. "One can and must be a zealous advocate, but one must still be a good citizen," he concluded.

Hastings Plummeted in National Rankings

Heidi Swartz

SPECIAL TO THE LAW NEWS

Hastings' dramatic decline in national rankings for a third year in a row has angered students who are left wondering how long the slump will last. "How many more years are we going to fall before it starts to affect our job prospects?" first year Chris Morrow asks.

According to *U.S. News & World Report's* 1997 calculations, Hastings is a second tier school placed among the likes of University of San Diego and Pepperdine. *U.S. News* ranks the top fifty schools numerically. The news magazine then places the remaining ABA accredited law schools in second through fifth tiers

alphabetically.

Hastings is the only U.C. law school not in the top 50.

U.S. News calculates its index using numerous statistical categories: including surveys of academics, lawyers and judges, student selectivity, faculty resources, placement success and bar passage. Dean Mary Kay Kane launched a preemptive strike against the rankings in a Mar. 4 memo explaining this year's fall to the second tier.

According to Kane, this year's ranking was calculated using outdated 1995 job placement data. In addition, *U.S. News* excluded from their calculations a figure that had previously been beneficial to Hastings' ranking, median graduate salaries. Instead of salaries, *U.S.*

News used a first-time bar passage rate.

Hastings maintained its usual high ratings among academics and lawyers and judges, placing 18th and 24th in those categories respectively.

Over the last few years there has been a steady decline in Hastings' *U.S. News* placement. In 1994, Hastings ranked 23rd; in 1995 and 1996 Hastings was 45th.

Kane has provided numerous explanations for the decline. The recession sank the class of 1994's chances for employment, so placement dropped from 24 to 128 that year. In 1995, *U.S. News* included a new category ranking the size of schools' financial

See RANKINGS, p. 3

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FOR THE RECORD

News Briefs Compiled by the Law News Staff

Journal Elections

Congratulations to the incoming Editors-in-Chief of Hastings Scholarly Publications. Elected for the upcoming year were Matt Passmore for COMM/ENT, Lisa Vansen for CLQ, Tait Graves for HICLR, Veronica McGregor for HLI, Jeff Moore for West-Northwest, and Maureen Burke for WLJ.

Abascal Dies

Ralph Santiago Abascal, who devoted his entire career to public interest work, passed away Mar. 4 in his Berkeley home. Abascal graduated from Hastings in 1968. While a student at Hastings, he worked to create the faculty/student committee system and helped develop the Legal Education Opportunity Program (LEOP). As a Hastings professor, Abascal taught one of the first environmental justice seminars in the country. He also served for 12 years on the Hastings Board of Directors.

As attorney and General Counsel at California Rural Legal Assistance, founding Director of the Center on Race, Poverty, & the Environment, and Director of Litigation at the San Francisco Neighborhood Legal Assistance Foundation, Abascal represented the poor for over 29 years in more than 200 major cases. Working on behalf of farm workers, people of color, the disabled, immigrants, students, and welfare recipients, Ralph left his mark on every facet of civil rights advocacy. The American Bar Association honored Abascal in 1995 by awarding him the Thurgood Marshall award for public interest lawyers.

Second-year Scott Kuhn worked for Abascal and says, "I have the greatest respect and admiration for [Abascal]." In the spring election, Hastings students voted to create the Ralph Abascal Fellowship program.



Professor Bill Dozier, shown here, moderated the HICLR Symposium.

HICLR Symposium

On Jan. 25, 1997, key players involved in the controversial debate surrounding the Helms-Burton Act, including the former Prime Minister of Canada, served as panelists for the Hastings International and Comparative Law Review's 15th Annual Symposium on International Legal Practice.

The 1996 act creates a right of action on behalf of U.S. nationals whose property was confiscated by the Cuban government to sue, in U.S. Federal District Courts, persons who "traffic" in the property. The provision that these payments are to be made by foreign companies that do business in both the U.S. and Cuba has triggered a major international controversy, and foreign countries have begun to pass legislation to protect their businesses from paying reparations to U.S. companies that had property seized by Cuba.

Kim Campbell, the former Prime Minister of Canada, one of the countries which has enacted "clawback" legislation, addressed the Canadian opposition to provisions of the Helms-Burton Act which restrict the temporary entry of executives of companies doing business in Cuba. "We believe it is the wrong instrument as it not only targets Cuba but threatens trading partners and friends, and disrupts international trade and investment," Campbell said. Bernd Langheine, the Trade Counselor for the European Union's delegation to the U.S., also criticized the legality of the bill under the 1994 General Agreement on Tariffs and Trade and public international law. Nicolas Gutierrez provided a response to the criticisms of the Helms-Burton bill.

Two roundtable discussions also explored this newsworthy issue. The morning session of the symposium focused on domestic issues, and the afternoon session focused on foreign responses to the bill, responses and criticisms.

Kuhn, Sampogna, Drake Decry Allegations

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election regulations have never addressed the issue. ASUCH considered resolution 97-02 on Feb. 12, clarifying which students were eligible to vote, but because no written records are available following ASUCH's resolution to stop transcribing minutes it is unclear whether the resolution passed.

According to Sampogna's minutes from the Apr. 17 meeting, Kuhn concluded that the total of students should be 1174, excluding the Hastings students off-campus. While Kuhn reported the five ballots found in the SIC office to ASUCH's general council, he did not indicate that he personally had found them. Even after lowering the vote total, Kuhn told the general council, "We are only three ballots short," and the measure was never passed by the student body.

When the matter reached the board in June, ASUCH did not claim that the measure had passed. Precatory language in resolution 96-28 includes the assumption that "had these five ballots [found by Kuhn in the SIC room] been counted, the total number of students voting would be 589, surpassing the majority requirement to consider a student fee increase."

Kuhn argues that since the full board approved the \$5 fee last year by a 6-3 vote, Zehnder's appeal to the board is "moot." Instead, says Kuhn, Zehnder should apply for a refund under the guidelines promulgated after Smith.

Zehnder also leveled conflict of interest charges against Kuhn and second-year Christine Drake

See ZEHNDER, p. 3

\$10 Fee May Not Be Valid

Though approved by an overwhelming 72% of the participating voters in the March election, the Hastings Public Interest Law Foundation fee proposal creating a post-graduate fellow-ship fund may violate University of California policy.

Both supporters and opponents of the fellowship fee cite the recent California Supreme Court decision *Smith v. Regents* in support of their position. In *Smith* the court found that a mandatory fee like the fellowship fee would be if implemented can be charged only where it is "germane to the university's educational mission" and not vocational.

Second-year Joe Zehnder said he thought "it was not germane to the university's purpose to fund someone's job" when he told the Board of Directors at the March meeting that he thought the HPLF fellowship fee should be held in trust.

Section 34.131 of the University of California policies listed in Hastings' handbook for student organizations requires that the student organization imposing the fee "serve the educational purposes of the University/College and the fee is approved pursuant to the school's standing orders."

In addition, Zehnder noted that ballot confusion may have contributed to the high percentage of past votes. Of 1259 eligible students, 715 voted in the election, only 536 of those students voted

on the resolution. Of that number, 388 voted yes. "People didn't understand the election process; that it's not a severable ballot," Zehnder said. "What this encourages is disenfranchisement."

In a letter to the Board of Directors, ASUCH Internal Vice President and fee supporter Scott Kuhn asserted that "Abascal's work on behalf of this country's poor and underrepresented and his service to Hastings are the best example of Hastings' educational mission." The fee was named after human rights advocate Ralph Santiago Abascal, who was counsel to California Rural Legal Assistance. Abascal died Mar. 17 after a bout with stomach cancer (see obituary p. 2).

Kuhn further said that the fellowship fee met two of the six listed categories mentioned in the guidelines promulgated following *Smith* since it promotes community service as well as professional and career-related skills.

The Board of Directors, the body authorized by section 34.14 of the UC policies to "impose, reduce or eliminate" such fees, will not determine whether the fee can be imposed until June, when Associated Students of the University of California at Hastings President-elect Dee Dee Wilson will formally present the results of the election. At the March board meeting, some directors expressed concern about the fee's viability.

—Molly Peterson

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Kane Impugns U.S. News Methods Area Lawyers, Professors Say Not to Worry

RANKINGS, from p. 1

resources, a category that hurts public schools.

These arguments did not wash with some students. "The recession affected all public schools equally, as does funding," said Morrow. "Based on that rationale, UCLA should have fallen as well."

Administrators who oppose the principle behind the ranking system still point to attempts to improve Hastings' rank. Career Services funding has increased dramatically and job placement has increased 21% in 1996. Carole Regan of Career Services says that employers base their opinion of the school on their personal experiences with Hastings graduates and those experiences have been favorable.

Regan points out that the U.S. News ranking is calculated using only first-time bar passage rates.

"The reality is that most students at ABA accredited schools pass eventually, and therefore the ability to pass is within each student," Director of Academic Support Laurie Zimet said. Zimet is working on programs that will decrease first-time failure rate.

Kane again claims this year that improvements will be evident by next year's rank calculation barring some new criteria that U.S. News might throw into the mix.

Both Associated Students of University of California Hastings president Edward Streets and president-elect Dee Dee Wilson say they are confident about Hastings' future.

Even with changing numbers, Hastings' education has remained the same, according to Kane, who added that "realistically, schools cannot change that quickly."

Professor Richard Marcus expressed a similar opinion stating that "it doesn't make sense that a school which has done good things consistently would change year to year." Both faculty members also claimed that other schools, such as University of Wisconsin and UCLA, have experienced fluctuations, the causes ranging from changes in a school's budget to infinitesimal changes in job placement data.

Michael Bartram, an Assistant District Attorney for Santa Cruz County who has been on several hiring committees stated that he bases his hiring decisions on the individual, and a school's ranking means very little. In fact, according to Bartram, most lawyers in the community are unaware of a law school's ranking and believe that Hastings is a top school.

Kane Alters Wall Proposal Students Removed, Dean Added to Committee

Molly Peterson EDITOR IN CHIEF

Outgoing student government president Edward Streets resubmitted a much-altered alumni wall proposal to the Board of Directors on Mar. 14. The change in alumni selection criteria, from those with a commitment to social justice and excellence to alumni with a commitment to social justice and/or excellence, is the most striking of the changes made following Streets' meeting with Dean Mary Kay Kane.

The student groups specifically named in Streets' first proposal are nowhere to be found in the latest proposal, due to Kane's abhorrence of too many students on the committee. An increase in the number of at-large Associated Students of the University of California, Hastings (ASUCH) appointed members counterbalances the other reduction in students. In a letter to Streets dated Mar. 6, Kane called the 25-person committee as proposed "impossible." Further, Kane said

that too many students were on the committee; "that doesn't make sense . . . the alumni themselves must have a much more dominant role." Kane also added herself and the Director of Alumni Relations to the committee to strengthen the administration's presence.

The first alumni honored will be Alan of the Year Al Wong ('64), Justice Wiley Manuel, Mayor Willie Brown, Clara Foltz and Mary McHenry Keith. The newly developed wall will share the second floor hallway with the 65 Club.

According to Streets, Kane seemed displeased with the vagueness of the criteria for selection to the alumni wall, urging Streets to clarify the proposal. In a further effort to simplify the process, Kane noted the significant administrative work involved in soliciting, collecting and evaluating nominations from 14,000 alumni and suggested that Streets "underestimate[s] the difficulty in getting nominations," and that "ultimately the administration would have to be in charge of the process."

Board Will Consider Election Imbrogio

ZEHNDRER, from p. 2

and Chantal Sampogna. Kuhn is the current internal vice president of ASUCH and former president of HPIFL. Drake is the current president of HPIFL and served as a second-year representative this year. Sampogna served during the last year both as treasurer of HPIFL and secretary of ASUCH.

Kuhn adamantly denies misleading the board of committing voter fraud. Along with Mar. 20 to the board of directors dated Mar. 20 Kuhn submitted statements from three-year Vitaly and second year Minal Shah and Si-cun Amber Lee declaring that they saw Kuhn find the ballots. Kuhn also submitted copies of all five ballots, two of which opposed the HPIFL measure and one of which included a vote for dark horse candidate William Poovey. In addition, Kuhn said that he did not mislead the board about his relationship with HPIFL.

Drake said that Zehnder's allegation of her ethical violations was a mischaracterization, "he calls it a direct conflict of interest, I think it's a duty conflict," Drake said. "We're voted in knowing what our interests are. People know that those are the clubs we're a part of. I believe having been voted in on that basis that I'm doing an injustice to people who have voted me in if I don't support those things I said I stood for." Drake added a real conflict of interest would occur only if the "had an interest that was 'known.'"

Sampogna said the "feels bad" if people think she misled them but added that his appeal to ABA standards is a faulty analogy. While

Sampogna admitted she did not publicly disclose her membership in HPIFL when she was elected, she says she didn't hide it either. "I am concerned about the allegations of ethical violations," Sampogna said. "I respect that he spoke his mind, I just think he didn't have to bring the issue to the attention of the board without addressing it through any students first."

Hastings General Counsel Angele Khachatador said the board would investigate procedural election allegations and emphasized the board's desire to give the students an option to reply.

The need to convene the executive committee of the board of directors to settle this controversy means that the status of the grants will be up in the air for at least another week. On an open meeting on Apr. 3 at 8:00 a.m., in an Apr. 3 meeting in Khachatador's office, the executive committee will meet to determine the validity of the \$5 fee.

HPIFL still intends to name the grant recipients by Apr. 8. The grant application deadline is Mar. 25. According to Drake, the foundation will award seven \$3000 grants if the \$5 fee is representative; otherwise, funding only exists for five. Last year, between 20 and 30 students applied for grants, according to Drake.

Zehnder said the way to prevent this problem in the future was "to overhaul the [ASUCH] constitution." While he said he thought a constitutional committee was a good idea, he added that he would not be on such a committee. "I think a disinterested party should

evaluate what's going on," Zehnder said.

Regardless of the findings of the board of directors, Drake said the HPIFL cabinet voted unanimously to offer a refund to every student for this year's fees during the month of April. "In fact, this is a lower standard than required by *Smith*, because [students] don't even have to make a showing," Kuhn said. Drake agreed. "We'll just give it back if they request it."

Still, Zehnder was displeased. "It's a half remedy, HPIFL should sit down and write 1300 \$5 checks," he said. "They took the money, now they can give it back."

In a related development, an anonymous flyer placed in selected SIC folders Monday morning and second-year representative Brian Walsh allege this year's ASUCH election is null and void since regulations were never approved by the ASUCH general council in accordance with bylaws.

The flyer, which exhorts students to "demand the truth and expect honesty," includes claims that Walsh withdrew an official complaint due to pressure from inside ASUCH. The flyer also contains allegations that election committee chair Kuhn violated ASUCH bylaws by not bringing election regulations to a general vote.

The bylaws do not require an annual ratification process for the election regulations, but since ASUCH has never fully followed procedure what is required is unclear.

Remodeling Underway

Peter Truman STAFF WRITER

Hastings' physical plant is getting a much needed facelift this summer as several overdue maintenance projects get underway.

Already completed is an energy conservation project for 198 McAllister. The project entailed installing new lights activated by motion sensors throughout the building, energy efficient electrical motors, and an energy management system to control operating times and the building's existing air handling systems. "As the energy savings exceed the annual debt service, the college benefits both financially and with increased lighting," Chief Financial Officer David Seward said.

This summer, Hastings is setting its sights on McAllister Tower. Although the project will be funded with revenue bonds, the financing details still need to be worked out with the state. The project includes installing new energy efficient lights, motors and water aerators. New energy efficient refrigerator units will also be installed in each of the rooms. External water proofing, which has already begun,

will continue in earnest over the summer. The next phase is to repaint and repair the fire stairs leading from the fourth floor to the twenty-fourth floor, while commencing repairs on the upper tower.

The project should not inconvenience student residents, according to Seward. Work will be done from 9:00 a.m. to 5:00 p.m., and will not start until after finals; work that requires access to apartments will begin in June. Tenants that stay on over the summer will be advised of the work before executing their leases.

There are also plans to move the law journals into the Tower this summer. The 22nd and 23rd floors will be the site of all Hastings' legal publications. The new home promises to be well equipped, allowing twenty-four hour access, and offers a nice view of the City. "We want to elevate the stature of the law journals," Seward said.

In addition, the information center, will be made more accessible. The extra room will allow students to more freely move about the office without running into each other.

VIEWPOINT

En Banc

Poor Rankings Foster Lousy Morale

Administrators claim that it doesn't matter how Hastings fares in the *U.S. News* poll while also promising that we will do better. A crucial thinker—the kind of person that this school is training us to be, will note the contradiction in that statement.

Kane points to U.S. News use of stale data on job placement and weak bar passage rates as the primary reason Hastings' number dropped off a cliff the past few years. However, other UC law schools endured the recession without a dramatic decline in their ranking.

Likewise, while Hastings' bar passage rate for 1995 was poor, no one has offered evidence showing that this occurred for reasons beyond the control of the College.

As Kane notes, the placement rate has increased by nearly 20%. The bar passage rate must improve just as dramatically. Only the administration can provide the leadership for that to happen. Preparing students for the bar may be improving through the efforts of Laari Zimet, but that remains to be seen.

Admittedly, the administration has a point when it questions the

validity of any ranking system for law schools. The only people who seem to buy into the U.S. News rankings are the U.S. News editors ... and the people thinking about coming to law school ... and the people thinking about hiring law school graduates. While the ranking system is impracticable, it still has persuasive force among the public. With Hastings' current standing, Kane is forced to play the role of the student trying to explain mediocre grades to a prospective employer.

It's Time to Clean House

Well, everyone involved in the controversy surrounding the imposition of public interest fees through student referendum comes out of this mess looking slightly less competent.

Obviously, ASUCH needs to get its act together. For the second consecutive year, ASUCH may have selected results overruled. Whether this results from sloppiness, conflicts of interest, or fraudulent efforts to influence the election, it reflects poorly on the ASUCH governing council and the election committee appointees.

Several allegations about procedural error have surfaced since the election results came out. Some might even have merit. One thing is clear: ASUCH should recommend its transcription of minutes from meetings. If ASUCH members cannot even remember whether they passed a resolution at a specific meeting some record—more than a tape locked in a cabinet for which nobody has the key—needs to be made.

Joe Zehnder's allegations about potential conflicts of interest for Scott Kahn, Daniel Sampogna and Christine Drake pinpoint a fundamental problem about student activities at Hastings. In a better world, students who hold leadership positions in a club that is funded and governed by ASUCH wouldn't hold ASUCH executive board positions too. The problem is the lack of additional student interest to fill the positions held by students now who would have to resign to cure conflict of interest taints.

Holding students in ABA

standards is fraught with peril. First, students had no inkling of the fact that they would be held to ABA guidelines, regardless of the vague provisions in the student handbook holding student organizations to the standards of the profession. More importantly, overtly rigid conflict of interest guidelines applied to students would likely quell student involvement in ASUCH and the organizations at the same time. Add that to the general apathy making all school activities and nothing would ever be accomplished. Participation in student activities adds much to the non-academic educational experience at Hastings and should be applauded, not attacked.

ASUCH seems to have serious problems running an election that isn't fraught with violations of the regulations. What's the problem? Creating regulations and actually enforcing them can't be that hard, even for the overworked servants of the public good.

Other allegations of procedural impropriety deserve more attention. It's possible that one late candidate statement was accepted while two others were refused solely because they arrived after the deadline. The problem doesn't seem to be the application of the regulations but rather compliance with them.

We should demand from every student election fair treatment of the candidates by an impartial body conducting the election.

Kahn may have engaged in ethically gray conduct here, but there are better scapegoats for the imposition of a fee, no matter how worthy its aims, on the student body.

The first is the board of directors. The board is so far removed from the students at Hastings that it is willing to capriciously take actions like imposing what opponents have called a tax without seriously investigating the matter.

The second is the student body—you who read the *Law News* (and your classmates who don't) and refuse to speak out or have an opinion beyond "How long until I graduate?" Student apathy is what makes imbriclos like this possible. Even Zehnder, who brought questions to the forefront, would have done better to investigate problems while the third-year students who have since graduated were still here.

Students who commit ethical violations obviously have an obligation to own up to mistakes and resolve the problem. If Kahn, Sampogna or Drake were found to commit ethical violations a new election should be held.

Finally, serious weaknesses in ASUCH's structure have been exposed by the allegations brought by Zehnder. ASUCH should determine by what rules it wishes to operate, educate itself, and implement those rules. If that means tossing the entire ASUCH Constitution and starting over, so be it. If that means setting up one committee to write bylaws and another to implement election regulations, fine. Just get the house in order so that the voting members of the student body know the standards to which elect officers should be held.

Letter to the Editor

Wall Change Lauded

To the Editor:

I read your February 13th article about the proposal to replace the 65 Club Wall with a wall honoring alumni who have "demonstrated a commitment to social justice, made significant contributions to the community, and achieved excellence in their field" with great interest. I remember the impression the 65 Club Wall made on me the first day I visited Hastings. As I walked down the hall toward the Admissions Office, I kept thinking that there would be at least one woman, one person of color. But no. The current Wall is truly "retro," symbolizing what the school and the profession of law have been. I'm sure many of those men were lovely people and brilliant scholars. However, they exclusively represent one kind of person: white male. I think the school ought to celebrate its more

recent accomplishment of participating in the education of a diverse group of students. (I recognize that many think we are not diverse enough yet.)

Having a display in a trafficked area that recognizes accomplishments of students would be much more inspiring than the present display. While I am sure many of those alumni deserving recognition in the proposed wall are white males, they will certainly be joined by women and people of color. I thank Ed Streets for putting the idea forward. (I am sure that the "constitutional problems with the committee appointments" can be corrected with some effort. If the project is carried out it will improve the image of the school to visitors, and more importantly, the atmosphere for current students.

Osha Meserie
Class of 1999

HASTINGS LAW NEWS

From Dialogue Comes Truth

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Rankings and Realities in Law School

Mary Kay Kane
DEAN

Earlier this month I wrote to the student body explaining what happened in Hastings' ranking by *U.S. News & World Report* as a result of several changes that the magazine made to the data utilized for its 1997 report. I am not going to rehash that now. But, some further words about the system of rankings generally and why Hastings remains recognized by academics, lawyers and judges as one of the top law schools in the country, despite the overall rank set by the magazine, seem in order.

There have been continued objections to *U.S. News & World Report's* law school rankings since the magazine began doing them in about 1990. These objections come not just from schools disgruntled at their rankings, but from schools at the top of the scale (yes, even Stanford, Harvard and Yale), as well as from both of the major professional law school associations, the Association of American Law Schools (AALS) and the American Bar Association Section on Legal Education and Admission to the Bar (ABA). The governing boards of both the ABA and the AALS (on which I sit as a member when this issue first surfaced) have made public statements condemning the rankings as artificial and wrong. And now, this year, we had the added complication that the magazine discovered a week after releasing its ranking issue that it had made some errors in the calculations and had to revise the list, further exacerbating the problem and creating even more of a furor (which I cynically think simply ended with the magazine

settling even more issues). Indeed, in a telephone conference call with numerous deans after its first errors were discovered, the magazine acknowledged that it now knows that the bar passage figures and related rankings even in its revised listings are skewed because several schools submitted different overall state rates in the same state (this occurred in California, for example, where three schools used February bar passage information) and thus for these schools their ranks were inappropriately inflated. The magazine editors, however, determined it was too complicated to change that in time for the revised issue, but stated that they would ensure against that problem in the future.

The objections to the rankings, with which I strongly agree, center on the fact that there is no way to construct a system that reflects the varying strengths and weaknesses in schools, which often have different objectives and seek to serve different populations. Further, the quality of a program cannot be ranked to numbers. Thus, any ranking system will be misleading because it suggests an objective pecking order among law schools based on the quality of their programs, and program quality simply cannot be scientifically measured. In other words, rankings do not reflect reality.

Nonetheless, whatever the weaknesses of its rankings, a wide array of readers will view them as meaningful and they may wrongly influence the readers' impressions of individual schools. In an effort to counter those effects and to provide real information to consumers about what is going on in law schools, the ABA this year entered into a publication agreement with Simon & Schuster for an annual book

containing comparative information on each school, without engaging in any artificial rankings. That book will be published in April. On another front, there is a national effort among law deans on which I am participating to try to have *U.S. News & World Report* adopt a more accurate system of data collection and reporting, if not abandon the ranking system altogether.

Although I certainly remain mindful of the importance of being ranked by *U.S. News & World Report* in a way that accurately reflects what is happening at Hastings today and will continue to work with other law deans to try to improve the magazine's current system, the primary focus of our energies at the college must and will continue to be on those elements of our school that have been our strengths. These include the recruitment and retention of a high caliber student body; the presence of our six student law journals and their presentation of annual symposia which draw professionals through the legal community to Hastings; the work and ever-increasing successes of our students in moot court competitions throughout the country; and the recruitment, retention, and support of our nationally prominent faculty, whose expertise provides a high quality academic program for our students and whose scholarship and public service efforts in the legal community mark them, and Hastings, as leaders in the profession. Ultimately, it is these factors that make up a successful institution. They are the real story and one that all of us should focus on and take pride in.

ASUCH Introduces Community Service Program

The Law News welcomes statements from student groups regarding their purpose and activities in order to increase awareness about the community.

The Associated Students of the University of California at Hastings (ASUCH) recently created the Community Services Program (CSP) in an effort to provide educational and professional experiences for Hastings students. CSP's goal is to present opportunities for students to volunteer their time to legal and non-legal Bay Area organizations. CSP committee members will work personally with students to ensure an effective working environment. The CSP committee encourages

any student, regardless of

experience or time availability, to meet with a CSP representative to discuss possible volunteer opportunities. The CSP committee strives to provide flexible opportunities to fit the difficult schedules of law students. The CSP committee will also monitor the progress of students' volunteer relationships. The coordinators and committee members are currently establishing rapport with a variety of Bay Area organizations in order to match students with compatible organizations.

CSP coordinators hope to create opportunities for Hastings law students to gain valuable experience, both legal and non-legal, in a setting relevant to their

interests.

In pursuit of that goal the CSP committee will hold office hours which are posted on the CSP bulletin board in the basement of 198 McAllister. The CSP committee is also in the process of assembling a binder which will describe and categorize the various agencies which have volunteer opportunities available. A current list of agencies is also posted in the basement of 198 McAllister.

Ann Levine and Love Mackenzie are co-chairs of the CSP committee, and the other members are Scott Kuhn, Bill Shie, Sa-Jin Lee, Gene Cruz and Matt Weber. CSP encourages volunteers, comments and ideas.

IL Column

A Few Observations From the Third Tier

Mike Malugani
STAFF WRITER

Freedom of speech still has some meaning in the United States.

I am afraid I made a mistake in my last article. I incorrectly stated that Hastings was a second-rate law school. Actually, the most recent rankings put Hastings even lower. Don't worry, our fearless leader can explain it all.

That's right, Dean Kane to the rescue. In her Mar. 4 letter to the students, Kane explains that *U.S. News & World Report* uses stale data and an outdated grading method. It is just me, or does anyone else see the irony in that complaint?

Even more ironic is the fact that Kane cites our reputation among the legal profession as our strong point. Kane says this last point is evidence of the inadequacy of the ranking system. But isn't it quite possible that the legal community hasn't yet figured out how far Hastings has fallen?

While we're on the topic of Dean Kane and her memos, I'd like to talk a little about a Feb. 27 release, from the Office of the Dean. The letter addresses some "defamatory, hateful, and racist comments" found written on study carrels in the library. Dean Kane says, "I urge each of you, if you are exposed to such behavior, not to be silent but to speak out against it so that those who engage in such tactics can learn that their actions are totally inappropriate and will not be tolerated among their peers."

I hope Kane is talking about writing on carrels. Everyone should have the right to express their ideas, as idiotic as Tor Kane or anyone else believes them to be. If some moron wants to walk the halls of 198 McAllister with a sign reading "DIB CRACKERS DIE" or "KANE'S A HONEY," or "MALUGANI IS THE DEVIL INCARNATE," I believe they should have that right. If professors and students want to take to the microphone on the beach in support of a racist and sexist California institution, why deprive them of that opportunity? Actually, this school supported such an exhibition just last November. It seems that the learned "leadership" is trying to impose its beliefs on the common folk.

One more thing about my last article. While it is true that I am on the whole disappointed with the professors I've encountered so far, I have been lucky enough to have had two truly excellent professors, one each semester. It's just that the other four, to put it nicely, have not measured up. Simply put, two out of six just doesn't cut it.

So I was sitting in class one day a couple of weeks ago, minding my own business, and someone politely پرسن started reaching into my wallet. Where does HPILF get off pimping for money? This group asks me to give a \$50 donation so someone else can have a summer job when I don't yet have one. What kind of distorted socialist society do these dreamers think we live in? The same day I received a letter from a friend asking me to pledge some money. She's running in a marathon to raise money for a boy with leukemia. Which one do you think I gave money to? It seems to me that someone interested in public interest would be willing to sacrifice some money. I guess they are just as greedy as the rest of us.

Speaking of sine, I certainly had an interesting break. While in Sacramento visiting family, I went with my dad to watch the high school basketball playoffs at Arco Arena. The tournament was a little microcosm of life: inner-city schools, suburban schools, and religious schools. Which schools displayed by far the worst sportsmanship, both on the court and in the stands? Of course, the Christian schools. Oh well, I suppose when they go to confession (or pray or whatever) all will be forgiven.

Since I brought up basketball, a few words about the NCAA Tournament are in order. Anyone else find it strange that the sectional underdog pick to win a game is Princeton, a bunch of rich, privileged, white guys. Where else could this group be considered an "underdog" but in the circus-world of college basketball?

GO BRUNSI!

ARTS & ENTERTAINMENT

Movie Review

And Jabba Makes Three: The Magic Number

Ethan Kalet
STAFF WRITER

I just saw *Return of the Jedi*. These movies are great because they have one-dimensional characters, neat FX, lots of action, and a story that isn't stupid. It's that simple. Or is it?

True trilogies are rare in Hollywood, and good ones are even rarer. Plenty of ideas have been great twice, and many have stunk three or more times, but how many quality triplets are there?

There are lots of popular characters who have sustained three good films. Indiana Jones and the *Naked Gun* films, for example. Or, my personal favorite, *Shogun*, in which the incredible final film, *Shogun in Africa*, is the best of the three. Then there are characters who can sustain multiple films simply because audiences keep watching, no matter how insane the sequel. For example: *Lethal Weapon 3*, *Revenge of the Nerds 3: The Next Generation* and *Look Who's Talking Now* (the third). These kinds of films often go way past three, and usually spring from one good idea gone way, way out of control. Cases in point: *Jaws*

The Revenge (the fourth), *The Devil in Miss Jones 14*, *Police Academy 6*, and *Leonard Part 6* (actually, there was only one of these, but it was so bad it felt like six films). But these aren't multi-episode stories; they're just over-capitalization through serialization. To make a true trilogy, characters must develop from episode to episode; there must be continuity, not the same story told over and over.

There have been a few BAD trilogies, like *Back to the Future*, the Rambo films, and *The Texas Chainsaw Massacre*, all of which developed elements of the characters and the lives they portrayed. Unfortunately, two out of three of the above trilogies were worse than ebola.

Then there were sagas which should have been trilogies, but then someone got greedy. For example, *Rocky III* with Mr. T was still good, but *Rocky IV*, where he fights the Red Menace, was atrocious and *Rocky V* was even worse. *Nightmare on Elm St. 3* was still good — but the later films are lousy. And don't forget the *Star Trek* films, which didn't even get good until the eighth voyage.

Truly good trilogies are rare: the *Evil Dead* films; the Muppet movies; *Romero's Night*; *Dawn and Day of the Dead* films; Clint Eastwood's *Man With No Name* films, concluding with *The Good, The Bad, and the Ugly*, the best of the three. The three versions of *Invasion of the Body Snatchers* are all quite good, and each tell the story in a different way. Wim Wenders' trilogy of *Wings of Desire*, *Faraway, So Close* and *Until the End of the World* were all good. But that's about it.

George Lucas has a rare and fabulous achievement in the *Star Wars* trilogy. He's one of the few and the proud. *True Jedi*, the third installment, does begin to sell out substituting imagination for the easily marketable, but insipid and oh-so-annoying Ewoks, but *Jedi* is still a great film. Now, however, Lucas is returning to directing and will create a new trilogy. My prediction: it will suck. Too much is riding on both Lucas and the series. Too many plastic Taco Bell tie-ins are already envisioned. Lucas will never match the greatness of his original three films. Lightning never strikes twice, and, in the case of trilogies, rarely strikes at all.

Oscars Present Few Surprises

Academy Makes Outsiders Stay There

Cub Karabian

STAFF WRITER

On Monday night, Mar. 24, Hollywood may have awarded those little naked guys done up in gold: Oscars. So who will the Hollywood-oriented Academy choose for the major categories? As a lover of great cinema, I'll try and predict the enigmatic Academy's moves.

Best Actress: Emily Watson's deserving performance in the strange *Breaking The Waves* will be lost on Oscar because of a disaste by many moviegoers and Watson's non-campaigning attitude. I loved the elegant Kristin Scott Thomas in *The English Patient*, but like Ralph Fiennes, she is foreign, someone new, and the only actress to play it smooth instead of gritty. Diane Keaton is the only real veteran of the group, but not many people saw her very solid performance in *Marvin's Room* and she's already won for a much better performance in *Annie Hall*. Brenda Blethyn has her share of awards for her performance in *Secrets & Lies*, but her part isn't much of a stretch considering how real the movie appears. So the last is definitely the best here: Frances McDormand, my favorite performance and the one which should win the Oscar. Her performance is simply the best. As Marge Gunderson, wife, VERY soon-to-be-mother, policewoman, and emotional center of *Fargo*, she anchored the a thoroughly entertaining movie. Oscar: Frances McDormand

Best Actor: Woody Harrison will NOT win because of the recent *The People vs. Larry Flynt* political backlash. Ralph Fiennes has been fabulous in three phenomenal pictures (*Schindler's List*, *Quiz Show*, and *The English Patient*) but the Academy always seems to reward continued success slowly, even slower for foreigners. Tom Cruise may win, especially considering his stardom and terrific reviews for *Jerry Maguire*, but I think Hollywood is waiting for the ultimate performance from someone who has everything already. This leaves Geoffrey Rush of *Shine* and Billy Bob Thornton of *Sling Blade*. Rush has already won tons of awards but I don't think the performance is all that great and that he has that much screen time. *Sling Blade* were nominated for Best Picture, I would give it the nod hands down. The film is oddly moving, with incredible tenderness and caring through Thornton's

character. *Billy Bob Thornton*

Best Director: Mike Leigh of *Secrets & Lies* won't get the nod because of his unconventional actor-is-key style and his un-Hollywood British attitude. Miles Forman has made tremendous films (*Anatolia & One Flew Over The Cuckoo's Nest*) but *Larry Flynt* will come up empty handed not only because of its political nature but also because a director without a Best Picture nod won't happen. Scott Hicks could take the prize on the emotional vote for *Shine*, but he is another relative unknown and giving such a big prize to a newcomer is just un-Academy. My favorite is Joel Coen, who along with his brother Ethan, created the bleak, from-tundra world of *Fargo*, then populated it with some extremely unique and interesting characters. But that woodchipper may have turned off too many voters. Anthony Minghella has almost everything going in his favor. He's got a lush, sweeping epic, a great story, gorgeous start, tough shooting locales, and extraordinary shots. He's already won the Director's Guild of America Award, which is almost a lock. Oscar: Anthony Minghella

Best Picture: I really don't know what *Jerry Maguire* is doing here, especially with some other great films being passed up (see *Sling Blade*, *Trainwrecking*, and *Lone Star*). *Secrets & Lies* is too real and too foreign. The last time a British film from British unknowns with an unknown British cast won, it was the brilliant *Chariots of Fire* in 1981. *Shine* has garnered much press and is a possibility to win, especially considering it is very deserving as a fabulous piece of work. My favorite of the nominated films follows my directorial pick of Joel Coen. *Fargo* is rare, fresh and without Hollywood convention; you emerge from the theater afterward unable to explain the plot briefly because it is so rich. Watching this quirky movie is a cinematic delight. *The English Patient* created the richest of landscapes in the stark conditions of the desert. The chemistry between the main characters is electric and the cinematography is on par with *Legends of the Fall* and *The Mission*. Plus, it is a safe, non-controversial epic in the grand tradition of Best Pictures. Best Picture: *The English Patient*

Music Review

Pavement Rediscovered Garage Rock Roots

Mae Ho
A & E EDITOR

Stockton, California, a breeding ground for malcontents, hatred of the status quo, and anarchy, has produced the quintessential garage band — Pavement. This notorious indie band tapped into Stockton's reservoir of stoniness and cultural barrenness to create its creative, heretical and warped music.

Pavement's signature Mark Ibold, Stephen Malkmus (a.k.a. S.M.), Scott Krainberg (a.k.a. Spiral Staccato), Bob Nastenovich, and Steve Wast, has aspired to be to be slackers. However, these slackers garnered enough energy to produce their fourth CD, *Brighten the Corners*. Despite their affirmed laziness, Pavement has created an ambitious CD with its variety of songs and musical strengths.

In *Brighten the Corners*, Pavement is the same post-punk rock band that had been critically acclaimed in its previous CDs, *Slanted and Enchanted* and

Crooked Rain. *Brighten the Corners* is filled with the band's alternative tunings (some of which has been adopted by Sonic Youth), and the band's renowned guitar riffs which transcend from cerebral to mercurially pulsating. And of course there are S.M.'s deliberately off-key vocals.

"Stereo," the band's first single, exudes Pavement's rough energy with course bass lines, spontaneous guitar sounds, and vocal outbursts. "Shady Lane" and "Transport in Arranged" show the band's soft side with lilting lyrics and harmonious melody (except for the occasional presiding guitar riff).

"Pastel Dreams" is the most removed from Pavement's garage sound with a barely 80's resonance and not quite so off-key vocals.

In addition to Pavement's unique and sometimes spasmodic music are offbeat and absurd lyrics. "Shady Lane" mentions "bmovie adaptation of the sequel to your life." In "Date with IKEA," there is a reference to the Swedish furniture



firm likeness it to the disintegration and plasticity of L.A. "Stereo" has mandering lyrics, "we saved entire nation so depraved from the cheap seats see us waste to the giant camera it look a giant ramrod to rare the demon settlement."

Pavement's sublime and not-so-sublime references to our pop-governed society, with its disjuncted lyrical and musical ramblings give the impression of potential genius: Because one can never make much sense of the lyrics it is hard to know if they are brilliant or just utter nonsense. Either conclusion produces the same result — the consummate garage band.

"Minnesota Dinner" Goes Big-time To Honor Outlaw

Eileen Scallen
ASSOCIATE ACADEMIC DEAN

No fooling—on April 1, 1997, starting at 5 p.m., Dean Eileen A. Scallen and the Office of Student Services will present "A Minnesota Evening" to honor Outlaw, Hastings gay, lesbian, bisexual and transgendered students, as well as staff and alumni. The evening will begin at 5:00 p.m. in the L.B. Mayer Lounge, 198 McAllister, with "Minnesota Munchies," beer and soft drinks. A buffet dinner will be served about 5:45 p.m., and entertainment, provided by Minnesota songwriter/singer/humorist Ann Reed, will begin about 6:45 p.m. The evening should end about 8:30 p.m.—can't stay out too late on a weeknight, don'tcha know.

Tickets will be available on the Beach at different times, but are available for sale anytime at the Student Services Office. Faculty and Senior Staff will pay \$25.00; all other staff and guests of faculty, staff, and students will pay \$15.00; Hastings students with I.D. will pay \$10.00. Tickets include the Minnesota dinner, drinks, and the entertainment—a hockya deal, as they say in Minnesota.

Ann Reed is about to release her 11th CD, *Timing Is Everything*, and is a national recording artist, having performed on Garrison Keillor's *A Prairie Home Companion* and *Good Morning America* several times. Gregg Shapiro, a music critic for *Modern Rock* and the *Chicago Sun* says, "Ann Reed continues to be one of the most compelling and exhilarating presences in the music community. . . . Reed writes and sings songs that are every bit as good as those by Mary Chapin Carpenter. *Life Gets Real* [Ann's last CD] gets my highest rating." Jim Walsh, the music critic for *Minneapolis City Pages* says, "Reed's songs are personal but universal enough that anyone—a Bonnie Raitt or a craggy-voiced rock critic—would feel comfortable climbing into their soft interiors and tooling down a road of their

own."

The food promises to be outstanding, says Scallen, featuring the famous Minnesota spiciness, "hotdish." Scallen says, "A lot of people show that they are outsiders by calling it 'casserole.' No, no, no. [Ed. note: actually, she said, 'nooooo, nooooo, nooooo.'] A casserole is what you cook a hotdish in. Get it right." Scallen would not be specific on the kind of hotdish being served, but she said it would, as all hotdish, incorporate canned cream of mushroom soup.

A source close to the Academic Dean's Office said that Scallen has been hunched over at her computer, pouring over the official hotdish website for just the right hotdish. [Ed. note: there really is such a website, although the webmaster cruelly labels the recipes as ones for "casseroles." Go to <http://www2.bistream.net/~connell/hotdish/> Scallen will cook the dishes herself, along with student volunteers, before the dinner. Scallen promises to feature a festive Jell-O salad and, for dessert, Rice Krispie bars.

The dinner has sparked one note of controversy. Patsy Oppenheim, Director of Student Services, insisted on adding green salad and bread to the menu for the vegan crowd. Scallen noted that she was already planning at least one vegetable hot dish for non-vegan vegetarians, and was heard to be puzzling about what could be so bad about canned cream of mushroom soup. Oppenheim promised to spend some time educating Scallen.

So, what's the connection between being Minnesota and being lesbian, gay, transgendered or bisexual? Scallen said she'd try to explain it at the dinner, but that it didn't necessarily include taste in food. She said she thought it was about time the Hastings community "came out" in force to show support for its gay, lesbian, bisexual and transgendered students, staff and alumni. All faculty, staff, alumni and their guests are invited to attend.

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Congratulations to Internal Machinations Director

Ivo Labar

Law News Editor in Chief 1997-98



Dave Schneck, Damien Lillis, Khaldoun Baghdadi, Grace Hopkin and Ivo Labar took the students to the tem-

Students Wallop Profs in Quiz

Ivo Labar

SPECIAL TO THE LAW NEWS

In a last minute intellectual rally, the student team came from behind to defeat the faculty squad in the thirteenth annual Trivia Bowl, returning the sought after cup to students after a one year absence.

"The faculty trembled at the very sight of us," said contestant and first-year student Ivo Labar. "Next year we play for money," he added.

Topics included popular culture, legal history, and esoteric Hastings trivia. Prior to last year's loss, students had won the contest for the previous five years. The yearly event was held in the Louis B. Mayer Lounge on March five.

While a mixed crowd of students and staff quaffed beer and cider contestants donned new Hastings ballcaps, courtesy of the Bookstore, as the interrogatories began. Hastings students were capably represented by second-year Grace Hopkin, third-year Damien Lillis,

second-year David Schneck, first-year Ivo Labar and team captain third-year Khaldoun Baghdadi. The faculty brain trust was led by Brian Gray and included James Wagstaffe, Linda Morrow, John Makoe, and Reuel Schiller. The event was moderated by Jody Shipper and Ashutosh Bhagwat. Travis Baird served as scorekeeper, while Dee Dee Wilson kept the time.

The teams matched wits in a blizzard of questions including:

Q: How many 65 Club photos hang in the 200 Building?

Q: Who was the first Chief Justice of the United States Supreme Court?

Q: Which justices dissented in *Roe v. Wade*?

(answers at end of column)

Initially, the contest stayed even as both sides built a solid foundation of points. However, the faculty surged ahead when a series of questions were asked on the idiosyncratic habits of Hastings professors and actors from the

"golden age" of Hollywood. Midway through the event, the faculty led by 30 points. However, the endurance of the aged academics was poor and as the afternoon wore on, the students matched their adversaries on the scoreboard.

The event became a tug of war in its final rounds as both sides answered questions successfully, keeping the scoring parity. Just as the kegs ran dry, the crucial tie breaker was answered by Grace Hopkin who successfully recited the second verse of the Battle Hymn of the Republic to clinch it for the students. The final score was 220-210.

"The match reminded me of playing Monopoly with my brother when I was growing up," said Wagstaffe, "the game ended when he took the lead." After the contest, unconfirmed reports had both Gray and Wagstaffe rending their garments in job-like fashion.

Answers 1) 63 2) John Jay 3) White and Rhenquist

Spring Horoscope: Exciting New Looks for the Season

ARIES (March 21 - April 20)

Ahh. Spring. Your birthday will come with a new sense of satisfaction. You are going to get a great job. Newish romance is very promising. It will be worth it to overcome any sense of doubt from prior experiences. Previous time investments seemed disappointing but they will pay off later.

TAURUS (April 21 - May 21)

You have a way of sweet-talking your way into whatever you want. How can we resist? Your instinct for luxury lures the unsuspecting but well laid traps. Even if you do not plan it you will be well compensated for lawyerly endeavors. Be generous with your gift of understanding.

GEMINI (May 22 - June 21)

You crazy Gemini. You have this thin thing going on. Decide what you want and you will have it. The answers are at your fingertips. Dare to ask questions and inspire others to their highest potential - whatever your vision of potential might be. Patience will win the day.

CANCER (June 22 - July 22)

You are very focused on a few agenda items. This is perfect for getting the job done, but be sure to look around and notice the rest of the world if you need a little perspective. Many people rely on you for your competence and good nature. View new opportunities with suspicion, but not a closed mind.

LEO (July 23 - Aug. 23)

Do not feel like you are getting in the way if you have an idea for improvement. It may be just the touch everybody has been looking for, and you will be admired for your insight. You will be the center of attention in the coming month. Use it well, but do not let it go to your head. Remember to take time for yourself too.

VIRGO (Aug. 24 - Sept. 23)

Initial disappointments will turn out to be a relief. Let the importance of comforting a friend overcome school stress. Social interactions will bring you happiness. You can wait a little longer on your school reading, but be sure to focus at the beginning of April. A new source of income will make your financial situation much less of a worry.

LIBRA (Sept. 24 - Oct. 23)

Big changes have left you nervous but excited too. When the smoke clears things will be secure and happy, but I don't promise perfection. The worries will resolve themselves. A living situation will improve by leaps and bounds. Romantic life will take a sudden turn for the better.

SCORPIO (Oct. 24 - Nov. 23)

You have been a loyal trustworthy friend. Your goodness will be repaid with interest, although maybe from sources you would not expect. Be open-minded to possibilities. You will get new confidence in your academic life. Ask for reasons if you feel answers are unfair or service is substandard.

SAGITTARIUS (Nov. 23 - Dec. 21)

It seems like everything is piling up at once. Find a way to space things out so you can deal with them one at a time, and do not get overwhelmed. You will make it in the long run. Approach personal relations with a practical eye in addition to the usual instinct. Be careful not to hurt anybody's feelings when new plans come up.

CAPRICORN (Dec. 22 - Jan. 20)

Be honest with yourself and your friends. School will come easily this month and good grades are in your future. Be careful about money, but take chances socially. Feel free to talk about your thoughts. People will be impressed, not disappointed.

AQUARIUS (Jan. 21 - Feb. 19)

Take steps to get your social life in gear. It may just need a little push. Do not lose yourself in romance, though, finals are fast upon us. Creativity will be high this month, so take advantage of it. Enjoy the spring for whatever it might bring.

PISCES (Feb. 20 - March 20)

You have always been able to adjust to change. If things are hard right now, it is nothing that you cannot overcome. If it is not working out, consider drastic measures. Take initiative in social situations. Wear outrageous colors to school - you deserve to be noticed and admired.



...while faculty (Linda Morrow, Reuel Schiller, Brian Gray, James Wagstaffe and John Makoe) went home and