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Survey Discloses Questioning of Traditions

Students Ask Changes In Evaluation of Their Ability

By Jack Tate

Results of the annual RECORD survey indicate that the present examination system is about half as popular with



Prof. Clark Byse

Harvard Law Students as Barry Goldwater was with the American people in 1964.

The survey presented students with nine methods of

having their performance evaluated, with techniques ranging from the present system to official grading of Ames briefs and arguments.

Many of the alternatives were similar to some of the proposals being evaluated by the Joint Student-Faculty Committee, which is chaired by Professor Clark Byse, as it considers the grading system and possible innovations in the curriculum.

With considerably over 100 members of each law school class responding to the survey, only about one of every eight third-year students favored the present system, with support climbing to about one of five in the first-year class and to just under one of three in the second year.

However, with minor variations, the acceptability of the present system skyrocketed with another 34 per

(Continued on Page 2)

Poll Indicates Studying Decline

By J. David Gernant

The Harvard Law School's most cherished myth — that of the full-time student spending 40 hours per week preparing for class, and another several hours on extra, law-related activity — is laid to rest by the RECORD's most recent student survey.

Over the three years, the amount of time spent on studying grows progressively less, with 67 per cent of the 1L respondents spending more than 30 hours per week on studying, while only 37

(Continued on Page 10)

Survey

The Record survey was mailed to 544 law students, chosen at random from the student directory. Replies totaled 351 (64.5 per cent), but not all students responded to every question. Two addresses were unknown to the Post Office, and the remaining 191 failed to respond.

(Continued from Page 1)

cent of the students supporting it if code numbers instead of students' names were used on final exam blue books "to assist professors in being objective."

Unfortunately, these 34 per cent cannot simply be grouped with the 22 per cent who favor the present system to reach the conclusion that with one minor revision the system would enjoy the support of almost 60 per

Possible Evaluation Systems (343 Responses)	%
Written evaluation by a prof. each year	42
Several exams in each course	40
Graded written memos in each course	38
Coded blue books	34
Elective writing course	29
Ames competition as an elective course	29
Present system	22
Compulsory writing course	18
Official grading of Ames brief and arguments	16

cent of Harvard Law students.

For instance, many of the students favoring professors' grading code-number labelled exam books also favored a written evaluation by a professor or a compulsory writing course.

The proposal drawing the strongest support, by a slight margin, was this idea of having written evaluation

by one professor who had worked with the student in a limited enrollment course, similar to first-year small sections.

First-year students most strongly endorsed the idea of having several graded exams in each course, although about 55 per cent favored having one exam per course per year.

Support for multiple exams remained at about the same level in the second year but dropped sharply in the third year to about 30 per cent approval among 3Ls.

The introduction to the survey's question on evaluative techniques contained the following statement: "Given that it is desirable to evaluate student performance for such purposes as informing students of their relative standing, motivating them to study and review, and serving as a reference for prospective employers, the types of evaluation systems I would like to see at the Law School are:"

One angry young first year student simply wrote: "I don't accept your premise." and refused to respond to any of the alternatives.

Another, who favored having Ames competition as a graded elective course stated:

"In part, I think, my failure to write the Great American Brief stems from the reality that I could not justify spending enough time on this non-credit project to do a really thorough job."

By Richard Hoffman

More Harvard Law students prefer a grading system based on broad categories ranging from distinction to hi-pass, pass and fail, than any other alternative plan offered in the RECORD's annual survey, but a majority of those polled wouldn't even change the grading scheme that much.

Those preferring the present grading system, a 10-point rise in numerical grades, letter grades with pluses and minuses, or the present letter grades made up 55 per cent of the sample.

About 68 per cent of the respondents want the law school to award a greater proportion of A's, B's or honor grades. Only 28 per cent favored retention of the present rank list, while 25 per cent opted for total abolition of ranking and 46 per cent voted to reduce the

	#	%
Abolish	84	25
Retain	91	28
Reduce to honorary places	153	46

places on the rank list to include only those needed to staff honoraries.

"I'm cheered by the results, which indicate a tremendous diversity of opinion," commented Professor David Shapiro, who heads a Student-Faculty Committee panel which is

alStudents Express Widely Varying Views

investigating the grading system.

"We need a change beyond the question of more honor grades. There isn't any simple answer, especially since the majority, it seems, isn't prepared to go even so far

shouldn't have been admitted in the first place; and the great unwashed mass." And there's at least one staunch supporter of the J.D. degree in the third year class.

Individual grading rationales abounded among

should Harvard Law feel compelled to call a 75 an A? Why not call an A an A, unless perhaps it wants to introduce us to a fiction in the flesh?"

On the question of the rank list, Prof. Shapiro noted, "You don't necessarily need it to get people on the honoraries and we ought to do what we can about doing away with the rank list."

Reduction, if not abolition, of the rank list may be forthcoming shortly, Professor John P. Dawson indicated. His advocacy of drastic revision of the list is slowly surfacing through the Faculty-Student Committee's grading panel, which expects to announce a proposal within ten days.

On the whole, only the first-year class displayed a willingness to suggest radical measures such as evaluative grading by teaching fellows in Legal Method groups.

And lest anyone take too much pleasure in the massive anti-rank list majority, there were two third-year men who would like to extend the list.



'Diverse Opinions' Among the Students

as broad categories," Prof. Shapiro added.

In general, first-year students were stronger advocates of changes in the present grading structure. Many more first-year respondents (see table) favored broad categories and adoption of a pass-fail scheme.

But there was scant perceptible difference between the classes on most of the other questions, except that more third-year students liked the idea of abolishing the rank list than the other two classes.

One third-year man suggested the use of a three-category system: "brilliant — for those 8-10 people who really deserve the title; stupid — the 8-10 people who

first-year respondents. "It is ridiculous to pretend for some abstract democratic reason that Harvard students are no different than most other students and should be marked in the same way," declared one such response.

Another first-year respondent questioned, "Why

	Grading System Preferred			
	1L	2L	3L	%
Present system	16	19	21	16
10 points added	11	24	16	14
Letters with + and —	14	11	18	12
Broad Categs.	49	28	30	30
Pass-Fail	16	8	5	8
No Grades	4	1	3	2
Other	2	5	4	3
Present letter grades with no number values	15	14	19	13

Closer Client Relationship Is Sought

THE COMMUNITY Legal Assistance Office (CLAO) is currently seeking funds to continue the operation of the neighborhood law office beyond the present academic year.

Financed for the past two years by demonstration grants from the Office of Economic Opportunity, CLAO faces the possibility that its grant may not be renewed, since research and demonstration grants from the OEO tend not to be perpetuated.

Noting that the present grant runs out June 30, 1968, CLAO director John Ferren, '62, reported that he and the office's faculty committee were working hard "to arrange for the program's continuance beyond that date."

Praising the cooperation of the OEO during the past two years and the unfettered nature of its demonstration grants, Mr. Ferren expressed concern that some of the money being made available for poverty programs is becoming increasingly subject to restrictions and outside controls. Monday Congress passed and sent to the president the 1967 Economic Opportunity Act with an amendment putting local community action programs under the control of the mayor. Under its demonstration grant CLAO is not affected by the amendment, but should it become a part of community action under OEO after its grant expires, then its efforts to represent clients against the government might be inhibited.

FIFTEEN TO twenty per cent of CLAO's cases involve suits against governmental agencies — mostly welfare and housing — and restrictions on its discretion and scope of action would reduce the effectiveness of the neighborhood law office in representing the clients who seek its help.

Prohibition against suing government agencies would not leave the CLAO staff — 4 full-time attorneys and about 115 student assistants — with nothing to do. About 50 per cent of CLAO's cases involve family relations alone. But reform-minded lawyers and law students see court review of some government agency decisions as an impor-

tant aspect of CLAO's efforts to represent the poor.

CLAO has become involved in cases that raise basic issues in the administration of poverty law. Where persons are evicted from public housing or put off welfare roles without notice or public hearing there may be Constitutional issues under the due process clause. So far, CLAO lawyers have been frustrated in their efforts to press those issues to resolution in the Supreme Court because, according to Ferren, "the other side capitulates on the lower level. They don't want test cases."

Whether or not to actively search out and press these test cases presents a policy problem for CLAO. The alternative is to direct its primary attention toward serving particular clients. The fact that 50 per cent of CLAO's work involves family relations in-

CLAO
assistants
examine mail
in Langdell
basement



icates that CLAO has not deliberately eschewed its lawyer-client role in favor of searching out and promoting test cases.

THIS TEST-CASE policy has been followed by Gary Bellow, '60, deputy director of California Rural Legal Assistance, another OEO-funded office. Bellow has chosen to re-

nt by CLAO Students

ent fuse family relations cases in order to concentrate on fundamental issues in poverty law.

of Gary Ratner, 3L, who worked in Bellow's office last summer, believes that Bellow has been forced into that choice by the limited resources he has. CLAO, on the other hand, with its 115 students, has no manpower problem and thus hasn't been forced to choose as Bellow has, according to Ratner.

be Ratner feels, however, that CLAO lacks what Bellow has developed in the California office — a "litigation strategy," and because students don't know how to look for the big issues when they interview clients, they miss potentially important poverty law issues. Ratner believes CLAO should teach the students how to conduct "creative, structural interviews."

nd Ratner's view is shared by Richard M. Conley, 3L. "We thought that by making the legal system available to the poor they would use it to fight the people who have been keeping them down," he said. "Instead, in most of the cases we have family relations and criminal cases; — they use it against each other. We haven't had the impact we thought we'd have."

T HIS VIEW is not unanimous among the students, however. William Becker, 3L, is satisfied with the experience of dealing with individuals and their problems. He has "no objection to not working on landmark cases."

ly Whether or not CLAO has effectively searched out and pressed the fundamental issues in poverty law, there seems to be little doubt at CLAO that it is fulfilling its role as a neighborhood law office, competently representing the poor in the multitude of problems that plague them — divorce, child neglect, narcotics, crimes ranging from misdemeanors to murder, and all sorts of conflicts with housing and welfare authorities.

ol- Most of the work is for individual clients, and occasionally an exciting case arises. Ratner and others are preparing a petition for a writ of *certiorari* to the Supreme Court to



John Ferren

reverse a burglary conviction. Conley is working with five other law students as co-counsel in a murder case. Recently students helped Paul Garrity, one of CLAO's practicing attorneys, represent a hippie on a narcotics charge.

ONE OF THE problems at CLAO however, is that not everybody has a chance to work on the exciting cases. Bruce Herr, 3L, has spent most of his time on family matters, whereas Conley, by accident more than design, has been assigned to a number of criminal matters (including armed robbery) in addition to his murder case.

But it is hard to find genuine complaints at CLAO. Garrity is so impressed with the students that he thinks "every one of them is great," and he says that frequently he gets calls from local lawyers congratulating him on the work done by opposing counsel, the students.

And everybody, in CLAO at least, agrees on the office's educational benefits. It gives the students practical experience in counseling, negotiation and litigation, in addition to a first-hand view of the legal system at work among the low-income citizens.

— BURGESS

Students Favor Halt in Bombing,

"Doves" appear to outnumber "hawks" among students at the Law School, according to the RECORD's survey section on Vietnam.

Fifty-two per cent of the students responding believed that the bombing of North Vietnam should be ended immediately, while another 15 per cent thought it should be gradually reduced even if the North Vietnamese do not respond reciprocally.

Only 5 per cent thought that the bombing should remain at its present level, while 11 per cent favored increasing it in scope.

the size of American troop commitment.

Student opinion was much more widely spread on the extent of American troop strength in Vietnam than on the matter of bombing. Twenty per cent favored maintenance of the present level or increase as requested by commanders in the field, while only 16 per cent advocated a total military pull-out. The majority of students favored some type of gradual decrease of troop strength, though they split as to whether reciprocal enemy reduction should be a requirement.

any war)." Another student stated he felt the information is "fairly accurate but politically and strategically weighted and thus misleading."

Twenty-four per cent felt that the President does not possess Constitutional power to pursue a limited war, but sixty per cent said that he did have such authority, either inherently or under the aegis of authorization such as the Gulf of Tonkin Resolution.

The percentage of those feeling the President lacked adequate Constitutional power dropped from 31 per cent in the first year to 17 per cent in the third year (perhaps a function of taking Constitutional law?).

Many of the votes tabulated believing that Presidential authority exists provided "there is some Congressional authorization, such as the Gulf of Tonkin Resolution of 1964," crossed

Bombing Level		
	#	%
a. maintain present level	18	5
b. widen bombing	36	11
c. reduce gradually only upon reciprocal action	57	17
d. reduce gradually unconditionally	51	15
e. stop immediately	179	52

Quite a number of students thought it was an "all or nothing" proposition and thus gave two alternatives, either to stop the bombing immediately or to widen its scope to include all targets in North Vietnam.

The survey asked student opinion on whether the Viet Cong should be allowed to participate in peace negotiations and in any interim coalition government. Other questions dealt with the President's Constitutional power to conduct limited wars, evaluation of the Administration's information on the war's progress, and

Most of the students responding felt that information released by the Administration is, at the least, deficient. 270 persons felt that the news was incomplete; 123, that it is not accurate; and 213, that it is misleading.

Sixty-six students felt the information was accurate, but only six thought it was complete. (On this question students were asked to check as many categories as they thought applicable).

One typical comment was "I think it's as accurate as we have (apparently not very, but maybe as good as

Viet Cong in an Interim Coalition Government		
	#	%
Yes	266	81
No	62	19

out the last phrase. One first-year student said, "the resolution is too broad and should not have given the President such complete power without further Congressional deliberation and decision."

Split on Other Vietnam Issues

A total of 294 students (87 per cent) thought the Viet Cong should be allowed to participate in peace negotiations as a separate entity; 12.4 per cent thought they should be allowed to participate only as part of the North Vietnamese delegation. Two students, or 0.6 per cent, thought they should not be allowed to participate at all.

And more than four fifths of the responding students believed that the Viet Cong should be permitted to participate in an interim coalition government in South Vietnam. Only 19 per cent felt they should not so be allowed.

One first-year student stated, "Any negotiations, coalition governments, troop withdrawals, or bombing reductions must be under circumstances that provide reasonable assurances of self-determination for the

Troop Commitment		
	#	%
a. maintain present level	23	7
b. increase as requested by military	44	13
c. reduce gradually only upon reciprocal reduction	96	28
d. reduce gradually unconditionally	127	37
e. withdraw immediately	54	16

people of South Vietnam both in appearance and in fact."

In a recent poll of over 5,000 Harvard University students and faculty, 56 per cent favored an immediate cessation of the bombing of North Vietnam.

On some other issues, however, students at the Law School are more "dovish" than the University community at large. For example, only 16 per cent of the latter would reduce the troop commitment gradually whether or not the enemy reciprocates, while more than 37 per cent of the law students

would gradually, but unconditionally, withdraw the troops.

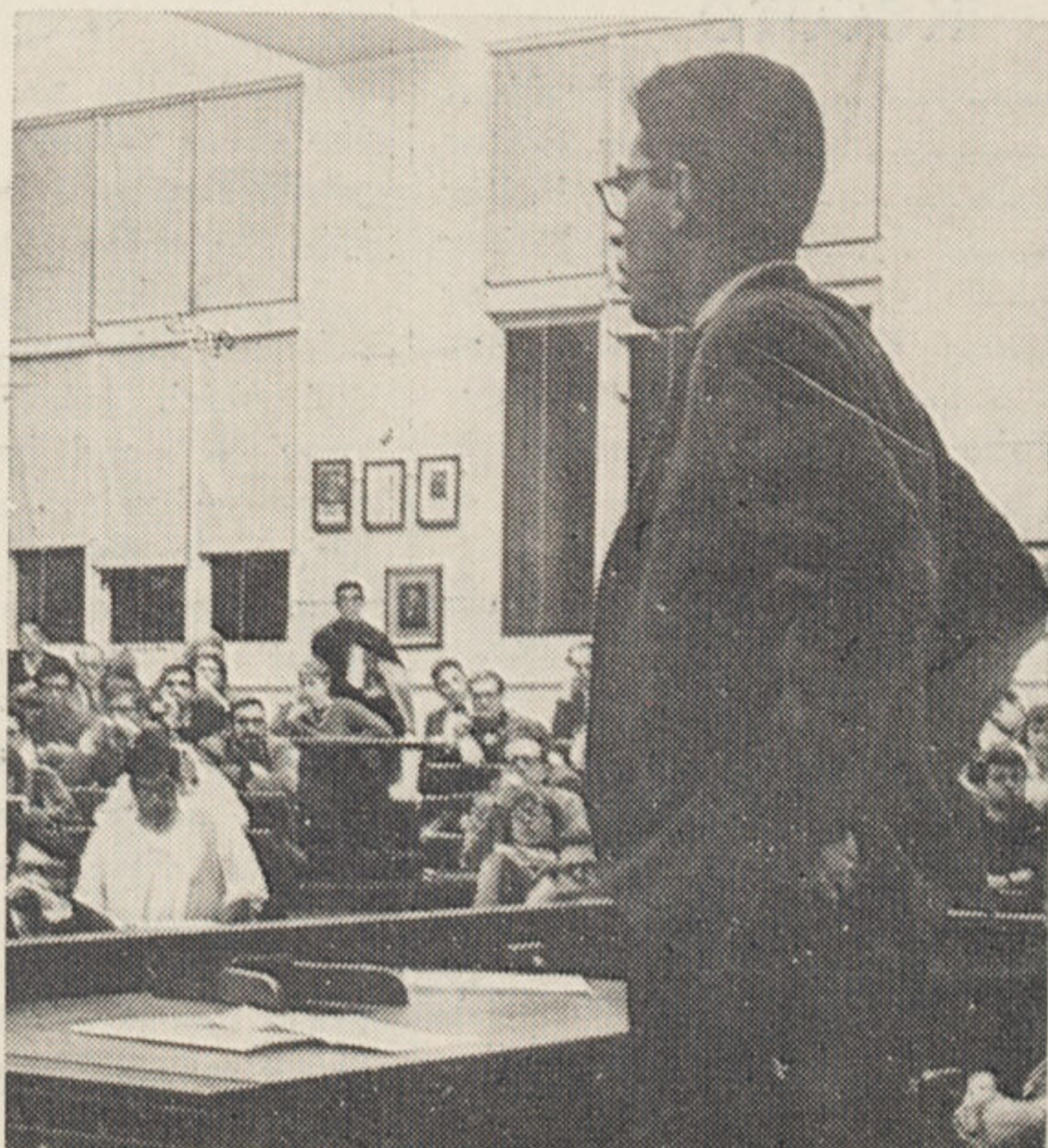
One student observed, perhaps with a good deal of insight, "I don't think it is possible to conduct a poll on Vietnam with any sort of fairness, because the issues are too complex and the alternatives too varied. In trying to fit my responses into the given categories, I don't think a fair representation of my own beliefs on the issue comes through."

Sixty-one per cent, of the students who responded indicated that their draft classifications were II-S. Seven per cent, or 23 students, said they were unclassified as of now, and two per cent indicated they were I-A. Eighteen of those unclassified were 1L's. Veterans accounted for eight per cent of the sample, while six per cent possessed fatherhood deferments.

Four per cent were females (one wrote, "Luckily, my sex denies me this privilege").

One unfortunate male, responding to the question "My draft status is . . .", said his status was "precarious."

November's Meeting on Vietnam at the Law School



Carthago Delenda Est

The RECORD's annual survey contains a number of surprises as well as some results that were to be expected.

In the latter category were the responses to the question on the ranking system (See Story, Page 2). Almost seventy-five per cent of those who answered that question would either do away with the listing entirely or would restrict it to the number of students needed to staff the Honoraries, a total of about 60.

This number would presumably be lessened if the current proposals for selecting some members of the Honoraries on a basis other than grades are accepted.

The present system of ranking one-third of the Law School was put into effect not because the Faculty thought it desirable to rank that many, but because they thought it was detrimental to rank all 525 students as had been done previously. As usual, the result was a compromise by which the present one-third continued to be ranked.

At last year's open meeting of the Student-Faculty Committee, the rank list was severely criticized. As the RECORD said last year, "Differences of one or two points on the average account for great differences in rank in class, surely an example of distinction without a difference."

The time has come to abolish ranking entirely, with the administration compiling a rank list to select members on the honoraries without disclosing to students exactly where they stand in class.

This is one area where change may be effected both easily and swiftly. The students' sentiment is clear. There is no excuse for further delay.

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TONGUE 'N CHEEK

By Fenno

As a veteran at hanging in with a low B average, I would like to pass along a few tips to those like myself who enjoy exam periods because you can sleep late:

1) Buy at least one book for each course right away. I have tried borrowing books or reading over somebody's shoulder at Bence's, but this doesn't give you enough psychological security to give an exam question a good shaking up. Physical possession of books, perhaps occasionally flipping through for chapter headings, is a must — but be wary of detailed reading. It's terribly confusing.

2) Don't borrow other people's class notes. You'll generally find that they're as dull as the classes you've missed.

3) When the day comes, be sure to remember to bring something to write with (preferably a black ink fountain pen as it looks more intellectual) and show up at the right examination room. This last point cannot be emphasized enough. I still remember the horror of one of Professor Howe's students when he suddenly realized that he had been taking an hour of Professor Dawson's D.L.I. exam by mistake.

4) Tear out the center pages of your bluebook to make less look like more. If you're a little weak substantially, as you're apt to be, the sheer volume of your bluebook production will become an important factor on your side.

5) The best defense is a good offense. Dismiss the major issues (of which you are ignorant) as "obvious" and begin thrusting at some sniveling procedural points before launching into the usual anguished debate of whether the court or the legislature should deal with the problem.

6) As a matter of tone, you should never tire of emphasizing what a "close" question it is. This compliments the professor on the construction of his exam, that artificial monster which is the only thing standing between you and a degree.

Letters to the Editor of the RECORD

Automobile Thieves Not Hardened Pros

To the Editor:

I read with interest your article (RECORD, November 16) deploring the increase in the number of auto thefts in the Boston area. The problem, of course, is national in scope

In addition to the loss and inconvenience caused the victims of theft, the national cost of the problem is not measured in dollars alone. The accident rate for stolen automobiles, for example, is inordinately high. Stolen automobiles will be involved in approximately 100,000 accidents this year, nearly 20,000 of which will result in death or personal injury.

These figures suggest that measures which increase the difficulty of stealing cars may prove effective in a large number of cases.

Although your article notes that "most [autos] are vulnerable to the really determined thief" the indications are that most car thieves are in fact not hardened, skilled professionals against whom defensive measures are difficult, if not futile. For example, approximately half

the automobile thefts involve vehicles parked with keys left in the ignition; approximately three-quarters involve cars left with the doors unlocked. More than 60% of all persons arrested for auto theft are under the age of 18; nearly 90% are under 25. Only 5% of stolen cars are taken for purposes of resale and only 8% are taken in connection with crime or for purposes of escape from crime. Over 80% of car thefts are for purposes of transportation or joy-riding. . . .

The Department of Transportation, through its National Highway Safety Bureau, has issued an advance notice of proposed rule making looking toward the formulation of standards requiring new cars to be equipped with anti-theft devices. Key ejection devices, steering wheel or transmission locks, hood locks, improved door locks, and alarm systems are some of the techniques under consideration.

As you note, anyone can now purchase so-called "universal" car keys through the mail. However, legislation is pending before the Congress to outlaw this practice.

While the measures to be taken

by the Federal Government will doubtless have some long-range impact upon the incidence of car theft, the exercise of good sense by car owners is of far greater immediate importance. Simply by locking car doors and removing the ignition key, owners can do much to reduce the chances of their car being stolen, and, in so doing, to reduce the toll in property and in lives now exacted by car theft.

John E. Robson, '55

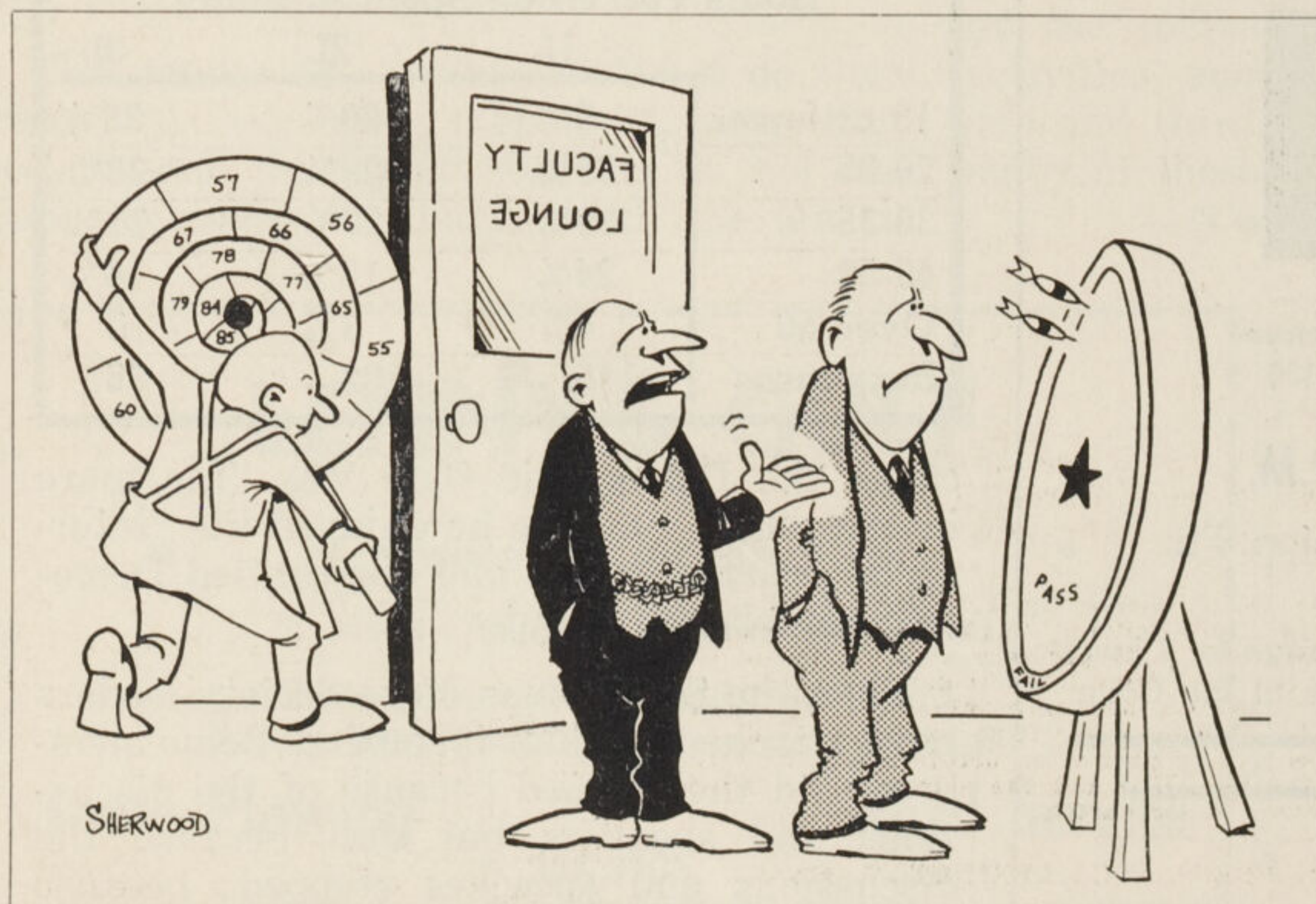
General Counsel,
Department of Transportation

Reading Period

A petition is currently being circulated asking the Student-Faculty Committee to consider what changes in scheduling or cancelling classes would be made necessary by the creation of a reading period before 2L and 3L examinations.

The petition reviews some of the arguments on both sides of the issue, but concludes that "the reading period will provide a better system by which the competing needs of studying law and remaining human can be balanced."

A reading period for 1L's was instituted last year.



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Harvard Myth Of

(Continued from Page 1)

per cent of the 3L's study that much.

On the other hand, 47 per cent of the 3L's spend more than 15 hours per week in social activity and co-curricular organizations versus 25 per cent of the 1L's.

The survey revealed some curious things about some organizations. Students habitually joined the Bull and Bear and International Law Clubs because of "interest," and then left the club because of a "lack of interest" or "loss of interest."

The Student Bar Association got the most flak. First-year students gave the customary reasons for joining, i.e., for court tours and prison trips. But 2Ls had left the club because it "did NOTHING"; it was a "nothing organization"; a "useless organization." One said he joined because "I was a sucker 1L."

Also disenchanted were many members of the Democratic Club: "the club seems pompous, childish"; it has "silly members"; "take-over of club by nuts"; "childish wrangling." The Republicans, on the other hand, got people who joined because "my party needs me" or because of "loyalty." The Republican Club lost one, however, to the Democratic Club, not because he became a Democrat, but be-

Hours Per Week Spent in Study			
	1L	2L	3L
15 or fewer	8%	23%	35%
20-25	25%	29%	28%
30-35	39%	27%	21%
40-50	24%	18%	16%
Over 50	4%	3%	0
Responses	115	102	98

cause the Democratic Club was "far more interesting" — maybe he enjoyed the "internecine warfare" that one disgruntled Democrat complained about.

Even the St. Thomas More Society leaders were attacked by their members. Some members said they joined because of the discussions and speakers but quit because the discussions and speeches stopped; because

f Singleminded Students Laid to Rest

the club had been "taken over by the 'happy time' crowd."

One student who had joined the RECORD staff said he quit because he "disagreed with the editorial policy"; some staff members would be surprised to hear that the RECORD *has* an "editorial policy." Another joined "to be able to write stories and not get nasty," but certain writers have discovered that merely joining the staff does not necessarily prevent the writing of nasty stories. A RECORD photographer said he could not quit because, he cheerfully confessed, "I'm irreplaceable [sic]." If he were a writer, he would be fired.

The survey also revealed that some students are becoming wealthy on the side. One, a computer programmer, is earning \$10,000 a year. Another, who asked that the nature of his work not be disclosed, advises his clients on a subject in which he is an expert, and earns \$22,000 a year doing it.

The accompanying charts tell a more complete story. Of the two, the study-time chart is the more accurate and therefore the more useful. For tabulating the study-time chart, each student response was given two votes: if he had listed a range of hours, then both the low figure and the high figure were counted individually; if he gave only one figure, that one was counted twice.

The results are dramatic. What do they mean? At the least, they must mean that second- and third-year students do not use their increased familiarity with the law to

dig more deeply into their subjects and the assigned material, e.g., that they do not supplement their class preparation with wide reading of law review articles. At most, they may mean that most students lose interest after the first year and are overtaken by boredom.

Most likely, they simply mean that the intense first-year pressure that comes from not

Hours Per Week Spent in 'Social' and Extra-Curricular Activity			
	1L	2L	3L
5 or fewer	12%	7%	8%
6-10	32%	22%	29%
11-15	31%	16%	16%
16-20	18%	25%	19%
Over 20	7%	30%	28%
Responses	108	100	100

knowing where one stands vis-a-vis his classmates is off: the first-year student has been pigeon-holed over the summer, and he comes to believe that no matter how much harder he works in the second year, his place is established. Apathy sets in, and the student slacks off sharply. By the third year, apathy and eagerness to get out are the rule rather than the exception.

The results are also partially explainable by the increasing participation in outside activities, many of them law-related, in second and third year. The law-relatedness of many of these activities would indicate that
(Continued on Page 13)

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Appellant Wins Model Appeal

By Robert Bares

The Supreme Court of Ames, Harvard Law School's ubiquitous tribunal that often meets at strange night hours to hand down decisions in mythical litigation, was called to order once again December 11, 1967, at 8 p.m. for the appellate argument in the case *Milam v. Capri Hotels, Inc.* a creation of the teaching fellows.

The Milam case involved a suit by the Milam family to recover for injuries suffered by an infant child from burns sustained on an exposed radiator pipe of the Capri Hotel, and for mental anguish suffered by the mother in seeing her child so burned.

Playing to a full house, Professor David Shapiro helped set the tone of a witty and vigorously rhetorical spirit that prevailed throughout the argument. In pointing out just how important was the judge's particularly misleading instruction, Prof. Shapiro referred to it as a "beacon of certainty in a sea of complexity," and was rewarded with gales of laughter from the audience.

Professor Charles Fried was equally capable of demonstrating that a good lawyer can devise a good metaphor, referring to the plaintiffs' lawyer's exception at the trial to the jury instruction

as so vague as to be an attempt to "plant a mine in the record which plaintiff can later detonate at will." This metaphor also drew a vigorous audience approval, as did Prof. Shapiro's concluding plea for a liberalization of the zone of danger rule in mental harm suits, saying "Defendant says his law is rooted in the concrete; we say it is encased in cement."

Under questions from the learned judges, numerous concessions were extracted from both sides. Mr. Fried had no sooner finished being "entirely content to accept plaintiff's concessions" than he was forced to concede that one of his own arguments, about collateral estoppel, "was — how shall I say — something imaginative."

The decision of the judges was to reverse the decision of the trial court for the reasons advanced by appellant.

And as to the performance of the able professor-attorneys, a vote of the three judges resulted in "a tie".

Events of Note

First-year students desiring to be candidates for membership on the Joint Student Faculty Committee next semester should turn in nomination petitions, signed by at least 20 students, to Professor Byse's office on or before January 10.

* * *

Library hours for Langdell during Christmas recess will be 9 a.m. to 5 p.m. Dec. 21, 22, 26, 27, 28, and 29. On the same dates the International Law Library will be open 9 a.m. to 11 p.m. Both libraries will be closed Dec. 23-25, and Dec. 30-Jan. 1. They will be open from 8:30 a.m. to 11 p.m. Jan. 2-3.

* * *

The "Barristers' Ball" will be sponsored by the Harvard Law Wives Saturday, Dec. 16, from 8 to 12 p.m. in Harkness. Dress is semi-formal. Tickets are \$2 per couple for members; \$3, for non-members. There will be live music and food in abundance.

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Salami-Slicing Results in Greater Social Activity

(Continued from Page 11)

students who participate in them have not lost interest in law, but look with a cynical eye on the way it is taught in the classroom.

The stubborn fact remains, though, that however the salami is cut, class preparation is given an ever thinner slice.

The second chart, on time spent in "social activity," is less valid, but it is useful as far as it goes. From each student response, one figure was calculated, as a combination (sometimes an estimated combination) of both the number of hours listed for "social activity," plus the hours spent currently in organized clubs at the Law School. The figure thus includes such time-consuming activities as **Law Review**, Legal Aid, Board of Student Advisers, and CLAO, but excludes all time spent on outside work for money. Therefore, the "over 20" figures are somewhat distorted.

The chart does clearly indicate, for whatever reason, that increasing hours of students' time are spent on social and club activity. This is not surprising, given the trend shown in the first chart.

One student, a 3L, indicated on his questionnaire how his study and social hours have varied over the three years: 25-30 hours of study in the first year, 15-20 in the second, and 1 to 8 in the third; 8 social hours in the first year, 10 in the second, and 15-20 in the third.

One 1L, by almost anyone's standards, has his priorities scrambled: he claimed to spend 20-25 hours on physical activity, 40-60 hours



Time Spent in Gannet House

on social activity, and 5 to 10 on studies. Clearly, a **Law Review** man.

There was a place on the blank to indicate the number of hours spent in sports and athletic activities. The results were not significant enough to tabulate. No discernible variation appeared from year to year. The only surprising thing was that fully 41% of those who responded said they spent no hours or only one hour per week on physical activity.

Another item asked the amount of time spent on Ames club activity, but responses to that were so spotty that nothing meaningful could be culled. One whimsical 1L claimed that the reason he joined the Griswold Club was because "I love Griz."

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Law-Grad Dems Vote to Support McCarthy

The Harvard Law-Graduate Democratic Club, which recently voted to "dump" President Lyndon B. Johnson in 1968, voted overwhelmingly on Dec. 6 to support Senator Eugene McCarthy for the Democratic presidential nominee.

The resolution, introduced by Thomas O'Brien, an executive board member of the club, was passed by a vote of 50 to 3.

The motion bound the club's delegates to the Massachusetts College Young Democrats' Convention, held Dec. 10, to vote to endorse Sen. McCarthy at that convention.

At the convention, held at Boston University, the Massachusetts Young Democrats voted to endorse Sen. McCarthy for the nomination.

While the proposal originally read "support," the Harvard contingent led the fight to strengthen it by substituting "endorse."

Eric Copland, 2L, was elected treasurer of the state Young Democrats at the same meeting.

The club's resolution spoke of a society beset with the problems of race, poverty, and war, and said that "President Johnson's policy of continuing military escalation becomes more and more bankrupt as these problems reach crisis proportions and as animosities among Americans intensify. Americans have lost trust in our leaders' integrity and competence."

The club voted "to actively support Senator McCarthy's candidacy and other realistic political alternatives that will lead to a peaceful settlement in Vietnam and will let us proceed anew with the building of a better world both at home and abroad."

Arguing in favor of the resolution, Mr. Copland, vice-president of the club, said that the McCarthy candidacy and the resolution were positive actions.

In debate over the previous "Dump Johnson" resolution, some club members had contended the club was only being negative.

Fulton Eaglin, another member of the executive board, attempted to amend the resolution by adding a pledge of the club's support of the final Democratic nominee for president, whoever he might be.

Opponents of the amendment contended that it would destroy the whole purpose of the motion. The amendment failed by a vote of 35 to 5.

Today is the deadline for handing in applications for the Second Year Writing Program.

Application forms are available in Prof. Herwitz's office and at the Receptionist's Desk in Langdell. The program begins after mid-year exams and ends just before Spring vacation.

Comments by the participants are published in the annual Harvard Legal Commentary.

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Inn Hangs Out 'No-Vacancy' Signs for Girls

Girls have once again failed to get in the Inn.

After an hour of parliamentary quibbling in Langdell North Middle Dec. 5, the Lincoln's Inn members present (not a quorum) issued an advisory opinion to the

Board of Governors (by a vote of 47 to 30) that the whole question should be dropped indefinitely.

Before the vote, Lisle Baker, 3L, had argued that girls should not be admitted so members could talk about

sports and use rough language, and he was concerned that a girl's feelings would be hurt too much if she were turned down for membership as an individual.

Harvey Clapp, 3L, argued that for every woman you let in, you have to leave a man out—he asserted that contacts made at the Inn were more important for a man than a woman.

Marc Fasteau, 2L, delivered the most eloquent speech in favor of admitting women.

With Christmas vacation imminent, the **Record** ceases publication for the current semester with this issue.

After the return to classes on Jan. 4, the mid-year exams from Jan. 15 to 20, and the start of the second semester on Jan. 22, the next issue of the **Record** will be distributed the day before Ground Hog day.

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