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Charles Soberman
H. Leonard Court, winning oralist in the Ames Competition, addresses court as co-counsel R. Brooke Jackson looks on. See story, page 8.

Law Students React to Cutback In Clinical Legal Opportunities

By Maria Krokidas

As a result of recent and impending new reductions in the degree of student participation in Cambridge and Somerville Legal Services (CASLS) — formerly the Law School's Community Legal Assistance Office (CLAO) and Cambridge Legal Services (CLS) before their merger last July (See RECORD, October 1, 1971) — there is growing anxiety on the part of many law students

that there will not be nearly enough opportunities for clinical legal work at the Law School come next year.

In response to what is perceived as something of a "crisis," considerable feeling has been
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Pass-Fail Deleted From First-Year Semester Reform

By Jerry Snow

The Law School Committee on the First Year has presented to the faculty a proposal for partial semesterization of the first-year curriculum in which *Criminal Law* and *Torts* would be taught as entirely first-semester courses and four to five units of electives offered in the spring. (See RECORD, November 12, 1971.)

The faculty simultaneously rejected, however, at its meeting on December 7 the committee recommendation that grades in these first semester courses be recorded on transcripts on a pass-fail basis while at the same time being furnished to students in a modified four-tier format ("excellent" — A+, A, A-; "good" — B+, B, B-; "low pass" — C, D; and "fail" — F).

Preceded by a debate reminiscent of pass-fail battles of a few
(Continued on Page 2)

Law School Tightens Up Loans

By Paul Weiner

The Law School has cut back sharply this year on the amount of financial aid loans awarded to needy J.D. candidates, as many students affected by the reduction can testify. The cutback has been achieved primarily by requiring applicants to be more dili-

gent in seeking out other sources of loans before qualifying for financial aid.

This tightening of funds was necessitated by the increasing drain on Law School loan money, due largely to the Financial Aid Committee's 1970 decision to extend loans at commercial rates to
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Faculty Deletes Pass-Fail in First-Year Semester Plan

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years ago, an amendment sponsored by Professor James Vorenberg and Assistant Professors Morton J. Horwitz and Lance M. Liebman to put mid-year grading on the same three-option basis as June grading carried the faculty by a 22-15 vote. Dean Albert M. Sacks termed it "the closest vote I've yet seen on a real pass-fail proposal." While the vote is technically nothing more than advisory, First Year Committee Chairman Professor John P. Dawson conceded that the pass-fail recommendation had been effectively deleted from the semesterization proposal.

During the debate, Dean of Admissions Russell A. Simpson put forward an alternative suggestion that students receive their mid-year grades in the same form in which they would otherwise be recorded on their transcripts, subject to later election by the student to have them recorded, together with year-end grades, in conformity with the present grading options available to first-year students. This differs from the Vorenberg amendment in that students would be permitted to see their mid-year grades before deciding how to have them recorded; the Vorenberg amendment requires choosing one of the three available methods of recording prior to the taking of exams. Vote on the Simpson alternative was postponed until the next faculty meeting on December 14.

The semesterization proposal itself never came to a vote, as discussion revolved mostly around the grading issue. However, the faculty will pass upon the entire proposal at the December 14 meeting.

The rationale behind the partial semesterization proposal, as articulated in a memorandum of the First Year Committee, is the belief that "the whole educational experience would gain through a break at mid-year and a fresh start on some different subjects,

with some interchange both of students and instructors." However, the committee felt that there should be some continuity from the first to the second semester of the first year and recommended that *Civil Procedure* and *Contracts* continue to be taught in their present form.

The four or five elective units in the spring would be gained by reducing the number of course hours in *Torts* and *Property* and abandoning the small section format, in use for only the first time this year. "To say that courses now required in the first year deserve . . . preferred treatment is not to say that every part of all of them should be required," the memorandum explained.

Recommended First Year Schedule

	Fall (15 weeks)	Spring (16 weeks)
Civil Procedure	3 units	3
Contracts	3	3
Criminal Law	4	
Torts	4½	
Property		4½
Legal Method	1½	
Options		4 or 5
	16	14½ - 15½

The selection of *Torts* as a first-semester and *Property* as a second-semester course reflects the committee feeling that *Torts* serves as "a more suitable introduction to problems of legal method," whereas *Property* "lays greater stress on the acquisition of subject matter knowledge."

The committee cautioned faculty members that while the creation of optional first-year courses in the spring was intended to "leave more room for the development of new approaches and new subject-matter areas," it "should not be viewed as affording an open season for personal ex-

perimentation." Among the options proposed are a four-unit *Constitutional Law* course, a first-year course in *Administrative Law* and continuations of first-semester courses. Students would select no more than two such courses — a minimum of four and maximum of five units.

The committee memorandum supported its pass-fail recommendation as the best means of preserving the objectives of "introducing students to Law School examinations and providing feedback, all without undue pressure."

Debate on this aspect of the proposal focused on its probable impact on student motivation. Opponents argued that students would work less hard and attribute less importance to first-semester pass-fail courses. Members of the First Year Committee defended it, pointing to the experience of Yale Law School which has pass-fail throughout the first year with allegedly no deleterious effect on motivation. Both sides were ready to grant the maturity of Harvard Law students, but couldn't agree as to which way that cut.

The choice imposed upon students at mid-year by the Vorenberg proposal was termed "premature, ill-advised, almost completely blind," and productive of increased tension, at the same time undermining the present system of mid-year practice examinations that provides feedback without binding effect. There was sharp disagreement, however, as to whether the committee proposal was consistent with the present system.

The majority of first-year instructors present spoke against the pass-fail recommendation and others of the faculty expressed deference to the wishes of those who would be most affected by it. After several students present had been offered a chance to express their views — for the most part in favor of the committee proposal — the faculty vote was taken and further discussion put off until the next meeting.

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Committee Suggests Specialized Study

By David Cocke

The Committee on Legal Education has presented to the faculty a memorandum concerning a possible program of "directed studies" in the second- and third-year curriculum. The program, still at a theoretical level, would allow students to concentrate in a particular field, using a variety of learning methods to supplement the third-year written requirement.

The committee members stressed in their memorandum that their "thinking on this subject is still tentative, and no formal proposal is being made."

Their report concluded that beginning efforts in the area should be modest and not highly structured until possible defects can be detected and ironed out. One possible approach mentioned was the development of a "few programs that third-year students might elect in particular areas under supervision of faculty members." The programs would count for five to six hours of class work and be entitled "Directed work in (Subject)." The material covered would not be standard course work.

The committee hopes that these new courses would add variety to the student's learning experience.

Most importantly they might "provide students with a sense of progression and development in the second and third years that seems lacking for those who spend the bulk of their time during those years studying a variety of unrelated subjects."

An additional feature of the proposed program of studies, said the committee members in their report, might be a summer working experience between the second and third years dealing with the student's area of concentration. Such a program could be in

are under consideration, including directed reading, group and individual tutorials, field and clinical work, group and individual research, and seminars. Such activity might be graded only on the basis of successful completion, but the committee envisions that it would be part of a graded paper fulfilling the third-year requirement.

The report also cites several potential risks, such as excessive use of faculty time, the creation of something new in appearance only, narrowing of students' hori-

Legal Education Group Suggests Courses With Opportunities for Concentration

operation by the summer of 1973.

The report mentioned that a number of students have already established concentrations in their own curriculum and some have even used their summer months to develop areas of expertise. This was cited as particularly true in criminal law and in the field of low-income housing. One of the objectives of the new program would be to make this kind of experience available to a greater number of students.

A variety of learning methods

zons, and making students less qualified for the general practice of the law.

Professor David L. Shapiro, Chairman of the Committee on Legal Education, said that this proposal was one of a number of possible changes in the curriculum. One other change being suggested is the elimination of the course on *Taxation* from the section groupings in the second-year curriculum. "We would still stress the importance of this course in the catalog," said Shapiro, "and I don't see many students dropping *Taxation* because of the change." This would permit the faculty to experiment with the presentation of the tax material in terms of class size, the number of hours devoted to the subject and semester versus year-long courses, explained Shapiro.

"This change is being considered because of the wonderful success that Professor [Frank E. A.] Sander has had with his fifth-section course," said Shapiro. Professor Sander's course is relatively small and counts for five hours of classroom work instead of the usual four hours allotted to taxation in the other sections.

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Hat Club Works to Keep Head Above Ground

By Lisa Friedman

With the onset of inclement weather, student attention is again focused on the Harvard Law School Hat Club, the only Law School organization dedicated to championing the cause of outer-wear. Because of the intense student-faculty interest which its photographic debut in the 1971 HLS Yearbook has prompted, the RECORD, as a public service, herein chronicles the origins, purpose, and activities of the world's oldest law school hat club.

According to Hat Club Historian Peter Gabel, 3L, the organization was founded in the late 18th century to provide an alternative to Ames and to encourage the actual and constructive wearing of hats. In 1813 an abortive attempt by then ad-visor Roscoe Pound to unite all minority clothing clubs, including Caplan Club, into the Hat and Choate Club so frustrated Hat Club members that the organization went under-

Oldest Law School Hat Club Surfaces

ground. After years of making an annual Groundhog's Day appearance at the Law School, Hat Club has permanently surfaced.

Although John Mathias, 3L, Hat Club Apathy Officer, claims that purpose has never been a requirement of Hat Club, the society appears to be involved in a number of socially relevant activities.

Under the leadership of Bob McGaw, 3L, efforts have been made to improve the image and credibility of hats — more specifically to prevent people from passing them, dropping them, and keeping things under them. Taking a cue from the Law School, McGaw has established an Ad Board to advertise hats. In addition, all members are waging a never-ending battle against the

pejorative use of the term "hoods".

Concentrating his energies on Law School reform, David Feigenbaum, 3L, has set to music and sent to the faculty 13 non-negotiable demands, including 8% rebates on hat purchases at the Coop, a requirement that 24% of HLS employees be hat wearers, amnesty for all Hat Club members, freedom to wear non-mortarboard headgear at graduation, and no Sunday classes.



"This last demand was inserted to insure unequivocal success on at least one issue," Feigenbaum notes optimistically.

Both Feigenbaum and Mathias are also seeking important curriculum changes.

"Our *ad hat* subcommittee of the committee on education is requesting a course which addresses itself to important headwear issues of our time. For example:

'Is a mantilla a hat? Why? (Why not?) Are hats exempt from the Federal Tax Lien Act?' And any good course should include a pithy discussion of helmets," note the two club members in unison.

As an alternative to trial practice, Feigenbaum proposes that students be instructed in the fine art of talking through one's hat. He suggests that any professor at the Law School could easily teach this course."

Gabel, who also serves as Hat Club Political Whiz, is currently conducting a purge of all right-wing hard-hat elements from the

Members' Impact Sure To Be Felt

Club. He states emphatically that Hat Club will support Mark Hatfield in 1972 as "the only candidate who has had the courage to say 'My hat's in the ring'."

Consistent with popular belief, Hat Club is not all work and no play. It conducts a number of social activities, including its annual hat dance (featuring the Hat Band), and annually sends a representative to the Kentucky Derby.

Hat Club, a medium-sized organization located on the HLS campus, is now recruiting new members. The Club stresses that grades are a factor in admissions — i.e., the applicant must have some — or alternatively the applicant may have done outstanding hat wearing in the Easter Parade. A lottery in which each prospective member puts his name into a hat is also being considered.

After graduation and two years of millinery duty, most Hat Club members plan to enter Abercrombie's Fedora Factory, where their impact will certainly be felt.

Twenty on Faculty Urge Senate To Reject Rehnquist Nomination

Twenty members of the Law School faculty recently came out in open opposition to President Nixon's nomination of William H. Rehnquist to the Supreme Court. In a letter dated November 29, the signers urged selected Senators to reject Rehnquist as "outside the central stream of contemporary constitutional thought."

The letter was read into the *Congressional Record* on December 2 by Senator Birch Bayh (D-Ind.) and was reportedly influential in the decision of Senator Edward W. Brooke (R-Mass.) to declare his opposition to Rehnquist in a news conference held the same day.

The full text of the letter follows:

It is doubtless appropriate for the President to exercise his power of nomination to shift the Supreme Court in the direction of his constitutional philosophy. But history, from 1795 to the present, demonstrates that it is no less appropriate for the Senate to deny confirmation to a Presidential nominee, despite his personal integrity and professional competence, because the Senate believes that the addition of a man of the nominee's philosophy is, under the existing circumstances, against the best interests of the country and the effective functioning of the Court.

In deciding whether to confirm the Hon. William H. Rehnquist in this period of deep change and conflict, the Senate has a special obligation to preserve the position of the Supreme Court as an effective organ in our system of government. Recent changes have already shifted the consensus or balance of opinion in the Court. Within the central stream of contemporary constitutional thought exemplified by all present members of the Court and their predecessors for the past thirty years, there is a wide range for differences of constitutional view —

and thus for Presidential and Senatorial choice. Our opposition to Mr. Rehnquist is based on our perception that his views on the relation between government and the individual in the area of security, and on the relation between established power and the disadvantaged in the area of human rights, are so exceedingly deferential to the former and so undervalue the latter as to place him outside that central stream. Twentieth century problems require Justices with a clearer sense of the ingredients of constitutional decision.

Accordingly, we urge that confirmation of William H. Rehnquist be denied.

Victor Brudney
Derrick A. Bell, Jr.
Vern Countryman
Abram Chayes
Alan M. Dershowitz
Ruth B. Ginsburg
William B. Gould
Philip B. Heymann
Louis L. Jaffe
Andrew L. Kaufman
Karen S. Metzger
Frank I. Michelman
Arthur R. Miller
David Rosenberg
Henry J. Steiner
Stanley S. Surrey
Laurence H. Tribe
James Vorenberg
Robert B. Washington, Jr.
Lloyd L. Weinreb

'Little Boxes' All Look Just the Same

By Greg Ward

What measures 40" × 17" × 12 1/2", has metal hasps at either end and can usually be found in the front of Langdell and Austin Hall classrooms? Louis Loss' wallet? A new edition of Cary on Corporations?

If you answered "a big box" you are, of course, correct. Either boldly emblazoned "Anderson's Express" or more subtly stenciled "Harvard Business Library," these boxes have endured many classroom discussions — although occasionally tripping up a professor in revenge — and serve generally as a convenient spot on which to place leaflets, assignment sheets and one's foot when questioning the professor after class.

Whatever the boxes may have contained they are, for the most part, now empty. All are unlocked (except for a lone holdout in Langdell South) and unused, the foot-long slot on the cover taped over. But what was the reason for their existence? Assistant Dean Stephen M. Bernardi laughed when asked, but he knew the boxes' story.

Back in the '60's and the days of student unrest, I was told, the boxes performed what was

thought a necessary function — they contained completed bluebooks, protecting them from destructive radicals. [Picture — radical dashes into classroom, 180 students dash to box and attempt to jam bluebooks into slot.] To ensure the books' entirety padlocks were securely fastened and the boxes themselves affixed to the floor. And there they've remained. ("I don't know whether they're part of the foundation or not," said Bernardi lightheartedly, "but we can't seem to get rid of them without endangering the structural integrity of the whole building.")

The boxes have continued to haunt Bernardi after their demise. When they no longer were being used officially the School lost track of the keys to the locks. Students still insisted on sticking their books into the enticing slot. Last year was the first year that no student accidentally made use of a box. Bernardi finally ordered the padlocks removed and the slots taped over.

Some of the boxes have become unattached and roam at will throughout the classroom. They probably could be removed, but who knows when they may become useful again?

Law School Cuts Back Loan Funds;

(Continued from Page 1)
students who were not otherwise eligible for financial aid.

In 1970-71 the Financial Aid Program loaned \$955,109 to J.D. candidates. Only \$516,117 in loans had been approved through October 31 of this year, but Vice Dean William L. Bruce estimates that this will increase to about \$766,000 by the end of the year — only 80 per cent of last year's figure. Scholarship aid (grants) totalled about \$700,000 in each year.

The Financial Aid Program has used three methods to bring about the decrease in loans. First, students applying for Law School loans for 1971-72 were required to show that they had unsuccessfully applied for loans to several banks which participated in the state, federal, and foundation-financed Guaranteed Loan Program (GLP). Previously a student had only to produce a letter from one bank turning down his loan request.

Second, students have been asked to consider negotiating loans from their parents. Many students' parents save enough money to meet the students' financial needs, but either the students refuse to take outright gifts from their parents or the parents are saving the money for retirement. According to Dean Bruce, such a loan would benefit both student and parent, since the student would otherwise have to pay about 7 1/2 per cent interest (at least for part of the term of the loan) while the parent could only get about 5 per cent interest on a savings account.

Third, applicants for aid knew that loan money would be in shorter supply this year and that their applications would be gone over more carefully. As a result, they may have made a lower estimate of their needs and reduced their spending.

Despite this decreased availability of need-related loan money, the Law School increased its estimate of an average student's budget from 1970-71 to 1971-72, and will increase it again for 1972-73. On the other hand,

the Financial Aid Committee has not increased the proportion of a student's, spouse's or parent's earnings which it considers available to meet the student's expenses. At least in theory, therefore, the measure of a student's need has become more liberal though the total amount of loans awarded has declined.

Previous to 1970-71, loans had only been made to people whom the Financial Aid Committee de-

surance companies through the Law School or a special corporation set up by the School, thus taking some of the burden off Harvard funds. One program, based on the Business School's Student Educational Loan Fund (SELF) would provide conventional loan funds for a five to ten year term, and might go into effect as early as 1972-73.

The other, in some respects similar to the Yale deferred tui-

Law School May Set up Corporation To Channel Funds from Banks

cided needed financial aid on the basis of an analysis of their resources. These loans carry a very low interest rate while the student is in school and for two years after he graduates. In 1970-71, the Law School allowed students to take out loans in excess of what the Financial Aid Committee calculated their needs to be, but only at an interest rate two per cent above the prime rate for the entire term of the loan. Typically a student would take out such a loan because his parents were not supporting him, though able to do so. In part because of the end of graduate deferments in 1967, many students now are older and more reluctant to ask their parents for support.

Another factor in the higher demand for loans is the rising cost of attending the Law School, which has not been matched by increases in parent or student income. At this time, Dean Albert M. Sacks is reported considering a tuition increase for the 1972-73 year.

For the last few years the loan program has been helped along by an exceptionally large sum of alumni gifts made during the Law School Sesquicentennial in 1967, but this windfall is now running out.

For the future, the Law School is considering two programs by which student loan funds could be channeled at commercial interest rates from banks and in-

tion plan, would provide long-term (about 35-year) loans repayable at a rate proportionate to the average income of Law School graduates.

To institute the SELF program, the Business School set up a corporation which buys promissory notes from students and then, using these notes as collateral, secures loans from commercial lending institutions. The loans are made to students at commercial interest rates (though at a rate somewhat lower than the student alone could arrange).

According to Russell A. Simpson, dean of admissions and financial aid, "We will within the next [1972 calendar] year investigate in detail the setting up of a SELF-type program of our own." At the earliest, such a program could go into effect in 1972-73.

The SELF program requires about one dollar in capital for every five dollars of loans outstanding (as compared to one for one under the current system). The Business School raised this seed capital in a special alumni fund-raising drive. Dean Simpson believes that it would not be difficult to raise seed capital for such a program at the Law School; alumni gifts earmarked for loans might be used to provide this capital.

At the Business School, the SELF program is part of a larger program which seeks to make the students pay the entire cost of

Committee Studies Two New Plans

their education. Tuition at the Business School is being raised in stages to cover all the direct costs of the student's education and will eventually be raised high enough to cover indirect costs as well. The SELF program at the Business School has supplanted more traditional forms of financial aid such as grants and low-interest loans.

At the Law School, a SELF program would probably serve as a safety valve, replacing only the high interest rate loans now made to students whose financial need is not relatively great.

Under the Yale program, a student is lent part of his tuition and pays back a fixed percentage of his adjusted gross income for a term of 35 years. A graduate with very high income can get out of the plan at any time by repaying his outstanding loan plus interest calculated at a very high rate. If the graduating class as a whole pays back its debt with interest before the term of the loan has run, no further payments are required of any member of the class.

The Yale plan has been considered by the Financial Aid Committee, but it has several disadvantages. Since it would require its administrators to scrutinize the income tax returns of every borrower for 35 years after graduation, the plan would be very expensive to administer.

Harvard Law School, in conjunction with Stanford Law School, is considering a long-term loan scheme like the Yale plan. Under the Harvard-Stanford scheme, payments would be in proportion to the average expected income of graduates who have been out of school for a given number of years. Thus if the average Law School graduate made \$25,000 in the fifth year after graduation and \$50,000 in the twenty-fifth year after graduation, the repayment schedule would be set up so that the payment due in the fifth year was half the payment due in the twenty-fifth year, without regard to the graduate's actual income.

What if a graduate has unusually low income in a given year and can't afford the payment scheduled for that year? Those going into low-paying community service work might have part of their loans forgiven. Graduates who simply couldn't afford to pay in a given year might have their loan extended at no interest or at a commercial interest rate, depending on the program eventually adopted.

At Yale, the long-term plan is now limited to \$700 per student per year. But Yale intends to increase the extent of the plan until it phases out other forms of financial aid and allows the schools to charge tuition high enough to cover all the costs of instruction. There is no indication yet whether Harvard will follow such a path.

In 1972-73, the high-interest rate loans given by the Law School may become harder to obtain. The Law School Financial Aid Service will evaluate the financial statements of students, as well as those of parents. Otherwise the Financial Aid Program will be conducted substantially as it was in 1971-72. (A pilot SELF program may be started.) Applications for financial aid for 1972-73 will be available at the Financial Aid office by January 14, 1972. Everyone who will need financial aid next year should pick up a form, since no forms will be mailed out.

Applications must be returned by March 15. Letters announcing financial aid awards will be mailed by July 31, unless for some reason the student's application was not complete by March 15.

Ward to Head Record

Greg Ward, former editor of the *City on a Hill Press* while an undergraduate at the University of California at Santa Cruz, has been elected president (chairman of the board, editor-in-chief) of volume 54 of the *RECORD*, commencing in January. Ward majored in psychology while at UCSC and is a native of Santa Cruz.

Making their first appearance on the editorial board next semester are two 1Ls. Paul Weiner, named news editor, hales from Wyncote, Pa., and was a physics major at Harvard College. The *Crimson*, he allows, let him slip through their fingers. But Dan Taubman, moving to the post of assistant editor, spent four years on his undergraduate paper at Cornell, reaching the rank of senior editor. Taubman is from Baldwin, New York.

Sharing the post of news editor is 2L David Cocke, a Yale, where he majored in history, and a former managing editor of the *International Law Journal* at HLS prior to a three-year VISTA stint. Cocke grew up on Lookout Mountain in Tennessee.

Remaining on as assistant and associate editor respectively are Richard McManus and Bob McGaw, 3Ls. McManus, from Red Bank, New Jersey, used to write for his town crier; McGaw, a North Carolinian, has distinguished himself of late as organizer of all those political forums this fall.

Joint business-law student (our correspondent across the Charles) Kermit Kubitz, 1½L, also remains on as commuting associate editor. Sartorially elegant — "the little prince" — Charles Soberman has permanently ensconced himself in the darkroom, as long as the *RECORD* budget holds out. It will, if new business manager and economics major Terry Coleman is successful in his loudly proclaimed austerity program.

And slowly slipping off into the shadows: Michelle Scott, former editor, is joined as senior editor — the ephemeral content of which office is legendary — by outgoing editor Jerry Snow. Also opting for a degree of retirement are former news editor Bob Hernandez and former business manager Larry Connolly.

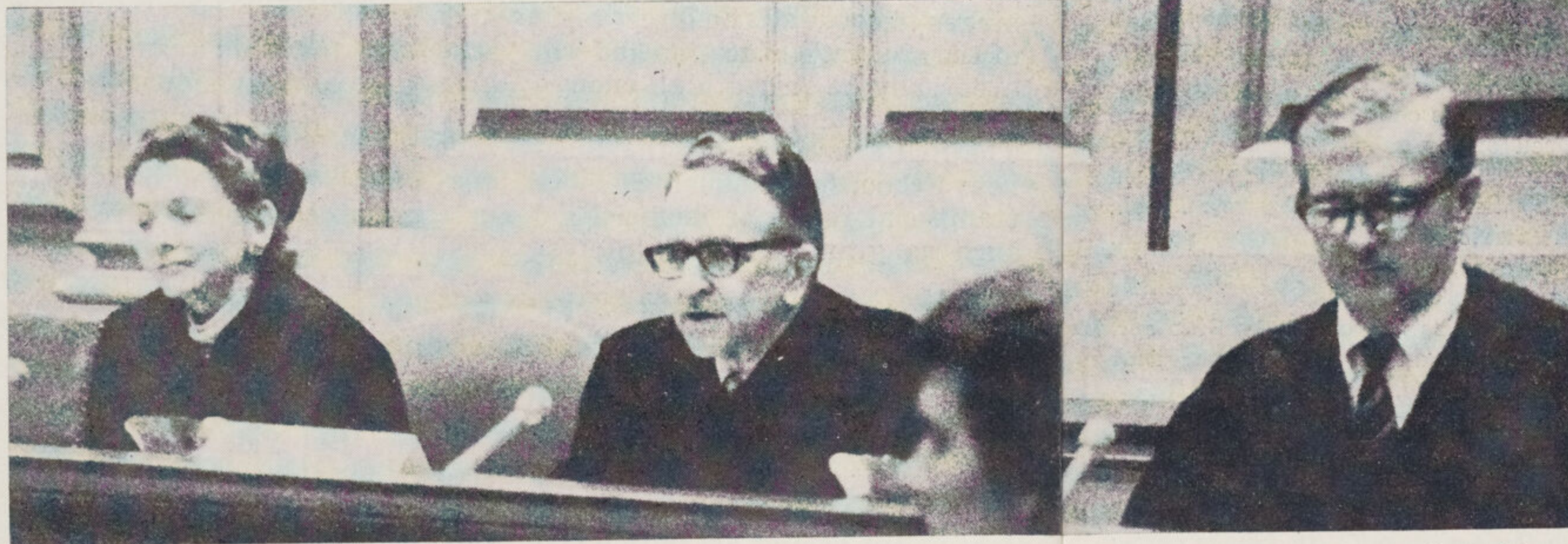
Learned Hand Club Wins in Fi Ames Round Before Blackmun

By Daniel M. Taubman

A three-judge panel, headed by United States Supreme Court Justice Harry A. Blackmun '32, found for the Commonwealth of Ames in the final argument of the Ames Moot Court Competition before an overflow audience at the Ames Courtroom Wednesday, December 1.

The Court upheld the decision of the Supreme Judicial Court of Ames enjoining the showing of a film depicting conditions within one of its correctional institutions on grounds of invasion of privacy and violations of conditions upon which access and permission to make the film were granted. However, the original injunction was modified so as to allow showing of the film after the filmmaker had rendered indistinguishable the faces of those inmates who refused to consent to being shown in the film or who were legally incompetent to do so.

[Late arrivers to the Ames final were disconcerted to find a mill-in in progress on the first floor of Austin Hall, apparently overflow from the competition going on overhead. Instead, the mill-in was actually 150 confused persons attracted by the promise



Justice Harry A. Blackmun (center), and Judges Shirley M. Oakes and James L. Oakes preside.

respondent Learned Hand Club in an evening filled with tension, levity, and nostalgia. Court was named the best of the four oralists.

Shortly after 3L John H. Cosier, first oralist for the petitioners and representing the Dawson Club, finished the traditional "May it please the court," Blackmun noted somberly that the case was being tried in the U. S. Supreme Court and, according to Title 28, Section 1 of the United

this court should be in the slightest doubt . . ."

When the audience broke into laughter, Hufstедler remarked, "The court is not in the slightest doubt." Cosier then continued the repartee, at the same time trying to discuss the case seriously again, saying, "This court *should* be in doubt."

Raymond A. Bragar, the second oralist for the petitioners, argued that the Ames Supreme Court decision should be reversed because the First Amendment requires absolute protection for accurate news of governmental action.

"Your honor, I would very much like to answer your question, but my time has elapsed," Bragar told the court at the conclusion of his 25 minutes of argument. Given permission to respond, Bragar continued, "I would like to abbreviate the five factors I *had* planned to consider."

Jackson argued for the respondents that the Ames Supreme Court had correctly decided that Ames could properly assert jurisdiction over the film company. He also maintained that the Commonwealth of Ames had standing to assert both its own contractual interests and the privacy rights of its inmates. Jackson distinguished a month-

(Continued from Page 8)
old Hawaii decision on *parens patriae*, and suggested it was not comparable to the case at bar.

"So you're not concerned how this (Hawaii) case is decided?" Blackmun asked.

"As a public-spirited citizen, . . . I am concerned," Jackson replied tongue in cheek.

Court argued that the identification of individual inmates was not a matter of public concern and therefore the faces of non-consenting inmates should be rendered indistinguishable in the film. He contended that the inmates' right of privacy outweighed the filmmaker's First Amendment rights.

Judge Oakes asked Court

whether this case should not fail for the reason that the Commonwealth of Ames, acting on behalf of the inmates, was suing itself to enjoin the filmmaker and the film company from further showings of the film. Court responded that in *United States v. United States*, 337 U.S. 426 (1949), it was held that a party may sue itself if a justiciable case or controversy is presented.

The Ames case, *Robert Smith, et al. v. Commonwealth of Ames*, was adapted from a real Massachusetts case, *Wiseman v. Commonwealth of Massachusetts*, 400 U.S. 954 (1967), involving the film "Titicut Follies," which portrayed conditions at the Bridgewater state prison for the criminally insane. In the "Titicut Follies" case, the Commonwealth of Massachusetts successfully enjoined the producer from showing the film to any but limited audiences with professional interest on grounds that (1) the producer had breached his oral contract giving the state the right of censorship, and (2) that the film invaded the inmates' right of privacy.

Frederick Wiseman, the producer and filmmaker of "Titicut Follies" and also a lawyer, was on hand to view the "retrial" of his case. "What seemed to me was being overlooked," he commented in the *Harvard University Gazette* last week, "were the factual conditions at Bridgewater

that gave rise to the First Amendment issue. I would have thought the petitioners would have raised the issue of film technology as it is used to explore the relationship between the individual and the state. If the state can censor a film's use, then you are preventing the public from receiving information they could not get in any other form."

Blackmun was one of the justices who voted to deny a writ of *certiorari* in the Wiseman case, but later dissented when a petition for rehearing was denied.

"What persuaded the majority of justices (to deny *certiorari*)," Blackmun explained, "came down to a routine simple breach of promise." The Nixon nominee to the Supreme Court told his attentive listeners after the oral arguments, "I strongly feel the more that is known about mental institutions . . . the better off we'll be."

"Inmates are little more than animals, some are inherently dangerous to property and people, and some are poor little souls suffering from mental illnesses."

"Do we build more Springfields or take a bulldozer and plow them up?" Blackmun queried.

Blackmun's presence added a touch of nostalgia to the proceedings because he himself was an Ames finalist in the 1932 competition. He noted that "this is always a very inspirational evening" and told the losers that losing is "not the end of the world." He also cautioned the winners that winning "doesn't mean the world is at your doorstep."

In announcing the triumph of the respondents, Blackmun explained that the judges had not decided on the merits of the case, but rather on the quality of the briefs and the oral arguments.

"Almost uniformly the quality of the arguments exceeds those we hear in our daily work . . . and that is true tonight," Hufstедler commented.

(Continued on Page 16)

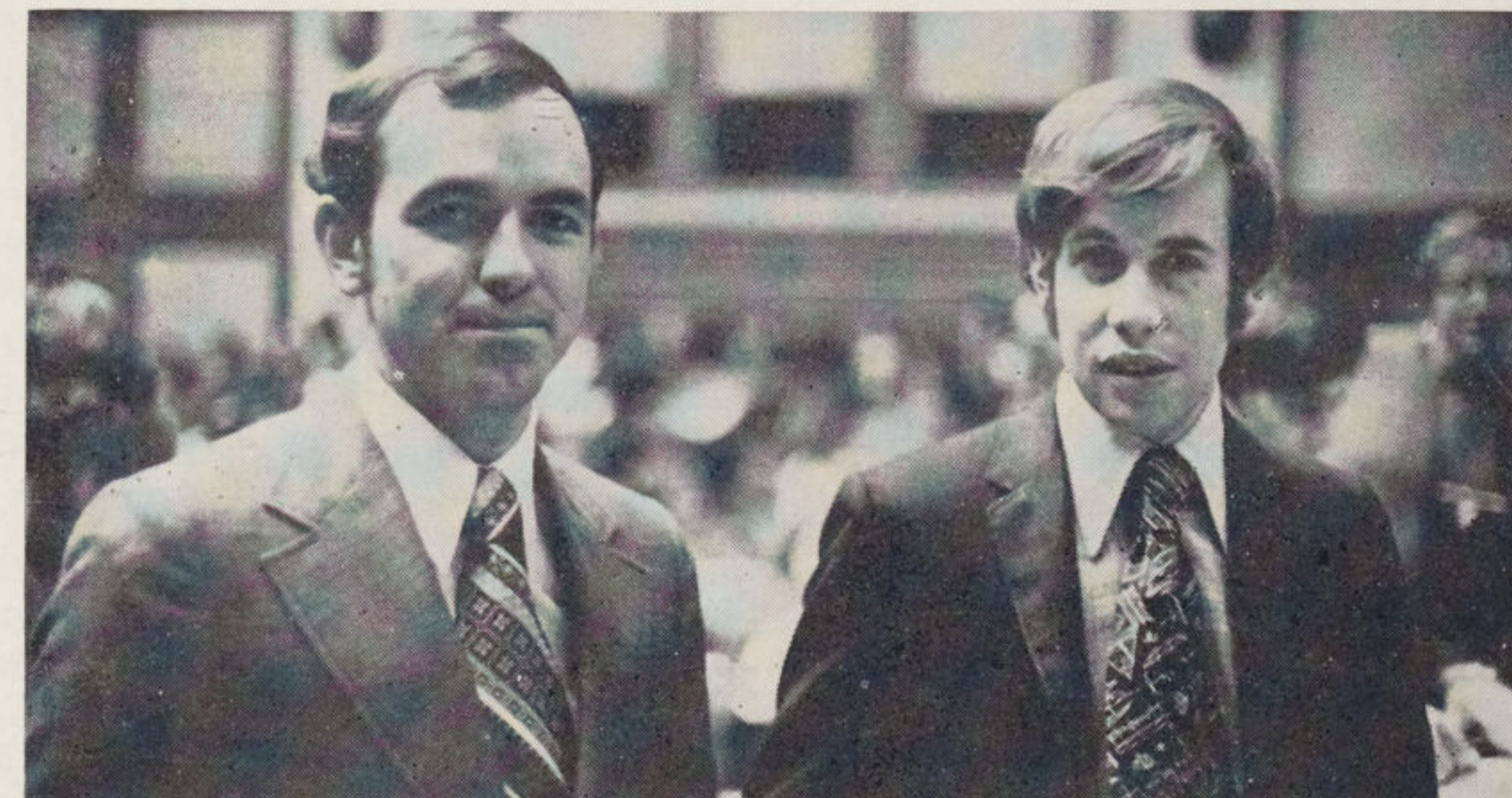
Court, Jackson Named Winning Oralists In Case Based on 'Titicut Follies' Film

of a meeting of the Boston area Young Lords party in the Ames Courtroom at the same time as the Ames competition. The mix-up in scheduling was attributed by a Law School administrative assistant, who declined to be identified, to a failure on the part of the Board of Student Advisers to schedule the room sufficiently far in advance. Despite the Ames Competition pre-emption of their meeting hall, the Young Lords—a militant Puerto Rican group—held their meeting anyway.]

Third-year students R. Brooke Jackson and H. Leonard Court argued on behalf of the winning

States Code, there must be nine justices, at least six of them sitting. "Maybe we ought to see the film and let it go at that," he suggested. Following a burst of laughter, Blackmun turned to respondents and asked, "What should we do about all this, Mr. Jackson?"

After Cosier had been intensely interrogated by Judges Shirley M. Hufstедler and James L. Oakes of the U.S. Court of Appeals for the Ninth and Second Circuits, respectively, on his challenge to the constitutionality of Ames' long-arm jurisdiction over the filmmaker, he concluded, "If



Ames winners H. Leonard Court and R. Brooke Jackson.

Foolishness Compounded

The proposal of the First Year Committee to partially semesterize the first-year curriculum is a good one and realistically worked out. It almost makes one want to start Harvard Law School all over again, considering the difference it might make in student morale to have some first-year courses ending after one semester with the freedom to choose two courses in the spring.

This is the heart of the proposal. In addition, the committee had conceived of a grading scheme for these courses that would maximize feedback while minimizing pressure at mid-year. The grades would be recorded as pass-fail on transcripts but disclosed to students in somewhat more revealing form. But with pass-fail rearing its ugly and much bruised head again — this time at no less the instance than of a faculty committee — a number of professors reacted predictably by hauling out old rhetoric and once again issue was joined over grades.

Interestingly, no one seemed inclined to impugn the maturity of students. There was vast disagreement, however, on the implications of that assumption: Harvard law students are mature and can handle it, so let's grade them rigorously, or Harvard law students are mature and highly motivated, so why bother with grades?

The temporary solution adopted — the Vorenberg amendment to put mid-year grading on the same three-option basis as year-end grading — only "compounds the foolishness" of that original compromise, as one member of the committee put it. It requires shooting in the dark at an earlier point in the school year when students are less prepared to make the choice knowledgeably.

Pass-fail is not a monolith. It is not all bad or all good. There are pass-fail proposals and there are pass-fail proposals. This one seemed to reflect the careful judgment of several respected members of the faculty and was calculated to nicely balance the competing considerations. Nevertheless, it was unceremoniously shot down. There are too many members of the faculty who only know how to react to this issue emotionally and not logically.

There is still, however, another alternative. The Simpson suggestion to disclose mid-year grades but leave it open to students to decide in May as to how to have these, together with year-end grades, recorded, deserves the most careful consideration of the faculty. Some professors worried that students would accord undue weight to these mid-year grades. But which is more helpful in deciding how to exercise the May grade option: two grades halfway through the first year or no grades at all?

HARVARD LAW RECORD

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Fenno

We are in the moot courtroom of the Supreme Court of Newgarth. As the curtain rises, we hear, through a bullhorn, the loud voice of the:

Bailiff: Let's end exploitation! We are ripped off by the University, we are ripped off by the Coop, we are ripped off by the Ripon Society, we . . . uh, I'm terribly sorry. Wrong speech. Oyez, oyez, oyez.

A man in black judicial robes enters stage left. He has a gleam in his eye. He is an old-world gentleman, with stately bearing, and so he pauses to expectorate into one of the spittoons.

Judge: Hang them, hang them all! Let's get on with this. I have a date.

Mr. Eager gets up. He is dressed in a three-piece suit. His hair is neatly combed. He is calm. He has just taken four Libriums.

Mr. Eager: May it please the Court.

Judge: You really want to please me?

Eager: (beaming) Unqualifiedly, Your Honor.

Judge: Get me a ham on rye with lettuce, hold the mayo.

Eager runs out. Mr. Smooth jumps up in Eager's stead.

Mr. Smooth jumps up in Eager's stead.

Judge: (sweetly) If I may interrupt?

Smooth: Yes, Your Honor?

Judge: (relentless) Where were you on the night of November 29? Are you still beating Aunt Minnie? Are you still a card-carrying member of Review?

Smooth: I'd like to answer those questions, your Honor, really I would, but I see that I've run out of time.

Judge: I like your style, boy.

Smooth: (smiling) Thank you, Your Honor.

Judge: We will hear from the other side.

The Other Side nears the lectern.

T.O.S.: May it please the Court. My name is L. Bayswater Smith. This case comes. . . .

Judge: L. Bayswater Smith?

T.O.S.: L. Bayswater Smith, Your Honor.

Judge: I like your style, boy.

Eager returns, out of breath, with brown paper bag. The Judge reaches in and begins to eat.

Judge: We find for the other side.

Judge: Eager, four months in the can for you baby. Contempt. Get yourself a lawyer.

Eager: Where did I go wrong?

Judge: You didn't hold the mayo.

General outcry as the curtain falls.

Letters to the Editor

BLSA Thanks HLS for Support

To the Editor:

As an addendum to your article on the Mississippi poll watching project the Harvard Black Law Student Association would like to point out that much of the money which allowed its participation in that project was raised through contributions from the law school community. Faculty contributions amounted to \$538.00, and general student and staff contributions to \$127.00.

The Association would like to take this opportunity to thank those members of the law school who made a contribution to this effort. The rewards, both for the people of Mississippi and for those students who participated, were enormous.

Milton F. Smith '72

Aunt Minnie: "A Jaded Harridan"?

Dear Fenno:

My lawyer showed me the letter in your December 3 column signed "Sweetly, Aunt Minnie." I just want you to know that she is no sweet old lady as far as I am concerned. Wherever she is by now, she is undoubtedly a jaded harridan (if you smart young fellows know that word), because she ran off fifty years ago with some city slicker after she had outmanoeuvred him into selling her 10,000 shares of General Motors at \$5 a share—all of which she paid for by cleaning out our joint bank account. I haven't heard from her since and I don't care to. But the Women's Lib people oughtn't to talk to her without a damn good lawyer present.

Uncle Gus
Oshkosh

Law Notes

Leonard Boudin will lecture on "Selected Problems in Federal Criminal Conspiracy Law with Some Emphasis Upon Political Cases" on December 14 at 7:30 p.m. in Pound 101. This is the last seminar by Boudin in a series sponsored by the Center for Criminal Justice.

Students interested in working as a summer intern in criminal justice agencies in various parts of the country are invited to attend a meeting on Monday, December 13 at 5:00 p.m. in Pound 335. The emphasis of the internships, awarded by the Center for Criminal Justice, will be on positions which will give students the opportunity to observe and participate in the day-to-day operations of the agencies.

A few summer internships for women may be available in police departments, funded by a foundation interested in encouraging departments to develop opportunities for women to go into police work. A full stipend for interns is \$100 to \$135 per week. The Center is also interested in finding students who can work for a reduced stipend or on a voluntary basis.

A. James Casner, Weld professor of law, has been elected to the Board of Trustees of the Practising Law Institute. Casner has been a member of the faculty at the Law School since 1938, serving as associate dean from 1961 to October 1967, and acting dean from October 1967 to July 1968. He has been active in the field of continuing education for the American Bar Association and is presently the director of the Harvard Law School Program of Instruction for Lawyers.

NOTICE to RECORD Readers

This is the last
issue of volume 53.

The first issue of
volume 54 will
appear January 28.



'Law Against The People': Radicals Within

By Bob Hernandez

LAW AGAINST THE PEOPLE: Essays to Demystify Law, Order and the Courts. Edited by Robert Lefcourt. Random House, New York City, 400 pp. (1971). \$10.00. Vintage edition, \$2.45.

No conflict is more troublesome for the radical law student than that between his training in the law of a capitalist society and his sympathies for a movement which opposes that law.

Is it possible to be a radical lawyer? The question suggests a schizophrenic situation in which the individual betrays the law by being a radical and betrays his radicalism by being a lawyer. Each time he successfully employs his skills to free a draft resister or Black Panther, to protect a welfare mother or to prevent an eviction, he may help legitimize a system he claims to oppose. Should he assume a totally political role at trial, fully merging his interests with those of his client and challenging the legitimacy of the proceeding, he risks imprisonment for his client and disbarment for himself, precluding his further usefulness to the movement as a lawyer.

For the student the dilemma may be overwhelming. The costs of a legal education are great, both economically and psychologically. The temptations of self-interest may lead him to abandon his radicalism and pursue an easier path to Wall Street or government. His radical inclinations may lead him to drop out of law altogether and devote his energies to political organization. Although most of the legal profession would welcome either decision by the radical law student, a growing number of lawyers are coaxing him to keep the faith and keep on truckin', to pursue his legal education with the prospect of becoming a genuine people's lawyer.

Law Against the People is an

anthology of essays by radicals, in the legal profession and opposed to it, which dramatizes the conflicts and provides new perspectives for the radical or potentially radical law student.

The essays reflect the rich diversity of opinions within the movement as to why and how the lawyer can play a vital role in the revolution. Little space is devoted to whether radical change is necessary or imminent.

As editor Robert Lefcourt of

the Breakdown of Order, and Revolution," asks the radicals to "be the defenders of the values inherent in the unfulfilled promise of the great bourgeois revolutions. . . . [W]e must be the advocates of direct popular democracy — of the reconstruction of society from below, of popular power over all institutions, and the creation of institutions to meet human needs — not to serve the interests of profit and domination."

"The legal system is collapsing and can no longer be saved in its present form."

the Law Commune in New York explains in his introduction, all the contributing lawyers "agree, as does a growing proportion of the population, that the legal system, like the system of education, the health and military establishments, and the political process itself, is collapsing and can no longer be saved in its present form. . . . Overall, the institutions which only pay lip service to democracy, to people's needs, and to the survival of the planet will have to be taken over by those who have been excluded from or oppressed by their operation, that is, the majority of the people."

By concentrating on the contradictions between the democratic slogans of this political system and its operative reality, the radical lawyer can maximize his impact on the process of change. In "The Civilliberties Lie," Michael J. Kennedy urges the lawyer to "hoist the system with its own petard," working with the "kickers" to have their grievances against the system heard, forcing the government to respond according to its civil libertarian rhetoric or expose itself as an aggressive and repressive force.

Stanley Aronowitz, in "Law,

Rutgers Professor Arthur Kinoy in what is perhaps the most carefully rational article in the book, "The Radical Lawyer and Teacher of Law," interprets the radical lawyer's role as one of postponing wholesale repression at present to keep the leaders of the revolution out of jail. "The lawyer's particular role in the system is to make it look good, to provide at least the appearance of justice, as one Supreme Court opinion so candidly once put it. But it is this very role assigned to the lawyer which enables the lawyer to be particularly effective at the present moment in a struggle to safeguard and to preserve these forms as the ruling class moves, out of fear and desperation, to abandon them and destroy them. But this requires flexibility, skill, and above all, understanding on the part of the radical lawyer."

Of course the effectiveness of the law as a weapon for change is seriously questioned throughout the anthology. Florynce Kennedy in "The Whorehouse Theory of Law," the wittiest and perhaps most realistic assessment of the radical lawyer's role, admits, "My attempts to accomplish that end have made me feel like I was try-

the System?

ing to level the Pentagon with a wet noodle. I feel that the courts and the legal system are so thoroughly a part of the whole system of prosecution, persecution, and prostitution that an anti-Establishmentarian hustler like myself might be as well off simply using the law as a source of income, and disrupting the Establishment whenever my laziness and timidity permit. It's more fun that way. What's the revolution going to be for, if it's not going to bring more fun, anyway?"

In "Education of the Capitalist Lawyer: The Law School," David N. Rockwell, 1971 graduate of the Law School, discusses the narrowness of law school curricula, the corporation law or government backgrounds of virtually all the faculty, discrimination against women and blacks, implicit restrictions on a student's activism at school imposed by the character committees of state bars. Such factors lead most radicals to shun the law altogether.

"Law school offers the key to membership in a generally respected elite group, with specialized, seemingly mystical knowledge and technical skills which, because of the power symbolized in the mastery of the law, set the lawyer apart from and above the general populace. Although to some the potential intellectual challenge is significant, to most law students the promise of great — and easy — monetary reward offered by the legal profession is the persuasive factor in their choice of career."

Those interested in social reform are denied "adequate tools for even the recognition of urgent social problems, and . . . [are left] helpless to remedy those problems. Many of these students, after enduring three years of continuous attention to the problems of corporate entities instead of the problems of human beings, undergo a gradual metamorpho-

(Continued on Page 16)

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CASLS Planning Reductions, Students Fear Clinical Crisis

(Continued from Page 1)

aroused that the Law School itself should step into the breach and either expand the existing Legal Aid Bureau or open a new legal services office in the Cambridge community.

At a meeting of second- and third-year students interested in clinical legal programs held on Thursday, December 2, Richard Ellenberg, 3L, a representative from the CASLS planning board, announced that Ronald L. Cheney, director of CASLS, is considering further limiting Law School participation in the program next year to only those 50 or so students concurrently enrolled in Harvard's clinical legal course, *The Lawyering Process*, taught by Visiting Professor Gary Bellow.

Thus, students in the fall semester of Bellow's course would not be eligible to continue working for CASLS in the spring and vice-versa, as is the case this year. Moreover, 2L students enrolled this year in *The Lawyering Process* and working for CASLS would not be invited to return to CASLS next year.

There are presently 102 Harvard students at the two offices of CASLS, including 30-odd 3Ls and some 70 2Ls from Bellow's course. This figure would be effectively halved next year. As it is, over 140 students were turned away from CASLS last spring, 80 of whom were unable to find other placement and remained desirous of doing clinical work.

Similarly, 150 1Ls filed applications with the Harvard Legal Aid Bureau and, using a lottery, only 40 were chosen.

Ellenberg also announced Cheney's intention to seek approval from the CASLS community

board to reduce the present caseload of 1500 down to between 400 and 600, not counting domestic relations cases. Together with the cutback in the number of student staff assistants working for CASLS, the effect would be to free program attorneys from crushing caseloads and the massive burden of student supervision, according to Ellenberg.

Jonathan Bell, 2L, a member of the Harvard Legal Aid Bureau, announced that for its part the Bureau had decided not to increase the number of its student members from the current 65,

and was even considering eliminating its domestic relations work altogether in order to alleviate the pressure of ever increasing caseloads. However, Bell expressed interest in the possibilities of a new legal aid office. "We can not now meet the legal needs of this community," he admitted.

Representatives of the Harvard Voluntary Defenders (HVD), the Prison Legal Assistance Program (PLAP), Student District Attorneys and the Roxbury Defenders present at the meeting stated their belief that they would continue to be able to provide clinical legal positions for any students with interest in their phase of clinical work.

(Continued on Page 16)

Sports Briefs

Farlin Garii Flashes Backbenched

By Willard Fraumann

The battle for Number One still rages in Cambridge as the final playoff game has yet to be played. In one semi-final game, the Backbenchers pulled by the Farlin Garii Flashes 30 to 18. Larry Connolly's long kick-off return to put the game away, and Jerry Lopez's circus catches highlighted the Backbencher effort, while Carl Hawkinson helped the FGF cause.

The other semi-final game was a defensive battle with the C League's Fat City holding on for a 6 to 2 victory over the B League's Crimson Swine. The touchdown came on a long pass from Jeff Jones to Joe Grasso which carried to the five, and

then a touchdown flip from Jones to Henry Drummonds. The defending champion Backbenchers meet Fat City this week, unless old man winter causes an indefinite postponement.

The basketball season also is under way, with the Mashuppee County Maulers back to defend their title in a greatly improved A League. Montezuma's Revenge and the Jackson Five are definite contenders this year, and there are several new teams who are sure to make their presence felt. In one of the first games the Mashuppee County Maulers barely got by the Radishes for a one point victory. Current standings will appear in the next issue of the RECORD.

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Walter Cronkite Assumes Roles To Make, Break News History

By Bob Dwyer

PEKING, Dec. 5 — Highly placed Red Guard sources revealed tonight that the revisionist running dog Lin Piao, recently removed from his leadership role in the People's Republic, had been impersonated for the past year by Walter Cronkite, CBS news broadcaster and sweetheart of Lincoln's Inn.

Under interrogation, the real Lin told a bizarre tale of foreign intrigue. For thirty piastres and a pair of Washington Senators season tickets (which Lin thought entitled him to two seats in the U. S. Senate), Wally purchased membership in the inner circles of Maoism where, by taking anti-American positions and then attempting a coup, he forced Mao and Chou to make conciliatory moves towards President Kissinger.

ZAGREB, Dec. 6 — Marshal Tito has informed me that over the past fifteen years, a number of third-world leaders, ranging from Che and Nasser to Alexander Dubcek and Golda Meir, have been impersonated by W. C., as Tito referred to Wally.

WASHINGTON, Dec. 7—Press Secretary Ronald Ziegler has denied reports that Walter Cronkite died fifteen years ago, and that American foreign policy since that time has been shaped to fit a twenty-year set of news broadcasts which Wally prepared shortly before his death.

In a copyrighted story published last week in the *National Review*, HLS Prof. Norton Farquar revealed that in 1956, shortly after the Democratic National Convention, Wally was stricken with a mysterious fatal disease, after being bitten by Estes Kefauver's pet raccoon.

Prof. Farquar, then a young lawyer in the Justice Department's Antitrust Division, recalls that Asst. Atty. Gen. Throckmorton P. Chickafoose, Wally's college roommate and now president of CfP Chemicals, Inc., suggested that to prevent NBC from mon-

opolizing network news, the State Department should agree to shape its next twenty years of foreign policy on Wally's posthumous telecasts. State Department officials, with no better plans, readily agreed.

Ziegler defended his denial of

**"That's the way it is,
Friday, December 10."**

Farquar's revelations by insisting that students of American foreign policy since 1956 agree that it shows no consistent pattern (or even an inconsistent pattern) and hence could not have been planned in advance.

DUBUQUE, Dec. 8 — T. P. Chickafoose has announced that John Mitchell will head his campaign for the Republican presidential nomination. T. P. will attack the Nixon Administration for "kowtowing to all the pinko Com-

mie, hippie crud, bearded radical, knee-jerk limousine liberals of the U.N." T. P. announced that Wally, alive and well in Bengla Desh, would serve as his presidential press secretary.

PHILADELPHIA, Dec. 9 — Perennial hopeful Harold Stassen threw his hat in the ring today and announced that Fred Harris and J. Bill Fulbright had led an assault by the combined Sooner and Razorback football teams and marching bands on CBS headquarters resulting in the burning of the remaining five years of W. C. kinescopes, and twenty "I Love Lucy" reruns, in order to smoke Wally out of hiding, and compel him to testify before the Foreign Relations Committee.

FLIN FLON, Dec. 10 — After handing Spiro Agnew a silver bullet, and handing Athos his sword, W. C. kissed the beautiful princess, turned into a frog, and hopped away on his silver skates, dropping bread crumbs and merrily croaking, "And that's the way it is, Friday, December 10."



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Leftists Write

(Continued from Page 13)

sis. The student who graduates with his social commitment intact is rare."

Harvard in particular must be singled out for its regressive attitudes with regard to curriculum reform, for its professional inbreeding and for restrictive admissions. "The Rutgers Report: The White Law School and the Black Liberation Struggle," provides some perspective on changes possible through student activism and faculty foresight.

Law Against the People adds an element to legal education which will not be found in any casebook or text. It should be read by anyone considering a career in law, and it should top the reading list of all lawyers who think humanity might be more important than the law.

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Clinical Cutback

(Continued from Page 14)

These organizations now provide such positions for approximately 150 Harvard law students.

Michael Lehr, appointed chairman of the meeting, summarized the discussion by stating that students were concerned about two factors: (1) that there would not be sufficient clinical places for interested students next year; and (2) that the indigent segments of the Cambridge and Somerville communities were not now receiving adequate legal representation and that the proposed caseload cutbacks of CASLS and Harvard Legal Aid would only worsen the situation.

Students at the meeting organized themselves into committees to gather additional statistics on current clinical programs and future needs. The committees will report to the student body and the student-faculty Clinical Legal Education Committee and ultimately attempt to formulate viable alternatives to deal with the "crisis".

The committees will report their findings and proposals at an open meeting for all Harvard Law students to be held on Tuesday, December 14 at 2 p.m. in Austin East.

Ames Finals

(Continued from Page 9)

Oakes called the briefs "a Mexican standoff" and said all were "of outstanding quality" and "very thorough." He advised the oralists that sometimes it may be preferable to begin with one's strongest argument, instead of trying to cover every point. "The arguments point out distinguished careers for four young people," he said.

Michael L. Beatty, Daniel J. Hurson, Dale H. Oliver, and Clyde D. Stoltenberg, all 3Ls, were the Learned Hand Club's counsel on the brief. Robert A. Bransford, Jr., Charlynn C. Maniatis, Thomas J. Manley, Frederick J. McGavran, and Robert E. Stoller, also 3Ls, were the Dawson Club's counsel on the brief.

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