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TWENTY CENTS

Tuition Increase Threatens; Writing Program Adopted

By Patrick F. Kennedy

A tentative proposal to increase tuition by \$300 for the school year of 1975-76 was presented for discussion to the faculty at their meeting on February 19th by Dean Albert M. Sacks.

Sacks also proposed a revision of the Law School's financial aid allocation system recommending that the grant — loan ratio be decreased, and called for the adoption of an experimental one-credit writing program for 1L's who desire writing assistance. The latter proposal received faculty approval. The other matters were not brought to a vote pending further comments by faculty and students.

Other action taken by the faculty included approval of the preliminary Teaching Schedule for 1975-76 and passage of a resolution endorsing the policy of

giving positive assistance to students encountering difficulty meeting academic requirements.

Sacks described the Law School's financial outlook in a memorandum to the faculty on February 18th which was distributed to students in the HLS Advisor on February 20th.

For 1975-76, Sacks estimates regular on-going Law School expenses will tally \$9,450,000, an increase of about \$700,000, or about eight percent over 1974-75. This increase is essentially attributed to inflation. Sacks noted that some items, such as salaries and wages, may climb well in excess of the eight percent figure adding that the projection will require controls be placed on other spending programs such as building improvements.

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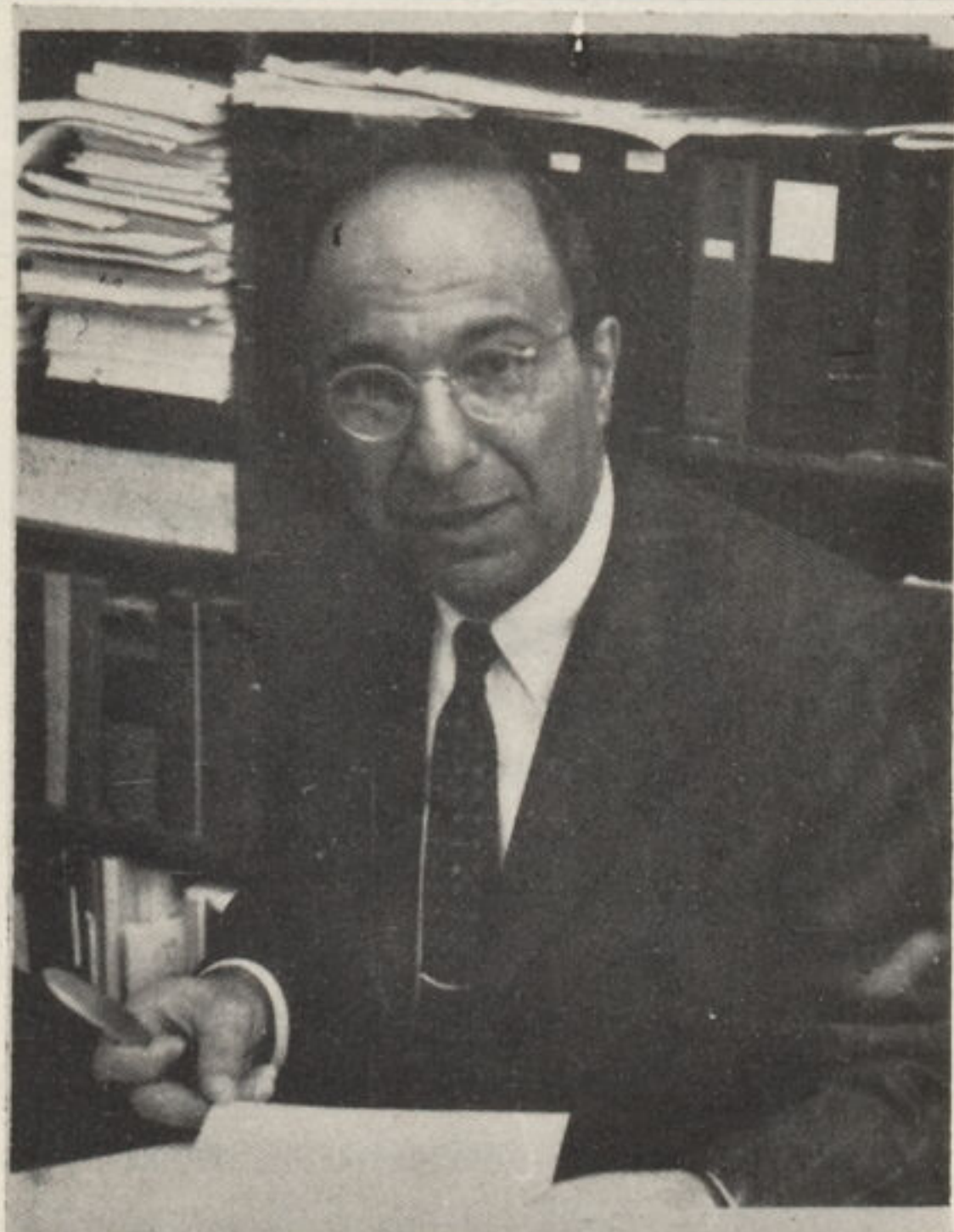
Forum Officers Dispute Findings Of RECORD Story

By Patrick F. Kennedy

Responding to a story in the last issue of the RECORD (February 14, 1975) on the speaker series presented during the Fall semester by the Harvard Law Forum, newly-elected Forum President Edward G. Young, 3L, and John W. Foster, 2L, Vice-President for Programing of the Forum, asserted the story was both "misleading" and "erroneous."

Both Young and Foster expressed regret that the RECORD had not interviewed them prior to publishing the story. Foster said: "We would have been able to supply the RECORD with a list of seven speakers presently scheduled for the Spring."

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CWM

Professor Phillip Areeda

Areeda Leaves White House Amid Power Struggle Rumor

By Roger P. Evans

Professor Phillip E. Areeda, White House Counsel to President Gerald R. Ford since October 15, 1974, is returning to the Law School "sometime in the middle of next week."

The national press, including *Time*, the *New York Times*, and the *Washington Post*, has been rife with reports that Areeda's resignation is the result of a power struggle between Vice-President Nelson A. Rockefeller and, at least indirectly, the President. In a telephone inter-

view with the RECORD earlier this week, Areeda declined comment on this scenario.

After Rockefeller was given control over who would be appointed to head the Domestic Council, it became clear that Areeda would not be the choice. James Cannon, a member of Rockefeller's personal staff, has been named Director. Another Vice-Presidential staff member has been appointed the number two man. According to *Time*, Areeda was the first choice of

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Aid Policies May Change; Freund to Give 1975 Jefferson Humanities Talk

By Susan Gillette

At the last faculty meeting, Dean Albert M. Sacks proposed a change in financial aid policies for next year which would require recipients to borrow \$1,000 before receiving any grants from the school. Financial aid in excess of \$1,000 would be given on a 50-50 allocation of loans and grants.

Because of lowered standards for parental contributions, the \$300 tuition hike for 1975-76, and inflation, a 35% increase in financial aid for 1975-76 had been estimated under the present policy. The average grant in 1974-75 was \$1,750. Under the current 50-50 plan, financial aid grants would increase by \$625 to meet next year's needs. Sacks' proposal would limit the need for such an increase in the Law School budget for financial aid grants to eight percent.

At the same time, the Law School will reduce expected contributions by students' families next year. Families with "spendable income" — net income after deducting taxes and other expenses — in the \$10,000-20,000 range will be most affected.

According to GAPSFA's new scales, parental contributions to a person who now receives a \$1,750 grant (and makes a loan for the same amount) would be reduced by \$510.

The same "average" grant recipient would need \$440 to account for inflation and \$300 for higher tuition.

To meet fully half of the increased need, the Law School would have to add \$360,000, or 35 percent, to its current grant budget of \$970,000. The new loan system will limit the increase to around eight percent, holding the budget to \$1,050,000.

The initial \$1,000 loan provision is expected to absorb some of the impact of students becoming eligible for assistance for the first time as a result of the drop in parents' aid and increasing educational costs.

Simpson could not estimate the amount students will require in loans next year because he did not know how many students will apply for aid for the first time. He anticipates that all loan applicants will find money available either from federally insured programs or from the Law School.

The financial aid policy of making National Student Defense Loans available to students with heavy loan burdens will be continued. The NSDL loans carry an attractive 3 percent interest rate.

Simpson said the new loan program was a step in recognizing that many graduate students are independent of their parents' financial support and prefer not to ask for parental contributions to Law School expenses.

In a memorandum circulated to students last week, Sacks said that it does not seem "unfair" to ask HLS students to pay a higher proportion of their educational expenses out of the "substantial incomes" many will earn after graduation.

If an HLS graduate is not financially able to pay back his law school loans, or other loans, on the regular schedule, Law School loans can be extended and Law School funds can be borrowed to pay back outside debts which cannot be extended.

Simpson said the present policy stipulates that a graduate should not spend more than 10 percent of a gross annual income below \$13,000 to pay loans. "We can afford to sit back and wait," Simpson said.

This April Law School Professor Paul A. Freund will deliver the annual Jefferson Lecture in the Humanities, established in 1971 by the National Endowment for the Humanities in Washington, D.C.

The Jefferson Lecture is dedicated to bringing before the public each year those thinkers of international stature who, through their knowledge, experience and wisdom, can help bridge the gap between learning and public affairs, providing humanistic insights into contemporary issues.

Freund will deliver the lecture before an invited audience from the White House, the Congress, the Supreme Court, the Washington diplomatic corps and leading humanists, scholars, educators, students and journalists.

Freund, who has taught at the Law School since 1939, is one of the country's leading experts on constitutional law and the history of the Supreme Court.

In addition to his legal scholarship and teaching, Freund's interest in behavioral sciences and the humanities has resulted in his writing chapters for and editing *Experimentation with Human Subjects* (1970), a book dealing with the philosophical, social, ethical, and legal aspects of medical experimentation on human subjects. An article by Freund entitled "Xeroxing Human Beings" (1972) discussed the morality and ethics of practicing eugenics.

The selection of Freund as this year's Jefferson Lecturer was made by the National Council on the Humanities from nominations received from cultural, educational and scholarly organizations as well as private individuals in this country and abroad. The National Council is composed of Presidentially-appointed private citizens and professional scholars, who advise the National Endowment on policies, programs, and procedures.

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UN Delegate Takes Teaching Post

By Ricardo Hinojosa

The RECORD has learned of the appointment of Ambassador Clarence Clyde Ferguson, Jr. '51 as a Visiting Professor at the Law School. He will take his teaching position starting in the fall semester of this year.

Ferguson, who is presently serv-

ing as the fourth highest member of the United States delegation to the United Nations, is not a newcomer to teaching at the Law School. In 1951-52 he served as a Teaching Fellow.

Ferguson has previously served as a Law Professor at Rutgers University Law School and at Howard University Law

School, where he also served as Dean. He has previously been General Counsel to the United States Commission on Civil Rights from 1961-63 and as Civil Rights Advisor to Vice-President Nelson A. Rockefeller from 1959-64.

Ferguson will become the third black member of the faculty. He joins Professor Derrick A. Bell, Jr. and Harry T. Edwards, who will also be a Visiting Professor.

Last fall Bell sent a letter to Law School Dean Albert M. Sacks in which he threatened to resign his position with the Law School unless the Law School significantly improved its efforts to place minority teachers on its faculty.

Contacted by the RECORD, Bell stated he was both "very pleased" and "delighted" with the appointment of Ferguson. Bell added that Ferguson is a "knowledgeable expert in the civil procedure area as well as in the international law and comparative law areas."

Bell, who plans to be on leave next year, stated that he has as yet made no plans as to whether he will continue to be associated with the Law School beyond that time. "I have never considered tenure being a justification for saying that this will be where you spend the rest of your life," he said.

Dean Albert M. Sacks refused to comment on Ferguson's faculty appointment. "I have no comment on appointments until the process of appointments is completed and I can announce them," he said. Sacks has always followed a policy of not commenting on faculty appointments until they have been formally voted on by the Harvard Corporation.

Williams Appointed Head Of State CR-CL Division

By Ricardo Hinojosa

Massachusetts Attorney General Francis X. Bellotti has appointed Law School Assistant Dean Robert A. Williams to head the Civil Rights - Civil Liberties Division of the State Attorney General's office.



CWM

Assistant Dean Robert A. Williams

take the job, commented Williams.

Although the Attorney General's office was hotly contested in last November's election, Williams admitted that he has "never participated in any political campaign at all in Massachusetts. Indeed my voting residence was still in Virginia."

Williams says that he is presently planning to do "a number of things" at the Civil Rights - Civil Liberties Division. Some of the matters that will come up most frequently in his office, Williams feels, are cases on appeal from the Massachusetts Commission Against Discrimination and cases dealing with housing, employment, privacy and women's rights.

The Civil Rights - Civil Liberties Division is under the Public Protection Bureau of the Attorney General and Williams emphasized that he views it as a "public protection office."

Williams, who has been at the Law School since 1971, was responsible for handling administrative matters on admissions, financial aid, clinical programs, and related job placements. Calling his relationship with the Law School a "pleasant" one, Williams added, "I have given a lot of myself and I have learned a lot."

Dean Albert M. Sacks said the job Williams was taking with the Attorney General was one of "considerable importance." The Law School, according to Sacks, is presently looking for "potential replacements" to take Williams' Law School job. It is hoped that a replacement will be found this term.

Contacted at his office at the Law School, Williams said that he was "presently on board" with the Attorney General's office. He is devoting three-fifths of his time to that office and two-fifths of his time to his Law School duties. By March 1 Williams expects to be devoting only one-fifth of his time to Law School work and the rest to his job at the Attorney General's office.

Williams stated that the subject of his employment by Bellotti first came up prior to the Attorney General's inauguration. "I was contacted by employees of the Attorney General and then I spoke to the Attorney General" before deciding to

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Edelin Guilty Verdict Troubles

By Frank E. Sisson

The adverse verdict in the Edelin trial, concerning the death of an aborted fetus, came as a disappointing surprise to Benjamin B. Sendor, 2L, who since last spring has devoted substantial time to research for the defense of Dr. Kenneth C. Edelin.

Edelin, a physician at Boston City Hospital, was found guilty of manslaughter last week by a Suffolk Superior Court jury.

Sendor cited two major reasons that case has been so disturbing to him. First, the prosecution and the verdict have an effect upon the right of women to obtain abortions. "Abortions are tragic but women should have the right to obtain them," stated Sendor. Now, doctors and hospitals will be afraid to conduct abortions after 16 to 18 weeks, a result which cuts against the *Roe v. Wade* 24 to 28 week test for minimally regulated abortions.

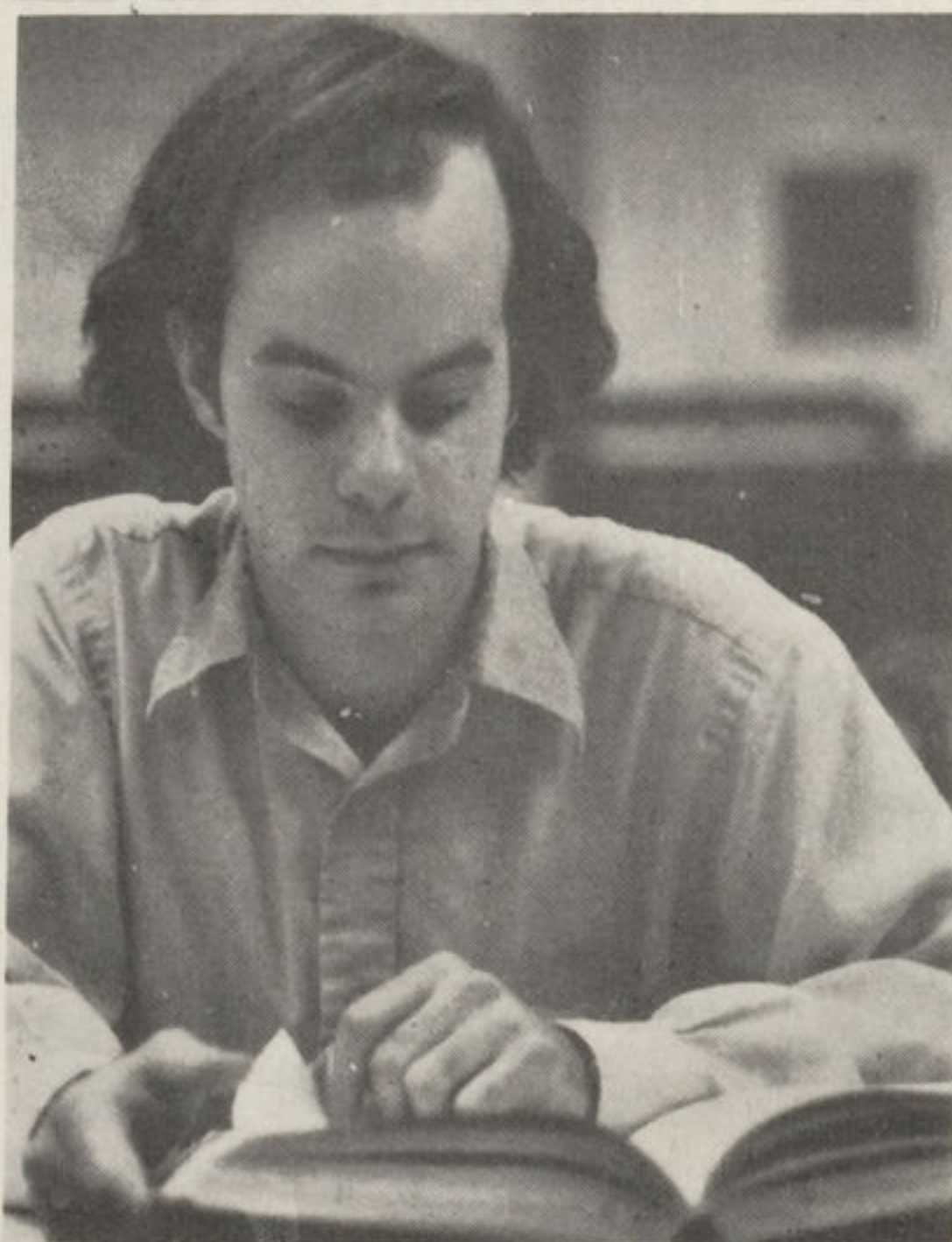
A second facet of the case which has irritated Sendor was its "political atmosphere". "Dr. Edelin is being used as a scapegoat," explained Sendor, and it really angers me." Sendor, through his personal contact with the personalities of the case, is particularly upset at the use by the prosecution of "a physician who is as committed to helping people as he is" to further particular ideas about abortion.

"It is utterly unfair and wrong to use a very good human being as a political pawn — to try to shatter his career to further political motives," said Sendor. He characterized the prosecution as in some ways being "straight out of Kafka."

Due to the coming of exams and the new semester, Sendor has been unable to participate as more than a frequent spectator during the trial stage. But he devoted full-time work last summer and part-time work this fall to legal research and preparation for trial under the guidance of the small firm of defense counsel William P. Homans, Jr. '48 — Featherston, Homans and Griffin of Boston.

The 2L's involvement in the Ede-

lin trial was somewhat accidental. He procured a position with the firm for the summer before the April 11 indictment of Dr. Edelin. Sendor and Homans decided after the indictment that "it would be a good idea for me to devote most of my time to that case."



Ben Sendor, 2L CWM

Sendor's summer was funded by a grant from the Mark De Wolfe Howe fund (for civil liberties or English legal history studies). An article on the issues raised by the case, with the Edelin trial as a "prominent example," the result of Sendor's own project, is slated to appear in the May *Civil Rights-Civil Liberties Law Review*. Sendor summarized the subject matter as concerning "what, if any, are the duties of physicians towards fetuses during and after abortions" and discussing as well related rights of women.

Sendor was part of a small staff assisting Homans in Preparing and conducting the Edelin defense. Frank Susman, an attorney from St. Louis, Jeanne Baker, an associate of the firm, Sharon Livesey, "a female Paul Drake" who tracked down and interviewed witnesses, and Jon Mehlman, who volunteered for a few weeks before returning to his third year at Yale Law School were also involved in the defense.

Most of Sendor's legal research could be conducted at the Social Law Library in the Suffolk Superior Court, although part of

his time was devoted to assisting in interviewing witnesses. Sendor researched the common law of abortion from as far back as 1300, though the bulk of the caselaw appears after 1600, and studied abortion statutes, which first appeared in the 1800's (1803 in England and the 1840's in the United States). He found that despite contrary writings of Cook and Blackstone, abortion was not a crime at any point in the common law.

But despite the questionability of the common law sources for a crime of abortion, Sendor noted that it had never been homicide to kill an unborn fetus; the "live-birth" rule of infanticide became a major theme in the Edelin defense.

Despite a lack of Massachusetts case law on the criteria for "live birth," but buttressed by Sendor's broad research the Edelin Defense stressed three conjunctive requirements in the live-birth rule — the fetus must be completely outside the body, it must be breathing, and it must have a functioning independent circulatory system.

The prosecution argued that one of these factors — breathing or circulation — could suffice to give the fetus status as protected under homicide laws.

Sendor summarized the legal issues of the defense as resting on the important distinction of where the act leading to the fetus' death occurs, and where the death itself occurs. If the death occurred while the fetus was still within the body of the mother, Dr. Edelin under "live-birth" rules, could not legally be held criminally liable for its death. If death occurred after "live birth" of the infant, the doctor would be protected by *Roe v. Wade*'s permissive abortion stand if the death-causing act occurred when the fetus was inside the uterus. Even if the death-causing act occurred after live birth, Dr. Edelin could be shown to have done "everything expected of him" and could not be held to a stricter standard of care under due process without new legislation.

Sendor noted that the Edelin trial arose in the peculiar circumstance of an absence of any Mas-

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Defense Team 2L

sachusetts abortion law. "The existing Massachusetts statute was struck down in January, 1973 under *Roe*; the legislature didn't get around to passing a new abortion statute until 1974," explained Sendor. The operation giving rise to the trial occurred in October, 1973.

"*Roe v. Wade* did not replace abortion laws, but struck them down. There had to be new abortion statutes," added Sendor. While the prosecution did not allege that Edelin had performed an illegal abortion, it made much use of a hysterotomy rather than a Caesarean section.

There is a necessity in such an operation of first separating the placenta from the uterine wall (rather than after fetus removal as in a Caesarean). According to Sendor, "any act of abortion which Edelin performed on a fetus was protected by *Roe v. Wade*." "In regard to removal of the fetus after detachment from the uterine wall the defense has always denied the prosecution's allegation that Dr. Edelin waited three to five minutes before removal. Even if he had waited, however, that wait would have been part of a lawful abortion," stated Sendor. Thus, Sendor believes the prosecution in this respect violated the spirit of the Supreme Court decision and engaged in essence in a prosecution for abortion.

Sendor has been asked recently why the defendant chose to be tried by jury given the religious and political background of the jurisdiction. He explained that the Edelin defense had conducted a poll, based on a sample of 1000, of attitudes of those eligible for jury duty from the area. The poll showed "that most Catholics did not follow the Catholic Church" in its rigid anti-abortion stance, though there was less consensus on abortions of six-month old fetuses. Conversely, the defense was "anxious about Judge McGuire" due to his unexplained denial of pre-trial motions for dismissal.

These premonitions were proved wrong when the trial judge ultimately accepted the

legal theories of the defense and gave a favorable jury instruction and the adverse jury verdict appeared. "Maybe the case was too complicated for a lay jury," ventured Sendor, who explained that this was to some extent foreseen and led to the use of numerous charts and visual aids in attempts to simplify.

Sendor commented that the controversial photograph of the dead fetus may have played a large part in the adverse verdict, the jurors avoiding complex and difficult decisions and instead reaching a verdict based on emotional reactions.

"The photograph could give the jurors absolutely no information as to whether the fetus was born alive," said Sendor in explaining why the evidence was irrelevant to the real legal issues. "We never denied its human form, which was the only thing the picture was relevant to." The prosecution tried to use the picture as evidence that the fetus was a "person."

Perhaps more crucially, the picture was prejudicial, according to Sendor. "It's a gruesome photograph, as would be any photo of a fetal corpse, especially after being in a 10% formalin solution for four months," explained Sendor. "The defense strongly objected to the introduction of the photograph."

"It becomes clear, as Mr. Homans has said to the press, that two of the issues we will press on appeal are that the verdict was against the overwhelming weight of the evidence (more than merely against its clear weight) and that Dr. Edelin was deprived of the requirement of prior and fair warning under the due process clause of the Fourteenth Amendment," stated Sendor.

The case will be appealed in the event one or both of the current motions before the Superior Court (the Massachusetts equivalent of *j.n.o.v.* and new trial in the alternative) are denied. The case would then be heard in the Appeals Court but could be sent immediately up to the Supreme Judicial Court given its importance, according to Sendor.

Writing Course Offered to 1Ls For One Credit

The Law School will offer a one credit pass-fail writing program this spring for 1Ls who desire extra practice in the skill. The program, which was approved by the faculty on February 19th is scheduled to commence March 3rd and continue for six weeks.

Participants in the experimental program will be asked to write a three or four page paper each week. Paper topics will be coordinated with first year subjects and will be designed to develop the basic skills of logic, organization, and rhetoric.

The course will be taught in teams of one faculty member and two student assistants. Each team will have four first year students assigned to it. Professors Baxter, Bell, Chayes, Kennedy, Liebman, Oldman, Steiner, and Weinreb have agreed to participate in the program. Graduate students and 3Ls interested in working as tutors in the program should see Lecturer and Assistant Dean Jeanne C. Kettleson.

The course has been organized to handle up to 30 students. If more than 30 students apply for the course, selections will be made upon the basis of recommendations from first-year professors and *Legal Methods* instructors.

According to Seva J. Kramer, Administrative Assistant for the Clinical Programs, the course might be expanded beyond the limit of 30 students, but only if there are students who show a need for the extra training who would otherwise be shut out of the course.

Students who successfully complete the course will receive one ungraded credit which may be applied to the second and third year credit requirements. Students who fail to complete the course successfully will receive no grade or credit.

First year students who are interested in the program may sign up at the Registrar's office until 5 p.m. Monday, March 3rd.

Lewin Testing Privacy And Press Issues

By Phil Heagney

Though the well publicized controversy over the nursing home business in New York has yet to result in any grand jury indictments or criminal prosecutions, accusations against Dr. Bernard Bergman, the owner of a disputed number of nursing home operations, have produced two law suits with serious constitutional implications.

Both of these suits have been brought by Nathan Lewin, a visiting professor at the Law School this year in constitutional and criminal litigation. Lewin, representing Dr. Bergman in the nursing home controversy, has filed one suit charging a violation of Bergman's civil rights against Andrew J. Stein, a New York Assemblyman from Manhattan; William D. Cabin, an official in the State welfare department; and John L. Hess, a reporter for the *New York Times* who has done most of the investigative reporting which spurred the present nursing home controversy.

Bergman's suit was filed in a federal district court on January 11, 1975. Thirteen days later, Lewin himself filed a suit against the *New York Times* for malicious defamation based on a story which the *Times* had published on January 22, 1975, concerning Dr. Bergman's testimony before the Senate Special Subcommittee on Long-Term Care for the Aged, held in New York City on January 21st.

Lewin said that he felt it was important for him to continue his policy of not making public statements about the facts and evidence in the Bergman case, but he believed that both suits raised some important constitutional questions which deserved publicity.

The Bergman complaint charges the three named defendants with "an unremitting barrage of unfair, inaccurate, maliciously false and prejudicial reports of leaks, press conferences, innuendoes, and anonymous allegations of improprieties and criminal acts by the plaintiff."

The suit raises the question of how far newspapers and government officials can go in

investigating and publicizing the activities of private citizens. Lewin noted that such investigations and publicity seem essential for the exposure of official and private corruption but government officials should be allowed to use their offices and subpoena power to generate publicity against a person who has not been formally charged with any criminal wrongdoing. Bergman contends that he could not now get unbiased prosecutors or a fair grand jury investigation given the way the *Times* reporter, allegedly acting in conspiracy with members of various governmental investigative committees, have focused on him as the leading culprit in the alleged scandals in the New York City nursing home business.

Bergman has been called to testify three times before the Special Senate Subcommittee. According to Lewin, the Subcommittee subpoenas issued to Bergman raise further constitutional questions about the rights of a person called to testify before a government committee when that committee's proceedings have become essentially "accusatory." Bergman's attorneys have claimed that they are entitled to cross-examine witnesses if the hearings continue to focus primarily on Bergman's operations, but Senator Frank Church, chairman of the Subcommittee, has denied any right to cross-examine.

Bergman's lawyers also maintained that the Subcommittee acted improperly when it forced their client to appear at a televised hearing to assert his privilege against self-incrimination after the attorneys had advised the chairman by letter that Bergman would invoke the privilege.

Lewin said that his own suit against the *Times* arose out of a story published in the January 22, 1975, edition of the paper which noted that Lewin had been writing stories in the *New Republic* calling for prosecution of former President Richard Nixon at the same time one of Lewin's law partners, Herbert J. Miller was representing the ex-chief executive. In his complaint against the *Times*, Lewin argued that such

conduct on his part would have been a serious violation of professional ethics and that he had refrained from making any comments about Nixon in the *New Republic* after Miller became counsel to the ex-President.

Lewin said that *Times* reporter Hess had told him on January 23rd that the paper would publish a retraction or some other statement after Lewin had written a letter of correction to the *Times* on the day of publication. But when no such retraction appeared in the paper, Lewin filed his pending defamation suit. The complaint alleges that "(d)efendant New York Times Company maliciously published this false statement because of plaintiff's representation of a client against whom the defendant ... and its employees bear actual malice."

Lewin said that the suit results in part from a problem that criminal defense lawyers in this country continually face: the published innuendoes that lawyers who represent controversial persons or persons accused of crimes must themselves be bad people or have corrupted motives for their work. Lewin commented that he believed it was very important to curb this kind of indirect attack on lawyers who defend unpopular clients. "It is important to make the point that you can be an honest guy and still be a criminal defense lawyer."

Lewin felt that the suit also raised the issue of what obligations a newspaper has to insure the accuracy of its reports prior to publication and what obligations a newspaper has to retract published material shown or denied to be accurate. He noted that he had usually been on the other side of the free press issue in the past, but he felt that newspapers should not be free to "publish in haste and repent at leisure, if at all" especially in the case of a paper like the *Times* "whose stories are picked up by other papers across the country."

The present New York nursing home controversy was born on September 9, 1974, when the *Times*

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Younger Appears as "Role Model"

By Marilyn Murphy

Judith T. Younger, Dean of the Syracuse University Law School, told a group of 25 HLS women that she was appearing at the Law School as a "role model" for them.

"I understand Dean Sacks thinks Harvard women need role models other than the Harvard faculty," she said during her February 18 speech, which was sponsored by the Women's Law Association.

"Women must fight against the marriage and motherhood role," she continued. "That can be fine, but only if it is chosen after deliberate thought and the consideration of real alternatives. Professional women should consider singleness and childlessness as real possibilities so they have real choices in planning their lives."

Dean Younger noted that she is a wife and mother as well as a career woman, with the result that "I'm a perfect mess." Her "one great solace," she added, is that "because I am financially independent I can chuck my children, my husband, my cats and even my housekeeper, if I should want to."

Younger, who teaches *Contracts* at Syracuse in addition to her administrative duties, formerly taught *Contracts, Property, Wills, Trusts and Estates* and *Legal Expression* at Hofstra Law School. She believes women would be less inhibited in classroom discussion if there were more women professors. However, she added: "Some women are oversensitive. Lawyers need toughness and the ability to choose important issues. I know of some women students who have been rendered unable to cope by professors' remarks. They can't afford to let that happen."

"But I believe more in women," she continued. "The ones who have made it to law school may not be more dedicated than all the men but they have had to pay more for it emotionally."

Her career, which has included, in addition to teaching and administration, clerking for a federal judge, working for a large Wall Street firm and serving as an Assistant Attorney General of New

York, has gone through four stages of role development, Dean Younger said.

The first period parallels her clerkship and two years in the litigation department of a large Wall Street firm. "After my first year in law school, my underlying philosophy was that I was a very able man. I saw no difference between Holmes, Brandeis and myself except age. I dressed as much like a man as I could, and at job interviews questions about marriage and children went right by me," she said.

"Wall Street was very good to me," Younger said, "or at least I thought so at the time. I



Syracuse Law School Dean
Judith T. Younger

did notice that my male office mate got a larger Christmas bonus and raise than I did, but somehow things like that didn't seem important at the time."

After this period, however, "the world conspired to show me that I was not a man and was nothing like a man," she continued, recalling a judge who, when Younger appeared in court eight months pregnant, pointedly referred to her as "Miss Younger" to the great amusement of the onlookers.

"During this period I began to feel dependent on others so I could do what I wanted to do," she said. "I had to have clients at home, take the kids to the office, and that's when I almost abandoned the pro-

fession. I also became interested in teaching."

Changes in women's fashions heralded the third period, which lasted almost until the present. "With girdles out, panty hose and pantsuits in, and men wearing long hair, I felt free of sex. I felt it didn't matter that I was a woman," she said.

This period lasted until a short time ago when a male colleague told Dean Younger at a convention that she had been appointed Dean at Syracuse because she is a woman.

"Unlike Margaret Thatcher (Britain's newly-elected Conservative party head) who said being a woman had nothing to do with her being where she is, I say it has everything to do with it," she asserted.

Dean Younger is concerned with the special problems many women face in attending law school, and favors having an extended program for women with children and others with special hardships. However, she added she believes it is better to go to law school "unencumbered."

Her administration at Syracuse is currently planning a special summer program for law school applicants whose objective criteria — grades and LSAT scores — are not high enough for admission, but who demonstrate ability in other ways. The program consists of a special course of law study during the summer previous to the academic year in which applicants hope to enter law school.

Under this arrangement, candidates who perform well during the summer would be admitted as regular first year students despite the weakness of their objective criteria. This approach would be particularly valuable in the case of applicants who have been out of school for some time, Younger said.

"Most law school admissions officers would admit that they must turn away qualified people. There is also doubt about the efficacy of the objective standards themselves," she added.

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Areeda Leaves Washington Job After 5 Months

(Continued from Page 1)

White House Chief of Staff Donald Rumsfeld, one of the most powerful voices on Ford's staff.

While his resignation is apparently not tied to any policy disagreement, friends of Areeda have been reported to say that the anti-trust professor has been frustrated during his four-month stay in Washington. Reports are circulating that he felt he had more influence as a 26-year-old assistant special counsel to President Dwight D. Eisenhower in the 1950's. Today, the White House staff is much larger, more formalized, and access to the President on policy decisions is more constrained.

Areeda avers that he had a "busy, splendid, and interesting time" in the nation's capital and hopes that he "may have done some good." During his brief tenure at 1600 Pennsylvania Avenue, Areeda was intensely involved in organizing the White House legal staff, working on reforms for regulatory agencies to spur competition, and researching presidential power and related issues.

While in Washington, Areeda reported to Philip W. Buchen, a White House Counsel with cabinet rank. Buchen was quoted in Tuesday's *Crimson* as declaring that the Harvard professor had performed "yeoman service" but "had expressed an interest in playing a different role in which he would have engaged in broader policy making." Ford, in a "Dear Phil" letter, expressed his "deep regret" at Areeda's resignation, writing that his contributions "had earned the respect of all your colleagues as well as my own admiration."

Areeda was reportedly offered a variety of other positions on Ford's staff but has declined them all. Upon his return to Cambridge he will engage in work on his antitrust treatise with Professor Donald F. Turner for the duration of the spring semester, resuming his teaching duties in the fall.

Tuition Increase Threatens; Writing Program Adopted

(Continued from Page 1)

The projected eight percent increase in expenditures would have been much higher had the Law School maintained its present financial aid allocation system. Without the revision, Sacks estimated the cost of the financial aid program, which last year comprised 11 percent of Law School's expenses, would climb \$360,000, an increase in excess of 35 percent.

Beside the tuition increase, Sacks expects increased income from endowment, alumni gifts, dormitory charges, and student fees to help balance the budget. Sacks estimated that with the tuition increase, somewhat less than two-thirds of the necessary income will be contributed by students in the form of tuition, charges, and fees.

The proposals submitted by Sacks met with little opposition from the faculty body. Some faculty members suggested that the Law School should undertake a study to eliminate unnecessary expenses in the academic programs but Sacks responded that it was difficult to pinpoint any program which was extravagant. The Clinical Studies program was cited by Sacks as an expensive program, but he noted that most faculty felt this was a very worthwhile undertaking.

Sacks added that the Law School had traditionally given primary consideration to the educational merits of academic offerings and had endeavored to relegate finan-

cial concerns to secondary consideration. He claimed that the time had not yet come when this priority needed to be reversed, especially in light of Law School's comparatively low tuition.

It was also suggested that faculty consider increasing their teaching loads by teaching the same subject twice in the same year. Sacks recalled longstanding faculty opposition to any such requirement and predicted a similar reaction.

The faculty voiced several reservations respecting the financial aid proposals. Concern was expressed whether the increase in debt loads upon graduation would pressure students to avoid low-paying public interest jobs. Sacks explained that no student would be required to pay back more than a certain percentage of his income no matter how small. Another faculty member suggested that the Law School consider a forgiveable loan program as a partial answer to this problem.

Concern was expressed over whether less affluent prospective applicants would be discouraged from applying; but other faculty felt it was foolish to worry about a \$15,000 debt load in light of a graduate's earning potential. Two faculty members asserted that there were many students who could afford to pay the full cost of their education, not just the two-thirds met by tuition. They asserted that the Law School should ask for additional contributions from these people.

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McLucas Defends USAF Policies

By Beth Emery

Airlifts of military supplies to Pnom-Penh, fighter sales to Saudi Arabia and development of the B-1 bomber were some of the activities Air Force Secretary John L. McLucas defended during a recent Forum program.

McLucas, fresh from budget hearings on Capitol Hill, spoke February 13 in Pound 101 to an informal gathering of about 75. He also fielded questions from a sometimes hostile audience.

McLucas praised the new trend of congressional scrutiny

strategic weapons.

Of the recent SALT treaty limits, he said, "2400 represents a ceiling, not a floor.

And while not true in the beginning, all of our systems are now built for deterrence, he explained.

"Our real purpose is to make sure nuclear weapons are not used. We make better ones so no one will put them to the test," he added.

He pointed the full military alert of October, 1973 and said, "We were able to move military equipment to the Mid-East and we like to think it had a deterrent effect."

McLucas called relations with the USSR a "psychological game" where "neither of us wants the world to think we or they can be pushed around."

When asked if the U.S. is playing that psychological game in Southeast Asia, he answered, "yes," adding, "we feel South Vietnam deserves as much an opportunity to prevail as North Vietnam, who is being supplied no questions asked."

He noted that what is now needed in aid for South Vietnam is "one-tenth of one percent of what we have already spent there."

When queried on the legality of the military supplies airlift to Pnom Penh, he replied, "obviously we wouldn't be doing it if we thought it was illegal."

McLucas eased tension with his straight-faced answer to the last question, concerning sale of fighters to Saudi Arabia.

He noted "it's not to our net advantage to be on bad terms" with oil-producing Saudi Arabia, and then added that he did think Israel might take a "dim view" of the sale.



Dick Macias

Secretary of the Air Force John L. McLucas continues discussion with students after his Law Forum address.

over defense spending, saying he hoped the Department of Defense would continue to be "kept under control."

He noted that "to some extent it is a valid charge" that the Department's high military systems costs were due to poor management.

But he added that the Air Force is now economically efficient.

He defended arms expenditures by defining a "first-rate military power" as one having economic influence and national will necessary for the "strength and security" of the country.

McLucas outlined military weapons strategy in two main areas, tactical and strategic. He also explained several times his desire to decrease the number of

"We think our airlift was instrumental (in preventing a crisis)," he added.

McLucas also defended the controversial B-1 bomber with the 'better they are, the less they will have to be used' theory.

He quoted the General Accounting Office as saying, "Assuming the Air Force's conception of the USSR defenses is correct, the B-1 is the most cost-efficient weapons system."

"But we could be wrong," he added.

He defended the B-1 as being better able to get to the target than a stand-off missile system, and more sensible than refurbishing the \$10 million B-52 at a cost of \$30 million per plane.

Several times during the evening

Younger Comes To Law School As 'Role Model'

(Continued from Page 7)

In addition to her administrative and teaching duties at Syracuse, Younger is a Vice-president of the Society of American Law Teachers, Vice-Chairman of the AALS Property Section, Lecturer on Family Law for the New York BAR/BRI Bar Review Course, a trustee of Cornell University, and the author of many articles. She has been consultant on marriage and divorce to the National Organization of Women, and to Suffolk County for the revision of its real property tax act.

She is married to former New York Civil Court Judge Irving Younger, who now teaches at Cornell Law School. They have two daughters.

Caught in the Squeeze

The combined effects of recession and inflation have come to roost in the Financial Aid Office. Caught between the spiraling costs of higher education and the overdue realization that parental contributions cannot be expected to keep pace in the midst of an economic recession, the Financial Aid Office faces a whopping 35% increase in expenditures for 1975-76 unless a change is made.

In a recent memorandum to faculty and students Dean Albert M. Sacks proposed a new system of aid allocation increasing the loan component and decreasing the grant. In many respects the Sacks proposal represents an innovative and sensible approach to the problem at hand. The plan recognizes that the present aid program forces students to remain dependent on their parents long after they should have left the financial nest. It also merits praise for shielding low income students from the full force of the change.

On the negative side, we must face the fact that while we may prefer having students borrow to meet the cost of their education, large debt loads may discourage students from taking public interest jobs upon graduation.

The Dean has recognized this is a problem and attempted to solve it by providing for a long-term repayment plan with provision for delay of repayment if a graduate has taken a low-salary job. As explained at the last faculty meeting, a graduate would never be forced to repay more than a certain maximum percentage of his income in any given year.

We are concerned that this measure may prove ineffective. When the Law School gives students loans, they are told they have an obligation to apply for any other loans for which they are eligible. The Law School loan is only issued if the other loan doesn't come through. These other loans do not provide the same attractive repayment conditions. Often they are issued at a higher interest rate, and it is highly doubtful that they contain provisions for delay of repayment if a low-salary job is taken.

Sacks told the faculty that the Law School would take account of other loans held by the student when they calculated the repayment schedule. In most cases, however, the amount of loan issued by the Law School will be a small percentage of a student's total loan; and frequently, none of the loan will be from the Law School.

There are at least two possible solutions to the problem. First, the Law School could adopt a forgivable loan program for students who wish to work in public interest jobs. Presumably, if a student held loans from an outside source, aid would take the form of a grant issued to help the student pay off these burdens. Such a program was mentioned at the last faculty meeting, and receives our hearty endorsement.

A second plan would allow students who have outside loans with less favorable repayment conditions, to exchange their loans for more desirable loans from the Law School after they have indicated an intention to take public interest employment. We urge the Law School to give both possibilities careful consideration.

HARVARD LAW RECORD

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Fenno

Fenno stopped abruptly just as he was about to pass the lounge and looked with unwonted sympathy at the 1L seated numbly on the table.

That he was seated in a full lotus position did not worry Fenno, since that sort of nonsense had been endemic ever since the University abandoned its religious quota system. What did bother Fenno was that the 1L was contemplating the pull-tab from a discarded can of Patio Orange Soda, and the project seemed to be occupying him entirely too much.

"What trauma are you suffering through the aftermath of?" asked Fenno, who found that people often failed to understand him if he limited himself to completely grammatical syntax.

The 1L continued to stare with remarkable interest at the pull-tab.

Fenno had often heard that one should not disturb persons lost in meditation, but he dismissed the proposition as a Midwestern prejudice.

"I mean," Fenno persisted, "the only people I've seen in your present condition are those who've either just been jilted without getting the ring back, or have just heard that their college's basketball team is being investigated by the NCAA. Which is it?"

"I only wish it was one of those," the 1L sighed. "I'm afraid it's much worse. The B.S. Associate who's assigned to me and my Ames partner didn't like our draft brief. Now we have to do it over, arguing about every cite, every verb, and the number of spaces in Southern Second."

"What didn't he or she like about it?" Fenno asked sympathetically.

"Well, first of all, he or she said that one of the issues we relied on wasn't in the record."

"Don't worry about that," Fenno counselled him. "'It's not in the record' is B.S. Associate jargon for 'We didn't think of it when we wrote the issue sheets.'"

"And then our Associate said that our organization was wrong."

"That could mean one of two things," Fenno commented. "Either your organization actually is wrong, or else he or she dropped your brief on the way back to the office. It's a little bit like the pot calling the kettle tattletale gray."

"But I don't understand," the 1L insisted, "how they could find so much wrong with our work if there's really nothing wrong with it."

"I think your answer is in an old Law School riddle," Fenno said. "Why does it take 12 B.S. Associates to screw in a light bulb? Five to form a committee to consider the pedagogic implications of the activity, six to publicize what they're doing, and one to find a 1L to screw it in."

Letters to the Editor of the RECORD

Stone Explains Edelin Comment

To the Editor:

A number of students whose opinions I value have come to me to protest the statements attributed to me in the February 7 RECORD. They inferred from my comments about the trial of Dr. Edelin that I believe that Catholics are more racist than others, that I believe a black cannot get a fair trial in a predominantly Catholic jurisdiction, and they concluded that by my remarks I was contributing to the prejudice against Catholics.

Let me emphasize that I was accurately quoted by the RECORD and that any unfortunate inferences created by my statements are attributable to me. I apologize to those I have unwittingly offended. I do not believe that Catholics are more racist than other Americans, I do not believe that a black will get a less fair trial in a jurisdiction where Catholics predominate than in another jurisdiction.

I continue to believe that the prosecution of Dr. Edelin is profoundly unjust, and he is being made a scapegoat by those who oppose the right to abortion.

Alan A. Stone, M.D.
Cambridge, Massachusetts

Coop Amendments: Self-Serving Acts?

To the Editor:

The Coop amendment ballot which members have recently received should be understood for what it is: a blatant attempt on the part of certain Law and Business School professors, incumbent Coop officers, to perpetuate their tenure. Not content with making the nominating procedure for non-student directors so arduous that of the several submitted petitions only one has ever been accepted, they now proceed to the ultimate solution, abandoning free elections altogether. Nothing could be more contrary to the spirit of cooperative enterprise than to consign the representation of 35,000 non-student members to a self-perpetuating group of ten stockholders. Even under the present by-laws, an outsider who wishes to run must have 100 signatures, which is ninety more than the incumbents need. And, as they point out, 374 votes may be a small number to be the first elected, but that is 374 more than they got last year when they avoided an election — by disqualifying on technical grounds the petition of a distinguished Harvard alumnus! But now, disqualifying individual petitions is too tedious a task for them, so they plan to preserve their salaries and control by spending \$15,000 (of the members' money) to eliminate the elections which threaten them so, even at the risk of violating chapter 156B, sec. 50, of the Mass. Gen. Laws, which provides that "no class (of directors) shall be elected for ... a longer period than four years, and the term of office of at least one class shall expire in each year."

The student-election amendment, on the other hand, is somewhat subtler. Management makes the argument that certain schools should be guaranteed a minimum number of directors. If one grants that, the logical method is to divide the students into separate voting classes and to discontinue electing all at large. But that is not what they propose. They want to eliminate from the bottom of those elected till they get their "required" proportion. (Note: In my two elections as a student (HGSAS) I was the last man elected and I would have been eliminated under the new amendment.) The fact is, this new amendment would effectively prevent any student from a small or politically somnolent school from ever being elected — for instance, someone from the ETS or Harvard Divinity School, and yet, just such a person might have a salutary effect on the moral outlook of the Coop's officers.

My conclusion, then, is a simple one: Vote against both proposed amendments.

Donald E. Steele
Student director 1969-70, 1970-71
Law School Branch Mgr. 1971-72
Alumni director (by petition) 1973-74
McLean, Virginia

Law Notes

Yearbook subscribers should check their Langdell mailboxes for **subscription bills for the 1975 edition**. The price of \$8.00 and the availability of books are guaranteed only until March 15, 1975. Any non-subscribers wishing a book should send a check (payable to the HLS Yearbook in the amount of \$8.00, or \$9.00 if mailed after March 15) to 23 Everett Street, Cambridge, Massachusetts 02138. Books to non-subscribers may be limited in availability.

* * * * *

Paris, France, will be the site of the **Institute on International and Comparative Law**, presenting a program for law students July 1 through August 9 and a short course for lawyers on Legal Problems of Doing Business Abroad June 30 through July 4, 1975. The Institute is co-sponsored by the University of San Diego, the Institute Catholique de Paris, and the Ecole Supérieure des Sciences Economiques et Commerciales. Participants come from both common and civil law backgrounds. Courses offered in the student program this summer

include Comparative Law, European Communities Law, Comparative Conflict of Laws, International Business Transactions, Comparative Environmental Law, and African Legal Systems. Classes are in English. Students will also be exposed to the legal life of Paris. For further information, write to: Dean Herbert Lazerow, Law School, University of San Diego, Alcalá Park, San Diego, California 92110.

* * * * *

A new column entitled "**Pro Se**" will be run in the *Student Lawyer*, published by the American Bar Association Press. The column will enable guest columnists to chronicle the trials and tribulations of law students and lawyers, or to sound off on current affairs in the magazine, which has a circulation of 30,000. Contributions are solicited, can be serious or humorous, and should not exceed 1200 words (five or six double-spaced pages). **Cartoonists** are also invited to submit work (2¼" by 3" single frame or 3½" by 3½" for each frame of strip, or drawings fitting these proportions). Filler illustrations without captions are also welcomed. "We can't pay cartoonists or guest columnists a cent," quipped editor David Martin, "but we can offer fame, notoriety and a chance for law students to unleash their suppressed talent." Contributions can be sent to David Martin, Editor, *Student Lawyer*, American Bar Association, 1155 E. 60th St., Chicago, Ill. 60637.

Cryptic Law

The following excerpt from a rather dated opinion is in "judicial code." Decode it. (Hint: Each letter stands for a different letter of the alphabet.)

Hijoubq pic kyb mqlxokxpp looihojbz kylk
yb zbuxcbz ki hlqq lu l fxxkobuu l Gc. Kcjb,
fybcbjmio kyb hijck ulxz:

"X hlo ubb oif kylk Gc. Kcjb xu oik nixon
ki sb abcr niiz. Yb xu nixon ki sbqxb yxu
olgb. (Uylexon yxuyblz.) Sjk yb'qq sb
qxeb kyb iqz nclr glcb kylk X ui
pcbvbokqr cbpbc ki, bdhbmky kylk yb'u
oik lqq ybqq ki nbk, sjk yb xuo'k nixon ki
sb ficky l zlgo fybo rij nbk yxg."

(Answer on Page 13)

Rule 26:



By Bill Kenety

Q. Last month I got a call from one of my Professors asking me to type an exam I had written. How did he get my name? I thought Professors weren't supposed to know who wrote which exam.

A. A talk with Assistant Dean Stephen M. Bernardi revealed the following information: When the present examination system was adopted seven years ago it was decided that Professors should have access to the name-exam number master list. The idea was that Professors could reward those who had made significant classroom contributions. Hence the availability of your name.

Q. Are second and third year grades ever going to be ready?

A. Grades were *due* last Monday. A confidential source in the Registrar's Office informs me that the number of professors who had turned in grades by 3:30 that afternoon could be counted on the thumb of one hand. After the grades are handed in it will take five working days before the Registrar's Office will be ready to hand out grades.

Q. A lawyer from Seattle writes "Do you know whether the Wilson Law Club is still in existence? If it is I would appreciate one of the members contacting me since I was one of the organizers of the Club."

A. Investigation reveals that the Wilson Law Club, one of the traditional Ames Clubs that flourished in the past, was founded in the early 30's. It was named after James Wilson, a Pennsylvania lawyer and one of the six original Associate Justices appointed to the Supreme Court. An examination of old yearbooks shows no mention of the Club after the early 50's and I assume it went the way of the Bruce Club, the Kaplan Club, etc.

Q. How much pay do RECORD staffers get?

A. Free pizza on Tuesday evenings.

Truth-In-Lending Act Causes Harvard Plan Modifications

By Michael Bowen

Harvard University has modified its Deferred Payment Plan in two respects in order to insure compliance of the plan with the Massachusetts Truth-in-Lending Act, according to materials released by the University News Office on Wednesday, February 19.

The plan as modified was approved by Freyda P. Koplow, Commissioner of Banks, in a letter sent to the University's law firm, Ropes and Gray, on January 24.

The modifications were characterized as "a change from the policies stated in our published material concerning term bills" in a November 6 memorandum from James A. Sharaf '65 of the University General Counsel's office to Director of Fiscal Services R. Jerrold Gibson. However, Roger A. Moore '56 of Ropes and Gray stated that "These changes are minor, and, in fact, no student has been treated otherwise than" the modified plan provides.

The two changes provide (1) that students who leave Harvard in mid-semester will be assessed no charge for tuition, room, board, or health services beyond those assessed on term bills due and payable before the students separate from the University, and, (2) that students may elect to spread discretionary fees, such as library fines, and mimeograph costs, over eight monthly payments without becoming liable for the Deferred Payment

Plan's \$15 "service charge."

The \$15 charge will still be levied on students who choose to spread tuition and other non-discretionary costs over eight months, rather than paying them quarterly.

Before the plan was altered, it appeared from University descriptions that students who left Harvard before the end of a semester could be charged tuition and fees for the entire term, and that the \$15 service charge applied to deferred payment of all University assessments, discretionary as well as non-discretionary.

The Koplow letter indicated that the two changes took the Deferred Payment Plan beyond the ambit of Massachusetts Truth-in-Lending statutes. The effect of the first change is to insure that, at least theoretically, Harvard does not extend credit with respect to such basic charges as tuition, because students will already have been billed for any instruction or other services that they receive.

In her letter to Ropes and Gray, Commissioner Koplow concludes that the view that the Deferred Payment Plan is consistent with Massachusetts law "appears to be consistent with the position which has been taken by the Board of Governors of the Federal Reserve System in construing the language of Regulation Z," but warns that "if that position were to be reversed, there is some likelihood that I would be then forced to view the matter in a different light...."

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SPORTS QUIZ

Yes Baseball Freaks, they're in Florida and it's Spring Fever Time.

1. Arbitration of salaries seems to be rampant among the World Champion A's with owner Charles Finley winning out in most cases. One player who was successful in his arbitration bid is a little known utility infielder. Name him.

2. Major league traders were active in the off-season. Match the following players with their new teams:

- Willie Davis
- Von Joshua
- Ed Brinkman
- Ken Berry

3. In 1911, Ty Cobb had his finest year, leading the American League with a .420 average. Lost in the shuffle was his runner-up, another great hitter who ended the year at .408. Name this runner-up.

4. Match these nicknames to the baseball personalities who bore them:

- The Old Roman
- The Man with the Golden Arm
- Pants
- The Roadrunner
- Paw Paw

5. Bill Veeck of the St. Louis Browns once sent up a midget as a pinch hitter. Name this base-on-balls artist.

6. Speaking of the late lamented Browns (now the Baltimore Orioles), they only won a single pennant as a St. Louis entry. Give the year of this stirring triumph.

7. Match the present team to its early nickname:

- Highlanders
- NAPS
- White Stockings

8. Jackie Robinson was the first black player in the modern major leagues. Name the player who broke the color line in the American League.

9. During the late 1950's the Washington Senators had back-to-back Rookie of the Year winners, one a singles hitter and the other a slugger. Name them.

10. The fans of which major league team have been waiting the longest since their team won its last pennant.

(Answers on Page 15)



Larry Dinger

Robert J. Cubitto 2L, and David K. Staub 1L, receive consideration from Dean Albert M. Sacks in exchange for the first pair of tickets to the Law School Show. Anyone wishing to accompany the Dean may purchase tickets at the Hark from 10 to 2 and at the Langdell Receptionist desk anytime. The Law School Show will run from March 13th to 16th and March 20th to 23rd.

The show, which is entitled "Shake a Legacy", is set in the Old West during the Grant Presidency. The plot revolves about a will which gives a share in a lucrative gold mine to Rose II of Abilene, a cow, and is resolved in a wild election campaign.

Dorm Council Activities This Weekend

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171
Myers v. Georgia 271 F. 2d 168,
you get him."
going to be worth a damn when
not all hell to get, but he isn't
quently refer to, except that he's
the old gray mare that I so fre-
ing his head.) But he'll be like
going to belie his name. (Shak-
not going to be very good. He is
"I can see now that Mr. True is
court said:
witness a Mr. True, whereupon the
nounced that he desired to call as a
Counsel for the plaintiff an-

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Privacy, Press Will Be Tested In Lewin Suits

(Continued from Page 6)

published a story written by Hess which claimed that some private homes for the aged had filed fraudulent Medicaid claims. A series of four articles on the nursing home business followed in the *Times* in early October. These articles gave prominent play to operations alleged to be run by Bergman or his family.

On October 17, 1974, the *Times* reported that Assemblyman Stein's Temporary State Commission on Living Costs would conduct hearings on the nursing home business. These hearings and further investigative reporting produced a large number of news stories through January, 1975, accusing nursing home operators of a wide variety of immoral and illegal activities. Several of these stories described Bergman as a "czar of an empire of pain and profit" based on his alleged ownership or connections with some 117 operations.

Law School Forum Officers Hotly Contest RECORD Article

(Continued from Page 1)

Foster stated that the five speakers offered in the fall represented a typical Forum program rather than a "dramatic decline" and characterized last fall's total of 11 speakers as "abnormally high." He explained that during the seven years prior to 1973-74 the Forum had averaged 4.5 speakers per semester with a maximum of seven.

Replying to the suggestion that there was pointed dispute within the Forum ranks, Foster expressed astonishment. Young termed the suggestion "groundless."

Foster announced six additional speakers who will appear in the Spring.

Former Senator Fred Harris, Presidential aspirant, will speak March 20th.

Former Massachusetts Governor Francis W. Sargent will speak on March 22nd.

Senator Lowell Weicker, member of the Senate Watergate committee, will speak on March 24th.

Melvin Belli, renowned trial attorney, will speak on April 22nd.

Kenneth Towsey, Rhodesian Information Officer, will appear on April 30th.

Pyong-choon Hahm, South Korean Ambassador, will speak on May 7th.

Forum officers added that Rep. Elizabeth Holtzman has also accepted an invitation to speak and that they have at least two other very strong possibilities.

Foster concluded by stating that in his opinion the Forum's spring speaker series would prove to be a strong program. He emphasized that not only would there be more speakers than the Forum has averaged in the past but that these speakers would be of high quality as well.

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Where are your parents tonight?

Season Nearing Final Lay-Up

By Boris Brief

Despite the overwhelming variety and richness of social experiences available on the Harvard Law School campus, over 600 people, students and scholars alike, have decided to forgo other delights and instead participate in the Dorm Council's intramural basketball program. W. Joseph Hetherington, 1L, expressed his reasons for playing, "There is no better outlet for the competitive instincts we all have." Perhaps Robert L. Hinkle, 2L, expressed player attitudes even more accurately when he said "I just play basketball to get in shape for the stickball season."

Perhaps the most impressive thing about the intramural program is the desire and attitude of the players. As Coach L. Miles Dinger (3L) of the Original Clarence Pickard Greater Iowa All-Stars puts it, "We want to play in the worst way." Another impressive element is the balance which is generally present in each of the 6 leagues this season. While Commissioner Gerald S. Greenberg, 2L, doubted that on any given Sunday any given team could upset any other (largely because Sunday is an off day), veteran referee David P. Roy, 2L, had this comment on the improving balance in the league, "Fewer players are falling down when they trip over the free throw line."

SPORTS ANSWERS

1. Ted Kubiak
2. a. Texas Rangers
3. b. San Francisco Giants
4. c. St. Louis Cardinals
5. d. Cleveland Indians
6. e. Shoeless Joe Jackson
7. a. Charles Comiskey
8. b. Carl Furillo
9. c. Clarence Rowland
10. d. Ralph Garr
11. e. Charlie Maxwell
12. 5. Eddie Gaedel
13. 6. 1944
14. 7. a. New York Yankees
15. b. Cleveland Indians
16. c. Chicago Cubs
17. 8. Larry Doby
18. 9. Albie Pearson (1958)
19. Bob Allison (1959)
20. 10. Chicago Cubs (30 years)

Dorm Council basketball fans have witnessed great innovations in coaching this season. Probably the biggest crowd pleaser is a variation of the old back-door play introduced by brainy coach C.W. "Chuck" Maurer of the New Clarence Pickard Greater Iowa All-stars. This play involves an offensive player streaking down the court, sprinting through a door to the right of the basket, reappearing by way of a door to the left of the basket, stepping in bounds and taking a pass for an easy layup.

Another change in the game has been the increasing prominence of swing-men, versatile performers who can help a team in many ways. One such standout is Stephen W. Brewer (1L) of the Gilberts Law Competition team who, according to scouts, can play forward and guard (but not at the same time).

The current season has produced an abundance of memorable individual performances. For the second consecutive year Slade Gellin (Grad. School — Appl. Math) led the league in sweating. Perhaps the most exciting and controversial play occurred earlier this month when *Constitutional Law Professor*

John Hart Ely, the play-making guard of the Boston Ballet, was called for steps. A stunned Ely argued unsuccessfully with the referees that their call was a violation of his right to travel. Ely was still fuming after the game, complaining about the press and its full court coverage. The incident has reportedly prompted Ely to write a new Law Review article on forum shopping which he will call "The Home Court Advantage."

As the regular season dribbles to a close, Commissioners Greenberg and Sheldon L. Solow, 3L, predict the best is yet to come. Their tentative plans for the playoffs call for the first round to begin on March 18 with the championship game slated for March 27. In order to avoid some of the mismatches of previous seasons, plans call for the playoffs to be divided into two brackets (A, B, and C; D, E, and Short). The Championship game will match the winners of the two brackets. Greenberg expects that the top four teams from each of the A and B leagues will be selected for the playoffs, as will the top two teams in each division (law and equity) of the C (Standings on Page 16)



University Wine Quiz #3

1. What Chateaux is reputed to have the finest white wine in all the world?
2. Does rich soil produce a good wine?
3. What year were Bordeaux Chateaux "classified"?
4. Where can one find the best selection of "classified Bordeaux Chateaux from the mid 60's?"

For the answers to the quiz see next week's quiz or drop in at the

University Wine Shop

1739 Mass. Ave., Cambridge (across from the A&P)
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LAST WEEK'S ANSWERS

1. Claret
2. Santa Cruz Napa, Sonoma
3. Sherry, Porto, Madeira



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Standings Show Team Balance

(Continued from Page 15)

League. The other bracket will be comprised of 8 teams, 3 each from the D and E leagues and 2 from the short league.

Those teams that fail to make the playoff cut will soon be hanging up their basketball shoes, but may look forward to rematches next season. Fortunately for them, res judicata is not recognized by the court of Hemenway.

Standings as of February 23, 1975

A" LEAGUE

	W	L
Grovinators	4	1
Clint Burch	4	2
Tom Lee	4	2
Board Stiffs	2	4
Saints	0	5

"B" LEAGUE

Upstarts	4	1
Master Debaters	4	1
One Buffalo Won	4	1
Nunc Pro Tunc	3	2
Blue Leghorns	3	2
All Rits	2	3
Bureaucrats	2	3
Design School I	2	3
Five Easy Pieces	2	3
Frankfurters	1	4
Design School II	0	4

"C" LEAGUE — EQUITY

Small Arms Cache	4	1
Over the Hill Gang	4	1
John Gavin	4	2
Imperatore Family	4	3
Slaughterhouse 5	3	3
Steve Salyer	2	3
Third Time The Charm	2	4
Chemistry School	1	4
Hidden Hand	1	5

"C" LEAGUE — LAW

Justus Blacks	5	0
Pacemakers	5	0
Bombers	4	1
A-masers	3	2
Blue Earth Buchaneers	3	2
Gilberts Law Competition	2	3
Plapsmears	1	4
Nets	0	5
Marty Edels	0	5

"D" LEAGUE

Red Tape	5	0
Shaw I	5	0
Harmless Errors	3	2
Wall-Biters	3	2
Wishful Thinkers	3	2
Sons of Fong Tu	3	2
Ducks	2	3
Impeachable Offense	1	4
Alianza	1	4

Bright Line
Pete Brown

1 4
0 5

"E" LEAGUE

Boston Ballet	5	0
Monumental Farce	4	1
Bob O'Toole	4	1
Nocturnal Dribblers	4	1
Lee's Miserables	3	2
Trashers	3	2
Wild Katz	3	2
Iowa All-Stars	2	3
Beleagured E-Leagues	1	4
Buzz Craven	0	5
Nada Mar Que Pendejos	0	5

SHORT LEAGUE

Strict Liabilities	3	2
Adios Scumbag	3	2
In Re Scumbag	2	3
Lost Plan Lawmen	2	3

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