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TWENTY CENTS

Rolling Stone Combines Law and Psychiatry

By Beth Emery

Perhaps even more intriguing than the titles of his law school courses are the state and federal court cases which pass across the desk of Dr. Alan A. Stone as he performs his duties as head of the American Psychiatric Association's (APA) Commission on Judicial Action.

"Every interesting and important case litigating mental health rights comes across my desk," he explained during a recent inter-

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Groups Present Reforms To Placement Committee

By Bruce Howard

The Placement Committee is considering a comprehensive plan to reform the Placement Office presented to them last month by representatives of the Black Law Students Association (BALSA), the Law Students Guild, and the Women's Law Association.

The proposal is designed to make the office curtail alleged discriminatory hiring practices by some of the firms recruiting here and develop a program of alternative public interest legal career options.

The committee is expected to have a written report responding to the recommendations in the proposal by April 15.

The proposal has been presented to Dean Alfred Daniels, and has been

endorsed by the Law School Council, the Chicano Law Students Association, and Students for Public Interest Law. According to Ira A. Burnim, 2L, and Theodore A. Laster, 2L, the law school administra-

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Late Grades Due Soon; Professors Give Reasons for Their Tardiness

By Paul Coady

When second and third year grades finally found their way into student hands on March 5, hundreds of recipients preserved their blissful ignorance by discovering blank spaces where fall grades would otherwise have been.

According to Registrar Mary Upton, her February 23 deadline came and went with the grades of seven courses left unassigned. The courses with outstanding grades included: *POLLUTION, PRODUCTS LIABILITY AND TORTS IN JAPAN* (Michida); *CRIMINAL TRIAL ADVOCACY* (Nesson); *DEBTORS' AND CREDITORS' RIGHTS* (Axelrod); *LEGAL PROCESS* (Sacks); *CONSTITUTIONAL LAW* (Freund); *TAX-*



Professor William D. Andrews didn't make the grade.

ATION (Andrews); and *TAX: CORPORATE TRANSACTIONS A* (Andrews).

As of this moment, the grades of only two courses are still unreported. Professor William Andrews has yet to file some 109 grades, and Professor Shinichiro Michida has a total of 12 grades which are currently delinquent. Earlier this week, Andrews' *BASIC TAX* grades were transmitted to the Registrar and they should be available to students as this article goes to press. On Wednesday, Professor Freund sent his 169 overdue *Constitutional Law* grades to the Registrar and they likewise will

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Stone Rolls in Legal Psychiatry

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view, adding that as head of the commission he is instrumental in deciding whether the APA will participate in a case, and if so, on what side and in what manner."

Stone said that upon receiving a request for APA involvement, he and a law student research assistant prepare a memo on the issues, which is then sent to other commissioners for their responses.

Most often, he explained, the APA will participate by way of an *amicus* brief. In some instances, when the APA does not choose to get involved, Stone may do so as an individual. Such was the case last year when he assisted in preparing a brief to be used in the Inez Garcia appeal.

Reflecting upon the commission's past experiences, Stone said that the psychiatric profession has "gotten itself between a dog and a lamppost" in many cases. "The problem," he said, "is that plaintiffs have to sue the psychiatrists. This makes psychiatrists defensive, causing them to defend indefensible conditions."

Doctors facing such suits feel they are being personally blamed. Stone, however, would place the real fault on legislatures who fail to provide adequate funds for state institutions.

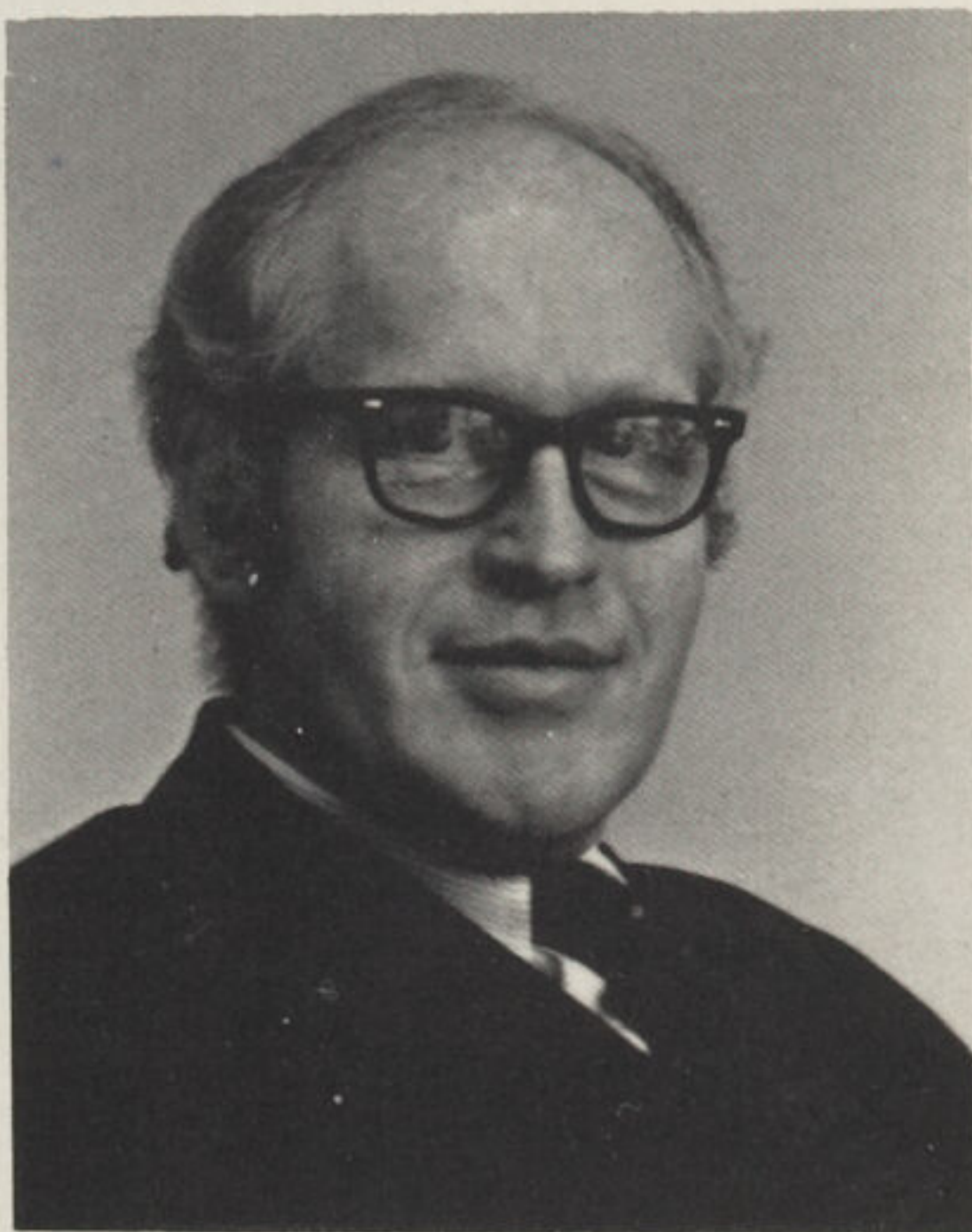
"I've encouraged the APA to welcome (patient's rights) suits," he said, adding, "I also tell plaintiffs to sue every state hospital at once in order to avoid the state's being able to borrow from Peter to pay Paul."

Stone pointed to a major problem with this type of litigation — the enormous pressure put on the state to discharge patients without pro-

viding them with adequate treatment — just to meet a judge's decree. The condition is accentuated in those states which are experiencing a fiscal crisis, he said.

"The irony is in federal courts ordering states to do things while at the same time the federal government is withdrawing its financial support," he said. He noted that in one Washington, D.C. case the Justice Department had actually intervened on the behalf of patient-plaintiffs while at the same time the Executive Branch had impounded mental health funds.

He also pointed to the problems inherent in judges having to administer the state's mental health



Dr. Alan A. Stone

system. "It's an area where we try to get the sides to enter consent decrees," he said.

Stone noted another problem the APA has faced, that of pitting "brother against brother" when the commission decides the APA should join as a plaintiff in a suit naming psychiatrists as defendants.

He discussed a case brought in the District of Columbia by the patients of St. Elizabeth's Hospital. Stone described the federally subsidized institution as a "mega-institution" which was hoped to be a model institution, but which failed to provide adequate care.

"There was a fantastic political controversy within the APA," according to Stone, because the APA was a co-plaintiff and among the defendants were the Chief Psychiatrist at the hospital and the head of the National Institute of Mental Health, both APA members.

Noting a howl of protest came from D.C. doctors, Stone said the commission retained their right to involvement after an 8-8 revote by the APA Board of Trustees. However, the issue became moot since the court ruled the APA had no standing to sue, he added.

The problem of a patient's right to privacy vs. the doctor's desire to publish case studies was raised by one of the first cases Stone was involved with.

He noted that it arose when a former mental patient attempted to enjoin a psychiatrist from publishing a book about her case.

"There has been no careful, proper system of regulation, as to what the standard of disguise should be," Stone said, noting that in this case there had been no effort at all to disguise the patient.

"This is an area of great ambiguity and uncertainty," he said. "We've been working to come up with something that makes sense, but it is terribly difficult and much more complicated than it seems."

Stone said questions raised include how to obtain "informed consent," whose consent is necessary when the case study mentions persons involved with the patient; and how to balance the privacy interests against the doctor's need to publish valuable knowledge.

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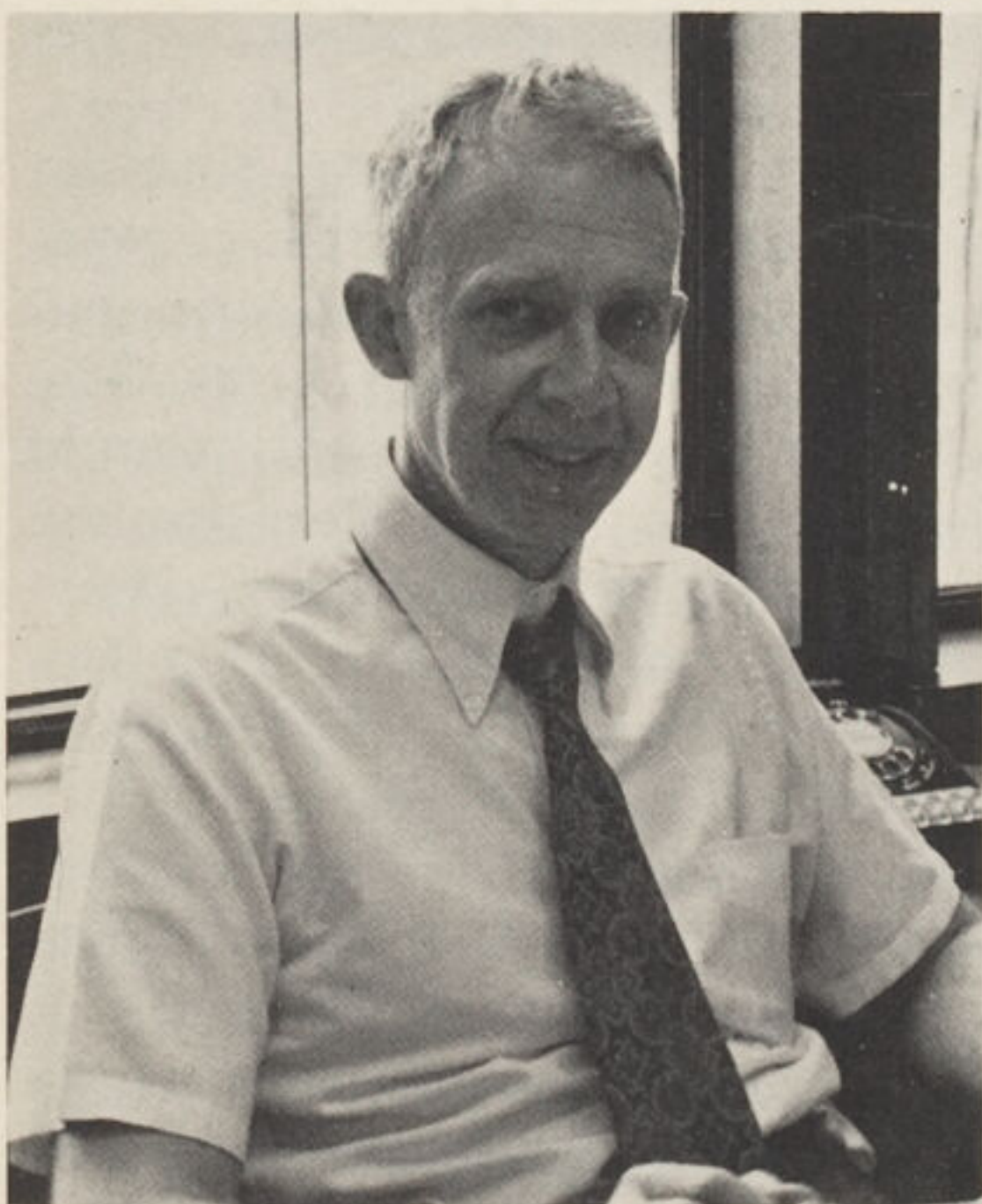
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Vagts Reviews New Nader Book; Extensive, Accurate Research Cited

By Detlev F. Vagts*

Ralph Nader and associates have long been critical of the teaching of Corporations here, referring to it as taking a stroll through the glades of Delaware corporation law. (At the metaphorical level, I prefer to think of it as conducting a dangerous patrol through a hostile jungle seeded with booby traps.) We now have before us *Constitutionalizing the Corporation: The Case for the Federal Chartering of Giant Corporations* in which Ralph Nader, Mark Green and Joel Seligman, on behalf of the



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Detlev F. Vagts '51

Corporate Accountability Research Group, present their analysis of the present and proposals for the future. With it we can more accurately gauge the actual gap between Nader & Co. and the corporation law teaching community.

Let me say at the start that the book is impressive. Its 433 pages (592 with notes and tables) repre-

*Mr. Vagts, Harvard law professor, teaches accounting, corporations, and, at the Harvard Business School, Law and the Corporate Manager.

(Editor's Note: *Constitutionalizing the Corporation: The Case for the Federal Chartering of Giant Corporations*, by HLS graduates Ralph Nader, Mark Green and Joel Seligman, may be ordered by mailing \$25 (\$7.50 for students and faculty) to The Corporate Accountability Research Group, 1832 M St., NW, Washington, D.C. 20036.)

sent an enormous effort, especially when one considers the time pressures on the writers and their inability to rely on logistical support of the scale available in a large law firm or a law school. The research is extensive and appears accurate, although I would succumb to the temptation to pick a few nits if space allowed. However, it is the substantive proposals that count.

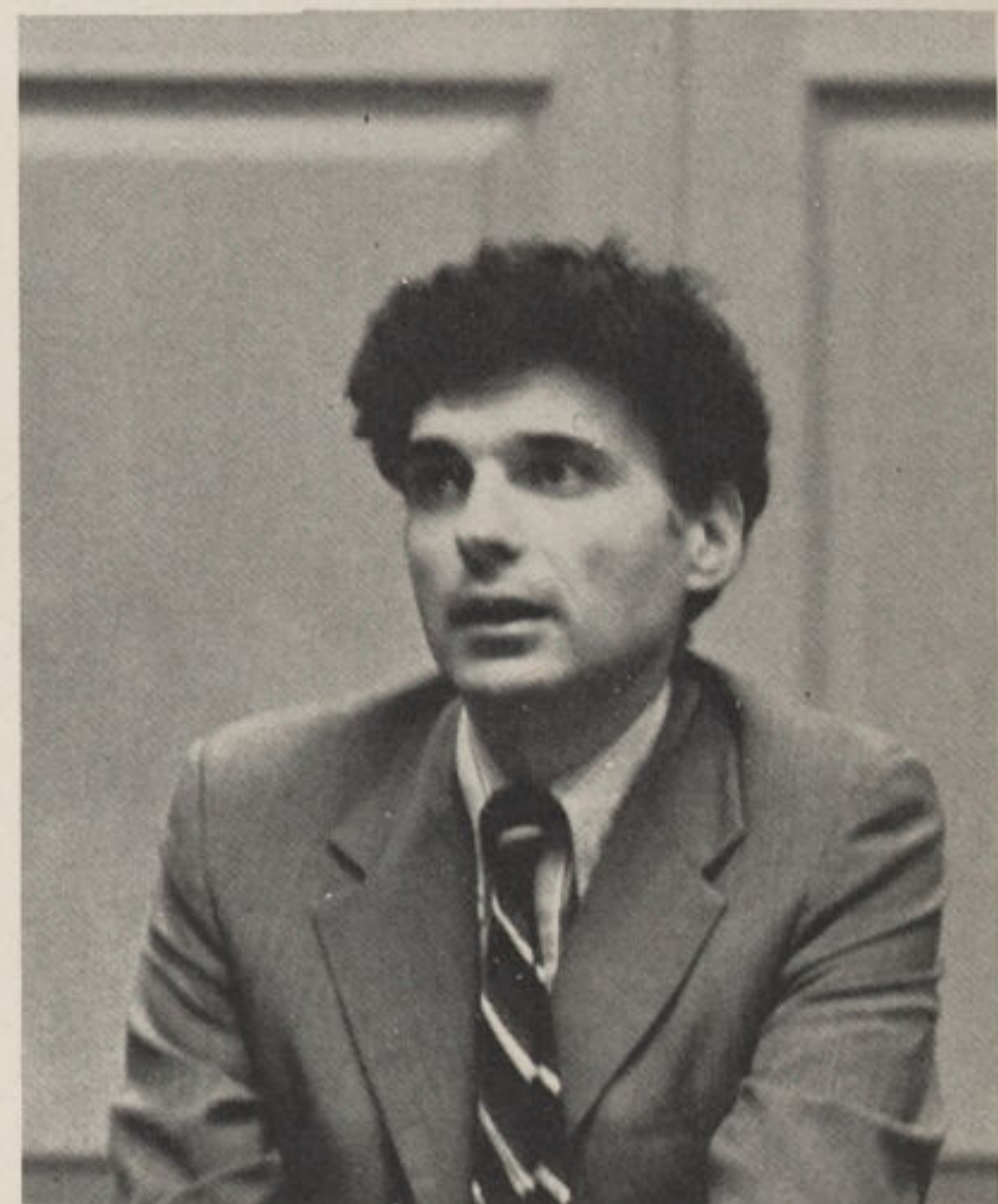
First, Nader & Co. and most Corporations professors are in agreement that a situation in which Delaware, by operation of Gresham's law, can set the standards for corporation law should not be allowed to continue. There are so many ways in which Delaware stacks the cards in favor of management and against investors that commentators are fairly generally in agreement on the need for some federalization of this basically national issue. Indeed, they would probably recommend federal coverage for corporations appreciably smaller than the giants having \$250,000,000 in sales or 10,000 employees and either a securities exchange listing or 2000 shareholders that would be affected by the Nader proposal.

Second, the CARG draft would do some things to corporate structure not so much in the name of investor protection as in the name of the public interest. Here, Nader & Co. are apt to lose touch with corporation law professors — not so much because we do not think that the goals aimed at are worthwhile as because we are skeptical that they will be brought closer by the devices described. Nobody can in any reasonable sense "know" what the results will be, but our instincts shrink from the costs we anticipate.

Some suggestions seem quite misplaced, for example, that board meetings ought to be open to the shareholders. So long as corporations function in an even somewhat competitive world, they are going to send wolves in shareholder clothing

to one another's meetings to the detriment of rivalry among them (or the abandonment of any pretense at doing significant business at board meetings).

Others seem unduly rigid. For example, each board would be composed of 9 members each charged with surveillance over a specific area ("consumer protection", "shareholder rights", "compliance with law", "planning and research", etc.). Even in the large corporations that would be subject to the chartering act there must be some



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Ralph Nader '58

which have little need for one or the other of these categories or in which the responsibilities of directors so designated would overlap and clash. How would the shareholder rights, financial integrity and planning directors interact over, say, an issue involving the accounting treatment and disclosure of transactions with a not wholly-owned subsidiary? If each director is supposed not to have any other directorship so that he or she would be devoting a large part of his or her efforts to this job how will directors interrelate with the full-time executives who are charged with the basic management responsibility for

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Rauh, Frankfurter Clerk, Lectures on His Teacher

By Joseph Rafalowicz

Joseph L. Rauh, Jr., '32, a well-known Washington attorney and recognized authority on civil liberties and civil rights, delivered the second biennial Francis Biddle Memorial Lecture entitled "Felix Frankfurter: Civil Libertarian" in the James Barr Ames Courtroom on February 25.

Although widely acknowledged as a leading civil libertarian before his elevation to the Supreme Court, Felix Frankfurter turned out to be a great disappointment to many for what appeared to be his consistent exercise of judicial restraint in failing to restrain or restrict governmental encroachment of civil liberties. Although he offered no deep insights into this seeming about-face, Rauh, Frankfurter's first law clerk, clearly showed his great admiration and respect for the teacher he affectionately referred to as "FF".

Rauh began speaking of the Autumn of 1917 when Frankfurter, then in his mid-30's and already a veteran social reformer, was appointed by President Wilson as secretary and counsel of the newly created Mediation Commission which was designed to deal with strikes plaguing the war effort. President Wilson specifically requested that the Commission and Frankfurter, as its lawyer, look into the Mooney case and report back to him. Tom Mooney, a labor leader in California, had been sentenced to death for alleged complicity in a bomb explosion that killed many people attending a Preparedness Day parade in San Francisco on July 22, 1916. The Mediation Commission, persuaded that Mooney's conviction had been obtained through perjured testimony, filed a report to the President, written by Frankfurter, urging Wilson to use his office to invoke action by the Governor of California to ob-

tain a new and fair trial for Mooney. The president did as requested by then Prof. Frankfurter but the governor of California limited his response to commuting Mooney's sentence to life imprisonment. Later, in *Mooney v. Hollihan*, the Supreme Court held that a state court conviction obtained through the prosecutor's knowing use of perjured testimony violated due process of law and could be reversed in the Federal court. Frankfurter called the case one of the most important decisions of the Supreme Court. Yet, Rauh pointed out, Frankfurter's enthusiasm for this breakthrough in Federal review of state court criminal processes hardly foreshadowed the deference he at times felt compelled to pay state courts in the criminal field when he later was on the bench.

Returning to Harvard Law School after the war, Frankfurter became a whirlwind of passion and brilliance in scholarship and advocacy. He fought the Palmer Red Raids, the Justice Department's unconscionable conduct toward aliens, was one of the few who responded to early efforts to build the A.C.L.U. and headed the defense of the Amalgamated Clothing Workers against an injunction that would have destroyed the union.

It was thus only natural then, Rauh added, that Felix Frankfurter was drawn into the Sacco-Vanzetti Case. His article in the Atlantic Monthly of March, 1927 touched the conscience of the nation and was turned into a book that went around the world. He forced the Governor of Massachusetts to appoint a special commission with Harvard President Lawrence Lowell as its head to review the case. The Lowell Commission's report went against Sacco and Vanzetti and Frankfurter blamed the tragic end of the case on "men who know but do not speak out". The last desperate efforts to

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Student Groups Offer Placement Office Reforms

(Continued from Page 1)

tion has authorized the committee to do an in-depth analysis of the proposed reforms. "At this point we're satisfied they're taking it seriously," Laster said.

The committee will meet in March and April, and some action on the proposal will probably be taken at that time.

"The law school cannot disclaim responsibility for the perpetuation of racist and sexist employment patterns and attitudes as long as it continues its lax enforcement of standards for nondiscrimination," the proposal said.

The proposal suggested that the placement office establish a separate office to monitor discrimination by recruiting law firms. The office, the proposal said, should keep records of job offers broken down by student race, sex, grade average, hometown and other factors, with the purpose of identifying patterns of discrimination.

The proposal also asks that the office encourage and record informal complaints.

Second, the proposal states that "the Placement Office must develop a program of alternative public interest legal career options if the law school seriously intends to fulfill its broader educational and social function in American society."

To direct such a program, the proposal suggests, an Office of Career Alternatives and Counseling could be established. The proposal asks that the new office help to expand student career options by increasing contacts with non-corporate employers, developing courses focusing on the social structure of the legal profession, and counseling students in non-corporate fields. The proposal suggests that the office be funded by students and "profit-making employers" who recruit at Harvard.

Finally, the proposal asks that firms be required to hold open offers until April 15.

Felix Frankfurter Clerk Speaks About the Justice

(Continued from Page 4)

save Sacco and Vanzetti in the Supreme Court in 1927 were handled by others.

Felix Frankfurter went to the Supreme Court in January, 1939 with the strong support of civil libertarians everywhere. Many expected that he would permit legislatures the widest latitude in framing economic measures while sharply rejecting all attempts to curtail or restrict civil liberties. The test of that prediction was not long in coming. On April 25, 1940, argument was heard in the case of Lillian and William Gilbeites, two grade school Jehovah's Witnesses who were expelled from school for refusing to salute the flag in violation of a local board of education regulation. The Gilbeites children felt that saluting the flag denied the supremacy of God, in violation of their deeply held religious beliefs. The Supreme Court decided to uphold the flag salute requirement and Frankfurter was assigned to write the majority opinion.

If Frankfurter had any self-doubts, Rauh pointed out, the opinion nowhere reveals them. As soon as the opinion was issued, it was widely and almost universally criticized and it was, for the nation's great civil libertarian, a total disaster. Frankfurter's liberal and intellectual prestige, nonetheless, carried Justices Black, Douglas and Murphy with him in the *Gilbeites*

case, but not for long. Barely two years later, in June, 1942, they dissented from the Court's action in sustaining a municipal ordinance requiring Jehovah's Witnesses to pay license taxes on the sale of religious publications and publicly recanted their pro-flag salute position in the *Gilbeites* case. A year later, they joined Stone and newly appointed Justices Jackson and Rutledge to overrule the earlier flag salute case. Throughout, Justice Frankfurter stood firmly by his earlier position. Frankfurter's diaries, Mr. Rauh felt, show that his distain for colleagues he believed more yielding to public pressure in the newspapers and elsewhere made it impossible for him to reconsider and repair the damage.

Justice Frankfurter, in his dissent in the second flag salute case, clearly stated his position with a sharp response to the argument of those who spoke for the "preferred position of civil liberties" and who advocated a different standard of judicial review for legislation affecting civil liberties from that legislation providing economic regulation. "Judicial self-restraint," he wrote, "is equally necessary whenever an exercise of political or legislative power is challenged. There is no warrant or constitutional basis for this Court's authority for attributing different roles to it depending upon the nature of the challenge to the legislation."

Student Groups Announce New Officers' Names

By Gary D. Hailey

Five Harvard Law School organizations have recently announced the names of their new officers.

Laurie D. Zelon, 2L, is the new editor-in-chief of the *Civil Rights-Civil Liberties Law Review*. The other members of the editorial board of the *CR-CL Law Review* are Floyd R. Finch, 2L, managing editor; Anthony Doniger, 2L, executive editor; Roger J. Bernstein, 2L, senior articles editor; Cedric C. Chao, 2L, senior comments editor; George Kannar, 2L, book review editor; Charles D. Case, Horace C. Collins, John A. Payton, Kenneth W. Ritt, Alan D. Strasser, and Stephen A. Weaver, all 2Ls, comments editors; Kenneth L. Carson, Anthony L. Earley, Vaughn Finn, Robert L. Hickok, and Margaret V. Sachs, all 2Ls, articles editors; and Joe Goodman, 2L, projects editor.

The new president of the *HARVARD JOURNAL ON LEGISLATION/Legislative Research Bureau* is Robert B. Leflar, 2L. The other *JOURNAL/Bureau* officers and editors are Thomas L. Burroughs, 2L, and Timothy J. Howard, 2L, managing editors; Lorraine S. Blair, 2L, articles editor; James K. Cameron, 2L, and Richard B. Oliver, 2L, note editor; Glenn R. Reichardt, 2L, director of legislation; Barry M.

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Inquiring Photographer

By David Halprin
Photographs by Stephanie Smith

Question: What are you doing next year and how do you feel about it?

Fred Fisher, 3L

I'm working in a law firm in Cleveland and I feel marvelous about it. I intend to practice corporate law and law school was a year too long. The amount you learn is not worth the time. They should admit the Law School is a trade school and save us all a lot of money.



Roberta Fisher, 3L

I have to admit I've learned a lot this year but it cost a lot of money. I don't know that it was worth it. I'm anxious to work and I'll be glad to be out of debt and out of school.



Brad Gator, 3L

I don't know what I'll be doing and that leaves me a little uneasy. Originally I was trying to get a public interest job but they don't have very good placement services for that. Also, the financial aid program leaves me too much in debt not to take a high paying job. I'm getting ready to go to New Orleans to get a law firm job to pay my debts, which I'm not looking forward to. I feel like I'm being thrust into something I don't want to do.



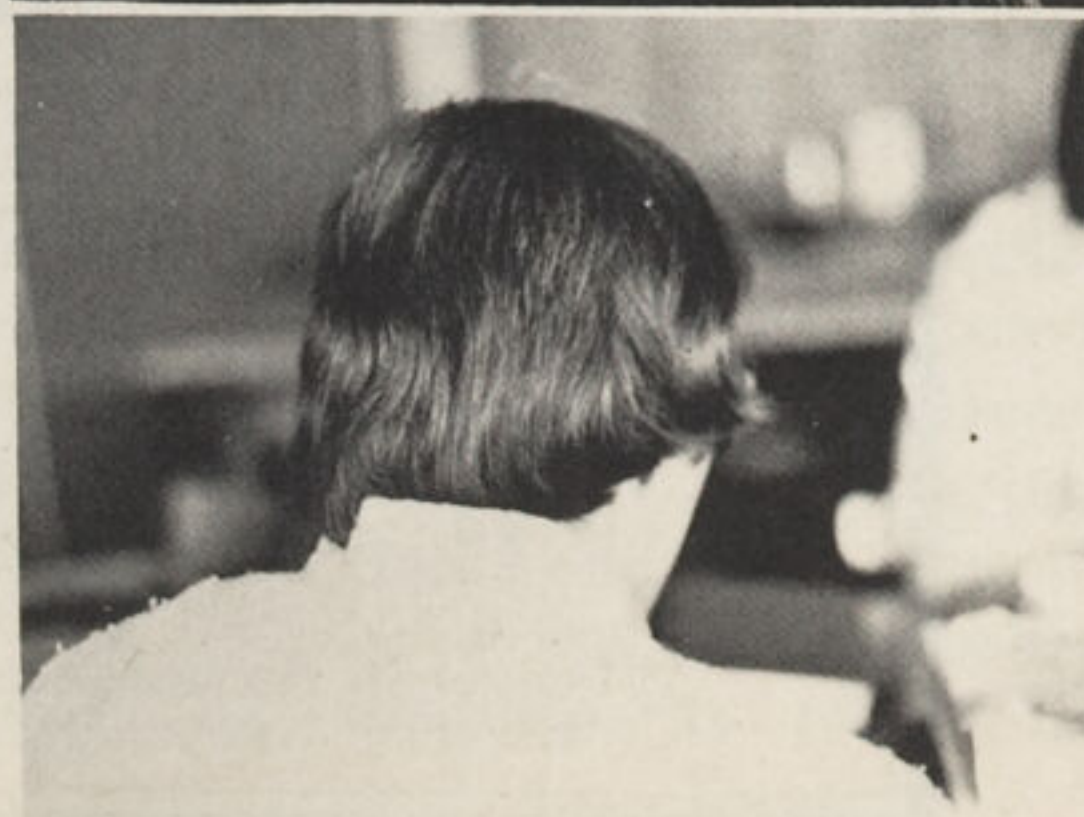
Ron Foy, 3L

I'll be working in a firm in San Francisco, and I feel good about it. The firm does the things I'm interested in: big case litigation, major complex cases. I'm most happy about San Francisco because of life style. Young lawyers can pursue their life style without hassle, segregate their personal life from their professional life and not have the latter put limits on the former.



Anonymous, 3L

I'm going to Chicago. I feel reasonably good about it. I don't know why I'm doing it. I got into law school blindly; it and business school were the only alternatives that offered a generalized professional education. But I don't want to be known as a non-goal oriented person at my firm.



Edwards, Unger, Kennedy Tenured

Harry Edwards, Duncan Kennedy and Roberto Unger will be appointed Professors of Law without limit of time, effective July 1, 1976. The decision to tenure these professors was recently made by the Governing Board of the University. The Board approved a faculty recommendation.

Tenure decisions at the Law School are made by the Appointment Committee, the Faculty, Harvard Corporation and the Governing Board of the University. According to Dean Albert Sacks, a candidate's "teaching, scholarship and contribution to the School" are evaluated.

Dean Sacks made it clear that a report that Assistant Professor Lance Liebman had been denied tenure was incorrect. However, Sacks refused to comment on any pending tenure decisions, noting that it was his policy never to discuss appointment matters.

Professor Kennedy was also unable to comment on the recent decision. Questioned whether the appointment to a full professorship changed either his life or his attitude toward the Law School, Kennedy made no comment.

Answers Where Were You in '52?

Hervitz.
Westfall, (5.) Peter Bator, (6.) David R. Bator, (3.) Roger D. Fisher, (4.) David (1.) Henry J. Steiner, (2.) Paul M.

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You Can Profit From the Holocaust

By Bruce Howard

(Editor's note: As a special service for its readers, the RECORD engaged the services of the eminent investment counseling house of Beige and Hut-Hut to provide long-term financial planning advice especially designed for Harvard law alumni and students.)

Although we had our suspicions, we at Beige and Hut-Hut did not know the holocaust was imminent until last Sunday, when Secretary of the Treasury William E. Simon announced on Meet the Press that it was all over. Now a holocaust is no laughing matter. Mass starvation, total destruction, and the complete cessation of life will cause untold discomfort. But at the same time, we at Beige and Hut-Hut feel there are opportunities for the shrewd investor. In this troublesome era of the institution-dominated market, the private investor must be an opportunist, even in the face of apocalypse. The fact of the matter is, *you can profit from the holocaust.*

This article, prepared especially for Harvard law alumni and students, will tell how.

Rule one: Dispose of long term securities. With the world about to end, a portfolio based on low yield, high growth stocks is unduly conservative. In fact, considering the circumstances, having a portfolio may be unduly conservative. With The End less than six months away, we recommend selling all chemicals, plastics, bicarbonates, utilities, railroads, and any other stocks you may own.

But what to do with the cash? We feel this depends to a large measure on the specific nature of the holocaust. To assist our clients, we at Beige and Hut-Hut have compiled and listed in numerical order a series of seven Contingency Tips, one for each projected denouement.

TIP ONE: Nuclear War — If nuclear war erupts, all life will be destroyed. With all life dead, labor intensive industries will be hurt badly. Avoid factories, nonautomated farms, sports franchises, and any other enterprise relying heav-

ily on human participation. Instead, we advise stockpiling inanimate objects, i.e. items already dead.

Contrary to popular conception, stockpiling canned and dehydrated food is not a good move. With no life on earth, the demand for food will drop dramatically. Instead, pick up rare gems, nonmetallic antiques, and potential memorabilia such as toilets and low calorie beer. Such items can be obtained through a process called purchasing. That is, buying them with money. Money, by the way, will become worth next to nothing. Nothing, also, will be worth less, since there will be so much of it after The End.

TIP TWO: Fire and Brimstone — If, as Artery Associates predicts, the planet catches on fire and burns to a crisp, we advise extreme caution. At first, inflammables will double in price, but be careful: the price will soon plummet. In the beginning of the conflagration, high capital investors will want inflammables because flammable items will be so unstable, and could cause blisters. But after the fire, inflammables will be scarce and at a premium. Inflammables, once so eagerly accumulated, will become commonplace and dull. Instead, the

rarer flammables such as food, clothing and shelter will carry the big prices.

TIP THREE: Apocalypse and Religious Last Judgment — If there really is a God, and he decides to pull the plug on earth, wages from sin-related securities, such as breweries, pin ball franchises, and the motion picture industry, will be a definite liability. Charitable donations, traditionally relied upon for income tax deductions, will take on added importance. Give your assets away as quickly as possible, preferably to people almost identical to yourself. This is because God is known to operate within a quota system, as evidenced by the Noah's Ark transposition of the late 20's, B.C. Making your competitors seem successful and gluttonous will enhance your chances for salvation.

TIP FOUR: Bees and locusts — A ravenous swarm of locusts has been sighted sweeping through Alberta, Canada devouring all the corn, wheat, and cheesecake in its path and heading in the general direction of Baltimore. Meanwhile, thanks to the watchful eye of the press, we have all been alerted to the six billion killer bees murdering their way through Central America en route to the United States. Now

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Stanford Law School Summer Session June 21-August 14

Open to students who have completed at least one year of law study. An application letter should summarize the applicant's undergraduate and law school academic records and include the LSAT score and a letter of good standing from the law school the student is attending. Tuition is \$416 for the first 3 semester units, \$122 for each additional unit.

Conflict of Laws

Professor Moffatt Hancock, Stanford Law School
3 semester units

Federal Jurisdiction

Professor William Cohen, Stanford Law School
3 semester units

Justices Black and Frankfurter: Two Judicial Worlds*

Associate Professor Richard J. Danzig, Stanford Law School
3 semester units

Taxation

Visiting Professor Alvin C. Warren, Jr., Univ. of Pennsylvania Law School
3 semester units

*Seminar

Further information: Admissions Office, Stanford Law School, Stanford, CA 94305

Nader Proposal Sparks Debate

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those fields?

My impression would be that mandating a single format of such particularity for several hundred corporations would be a massive intrusion into the field of organizational design. The creation of suitable structures for large corporations has been one of the major achievements of American management; I have little faith in the ability of either Congress or the stockholders to do as well.

Third, the CARG proposal covers areas outside of the expertise of corporation lawyers, specifically in the antitrust field. It would "deconcentrate" firms where four (or less) firms control 50% of a relevant market. Here the gap between Nader and Harvard (in the form of the Kaysen-Turner formula) can be precisely quantified — it is 30%.

Whatever the exact degree of our differences, we can all appreciate the service which this report (as well as other works such as Professor Christopher Stone's) has done in placing this set of issues on the agenda for public debate and in helping raise the subject matter of corporations above the level of complex triviality.

Professor A. James Casner has been appointed the first Austin Wakeman Scott Professor of Law, and Professor Victor Brudney has been appointed the ninth Weld Professor of Law. These appointments were confirmed Monday.

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Scene at the recent John Stuart Mill Society Bake Sale held for the benefit of the Equal Rights Amendment. Over \$400.00 was raised.

Jessup Competitors Win NE Regionals

By Jerome Breed

The Harvard team swept the Northeast Regional of the Jessup International Moot Court Competition held in Portland, Maine on March 12, 13, emerging not only as the best team, but also winning the award for best memorial and individual awards for best oralist, Jess Hungate, and runner up oralist, Richard Robol.

Other team members were oralist Debora DeHoyos, Jonathan Schur and Ham Loeb. All five team members are first year students, selected through an elimination tournament held as an Ames Alternative.

The Regional Competition consisted of four rounds, in which Harvard had the opportunity to meet each of the other competitors, from Suffolk University, Boston University, Western New England College School of Law, and the University of Maine.

Each team represented the applicant twice and the respondent twice in a hypothetical case before the International Court of Justice. Harvard will now compete in the National Competition held in Washington D.C. on April 22, 23, and if victorious in the nationals, will represent the United States in the world championship.

The 1976 Jessup problem was based upon a hypothetical amendment to the Foreign Investors Act of 1975 which empowered the Secretary of the Treasury to seize the stock of a corporation acquired by any party, if the acquisition was found to be harmful to the domestic economy or national security.

The legal issues focused on the international affect to be given to a seizure of corporate assets undertaken pursuant to the amendment. Issues of corporate and securities law were also raised, placing the third year students who comprised the teams from the other entrants at a significant advantage over the first year students representing Harvard who nonetheless won the competition.

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Conduct Unbecoming

Responsibility is a two-way street.

While some professors undoubtedly have good reasons for being up to a month late in submitting their grades, such as Professor Shinichiro Michida's, others seem to have put research or other interests ahead of grading exams within the required six-week period.

For many students, the receipt of grades does nothing more than satisfy their curiosity. But this is a legitimate interest, given the (at least psychological) importance of grades to law students.

Of even greater concern, however, are the effects which late grades can have on those students who need them for employment-related or academic reasons. Some employers wish to see the fall term's grades before making a final hiring decision. If a student is in academic difficulty, the grades may be crucial to one's future academic progress, at least as far as one feels about continuing legal education. For others, grades are important in determining whether they will be accepted as a transfer student at another school of law.

Professors should be concerned with meeting the reasonable deadline imposed upon them by the administration. There are important and necessary grounds for complying with this standard. Credit goes to the many professors who met the deadline. Professors should have very strong reasons for not falling within this category.

Thieves Like Us

The RECORD apologizes for last week's issue. Apparently, someone substituted a fake 20-page RECORD replica for our usual humdrum 16 pages. We disclaim all responsibility, but take the blame. We trust no one was needlessly offended.

There are some important people at the Law School who have been taken to task in the pages of the RECORD. Yet when we have stepped on toes, it has been for a purpose, and with the best of intentions. We report criticism where criticism is due and we report praise where it is merited. Sometimes we make judgments. We hope to make some contribution toward improving the academic experience of the Law School for everyone. This goal, along with that of informing the students and alumni of Harvard, along with that of informing the students and alumni of Harvard, form the twin purposes of the RECORD.

HARVARD LAW RECORD

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Fenno

The 1L examined the page of numbers before him, his perplexity evident. Periodically, he punctuated his efforts to construct an equation relating the numerical configurations on the sheet by wiping his ink-stained fingers on his "Free Tania" T-shirt.

"Take Carter and 5% of the vote," Fenno advised him.

"In New York or Wisconsin?"

"Both. Call it a daily double."

"Thanks a lot," the 1L muttered without looking up. "You're the one who told me to give Reagan 5½ in North Carolina."

"That one even had Reagan fooled," Fenno shrugged, "although I admit, that's not much of a defense. But at least I had the spread right."

"That they don't pay me for," the 1L replied curtly. "I've either got to start winning more or gambling less. I don't think the Law School financial aid application has an expense category for Losses Sustained Trying to Handicap Presidential Primaries."

"So transfer to the Kennedy School for a year." Fenno tried to sound encouraging. "I hear they're very understanding about that kind of thing."

The 1L would not be buoyed. "I think I'd rather win," he declared materialistically.

"You've got to face the fact that you're going against some pretty heavy competition," Fenno cautioned. "People in this dorm are veterans of such complicated pools as the annual effort to guess what month Professor Freund will turn his *Constitutional Law* grades in, the companion pool as to what year he'll turn them in, and the Binary Pool, concerning whether he'll turn them in at all. And of course there's the ever-popular effort to determine which female 1L in Section 3 will get the symbolic A+ in *Civil Procedure*."

"Don't you ever gamble on things outside the Law School?"

"Sure. We just paid \$100 to the guy who won the Baltimore Catechism Pool by correctly guessing how many present or former governors of Maryland would be named in criminal indictments between the 1969 World Series and the Bicentennial."

"Some of those sound like they're in pretty bad taste."

"In an absolute sense, maybe," Fenno conceded. "But compared to the pool on the date of Richard Nixon's suicide — which we had to take off the boards because of the pardon, of course — they're in impeccable taste."

The 1L grimaced. "Wasn't that rather morbid?"

"Well, it's never easy to give gamblers back their money," Fenno admitted. "They just waste it on *Gilbert's* and cheap outlines. But, no, I wouldn't call it morbid, exactly."

Letters to the Editor of the RECORD

HLS "Sojourner" Laments for Loss

To the Editor:

I strongly feel that the student protesters and *Harvard Law Record* have been unfairly harsh to one of the Law School's most distinguished professors, Mr. Louis Loss. I took Mr. Loss's Securities Regulation course in 1970-71, and found it to be one of the high points of my sojourn at Harvard. I was not particularly pleased with the exam in the course that year, but with the perspective that practice gives, I have found that it is not the exam which determines the merit of the course, but that knowledge the student absorbs during the semester and his preparation for the exam. I submit that each and every student who complained of Professor Loss's exam obtained just as much information about Securities Regulation from this leader in the field, as he or she would have acquired had there have been twenty original and beautifully drawn questions.

I further submit that there is not one other person in the United States who teaches a better course in Securities Regulation, as far as substance is concerned, than Professor Loss.

As long as prior exams were equally accessible to all students, I see nothing inherently unfair in the reuse of old questions.

Robert L. Potts, LL.M. '71
Florence, Alabama

Lesley Lesson: Pokes not Jokes

To the Editor:

Due to the nature of the RECORD's subject matter, few Lesley College students will read and respond to the "joke" issue published March 19, 1976. We felt it necessary as Lesley College students to reply to the slanderous remarks found in three articles of this particular issue of the RECORD and those in previous issues.

We are tired of the pompous, uncreative innuendos and stereotypes made by law students in their feeble attempts to cast the typical Lesley student as being a mindless coed in hot pursuit of a Harvard Law student. Check the attendance of your mixers, parties, etc. (which we might add are heavily publicized by means of *your* posters) and see how strenuously we are carrying out our search.

If we were interested in casting stereotypes (and we are not), the following comment by a 3L student from the RECORD dated March 12, 1976 would be appropriate: "... about my fellow students ... they're money-grubbing,

status-seeking, and incredibly insincere ... We are left with the question — Is it easier to deal with people by unjustly stereotyping, in an attempt to flatter the perceiver?

Mary Jo Peed '78
Joy Felske '76
Lesley College
(RECORD secretaries)

Gay Viewpoint: Fenno Flagrant

To the Editor:

Surely you didn't think you'd get away with the cheap shot contained in page 10 of the February 27 RECORD. My reference is, of course, to the smugly anti-homosexual *Fenno* column of that issue, just received.

It's easy to ignore those paragraphs. After all, law students whose world is bounded by Gannett House on the south and 23 Everett on the north are more to be pitied than railed at for their narrowness. But comment is in order, I think, if only for that future day (if it ever comes) when Fenno graduates and moves his little world to State Street.

It takes little imagination to guess what a storm would rage if the racist or sexist counterparts of "fairy" and "queer" found their way into the RECORD. Hiring partners — perhaps themselves ex-RECORD staffers — who favor such questionable "humor" at interviews soon learn a bitter lesson, as the very same RECORD issue shows in some detail. We are not told if similar vigilance is exercised on behalf of all HLS minorities.

Apparently the same parochial self-satisfaction that produced these offensive interviews years ago is still afoot at HLS today. It is part of that occupational disease of lawyers that sees live people as mere collections of casebook issues. Mrs. Palsgraf becomes "proximate cause," Mr. Escobedo becomes "coerced confession." Now, some unnamed hypothetical gay person has become "administrative law / due process / first - fourth - ninth - fourteenth - amendments / personal privacy / penumbras."

Gay people — as opposed to gay Ames cases — abound, whether Fenno likes it or not. Gay law students' organizations exist at Boalt Hall, Stanford and Hastings law schools. The Gay Caucus of the National Lawyers Guild has members in nineteen states, including Massachusetts. Gay people are physicians, teachers, pro football players, policepersons and state legislators — although you wouldn't realize that by reading *Fenno*.

Labeling and pigeonholing people is an easy way to deal with those who may be unfamiliar, and is a popular

classroom tool. But the ostensible goal of high-class legal education is a broad knowledge of the world as well as of the sorry mess that often passes for casebook reasoning. Let's not insult your readers by quoting Holmes on "the life of the law." They get the point, or will in time.

Humor, heaven knows, is in short supply these days; but stereotypical "humor" is cheap and, if I may say so, unworthy of a truly elite law school. Perhaps our anonymous Fenno should devote his (her?) efforts to explaining why life at The Law School isn't gayer than it is.

Don Solomon, '73
San Francisco, California

Cavers vs. Chair— Emeritus or Nelson?

To the Editor:

Always I appreciate the humor, intended and not intended, of the RECORD. Regarding your reference on page 13 of the 13 February 1976 issue to Professor David F. Cavers, I think, had he had a chance to review your draft he might have been tempted to leave in the sentence "David F. Cavers was previously the Fessenden Professor of Law and now holds that chair in an *emeritus* position." Even such temptation, though, to see himself trying to hold a chair in an *emeritus* position would, if he is the same Uncle Dave I knew at Duke and Harvard, be resisted, and the line sadly blue-penciled.

J. O. Tally, Jr., LL.M. '46
Washington, D.C.

LL.M. Article Errs: Half-Wit Has "Two Wit"

To the Editor:

The RECORD of March 19, 1976 is another example of journalistic ignerence, two-wit: The headline announced the "End to L.L.M. Program." Any fool knows that there is no period after the first L in L.L.M., just ask any grad student. Several year ago in Latta, when the Lattins invented Latin, they could only think about one thing at a time so made no provision for the plural gender and thus did not invent an "s." (Which fact accounts for the lack of an S.J.D. program at Latta Law School for so many century.) Many year later the problem came to light and was quickly solved by the Association of Catholic Schor (the only place Latin is spoken) by doubling the first letter of pluralized words. Thus, the degree which you intended to scoff is abbreviated "LL. M." — *Lottsamora Moola*, so designated because those with the LL. M. become teachers and earn annually what an

(Continued on Page 12)

— Letters —

(Continued from Page 11)

average 1L earns during a summer clerkship. The program, contrary to reporter Evans' account, is a grooming test of scholarship and requires not only occasional class attendance but the satisfactory completion of a master's theses as a written requirement which makes a "substantial and valuable contribution to learning." As a matter of fact, I have submitted a draft of this letter to my advisor and he says it satisfies the written requirement for my LL. M. So, the last laugh is on you. Next time you decide to attack a program, do your homework, clowns.

Charles O. Bennett, Jr.
Grad. Student
Cambridge, Massachusetts

A Boston Attorney Offers Free Advice

To the Editor:

With respect to the article "Grade Delivery Attacked", may I please make use of your columns to communicate to those who complained about the manner of first year grade delivery.

Ladies and Gentlemen —

If you find that you cannot stand the psychological pressure of waiting 24 hours for your grades and then picking them up in a room with your classmates, I suggest that you resign from the School now and seek some other profession since if you go on in this one, you are going to find yourself exposed to greater stresses on four days out of five.

To paraphrase the greatest President the Democratic Party has produced in this century, if you can't stand the heat, you had better get out of the kitchen at the earliest practicable time.

Franklin N. Cunningham
Boston, Massachusetts

Law Notes

Temporary foster homes are desperately needed for Cambridge teenagers. If you want to help and have a spare bed available, please contact Mrs. Nancy Looney, **Cambridge Community Service Center** (Massachusetts Dept. of Public Welfare), 57 Inman Street, Cambridge, Mass. 02139 (telephone 661-0477).

* * * * *

Applications are now available for grants from the **Mark DeWolfe Howe Fund** for the coming summer or for the '76-'77 academic year. Grants from the Fund, with annual income of \$4000 available for distribution to one or more recipients, are

awarded to "support proposals that are in the spirit of Professor Howe's commitment to the cause of political liberty, social justice and the highest standards of scholarship." Students, faculty, administrative officers, or recent graduates of Harvard or Radcliffe with proposed study/research in the area of Civil Rights-Civil Liberties and Legal History may obtain application forms from Assistant Dean Stephen M. Bernardi's secretary in FOB 100. April 16 is the application deadline.

* * * * *

The schedule of upcoming lectures in the **Ford Hall Forum** series of Northeastern University is as follows: April 4 — **Max Lerner-Reid Buckley**, "The 1976 Election: Two Views — Liberal and Conservative"; April 11 (Forum Members Only) — **Ayn Rand**; April 18 — **Bruno Bettelheim**, "Sex Revolution and the Future of the Family"; April 25 — **Eliot Janeway**, "Where Do We Go From Here? The Economy of the Future"; May 2 — **Isaac Asimov**, "The Science Fiction Writer as Prophet — i.e., Solar Energy." All lectures are Sunday at 8 p.m., in Alumni Auditorium, 360 Huntington Ave., Boston (free parking on campus). Free seats while they last. Student Forum memberships (better seats) are \$5 (\$7.50 couples); others are \$10 (\$15 couples). Call 734-3796 for information.

* * * * *

On Passover this year, **Harvard-Radcliffe Hillel Society** will hold two Seders and will be serving Kosher lunches and dinners throughout the holiday (April 14-22). It is necessary to make reservations with Hillel before April 1. Call 495-4696.

SPORTS QUIZ

1. Who holds the record for most points scored in a single NCAA Championship Tournament?
2. Elgin Baylor and Jerry West led the 1961-2 L.A. Lakers, who lost a seven game championship series to the Boston Celtics. Frank Selvy was the other starting guard. Who were the other two starters?
3. Which of the ten teams that played UCLA in the NCAA finals between 1964 and 1975 came closest to beating the Bruins?
4. Since Golden State triumphed last year, the talk in the NBA has been of balance. Which team last season — not the Warriors — was the first in NBA history to have eight men average in double figures?
5. What is the highest any Ivy League team has finished in the NCAA Tournament and what was the school?
6. Bailey Howell was a key man on the Celtics' championship teams in 1967-8 and 1968-9, as was Gail Goodrich on the Lakers' championship squad in 1971-2. Both have been traded one-up for the same man. Who is he?
7. One of the coaches in the NCAA Tournament this year has the highest winning percentage in major college action of any

currently active major college coach. Who is he?

8. After all these NCAA and NBA championship questions, here's one from the other end of the spectrum. Who were the two men to play on both of the two worst teams in NBA history?

Sports Answers

1. Bill Bradley, Princeton, 1965, 5 games, 177 points.
 2. Jim Krebs, center, Rudy LaRusso, forward.
 3. Florida State lost by only five points, 81-76, in 1972.
 4. The eminently balanced and successful Atlanta Hawks.
 5. Dartmouth, second, 1942 and 1944.
 6. Mel Counts.
 7. Jerry "Tark the Shark" Tarkanian, Nevada Las Vegas.
 8. Walt Wesley and Dave Sorenson both toiled for the 15-67 1970-1 Cleveland Cavs and the 9-73 1972-3 Phil. 76ers.
- Ed. Note: No postscript this week. The Sports Quiz writers have joined Editor Roger Evans in Martinique, in an attempt to flee the libel suits anticipated from last week's RECORD.

Cryptic Law

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

"Ihr hsn ab i lvdo aw vhijmt fs dtizp i xtdrazf fpif aw wifawbizfsdo, af wttew fs et fpif fpif zshwfafvftw i jmizy tot sh svd wowfte sb Ksxtdhethf. Af aw dtimmo ih thzsvdiktethf fs fpt Zseevhawfw ihr fpt sfptd gtsgmt nps nsvmr mayt fs sxtfdpsn svd wowfte sb Ksxtdhethf."

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Stone Heads APA Division

(Continued from Page 2)

"There isn't even a distinction between public magazines and scholarly journals anymore," he said, adding "they are all very public today."

Moving back to the area of right to treatment, Stone discussed *O'Conner v. Donaldson*, 95 S. Ct. 2486, handed down last spring and heralded by the ACLU as a landmark decision.

Actually, it hasn't produced a great effect, according to Stone, who said that the Court ignored the "right to treatment" issue and instead ruled only that "non-dangerous" mental patients cannot be involuntarily detained in mental hospitals.

The APA had submitted a brief arguing for a patient's right to treatment, but took the stand that the doctor (O'Conner) should not be personally liable for damages. Donaldson sued under 42 U.S.C. §1983, claiming the psychiatrist had violated his civil rights by keeping him in the institution for 15 years without giving him treatment.

Stone noted that by the time the case went to trial, Donaldson had been released by O'Conner's successor. "This reflects the change in mentality of doctors in state hospitals," he said. "There is a new revolving-door, community health center approach which has supplanted the old view held by doctors like O'Conner toward custodial care."

Stone also discussed a Pennsylvania case the commission is now reviewing for action. It involves the question of whether children can be confined in a state institution and the confinement be considered "voluntary" due to parental consent.

He noted the problem with giving children due process rights is that if a lawyer successfully blocks the parents' attempt to commit the child there is no way a court can

Fifty Ways to Make a Profit

(Apologies to Paul and William Simon)

I know you find it hard to think like business school
But with a little introspection you can figure out their rule
For making it. . . . And if you're nobody's fool
You'll see there's fifty ways to make a profit.

It may be hard for you to think in just that way
But it won't take you long before you learn the game they play
When you graduate. . . . 'Cause if you want to earn your pay
You'll learn those fifty ways to make a profit
Fifty ways to make a profit:

Chorus

Rent 'em a truck, Chuck,
Teach 'em to ski, Lee,
Make 'em a pill, Phil,
(And sell on T.V.)
Build 'em a shack, Jack,
Who cares if it's tick-tack?
Rent 'em a gal, Sal,
(Don't give it out free.)

Of course you hesitate to own up to your greed
Though when you're 40 and you're mortgaged up you know that all you'll need
Is more. . . . That's when you'll really start to heed
Those fifty ways to make a profit.

By now I guess you know the moral of this song
And in a couple years you know you'll want to sing along
In your partnerships. . . . And you'll know no right from wrong
But you'll know fifty ways to make a profit
Fifty ways to make a profit:

Chorus

(This poem was discovered in a *Corporations* classroom one Tuesday morning. — Editor.)

then order the parents to keep the child and be "good" parents.

Describing it as a situation "where one feels there is no good decision," Stone pointed out his personal view is that the child should be entitled to due process when the commital is for a long period only.

He pointed out that some necessary programs involving short-term commitment may not be in the best interests of the child, e.g. a two-week commitment to give the parents a vacation. "We want the state to devise methods of support without warehousing the children," he added, "and sensible short-term plans could be destroyed by due process."

"But I am probably in the minority on the issue of a child's right to due process in this context," he noted.

Pointing to the Donaldson case, which is now back in Fed-

eral District Court for a trial as to damages, and the right to privacy suit which was before the Supreme Court in 1973 and now back in lower court awaiting a new trial, Stone summed up the current state of affairs by saying his general impression is that all mental health litigation will go on for years and years.

"The Supreme Court is sending cases back for exhaustion of state remedies. We can't get a quick federal stand which affects every state," he explained. This seems to indicate that the work of Stone and his student assistants will go on.

"IT'S ALREADY TOMORROW"

A national address by Asa E. Phillips Jr., '38. Reviewed as, "the finest thinking of the decade." Illustrated. From the publisher: Suite 833, 53 State Street, Boston, Massachusetts 02109. \$3 postage prepaid within U.S.A.

You Can Profit From the End

(Continued from Page 7)

if these two groups get together, you are going to see the insect fight of the century. The stirred up dust alone could destroy the world. But probably not. Instead, watch for the Communists to complete their takeover of the globe, and then mismanage it so badly that everything falls apart. If this transpires, we discourage ownership per se, because it will be illegal. On the other hand, wealth without ownership can be very frustrating. Instead, we advise establishing a regular resource influx (income) by engaging in progressional occupative activity (work), such as designing vocational high schools or painting fish at resorts.

TIP FIVE: Hellfire — If Satan, director of the Underworld, wins out over his long-time rival, God, and the world becomes engulfed in hellish fires, we recommend a variation of Tip Two: Fire and Brimstone, to wit the accumulation of pain-killers and ice. These are especially practical items if all hell breaks loose because unmarketed supplies can be used by the investor himself. Note that after Fire and Brimstone, crabby God was still in the driver's seat. But Hellfire is no holy tantrum — it is the long-predicted victory of Hell over Heaven. This will demand an across-the-board reevaluation of entertainment and leisure time industries, especially those with alleged Mafioso ties.

TIP SIX: Oil — If, as the Organization of Petroleum Consuming Nations contend, the world comes to an end because the rich start getting poorer and the poor start getting richer, we hesitate to recommend any intelligent investment plan whatsoever. That is, if poverty becomes a natural precedent to financial advancement, sensible investing would be foolhardy. As previously suggested, dumping all assets might be advisable. It might also be unavoidable.

(Continued on Page 16)

WHERE WERE YOU IN '52?

Compiled by Frank Sisson and Ellen Taylor

No, this is not a most-wanted list of 2Ls and 3Ls sought by the Registrar's Office to pay the new fine for leaving for Spring Break a week early. (It may be a most-wanted list for some other purpose, however.) Once again, it's time to identify *your* professors as they appeared to their HLS classmates two decades ago (with thanks to the HLS Yearbook). Hint: *one* of those below is not a professor and is involved in a famous "twin brother" story. Answers on Page 6.

1.



4.



2.



5.



3.



6.



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Students Await Late Grades

(Continued from Page 1)

be distributed in short order.

Dean Albert M. Sacks, himself a violator of the February 23 cut-off date, described the problem of delayed grade reporting as a persistent one that dates back many years. One of the reasons for the delays, Sacks reasoned, is the breadth of responsibilities which beset a professor at mid-year, such as preparing for the next term, administrative work, committee responsibilities, and possibly keeping up with the professor's own writing pursuits. "We don't treat the target date at mid-year as firm as we do at year-end. We make allowances for varying burdens," he said.

A second factor favoring a more lenient approach at mid-year, Sacks explained, is that a student's status is not so directly at stake at that time as it is in June. Although a student might understandably be curious at mid-year, it is not quite the same as when he or she wants to know whether the expected advancement to the next year is possible, he stated.

The Dean said he has given little serious thought to imposing any sort of sanction upon those who are guilty of ignoring the Registrar's due date. Because he feels that there is simply "no need" for this sort of measure, he has instead resorted to what he characterized as an "informal process." "I encourage professors to pay more attention to the time factor, to plan some-

what more carefully, and in general, to have a minimum of delay," he said. "We could set a later date when all grades would be distributed at once," he added, "but this would be at the expense of those who would have received other grades earlier under the present system."

When questioned about his tardiness in turning in his *TAX* grades, Professor Andrews matter-of-factly explained that he lacked any real excuse. "Delinquency is the right word for it," he stated. He went on to mention, however, that he had a substantial workload which was taking time to wade through. "I had a heavy burden with 300 exams, and none of them were short answers," he allowed. Andrews promised that by the end of the Spring recess, all of his exams for last term should be graded.

Other than the handful who called on the day when grades were to have been distributed, few students have badgered Andrews about his laxity in grading exams. An attitude of indifference has seemingly overtaken whatever interest in the results there once might have been. One student in Andrews' *CORPORATE TAX* class related, "Grades are so late coming out here anyway that two weeks is hardly noticeable. You can't really feel much anticipation after three months." Another in the same class confessed some curiosity because he had not finished the exam, but did not feel at all taken aback by the delay. "I don't know what his problem is — but anything he does wouldn't surprise me," he said.

In explaining his failure to get his dozen exam grades to the

Registrar, Professor Michida referred to his newness to the grading game. "This is my first year teaching here, and it's only my second experience grading papers," he volunteered. Michida noted that he was forced to spread himself thin, as he is teaching two courses and a seminar this year and spends much effort in translating sources from Japanese to English for his classes. "Because I'm new, I want to be cautious, so I read the exams again and again," he explained.

Professor Freund, who just this week finished grading last term's exams, defined his lack of punctuality as "a matter of doing too many things in too limited time." A 2L member of his *CONSTITUTIONAL LAW* class did not seem at all disturbed at the delay and said on the behalf of his fellow students, "Nobody that much cares anymore. I guess the only reason I would want to see my grades is to satisfy my own curiosity more than anything else."

Describing the steps the Registrar's office takes to prod professors along the grading trail, Upton complained that the lack of adequate sanctions essentially binds her hands. "I just make a lot of phone calls and kind of nag," she said. Her efforts, however, usually meet a lukewarm response. Upton related, "Most of these professors simply tell me 'I'm still working on it and doing eight exams a day.' What can I say, 'No, I don't believe you, you're lying?'"

The Registrar intends to post notices on the bulletin boards as the last of the grades trickle in, and students can then pick them up at any time. In a lightly veiled reference to an earlier *RECORD* article reporting criticism of the public manner in which grades are distributed, Upton retorted, "Students don't even have to look at them here. They can take them out of the office and read them all alone at their homes if they want."

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Bees, Locusts, Death, Oil And Other Money Factors

(Continued from Page 14)

TIP SEVEN: Death — If the solipsists are correct, the world will end when you, the reader, die. Although this is probably not what Mr. Simon was referring to, it is certainly a viable possibility, and must be considered accordingly. Mr. Simon, after all, exists only in your head, created by your subconscious to make you uneasy.

If the material world does not exist, then it will not change when you die. There is no reason, then, to abandon the conventional economic portfolio we recommended before the holocaust became imminent. Remember, a moderate balance of long term growth, short term return, and unconditional convertible securities should be kept in conservative motion, but not during periods of fluctuation. This, of course, is the popular "Beige Formula," copyrighted by and named for our founder and president, Sidney "Popular" Formula, 1912-.

Our shrewd subscribers will notice that one should know *how* the world will end before we can earnestly execute one of our seven Contingency Tips. Clearly, many of the tips are incompatible, and some contradictory. For example, tips one and three are based on opposing catastrophes — God will most likely signal the Last Judgment with three trumpets, not nuclear war. Also, one cannot sensibly stockpile inanimate objects while donating all one's real assets to charities. It's been done, of course, but not since the reorganization of the Securities

Exchange Commission.

Unfortunately, we have little practical experience in predicting the method of destruction from signs in the economy, or elsewhere. As "Pop" Formula liked to say, if we knew how the world will end, we'd be rich. In the roller-coaster history of the New York Stock Exchange, we have seen the comings and goings of highs and lows, crashes and booms, bears and bulls. But when we talk about the end of the world, we are truly entering what Dr. Elmore Glass of the Federal Currency Consumption Commission termed "a whole new ballgame."

But what to do? Stay in close contact with media reporting current events; keep your assets liquid, if not gaseous; keep an ear to the grindstone. Primarily, however, you should send us \$5 with a self-addressed envelope to obtain our just-published investment guide, "Eight Tell-tale signs of how the world will end, a supplement for the sensible investor."

Michael V. P. Marks '75 of New York City has been awarded the 1975 Nathan Burkan Memorial Prize by the American Society of Composers, Authors and Publishers (ASCAP).

Marks received a \$1000 stipend for his essay "The Legal Rights of Fictional Characters" which will soon be published by the Columbia University Press in the ASCAP COPYRIGHT LAW SYMPOSIUM NUMBER TWENTY-FIVE.

Female Editors Assume Duties

(Continued from Page 5)

Klayman, 2L, Congress issue editor; Robert W. Sloat, 1L, executive editor; and Robert M. Olian, 2L, book review editor.

E. Terry Rode, 2L, is the new director of the Prison Legal Assistance Project. Other PLAP officers for 1976-77 are Patricia A. Cantu, 1L, operations director; Edward S. Kornreich, 2L, Concord coordinator; Todd D. Stern, 2L, inter-institutional hearing coordinator; Paul E. Frye, 2L, District Court coordinator; Laurel H. Brandt, 2L, parole board coordinator; Donald J. Russell, 2L, correction coordinator; and David M. Furbush, 1L, litigation coordinator.

The new editor-in-chief of the *INTERNATIONAL LAW JOURNAL* is Roger B. Howard, 2L. Other *ILJ* editors are Eli W. Debevoise, 2L, and Ted L. Stein, 2L, articles editors; Alden F. Abbott, Howard M. Liebman, and Stevan A. Sandberg, all 2Ls, comment and note editors; Mark W. Janis, 2L, United Nations note and comment editor; Keith Raffel, 2L, developments editor; Terence W. Thompson, 2L, research editor; James H. Tucker, 2L, managing editor; Richard J. Coll, 2L, book review editor; and Leslie E. Davis, 2L, associate managing editor.

Ian S. Shrank, 2L, is the new president of the Harvard Voluntary Defenders. Other new HVD officers are Steven J. Ellcessor, 2L, and Neila B. Radin, 2L, operations officers; Darrell K. Fennell, 1L, vice president; and Bruce A. Antkowiak, 2L, and Sheila A. Kuehl, 1L, research and appeals officers.

Solution to "Cryptic Law"

And now if a jury is unable to reach a verdict that is satisfactory, it seems to me that that constitutes a black eye on our system of Government. It is really an encouragement to the Communists and the other people who would like to overthrow our system of Government." Judges' charge to the jury at issue in *Weinell v. McKeesport Connecting R.R.*, 411 F.2d 510, 513 (3rd Cir. 1969). The parties tried to persuade the judge to emphasize the black-letter law, but this only made him see Red.

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