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TWENTY CENTS

Forum Change: Speaker Sparkle Sought in '76-'77

By Paul Coady

An international incident triggered by Harvard Law students? The State Department with egg smeared on its face by law school upstarts? Nikita Khrushchev firing off a bilious nine-page telegram to the Harvard Law Forum? It may sound beyond belief in these days of detente, but 16 years ago the currently docile Harvard Law Forum succeeded in single-handedly creating an international brouhaha which newspapers splashed all over their pages.

The amazing episode of September 1960 is worth recounting: After Nikita Khrushchev had announced his plans to pay a call upon the United Nations in 1960, Richard E. Smith, '61, then the President of the Harvard Law Forum, wasted little time in inviting the Russian premier to appear in Cambridge under the Forum's auspices. When the State Department received word of this Cold War overture to Khrushchev, it was every bit as quick to deny Khrushchev the right to travel anywhere beyond the borders of Manhattan. Khrushchev, forced to decline the invitation, telegraphed the Forum directly and latched

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Coalition Plans to Pack Committee's Meetings

By Roger Evans

Frustrated by what they view as administrative refusal to act upon proposals concerning the placement process at the Law School, representatives of the Women's Law Association, the Black Law Students Association, the Law School Guild, and other students have formed a "Placement Coalition" and will seek to air their views to the Visiting Committee today and tomorrow.

Representatives of these organizations began meeting several months ago to address issues of perceived discrimination in the placement process at the Law School. From these conferences emerged a proposal adopted at a joint meeting held Monday at Harkness Commons and attended by 35 people.

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Failure to Consult Students Fails Clerkship Proposal

By Beth Emery

Charges of "administrative incompetence" and failure to consult students "with the most important interests at stake" have been levelled at

Dean Albert M. Sacks and Assistant Dean Alfred Daniels by the chairman of the Board of Student Advisors and the president of the HARVARD LAW REVIEW.

Charles E. Bachman, 2L, BSA, and Susan R. Estrich, 2L, REVIEW, expressed their dissatisfaction with the administration's handling of the proposed clerkship application guidelines after one of a flurry of meetings held this week with Sacks and Daniels.

The guidelines, adopted by 70 members of the Association of American Law Schools (AALS), were announced by Daniels April 7 and call for students to

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Assistant Dean Alfred Daniels is involved in formulating guidelines for clerkships.

Transcript Policy Should End Recruiting Dis-Cord

By Roger Evans

Next fall's interviewers will receive information from the Placement Office stating that prospective employers may request a verified transcript of a student's academic record after the student is hired.

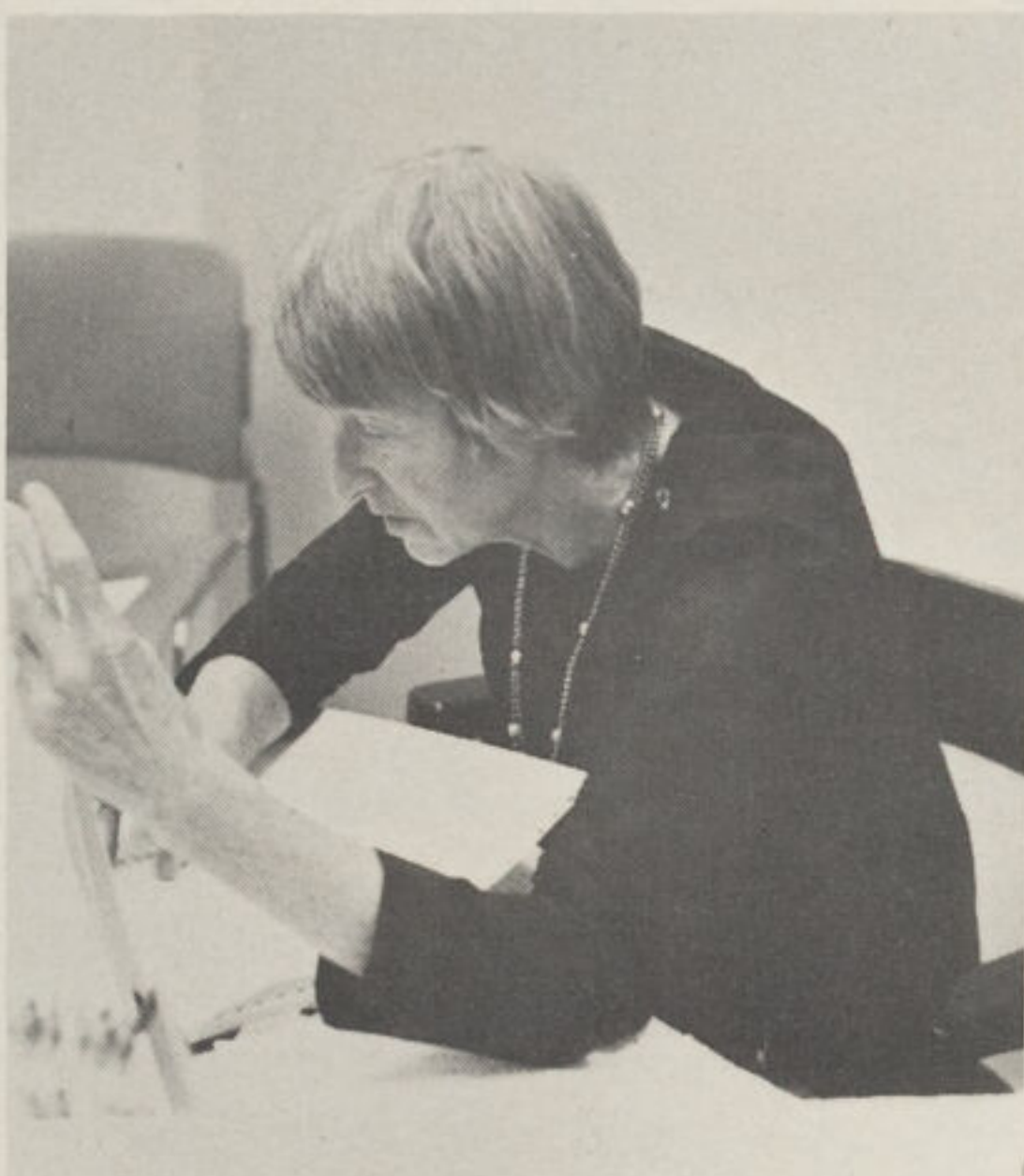
This action is being adopted in response to a belief among many administrators, faculty members, and students that there is some degree of misrepresentation of grades on resumes by students. Other alternatives, including requiring the submission of a transcript along with the student's resume, were also considered.

Presently, second-year students may either disclose their grades to employers or withhold them. In practice, most students do disclose at least their academic average. Third year students may be requested by employers to submit first and second year grades, but verified transcripts are rarely used.

According to Eleanor R. Appel, Placement Office Director, "no one knows" exactly how many students may be misrepresenting their grades. However, she added, "the problem is big enough that there is a great deal of concern" about it among administrators.

It is Appel's belief that every employer should require a verified transcript from any student hired, although she opposes making this mandatory.

Law School Secretary Stephen M. Bernardi agrees with Appel that later discovery of falsified grades would be, in Appel's words, "the kiss of



Placement Director Eleanor Appel deplores "resume inflation".

death" to professional advancement.

Although Bernardi thought grade misrepresentation was "a hell of a bad misstep", he noted that many law firms were loathe to inquire too directly about grades or to question a student's integrity. He attributed this to the atmosphere of collegiality and professionalism which exists among lawyers and potential lawyers. Bernardi has had students come to his office and complain about lying on resumes by other students.

Registrar Mary D. Upton stated that she had a "gut feeling" that a good deal of resume misrepresentation occurs, but, like others interviewed, was not sure about the best solution to the problem.

Upton was also concerned about the role of the Law School as an agent, as guarantor of the correctness of information received by the firms.

Advent of New Era for Hark: Big TV, Games

By Steven Prye

The addition of a wall-sized TV screen and the conversion of the basement meeting room into a game room with pool tables are among the innovations planned in a move to increase the attractiveness of Harkness Commons.

Vice Dean William E. Bruce has been meeting with the Dorm Council and those in charge of the food service to develop suggestions for expanding the recreational facilities available to students at the Law School. Food service consultants may be brought.

Bruce feels it is necessary that the Hark compete more effectively with the neighboring eating facilities in order to alleviate the considerable deficit, described as being "just bearable by virtue of the limitations on weekend service and breakfast."

Bruce hopes that the increased recreational aspect may draw enough people to make it economically feasible to set up and maintain a limited weekend food service.

He currently does not favor a suggestion that the Law School charge all students a mandatory board fee to generate trade at the Hark.

Changes are also planned for the dorms. A kitchen will be added to Dane Hall on an experimental basis. It will be larger and more elaborate than the Wyeth Kitchens, with more burners, storage space, and refrigeration capacity.

If sufficient funds can be raised, four to six small rooms and two bathrooms will be added in the basement of Wyeth Hall during the summer to accommodate students on the dormitory waiting list. There are also indefinite plans to renovate the notoriously inefficient heating system in Wyeth.

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Clerkship Guideline Too Late

Students Assail Sacks' Methods

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withhold all applications, faculty to withhold recommendations, and judges to postpone interviewing until June 15.

Following two weeks of investigation by the BSA and several lengthy meetings between the administration and the students, through which it was learned that many Harvard students (including everyone on LAW REVIEW) and students from other law schools had submitted applications before the guidelines were officially announced, Sacks announced Wednesday that he has suggested to AALS that guidelines pertaining to letters and resumes be abandoned this year. Sacks will issue a memo next week informing students about procedures to take in applying for clerkships this year.

Sacks added that he believes Harvard as well as AALS will hold to the provision regarding faculty recommendations and screening, subject to the provision that students who learn a judge will select earlier will have access to all materials when necessary.

According to Daniels, the origin of the guidelines was a letter drafted by deans of the Harvard, Stanford, Yale, Columbia and Pennsylvania Law Schools and first considered by the executive committee of the AALS last November.

Sacks noted that he and the other deans had become concerned with the timing problem as a result of "student, judicial and even some faculty dissatisfaction expressed to them over the last couple of years" as to the clerkship selection timetable which has crept from the fall of a student's third year to April or May of the second year.

It is the fact that Sacks and Daniels were aware last fall of the impending AALS action that has Bachman and Estrich upset.

Bachman stated he first learned of the guidelines when he read the announcement in

the Advisor April 8, a week after the BSA memo came out which advised students to apply by May 1.

"There was not adequate discussion about the guidelines," Bachman stated. "The problem is they run a school where dialogue is not possible. The administration doesn't ask anyone before they act, and they never let us know what they've done."

He continued, "Although the possibility that these guidelines might be proposed was mentioned to one student, this is hardly commensurate with the kind of full and open discussion which should have preceded any decision that so dramatically affects substantial numbers of students."

Daniels had mentioned the possibility of the guidelines being adopted to the authors of the BSA memo, according to Bachman, who seemed most upset by the failure of Daniels or Sacks to include students in the decision-making process itself.

Estrich said that F. Whiten Peters, 3L, as president of the REVIEW, went to Daniels last fall to suggest that the administration attempt to alleviate the application timetable problem prior to January 1. "We assumed that when Daniels never contacted us and the BSA memo said May that nothing was being done this year," she added.

Calling the present situation a "real mess," and saying that members of the REVIEW had had "no intention of jumping the gun," Estrich admitted that by April 8, when the guidelines were printed in the Adviser, 80% of the staff had

already submitted all of their applications.

"If we had known about the guidelines, and had assurances that nobody would get hurt, we would have waited," she added.

When confronted with charges that the administration acted without consulting students, Sacks replied that he "couldn't recall" what actual dialogue had gone on between his office and students, but that he was sure he must have made some efforts to discuss the AALS action.

"I communicated to AALS the need to decide early," Sacks said. "The problem was our reluctance to jump the gun on AALS, by announcing the guidelines to students. Al Daniels announced the guidelines when they had only very recently been adopted." (April 7 in the clerkship symposium).

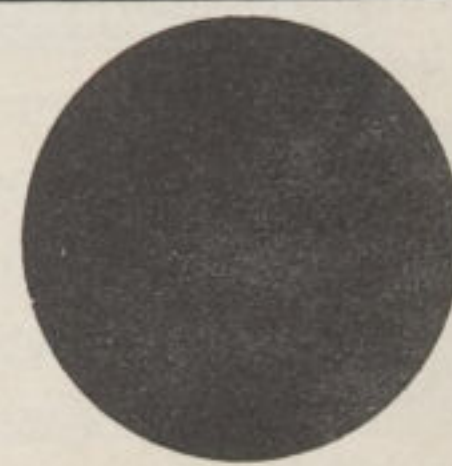
He added, "We assumed when the guidelines did come out it would be before anyone had begun to apply. I myself didn't realize there was any application activity going on."

Sacks also stated that he had discussed the proposal informally with members of the faculty, and it is his opinion that they are attempting to abide by the guidelines as far as possible.

He said he was "unaware" of a note dated March 25, which is posted on the LAW REVIEW bulletin board and announces that one professor is now accepting applications for two judges.

That faculty member was not one of the ones listed in the BSA memo as a screener for a particular judge, either.

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Forum Fortunes Decline: Lackluster

(Continued from Page 1)

onto this opportunity for lambasting the United States in no uncertain terms. "The State Department deprived me of the possibility to enjoy the freedoms of a Democratic country, the United States of America," Khrushchev railed. He went on to label the travel ban as "discriminatory," and somewhat sarcastically predicted that in spite of this personal slight, "better times will come in the relations between our countries, the sun will rise at last. Dark clouds will disperse and all the people will understand the necessity of friendship and cooperation among nations."

The story of the publicity which mushroomed from this incident is something for the history books, but the level of controversy which the episode engendered is in sharp contrast to what is viewed by some as the generally lackluster quality of the Forum's current speaker series.

Mark N. Bravin, 1L, a former member of the Forum, regarded the organization as having slumped into a disappointing lull. Bravin lauded the Forum's capacity to bring controversial and provocative figures to Harvard who could take topics of pressing national concern into the public arena. He cited a long list of those who have spoken for the Forum since its birth in 1948: Harry Truman, Fidel Castro, John Kennedy, Julian Bond, Yitzak Rabin, Timothy Leary, Arthur Fiedler, John Dos Passos, Skelly Wright, Thurgood Marshall, and William Kunstler, to name but a few. "The Forum has done nothing like that this year," Bravin noted.

Debora M. De Hoyos, 1L, also assailed the less than awe-inspiring series which the Forum has sponsored in recent months. De Hoyos

commented on the Forum's tendency to "tread the beaten path." "I have the feeling that what they are going to say is totally predictable and not particularly interesting . . . Senator Montoya is an example of this," De Hoyos remarked.

A 3L who admitted that he had never attended a Forum program explained matter-of-factly, "the Forum just doesn't interest me."

The current President of the Forum, Ann T. Bailen, 3L, freely admitted that the programs of the past two years have been "disastrous." Bailen pointed out that during her first year in law school, there had been a Forum speaker practically every other week, but today the picture has vastly changed. "There just weren't enough speakers last year, and the few we had this year — with the exception of Ralph Nader and

was very successful and we made a lot of money from him at the door. But his expenses were terrible — we had to end up paying for first class tickets for him and five other people to come here from Los Angeles. They also threw just fantastic parties with caviar and the whole thing," Fee related.

Fee noted that at the time she took office in January, she inherited some \$2,000 in telephone bills, a \$400 bank account, and little prospects for immediate improvement in the Forum's financial bind. Even its biggest crowd-drawer, Mo Udall's appearance in Sanders Theater, only realized about \$100 due to the cost of renting the theater and the Udall campaign's insistence that the Forum charge no more than \$.50 a head.

The concept of bankrolling the Forum from the proceeds of subscription sales has brought in less

The current president of the Forum, Ann Bailen, freely admitted that the programs of the past two years have been "disastrous."

Jimmy Carter — just didn't attract much attention."

Not the least of the Forum's problems is a chronic shortage of cash. As a totally student-run group that operates out of current revenues, it refuses to pay honorariums and must limit itself to paying for speakers' travel expenses. Bailen explained, "It's getting harder and harder to get people to come here who just want to speak for the pleasure of speaking. We have to fill the Ames Courtroom just to be able to afford one round-trip flight from Washington," Bailen said.

Linda G. Fee, 1L, Treasurer of the HLS Forum, attributed the lack of sparkle of this year's array of speakers to the sins of past officers. Fee maintained that her predecessors had a tendency to bring speakers to the campus who the Forum could not afford, often resulting in a \$1,000 outlay in return for \$250 in receipts.

"Dick Cavett came here and he

revenue than one might expect — generally totalling only about \$100 per speaker program. While the Forum managed to go through some \$6000 over a two-year period, its income is unable to support the spending ways of yesteryear and bills sometimes go unpaid. "Luckily Ann and I got on the good side of the administration and so far we've mended our fences," Fee said.

Both Fee and Bailen singled out the most dire problem facing the forum as attracting people to help in the task of inducing speakers to come to Harvard. A vacuum in leadership, Bailen noted, was particularly evident this fall, when a sudden reshuffling of officers took place. Bailen herself stepped into the role of President, she volunteered, because no one else wanted the job. "The Treasurer took off suddenly in the fall and left the books in a tremendous mess. The publicity officer resigned, the administra-

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Answers Where Were You in '52?

1. Austin Wakeman Scott, 2. Paul A. Freund, 3. William Lloyd Prosser (as Visiting Professor), 4. Archibald Cox, 5. A. James Casner, 6. Louis Loss.

Incarnate



Ann T. Bailen, 3L

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tive vice-president quit, and we lost another officer to the law review. We're all sort of new," Bailen stated.

Fee credited the Forum's publicity officer — David E. McCord, 1L, — for having taken the initiative earlier this year to make an appeal to faculty and students for the names of likely candidates for speakers. From this mass mailing were gleaned the names of Murray Rothbard, last night's speaker, and Roderick Hills, the next Forum speaker. Fee maintained that despite the failings of some of its officers this year, their difficulties were not completely self-inflicted. "Please don't blame this year's programming on this year's officers — it's really the past officers' fault for having planned practically nothing last year," she said.

To re-energize the Forum and to remedy some of the problems bedeviling the organization this year, Bailen explained, its officers are planning a recruitment meeting next Monday at 7 P.M. in the Wheeler Room of Holmes Hall. Holding the meeting at year's end is designed to ensure that speakers are lined-up well in advance for next year's program.

"Our problem in the past year has been a lack of continuity — people are around for a few years and then they're off," Bailen said. Recruiting now will avoid the difficulties of "learning the ropes" at the beginning of next year — a problem which hampered the efforts of this year's team, Bailen concluded.

Clerk Candidates May Apply For Positions Before June

(Continued from Page 3)

The REVIEW bulletin board also has notices posted which indicate that some judges from the First and Fifth Circuits and the Massachusetts Supreme Judicial Court may already be accepting applications.

As a response to the knowledge that Harvard students and professors, as well as students from other major law schools, and judges, were

not obeying the guidelines, the BSA had prepared a new memo which proposed a transition policy which, according to Bachman, would have promoted the general policies of the guidelines while protecting students.

That memo was killed by Bachman when Sacks acted late Wednesday after the faculty refused to ratify the compromise.

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Student Researchers Find Working For Profs a Profitable Experience

by Charles C. Jordan

Although the employment outlook for law students in Boston is bleak, Harvard 1Ls have cornered one market: research for Law School professors.

According to alumni of the summer of 1975, these jobs can be tedious — cite checking, editing and proof-reading. But there are also jobs to titillate the intellect of any right-thinking 1L.

Beth F. Emery will never puzzle over the Reporter's Notes to the Restatement of Property. She wrote many of them. Emery spent the summer working for Professor A. James Casner, who employs more students than any other professor at the Law School. After satisfying the Casner minimum standard of employment (she had to promise she wouldn't make Law Review; Casner likes to retain his student workers!), Emery looked up cases to find the trends of the decisions. In all, Casner employed eight students at various research jobs.

Arthur R. Miller is another popular employer. Like most professors, he hires 1Ls exclusively from his section. Bob (Robert A.) Rizzi reports that the hiring procedure was rigorous — 35 students applied for the few jobs available for work on Miller's civil procedure

hornbook. After Miller made his selections, the lucky assistants-to-be were given repeated oral work-outs in class.

Asked whether the job had been valuable, Rizzi answered, "It's a good thing to do if you're not all fired up for practice in a firm." It was a fine learning experience for Miller's assistants — Rizzi's first memo had a total of three words unscathed by Miller's criticisms. "It wasn't brutal, but it was extensive. He found me out. Halfway through a discussion on the merits of the memo, he reminded me that I was having the same problem I had had on my exam!"

Rizzi's fellow assistant, Peter A. Wald, enthused, "We had a lot of contact with Miller, after he came back from the bar review course he was teaching in California. He takes a lot of pride in training his students." Wald declined other offers in order to work for Miller.

Most student workers had positive feelings about their summer in the faculty library. Gary Walk, who researched a book for Professor Abram J. Chayes, thought his job was a "fantastic transition for a 1L — I had a lot of the close faculty supervision that's lacking in the first year."

Lorraine S. Blair became well-versed in foreign investment in the U.S. while researching an article

for Professor Henry J. Steiner. Blair used newspapers and historical and legal sources. She remembers her work as tedious at times, but intellectually rewarding.

The benefits of a faculty assistant's job are not all intellectual. Long lunch hours and trips to the beach helped pass the long hot summer, and a sense of camaraderie grew among the researchers. And the air conditioning in FOB didn't hurt.

Assistants' hours were generally flexible, depending on the employing professor. Rizzi remembers 10 p.m. sessions in Miller's office, while Tom M. Freeman did much of his proofreading for Casner in his own apartment. The pay was standard — \$3.50 per hour.

First year students undaunted at the prospect of three more months in the library and eager to embellish their resumes might consider employment at the Law School. Cite-checking must be a useful skill, or why would so many people do it?

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Clerk Applicants Jump Gun; Summer Date Set Too Late

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The memo would have requested students to withhold all application materials until June 15; allowed them to write judges to notify them of their interest; allow students to procure all application materials if a judge notified the student that his/her clerk would be chosen before June 15; request all students who had already completed the application process to write each judge and urge the judge to withhold consideration until June 15.

Bachman said the faculty "overwhelmingly approved" the proposal to withhold faculty screening and

recommendations until June 15, but vetoed the proposal concerning the student's initial application for fear that it did not adequately protect students who had not already applied.

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AIB Calls for Another Probe Of JFK Death

By Mark Bravin

Amidst the information which has recently surfaced through Congressional and Executive Branch investigations of the United States' intelligence establishment, revelations of FBI and CIA "improprieties" and cover-ups surrounding the Warren Commission's investigation have rekindled public interest in the assassination of President John F. Kennedy.

On Wednesday, April 14, in the Ames Courtroom, members of the Cambridge-based Assassination Information Bureau (AIB) presented evidence to suggest that Lee Harvey Oswald was not the lone assassin of President Kennedy.

The highlight of their presentation was a screening of the controversial Zapruder film, a home-movie of the Dallas tragedy. According to AIB and others who have studied the film, Oswald could not possibly have fired all the shots at the Presidential limousine within the time recorded.

AIB researchers drew on supplementary ballistics data to support their view that not all the fatal shots could have come from the alleged Oswald perch in a sixth floor window.

AIB is advocating a full scale re-investigation of the Kennedy assassination.



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Silence, Delay Incite Coalition

(Continued from Page 1)

Chief among the proposals formulated are a request for the establishment of an "Office of Placement Monitoring" and an "Office of Career Alternatives and Counseling".

The proposal states that the Office of Placement Monitoring should conduct an annual survey of job offers students are currently receiving. The survey would coordinate a wide range of academic and demographic variables with job offers received. Also among its functions would be the encouragement of informal complaints, the keeping of records of these complaints, and the provision of guidance to law firms. The authority for hiring the office's administrator would be vested in representatives of BALSAs, W.L.A. and the Guild as well as two administration or faculty members.

The Office of Career Alternatives and Counseling would be designed to broaden a student's options in the job market, with emphasis towards greater opportunities in the public sector.

Assistant Dean Alfred Daniels has promised to appoint soon someone who will be in the position of "job scraper-upper" to investigate alternative forms of employment for students.

According to reports from members of the Placement Committee, any student voice in the hiring of a Placement Monitoring head was rejected. The procedure for the handling of informal and formal complaints remains a contentious issue. However, the Law School does plan to send representatives to major cities and firms to better acquaint lawyers with Placement Office policies. Dean Albert M. Sacks has been personally involved in this effort.

The Placement Committee also plans to survey students about job offers, although not in the extensive manner requested by the Coalition. Three student members of the Placement Committee reportedly

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Law School Journal

By David Halprin

we left last time with the subject of history as you kiddies may remember and i dont know if its historical but in con law today the subject matter was the meaning of human freedom taking off from a rather interesting article multilithed of course on the point not a bad place for a class to start the meaning of freedom if it takes place in a law school or even not a bad place for an entire legal education to begin but perhaps im rushing things a little so anyway where did we leave off last time you remember in that first weird article without punctuation marks or capitals why are we talking about this place he said and we laughed its our home its our hometown another idea for the file marked absurd especially when we need a humor irony break this is as usual the perfect opportunity to do what say authentic thinking takes place only in communication the success of the teacher is measured only by encouraging it from calls the opposite necrophily which is that does not grow that is mechanical memory rather than experience death through better control did nixons tricks really move muskie out and mcgovern in was the whole election process rigged i mention the boring incident only because it was recent history part of our recent history what happens when ones efforts to act responsibly are frustrated is it suffering immobility freeze frame shoving under the rug it will only work for so long its good to remember death once a week keeps things in perspective its just behind you over your shoulder if you look you may just catch a glimpse then its gone until next week when you do it again if youre lucky i think death will be a recurring character in this thing kind of like eddie on leave it to beaver i heard some man talk bout things beyond form beyond words it is called different things in different places and times the form is the mother it must be totally confused and finally consumed dont get upset he said this is just a little game with imagination relax use embrace choiceless awareness if it is beyond words it can not be expressed in them it really is true that everyone has embedded in the subtle threads of their thought processes that everything is relative but since you know that you may arrive at a point of ultimate agnosticism but you may think forward to some alumnus of the future reading whatever they read or perhaps miniature tv sets grafted on to the inside of their eyelids yeah those were the days they believed everything was relative just like us looking back at our own past primitive beliefs concerning the nature of existence only a hypothetical looking back at ptolemy and you really cant comfort yourself with thought that it will be simpleminded like a bad easter card but its not at all not at all clear now lets say that an educational process that is an exercise in domination is indoctrination into the world of oppression and the educators may not themselves perceive this so what to do what to do choiceless awareness too but no slogan no doing just notice just look just a jasperian split consciousness as consciousness of consciousness and theres no special purpose look you can still use punctuation if you want and no longer teachers and students but steachers everybody is working and if you dont think that conception of the relation ship would change the way the problems are selected well lets wait and see anyway nothing is going to happen too many people what does that have to do with it the answer is printed somewhere in this issue

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Unfaithfully Yours

Students are now on notice that employers may request a verified transcript of their course work. Employers should be put on notice that there are reports of resume doctoring — lying about grades — circulating among students, administrators, and faculty members at this law school.

It is unfortunate and painful to contemplate that there are those among us who take advantage of the Law School's lax restrictions regarding disclosure of grades. Although it is something which is heard only in whispers, there are documented cases of lying about grades in recent years. Feelings of trust and professionalism have covered up other instances, or not led to their discovery. Many students are aware of others who have misrepresented their grades to interviewers. Some have gotten away with it. Some have been discovered later in their professional careers.

We do not advocate any change in the policy allowing students to keep their grades a secret from interviewers in their second year.

However, those who desire that employers see their grades should disclose all of them. This helps eliminate any "sparring" which may occur during an interview about a student's Contracts grade, or whatever. Any mark which a student felt required additional explanation could be readily discussed. Additionally, and most importantly, any temptation to up a grade a notch in conversation, or to curve skyward the average of one's grades, would be eliminated. Some students might wish to photocopy their transcript and submit it with their resume.

Integrity should not perish in the quest for a more prestigious job. Future trials to a lawyer's ethics will assuredly be more severe. Lawyers have not looked too good as of late. It is saddening that some must be cajoled or threatened to achieve a minimal standard of honesty.

Gone With the Wind

Pushing back the deadline for judicial clerkship applications is an excellent idea. But wasn't it expecting too much to assume that our local masters of one-upmanship hadn't submitted applications for 1977-78 clerkships by the late date of April 7, 1976? Of course. And now that the administration knows LAW REVIEW members and others already have made applications, the June 15 application date has been jettisoned for a year while we hold the same old race to the judges' mailboxes. Next year, though, the guideline will be in force. And we hope that our ambitious fellow students will wait until June to mail their applications.

HARVARD LAW RECORD

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Fenno

"Well," the 1L announced to Fenno, "I'm almost through."

"Good for you," Fenno replied. "Through with what?"

"Through selecting courses for next year. So far I've got *Family Law*, *Trusts*, *Medico-Legal Relations*, *Women and the Law*, *Economic Regulation*, and a seminar on the relationship of copyright law to Wednesday evening television programming."

"You must be planning a heavy year."

"Always," the 1L assured Fenno. "Now all I need is a couple of really easy courses to balance my schedule out. Do you have any suggestions?"

"Well," Fenno offered, "there's Professor Bator's course, *Federal Torts: The FELA as a Last Resort For PI Lawyers When States Adopt No-Fault Insurance*."

"That's a long title for a Torts course."

"Slightly longer than the examination," Fenno acknowledged. "And I understand Professor Monaghan is offering a course called *Men and the Law: Legal Implications of Reverse Affirmative Action*. That one also looks like a winner."

"Any others you can think of?" the first-year student asked.

"Once every six years Professor Herwitz offers his classic course in *Business Planning: Tax Consequences of Choosing Between a Lear Jet and a Piper Cub Under the Model Corporation Act*. But I think *Accounting* is a prerequisite."

"Scratch that then," the 1L commented. "I guess I'll have to take one of the others."

"Tell me something," Fenno said. "Is there any particular reason why you're ignoring the more traditional second-year courses like *Constitutional Law* and *Corporations*?"

"I heard that *Corporations* is even more boring than *Contracts*," the 1L responded candidly. "And I decided to stay away from the Con Law ever since it became clear that Justice Rehnquist is God's way of punishing us for Vietnam."

"That's rather unfair to God," Fenno pointed out. "But anyway, aren't you worried that people you interview next year will doubt your commitment to corporate practice?"

"Not at all," the 1L assured Fenno. "I'm taking *Resume Preparation 2A* at the B-School, and smoothing over little things like that is the first topic we'll cover."

"I'll bet the Registrar won't approve that course," Fenno said doubtfully, writing concise summaries of the material he was reading in the margin of his TV guide. "It seems to contradict the new policy of honesty in resumes submitted to interviewers."

"She wouldn't dare," the 1L retorted. "Now that we can't rely on our legal creativity to beef up our B averages, we've got to show pizzazz somehow. What would you think of Gothic type on an off-chartreuse heavy bond?"

Letters to the Editor of the RECORD

"Door" Report Draws Retort

To the Editor:

While in Philadelphia recently, I was told that the Harvard Law School Alumni Association there may be planning a spring luncheon at the Union League. It seems that the Union League does not allow female guests to enter through its front portals, but requires women to enter through the back door, instead.

Surely the Alumni Association could not be so insensitive to the position of HLS alumnae? Perhaps you could verify this report for me.

Natalie Lichtenstein, '78
Cambridge, Massachusetts

Ed. Note: Anyone with information on this matter is invited to write in.

Williston Woes: Handling Foes

To the Editor:

Unfortunately, your April 16, 1976, "Fenno" was an all too accurate depiction of what goes on in the Williston Contract Negotiating Competition. At the risk of sounding self-righteous and/or naïve, I must admit that observing the behavior of my fellow participants during that week both aroused my anger and greatly disappointed me.

For the past week, I have been trying to decide who or what was the cause of the dirty dealing and lying that occurred. Naturally much of the fault lies with the students themselves. Neither the Law School or the BSA can teach college graduates a basic sense of right and wrong.

However, more effort should be made by the BSA to emphasize to first-year students that the practice of law is *not* a game. There are better reasons for negotiating in good faith than avoiding the practical consequences of earning a bad reputation (this was the primary reason offered the participants). There was "no time" to discuss ethical issues at the initial information session. The one negotiation anecdote that was recounted seemed to laud the tactics of the dirtiest dealer in a recent HLS labor negotiating class. And no substantial ethical guidance was offered during the competition.

It was disheartening to see the BSA follow the lead of the rest of this law school in separating ethics from substantive law. The inevitable result of this approach is a failure to confront ethical problems as they arise in cases read and situations faced and, thus, to relegate them to a secondary position.

If this separation is not to become a characteristic of our future careers, more

efforts should be made to close the gap between ethics and the practice of law. These efforts are crucial in programs like the Williston Competition, where first year students confront ethical dilemmas in a legal setting in perhaps their first experience as "lawyers."

Name Withheld on Request
Cambridge, Massachusetts

Law Notes

The RECORD will publish a list of **apartments** rented by law students that will be available to new tenants next year. Third-year and graduate **students who are giving up apartments** in Cambridge or this area and who would like to pass them on to 1Ls and 2Ls should send the RECORD a description of their apartments. Mail the information to 23 Everett Street or drop it off at the Receptionist's desk in Langdell by Monday, May 3.

Tickets to the talk by **James L. Browning**, the **Patty Hearst prosecutor**, can be purchased at the Harvard Student District Attorneys office in 305 Austin. Browning will speak at 8 p.m. Monday, April 26, in the Ames Courtroom. Tickets can also be purchased at the door.

First-year students calling themselves the Ad Hoc Committee on Legal Education (AHCLE) have organized a **faculty panel** discussion of the purpose and methods of **education at the Law School**. Professors Phillip E. Areeda, Morton J. Horwitz, Duncan M. Kennedy and Arthur R. Miller will exchange their views on the subject and respond to questions. Natalie G. Lichtenstein, 1L, will moderate the discussion at 7:30 p.m. Monday, May 3 in Pound 101.

The most "trivial" students at HLS are Jack D. Sidorov, 3L, Thomas L. Burroughs, 2L, and Jim Klein, GSAS. Relying on the most obscure data in their craniums, the trio won the **Law School Trivia Contest** last Friday night in two rounds. (Burroughs said he was extremely nervous and only got through the evening thanks to the beer provided by the Administration.)

The Harvard Gilbert & Sullivan Players will present "**The Yeoman of the Guard**" in Agassiz Theater (Radcliffe Yard) this weekend, April 28-30, and May 1. Tickets, \$2 to \$3.75, are available at Holyoke Center or at the door.

The Greater Boston Hillel Foundations and the Israeli Student Organization will present "**Viva Israel 28**", an evening of entertainment and community celebration on the occasion of the 28th anniversary of the State of Israel. Following the performance, which will include Israeli singing and dancing, there will be an Israeli Coffee House with Israeli food, refreshments and folk dancing. "Viva Israel 28" will begin an 8 p.m. in Sanders Theater. Tickets are \$2 for students.

Leonard Fein, editor of Moment Magazine and Klutznick Professor of Contemporary Jewish Studies at Brandeis University, will speak on "**The Memories and Fantasies of American Jewry**" at 8:45 p.m. tonight at Phillips Brooks House.

The following speakers will complete the **East Asian Law Speakers** program for this semester. All talks begin at 1:10 p.m. in Pound 419. Today, "Rights and Responsibilities of Aliens in Ch'ing Law," **Professor R. Randle Edwards** of Columbia Law School; Wed., April 28, "U.S. Policy Toward Korea," **Robert Wood**, U.S. Foreign Service, fellow at the Kennedy School of Government; Friday, April 30, "Vietnam's First Law Code," **Professor Ta Van Tai** and **Professor Tran Van Liem**, formerly of the Saigon University Law School, research fellows East Asian Legal Studies; Thursday, May 6, "Law and Japanese-American Relations," **Visiting Professor Shinichiro Michida** of the Law Faculty of Kyoto University; and Friday, May 7, "First Attempts to Modernize Chinese Law," **Joseph Cheng**, research fellow, East Asian Legal Studies.

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.)

Hgb bwg ngxglih clvnydgl . . . tg
ngxglihhs uidagm ts bug dgfw tob dyb rvhh
bugs eg mgim ryl bugs qonr eg for mypd
ihvxb bugd bugvl typghn qonb tg biwgd yob
idm toldb tgrylg bugvl rifgn bugd bugvl
ugimn qonb eg ngxglgm rlyq bugvl tymvgn
idm bugvl tymvgn ngxglihhs mvxvmgm
vdby ryol zoilbgl idm bugng qonb eg i bug
wvda'n mvncynih.

(Solution on Page 16)

SPORTS QUIZ

By Katz, Noto, & Zagrans

1. Who is the top LPGA career money winner?
2. Who was the first American to win the Wimbledon tournament?
3. What tennis great teamed with Bobby Riggs to win the Davis Cup doubles championship for the United States in 1938, and again to win the professional doubles championships in 1942 and 1947, but who lost to Riggs for the world professional singles championships in 1946, 1947, and 1949?
4. In 1956, an amateur led the Masters tournament after three rounds — as close as any amateur has come to winning the Masters. Who was this man, later to become a fine professional golfer and winner of the U.S. Open in 1964?
5. Who won the WTT championship last year?
6. What player teamed with Lew Hoad to lead Australia to Davis Cup doubles championships in 1955 and 1956, beating the U.S. team in the finals by 5-0 scores both times?
7. From what countries do the following current tennis players hail:
Ion Tiriac, Jaime Fillol, Vitas Gerulaitis, Guillermo Vilas, Martina Navratilova, and Virginia Wade?
8. Chris Evert recently lost two tournaments in a row. Evonne Goolagong beat her in the finals in Philadelphia over the weekend. Who beat her in the opening round in Boston the week before?

WHERE WERE YOU IN '52?

Compiled by Frank Sisson and Ellen Taylor

Past quizzes in this feature have demonstrated that even law professors were students once. This week's quiz, however, may leave some baffled — it appears that some of our professors have *always* been professors. (Of course, it could be that our supply of HLS yearbooks is simply inadequate to ascertain the answer to this mystery of pictorial history.) In any event, your job this week will be to identify the following professors as they looked to their students 20 years (or so) ago. (BONUS: Find Prosser off of his Torts). Answers are on Page 4.

1.



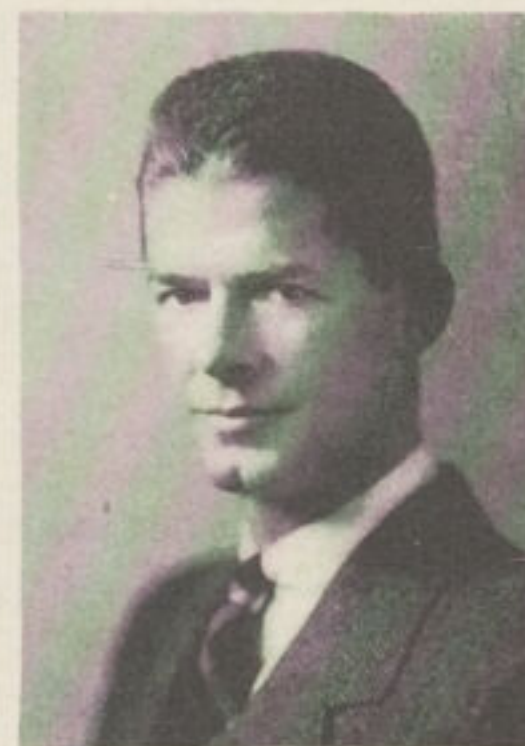
2.



3.



4.



5.



6.



Sports Answers

1. Kathy Whitworth.
2. Bill Tilden, 1920 (and the succeeding five years!).
3. Don Budge.
4. Ken Venturi.
5. Pittsburgh.
6. Ken Rosewall.
7. Ion Tiriac — Rumania
Jaime Fillol — Chile
Vitas Gerulaitis — Long Island
Guillermo Vilas — Argentina
Martina Navratilova — Czechoslovakia
Virginia Wade — Great Britain
8. Diane Fromholtz.

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New RAs

Eleven students have been selected to be Residence Assistants in 1976-77. The students are Gail M. Bowman, 2L, and David M. Powlen, 1L, for Ames; Barry J. Dale, 1L, for Dane; Laurie D. Zelon and Thomas L. Burroughs, 2Ls, for Hastings; Edward A. Perron, 1L, for Holmes; John A. Grimstad, 2L, for Ames; John H. Ashley, 2L, and Ellen T. Taylor, 1L, for Story; and Cynthia A. Lewis and Raymond C. Marshall, 1Ls, for Wyeth.

Spring: Time to Reform

By Owen Heimer

It happens every Spring. No, not baseball. I mean the 1L reform movement. Somewhere between the distribution of grades and the panic of approaching exams, the reformers, like crocuses, pop up as if from nowhere. The reason is basic dissatisfaction: with themselves and with the Law School. The refrain is familiar: ungraded courses; smaller classes; less alienation. And the ultimate resolution predictable: revolutionary zeal submerged by enlightened self-interest, i.e., A's, B's and C's.

Or so I've been told. Assuming *arguendo* (*arguendo*?! My God, has it come to this?) that the above is true, even so, I am not deterred — for there is no harm in trying. Yes, I am a 1L. Yes, I believe in reforming HLS. Yes, I belong to a little cabal which styles itself The Ad Hoc Committee for Changing Things Around Here. And yes, I too have a Plan.

Where do I come off having a Plan? I have made no Study, issued no Report, commissioned no Blue Ribbon Panel. And what makes me think that my Plan will succeed where others have failed? Better minds than mine have created the mess in which 1L's find themselves — so who am I to presume to overthrow the prestigious creation of the Fathers?

First things first. It is not really a Plan; rather, it is a kind of outline which barely deserves the name even of Proposal. Second, this outline can succeed because it is not radical, not reflective of any philosophy or ideology. It can succeed because it is merely mechanical, and because it rectifies the basic and pervading irrationality of the first year program.

Third, a 1L who proposes reform is not presumptuous. Many of us, perhaps most, have been in school for 17 of the past 17-20 years. This makes us something like "profes-

sional students." This, and the fact that we have been admitted to almighty Harvard, raises the presumption (!) that we have a certain awareness of, or sensitivity to, what education is and what it ought to be.

As a student here for the past few months I have made various observations about this and that. But it has just recently struck me that the essence, foundation, very Being of the first year program is Irrationality. Why is every first year course a different length? On what basis was it decided that contracts is 40% more important than criminal law? Who decided that written work is so inferior to exams as a measure of student progress that papers are assigned only in a few electives and that briefs and memos are never graded?

Since I can't figure out for myself the answers to these questions, and being too lazy to conduct a poll of the faculty (and as my profs would say, *quaere* how much enlightenment such a poll would provide), I have simply decided to set down on paper my own views.

First, every first year course should be the same length. I can offer no special reason for this belief; it just seems sensible.

Second, written work should be heavily emphasized in the first year. For this I got lotsa reasons: it is silly to pack the work for an entire course into a single three hour exam; papers

give the student an opportunity to think for himself and not for the professor; writing improves the mind at least as much (to put it conservatively) as what passes for Socratic method around here; an effective professional, a leader of society, is an impossible being unless the ability to write effectively is one of his skills; the deep but narrow insight gained through individual work is a desirable counterbalance to the broad but shallow overview given of the law in the first year. *Etcetera.*

No doubt, I have stated personal beliefs as though I hold these truths to be self-evident. My purpose, however, is to provide a basis for discussion more than to persuade. With this in mind, therefore, I offer a program of study for us, the studiers.

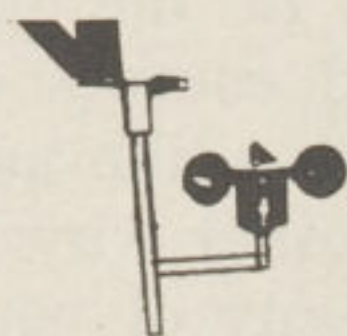
Looking at the 1975-76 school year we find:

(1) Semester I: 14 weeks plus one Wednesday of classes (Sept. 8-Dec. 19 = 15 wks; subtract Columbus Day, Veteran's Day and Thanksgiving). (And exams after Christmas.)

(2) Semester II: 16 weeks minus one Monday of classes (Jan 19-May 14 = 17 wks; subtract spring break and the 3-day weekend).

(3) Length of courses per week. (Based on Section I) contracts: 160 minutes; civil procedure: 150 minutes; property: 240 minutes; torts: 240 minutes; criminal: 210 minutes.

(Continued on Page 14)



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Ames: The Case Against Edelin

So your citations in that ol' Ames brief weren't perfect. So what? Everybody has to blush once in a while — including the lawyers for the Commonwealth of Massachusetts arguing the *Edelin* appeal. They recently cited the Supreme Judicial Court to Page 20 of the Joint Appendix to the briefs prepared for the final round of this year's Ames competition, which involved a variation of the *Edelin* facts. One of those variations was relied upon by the Commonwealth.

Student's Proposal Attacks Irrationality of 1L Schedule

(Continued from Page 13)

(4) This means that over the whole year the length of each course is as follows: contracts: 4800 minutes; civil procedure: 4550 minutes; property: 3760 minutes; torts: 3440 minutes; criminal: 2990 minutes.

In other words, contracts is approximately 40% longer than criminal law.

Under my proposal we would have:

(1) Semester I: 15 weeks. (Aug. 18-Dec. 5 = 16 wks; subtract fall break, the week of Nov. 24). (This also means reading period Dec. 8-12, exams Dec. 15-19, and a real Christmas vacation. The week between fall break and reading period would be the ideal time for in-class review.)

(2) Semester II: as you please. Preferably we would have a three week or one month vacation after fall exams — a good time for the clinical part of Introduction to Advocacy perhaps, and a big heating-bill saving for the school — and then a traditional 16-week spring schedule.

(3) Length of courses per week. 240 minutes for everything (a full 4 hours).

(4) Length of courses over the whole semester (no year courses). 3600 (Semester I) or 3840 (Semester II) minutes. In other words, three courses will sustain time-losses (assuming that Property is taught Semester I under the new plan). Contracts will be cut 25 percent (4800 vs 3600); civil procedure will be cut 21 percent (4550 vs 3600); property will be cut 5 per-

cent (3760 vs 3600). Where will this lost material be recovered (if necessary)? See next section.

The new schedule would have the four civil law courses taught Semester I, criminal law and the elective in Semester II. What happened to the other eight credits in second semester? And what happened to Legal Methods? Well, that is really the whole point of all this.

I would propose an eight credit course, taught in sections of 20 students, which would combine all the elements of Legal Methods and Ames Competition, and which would expand upon them to offer a course of study based upon problem-solving, brief-writing, pleadings-drafting, contracts-drafting, oral argument, and the writing of research papers.

Individual attention to student work would be provided by the teaching fellows and BSA members. And perhaps the professors who have been freed from part of their contracts or civil procedure teaching load could pitch in.

It seems to me that the possibilities for a course like this, with its small class size and availability of individual help, are endless. Least of all, the material that would be omitted in the newly-shortened required courses could be replaced via Ames-like assignments or in some other way.

At any rate, if any of you out there feel as enthusiastic as I do about this kind of program, either drop a note in my Langdell box, or send a comment to the RECORD. Any criticism will be appreciated.



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NERD COMIX

starring
Herb
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Suds, my girlfriend's bringing her roommate up next weekend. Can you help me out?

Sor-ry. The last one looked like Douglas after the stroke. Unh-unh!

Suds! You're the last normal guy on the hall I can ask...

No dice, Joe. Go ask Garnish, huh? He'll show her a good time! Har, har, haah!



Herb! Are you free next weekend?

Well... I had planned to take a quick look at the policies implicit in the Etruscan Codes of 650 B.C., but...

Want a date?

Hey, big boy! You're cute!

Sure!

L
A
T
E
R

Hear you got a hot date tonight, Herb

Yessirree. Don't let anyone tell you Herb Garnish doesn't know "where it is"

Where what is?

TO
BE
CONTINUED...

Scott Patterson BOB BURAKOFF, OF COURSE!

NERD COMIX

starring
Herb
Garnish



Herb awaits the arrival of his blind date from Ohio...



If she's as sophisticated as Ohio common law is... Hoooo boy, I'm a goner!

Herb, I'd like you to meet Candy Findlay...



...my girlfriend, and her roommate



Hello.

Irma Fluorine.

Do you have a TV?

Uh... uh.. NO THANKS, I DON'T SMOKE!

Er... BAILMENTS!

I mean...

Scott Patterson

TO BE
CONTINUED...

Class Officers Selected; Reiman Grand Pooh-Bah

Names of the newly-elected officers of the Class of 1976 were announced this week by the Law School Council. Almost 300 third year students voted April 12-16 to elect eight of their classmates, whose first duty will be to plan and administer graduation ceremonies this June.

Jeffrey F. Reiman, Bayside, N.Y., was elected class marshall; Roger E. Schechter, New York, N.Y., is the new secretary. The other six, all of whom will serve on the class committee, are: Stew Cogan, Woodland Hills, Calif.; Karla J. Letsche, Alexandria, Va.; J. Colleen McMahon, Columbus, Ohio; Gloria A. Pinza, Palos Verdes Estates, Calif.; Jack Sidorov, Baldwin, N.Y.; and Nora Ann Wallace, Maple Shade, N.J.

In addition to their responsibility for graduation exercises, the officers will be responsible for maintaining class relations with the Law School administration and the alumni association,

and will help plan class reunions, according to Tom Burroughs, 2L, chairman of the Council's subcommittee on third year elections.

Burroughs also announced that voters approved the class charter over substantial dissent.

The dissent, Burroughs said, came from "a lot of people who were unhappy with [the charter's] non-democratic method for replacement of officers."

He added that some students had expressed to him the opinion that replacement should be by election, possibly when class members convene for periodic reunions.

(Officers elected by third year students serve for five years, after which a simple majority of the officers then serving vote to either replace or reelect themselves.)

Solution to "Cryptic Law"

Let the several prisoners . . . be severally hanged by the neck but not till they be dead for they must be cut down alive then their bowels must be taken out and burnt before their faces then their heads must be severed from their bodies and their bodies severally divided into four quarters and these must be at the king's disposal.

Trial of Francis Townley, 18 State Trials 330, 350-351 (1746), excerpted in J. GOLDSTEIN, A. DERSHOWITZ & R. SCHWARTZ, CRIMINAL LAW: THEORY AND PROCESS (1974). The convicted had been found guilty of high treason against the king. The king, rumored to be an outspoken supporter of the criminal deterrence theory, evidently wanted to have the traitors' multiple parts placed under guard to be assured of their subsequent pacifism.

Committee Will Face Coalition On Placement

(Continued from Page 8)

plan to issue a minority report today disagreeing with the Committee's views on these issues and largely supporting the Coalition's proposals.

Further furor has erupted because, contrary to last year's practice, several restrictions on student access to the Visiting Committee have been imposed. The number of students who may address the Committee has been curtailed, students may not address the Committee without faculty members present, and only items already on the agenda may be covered.

To protest these restrictions, Coalition members hope to pack the Visiting Committee meeting and announce they are speaking under protest. One point which students plan to stress is what they perceive as an administration desire not to "frighten away" firms which regularly hire at the Law School but which may be guilty of discriminatory practices.

The incident which triggered a good deal of the momentum which has led to this week's confrontation involved a formal complaint by Gail E. Bowman, 2L against a prominent Chicago firm. Allegations of racist and sexist remarks and conduct were lodged against one of the firm's interviewers and they have yet to be resolved.

In an attempt to reach a settlement to this complaint, Dean Sacks has announced the appointment of Robert A. Gorman, '62, a law professor at the University of Pennsylvania, to investigate the incident. Gorman, a Contracts and Labor Law professor, was a Visiting Professor at Harvard in 1973-1974. He is charged with issuing a report as expeditiously as possible. The Dean stressed that Gorman will be given total discretion in the investigation, which will be focussed on the Bowman complaint but may range over other areas.

Dorm Council Activities

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