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TWENTY CENTS



Professor Arthur R. Miller's students fight back in the annual Erie Day celebration in first year Civil Procedure. Miller disco danced, judged and toga'd, accompanied by upper class assistants. His 1L's responded with skits of their own. (More pictures on page 11.)

Profs Feel Curriculum Needs Mixture of Theory, Practice

by Terry Keeney

Should law schools teach legal theory and scholarship or instruct students on the practical skills and knowledge necessary for daily law practice?

The RECORD interviewed several Law School professors on that question. Not surprisingly there was little agreement about the answer. But there was also little agreement as to the question itself, for the dichotomy of teaching practice versus theory has several aspects.

These aspects are embodied in institutional choices between

teaching a traditional law school curriculum and emphasizing a cooperative work-study program, such as that at Northeastern Law School. The dichotomy can also be seen in different approaches taken by professors teaching the same subject: one professor teaches a theoretical economic approach to torts, while another teaches black-letter hornbook torts. Some professors noted that the theory versus practice tension exists in every class session to the extent each competes for limited class time.

If there was any consensus among the faculty members polled,

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Keeton Tapped for U.S. District Court Opening

by Michael Smith

Associate Dean Robert E. Keeton has been recommended for a Federal District Court Judgeship by Senator Edward Kennedy (D.-Mass.). Keeton's nomination is for one of the four new Federal District Court judgeships which were created by Congress this year.

The Kennedy step is tantamount to making a recommendation to President Carter. The President will then make the nominations to the Senate for its advice and consent. Then the Senate Judiciary Committee, chaired by Kennedy, will hold hearings on the nominations. Finally, those nominees approved by the Judiciary Committee will go before the full Senate for its approval.

Keeton expects that the Judiciary Committee hearings will begin in late January or early February. He will "probably" appear before that committee, but he does not expect the hearings to be very extensive. In addition, Keeton will have to go through clearance procedures with the Department of Justice, the FBI, and the ABA.

According to Keeton, the "fastest possible timetable" for his confirmation by the full Senate would be by early February. Since Kennedy is the chairman of the committee which is handling the nominations, he will be able to get his own nominations in early.

(Continued on Page 2)

Charles E. Sullivan Rides Into the Sunset

By Gina Markey

Charles E. Sullivan, guardian of the vast collection of the Langdell Reading Room and keeper of nickels for photocopies, is leaving his position at Harvard Law School.

Sullivan is retiring after more than eight years of association with the Law School. He began inspecting and checking bursar's cards and brief cases at Langdell on weekends after retiring from the Cambridge Police Department. After two years of weekend work at Langdell, Sullivan began guarding the library entrance on a full-time basis.

The 64-year-old keeper of the Reading Room said he is ready to retire and is looking forward to spending more time with his family.

Travel Plans

Some tentative travel plans are on the horizon for Sullivan and his wife. The two life-long Cambridge residents would like to visit their youngest son, a professional wrestler, in Knoxville, Tennessee and then perhaps travel to Florida and Washington, D.C. The Sullivans also have a son in New Hampshire who is a carpenter. "He just finished building his own house and might build a small one for us. We might spend our summers there," mused the guardian of the library.

While sitting at his small desk at the entrance of Langdell, Sullivan has had plenty of opportunity to talk to students at HLS and make observations about them. He doesn't think students here have changed much over the last eight years. "They're all gentlemen and ladies, even when they're under so much pressure. The students here are serious and studious. I see them in the library working hard — maybe we should all work that hard," Sullivan reflects.

"Maybe everyone should work hard at what they do, but not all try to be lawyers — we need the farmers and the fishers, too."



Charles E. Sullivan

Kennedy To Nominate Keeton For U.S. District Judgeship

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Keeton does not see his appointment as having a major effect on the Law School, at least for the near future. The majority of his teaching load is centered in the fall and winter terms, and thus will be completed no matter how soon the nomination is approved. He is scheduled to teach Insurance Law in the spring, but no decision has been made about that class. He anticipates that a decision will be made some time in January.

Limited Teaching

A federal judge is allowed to carry out some limited teaching duties, but Keeton does not see that as a real possibility at this time. "It would be difficult to teach while I am entering the new assignment."

No decision has yet been made on Keeton's duties as dean. He had been involved in the planning of

the J.D. curriculum, especially in the area of clinical courses. In addition, he had some administrative responsibilities to Dean Sacks in regard to the Law School budget. Keeton has no idea what the Law School will decide to do, but indicates that two logical options are to increase Associate Dean James Vorenberg's workload or to appoint someone new.

Keeton indicated that the major difficulty in deciding to make himself available for the appointment was "deciding to give up teaching, which I love." He did indicate that he felt better about the decision because the Trial Advocacy class "is well established as part of the institution and I would expect it to continue." One note of regret was that no one had indicated any interest in taking over his computer-aided torts exercises.

Another change in Keeton's

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Polish Dissident Joins Student Body

by Becky Wesley

Former Polish dissident and law student at the University of Warsaw, married to a Russian — even among the diverse Harvard Law School student body, Lonka Fogelman's (1L) background makes him stand out.

Fogelman was born in Poland in 1950 of Socialist/Zionist revolutionary parents who raised him to believe in a socialist ideal. But, much as his parents had turned away from the conservatism of his Hasidic grandparents, he rejected socialism as a young college student.

The Polish dissident movement from 1956 to 1968 was largely a restlessness of the intelligentsia, centered in the churches and campuses. Fogelman became active in the movement when he began legal studies at the University of Warsaw in 1967. In 1968, the security police incited rioting by strategically allowing demonstrations and then making mass arrests, hoping to create an atmosphere which would justify an emergency situation and put them in control of the Party. But the insurgence was too limited and too easily quashed. Neither the resistance nor the security police were able to achieve their immediate objectives.

However, the crisis was enough to spread the spirit of dissent throughout Poland, and in 1970 came the Workers' Revolt, too big for either the police or the Party to handle. The Government toppled; a new bureaucratic balance of power formed at the hands of the nation's technocrats. The cost was terrible — hundreds died in the streets, and the entire Jewish population left Poland.

Jews Leave Poland

Fogelman left Poland in 1969, when he was nineteen years old, after his arrest during a campus riot and a week in jail. "There was no official banishment. I was released without a trial. It was just made clear to Jews that they had

better leave. The Government was trying to divert public attention, so the Jews were once again used as a scapegoat. It is such a tragedy — a whole national heritage destroyed. The Jews had roots in Poland for a thousand years. There were three-and-a-half million before World War II. In 1968 there were about twenty-five thousand left. Today they are all gone." Fogelman has no family in Poland now; his mother lives in Sweden.

defense of his dissertation which he wrote last year while in Moscow on an Irex-Fulbright Scholarship exchange.

Culture Shock

"When I went to Russia, I unexpectedly went through culture shock all over again. I had thought the Government I fought against in Poland was very restrictive. I hadn't realized a regime could be so

"When I went to Russia, I unexpectedly went through culture shock all over again . . . Russia is as much more oppressive than Poland as the United States is more free."

After leaving Poland, he spent a year in Austria and Italy learning to speak English and adjusting to life in the West. "The culture shock was stunning — so much liberty, so much affluence!" Because he was classified within an unfilled quota, he received his refugee visa from the United States in only seven months.

He came to New York City and studied philosophy and political science at the State University of New York at Stonybrook. He also went to France on a general studies exchange to study for two semesters at the Sorbonne. After finishing his undergraduate degrees, he began work at Columbia University on a Ph.D. in Russian history, now complete except for the oral

much more extreme. Russia is as much more oppressive than Poland as the United States is more free."

Fogelman frowned as he described Russian life. "It's like a universe in itself. The scarcity of goods is incredible. Even in Moscow there is in the average family one person whose full-time job is carefully managing the budget and finding food. In other cities there is nothing to eat except bread, cabbage, and some starches. The lion's share of the Russian G.N.P. goes for armaments, so there are no quality or luxury items. Any consumer services are private and illegal. It's called a 'gray economy.' Currency has no value; what consumer goods there are, and all services, are bar-

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Alternative Legal Opportunities:

by Dan Hershman

Instead of reading and talking about being lawyers, students involved in the five clinical programs on campus — Committee on Military Justice (CMJ), Defenders (HD), Government Attorneys Project (HGAP), Legal Aid Bureau (LAB), and Prison Legal Assistance Project (PLAP) — are handling real cases for real clients. Participating law students fight not for higher grades but clients' rights, thanks in part to Rule 3:11 of the Supreme Judicial Court of Massachusetts, which allows law students to appear in court under certain conditions.

PLAP

PLAP, with its 50 members from all three classes, represents inmates at MCI-Framingham and MCI-Concord, a maximum security prison for men under 25. Like in the other clinical programs, PLAP's students handle cases on their own from initial interview to final disposition. Mary Gideonse, a local attorney, serves as their supervisor, but responsibility for cases before the prison Disciplinary Board and the Parole Board rests with the students.

Evan Slavitt, 1L, who has appeared at disciplinary hearings on behalf of several inmates at Concord, says disciplinary charges against them can arise from disobeying orders, obscene language, being out of place, or 29 other offenses, and the penalty can be 15 days in isolation. In Slavitt's first case, which followed intensive preparation, the client was given a warning-reprimand, but was saved from isolation: success for Slavitt. "I really like what I'm doing. I'm applying all reasoning because if I blow the case, the client goes into isolation. The work takes up time, and you have to prepare it fully. It takes precedence over classes."

Slavitt realizes that his contribution, though helpful, plays a small part in his client's life: "Your client

is still in jail, still likely to be disciplined again. Some of these people are in desperate trouble. I sense that I am helping people." As a 1L, Slavitt has felt "right at home" in the organization. "The people in the organization are good, supportive, friendly. This is really terrific."

Handling real cases for real clients, "the most interesting and worthwhile thing I've done at Law School"

Legal Aid Bureau

The Legal Aid Bureau provides legal services in civil matters to poor people in the Boston-Middlesex County area. The caseload, now somewhat smaller than the 800 level of years back, includes landlord-tenant matters (perhaps 30 percent of the cases), care, custody, and protection of children, domestic relations, and administrative law cases in areas such as welfare, unemployment (where one challenge is now before the Supreme Judicial Court), social security and supplemental social security, aid to families with dependent children, and property tax abatement.

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There are 56 members of LAB, none of whom are 1Ls, since 1Ls can't practice civil law in Massachusetts. Admission to LAB, during the spring, is by lottery or by participation in its Ames Alternative moot court competition.

Five attorneys from the downtown Boston law firm of Hale and Dorr supervise 3Ls; 2Ls enrolled in Introduction to Advocacy are supervised by their ITA advisors. LAB would like to have in-house attorneys with a poverty orientation, according to vice-president Ann Yahner, 3L. Founded in 1913, the group was honorary until 1969. It aims to give high quality representation to the poor while developing the trial skills of its members.

"You realize the clients are real human being who have a hell of a lot of problems," Yahner says. "We're not just a place cranking out divorces," Yahner points out, citing the Bureau's involvement in multiparty litigation in the United States District Court and the Supreme Judicial Court. LAB is also involved in impact advocacy, an attempt to effect policy changes. One LAB suit seeks to change the operation of a Medicaid program.

Yahner calls LAB an "interesting and demanding activity. You develop skills that will serve you well as a lawyer and as a human being. LAB is an antidote to substantive law courses." LAB's graduates have also defied the HLS corporate image. Fourteen of last year's 27 graduating members went to work in legal service-public interest related work.

HGAP

Being portrayed in last year's spring show as goose-stepping fascists worries the Government Attorneys Project and its president, Sharon Readhimer, 3L. "We're concerned for our image; we're often treated unfairly." One recent example Readhimer cites was the omission of HGAP from the list of organizations endorsing the

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HLS Provides Clinical Experiences

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Burger protest. HGAP provides opportunities for 2Ls and 3Ls to acquire trial experience by prosecuting criminal jury cases in Massachusetts and to serve with the state Attorney General's office and other state and federal agencies in criminal and civil clinical placements.

Though barred from appearing in court, 1Ls take an active role in preparing cases for trial and in extensive research projects. Much HGAP activity involves its Research Bureau, and projects on white-collar crime investigations and tax matters. Last Friday, HGAP sponsored an entertaining breathalyzer demonstration, and has hosted several speakers during the semester. HGAP also sponsors the police ride-along program and several Ames Alternative cases.

Most of HGAP's work is in Middlesex and Norfolk counties. "We don't get cases morally distasteful to young people, like minor drug charges. We're far left of the basic party line in the DA's office and they just won't give us certain cases to prosecute," Readhimer says. HGAP attorneys, who carry enormous responsibility, have been well-received in the courts.

Harvard Defenders

"The Harvard Defenders was founded in 1949 by Samuel Dash, with the purpose of providing free legal assistance to indigents accused of crime," its 29th Annual Report states. Its five primary areas of activity are district court proceedings, civil commitment, show cause hearings, disciplinary

hearings (similar to PLAP's work), and research and appeals.

Since June, 220 new clients are now represented by HD, compared to 212 over all of last year. Many cases originate with Saturday arraignments in the district courts in Quincy, Brookline, and Cambridge. Three quarters of HD's cases are received by court appointment. Drunk driving, breaking and entering, assault and battery, and car theft, especially by juveniles, are among the offenses HD handles. Under the close supervision of attorney Saul Schapiro, complemented by HD members and their 170-page manual, HD provides representation that president Brad Bridge, 3L, characterizes as "far more energetic than that of a regular practicing attorney. We're zealous, and often more current on the law in a lot of issues than regular practicing attorneys are." The 110 members represent all three classes, but only 3Ls are permitted to try cases. Second-year students handle show cause and civil commitment hearings, while 1Ls work with prisoners. In addition to the Ames Alternative it sponsors with HGAP, HD conducts research for criminal defendants throughout the country.

Few HD members become public defenders. Bridge partially blames the Placement Office, since only one public defender's office visited the campus this fall, but also notes that there aren't many defender jobs available. Still, Bridge feels HD is

"something worthwhile and a good opportunity for getting away from the books for a while. Going into court is much more interesting" than regular Law School work, he feels.

CMJ

The Committee on Military Justice has 15 members, including a few 1Ls. But it has handled 240 cases this year. Twelve years ago CMJ was known as the Foundation for Legal Research on the Draft and was privately funded. CMJ's officers are known as trustees, and the five represent divergent views, according to trustee Rick Judd, 3L. Though one trustee graduated from West Point, Judd characterizes at least three of them as left of the HLS consensus.

CMJ's program includes oral advocacy, legal writing experience, legal research, and plenty of personal case work, usually before administrative boards. Many cases involve discharge upgrades and veteran benefits. CMJ has an extensive library on military law. Veterans with problems from their service days, sometimes involving felony convictions in military courts that give rise to Constitutional issues, have been referred to CMJ by the ACLU, the VA, legal aid offices, reference directories, and Army Judge Advocates. Judd calls his work "the most interesting and worthwhile thing I've done at Law School."

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Dukakis Reminisces on Governorship:

By Dave Quinto

Speaking before a small but admiring audience at the Harvard Law School Forum on Nov. 29, Massachusetts Governor Michael Dukakis, '60, described his accomplishments of the last four years and tried to allay fears concerning Governor-elect Edward King.

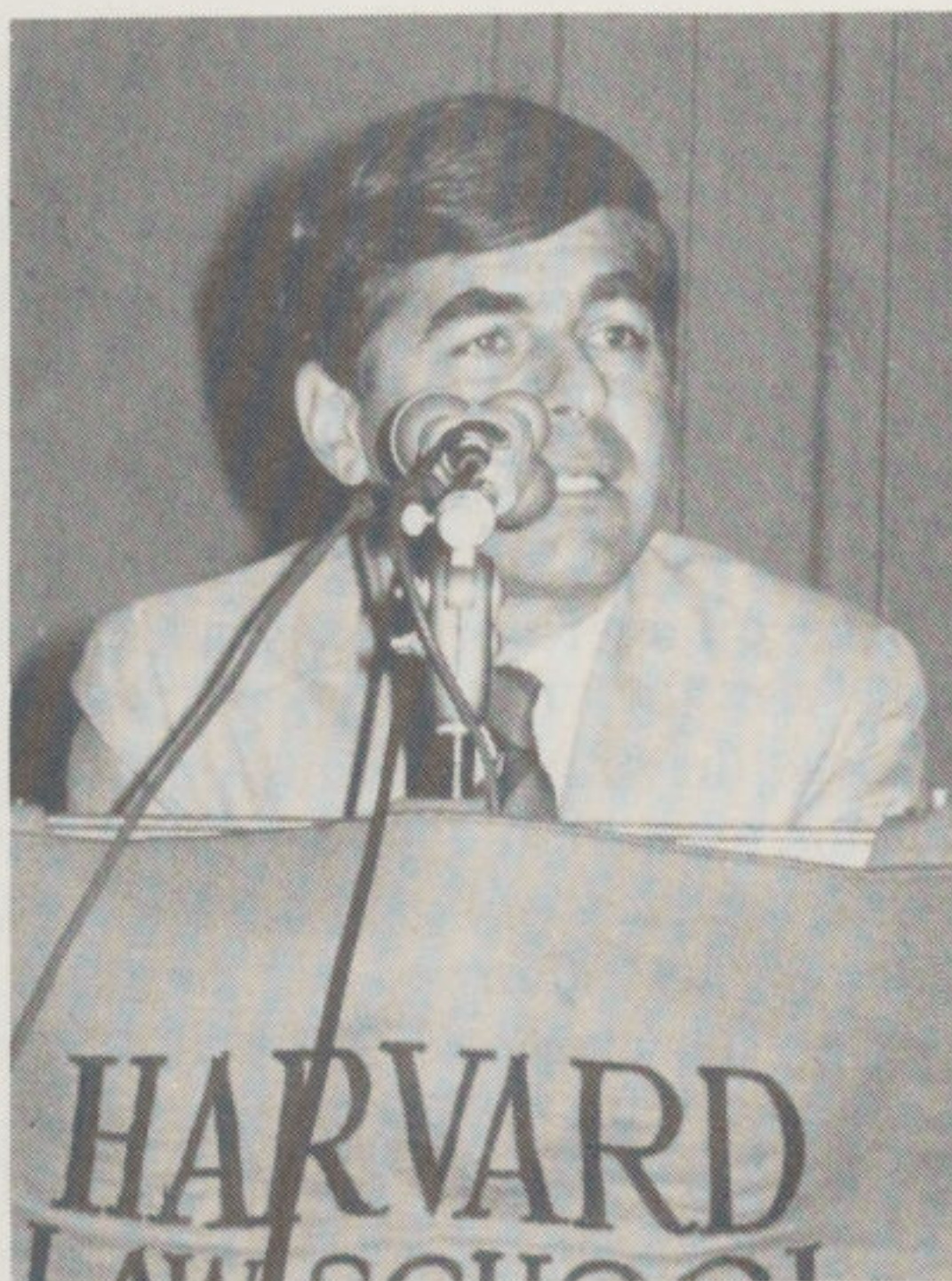
He said his first 18 months as governor were "the most difficult I've ever spent," due to the financial crisis which was giving Massachusetts a reputation as "the New York City of state governments."

On the bright side, he cited "the attempt to deal with the very serious problems of our cities which has already begun to bear fruit here in Massachusetts and which is being studied on the national scale." Dukakis stated that the approach being used in Massachusetts has equal relevance to "Vermont and other rural states." "We're not just talking about vast cities," he added.

Massachusetts had never had "an office for social, economic or physical planning" before he became governor, so Dukakis created one. Using its studies, and ideas solicited from municipalities across the Commonwealth, Dukakis decided that people wanted future growth to occur within the cities. As a response to this sentiment, the state government exercised its regulatory power to block investment and development which would have interfered with urban revitalization.

"We can't have suburban growth and healthy cities," he averred. The Governor cited as an example of his policy the blocking of construction of a shopping mall in Lenox which would have taken business away from Pittsfield's downtown.

On the affirmative side, he said that the Massachusetts College of Art has tentatively agreed to move into abandoned buildings in the Charlestown Navy Yard and that state agencies had been encouraged to look downtown to satisfy



Gov. Michael Dukakis

their office space requirements. "The catalyst for revitalization has come from state government decisions and this kind of decision-making requires little legislative effort — mostly executive authority," he said.

Urban Revitalization

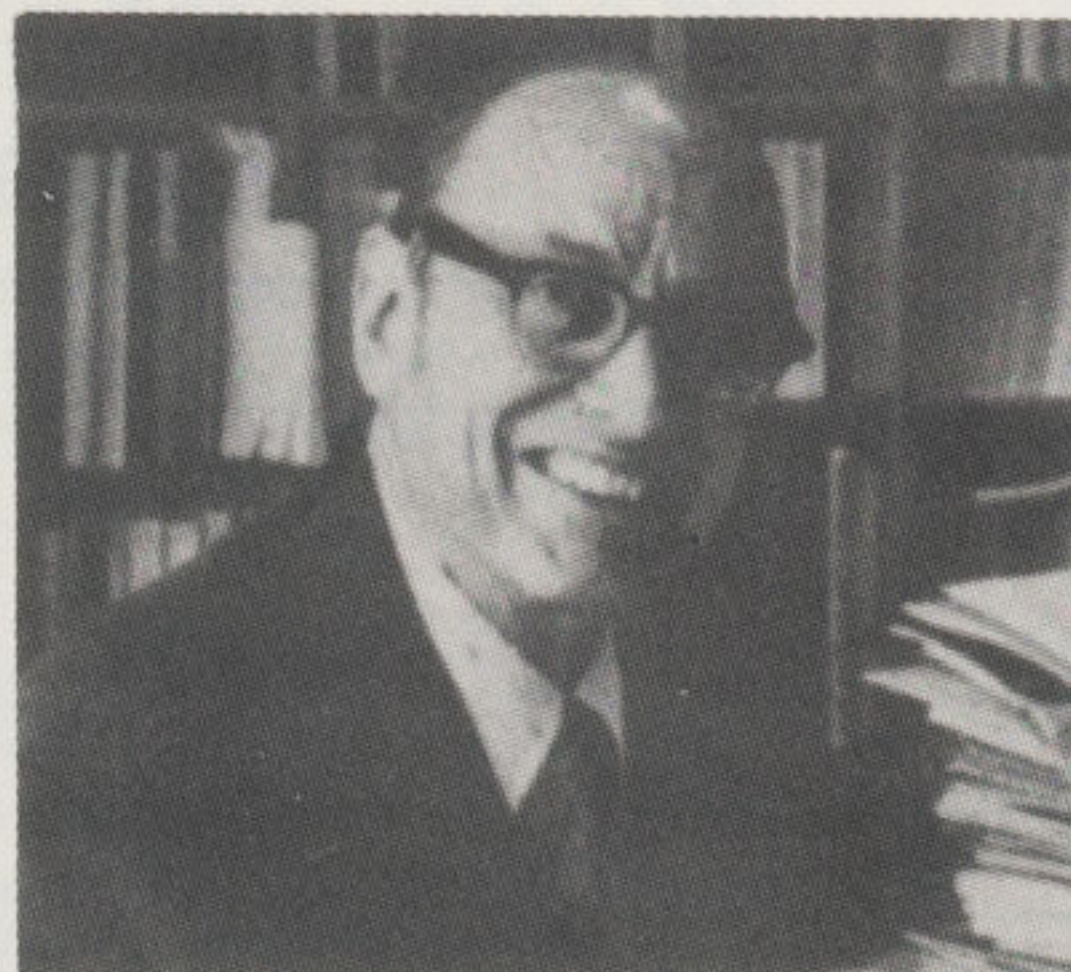
Dukakis noted that he fared poorly at the ballot box in September in many of the areas which he claims have benefited from his urban policy, explaining that the results are only just becoming apparent and that voters were concerned with more immediate issues such as taxes. He feels, however,

that the economics of urban revitalization have become favorable in the past two or three years as a result of the rising cost of gasoline and suburban housing. This, he said, "has led to a better utilization of the existing infrastructure and an improvement in the school systems caused by an influx of young couples." Dukakis concluded that the Massachusetts experience proves that states can be innovators in social policy, and added that "if we're going to have a national urban policy worthy of the name, the states must be part of the planning. It doesn't make any sense to have mayors commuting to Washington looking for grants."

In response to the apprehension expressed by many members of the audience concerning Governor-elect Ed King, Dukakis replied: "I don't see any general threat to civil liberties in the Commonwealth." Dukakis, in a private chat with Forum members, said that he has grave doubts about King's ability to roll back local property taxes by half-a-billion dollars in his first year, as he promised in his campaign. Dukakis seemed to feel that the commitment to urban revitalization will continue and added that "there is such consensus now in the heavy, heavy emphasis on public transportation that I expect there will be no turning back."

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Keeton May Be U.S. Judge: A Texan in Sen. Kennedy's Court



Associate Dean Robert E. Keeton

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duties will be some cutting back of the amount of writing he does. He hopes he can find time to do some, but he "anticipates a heavy workload" in the judge's position. "I will be committing my energies fully to trying to do a good job in that assignment."

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What Went Right, and What Went Wrong

(Continued from Page 6)

Easy Winner?

Dukakis attributed his electoral defeat primarily to the widespread belief that he would be an easy winner. "I took the campaign seriously," he said, adding that he has signed about 4,000 thank-you notes to campaign workers. However, "many of the voters wanted to give me a tickle and many potential campaign workers went to work for Tsongas or Guzzi," stated Dukakis. "There were forces out there that I didn't understand well enough. People were very aware of Proposition 13 and people didn't feel they had received the kind of massive tax break they were looking for. I was also hurt by the anti-abortion, pro-capital punishment, and state employees lobbies. But had there been a perception of the closeness, there would have been a very different kind of reaction," he averred.

Speaking from hindsight, the Governor added that although he had never run a media-oriented campaign, he felt that this was one time when he should have. There was a "perception that people weren't seeing enough of me." Dukakis felt that "in the last analysis people would respect you for being true to your principles. All other things being equal, I still feel that people will respect you for that." However, "an inflation rate of eight or nine or ten percent is a very conservative force which creates a great degree of apprehension, making people unwilling to support social services and the

taxes that go with them because of their straitened economic circumstances," he concluded.

To Washington?

"I haven't even begun to speculate about the future. Whether I go to Washington is a tough choice because this is home. It would depend on what kind of responsibilities were involved," said Dukakis. He added that he could go "either way in elective politics in Massachusetts" and that a teaching position might be a possibility.

On other matters, Dukakis stated that he did not remember making any nasty comments about the Law School's opening during the Blizzard of '78, adding "It

wasn't one of the great issues." He also stated that he doesn't believe that public financing of presidential campaigns is causing more money to be spent on congressional races or that the tendency to "media-blitz" is lowering voter turnout by destroying strong organizational efforts. He reflected that single-issue voting is not a new phenomenon, remarking that Vietnam and Prohibition were issues which caused politicians to be elected or defeated. Dukakis is pleased that there are "more and more very good public servants coming from professional schools; more and more people trained for government careers."



HARVARD LAW REVIEW

announces its November, 1978 issue (volume 92, number 1):

The Supreme Court, 1977 Term

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Ad Board: Little Known, But Powerful

by Bill Ross

Suppose you are ill during reading period and want to postpone taking your finals. Or say that your spouse is working in Los Angeles and you want to spend your third year at U.C.L.A. Or suppose you turn in a paper a day late. Where do you go?

The Law School's eight-member Administrative Board would make a final determination on all of these matters. Although the Board is one of the Law School's least visible institutions, it may be one of the most powerful. The Board annually hears approximately 75 administrative cases, in addition to a handful of disciplinary cases, according to Prof. Frank E. A. Sander, Board chairman.

"The Board is a useful outlet for student concerns and complaints, particularly in a large institution such as the Law School," Sander said. "Students need to know that they can seek relief from unfair treatment."

The Board is composed of three faculty members, three students, and two administrators. It meets every three weeks.

Sander said that a common problem handled by the Board is requests for re-admission by former students.

"If a student leaves during the middle of his first year, we draw a distinction between students who have left because of unpredictable circumstances, such as illness or death in the family, and those who have simply attended for a couple of months and said 'Law School is not for me,' Sander said. "So many persons apply for admission to the Law School that we often don't want to give a person two cracks at the first-year class. But if a person has completed his or her first year, re-admission is usually routine, especially if a person has only been out for one or two years. If a person has been out much longer, we might attach conditions to the re-admission, such as that the person retake one or more of the basic courses."

Sander said that another category of cases involves students who want to spend their third year in another city with their spouse.

Exchange Program

The Board also has the responsibility of administering the Harvard-Berkeley exchange program, Sander said.

"The program has been a headache," Sander said. "There has not been much of a response from students at Harvard and, worse yet, some of the students who have been selected for the program have decided shortly after arriving at Berkeley that they want to return to Harvard. It's only natural that those who apply reflect a certain ambivalence about going, but the program has consumed an immense amount of administrative time."

Registrar Mary Upton, a Board member, said that another large category of cases involves students whose studies are interrupted by illness.

"Catastrophes do happen to human beings," Upton said. "When there is a student illness or an illness in the family, we use our judgment to work out what is humane and rational."

Although the Board strives for consistency in the application of rules, its members emphasize that they closely examine the facts in each case to determine what is just in the individual instance.

Larry Steinberg, a 1L who has attended only one meeting, said that he was impressed at the meeting by the lack of guidelines used by the Board.

"The decisions seem largely to be ad hoc, and I view that as a strength rather than as a weakness," Steinberg said. "The Board has the flexibility to deal with problems as they arise. It examines the personal factors in each individual case. I was surprised by its discretion and power."

Angela Sousa, 2L, another new Board member, agreed with Steinberg that the Board seems to try to

examine closely the facts in each individual case.

Fair and Consistent

"My first reaction to the Board was one of surprise at how things that seem routine can become complicated," Sousa said. "The board tries to work things out in a way that is fair and consistent."

Upton emphasized, however, that although the Board examines the extenuating circumstances in each individual case, it is careful not to make exceptions that would be unfair to the student body as a whole.

"We don't want to give one person all the goodies just because they have had the wherewithal to go to the trouble of seeking out the Board, while other students just slog along without asking for special exceptions," Upton said. "The important thing is for all students to have fair treatment and not for us just to oil the squeaky wheel."

Upton noted that many of the problems considered by the Board are matters that originally were taken to her in her capacity as registrar. She makes decisions on routine matters and refers the more complicated matters to the Board.

"In a sense, I take everything before the Board since I often ask for its advice in dealing with problems that arise in the Registrar's office," Upton said.

In addition to hearing cases requiring rule interpretation or dispensation, the Board also hears a second type of cases involving disciplinary actions, Sander said. Disciplinary cases are far rarer than are administrative cases. Although Sander said the number "varies from year to year," there is an average of only two or three per year.

Disciplinary cases arise in a variety of contexts. Some have involved students who retyped their examinations after a testing period and failed to make a verbatim transcript, Sander said. He noted that the Board tries to achieve the

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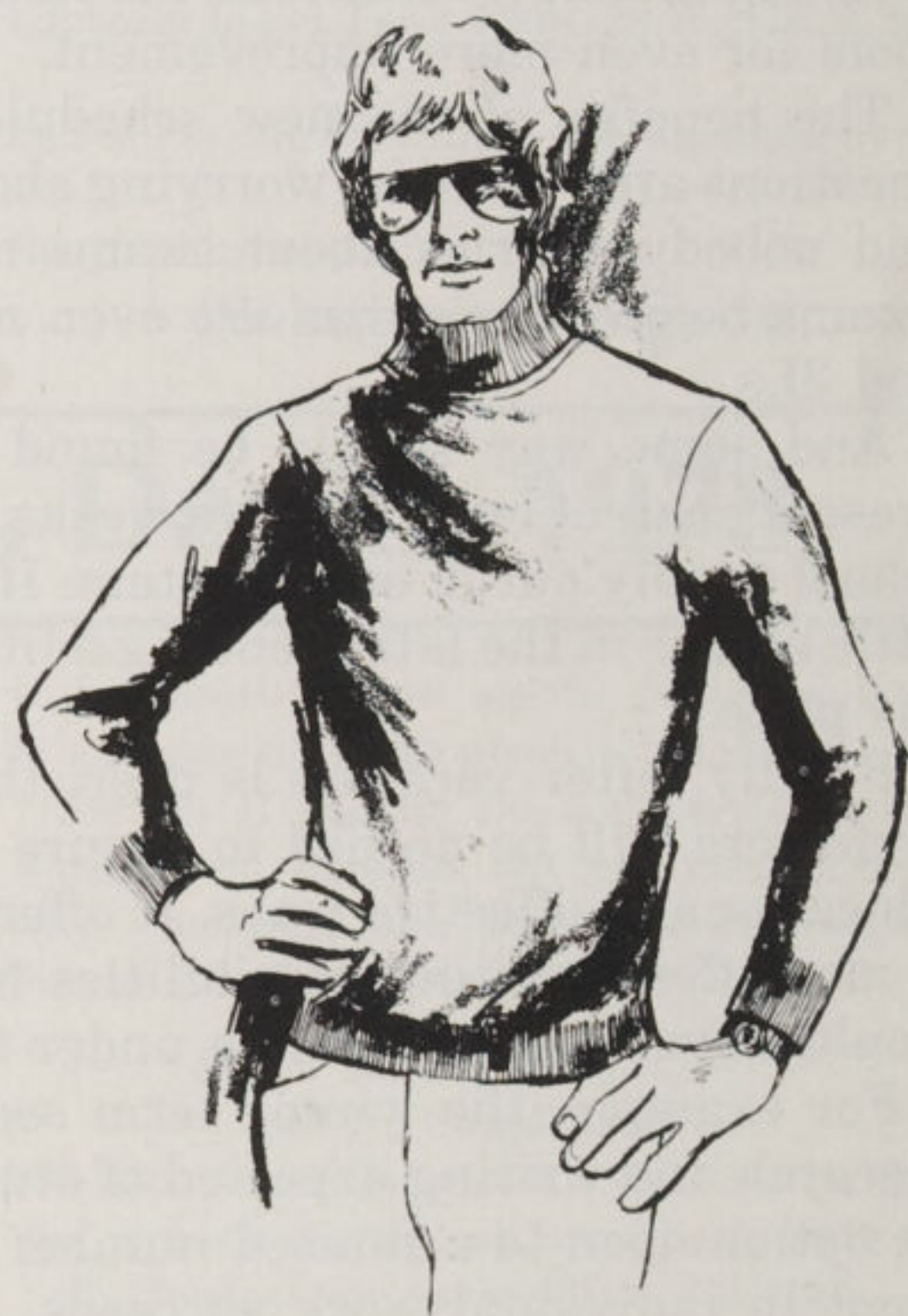
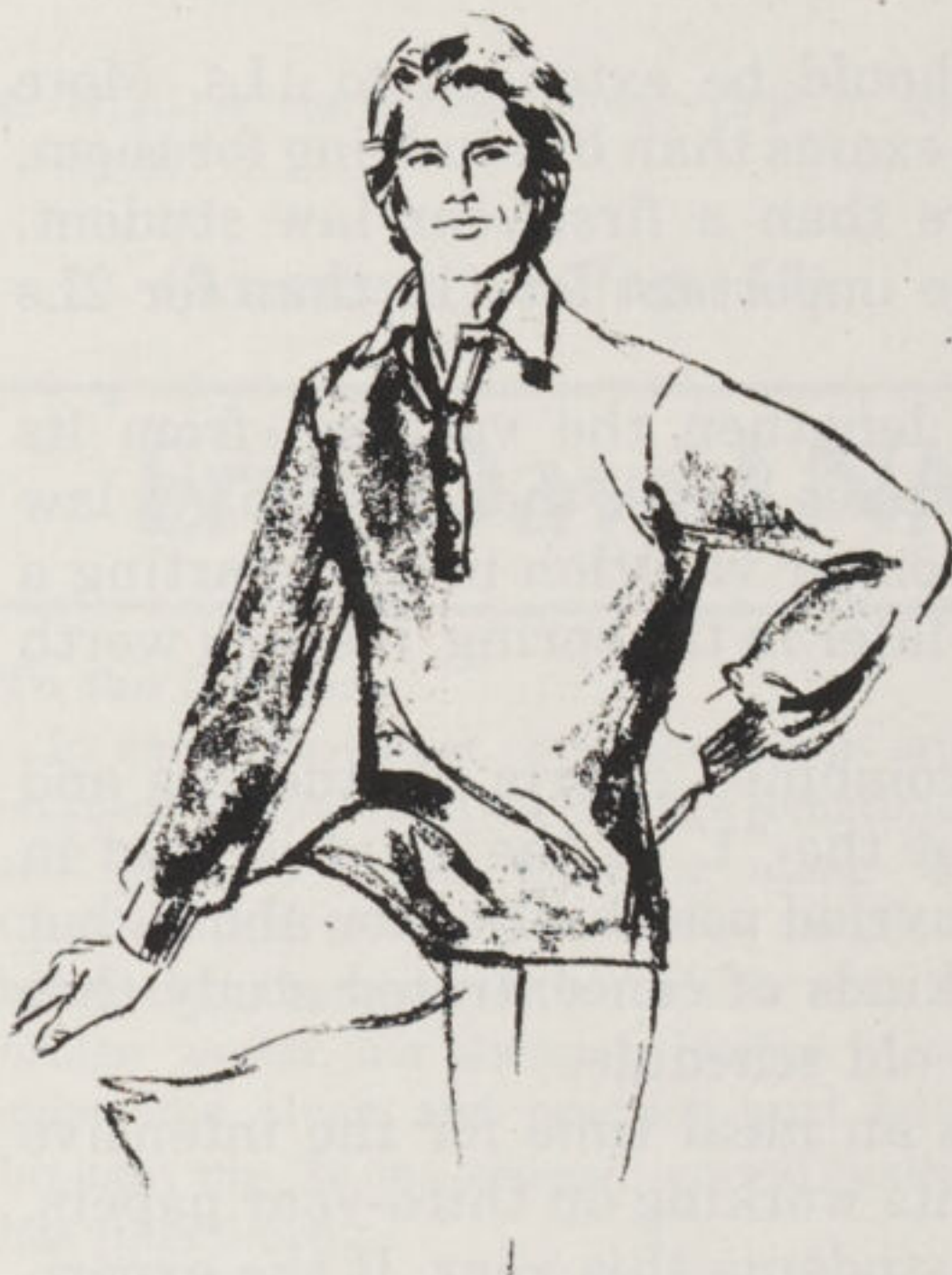
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A Christmas Present

Second- and third-year students will be receiving a well-deserved Christmas present from the Law School this year: a real Christmas vacation.

Thanks to the new 4-1-4 schedule, with exams before Christmas, 2Ls and 3Ls won't have to spend their time over the holidays studying for and worrying (mostly the latter) about impending finals.

This may mean less of a vacation for the faculty, since they will now have exams to grade at Christmas time. But if someone has to suffer a little, far better the faculty than the students, considering who's paying whose salary.

As big an improvement as the new schedule is, there remains plenty of room for even more improvement.

The benefits of the new schedule should be extended to 1Ls. More vacations are ruined by worrying about exams than by studying for them, and nobody worries about exams more than a first-year law student. Exams before Christmas are even more important for 1Ls than for 2Ls and 3Ls.

And some way should be found to lengthen the vacation from its present span of less than two weeks. It takes longer than that to get law school totally out of one's system. If a longer vacation means starting a little sooner in the fall or ending a little later in the spring, it's well worth the price.

Finally, after vacation is over, the combined efforts of students and professors will be needed to ensure that the "1" in the 4-1-4 is used in educationally effective ways. It offers myriad possibilities for abuse, but it also offers exciting possibilities for kinds of concentrated study that would have been impossible under the old schedule.

For example, the winter term seems an ideal time for the intensive research and writing expected of students working on third-year papers, an option open to a limited number of students this year. If the experiment in individual work succeeds, the opportunity should be given to expanded numbers of students in years to come.

Despite these few criticisms, suggestions, and reservations, the new schedule represents a giant step in the right direction. It shows that Harvard Law School really is becoming a more humane place, and that the faculty and administration really are concerned about the needs of students. And that may be the best Christmas present of all.

HARVARD LAW RECORD

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Fenno

The 1L spotted Fenno reading the *Boston Globe* funnies outside of the Dean's office.

"Got a second?" the 1L asked. "I need some advice."

"I'm always very busy," Fenno lied, "But never too busy to give advice to a 1L."

"It's time to sign up for first year electives," the bewildered 1L moaned, "and I just don't know what to pick."

Fenno's eyes lit up. "Well you've come to the right place," he said. "I may not ever have taken a course here, but I have picked up the best methods of choosing them."

The 1L handed Fenno the booklet containing course descriptions. "You might want to look at this," he said.

"I won't need any descriptions or evaluations," said Fenno. "Just the names of the courses and the professors."

"I should have guessed," the 1L smiled.

"Now the first thing you'll notice," Fenno began, "is that the course list is different from the one you had during your undergraduate days at Yale."

"Right," the 1L said. "There are no cow-milking or forestry courses."

"Nevertheless," Fenno continued, "there are ways to pick out the 'gut' courses."

"For instance, if past experience is any indication, then any course with the word 'policy' in its title is a sure thing. This should probably hold true even though Phil Heymann's not around this year."

"There's only one course which fits that description, and it's only two credits," the 1L noted. "I'll have to choose another one."

"Well," Fenno said thoughtfully, "*Issues in Employment Discrimination* and *Theories of Violence* certainly look promising. Any course with 'issues' or 'theories' in its title can't be too tough."

"And if I remember correctly, *Alternative Methods of Dispute Resolution* is a case study of the Harvard Law School. The course material focuses on the Dean's alternative methods of settling disputes: either ignoring student input and then making a decision, or making a decision and then ignoring student input."

"Sounds easy," the 1L said. "How about basing my choice of courses on the professors teaching them?"

"That presents a bit of a problem this year as always," Fenno smiled. "From the looks of things, 'To Be Announced' is the best choice there."

Board Wiolds Power With Discretion

(Continued from Page 8)

same flexibility in the disciplinary cases that it has in the administrative cases. In reaching its determinations, the Board looks carefully at the facts of the individual case.

In one recent case, a student sought to postpone taking an examination after telling the Registrar that there was an illness in his family. When the Registrar discovered that the student was lying about the illness, the matter was taken before the Board. Sander said that since there were extenuating circumstances, the student was issued a letter of reprimand which was placed in his file. But in another recent case, a student found guilty of plagiarism was dismissed.

Under its written rules, the Board conducts its disciplinary hearings in accordance with generally accepted standards of due process. The Board initiates formal proceedings by written charge explaining the nature of the alleged infraction. A student has a right to a hearing at which he may be represented by counsel and may call witnesses. The Board's statement of procedure notes, however, that the Board "does not consider itself to be an adversarial or prosecutorial body. Its disposition is to handle matters which come before it as favorably to students as possible, consistent with the maintenance of the high academic and ethical standards of Harvard Law School."

Student members have sat on the Board for the past decade. Steinberg said that at the first meeting he attended, he was surprised that the student members seemed to be treated by faculty members as peers. He noted that while student members of committees on which he had sat at Yale were treated almost as "inferior beings," he had the impression "that I was being listened to by faculty members as a person and not just as a student and that I could have impact."

SPORTS QUIZ

1. No horse has ever won one million dollars in one year. Which horse has won the most money in a single year?
2. Which driver has the most World Grand Prix Championships to his credit than any other?
3. Who was the first baseball player to surpass Hank Aaron's home run hitting record?
4. What is the richest horse race in the world?

(Answers on Page 16)

Cryptic Law

Students in Professor Younger's Evidence class will recognize this expression of judicial discontent.

Ond otzby le onzh hddrzpyyq hzrsyd

mtzrzpy mbhd . . . nbh tbzhda b nlho le

stliyrh, ol ond stlsdt hlywozlp le xnzmn ond

Vlfdtpdrpo'h hddp sbvd itzde, ezyda, zp

fzlybozlp le lwt Twyd 15(b), 28 W.H.M.B. lp

ond dfd le ond btvwrpdp, nbh tdpadtda byr-

lho pl bhhzhobpmd.

(Solution on Page 16)

Erie Day: LNM, Dec. 5, 1978

To the Editor:

In early November, with the leaves still on the trees and running fanatics sometimes still able to prance shirtless along the Charles, this 1L fell prey to the insidious belief that there would be neither a Cambridge winter nor January exams. Alas, snow and slush and practice tests have brought me "to my senses"; cursed reality has intervened.

However, all is not lost. While enraptured by these mid-Fall illusions, I somehow managed to see how all four of my courses (plus Legal Methods, to boot) could be summarized in six verses adapted from that greatest book of laws, the Bible. With a zeal only insanity could produce, I completed

this definitive work on the first-year law school experience in about a half-hour.

Section II people: Do not worry if the words seem familiar but you don't know why. This piece was the closing invocation for our Erie Day festivities.

Psalm 23: Second Edition
(But No Supplement!)

The Law is my Shepard's; I shall not punt.
She maketh me to look upon hairy palms;

She leadeth me beside Mrs. Palsgraf.
She putteth my soul in rem; She playeth with my pocket parts for her brief's sake.

Yea, though I trudge through the tedium of civil procedure, I will fear no quibbling; for thy Miller is with me; his anal-retentiveness, it captures me.

Thou preparest a model penal code for the use of mine examiners; thou annointest my head with consideration; my cup runneth trover.

Surely thin fees and fat casebooks shall follow me all the jurisdictions of my career; and I will be cribbing with Emanuels forever.

Robert Emerson, 1L
Cambridge, Massachusetts



Dissident's Perspective on America

(Continued from Page 3)

tered for. To buy a hat you have to be able to offer the salesperson something he needs in exchange."

Fogelman pointed to the Coke on the table in front of him. "To sit and drink this in a Russian city would be quite an achievement of status. A pair of Levis would cost about \$250, or a month's salary for an engineer."

There is no freedom of movement or expression. Explanation of purpose and official permission are required to travel from one city to another. There is never open discussion of politics in public places. "When I returned to the U.S., I was actually afraid to use the phone for awhile, because I was in the habit of being constantly discreet in my conversations. The experience has given me a unique perspective on America, another vantage point on Western civilization."

Fogelman is sharply aware of how much Americans have and how much they take it for granted. "True Democracy doesn't exist anywhere, but I am convinced the pluralist system is closest, and the only workable governmental system. But it must be carefully maintained. Western law developed out of communities with inherent religious values internalized by individual members. The puritans had a sense of covenant — rights in exchange for obligations."

He is concerned that Americans have forgotten these principles that are the underlying historical foundation of our legal framework. "The Sixties in this country were a time of emphasis on personal rights — for example, the rights of the criminally accused — with no proportionate understanding of individual responsibilities. In Russia there is restriction of freedom without exchange of rights. In America the trend is extension of rights without attendant obligations. Both imbalances are dangerous, and lead eventually to a non-functional legal system."

As an example Fogelman cites Sweden, where he goes annually to visit his mother. "Sweden, by a

democratic route, has come frighteningly close to Orwell's *Nineteen Eighty-Four* in that they wanted cradle-to-grave security, for which they voluntarily handed over all responsibility to the government. Now every aspect of Swedish life is bureaucratically regulated."

HLS a Compromise

Fogelman's past and his political perspective also color his opinions of Harvard Law School. "When I first became an undergraduate in the States, I found American university life so relaxed that it seemed amorphous; I was lost in academic freedom." HLS is a comfortable compromise for him. "I came from a very rigid educational system in Poland, where professors are figures of unapproachable, unchallengeable authority. I had heard the 'Paper Chase' stories, and expected to find the same here. I was pleasantly surprised. I think tension and intimidation are self-generated by the students. It's all what you make of it. I do think though that the faculty, which is aware of the alienation, could do more to help reduce it."

For Fogelman, the greatest challenge of law school is the incredible command of the language required. "I thought I knew English! — I taught classes at Columbia — but now I have to re-learn so many words that have entirely new and very precise meanings in the law." The concept of legal language fascinates him. "Heidegger says language is a 'mode of being.' We are learning here not just substantive information, but an entire social role as lawyers." He feels he may have the advantage of flexibility over native speakers inhibited in adopting different meanings for words they have thought with all their lives.

Fogelman met and married his wife Zhenya while in Russia last year. Permission to marry was difficult to get, as Fogelman was an outsider and Jewish. They feel

lucky and grateful to those who helped — among them Professor Alan Dershowitz, Assistant Dean Stephen Young, and Professor Arthur Miller of HLS — that she was able to join him here a month ago.

He is disturbed that Americans have been misled into believing that there is a loosening trend in Russian emigration. "It simply isn't true. There is an absolute seal against movement in or out. There are no immunities, no exceptions, for spouses or anyone else. Permission is granted to some as a favor to other government leaders to promote good 'PR.'"

Zhenya is understandably undergoing a great deal of adjustment to her new home. She is amazed by the variety of life here. But Fogelman, who knows from experience what she is going through, is helping her to adapt. In Russia, she worked as a costume designer at the Theater on Taganka, the best and most controversial theater in Moscow. When she has mastered enough English, Zhenya hopes to find a job in fashion design. It will take her three years to earn her American citizenship.

When asked where he wants to settle, Fogelman answers without hesitation, "New York City! It is the greatest city in the world, like latter-day Rome; it is the cultural center of the West. Despite all its craziness, it is very rewarding, because it's so cosmopolitan that everyone can find a niche." While a law student in Warsaw he had intended to become a criminal lawyer, but realizes he will now have to consider whether his foreign background would be an impediment in that field. He may go into international law, or teach legal history. In addition, he plans to publish after finishing law school; he has written a series of semi-fictional, semi-autobiographical short stories in which he has tried to relate his family history and offer the wealth of political perspective of his own 29 years.



Profs Weigh Theory vs. Nuts and Bolts

(Continued from Page 1)

it was that Harvard Law School does and should combine elements of the theoretical and the practical to best prepare students for law practice.

Artificial Distinction

Paul A. Freund, professor emeritus, argued that law teaching can be most effective when legal theory and "nuts and bolts" are combined. "It's an artificial distinction," said Freund, "because I don't think you can be in command of the theoretical unless you have an understanding of the procedural."

Several professors noted that concentration on one approach will often not give an accurate picture of the state of the law. Robert Keeton, associate dean, noted that in his torts classes the teaching of black-letter law alone would be incomplete. "The trouble with thinking about torts as black letter is that it de-emphasizes the extent to which tort law is growing."

Robert Clark, a visiting professor from Yale who has recently been appointed professor at HLS, argued that while nuts and bolts knowledge may be enough for many lawyers, an understanding of various legal theories behind the law is essential for lawyers arguing on the "frontiers" of existing law.

"Legal theory is one of the most practical things that can be taught," Clark said. "A lot of legal rules are trivial, that is, they can be applied by technicians. The prize goes to the person who understands the concepts."

Several professors pointed out that Harvard Law School's approach to legal education probably falls closer to the theoretical than to the practical end of the spectrum. But professors use different methods to blend the two elements.

Frankfurter Cited

Freund said, "Some of the best teachers I've known both as a student and as a colleague have been those who combined the two." He

cited Felix Frankfurter, who "gave courses in lawyering" by an intense study of important cases. "This was accomplished by teaching issues of strategy and tactics along with systematic, intellectual and critical study."

Milton Katz, professor emeritus, has a method for teaching both theory and practice that is flexible enough to change with every class he teaches. "This is a problem that has fascinated and concerned me almost since the day I started teaching," he said. To combine the two approaches, Katz teaches law on three levels. The first is that of what Katz calls "the hard-nosed lawyer. That guy wants to know what the law is." Teaching on the second level entails discussion of alternative ways courts could decide a given case. The third level is a "broad legislative/architectural level," said Katz.

Discussion in Katz's classes might never reach beyond the first level on some issues, while other issues might be considered in policy terms on the third level, Katz said. Exactly how Katz combined theory and practical knowledge in this method depends much upon the nature and interests of the students.

"You don't talk to any two persons in the same way," said Katz. "You constantly have to adjust yourself to your audience. I have to sense in the main what this group expects from me."

Freund believes that the nature of constitutional law forces students to go "beyond learning what the law is and the proliferation of concurrences and dissents forces you to be critical." Freund's teaching approach was quite traditional. "I've tried to deal with cases as cases and

not as convenient pegs on which to hang doctrine. I've tried to emphasize the procedural framework of the case."

One factor that leads many law schools to be more theoretical than practical is that the theoretical is more intrinsically interesting for students and faculty. Clark pointed out that most of the nation's leading law schools avoid teaching only "nuts and bolts." "I think all the better law schools are becoming more oriented toward theory," he said.

Trend Towards Theory

This trend toward the theoretical can also be seen in the changing nature of legal scholarship and research, Clark said. "In law teaching itself, you see a trend away from the old-fashioned treatise writing. A lot of young professors feel there's no more room for old-style treatise writing. They are looking for some real excitement in theory-building."

Freund believes that a commitment to theoretical and analytical teaching of law is mandated by the Law School's affiliation with Harvard University. In the context of the university teaching the nuts and bolts may be inappropriate.

"Although students may think that we emphasize the theoretical side to the disparagement of the practical, I think our colleagues in other parts of the university would say we're concerned with the 'how you do it' side," Freund said.

"Some schools ought to be prepared to instill a spirit of critical intellectual assessment," Freund continued. "I think by analogy Harvard Law School is in that character."

Dorm Council Party

Friday Dec. 8
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Rejection: An Ode

By Otto H. Chu

Robert Frederickson settled back in his chair. It had been a wearying day. Nineteen people had talked with him in the charming green and fuchsia room which the Holiday Inn had provided his firm. Nineteen law students! Fat law students, thin law students; tall law students, short law students — mostly short law students. All of them were bright; all had good records; all were graduating from the Harvard Law School this year. Some had even been interesting; most, unfortunately, had not. Nineteen students looking for jobs, or perhaps more accurately, looking for prestige, who saw him not as Bob Frederickson — bon vivant, wonderful husband, tennis player *extraordinaire*, Democratic National Committeeman, unicyclist, and crack litigator — but merely as the pin-striped agent of Danforth, Haynes & Trevor. He was the personage who had to be charmed, impressed, and cajoled if they were to be considered for employment by his eminent law firm.

The stark impersonality of the situation showed in their questions. He made an effort to get to know each of them, to make them feel at ease, to have actual conversations. In return, he heard the same mundane questions again and again: How long to partner? Responsibility early? Do new associates rotate, or spin? Is it true that you will be opening a new McDonald's in Tokyo next year? Did you know that Amalgamated — a client of yours — killed 30 million baby insects last year? Does your firm condone mass insecticide?

So Bob Frederickson rose to greet his 20th law student of the day without much enthusiasm. Her name was Susan Liebner. At least she was quite attractive: tall, graceful, lovely features, very elegant clothes.

They chatted amiably for several minutes. She was extremely articulate, and quite self-assured. They had both gone to Princeton. They talked of the annual football loss to Yale. She found out he had belonged to Ivy Club at Princeton, and smiled disapprovingly.

"Well, Susan, you have a very impressive resume," said he, making the transition to the interview proper.

"Do you really think so?" she asked. Her face was suddenly serious.

"Why, yes." He was taken aback, but he quickly smiled. "Can there be any doubt? You graduated *summa cum laude* from what is obviously the finest college in the country." He winked. "Phi Beta Kappa, two years at Citibank between college and law school, Harvard Law School, summer clerkships with two distinguished firms, masthead work on a fine law review. . . ."

She cut him short. "But, Bob, it doesn't appear to make any difference. Law firms seem to ignore all of those things. I've spoken with fifteen firms, and only

four have been interested."

"Which firms?" She named several of them. "Well, Susan, I realize this isn't much consolation, but it's no disgrace to be turned down by Covington & Burling. Nor is it easy these days to get an offer from a top San Francisco firm without either top-notch grades or a resume with 'San Francisco' all over it."

"And the others? Why doesn't anyone want me?"

"What have they told you?"

"The standard line: 'Due to the extraordinary deluge of spectacular candidates, we've been forced to flush many out. You're terrific, but *we* don't want you.'"

"This may seem like a completely bizarre idea, but you might take some of those letters at face value. We've had to turn down superb candidates — even a pair of Supreme Court clerks — during the last few years, simply because there were too many good applicants."

"But that's clearly not the real explanation. These firms *are* hiring people. So why not me? Can you tell me? Be honest. Please."

"Well, let's not ask for something beyond the scope of our profession. I'll try my best, though. I look at your resume, and I see many good things. There are, however, some things that I don't see. First, there's no Supreme Court clerkship, nor even a clerkship with Friendly or Skelly Wright."

Susan did not look particularly happy.

"Shall I continue?" She nodded. "Secondly, those three magic words which hiring partners read as 'Invite her down' do not appear."

"Would those words be '*Harvard Law Review*'?" asked she.

"Susan, you have keen insight into the workings of a hiring partner's mind." He paused a moment. She said nothing. "Thirdly, after the words 'grade average,' I do not see the letter 'A.' Nor do I see 'A-.'"

Her eyes were flashing. "So here I sit, accused of being a non-Supreme Court clerk. Why, I wasn't even good enough to make the *Harvard Law Review*. Consigned by my 'B+' average to the ranks of the hard-core unemployed. I'm surprised that Danforth, Haynes is talking to me at all."

Frederickson smiled. "I've over-dramatized the point, but the point is nevertheless made."

She looked at him with contempt in her eyes. "Would you really hire someone over me, despite the rest of my record, and despite any personal qualities, just because he has an 'A-' average here instead of a 'B+?'"

"Obviously, there are a number of other factors . . ."

She cut him short. "But the bottom line is grades."

"I didn't say that."

(Continued on Page 15)

The View From the Other Side

(Continued from Page 14)

"But that's what you meant. Bob, did you go to this law school?" He nodded. "Then you must know how capricious the grading is here. I've written 'B+' exams that far surpass anything for which I've gotten an 'A.' I'm appalled that anyone would consider differences in grades here as an index of anything, much less as the key factor in deciding whom to hire."

Frederickson was momentarily silent. "Yes, Susan, it is arbitrary. But it's one means of differentiating among a number of very good people."

"But aren't there better ways?" asked she softly. "Do the best practicing lawyers come from the top of their class at the Harvard Law School?"

"Not necessarily, Susan. But there does seem to be a better chance that someone who does well in law school will do well in practice. All that we can realistically do is choose those most likely to succeed. No doubt we pass up many outstanding lawyers in the process."

"But isn't the real reason the fact that that's the basis upon which you were chosen when you were coming out of law school? Isn't that the basis upon which you distinguish Danforth, Haynes from other firms that may practice law equally well, but which are composed of your classmates at Harvard who *weren't* on the *Law Review*? In short, isn't your personal esteem tied into maintaining the system?"

Frederickson smiled. He thought to himself, "But isn't that why you want to work for Danforth, Haynes?" He suppressed the words. "Perhaps so, Susan, our time is up, but I very much enjoyed talking to you."

They shook hands. She walked gracefully out of the room, and he was thoughtful for a moment.

A week later, a letter arrived from Danforth, Haynes & Trevor: Dear Susan:

I was very pleased to talk with you in Cambridge. Your record is

truly outstanding. I have since conferred with my partners on the Hiring Committee, however, and we find that we are unable to invite you here for further interviews.

Susan, I'm very sorry. Among all the students I spoke with at Harvard, you were the one with whom I was most impressed. Unfortunately, we actually did have a superb group of candidates this year, and mine is only one voice on a committee of eight.

You will be an excellent lawyer.

Please don't be discouraged if you don't receive an offer from every firm with whom you speak. Several of the firms who have offered you a position are among the finest firms in the nation. I wish you the very best of luck.

Yours sincerely,
Bob Frederickson

Susan Liebner frowned, and threw the letter away.



Holmes, Brandeis & Cardozo

Attorneys at Law

One Moot Place

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WILLIAM "NO COMMENT" BLACKSTONE
(IMMORTAL)

December 7, 1978

Dear Harvard student:

According to information supplied to us by the Harvard Placement Office, you have expressed an interest in entering a stable, unique, and moribund practice. We believe we offer new attorneys an unusually attractive opportunity to stagnate in a secure, formal, stifling, and pompous environment.

HOLMES, BRANDEIS & CARDOZO at present consists of three partners and no associates. The ages of the partners ranges from 108 to 137 with the average approximating 122 years. Only three of our partners are over 40. All of our partners brought considerable skill and experience to the practice. Although none had served as clerks to prestigious federal judges, two did attend Harvard Law School (though neither made *Law Review*), and all had served as Justices of the United States Supreme Court.

Associates will be given ample opportunity to grovel before clients and to ingratiate themselves with partners. Summer associates are treated substantially the same as regular new associates although naturally they are accorded considerably less respect. It is expected that all associates will be made partners, generally within seventy-five years. The firm actively encourages *pro bono* work and occasionally engages in it as well. For example we take pride in our recent and successful representation of the late Gary Gilmore.

We are, of course, interested in hiring lawyers of outstanding academic achievement. However, grades alone are not enough. Members of HOLMES, BRANDEIS & CARDOZO must also possess other personal qualities; they must be greedy, obsequious, venal, egomaniacal, devoid of social conscience, greedy, amoral, ruthless, and greedy--in a word, the typical Harvard student.

Compensation for new associates is competitive with firms of our stature. Since your foremost concern undoubtedly is the bottom line (\$\$\$), you will be pleased to learn that our starting annual salary is \$250,000, with an additional \$500 increase upon passage of the bar. We also offer a unique sabbatical program under which associates are entitled to six months leave at half-pay upon the completion of 50 years or 150,000 billable hours, whichever comes later. Of course, associates are free to utilize the partners' laboratory facilities after working hours.

Our firm is fortunate to be located in a most dynamic city. Harksville boasts a bowling alley, glee club, rest home, indoor backgammon complex, certified animal shelter, an accredited junior college, and a Dunkin' Donuts (open 24 hours). For sports enthusiasts, Harksville has its own basketball team (D League) which is generally considered to be the finest basketball team in Harksville.

HOLMES, BRANDEIS & CARDOZO
Topflight Attorneys at Law

This is an edited version of a letter which appeared in the campus mailboxes of 500 second and third year students. The Placement Office reports that the firm was too late for on-campus interviewing.

1 L's: Two books to take home at Christmas:

Emanuel on Torts

Emanuel on Torts contains not only a detailed discussion of the black-letter law, but also analysis of policy issues, hundreds of hypos, and actual past Harvard Torts exam questions with sample answers. Written by Steven Emanuel '76. \$11.00.

Emanuel on Criminal Procedure

Emanuel on Criminal Procedure includes a detailed review of the major cases on Search & Seizure, Arrest, Confessions, Wiretapping, etc. Contains **Pocket Supplement** discussing Supreme Court cases through July 3, 1978, plus past Harvard Crim. Law exam questions and sample answers. \$9.00.

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RECORD Rings In the New

The Georgia Mafia has captured yet another Establishment citadel. Emerging from a hard-fought battle (to drum up an opponent), Tammy Jacobs, 2L, was elected editor and president of the RECORD Tuesday.

Jacobs, a semi-native of Thomaston, Ga. (80 miles north of Plains), takes over the helm of the nation's oldest law school newspaper after a varied and extensive career in journalism, having worked for the *Michigan Daily*, the *Detroit Free Press*, and the Thomaston bureau of the *Macon Telegraph*.

Michael Smith, 2L, born in Craig, Colorado and possessor of one of the "dullest biographies on record," will move up to the position of Managing Editor. Smith graduated from the University of Denver, where he wrote for the University of Denver *Clarion*.

Jacobs moved up to her present position from Managing Editor. Smith previously held the position of feature editor. The retiring editor and president is Larry Zelanek, who has been carted off by unidentified but sympathetic white-coated attendants for a well-deserved rest.

The RECORD will return February 9, 1979.

Solution to "Cryptic Law"

The trial of this seemingly simple criminal case . . . has raised a host of problems, to the proper solution of which the Government's seven page brief, filed, in violation of our Rule 15(a), 28 U.S.C.A. on the eve of the argument, has rendered almost no assistance. *U.S. v. Annunzio*, 293 F.2d 373 (2d Cir. 1961)

Sports Answers

1. Secretariat won \$860,404.00 in 1973. However, for those of you who are really picky, Damascus won \$817,941.00 in 1967, when money was worth more.
2. Juan Fangio of Argentina had titles in 1951, 1954, 1955, 1956, and 1957.
3. Sadaharu Oh hit his 756th home run on September 3, 1977. He plays for the Yomiuri Giants.
4. This is the All American Futurity run each Labor Day at Ruidoso Downs, New Mexico. It is a 440 yard race open to two year old quarter horses. Since 1973 it has been worth \$330,000 to the winner.