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TWENTY CENTS

Evidence Film Re-enacts 'Edelin'; More Films Planned

By Susan Gillette

Why did more than three dozen people spend last Sunday cooped up in a sweltering courtroom at the Suffolk County courthouse in Boston? Not money (although each was paid a dollar), not food (although each received a free doughnut and a free lunch) but the mystique of "the Edelin case" charmed the group that participated in a reenactment of portions of Dr. Kenneth Edelin's abortion trial.

Jurors were intent and the lawyers were serious. But the presence of ten filmmakers clad in jeans and baggy shirts, plus two movie cameras and their lights, shattered courtroom decorum.

Under the direction of Professor Charles E. Nesson and the supervision of co-producer Eric F. Saltzman, '72, cameramen climbed ladders, peered over witnesses' shoulders, rolled equipment across the floor on dollies, and knelt in front of the bench to capture the action from all angles. Microphones taped inside suit coats and judicial robes recorded the players' words.

The film will be edited and distributed as an evidence law teaching tool by the Evidence Film Project, a Cambridge-based operation staffed by Nesson, Saltzman and Michel Negroponte. The project, financed by a grant from The

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Only 2L's and 3L's get to fill out these forms.

Placement Office Remains Shut To 1L Job Seekers

By Andrea Brown

Although many first-year students would like to work in law firms this summer and an increasing number of law firms would like to hire Harvard 1L's, such arrangements must be made outside the confines of the Placement Office. The Placement Office has traditionally been the stomping ground only for second- and third-year students, with little room for the 1L looking for a summer job.

The report of the 1976 Visiting Committee's Subcommittee on Placement Counselling and Career Alternatives endorsed the current policy, but recommended that 1L's be permitted to interview with public interest and public service organizations in the spring.

In recommending the expan-

sion of information about "alternative careers" opportunities in public interest and public service jobs, the Subcommittee suggested that this exception to Placement Office policy against 1L interviews is justified because of the difficulty of gathering information about such jobs.

Dean Albert M. Sacks explained that the Subcommittee found that the Placement Office gives private firms a definite advantage over "alternative" organizations in the job market. Firms interview in the fall and can offer jobs then, while public service groups cannot commit themselves until the late spring. The recommendation allowing such groups, but not private firms, to interview 1L's through the

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Harvard Law Guild Gears Up

By Randy Phillips

"I don't belong to any organized political party — I'm a Democrat," Will Rogers was fond of boasting.

Substituting a word or two, members of the Harvard Law School Guild could make the late humorist's credo their own. Activists in the Guild take pride in its lack of routine and hierarchy. Persons in the amorphous leadership structure of what is perhaps the Law School's most leftward-leaning organization shun official titles. General meetings are called sporadically, as need seems to dictate.

"I don't feel like the (Guild's) basic philosophy has changed very much, nor has the organization," remarked Marc R. Poirier, 2L, the HLS Guild's putative president, in response to a suggestion that the group may be blending into the Law School's institutional landscape. "We were loose last year, and we're loose this year."

But consider: the Harvard Guild this week launched what it hopes to be an extended speakers series with a scheduled Wednesday appearance by Wellesley legal history professor Jerold Auerbach, author of *Unequal Justice*. Next Thursday, 2L Peter Irons, who has played a prominent role in the reopening of the Alger Hiss controversy, will speak on new developments in the Hiss case.

A panel program on alternative forms of legal practice — like lawyers' collectives, neighborhood law centers and politically active small firms — is tentatively planned for November, according to steering committee member Mark H. Greenberg, 2L.

Greenberg hopes to stretch the Guild's nonexistent speak-

ers budget by contacting radical legal figures who might be willing to speak from a Guild platform if in the Boston area on other business.

The Guild is also considering a film series, following a Guild-sponsored screening last Friday of *Attica*, a documentary of the 1971 New York state prison rebellion.

To Poirier and others, the Guild's increased involvement in conventional Law School activities does not reflect any fundamental change in the Guild. The organization still has the goal of restructuring the Law School and helping to restructure American society.

"What's happened is that ideas that were around last year are being implemented this year because six to eight people got together and decided to do some of the shit work," Poirier said. "That's the difference.... I'm amazed at how little it takes to get something like a speakers series going."

Poirier sees programs like the film and speakers series or the alternative-practice panel as ways "to get as many people involved as possible."

The Guild view of the current state of American jurisprudence — as summed up in the group's platform drafted last spring — "begins with an awareness of the vast disparities of wealth and power in the United States" and concludes that "the legal system organizes and legitimizes that structure of power and inequality," that law schools in general "train their students to operate within and maintain that system of organized inequality," and that Harvard in particular "specializes in training many of the foremost handmaidens and manservants of the powerful."

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Cohen Decries Suppression of Rights by Allies

By Terry Keeney

The suppression of human rights by American-supported authoritarian governments in East Asia poses serious foreign policy problems for the United States, according to Jerome Cohen, Harvard Law professor.

These governments, supported by the United States because of their staunch anti-Communist posture, should have a right to determine many of their own values and human rights, Cohen said. But, he argued, the United States has a vital interest in seeing that such authoritarian governments as South Korea, Taiwan and Thailand provide their citizens some minimum degree of human freedom.

"We're not trying to tell the people of South Korea what they ought to be doing, except insofar as we are responsible for how our money is spent," Cohen said. "We are responsible for how our lives are spent."

Speaking at the first of the "Meet the Faculty" lectures sponsored by the International Law Society, Cohen noted how difficult it is to define those rights the U.S. should protect among its East Asian allies. Not only are East Asian governments grounded on a different political and cultural tradition, but some regimes have set other economic or political goals above human rights.

For example, the new military regime in Thailand has announced a 12-year plan for democracy by 1988, Cohen said. In South Korea, the government of President Park Chung Hee will not worry about human rights until the country has attained a \$1000 per capita GNP, he said.

"Is there some common humanity with respect to the minimal specifications of human rights or is everything relative?" Cohen asked. "Can we

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Daniels: 1L Job Experience May Be "Chilling"

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Placement Office may help balance this situation.

Sacks sees the proposal as a modest step. Representatives of various groups will be at Harvard to conduct informational meetings and it would be foolish, he said, not to allow them the chance to interview if they want it.

At present the Placement Office prepares a list of firms and organizations that have hired Harvard 1L's in the past two years to aid 1L's in their private search for summer employment. In addition, the Placement Office posts "Notices of Opportunity" after Thanksgiving. These notices, which are letters from firms who are interested in 1L's, invite response from interested students.

The number of 1L's who worked in private law firms last year is not yet available, according to Alfred C. W. Daniels, Assistant Dean and Director of the Office of Placement and Counseling. However, Sacks characterized the group as "substantial." The extent of interest among firms in hiring 1L's is also not known. The Placement Office sent questionnaires to every firm which interviewed at Harvard last year. The returned forms have not yet been compiled.

Daniels claimed that most firms, especially on the East and West coasts, are not very interested in 1L's. However, Shearman and Sterling, the largest firm in New York, hired four 1L's from Columbia last summer.

Law firms in smaller cities are often eager to hire 1L's, Daniels said. However, he pointed out that these firms may be contacted by students on an individual basis and there is no need for Placement Office involvement.

"Students play the game that if something isn't handed to them on a silver platter, it isn't attainable," Daniels said. "Nothing is foreclosed just because HLS has deemed

it substantively impacting for 1L's to be involved in these [Placement Office] processes."

Jones, Day, Reavis and Pogue, in Cleveland, has hired 1L's for a number of years. In the past it had mainly hired students who lived in Cleveland and contacted the firm during a vacation, the traditional 1L hiring technique. In the past three years, the firm has begun to hire 1L's from outside the Cleveland area, from schools whose students "ordinarily would not have looked for a job in Cleveland," according to Robert H. Rawson, Jr., a partner in the firm. These schools include Harvard, Yale, Stanford, Michigan and New York University.

Two years ago, the Placement

Office posted a letter from Jones, Day stating that it was interested in hiring 1L's. After receiving resumes, the firm sent an interviewer to Cambridge. Last year, although the firm again sent a letter, it was not posted. The firm does not know if the letter was misplaced or if it was not posted because of Placement Office policy.

"I would have been a lot better off if I could have been interviewed in Cambridge in the spring, instead of chasing firms during Christmas vacation when I should have studied criminal law."

a 2L

Daniels explained that some firms had sent such letters early in the fall semester to be posted. Last year, a decision was made to post notices for 1L's only after Thanksgiving. Consequently, notices from firms which were sent early last year may not have been posted. This year, firms will be notified of the policy. Jones, Day's letter was sent in late December or early January, however.

A major Seattle law firm has hired 1L's for the past four or five years. One of the members of the firm stated that he finds the Placement Office's lack of assistance frustrating. The firm hires 1L's primarily from Yale, Colum-

bia, and Stanford, where they are allowed to interview. In addition, students who live in Seattle are hired.

This lawyer believes that the firm derives an advantage from its 1L program, as it can hire well-qualified students before more high-powered firms bid for their services. Many of these students, after spending their second summers working elsewhere, return to the firm for full-time employment.

Other firms which have offered jobs to 1L's include Morgan, Lewis & Bockius, and Clark, Ladner, Fortenbraugh & Young, in Philadelphia; and Vinson, Elkins, Searls, Connally & Smith in Houston.

First-year students also benefit from working in a law firm. The most immediate benefit, of course, is the salary. In addition, students unsure of the geographical area where they want to practice have an extra summer to work in a place they might otherwise not try.

Some students are not sure about the type of law they want to practice, and would like to spend a summer in public service work and a summer in a private firm before making a decision. Some students aren't sure they want to practice law at all, and want a summer job to find out.

Daniels recognizes these advantages. He expressed a fear, however, that first-year students would begin to feel that they have to work in a law firm.

"Telling 1L's that they don't have to work doesn't mean we won't help those who want to, through lists of past employers of 1L's and notices of opportunity," he said.

Last year, Placement Office

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Friedenthal: Trespassing on the Case Method

By Robert Reznick

"I think Law School should be fun."

With this deceptively simple statement Visiting Professor Jack Harlan Friedenthal summarizes his attitude towards legal education. With a great deal of humor, as well as a blend of familiar and unconventional methods, Friedenthal is teaching Civil Procedure and Evidence at Harvard this semester.

Friedenthal did undergraduate work in economics at Stanford, where he received his A.B. Upon graduating he was drafted and served two years in the military. After his discharge he entered Harvard Law School, serving on the Law Review and graduating in 1958. The Class of 1958 also included Professor Arthur Miller, with whom he and John J. Cound collaborated in writing their popular Civil Procedure casebook.

Friedenthal believes very strongly that each professor must discover the style of teaching which he finds most comfortable and effective. In his own case, the most striking characteristic is his great use of humor — Friedenthal's first-year Civil Procedure class has interrupted him countless times with laughter and twice with laughter and applause.

Popular targets for the good-natured Friedenthal barb include divorce and personal injury lawyers and the nature of jurisprudence in regions such as Vermont, Massachusetts, Minnesota, Ohio, Utah, Rhode Island, West Virginia, New Jersey, Oklahoma, Arizona and the entire 5th Circuit, just to name a few. But there is a deeper purpose than simply entertainment and the increased attention enjoyable classes usually produce. Friedenthal believes that first-year students, inundated by a barrage of unfamiliar cases, can begin to look only for certain key features instead of understanding the case as a



Smilin' Jack Friedenthal

whole and appreciating its significance.

Despite this shortcoming of the case method, Friedenthal believes that it is very well suited to first-year learning processes. This is not necessarily true in later years, in his opinion, as shown by his assigning the McCormick Hornbook as the required text in Evidence.

"In advanced years, teaching by the case method can be useful but there are better ways," he says. "Pulling out every point, piece by piece, where there is a good deal of information, can be wasteful."

Friedenthal sees a great similarity between the students at Har-

vard and Stanford, where he usually teaches, going so far as to say, "You could take almost any 165 people out of this Law School and put them in Stanford, and substitute those who are at Stanford in the first-year class, and they'd all be at home." He added that the attitude of the students seemed to be quite good, and, "If I were the Dean I'd be quite pleased."

The greatest difference in the schools themselves, Friedenthal thinks, is the extent to which each is integrated into its respective university. Harvard Law School seems more isolated from its university community than does Stanford Law School, where Friedenthal held positions dealing with the book store and with athletics. It is Harvard Law School's size and quality, in his view, which enable it to be more independent from the University.

Friedenthal came to Harvard primarily for three reasons. First, he believes it is very important in general for a professor to get away from his home institution from time to time, in order to get exposed to new ideas and methods. Second, there was the lure of the Law School itself, with its outstanding human and technical resources. Finally there is the book — a Civil Procedure Hornbook which Friedenthal is writing with Professor Miller, with whom he has had to collaborate over great distances in the past.

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Franklin Pierce Sagely Predicts Election Results

By Franklin Pierce

Hello, there. This is your ex-President speaking. Granted, I never made much of a splash . . . only an abortive attempt to make Cuba a slave state, things like that. But hindsight is better than foresight, *oui*? Forthwith are my predictions for the coming election, and if anybody wants to *bet*, I have a few Confederate dollars left in my mattress. . . .

I am discounting Eugene McCarthy; he will neither get the 9 percent some say, nor will he be the "spoiler." I recommend he seek the next vacant seat from Manitoba. And I'd predict only 100,000 votes for Lester Maddox among the klaverns.

It looks as if Carter will win 345 electoral votes, leaving only 148 for Ford. On the other hand, if the Soviets decide to withdraw to the Ukraine, if Carter agrees to pose for *Hustler*, or Kim il-Sung marches through the streets of Seoul, some states could blow away from the Democrats like the proverbial Rhode Island foliage. I predict a minimum Carter tally of 280.

THE EAST: Carter to carry every state except Vermont and New Hampshire. Biggest margins in Massachusetts and Rhode Island but fewer cliffhangers than less astute predictions have given. Ticket-splitting in Connecticut (Carter by 50.5 percent), on coat-tails of Senate newcomers in Pennsylvania and New York.

THE SOUTH: Ford will squeak by in Virginia only. Carter faces toughest battles in Texas (51 percent) and Louisiana (52 percent). Carter will carry Georgia by as much as 80 percent. Ford will receive five votes in the Plains area.

THE MIDWEST: Illinois gubernatorial race will embarrass Carter: Ford by 52 percent in Illinois. Iowa, Indiana, Kansas, Nebraska, and the Dakotas

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Edelin Trial Restaged, Filmed For Use In Teaching Evidence

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National Endowment for the Humanities, is producing ten films to supplement the case method of teaching evidence. Most films will be about 20 minutes long. Production costs run a little under \$1000 a minute, Nesson said.

Nesson has used film instruction in his course at HLS for several years.

Nesson says he hopes the Evidence Film Project will result in one film as a centerpiece for each section of the evidence course. He says he has a "strong sense that the films help in focusing issues" and are useful for demonstrating pace, timing and strategy. The "test" for a successful film is "how well it works as a teaching instrument."

The RECORD asked Nesson why he chose the Edelin trial, a controversial case with an appeal

pending, for a film subject. Nesson explained that he knows a lot about the Edelin case and that choosing prominent trials results in films which are intrinsically more interesting to students. He would like to use the Patty Hearst case for a Fifth Amendment film.

Other films in the series have been based on less famous trials. Some of them had "star-studded" casts, Nesson said. Featured players have included Gary G. Bellow of the HLS faculty; Charles Breyer, a former Watergate prosecutor; Maury Nessen, Clifford Irving's attorney; and Charles Garry, defender of the Black Panthers and the San Quentin Six.

The subjects of those films included a rape prosecution, hearsay, insanity and diminished capacity, and character and reputation evidence.

One of Nesson's favorite films is
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Stevens, McGowan, Gesell Will Sit On Ames Bench

By Bill Ross

Moot court season is almost here again and 1L's won't be the only students scrambling to the library to prepare their briefs for their day in the Ames Courtroom.

Although Ames competition participation is required only for 1L's, several dozen 2L's are preparing for the qualifying rounds for the Ames Final. And two six-member teams of 3L's are getting ready for the Final itself.

Associate Justice John Paul Stevens of the U.S. Supreme Court will help judge this year's upper-round Ames Final on November 18, according to BSA member Steven S. Miller.

Sitting with Stevens on the Ames bench will be Federal Judges Carl McGowan and Gerhard Gesell of Washington, D.C.

The two Finals teams will argue a fictional case in which a high school teacher sues a school board after it fires him for being a homosexual and discussing homosexuality with his students.

Law School Lecturer David Rosenberg, who wrote the case, noted that unlike past Ames cases, this year's case is not based on any real case.

"This time, the issues involved were easier to take from several cases than from any one case," Rosenberg explained.

Last year's Ames final was based on the Kenneth Edelin abortion case and the 1974 Final concerned Richard Nixon's conditional parole of the late Teamsters union boss Jimmy Hoffa.

Although Miller believes that the issues in this year's Final
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Student Proposes Interviewing Reforms

Ed. Note: The Backbencher series presents an opportunity for non-RECORD staffers to express their opinions, preferences, and random thoughts on subjects of general interest. Finished pieces should be typed and submitted to the RECORD office, 23 Everett Street, third floor. The following article on revamping the placement program, is the first of this year's series.

By Tom Langston

The interviewing process at Harvard Law School is a hassle — a hassle which can be reduced while increasing the individual's range of choices if the following plan is adopted.

First, each firm should be allowed to state exactly what minimum standards it has for law clerks and associates. If a law firm hires only law reviewers, let them say so. That way the non-law reviewer would know and would not waste his time interviewing with that firm.

Second, the student should send a resume to each firm that interests him. The firm would then review the resumes and decide with whom it wanted to talk. The firm would then notify those students. Of course a rejected student could still sign up for an interview if he so desired.

Assume a student sent resumes to 30 firms that interested him. Assume further that of those 30 firms only five were interested in him. Under the present system he must talk to all 30 firms to reach the five firms that are interested. Under this plan he would talk only to the five interested firms.

Think of the advantage the law student would have, knowing before he walked in the door that the firm is interested in him. The student would be able to think less about impressing the interviewer and get immediately to the questions that really concerned him.

Also, no student would be limited by geographical location or area of interest (tax, patent, entertainment, etc.) since he could send resumes to any and all firms that interest him. This alone would increase the student's possibilities. This procedure could also be used by 1L's without overburdening the system.

Third, the present procedures the Placement Office uses to combat racial and sexual discrimination should be maintained or strengthened. The present system is primarily cosmetic. Under the present system a firm can simply say it is an equal opportunity firm and then just continue to discriminate.

True, Harvard does not have the power to force law firms to hire only on the basis of merit. True, only the federal government can force companies to remedy past and present discriminatory practices by forcing the company to hire a certain percent of women and minorities. Harvard can not. True, Harvard could bar a firm which discriminates from interviewing any and all students at Harvard.

But that is all it could do. A firm that really wanted to discriminate could simply hire white males trained at other institutions such as Yale, Colum-

bia, or Chicago. But Harvard is not powerless. Harvard has the limited power to influence the moral habits of firms by exposing their past discriminatory hiring practices to the light of day. Harvard must take a position on the side of equality, of hiring on the basis of merit. Harvard can do this with the present system. The present procedure of forcing firms to state how many women and minorities are working for the firms should be maintained.

Should the present system be made tougher? Yes, in some areas, and not in others.

Certainly the investigations of outrageous conduct by interviewers should be beefed up and the results of any complaint should be promptly publicized. No woman should have to fight the interviewer off. No woman should have to listen to suggestive remarks about being alone in a Holiday Inn room with nothing between the woman and the interviewer except her morals. When this occurs, the firm should be barred from using Harvard Placement Office services. The same should be true when minorities are subjected to outrageous conduct.

Should we go further and impose hiring quotas on firms that interview at Harvard? For example if 25% of the students at Harvard are women, then should the firm that hires 4 persons be required to hire 1 woman? No. Some law firms would never be capable of passing any standards which might be drawn. The standards, of course, would have to be some sort of statistical standards. These standards could not measure the effort a law firm has made to recruit minorities or women. But don't the results "speak for themselves?" Not necessarily. For example, it is quite likely that a law firm in Mississippi might not be able to successfully recruit blacks because of the hostile attitude in

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Student Loan Defaults Kept Low

By Jeffrey Kurtock

Default and attrition rates on loans to Harvard students are far below the national average for bad student loans.

But of the many Harvard alumni who owe the University money on loans taken during their student days, enough default to cause problems.

There are three major loan programs currently used at Harvard. The primary source is Federal Insured Student Loans (FISL). This is Harvard money, but it is guaranteed by the Federal government. About 40 percent of the outstanding accounts are of this type; last year the University loaned out nearly \$7,000,000 under this program. When a student defaults on

grams. Most loans to foreign students, for example, come from these funds.

All three types of loan have interest subsidies, and they all have provisions for deferral of repayment when the student continues his education, or teaches in a certain area, or meets other conditions. But once the student leaves school, repayment ordinarily begins.

Approximately 88 percent of these payments are on time. Another six percent are less than 120 days delinquent. Many of these are for good reasons, such as enrollment in a graduate school, and the loan office spends a lot of time chasing people to file the forms. But the

holder of the loan. The loan office also attempts to do as much telephoning as possible. But since it is a 9-to-5 operation, many of the former students are difficult to locate. Some persons cannot be reached because they have changed their address. When someone has "skipped," the loan office will spend some time attempting a "skip-trace," but eventually the account gets turned over to a professional collection agency. And they are very successful. Particularly in the case of fairly current accounts, third-party intervention is quite effective.

The University will eventually consider a loan lost and write it off, or in the case of a guaranteed loan, file a claim with the government. A high percentage of the loans written off were made to foreign students. Once a student returns home and Harvard is across the ocean, it is easy for priorities to change. And Harvard has no effective way to pursue these loans; telephoning is almost impossible, and third-party intervention is very difficult.

Personal bankruptcy is actually
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In a crunch, when it comes down to making the car payments or paying for an education that cannot be repossessed, the car usually wins.

this type of loan, the Federal Government makes good on it.

The better known program, NDEA (or NDSL), accounts for about 25 percent of the outstanding loans now in repayment. When a loan is made to a student, 90 percent of that money is supplied by the Federal government, and 10 percent by the educational institution. Supposedly, the government returns the 10 percent in the case of a default.

But the payments by the federal government into this pool are more or less fixed, and do not depend on the history of defaults. So as NDEA loans are defaulted, the pool decreases, and the number of available loans decreases. Last year, Harvard made \$1,500,000 in loans of this type.

The third and most risky type of loan involves straight institutional money. When one of these loans is defaulted, Harvard "takes it right on the chin," in the words of one Harvard Loan office official. This comprises a very important source of loan money, as it does not have the restrictions of the other pro-

six to eight percent that are more than 120 days overdue are considered serious.

As soon as a payment is delinquent, the first in a series of form collection letters is sent to the

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Cohen: Allies Deny Rights



Jerome Cohen, indicting Realpolitik.

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work out some minimum standards that seem to be realistic that would reasonably be expected of other states at least if they want to be intimately associated with us?"

Current American foreign policy is too tolerant of violations of human rights among East Asian allies, Cohen argued. He sharply criticized what he called the "Kissinger *realpolitik*" under which the United States has failed to protest infringements on civil freedoms.

"The Kissinger *realpolitik* that has decided time after time not to protest — when President Park abolished the limited, budding experiment toward a more open society in 1971-72 and when Marcos closed down the political process in 1972 in the Philippines — was reacting against the Kennedy-Johnson excessively aggressive moralism," Cohen said.

American foreign policy should find a middle course between Kissinger *realpolitik* and Kennedy-Johnson aggressive moralism, he argued.

Cohen was especially critical of the Park government in South Korea for treatment of some of his colleagues there. He cited the example of a South Korean law professor who had studied at Har-

vard Law School under a grant from the South Korean government. Although this professor rarely spoke out against the Park government while at Harvard, he once spoke out against the government at a faculty meeting in Korea. He was later called into the office of the Korean CIA and never seen alive again.

"Four days later, they announced that he had jumped out of a seven-story window after confessing to be a North Korean spy," Cohen said.

Although Cohen admitted he is also concerned about violations of human rights in Communist countries, where oppression is undoubtedly greater than in non-Communist countries, the Communist nations are not American allies. "We don't have treaties to defend North Korea," he explained. "We're not going to lose our lives defending North Korea."

Cohen noted that in his travels throughout East Asia he has met many Harvard Law graduates who have returned to their native countries only to take jobs with large corporations and earn the "big money," instead of being concerned with the ideals of law taught at Harvard.

"I was very moved to find there are many lawyers who have never had a chance to come to this country who really seem to believe in our values and practice them, often to a greater extent than those who had the opportunity to come here," Cohen said.

The problem of human rights should be of vital concern to legal scholars in East Asian studies, said Cohen. Some repressive regimes have restricted legal research, and fellow scholars in those countries are being jailed for speaking out for civil liberties in their native countries.

"Can you sit back if you're concerned with East Asian legal problems and be quiet about human rights?" Cohen asked.

3L's Plan Could Reduce Hassles

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Mississippi toward blacks. Should the firm be banned from recruiting at Harvard simply because of the poisoned atmosphere over which it has little or no control? Don't we want the more liberal Harvard-trained students to go to places such as Mississippi to act as catalysts for change?

Fourth, everything should be done to encourage small law firms and public interest legal offices to interview at Harvard.

Students at Harvard are being channelled into big corporation law firms. This is fine if that's where they want to go. This, however, doesn't appear to be the case. Harvard Law Guild polls have indicated that most of the 1L's desire to work in government or public interest law firms. They believed, surprisingly, that they would end up working for a big corporation law firm with big bucks, long hours, and over-specialization. You only have to look at the Placement Office's survey of where 3L's go to realize how successful the tracking system at Harvard really is.

What's the problem? Why does the cream of legal intelligentsia allow itself to be tracked?

First, the students at Harvard Law School do not know what jobs are available in the public sector. And second, if they did, they wouldn't know how to go about getting those jobs. Maybe this explanation will help: if there are two roads and your guide hands you a map with only one of the roads marked on the map, it is highly likely that you will miss the unmarked road. And the public sector definitely is unmarked. Just look at who comes to Harvard to interview. Not many "alternative" employers. Just look at the curriculum at Harvard. Doesn't abound with "people" law courses, does it?

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Would 'Job Fair' Solve Recruiting Hassles at HLS?

(Continued from Page 8)

What needs to be done? First, there are two inexpensive things which could be done in the short run. The IRS has a list of non-profit organizations. The Placement Office could review this list and then send a letter to each one that might have a legal opportunity.

Similarly, Harvard should send letters to the alumni, asking them to inform the Placement Office if they know of any legal vacancies.

Second, maybe a job fair held next February at Harvard for law students from all over New England might be a good idea. Perhaps public interest law firms and small law firms would be willing to come to a job fair if they knew there were potentially almost 5,000 law students at one spot waiting to be interviewed. A nominal fee of \$5 from each student attending the job fair would pay for any incurred expenses.

NAACP Overburdened

Professor James Vorenberg, Director of the Law School's Center for Criminal Justice, recently announced that he is soliciting student volunteers to help the NAACP Legal Defense Fund in preparing appeals for its clients on "death row." The Legal Defense Fund, a group of several dozen New York lawyers and a network of attorneys nationwide, is reportedly overburdened with the work involved in waging some 600 such cases. Until now, many of these clients have lacked adequate legal representation.

In a conversation with the RECORD, Vorenberg explained that students would work "gratis" and would research either general points of law applicable to several cases, or more procedural issues pertinent to any one case. Examples of the more overarching questions include the disqualification of jurors who have reservations about capital punishment, the entire issue of race discrimination in the selection of juries or in the trial of cases, and the relative imbalance in the number of capital punishment sentences imposed on whites and non-whites.

The work would primarily consist of writing memoranda from Cambridge. Anyone interested should contact Vorenberg. Time is of the essence.

Firms Often "Eager" For 1L's

(Continued from Page 3)
procedure was modified to allow 1L's to sign up for interviews after 2L's and 3L's were accommodated. The result, as Daniels described it, was unfortunate.

"The office was jammed with 1L's. Once the procedure was advertised, everyone felt he should be doing it, and people got hypertensive about looking for a job."

1L's are no longer supposed to use the sign-up lists. Some do anyway, and the Placement Office doesn't detect them. Daniels said the process can handle these 1L's without legitimizing their be-

havior and making others feel compelled to interview.

Both he and Sacks expressed serious concern about the effect of early job-hunting by 1L's on the educational process. The first year should be used to learn substantive law, Daniels said, not to aggravate oneself about a job. Sacks pointed out the disruptive elements of interviewing which 2L's and 3L's are currently experiencing, such as cutting classes, would be educationally unsound for 1L's.

Not all students who have been
(Continued on Page 16)

Eating Snakes in Public Like Fishing from Giraffe

By Michael Raiden

If you're ever in West Virginia during the ragweed season, stay away from the local railroad depot. According to author Barbara Seuling, it is illegal in that state to sneeze while on board a train.

Archaic statutes are not limited to the Appalachians. Colorado law makes it illegal to watch a dog fight (how about a debate by presidential candidates?), but upholds a dog's basic right to bite. Bicycle horns in New Mexico must produce a "harmonious sound" (Purcell, anyone?). And in Idaho don't try fishing for trout from the back of a giraffe.

These gems and more have been compiled by Seuling in a short paperback entitled *You Can't Eat Peanuts in Church and Other Little-Known Laws* (Dolphin Books). Overzealous prosecutors will rejoice, and the rest of us will be content with being amused.

While Seuling writes solely for humorous effect, many of her seemingly ridiculous examples are actually vignettes of an earlier time, when morality was strictly legislated, when church and state were hardly separate, and, evidently, when ne'er-do-wells in Kansas ate

snakes in public (subsequently made a crime).

Of course, many of these laws are not difficult to understand, particularly those dealing in some tangential way with public safety: ordinances against sleeping in refrigerators (Pittsburgh), riding tricycles down the sidewalk (Moscow, Idaho), or feeding beer to elephants (Natchez, Mississippi).

Peanuts in Church does not discriminate between current (if outdated) laws and those that alert legislators have managed to repeal, nor does the author distinguish between actual statutes and judges' decisions construing them. For example, can you really be sent to the pen in Texas for carrying pliers, or do you have to be robbing a grocery store at the time? But we would be more inclined to complain had this mini-masterpiece appeared in the Law Review. Taken at face value, it is a better-spent half hour than reading *Hawkins v. McGee*.

One final note: do not question the usefulness of this book, and, if you ever have a client who got arrested for table-hopping in a Vermont bar, think twice before reporting an escapee to the local asylum.

The Gospel Truth

Election day is Tuesday. Around the country, political endorsements have been cranked out by newspapers large and small. We would like to join the ranks and urge our readers to elect Jimmy Carter the next President.

Carter may be faulted for blurring issues. At times, he has been accused—perhaps rightly—of calculated ambiguities. He is the first candidate since John W. Davis in 1924 to be nominated from private life, and his political resume is relatively scant. He may make an occasional listener uncomfortable with platform pieties and by waging a "With God as my co-pilot" campaign.

Whatever his shortcomings as a candidate might be, the most telling point is that Carter programs *do* exist.

He has committed himself to reorganizing a languid federal bureaucracy in the interests of economy. He has favored a stimulative economic program with greater accountability of the all-important Federal Reserve leadership to the President. He has argued for a federal initiative in subsidizing private industry to hire the jobless. He has humanely supported a blanket pardon for the Vietnam draft resisters.

Carter has also advocated a policy of direct federal subsidies and low-interest loans to encourage the construction of low- and middle-income housing. He has proposed a National Health Program whereby the government would take over existing medical insurance plans. He has promised to keep the military in check through zero-based budgeting and similar cost controls while maintaining the structure of detente. In short, Carter is not exactly a riddle.

On the Republican side of the ledger, the record speaks for itself. President Ford, though no doubt an upstanding individual, has provided a string of disappointments. By vetoing over 50 bills to date, he prides himself on economizing. At the same time, Ford credits his Administration with having the largest defense budget in the nation's history.

Prominent among Ford's vetoes were school lunch programs for needy children, a strip-mining bill, legislation to provide loans and grants to student nurses, and a bill to send more doctors to rural areas and inner-city slums. He essentially cast New York City adrift and at the same time ignored the potential impact its collapse would have on urban businesses and the financial markets. He opposes gun control. He has proposed legislation this year to cut the Legal Services Corporation's budget by one-third, while urging the over \$50 billion B-1 bomber on the military. He spent 41 American lives in a show of presidential power in freeing the 40-man Mayaguez crew. And lastly, there is always the single most "unpardonable" offense—his first act in office.

The issues are joined. For your next President, pull the Democratic lever.

HARVARD LAW RECORD

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Fenno

riverrun, past Elsie's and Adams, from swerve of shaw to bend of back bay, brings us by a commodius vicus of recirculation to Hark Castle and Environs.

Sir Fenno, violer d'amores, fr'over the short sea, had passencore rearrived from North Auburnia on this side the scraggy isthmus of Cambridge Common to wielderfight his inconsolate war. He found a friend at a vacant table.

"Nothing to be done." The 2L gave up trying to remove his boot.

"I'm beginning to come around to that opinion. All my life I've tried to put it from me, saying, Fenno, be reasonable, you haven't tried everything. And I resumed the struggle." Fenno brooded, musing on the struggle. "So there you are again."

"Am I?"

"I'm glad to see you back. I thought you were gone forever."

"Me too."

"May I inquire where you spent the morning?"

"In Anti-trust."

"Anti-trust!" Fenno expressed admiration. "And they didn't beat you?"

"Beat me? Certainly they beat me."

"The same lot as usual?"

"The same? I don't know. They have no faces, only casebooks."

"When I think of it . . . all these years . . . but for me . . . where would you be?" Fenno continued decisively. "You'd be nothing but a little heap of bones, no doubt about it."

"And what of it?"

"It's too much for one man." Fenno paused. "On the other hand, what's the good of losing heart now, that's what I say. We should have thought of that a million years ago, in the GO's."

"You say we have to come back tomorrow?"

"Yes."

"Then we can bring a good bit of rope."

"Yes." There was silence.

"Fenno?"

"Yes?"

"I can't go on like this."

"That's what you think."

"Maybe we should quit school; that might be better for us."

"We'll hang ourselves tomorrow," Fenno assured him. "Unless Cravath comes."

A distant murmur of student voices entering the Hark rose to a clamor. The words were indistinct: Tort. Businessplea, me me more me! Bill thousandsfee. Hls. The case too. *Gideon!* A way a lone a last a loved a long the

Letters to the Editor of the RECORD

Readers Rave: What Aftershave?

To the Editor:

I am full of admiration for the sophistication of roving reporter Hailey, who is so intimate with the inner sancta of the rich and the powerful in the great cities of the nation that he can tell us which are "solid but unspectacular," and which still instill awe in the younger associates.

I marvel at the suaveness it must have taken to charm his Pittsburgh benefactors into inviting him to the Duquesne Club before he had been in the city long enough to learn how to spell its name (it came out "Pittsburg" in the article).

I am sure that Mr. Hailey's readers are anxious to learn what after-shave lotion he favors, and where he buys his suits.

Gary Walk 3L
Cambridge, Mass.

Ed. Note: Here is Hailey's reply:

Mr. Walk mistakenly assumes that the "Pittsburg" to which I referred was the large industrial city located in Allegheny County, Pennsylvania (which is indeed spelled "Pittsburgh"). However, the article's reference was to the somewhat smaller town located in Crawford County, Kansas, the name of which is spelled without the frankly superfluous final "h." The Duquesne Club which the article described as "solid but unspectacular" is the one which is situated somewhat north of central Pittsburg, Kansas, just off U.S. highway 69. It is only the sheerest coincidence that there also exists a "Duquesne Club" in the city of Pittsburgh, Pennsylvania; I have never been there.

Mr. Walk is correct in assuming that many readers have requested information as to what after-shave lotion I prefer and where I purchase my suits (as well as what wines I recommend and how I learned to speak French without a trace of an accent). It is understandable, even laudable, that Mr. Walk wishes to learn how to smell and dress better, but I am not about to reveal my secrets.

Trial Experience Lack Makes Faculty Abstract

To the Editor:

The debate on "clinical education" seems to focus on whether to have more "clinical" courses. I think this misses the point.

Some of my Harvard Law School courses were extremely useful in preparing me for the practice of law, because the professors — Dershowitz, Loss, Keeton, and others — had substantial litigation experience and understood the application of cases and stat-

utes to litigation. Many of my courses, however, were useful only in preparing me to be a Supreme Court law clerk, which was, and traditionally is, a job lasting only a year or two.

There is plenty of time after law school to practice law and receive advice and criticism from more senior practitioners, and Harvard Law School is really not necessary to provide this experience. It is very difficult, after law school, to master complicated areas of law with which one has no previous familiarity, and I would not want to see Harvard sacrifice the teaching of substantive areas of law to afford more time for what amounts to supervised law practice.

I suggest that faculty recruitment patterns are the best avenue for reform and expansion of "clinical education." Faculty whose experience is limited to law school, a Supreme Court clerkship or two, and a couple of years proofreading and preparing memoranda of law for large law firms, are really not going to know very much about how to advise a client or how to litigate a case. Faculty whose experience includes the practice of law will be unable to teach the abstract principles set forth in the cases without relating them to the real world of clients and lawsuits. I think "lawyering" may best be taught by professors who have done it.

Andrew J. Kleinfeld '69
Fairbanks, Alaska

History of Erie Not So Dreary

To the Editor:

I heartily endorse the idea suggested in your September 24, 1976 edition that there be occasional articles on historical legal decisions, since the excerpts from Mr. Danzig's manuscript on the Erie case struck me as highly informative, as well as provocative.

When at law school, I often regretted that skeletal appellate decisions were not more often fleshed in classroom discussion with the underlying facts elicited on the trial level. Of my professors, only Barton Leach practiced the art and the fact that today my most vivid recollection of cases studied then relates to his course, perhaps reflects his habit.

As you may be aware, Professor John Noonan, a classmate of mine, recently published a book entitled *Persons & Masks in the Law*, which resembles Mr. Danzig's writing in its factual exploration. I suggest you consider printing a summary of his nonpareil analysis of the

Palsgraf case, in which, as you will know, railroads and Justice Cardozo also played pivotal roles.

Gavin P. Murphy '54
New York, New York

Law Notes

On November 3 the Forum will sponsor an address by Joseph Kraft, the syndicated columnist and member of the interviewing panel on the last Presidential Debate, who will discuss the results of the previous day's election and the proposed policies of the new administration (regardless of the winner's identity!). The program will take place in the Pound Building at 8 P.M., with the usual \$1.50 Forum admission charge.

SPORTS QUIZ

1. Who, from 1921 to 1927, batted over .390 four times, leading the American League in batting each time?
2. Two currently popular sports were invented in the same city in the 1890's. What were the sports and the city?
3. What was the native country of Edmund Hillary, who conquered Mt. Everest in 1953?
4. Identify this man: Civil Law degree from Michigan, 1911; L.L.D. from McKendree College, 1928; major league catcher; civil rights pioneer.
5. Who is the leading Grand Prix driver who was formerly married to Richard Burton's present wife?
6. Who was the only major leaguer to have a comic strip character named directly for him? (Hint: not Yogi Berra; must be *exactly* the same name.)
7. Who was the only player to ever hit four home runs in a World Series twice?
8. On May 8, 1954, Roger Bannister broke the four-minute barrier in the mile run. Where did he do it, and what was his occupation at the time?
9. IN MEMORIAM: Mrs. Babe Ruth died Monday in New York. To what famous ballplayer had her father been attorney?
(Answers on Page 16)

Edelin Captured on Celluloid

(Continued from Page 5)

a reenactment of a robbery at knifepoint. It's like an episode from TV, Nesson said, but an "enormous number of problems are buried in it." To spot the issues, students have to stop being TV viewers and "view the robbery as lawyers."

The Edelin reenactment involved "Judge" Nesson overseeing the original trial attorneys — prosecutor Newman Flanagan and defender William Homans — in the direct and cross-examination of an expert witness. Flanagan's summation to the jury also was filmed.

Grappling with a complex set of gynecological and pathological questions, Flanagan and Homans relied on the same set of facts about the condition of an aborted fetus' lungs. Then Flanagan got the witness to say that the facts indicated the fetus had breathed outside of the mother's uterus. Homans wanted the witness to admit that the facts were also consistent with medical theories that the fetus never breathed outside the uterus.

The questioning of their "expert" (a doctor who appeared as the prosecution's witness although he backed Edelin during the trial) indicated the depth of the lawyers' preparation for the examinations and the ability of the expert witness to teach the court and especially the jury. Questions and answers were phrased so laymen would comprehend the medical data.

Homans made himself somewhat of a medical expert before trial. He didn't flinch at the expert's use of 15-letter words and he used the medical terms in his own questions.

Nesson ruled on qualifications, forbidden references to the fetus as a "baby", and the admissibility of passages taken from a medical treatise.

To obtain more natural conduct, none of the participants used a script. Each segment of the expert's testimony was filmed several

times, to allow different camera positions, and the "actors" experimented with switches of language and expression.

Homans said he was tempted to try to beef up his original performance in order to present the best possible teaching tool. Nesson, however, wanted Flanagan and Homans to cross-examine and object exactly as they did in the first trial.

The cameras and crew did not disturb defense or prosecution.

The only "terrifying" thing about a real trial or a reenactment is the jury, Homans said. Accordingly, cameras sometimes focused on the jurors, twelve persons instructed to react to all questions and evidence as though they were hearing them for the first time.

Only one honest-to-goodness actor played a part in the mini-trial, a look-alike of Edelin. He listened intently to the evidence, studied the judge and jury, and sometimes whispered with his attorney. Dr. Edelin himself did not appear in the film. His replacement said that Edelin won't appear in the same room with prosecutor Flanagan.

Throughout the day Nesson's father-in-law, wearing three cameras, slipped up on participants and film crew to take still photographs of the preparations. His shots will show where microphones were taped, how Nesson's hair became gray, camera positions, and the books and magazines jurors and spectators read when the filming became too hot and repetitive to command their attention.

Was it worth the dollar, the doughnut, and the lunch? Mary Ann Young, a law student's wife, was there from 10 a.m. to 6 p.m. when the cameras were put away. Young said her experience was worthwhile, since she'd never seen moviemakers at work, but she doesn't think she'd volunteer for another evidence project.

Guild Commences New Year With Film and Lectures

(Continued from Page 2)

Among other things, the platform calls for more clinical programs, an end to "authoritarian teacher-student" relationships and an end to the classroom use of the Socratic method "to narrow the permissible range of inquiry."

In coalition with the Women's Law Association, and the Black Law Students Association, the Guild pushed for a substantial HLS commitment to counseling HLS students interested in noncorporate careers and matching them up with public interest firms who can't afford to visit Cambridge.

Guild members are fearful that commitment by HLS last spring may be in jeopardy, with the administration decision over the summer to cut student-alumni membership on the HLS Placement Committee and the failure as yet to name a placement worker specifically responsible for public-interest law.

Cryptic Law

The following excerpt from a dated law journal article is in "judicial code." As you decode it, bear in mind that the solutions to this feature are often more "cryptic" than the codes themselves. (Hint: Each letter stands for a different letter of the alphabet.)

"Urnl fghsfdnf ulares dai jf tsqhiifs wap ilf
pftuad ilti ilf sfwfdstdi hu dai yfpqhilfs ia
npauu-fktqhdf ilf ohidfuu, ola hd pftehic hu
ilf sam, olfilplf hu ilf efmte ohidfuu ap dai. .
. . [I]lf sfwfdstdi itu da nltdnf ia hdvrhpf aw
ilf lards lao wtp wpaq ilf yetnf shs lf pfteec
whds ilf ipthe, ap shs lf npauu tdc ailfp ap
whds tdc ailfp. . . [Ilf sam] ltu lts lhu utc
tds efwi."

(Solution on Page 16)

HARVARD LAW RECORD

NERD COMIX

starring
Herb
Garnish



Herb, dissatisfied with
his firm's inadequate offer...

25 thou and a season
ticket to the New Jersey
Sports Complex??
THAT'S IT??!!

No
limo?

... decides to interview.

A good
selection!

PLACEMENT OFFICE DIRECTORY

Small firms	Rm. 601 ↑
Medium firms	Rm. 617 ↑
Large firms	Rm. 634 ←
Huge firms	Rm. 666 ←
Mega firms	Rm. 718 ↑
Multimega firms	Rm. 780 ↑
Public Interest Jobs...	See Custodian ↓

Soon...

Nice to see you, Mr.
Garish! Do you take
"pot"? How about that
Earl Butz? Heh, heh!

What is the capital
of Panama, anyway?

If you
had
any
ethics,
what
would
they
be?

SKIP THE SMALL TALK,
FURFACE ...

Here's the
resume.
Can you
come
up with
the bucks?

llllle

Can I??

Er—I
don't have
it on me...

7
DAYS

A week later... & BOGO

Mr. Garnish:
We are pleased
to offer: plus a Tahitian
n(nude), a house in C
oom named after you
shake a stick at. Furt

There's a
guy at
the door
with a
satchel
full of cash.
Says he
wants to
do your laundry

Sullivan
& Cromwell's
doing
that...
Ask him
if he brought
an iron

Scott Patterson

Taking the New York Bar Exam?

Mr. Joseph Marino of the Marino Bar Review Course of New York will speak on the New York Bar Exam and the Marino Technique.

Thursday, Nov. 4, 10:00 A.M. Pound Room 203. Information: 266-8941.

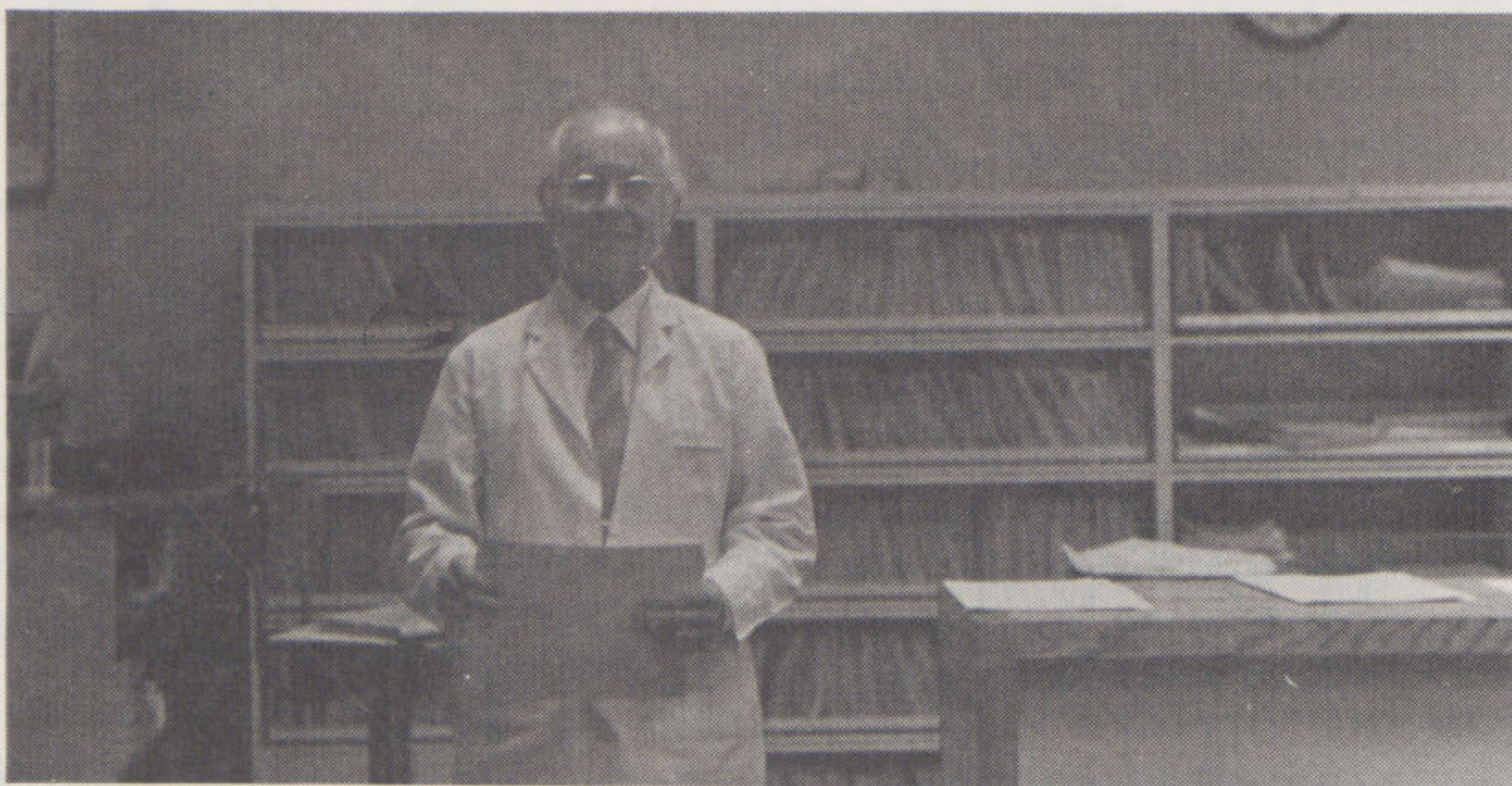
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One of the good doctors at the Law School Clinic.

Birth Control More Easily Available To HLS Women

By David Remes

Women law students complained last year that they were repeatedly denied birth control assistance by a staff doctor at the Law School Health Service, who on several days a week was the only doctor on duty at the clinic. The doctor reportedly refused to furnish this medical service on principle.

The Women's Law Association (WLA) described this problem last spring before the Subcommittee on Concerns of Women and Minorities. In its own report released this fall, as part of the Visiting Committee's statement, the Subcommittee recommended that a gynecologist be retained at the Law School to render services "upon terms commensurate with the needs of the women students."

The University Health Service, to whom Dean Albert M. Sacks forwarded the Subcommittee's recommendation, takes the position that ordinary doctors can provide routine gynecological services because gynecologists are scarce.

In recent days, however, the Law School Health Service has agreed to adjust its schedule for the year, so as to make birth control assistance available to Law School women whenever the clinic is open. Except for one hour on Wednesday afternoons, at least one doctor to whom women can be referred for

birth control assistance will always be available during clinic hours.

In a letter sent late last month to Dr. Preston K. Munter, Director of the Law School Health Services, the WLA announced that it would accept the new schedule, provided that women did not meet "unreasonable delays" in receiving the birth control assistance they sought.

In reply, Munter wrote that he was glad to "make some reasonable adjustments in our schedule to meet a perceived need in the community."

Munter had earlier rejected the WLA's contention that under the old schedule "women were being denied basic medical care" at the Law School Health Service.

Student Loan Fund Losses Reasons Told

(Continued from Page 7)

ally not much of a problem. Of the 10,000 active accounts, there were fewer than 30 bankruptcies last year. While some people may now be declaring bankruptcy a little sooner than they might have at one time, nearly all of these are truly cases of no money to be had. Harvard almost never contests one of these.

The real problem is late payments. While other student loans are taken into account when determining a departing student's repayment schedule, car payments, house mortgages, and the like are not. In a crunch, when it comes down to making the car payments or paying for an education that cannot be repossessed, the car usually wins.

Another project of the loan office is to analyze a number of defaulted accounts to develop a "profile" of the student most likely to default on the loan. While the usefulness of this is debatable, it may be helpful in setting the amounts of the loans.

Ultimately, loss caused by defaulted loans is not traceable to one particular criminal act or one particular loophole. All that can really be done is to encourage the slow payers to pay on time, and perhaps the effect of defaulters can be minimized.

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Posthumous Pierce Poses Personal Political Picks

(Continued from Page 5)

are solidly for Ford, although a Democratic victory in Dole's home state would prove the existence of God for many Democratic partisans. Ohio is a toss-up, but I believe that Ford is in less danger than Sen. Robert Taft, '42. Amazing as it may sound, Ford cannot take Michigan for granted; I see only about 53 percent for him there — less in Ohio. Carter states, except Minnesota, will be won by small margins. Oklahoma, surprisingly, may vote for Carter, but these are the same people who once elected Fred Harris.

THE WEST: Ford is a winner in Nevada, Idaho, Wyoming, Utah, and Alaska. Democratic senatorial candidates *may* help Carter in Montana and Arizona. Oregon is a toss-up; Carter could win by no more than the absentee ballots or some such sum. Other states are for Carter, except California, the biggest plum of all, which is a genuine toss-up. A last-minute effort by either the current or the former governor may tip the scales.

The popular vote tally will reflect less of a disparity than that of the electoral vote: the huge margins in the South may be the only thing keeping Carter from becoming the next Rutherford B. Hayes, HLS 1847, who won the Presidency while losing the popular vote count. This will not happen in 1976, 100 years later, but if it did you would see near-secessionary

rumblings for the abolition of the electoral college among disgruntled Republicans.

And now for the Senate sweepstakes:

CALIFORNIA: Sen. John V. Tunney in an embarrassing photo-finish, maybe 51 to 49 or closer. S. L. Hayakawa is a "folk hero" in the California *mythos* that also includes Ronald Reagan and Charles Manson.

CONNECTICUT: Sen. Lowell Weicker considered "safe" despite a popular female challenger. Weicker is not as close as he thinks he is. He should garner 53 percent.

DELAWARE: Sen. William Roth, '49, is safe.

FLORIDA: Lawton Chiles in a walk (get it?) over former American Independent Party standard-bearer John Grady: 65 percent for Chiles.

HAWAII: Spark Matsunaga '51, will succeed retiring Hiram Fong, '35, maybe by 60 percent.

ILLINOIS: Gubernatorial race will be an embarrassment to Richard Daley; well-deserved as that may be, it won't help Carter either. James Thompson over the Daley man, 58 percent.

INDIANA: Bayh, Bayh, Vance . . . er, Hartke, that is, Richard Lugar by 55 percent over this one-time Presidential aspirant (finishing among Sam Yorty, Wilbur Mills, '33, and Pat Paulsen in 1972).

Maine: Big Ed.

MARYLAND: Paul Sarbanes, '60, to oust Sen. Glenn Beall by 52 percent.

MASSACHUSETTS: Probably futile to list Republican opposition; Edward Kennedy, maybe by 65 percent or more, everywhere except South Boston.

MICHIGAN: Race to succeed Philip Hart has sunk to below level of Robert Dole. Congressman Donald Riegle heavy favorite before disclosure of an extra-marital affair seven years past. Even so, a squeaker, Riegle by 51 percent.

MINNESOTA: Ditto Massachu-

setts. Hubert Humphrey's health may cut his percentage to around 70 percent.

MISSISSIPPI: Sen. John Stennis is unopposed.

NEVADA: Sen. Howard Cannon will be an easy winner.

NEW JERSEY: In a recent poll, only about one fourth of the voters knew the name of either candidate for Senate. I pick Williams, the incumbent, by a huge margin.

NEW YORK: As much as I would like to see the pompous Daniel Patrick Moynihan's bubble burst by James Buckley (who is at least an intelligent conservative), the flamboyant Harvardian will carry the day. Tally of 55 percent not unrealistic; if Yaleman Buckley wins, an ambassadorship for Pat in Equatorial Guinea.

OHIO: This is where I destroy my credibility. If you bet with me on this one, one of us can retire young. Ohio is the closest to a toss-up among the Senate contests. Robert Taft, '42, by less than 51 percent.

PENNSYLVANIA: Democrat Green by 52 percent over the pickle heir John Heinz for the Hugh Scott seat.

RHODE ISLAND: Chaffee by as much as 60 percent in this heavily Democratic corner of the world.

TENNESSEE: Another money loser/winner. James Sasser over incumbent Sen. William Brock III by a few hundred.

TEXAS: Lloyd Bentsen, despite all his Presidential tomfoolery, should be an easy winner.

VIRGINIA: Once in a drunken stupor I put five dollars on Adm. Elmo Zumwalt to unseat the lackluster latest Byrd. I have not found another breathing human being to agree with me. To preserve personal honor, I refuse to make a prediction.

WISCONSIN: Proxmire by 75 percent.

One final note. Remember: Record staffers can predict elections just as well as they play football.

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Clerkships: Chilling?

(Continued from Page 9)

through the experience agree with that evaluation. One second-year student who worked last summer said, "I would have been a lot better off if I could have been interviewed in Cambridge in the spring, instead of chasing firms during Christmas vacation when I should have studied criminal law."

Daniels objects to summer jobs for 1L's on more fundamental grounds. He claimed that the 2L summer "trial relationship" can be "absolutely chilling," and he fears that rolling back the trial period to the first summer will intensify this effect.

Response to the suggestion that 1L's be allowed to interview through the Placement Office in the spring is mixed. Several of the law firms contacted would welcome the change. The Seattle firm quoted above, on the other hand, does all its hiring in the fall.

Sacks is skeptical of such a plan. He pointed out that 2L interviewing was originally done only in the spring after 3L interviewing was over. Firm pressure soon led to a consolidation. Therefore, Sacks does not believe that spring interviewing for 1L's would remain in the spring.

Daniels pointed out that there is an equilibrium in hiring which would be affected by such a change. Until the impact on the current job situation is evaluated, no such change should be made.

One partner had some practical advice for 1L's looking for jobs. Students should check the list of firms coming to Harvard and send letters and resumes to those they are interested in. Firms interested in hiring 1L's will probably contact students to set a meeting date.

Solution to "Cryptic Law"

"Such evidence should not be admitted for the reason that the defendant is not permitted to cross-examine the witness, who in reality is the dog, whether he is the legal witness or not. . . . [T]he defendant has no chance to inquire of the hound how far from the place did he really find the trail, or did he cross any other or find any others. . . . [The dog] has had his say and left." *Dogs as Witnesses*, 57 Alb. L.J. 139, 141 (1898). The unknown author of this article examined at length the practice of admitting as evidence testimony that a bloodhound had been used successfully to "tail" defendant from the scene of the crime. He concluded that the use of the bloodhound belonged to the days of slavery and of the "bloody criminal code of the dark ages" and that, inasmuch as they had ceased to exist, the hound should be relegated to "innocuous desuetude."

Sports Answers

1. Harry Heilmann
2. Basketball and volleyball; Springfield, Mass.
3. New Zealand
4. Branch Rickey
5. James Hunt
6. Hollis (Stippy) Thurston, HI and Lois
7. Duke Snider
8. Oxford, England; medical student
9. Ty Cobb

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Upper-Level Ames Competition Draws 2L, 3L Participants

(Continued from Page 5)

might be easier for the audience to follow than some of the more esoteric cases of past years he said that filling the Ames Courtroom on Finals night is never a problem. There is never more than standing room, he noted.

The two teams in this year's Final will be sponsored by the Marshall Club and the Learned Hand Club.

While the Law School's various clubs still take an active part in the Ames Final, a growing number of 2L teams in the qualifying and semi-final rounds are independent, according to Gary Meisel, director of the 2L qualifying round.

According to Stu Rossman, director of the semi-finals, "the clubs are almost dying out. Most people find that they don't need coaching or other help offered by the clubs or anyone."

This year's qualifying round will involve two new cases among six. One of the new cases is about military law and the other involves termination of welfare benefits.

Qualifying round briefs are due November 22 and oral arguments will start on December 1. The semi-final round will be held on March 29 and 30.

Dorm Council Activities This Week

TGIF — Today, 4-6 p.m.
Harkness Downstairs Lounge

SATURDAY ALFRED HITCHCOCK'S *Rebecca*

Starring Lawrence Olivier
8 p.m.

WAIT UNTIL DARK

Starring Audrey Hepburn
Alan Arkin
10 p.m.

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