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TWENTY CENTS

Taking A Year Off: Students Agree You Can Learn, Earn

By Vincent Pagano, Jr.

Not every law student finishes the prescribed three-year law school race without once leaving the track. A surprising number of HLS students take a break between their second and third years — and do some interesting and rewarding things.

Many law students simply want "to get it over with" and have no interest in taking time off before completion of their law studies. But many others feel differently and would very much like an opportunity to squeeze something else in before beginning a legal

career. For those others, a year's leave from HLS may be just the answer.

Some students might want to take a year to generate an income to ease those painful cash-flow problems that are so characteristic of HLS students. Others would like an opportunity to examine the workings of a law firm over a longer period than just a summer, or perhaps to see more than one firm before deciding what to do after graduation. Many students look upon a year's leave as a unique

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Honors Proposal Delayed Pending Faculty Scrutiny

By Barry A. Miller

The Law School Faculty has delayed final approval for a new method of calculating student honors until it can make sure that the method will not result in an increase of students graduating *summa cum laude*.

The proposal was presented to the faculty at its November 17 meeting by Professor Abram Chayes, Chairman of the Committee on Legal Education. The Committee recommended that the fac-

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Rather Blasts Debates: "Sham, Disgrace"

By Bob Ruxin

CBS newsman Dan Rather blasted the recent Presidential debates as a "sham" and a "national disgrace" in a Harvard Law School Forum speech before a jammed Ames Courtroom crowd on December 2.

"We should stop calling them debates and reconcile ourselves to a souped-up version of Face the Nation, Meet the Press, or Issues and Answers or change the format," he said. Rather suggested that Section 315 of the broadcast regulations be suspended so that a college-style debate between the two major party candidates could be held under direct television network ground rules.



CBS' Rather: Carter has no bitch about media coverage. SJ

Charging that national television "made some rather large mistakes" in covering the Presidential campaign, Rather spent more time defending television news coverage than criticizing it.

"We were trapped into covering too much trivia and passing it off as something else," he told an enthusiastic audience of some 700 people. Rather called himself an "old school journalist" who believes in "getting the facts straight, getting the quotes straight, and reporting it fairly, as opposed to the so-called new journalism 'every man a Norman Mailer on the campaign trail' style."

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Computers: The Final Frontier?

By Andrea Brown

While many Harvard Law School students managed to go through college oblivious to the onset of the Technological Age, they may not graduate from law school without at least a hazing. In order to pass the Legal Profession course — a requirement for graduation as of the class of 1978 — students must complete a computer exercise testing comprehension of the Code of Professional Ethics.

Performance of the exercise is not as easily accomplished as it may sound. It comes as a shock to English and philosophy majors to discover that one does not simply walk into the Langdell typing room and announce one's arrival to the computer. Instead, one follows step-by-step instructions for hooking a typewriting console into the telephone system, where sound impulses trigger a laser beam from Telstar that activates the "on" switch.

The instructions are very detailed, reflecting their drafter's knowledge of the technical abilities of the people who will be operating the program: "Be sure to place the telephone receiver with the mouthpiece (i.e., that part nearest the curly wire) in the front of the handset, and the earpiece in the back." They are not, however, foolproof, as I proceeded to prove.

After I had successfully opened the line to the computer, the typewriter clattered into action. "USER NUMBER?" it queried. Quick, back to the instruction sheet, which gives the necessary number. It does not, however, tell the clumsy typist what to do after typing in the wrong number. Five

minutes at the console and I was already a misplaced file.

The computer apparently did not know what to do any more than I did. It strewed a line of solid black squares across the page and then awaited my response. I gave it another chance and hit the return key without typing anything in. It obligingly asked for the number again, which I carefully typed in.

But I wasn't set yet. The computer asked me, "/", which is a hard question to respond to. And here, when I needed it most, the paint-by-number instructions failed me. The proper response, I read, was "attach, (insert appropriate code)."

I was pretty sure that I was not

the phone was a scrap of yellow paper with "attach, acodeb" scrawled across it. It seemed as likely a possibility as anything else, and so I typed it in. No conviction, but no kewpie doll, either; the machine responded, "IDLE."

I had now been at the terminal for half an hour, and had not yet broken through to the exercise. It was time for help, which was patiently provided by a nice man at the reference desk. He glanced at the print-out, which recorded my embarrassing exchanges with the golem. God bless him, he didn't laugh. I had, he explained, stumbled upon the proper access code at last.

Observation: Computers do not respond favorably to user creativity . . .

supposed to type *that* in verbatim, but what on earth was the appropriate code? I saw nothing listing codes, and so I made one up.

Observation: Computers do not respond favorably to user creativity. More black squares, and then I was accused of "ILLEGAL PARAMETERS." Not only don't I know the answer to the question, but I've broken the law.

I recalled that computers are very literal entities, and so I followed instructions exactly. I typed in "attach, (insert appropriate code)." The machine whirled, three lemons appeared: I was now a two-time offender. In desperation, I glanced around the table, hoping to find a list of codes. Near

Why, then, was I not in the middle of the exercise? It seems that when the computer is busy, it says "IDLE." And computer people wonder why the rest of us don't understand them.

The computer finally became idle (not "IDLE"), and I began the program. Now that our introductions were completed, it and I got along fairly smoothly. There were, as in all relationships, rocky moments, as when it told me "I DO NOT RECOGNIZE YOUR RESPONSE." But it is hard to dislike something which does not take offense when told that one does not wish to hear more on a subject and is not interested in one's current score — something the computer is very interested in compiling, for reasons known only to its creator.

Best of all, when conversation with it becomes a bore (and how scintillating can any computer be?) one can simply tell it "bye" and walk away. And how many friends do any of us have who are that understanding?

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Weissberger On Life As Lawyer For Entertainers

By Michael Collins

Entertainment Law was the topic of Attorney Arnold Weissberger's Root Room lecture last Thursday afternoon sponsored by the Harvard Student Legal Assistance for the Arts. The talk, designed as the first in a series to be given by artists and lawyers from the world of entertainment, was largely introductory and pleasantly anecdotal.

Weissberger, a native New Yorker, attended both Harvard College and Harvard Law School. Upon graduation in 1930 he returned to practice in New York City where in 1939 he established his own firm.

The range of his clients is, as HSLAA sponsor Professor Paul M. Bator noted in his introduction, "from the sublime to the sublime." His clients represent all aspects of the entertainment world and have included Marlene Dietrich, Eugene Ionesco, Igor Stravinski, Harold Pinter, Gore Vidal and Carol Channing. His work also brings him into contact with talent as yet unknown or on the way up.

"One of the joys of the profession," he said, "is the discovery of new talent."

Weissberger went on to say that it was this association with artistic talent that distinguished the field of entertainment law by making the nature of the service a personal one.

An artist's success is unusually precarious because it depends upon the public and the critics, whose tastes have been known to fluctuate radically. Clients, he said, therefore have an abiding fear that tomorrow they may be on the bottom, though successful today. As a result, the function of the lawyer becomes one of "soothing their egos" and compensating for their insecurities. "They

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Headline-Grabbing Pols Hurt Agency Probe: Banoff

By Larry Zelenak

The effectiveness of the Senate Select Committee on Intelligence Activities was hampered by the Senators on the committee who tried to take political advantage of the committee's work, according to Barbara A. Banoff, former staff counsel to the committee.

Speaking to a small gathering in a recent Root Room lecture, Banoff, now a member of the Harvard Law faculty, described the inner workings of the committee.

The committee was established to investigate the workings of the various intelligence-gathering agencies of the Federal government, and to recommend legislation to define the permissible scope of their intelligence activities. Banoff worked on the Domestic Intelligence Task Force of the committee.

Banoff's year as a staff member turned out to be quite different from what she had expected. "I thought our job was simply to investigate and recommend legislation," she commented, "but the senators looked at the committee as a tool to help them get re-elected. In some cases it was more than just re-election they were interested in: we had two presidential hopefuls (Frank Church and Charles Mathias) and three vice-presidential hopefuls (Howard Baker, Walter Mondale and Richard Schweicker) on the committee."

Since the senators were so concerned about the publicity potential of the committee hearings, they had to question the witnesses themselves, Banoff reported. But most of the senators refused to read the reports the staff prepared for them. "So it became a question of how to orally prepare these senators who might as well have been functional illiterates," she explained.

A related problem was the

demand of the senators that the subject of the hearings be headline-grabbing. "So when they found out, for example, that the hearings on the IRS didn't promise to be very 'sexy' they cancelled all but one day of the scheduled IRS hearings, and weeks of a preparation by the staff went down the tube," she said. "It got rather frustrating."

Another problem Banoff noted was the tendency of the senators to misuse information given them by the staff in an attempt to make headlines. "After a time we simply stopped giving them certain information we thought they'd misuse. If children have matches they'll start fires. But it did occur to me that it was an unusual lawyer-client relationship. Instead of worrying whether the client was telling us everything, we were worrying whether we dared tell the client everything," she said.

Besides the frequent occasions when the senators and the staff seemed to be working at cross purposes, there were also numerous disagreements between the Democrats and Republicans on the committee. For example, Banoff cited the strong resistance of the Republicans to the idea of a public hearing on the FBI's surveillance of Martin Luther King, Jr.

Banoff admitted that some of the frustrations she described were probably inherent in any large bureaucracy.

Although she said she would never again work on Capitol Hill, Banoff felt it was a worthwhile experience.

"I think we really did have an impact," she said. "Legislation is being drafted at our recommendation, and we put out a six-volume report. We got done what we were supposed to do, but the costs in terms of frustration and aggravation were beyond anything I had imagined."

Learning, Earning Seen As One-Year Internship Benefits

(Continued from Page 1)

chance to travel, or to work overseas. Still others simply need to get away.

Robert A. Rizzi, would-be 3L, is spending a year with the Cleveland firm of Jones, Day, Reavis & Pogue as a participant in an intern program established by that firm about two years ago. Rizzi worked for a New York law firm during the summer after his second year and joined Jones, Day in the fall. Asked why he decided to take a year off from law school, Rizzi said: "Partly to get a look at another law firm, partly to take a year off, and partly to pay off some debts."

Rizzi "doubts there's any question about the value" of the intern program, both academically and professionally, and contends "it would be ideal if there could be some academic credit given." He believes his year of work experience will be very helpful in deciding which courses to take when he returns for his third year next fall.

Rizzi said his year of working has helped him see "what kind of courses are useful and interesting, and what courses are useless." He gave Accounting as an example. He passed this up in his second year but has now discovered it would be a useful subject to know, and plans to take it when he returns.

Rizzi added that work experience during the school year is far superior to that available in a standard summer clerk position. One can get much more involved in the longer period available during the school year, he said, and see cases from beginning to end. "The length of time makes a crucial difference. You find out if you really want to practice law."

Samuel J. Goldberg, another would-be 3L, is using his year's leave to sample working life at three law firms. Goldberg spent this past summer with a firm in Kansas City and is splitting the fall, winter and spring months be-

tween a second Kansas City firm and a small, four-lawyer firm in Milwaukee. His principal reason for taking a leave of absence was to be with his wife, whom he married after his second year and who is now finishing her education in Kansas City. Goldberg added that the opportunity to see three law firms and two cities attracted him, as did the chance to save enough money so that he and his wife could travel this summer.

Goldberg characterizes his experience thus far as "great," and finds it "very worthwhile to get away." In contrast to Rizzi, Goldberg sees little difference between his work activities during the school year and those



3L Jeffrey R. Karp before seven months in the sun. HLSY

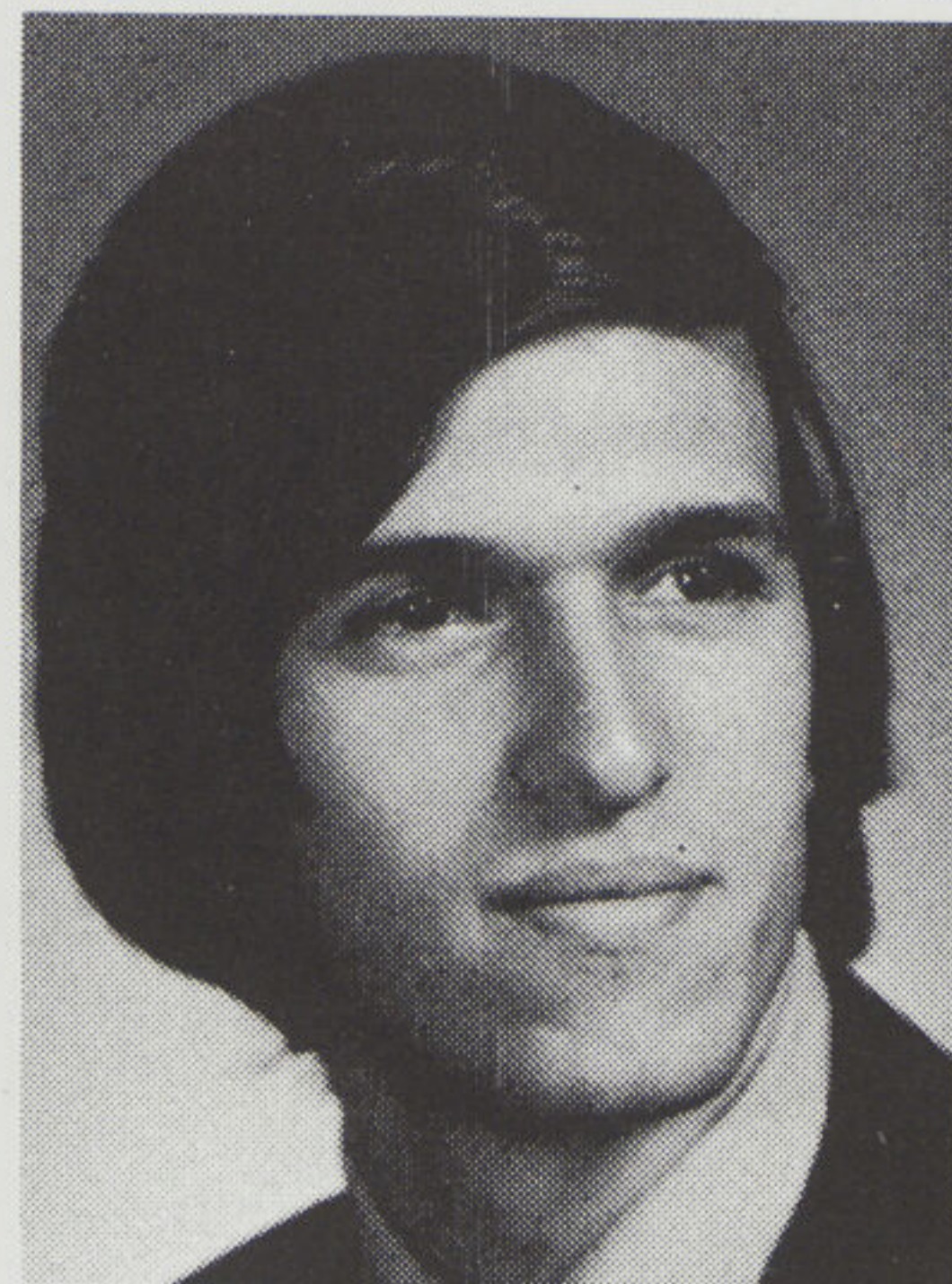
during the summer, but acknowledges that this may be because he's spending only three months with each firm. And unlike Rizzi, he does not believe his work experience will make him better able to set up a more rewarding course structure next year.

"At times I've gotten excited about being a lawyer," said Goldberg, "but I'm a lot more confused now about the direction I want to take when I get out of school."

The routine Placement Office interview process was the vehicle Goldberg used to land his three positions. His strategy was to go into interviews and present the firms with his idea of working for three months during the school year rather than during the summer. "It took a lot of convincing," Goldberg conceded, as many firms thought the idea "a little strange." But the firms generally came around.

Goldberg first got the idea to work for three firms instead of coming back for his third year from Patrick F. Kennedy, 3L, who spent last year working for firms in Philadelphia, Seattle and New York. Like Goldberg, Kennedy also found the firms generally unprepared for his idea of working during the school year.

"Some firms were a little unsure how to react," he said. "Law firms are not notably liberal in changing



Legal aid lawyer-intern David J. Zinberg. HLSY

their patterns." But Kennedy feels that most firms could be talked into taking on students during the academic year, especially after they see that it is of benefit to them.

Kennedy spent a year working primarily because he wanted to take time off. Like both Goldberg and Rizzi, he also looked upon his experience as a chance to gain information useful in making a decision on what to do after he finishes

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Rather Warns About Prostituting Trust

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Rather labeled President-elect Jimmy Carter's criticism of evening news shows "baloney." Television news was "at least fair" to Carter, Rather said. "If anything, it was too lenient on him. I don't think he has a bitch coming."

Before dismissing President Ford's complaints that Carter's record as governor of Georgia did not receive enough coverage as "again baloney," Rather praised Ford as a "reporter's dream" in one sense. "In the 25 years that he's been in Washington, you could say something critical about him and he didn't hold it against you."

Rather, who covered the White House for CBS during the Johnson and Nixon years, noted that he sees signs that Carter will be a "first-rate President." He offered a few

suggestions for Carter about his proposed fireside chats: limit them to one every six weeks and keep them short.

"I favor a law that no politician should talk more than five minutes unless he's already declared war," Rather quipped.

He also offered some counsel for Harvard Law School students. "I doubt really seriously whether most of you realize what a high trust, a heavy responsibility it is to graduate from Harvard Law School. People in your situation all too often come out of a place like this with a superb education, but you're not street smart."

He sharply rebuked those students interested only in a high-paying job and in not rocking the boat. When Rather, who noted he earned a B.A. at Sam Houston State College (now University), in

Huntsville, Texas, warned against committing "prostitution of a very high trust," he was interrupted by applause for the only time during the 90-minute speech and question session.

In response to several questions about his former CBS colleague, Daniel Schorr, Rather said Schorr was "absolutely right" on the central question of not revealing his sources, but that he needed "more information" to be able to judge whether Schorr was right on "subsidiary issues." He labeled Schorr's departure from CBS after the House of Representatives dropped its investigation of how he obtained a secret committee report a "mutual parting."

Rather did not mention the new prime time spin-off of *60 Minutes*, *Who's Who*, that he will co-host when it debuts Tuesday, Jan. 4 at 8 p.m. on CBS.

Taking A Year Off: Some HLS Prodigals Work At Law Firms, Others Travel Before Returning

(Continued from Page 4)

school. Kennedy found particularly beneficial the opportunity to save money and have the time to take an extended vacation. Kennedy started work in June after his second year and spent three months with each of three law firms. This left him with a three-month period in which to travel.

Jeffery R. Karp, 3L, took special advantage of this travel opportunity. After spending seven months of the school year working for a firm in Honolulu, Hawaii, Karp and fellow 3L Eric T. Haas — who also spent the year working for a Honolulu firm — traveled full-circle around the world, visiting 28 countries en route.

Karp thinks of his year's leave as "the greatest idea," a "totally 100 percent experience." He took a year off from HLS because of the "opportunity to do something different away from law school." A year off

between the second and third years of law school was "a good time to fit in something else," Karp said. He thinks of his ability to take a year of work and travel, and subsequently return to the mainstream of Harvard Law School, as giving him "the best of both worlds."

Karp decided to take a year's leave too late in his second year to take advantage of the fall interview process. Instead, he wrote to law firms in those places where he wanted to spend a year. His objective was a warm climate, so Hawaii became his first choice. "I struck gold," he said. The Honolulu firm checked his references, had another student who had worked at the firm talk to him, and hired him — without a formal interview.

Karp found the work "good for my career. You get an idea of what it's really like to practice law in a law firm." He found the work more real than that

available from a summer job. "I got a better idea of what kind of law I wanted to practice," he said, concluding, "I would do it again, and again, and again."

Not all those taking a year's leave of absence work in law firms. David J. Zinberg, for example, decided not to return for his third year this fall but to stay on at San Francisco Legal Aid Association, where he worked for the summer. Zinberg, who reportedly went to San Francisco last June without a summer job, landed a legal-aid position, and when asked to stay on in the fall decided not to return to HLS. Zinberg was not sure he wanted to finish law school when he left Cambridge last June, but has now decided he will.

Ralph A. Child, 3L, spent what would have been his third year as a legislative assistant in the Massachusetts Legislature. Child's position came by way of a legislative

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Celebrity Client: Child or Genius?

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must be treated partly as children, partly as geniuses," he said.

Nor is the entertainment lawyer's job purely one of entertainment law. Quite often the lawyer for artists handles all of their legal problems including those of a more traditional sort. Weissberger stated that he found his own apprenticeship with a law firm in New York helpful toward this end.

Weissberger remarked that the entertainment industry is known to be rife with standardized contracts for each of the different groups of artists. These regularly used contracts are often heavily weighted in favor of the artist, having been previously negotiated by the respective unions.

Weissberger also commented on the process of negotiation and bargaining that underlies the "billing" or listing of stars' names during the first minutes of a film. Often whether an individual is "starring", "co-starring," "also starring" or simply listed under the rubrics "with" or "and" is a function of the lawyer's abilities in bargaining in behalf of his or her client.

Although Weissberger did cite the benefits of working with talented and creative individuals and spoke of the pleasures of meeting new talent, he stated that he never invested in their productions. He remarked that there are countless opportunities to take advantage of what amounts to "inside information." However, he chooses not to do so simply because by investing in some and not others, it might seem to clients in whose work he has not invested that the lawyer has no confidence in them.

Weissberger saw no great differences between his practice and what is done in the entertainment divisions of large firms, most of which are located in New York or on the West Coast.

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One-Year Interns Study, Travel, Pay Bills

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fellowship awarded by the University of Massachusetts as part of a cooperative program between the University and the Commonwealth. Child, who spent the summer after his second year clerking in a law firm, entered the legislative program last fall.

The program was supposed to run a full 12 months, but Child was "sufficiently dissatisfied" and jumped out after seven. He spent last summer with a law firm. Child found it worthwhile being around the statehouse but discovered his assigned task of analyzing bills "wasn't a very creative job."

Child took his year's leave for financial reasons, to "coordinate" with his wife who was finishing her education. He found out about the legislative fellowship program by following up on an announcement that appeared in the *Adviser*.

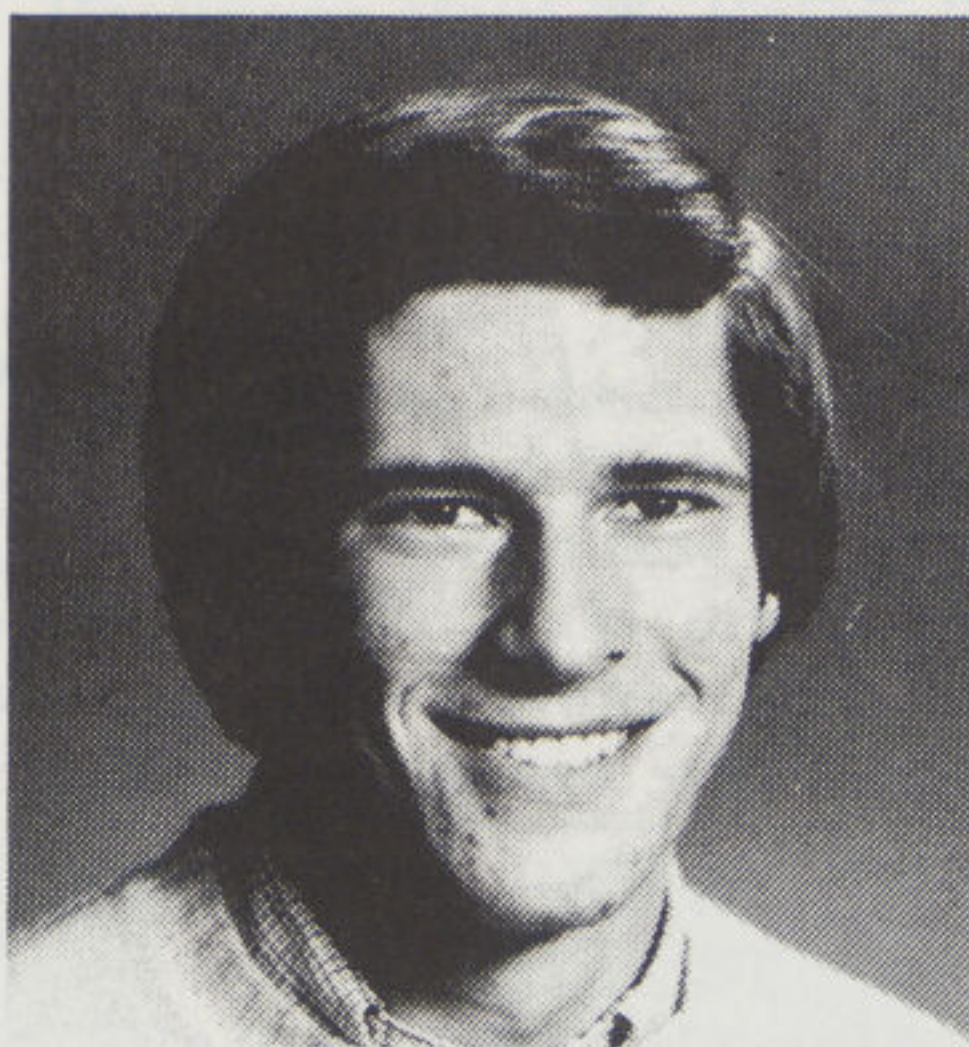
Ralston H. Deffenbaugh, Jr., 3L, had one of the more unusual experiences during his leave last year. Deffenbaugh received a travel grant from the Lutheran World Federation (an organizational body of Lutheran churches) and spent a year following and reporting on political trials in Namibia (South-West Africa).

"I started thinking about how ignorant I was about life outside of the industrial world," he said, "and felt that part of becoming well-educated would be to expose myself to how the rest of the world lives." Deffenbaugh admitted that he "had doubts about going to a place as tense politically as Namibia,"

but is now very glad he did.

Deffenbaugh, who completed college in three years, felt a need to break up his education. "I felt like I had a year coming to me." Asked why he decided to do what he did, he responded: "I'd had it in the back of my mind to do human rights work."

After describing his year in Namibia as "really a great experience," Deffenbaugh said: "I feel a lot better about being back at school. I have a lot better perspective on what is Harvard Law School." He added that HLS is "not the be-all and end-all, but the name means a lot," and is "a door



Human rights-intern Ralston H. Deffenbaugh, 3L. HLSY

opener" even in Africa.

Like Child, Deffenbaugh did not find his position through the Placement Office. He wrote to all the human rights organizations he could think of and talked to people in the area who had overseas work experience. Deffenbaugh noted that there are a lot of people in the Boston

area who have such experience, adding that he found it much less difficult to find opportunities for overseas work than he anticipated. Good verbal skills and a willingness to work for moderate wages are all one needs. "In a lot of developing countries these skills are in great demand," he said.

Law firms are just becoming aware of the growing law-student interest in taking time off during law school to work full-time. Jones, Day is one of very few firms in the nation that have responded to this interest. Irvin Leonard, a Jones, Day partner, said that his firm's program was set up so the "student would have a much better idea of what was involved in the practice of law." Leonard says the summer experience is too "artificial" and of too short a term. A one-year internship gives the law firm and its city and the intern much more of a chance to demonstrate their qualities.

But recruiting is not the central reason for the Jones, Day program, Leonard said. It's the contribution to legal education that counts. "By the time you get to the third year you're talking about specialized courses, which have little incremental value" to one who has had little or no contact with the practice of law. Leonard believes that "professors might shape third-year courses a little differently" if more students had a year's experience before entering that last year of law school.

Jones, Day for example provides an unusual bonus to those students involved in the intern program. An intern returning for the third year can receive up to \$2500 in tuition assistance, awarded on the basis of financial need—apart from parents—and with no strings attached. The firm decided to institute this scholarship, Leonard said, because "law firms take a lot out of law schools and firms ought to give something back."

Judith Zuberbuhler, of the Seat-

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Faculty Opposes Honors Degrees Increase

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ulty adopt an averaging system assigning the numbers 8 to 0 to the grades A+, A, A-, B+, B, B-, C, D, and F, respectively.

The following averages would be used to calculate honors:

<i>summa cum laude</i>	7.00
<i>magna cum laude</i>	5.80
<i>cum laude</i>	4.85

The change in the method of computing honors was necessitated by the change from number to letter grades, effective with the class of 1978. The faculty submits letter grades for the class of 1977, if the grade is B- or above, but number grades if the grade is C or lower. The Law School does not give out a plus or minus grade for grades of C or lower.

In the old system, number grades were furnished to the registrar and the corresponding letter grades only were reported to students according to the following schedule:

80 and above	A+
77-79	A
74-76	A-
71-73	B+
68-70	B
65-67	B-
60-64	C
55-59	D
Below 55	F

Awards upon graduation were determined by averaging students' numerical grades: 71.5 and above, *cum laude*; 74.5 and above, *magna cum laude*; and 79.5 and above, *summa cum laude*.

The objective of the new honors proposal "is to replicate as closely as possible the recent pattern of honors degrees and to avoid any substantial increase or decrease in the number of degrees awarded in any honors category," according to a memo to the faculty from the Committee.

It is important and interesting to note that the main concern of the Committee seems to be to ensure that roughly the same number of awards is given, rather than that the same people would be honored

under each system. Indeed, as currently formulated, the new system would produce somewhat different results from the old. Grades of C, D, and F will now adversely affect one's grade point average less than under the old system.

The Committee examined all of the *summas* awarded since 1957, a total of 14, and found that each of those persons would have retained his honor under the new system. They also examined the *magnas* from the class of 1976, and half of the *magnas* from the class of 1975, a total of 64. Under the proposed system, there would be one additional *summa* and about the same number of *magnas*.

Professor Paul M. Bator, '56, pointed out that the proposed system would produce an additional *summa* for every one and one-half classes, according to the Committee's data. Professor Chayes accepted his suggestion that the Committee further scrutinize the past grade records in order to make sure that the level of *summas* will remain

the same under the new system.

Professor David R. Herwitz, '49, lamented the faculty's earlier decision to abandon its prior practice of keeping number grades. Only Professor Clark Byse, however, supported Herwitz' position.

At the end of the meeting, Dean Albert M. Sacks, '48, expressed his anticipation that the proposal would be passed once the faculty was satisfied that the number of honors would remain constant in the future.

SPORTS QUIZ

1. Which country won soccer's World Cup in 1974?
2. Johnny Majors, football coach at number-one-ranked Pitt, will leave that post to become coach at Tennessee. In 1956, playing for Tennessee, Majors finished second in the Heisman Trophy voting. Who won the Trophy that year? (Hint: he later tried to avoid paying taxes on a 1962 Corvette awarded him by Sport Magazine.)
3. Give the exact date and location of the first recorded baseball game.
4. Name Notre Dame's "Four Horsemen," and the score of the game in which they gained that nickname.
5. Which hockey player was MVP in the Stanley Cup playoffs the season before he was named Rookie of the Year?
6. What is the penalty for deliberately throwing your glove at a fair ball in baseball?
7. In their second title fight, Ali/Clay knocked out Sonny Liston in the first round with a "phantom" punch. Where was the fight held?
8. Which player homered in his first at-bat and never again in his 21-year major league career?

(Answers below)

Sports Answers

1. West Germany.
2. Paul Hornung.
3. June 19, 1846, New York Nine vs. Knickerbockers, in Hoboken, N.J.
4. Stuhldreher, Crowley, Miller, Layden, Notre Dame 13, Army 7.
5. Ken Dryden, Montreal goalie.
6. No penalty if you miss; three bases if you touch it, and the batter may try for home at his peril; if it would have been an over-the-fence home run, the batter and all runners score.
7. Lewiston, Maine.
8. Hoyt Wilhelm.

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CLASSICAL GUITAR
TUES. EVES. By JOHN JERVIS

Up and Out

Before law students in search of employment lie down in any particular Procrustean bed, they can find out whether they will ever fit by taking advantage of an extended tour of duty with a law firm as an "intern." Students can sample several different legal practices while they postpone their third year of law school and avoid confronting a thorny "either-or" choice as their legal education draws to an end.

Exposure to a given career may also prod an intern into taking courses consistent with newly-discovered goals. Alternatively, it may give the lie to a student's misconceptions and sate the student's appetite for that sort of work altogether.

Granted, the intern with a full year's experience with a single firm may feel "wedded" to that firm. But at least among the firms which pioneered the concept, there are reportedly "no strings attached." Thus, the year's internship permits the financially hard-strapped to free themselves from a perceived "bondage of debts" which might otherwise unduly influence their early career choices. In addition, by carefully arranging his stint, the inveterate vagabond may frequently change cities and have the chance to travel during the law school respite.

Leaving law school in order to get more out of it may sound paradoxical. But if the reports from the front can be believed, students at HLS should take a hard look at this idea.

Down and Under

Don't let your third year paper gather dust on your bookshelf or remain tucked away in a professor's file. The hours invested in your magnum opus can yield additional dividends if it is made available to others through the pages of the RECORD. Those who might be working on a related subject or performing case research on a closely allied topic can learn of its existence and share in the benefits of your intellectual exploits.

The full-blown papers, of course, would need condensing to a more tractable form to be run in the RECORD's limited space. However, interested students should not be shy about submitting an abstract or making a proposal. Spread the wealth. We'll print it.

HARVARD LAW RECORD

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Fenno

The 2L walked up beside Fenno, who was looking intently at one of the display cases in the library. "What's so interesting?"

"Haven't you been watching these cases? The library has finally started putting up student-oriented displays." Fenno turned back to his study.

"Really?" the 2L replied. "I gave up looking last year. The only exhibit I recall was *Frontier Justice* featuring Bob Keeton's third year paper from Texas, 'Hanging Judges I Have Known.'"

Fenno scoffed. "The theme of this year's shows is much closer to home: failure."

"Shhh! There are a lot of 1Ls around who haven't even had their first exam."

"I don't mean such low-level failure, my friend. The library's more ambitious than that. The first of the series this year was *Professors Who Couldn't Make the Grade at Yale*, featuring tender moments from the classrooms of Louis Loss, John Hart Ely, Sam Thorne and other great stars."

"That's interesting?"

"Recently the staff has concentrated more on the personal touch. I especially loved the display of third-year papers that never got finished." Fenno smiled, knowing that that display would be augmented in a matter of months.

"Actually, I did see that. It's unfair that some of those papers weren't acceptable. *The Legislative History of the Federal Securities Code* was absolutely definitive, even though the title was the whole paper."

Fenno had to agree. "The faculty keeps changing the rules. After all, they once accepted a future jurist's autobiographical predictions called *What Immortal Hand Am I!*"

The 2L could restrain her curiosity no longer. "What's this week's display?"

"It's another story of a student who didn't get through, Paul Bator's cousin Ulan."

"Wasn't he admitted in the affirmative action program for Mongoloids?"

"Yes, but his downfall came with his arrest for trying to enter the library without his bursar's card."

The 2L glanced over the pictures. "How sad," she said. "Here's a shot of him doing five to ten at Leavenworth. He seems to be studying in the prison library."

"Poor fellow," Fenno said. "He believed to the last that if he could master *habeas corpus* he could beat the rap. It was at Leavenworth that he wrote the article for which he was offered tenure at Harvard. Fortunately, even though Ulan died in the slammer, he was able to keep the position in the family."

"At least one story has a happy ending."

"One of the nice things I've noticed about HLS over the years," said Fenno, "is that all endings here are happy."

HARVARD LAW RECORD

Letters to the Editor of the RECORD

We Knew We'd Get A Letter About This

To the Editor:

In the November 5th issue, page 2, under the heading "Judges Framed in Law School Collection" by Dean Pound, you refer to President James Lowell of Harvard.

There were several James Lowells but none of them was president. The president was Abbott Lawrence Lowell.

Arthur M. Boal, '16
New York, NY

Explain This Letter And Win A Prize

To the Editor:

I recently received an issue of the RECORD.

I do not think that I can do the RECORD justice, and accordingly request that you discontinue sending me it.

Martin F. Wolf, '55
Bridgeport, Conn

Reader Bemoans Lack of RECORDS

To the Editor:

This morning I received and welcomed issue No. 6, vol. 63 of the RECORD. I had been waiting to receive issue No. 3, vol. 63, and was surprised when issue No. 6 arrived. I have not received issues Nos. 3, 4, and 5, vol. 63. Please send them as soon as you can conveniently do so.

I can't help saying that delivery of issues of the RECORD is as erratic as delivery of issues of *Harvard Law Review* (of which I am a subscriber) at least of late. Is it explained by poor management on your part or on the part of the monster postal "service"?

Samuel Sharpe
New York, N.Y.

Ed. Note: Mr. Sharpe must be one of those people for whom the glass is always half empty, not half full. We prefer this explanation for the out-of-sequence issues: issue number 6 must have arrived well ahead of schedule, and Sharpe can expect to receive numbers 3, 4, and 5 on time.

Alternatively, we blame everything on the postal service.

We would not presume to speak for the Review, so we will not speculate as to the cause of the "erratic delivery" of that publication's numbers. We would be the last to attribute it to "poor management."

DECEMBER 10, 1976

Thirty Years Ago

The Harvard Law School RECORD, termed a "joy to behold" in a recent issue of the American Bar Association Journal, made its appearance in the fall of 1946. The initial reception to what has gone on to become "America's Oldest Law School Newspaper" was mixed, as the following "Letters to the Editor" from volume 1 of the RECORD demonstrate:

Sir:

Is this Law School so large that it needs a newspaper to present its news? As a student at this institution before the war and one who was here last term I found that little concerning the Law School escaped me. The grapevine and rumor mill served as a sufficient fund of Law School news, much of which needed treatment of the type exterminators mete out to insects. The School functioned without a journal of news and opinion for well over one hundred years. Why must we suddenly have an organ of crystallizing clap trap? Is this a Law School or a Journalism school?

Fourth Termer

To the Members of the Harvard Law School Association:

The Harvard Law School RECORD is a new venture, started this summer entirely through the initiative of the remarkably active and resourceful group of students who are now at the Law School. This issue, and the three succeeding issues, are being sent to all the members of the Harvard Law School Association. We hope that they will give you a glimpse of the Harvard Law School as it is today, and that they, and later issues of the RECORD, may serve to bring the School into close contact with its many graduates. To the editors of the RECORD we extend our thanks for making this communication possible.

Faithfully yours,
Erwin N. Griswold,
Dean.

Law Notes

The Law School Forum will hold its last meeting of the term on Monday, December 13, when the featured speaker will be William Colby, former director of the Central Intelligence Agency. The meeting will be held at 8 PM in the Ames Courtroom. Admission will be \$1.50.

Cryptic Law

The following excerpt from a famous text on English legal history is in "judicial code." Criminal law buffs should have a good time with this week's selection. Decode it. (Hint: Each letter stands for a different letter of the alphabet.)

"[Y]ln njl jfrkv ai njl fggsvlk wl wasrk
naclnjlp srklp njl wlrn urllv . . . Njlr jl
vjfyy wl wasrk fpasrk njl yamrv qmnj f padl
vnparc lrascj na jayk jmb; frk mr njl padl
qmyy wl bflk f uran fn njl kmvnfrgl ai njl
ylrcnj ai jmv jfmp; frk va jl vjfy wl yln kaqr
clrnyh mrna njl qfnlp va fv ran na bful f
vdyfvj. Mi jl vmruv kaqr na njl uran jl vjfy
wl kpfqr sd vftlk; anjlpqmv l yln jmb wl
fkzskclk f csmynh bfr wh njl vdlgnfnapv."

(Solution on Page 12)

SPORTS QUIZ

PLAYOFF-BOUND PATRIOTS SPECIAL

- 1 (a). Name the three players who have had their numbers retired by the Patriots.
- 1 (b). What have been the three official names of the Patriots?
- 1 (c). In what five Boston-area stadiums have the Patriots played home games?
2. Who is the only active major league pitcher with a perfect game to his credit?
3. Who was the first bowler to win \$100,000 in a year on the pro tour?
4. Who was the first golfer to win \$100,000 in a year on the women's pro tour?
5. Who is considered the outstanding currently-active athlete of Belgium? of Finland? of the Netherlands?
6. What is Charles O. Finley's middle name?
7. Who was the first white man to learn the now-familiar crawl stroke in swimming? In what year?

(Solution on Page 16)

Yellowed RECORDS: More Of the Same — Women, Jobs

Ed. Note: The RECORD could hardly be a Harvard institution unless it attempted to forge a link with history and precedent. The following timeless articles on Law School discrimination and job hunting are gleaned from the encrusted pages of antique RECORD issues in an effort to meet this requirement.

March 23, 1948

The results of the recent RECORD opinion poll concerning the admission of women to the Law School were hardly sufficient to indicate whether the students and alumni favor legal co-education at Harvard. The RECORD has a circulation of almost 8,000, and only 44 ballots were cast. The statistics are as follows:

	For	Against
Students	14	14
Alumni	8	8

The most frequent argument presented by advocates of admitting the ladies is that discrimination for any reason, nationality, religion or sex is undesirable. Associate Justice Henry W. Edgerton, LL. B. '14, of the Circuit Court of Appeals for the District of Columbia, states: "I taught mixed classes at George Washington, Chicago, and Cornell and did not find the presence of women a handicap." Another alumnus says that there is no logic in educating a woman to a certain point and then barring her from professional schools. If she wants to help run the world, she should be well-educated for the job. He is sure the survival of the race would not be endangered! A third alumnus writes that he originally answered "no," but was then advised by his wife to reply in the affirmative — and he did so.

Two of the students who cast positive votes qualified their answers. One says that the females should be admitted only if there is an insufficient number of well-qualified male applicants, and the

other adds that "the admissions committee should be damned circumspect about the number (of women) admitted."

Among those who oppose mixed classes is an alumnus who says that "with few exceptions, women are a definite nuisance at the bar or on the bench." Another graduate whose wife and sister have practiced law quotes his wife, "Women do a good legal job but most become wives and mothers, which is as it usually should be for their happiness and welfare. Their legal educations are waste motion."

Of the students in the opposition camp, one states that the facilities of Yale and Columbia are sufficient for the "few intelligent women" and others second the reasons advanced in the RECORD editorial. One foresighted young man urges that "if they're that smart, they ought to stay home and have smart children (boys) to send to Harvard Law School."

* * *

November 18, 1947

Placement opportunities for the February graduates are brighter at this time than they have been for any previous post-war class, with seventeen per cent of the prospective candidates for degrees already under contract for positions. Although job offers are arriving at the Placement Office in greater volume than at any other time in 1947, Assistant Dean of Admissions and Placement Louis A. Toepfer states that his office can only start the job seeker on his road. "Like courtship before marriage," he said, "the law graduate must spend an extensive period in negotiation before landing a position."

The geographical distribution of the 34 placements from a class of 200 shows a wide range

(Continued on Page 16)

2L Internships

(Continued from Page 7)

the firm of Foster, Pepper & Rivera, said her firm is quite interested in bringing on law students on an academic-year intern basis. But as yet the firm has had no takers. Zuberbuhler believes such intern programs would "add strength" to a student's legal development. She said that both the firm and the student would benefit from spreading out the employment period over the entire year. This would give the student the chance to work during the firm's busiest season and provide the firm with an opportunity to look at the intern during that same period.

Too many clerks work during the summer months, Zuberbuhler said, and as a result much of the work given them is "make work." "The summer clerks don't really get a chance to follow trials all the way through." About a one-year intern program, she concluded: "I think more and more law firms will begin to look at it favorably."

Dean Albert M. Sacks considers a year's work between second and third year an "interesting and potentially rewarding approach." Sacks said that

(Continued on Page 14)

Solution to "Cryptic Law"

some hope for the man at the end of his rope. the ordeal of cold water. At least there was explanation lends a bit more rationality to the water but unable to surface. The above the bottom of some icy pond, "accepted" by small comfort to the defendant as he lay at lieve that a finding of not guilty was of the lawyer. Students are usually led to be fore seemed particularly cryptic to the cyp- abolished in 1215 in England, has hereto- ordeal of cold water, an ancient mode of trial the Common Law 114 (5th ed., 1956). The quoted in Plucknett, A Concise History of tators." Sayre, Cases on Criminal Law 29, him be adjudged a guilty man by the spec- he shall be drawn up saved; otherwise let make a splash. If he sinks down to the knot down gently into the water so as not to the length of his hair; and so he shall be let rope will be made a knot at the distance of rope strong enough to hold him; and in the he shall be bound around the loins with a together under the bent knees . . . Then "[L]et the hands of the accused be bound

NERD COMIX

starring
Herb
Garnish



Christmas at the law school.
Children's voices raised in
song, snow-capped trees,
goodwill to all, and ...

FA LAW LAW LAW LAW
LAW LAW LAW LAW!



NERDS.

HEY! COULD YOU
KEEP THE NOISE
DOWN? WE'VE
GOT EXAMS IN
FIVE WEEKS!



People are so
inconsiderate
this time of year.

That guy down
the hall with the
sleigh bell in his
typewriter ...



OWOOOOO



The other character
with the tinsel
Gilbert's who
keeps reflecting
it at me

Wrapping
paper
crinkling
outside
my door



OWOOOO



I just
can't
underst-

OWOOOOO!
GARRR-NISH!



WILL YOU
CUT THAT
OUT ???!

Who are you
anyway?

I am a Christmas
spirit from the Great
Beyond.

And I can't
stand nerds

Oh, yeah?
Do you have
a warrant?



Because if you don't, pal, under
§ 47(b) of the applicable state
law, you are not authorized
to —



to be continued ...

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One-Year Interns Receive Big Dose of 'Real World'

(Continued from Page 12)

there is no real disagreement among the Law School faculty on the value of such work experience. Emphasizing administrative difficulties, however, he said that there is little chance HLS will award credit for this.

Sacks compared the work experience obtained during a year's leave to the experience a graduate receives during his first year out of law school. "We don't give credit for the first year after law school," he said. "The law school has programs which it conducts," Sacks continued, "and the Law School recognizes that there are other activities which have educational value for which you don't get credit." He stressed, however, that any student wishing to obtain a year's leave to spend in law-related work would have no trouble getting it approved by the Law School.

Some law schools have overcome at least some of the administrative difficulties of awarding credit for work experience. Boalt Hall School of Law, at the University of

California, Berkeley, is one highly rated law school which awards such credit. A ten-unit "clinical semester" is available to students who work for one semester for a law firm, the government or a public-interest organization, or in some other law-related field. The student must have the work position approved and submit a work sample once each month.

Boalt Interns "Extern"

A "judicial extern program" is also available to a student at Boalt. Under this program the judge submits an evaluation of the student's performance and the student submits a sample of written work. Both the clinical semester and judicial extern programs at Boalt appear to be quite popular.

Hahvahd Simon: 50 Ways to Flunk Out of This Place

By Franklin Pierce

There was a rumor floating around the other day that one Paul Simon, he of rhymin' fame, once sought a career as an attorney, only to be swayed toward a far nobler pastime by seating charts, the Socratic method, et al.

Needless to say, this inspired us (anything to get out of reading Corporations), and since we in our younger days performed a Paul-Simon-in-reverse by abandoning (through sheer devotion to humanity, of course) an up-and-coming rock'n'roll band (most famous single, "Love in a 1949 Kaiser-Frazier" b/w "Ode to William Jennings Bryan") for the ivied halls of Hahvahd, we heretofore offer, footnoted and in triplicate, FIFTY WAYS TO FLUNK AT LAW SCHOOL.

Hit professors with bats, Katz.
Kick 'em in the pants, Lance.
Give 'em a nosebleed, Fried.
Give 'em a beatin', Keeton.
Start hitting the juice, Bruce.
Stab 'em in the backs, Sacks.
Hit 'em where it hurts, Kurtz.
Be a convicted killer, Miller.
Throw rocks, Archie Cox.
Stay absent for days, Chayes.
Go visit a bar, Haar.
Show 'em who's boss, Loss.
Keep 'em guessin', Nesson.
Give 'em a shiner, Steiner.
Make 'em worry, Surrey.
Be a casebook-burner, Turner.

And, if you ever had any doubt. . . . "Commit a tort, Mort." But, alas, what is there to rhyme with Vor-enberg, Von Mehren, or Sargen-tich, at least that is printable? In the interest of space, good taste, and prevention of several species of defamation suits, we halt at less than fifty, but rest assured (1) it is possible to flunk law school, even Harvard, and (2) it is neither as easy as "The Paper Chase" nor as difficult as smart-ass classmates may make it appear.

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Confessions Of A Tipsy TGIF Groupie

By Mike Raiden

"I went down to the Harvard Law School
Must have been some kind of damn fool
Spent three long years sittin' on a bar
stool. . . ."

from *The Tort-feasor Boogie*

The Harvard Law School is institutionalized madness, and the fuel that keeps the wheels turning is the weekly T.G.I.F.

The T.G. is a realm of nightmarish fantasy; of puking into the punchbowl and being found naked the next day; of inventing a new type of football wherein the object is to force both ball and ball-carrier through the plate-glass window; of telling tasteless stories to Dean Sacks while spilling a beer on his shoe.

As a one-time anthropology student, I find myself returning with increasing frequency to the concept of the "watering hole" where the beasts of different stripes convene. No more bizarre sight is there than that of a dozen adult human beings standing in line to exchange little red tickets for legally-sanctioned doses of "soma".

The T.G. wine has replaced the traditional wine of communion as a religious rite for those benighted souls whose self-respect has gone down the tubes to the tune of "state the case" and "what result".

I came to Harvard with a few

preconceptions about the use of alcohol, and while they seem naive in the light of my subsequent experiences they are nevertheless very hard to shake. One is that Friday is the "day of rest", when even the Great Social Engineer in the Sky closes his casebook. Another is that alcohol, looking to the "intent of the parties", was invented for the purpose of getting drunk.

I have discovered, through such foul concoctions as the Bloody Mary and the Tequila Sunrise, that alcohol comes in more varieties than beer and bourbon, and that some people, with less than spectacular success, try to make it "taste good". The idea, as far as I can determine, is to make one's drink actually taste that much worse, so that one sips it ever-so-slowly rather than in one gulp, the idea being *not* to get drunk. Will castor oil and kapectate become the cocktails of the future? W.C. Fields would turn in his grave.

It was only after I arrived at Harvard that I discovered some persons take a bottle of white wine with their noonday cheeseburger. I decided that I would have to outgrow my high school notions of "partying" and adjust myself to a new world, where the ulcer is the ultimate status symbol, not the ability to drink a case of Pabst in one sitting. And so I became an un-

reformed and unrepentant T.G.-goer.

I was in Harkness Commons promptly at 4:00, my dollars thrust unashamedly and unselfconsciously outward. "Twenty-four beer tickets," I demanded, hardly realizing that the beer would have turned to foul-tasting fizz long before I had reached the bottom of the pile. For a long time I stood alone, admiring the fine detail work in the masonry, before it dawned on me that a T.G. must be another one of those occasions where one is "fashionably late".

As a result, by the time the room filled I was well on the way to hijacking the Deadwood stage. My vocabulary seemed limited to four-letter denunciations of the professor who stood, unbeknownst, three feet away. When I would meet someone I didn't know, I would tell him my innermost secrets, interrupted usually in mid-confession for a quick dash to the facilities.

I have stood chewing soggy potato chips, listening as the morning's tax lecture was dissected. "Friends" have deserted me for esoteric colloquia following the "last call", rather than stumble with me to the nearest liquor store to complete the job that was started at the T.G. I myself can conceive of no more unappetizing proposition than spending Friday night alone in Shaw Hall poring over civil procedure while your head spins from three Scotches and a supper of pretzels.

This week the Board of Student Advisers will be conducting a student evaluation of Fall semester courses. The aim of this survey is to provide more reliable information to aid students in selecting classes and to provide faculty with feedback from those in their classes.

This is a student sponsored project and requires maximum student participation for success. Take some time to review the questionnaire and think about the courses you are taking. Then complete and return one questionnaire for each Fall semester class and seminar which you are taking.

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Plane Fare

To accommodate those who plan to flee the jurisdiction prior to the end of classes, the RECORD will publish next week on Thursday, December 16. Read it on the plane Thursday instead of in your classes Friday.

Upcoming In The RECORD:

Be sure to pick up a copy of the December 16 RECORD! You won't want to miss:

—The no-holds-barred editorial that attacks that American sacred cow, the holiday season.

—The heartwarming conclusion of the first-time-ever two-part "Nerd Comix."

—Hollywood at HLS: "All The President's Men" comes to the Ames Courtroom.

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The RECORD: all the news, and you know it!

'47 Yellowed Journalism

(Continued from Page 12)

of locations. New York and Boston lead with six placements respectively. The remaining men have been located as follows: Washington, D. C. (2), Cleveland (2), Los Angeles (2), Massachusetts, outside Boston (2); one man in San Francisco, Baltimore, Seattle, St. Louis, Chicago, Dallas, Maine, Texas, and New Jersey; four men have not indicated the location of their new jobs.

Placement experience has shown that the best results are obtained during the last term of residence. Firms are reluctant to hire a student until he has almost completed his course of study. For this reason, the Placement Office is anxious to acquaint the prospective June '48

graduates with the placement procedure, but it is advisable for these men to wait until February before seeking help. At the present time, 14 out of the 300 in the June class have definite positions, but the jobs are for the most part in the "working for my father" class.

Mr. Toepfer offers three possible explanations for the present increase in demand: older lawyers, now slowing down after heavy wartime activity, are turning over some of their work to newcomers; firms have given up the immediate hope of more office space and have accepted new employees in spite of the cramped quarters; the extensive campaign by Dean Griswold and others to interest employers in hiring the new crop of veterans is meeting cooperative response. Local voluntary placement committees are now operating effectively and an increasing number of firms are making it a practice to come to Cambridge to interview interested students. Between now and Christmas, there will be at least one interviewer at the School each week.

The salary level for starting positions is slightly higher than in the past; \$250 a month is a rough average. "Dream positions" are scarce and most of the opportunities are of the apprenticeship type.

There are limited opportunities in government for men who have already passed a state bar. For example, the Civil Aeronautics Board has at present two openings at \$3397 per year. Moreover, the New York City local placement office, a unit of the Harvard Law School Association, situated in Rockefeller Center, has enlarged its facilities. Its director, Mr. John Ready of Engel, Judge & Miller, has hired two recent graduates, Mr. Louis Kunin and Mr. Lester H. Prenskey, who are engaged in an extensive canvass of New York's medium and small-sized firms to find job-openings.

Sports Answers

- 1 (a). Gino Cappellotti (20); Jim Lee Hunt (79); Bob Dee (89).
- 1 (b). Boston Patriots; Bay State Patriots; New England Patriots.
- 1 (c). The stadiums of Boston College, Boston U. and Harvard; Fenway Park; and Shaefer Stadium.
2. Catfish Hunter, 1968.
3. Earl Anthony.
4. Judy Rankin.
5. Eddie Merckx, bicycle racer; Lasse Viren, long-distance runner; Johann Cruyff, soccer player.
6. Oscar.
7. Arthur Trudgen, 1893.

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