

HARVARD LAW RECORD

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TWENTY-FIVE CENTS

Alumni Association Analyzes State of HLS

By Pat Kelly



Photo by David N. Johnson

Staffer is busy at Legal Services Institute, a project of HLS and Northeastern Law Schools.

Progress, Amidst Chaos, at Legal Services Institute

By Richard Weisman

The unpleasant odors of spilled home heating oil and roach spray permeate the basement of the Legal Services Institute office in Jamaica Plain. Impervious to the smell, and to the oil-burner repairs which are taking place only a few feet away, Dori Jones, 2L, is busily preparing documents for her client in a divorce proceeding. Two colleagues work at nearby card tables, discharging part of a case load which, in the LSI's first full year of existence, numbers well over 1,000.

Upstairs, in the maze of tiny offices which fills the three-story LSI headquarters on Center Street, paralegals, lawyers, receptionists, students — and,

now, a team of representatives from the Legal Services Corporation, which administers much of the funding for the Harvard-Northeastern joint enterprise — compete for the limited space.

Jeanne Kettleson, who co-directs LSI with fellow Prof. Gary Bellow, has served as midwife and lynchpin of the fledgling office since its inception last January. She speaks with an infectious enthusiasm and expansive vision which obliterate the lingering unease engendered by the surroundings.

It's not difficult for Kettleson to be enthusiastic. By this fall, LSI will have moved to consider-

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The Harvard Law School Association (HLSA) held its annual meeting in Pound Hall on April 25 and 26. All alumni are members of the HLSA; alumni who pay annual dues are deemed active members. Since a substantial portion of the Law School budget is supplied by alumni funds that are generated and controlled by the HLSA, the annual meeting is an important event for the Law School community. Yet any attendee would recognize that, like a directors' meeting of a large public corporation, most of the debate and decisions occur prior to the meeting. The meeting itself is a public performance that indicates by its cohesion a great deal of preparation, without describing how the script was developed.

On Friday evening, after a reception and dinner, the alumni observed a presentation by Assistant Dean Steve Young regarding the Harkness Commons (see RECORD, Apr. 11, 1980). On Saturday morning, the meeting was called to order by the 1978-80 president, Harris Weston, '43, who turned the podium over to Dean Albert Sacks for the annual State of the School address.

Dean Sacks first discussed admissions. Applications continue to increase; although class size has remained relatively constant, the percentage of applicants accepted has decreased from over 50 percent in the 1950s to about ten percent today. The early goal of the admis-

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HLS Pleases Berkeley Law Visitors

By Tom Heywood

For many 3Ls, Commencement Exercises in June will come none too soon. The third year of law school, they will tell you, is a period during which one bides one's time, anxiously awaiting the end of formal education and the beginning of life in the "real world." That's just the way third year is, they claim.

"Not so!" say four of this year's third year class who are participating in the Harvard-Berkeley exchange program. For these students — John Schroeder, Paul Sczudlo, Tom Jones and Gary Shubert — third year has been a time to meet new students and faculty, to taste life in Cambridge and Boston for the first time, and to explore the possibility of legal careers on the East Coast. By any measure, third year at HLS has been anything but dull for these transplanted Californians.

Like their counterparts at Berkeley (RECORD, Nov. 20, 1979), these students were sparked by a variety of motivations in deciding to come to Harvard. "I've never lived in the same place more than seven months," chuckles Gary Shubert, "and I had never lived in New England. The chance to do something different third year and to sample what Harvard and New England have to offer was simply too good to pass up."

Tom Jones was particularly attracted to Harvard by the East Asian Legal Studies program (EALS). "Since third year is usually a slow time anyway," notes Jones, "the opportunity to take advantage of Harvard's EALS program was all the prompting I needed to convince me to apply to



Visiting 3Ls from Berkeley: Tom Jones, Larry Kopeikin, John Schroeder, Paul Sczudlo, and Gary Shubert.

the exchange program." Jones, who had done graduate work in the Asian Studies program here at Harvard before going to Boalt and who is currently auditing a Chinese language course in conjunction with his legal studies, expresses disappointment over only one aspect of this year's EALS program: the absence of Prof. Jerome Cohen. "Otherwise, I've been definitely happy with the EALS program and my decision to come to Harvard," says Jones.

HLS More "Taxing"

John Schroeder offers a number of reasons for attending HLS in his third year. "Harvard offered several tax courses which weren't available at Boalt," observes Schroeder, citing Professor Surrey's International Tax course and Professor Oldman's Comparative Tax Policy courses as examples of valuable,

well-taught courses. Furthermore," he continues, "for 2Ls like me who were considering government work in Washington or New York, Harvard's location is a real bonus. Government agencies usually don't have the budgets to fly out to California or offer fly-downs to West Coast students when hiring. The federal job market is larger and more easily accessible for students coming out of Harvard." As it turns out, however, Schroeder opted to work for a San Diego firm.

Beyond this, Schroeder points out that as a Berkeley student at Harvard, he feels he has "all the advantages." He explains: "We still pay Berkeley tuition, yet for a year we enjoy all the advantages of Harvard academics and the Cambridge community. You can't lose!"

Paul Sczudlo agrees that paying Berkeley tuition while attending Harvard makes the exchange program very attractive. In further elaborating on his decision to come to Harvard, Sczudlo explains, "As an undergraduate at Yale, I had always envied Harvard students' access to both Boston and Cambridge. This year was a good opportunity to see what the area was like and to

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Schorr Lauds Cable TV

By Steve Friedland

Journalist-author Daniel Schorr spoke about his upcoming position with Ted Turner's Cable Television News Network and the state of commercial network news on April 22 at the Law School Forum. Schorr explained to a small but attentive audience that he was substituting for yachtsman-businessman Turner, who will be a Forum speaker in the fall.

The winner of an Emmy Award for his television coverage of Watergate, Schorr — CBS correspondent for 25 years — explained how he has come to work for a man who made his money "by doing things less than respectable." Said Schorr: "We understand that as once Bill Paley and Ed Murrow came from different parts of the spectrum to do things for society, so are we now doing something."

Schorr was unperturbed that the concept of round the clock news may not have widespread appeal: "If I could get a small but significant audience, I could get to where I wanted to be in my life."

The purpose of a 24-hour cable news service, said Schorr, is to "give people the choice to see news when they want it." Schorr estimated that there are five million "news junkies" who would take advantage of the cable alternative to the commercial network news.

Although Schorr conceded that network journalists "tried hard," he emphasized that the medium of network journalism was subject to the pressures of the ratings race and the "tyranny of time." "Superb news organizations try to present the news of the world in 22 minutes," Schorr continued. "It can't be done . . . The world gets a hopped up form of news, a 'more exciting reality'."

Schorr was apologetic about the role played by network television in promoting extremist viewpoints at the expense of more moderate views. Because extremist views are generally more entertaining, they are more likely to be aired, he said. "Middle class television helped choose black leaders (in the 1960s)



B.L.

Daniel Schorr

and gave extremists credibility."

Schorr stated that the lack of competitiveness will allow the cable news network to be less dramatic and more serious. With all that it has to offer, said Schorr, "if you really want to know what's going on, turn on cable television. [It] may be the wave of the future."



Alumni Hear State of HLS

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sions process was to eliminate those not qualified, but today's need is to select from a large qualified pool. The Admissions Committee is re-evaluating its reliance upon LSAT scores, and is considering proposals to use LSATs merely to establish a cut-off level of competence, or to group scores into ranges without reflecting minor differences.

The national employment situation for graduating law students is deteriorating, but this apparently has not affected HLS graduates. The interviewing process is being re-examined, and the faculty is considering proposals to hold on-campus interviews before classes begin and to have a fall break in 2L and 3L classes for flyouts. The administration has also put "gentle pressure" on students to reduce the number of interviews they take; interviews declined by about 15 percent last year. Only about two to five percent of HLS graduates en-

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Profs Go Back to School

By Jorie Roberts

Many students, especially around exam time, would probably like to teach their professors a thing or two. The Law and Economics Center at the University of Miami Law School does just that each summer at its annual Economics Institute for Law Professors. This year, Prof. Bernard Wolfman will load up his bluebooks and head south for the Institute's 11th intensive, three-week session. Moreover, at least four HLS professors — Henry Steiner, Doug Ginsburg, Alvin Warren, and Victor Brudney — are Institute alums.

Wolfman, who received an invitation to join the 25 other "students" in December, is "very, very excited about the idea of going back to school — particularly the

opportunity to get a body of information before me in an organized way by people well-prepared for the task." Wolfman adds: "I'm also excited about the prospect of sharing the learning experience with 25 other professors from 18 law schools, who are in very different legal disciplines."

The program in microeconomics and market theory, which begins on Sunday, May 18, at the Royal Biscayne Hotel on Key Biscayne, Florida, involves six days a week of classes, three hours a day, in addition to lengthy daily assignments. Wolfman laughs: "My books arrive this week; maybe I can get a jump on the text." His primary text is *Exchange and Production*, which will be taught by three economists from UCLA — Professors Armen

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Grads at Heart of Texas Controversy

By Jack Lange

Until 20 months ago, the only source of legal assistance for the thousands of migrant farmworkers in and around Hereford, Texas, was a Catholic priest in nearby Dimmit. But all of that changed with the arrival of three young attorneys fresh out of HLS. Since the day Ed Tuddenham, Bill Beardall and Jennifer Harbury, all class of '78, opened the new Hereford office of Texas Rural Legal Aid, Inc. (TRLA), they have pursued their mission with enough vigor to earn the gratitude of the farmworkers — and the bitter animosity of local officials and landowners.

The county sheriff, a target of one of TRLA's lawsuits, has "declared war." According to Beardall, Sheriff Travis McPherson invited a representative of the Foundation for Law and Society, a Washington-based group with ultra-conservative affiliations, to Hereford two weeks ago to advise officials on how to get rid of TRLA. The Sheriff and his deputies have even carried their struggle against the "carpetbaggers" to the airwaves; they recently recorded a song which ends with the refrain: "This is our county and we're going to stay, so get out of Hereford, TRLA."

A popular view is that the migrant farmworkers were perfectly content before TRLA came to town, and that now the attorneys are agitating among the migrants and prompting them to file lawsuits. Hereford City Manager Dudley Bayne, quoted in the *Dallas Morning News*, referred to the TRLA attorneys as "just a bunch of Yankee Jews down here to stir up trouble." Tuddenham scoffs at this notion, pointing out that the office receives many more requests for help than it can possibly satisfy. "These people are just sick of working for \$1.80 an hour and living in condemned buildings," he says. "What we do is coming from them."

TRLA, which operates through

grants from the federally-funded Legal Services Corporation, has 50 attorneys in 11 offices statewide. The Hereford office, part of TRLA's farm worker division, was opened in September, 1978. It serves 13 Panhandle counties, an area the size of Massachusetts, Connecticut and Rhode Island. The wages, working conditions and housing conditions for the area's 40,000 seasonal workers are, according to Tuddenham, "atrocious."

Twenty Living in Two Rooms

Last year, TRLA brought suit against the Castro County Housing Authority to halt certain leasing procedures at a federally funded migrant labor housing project in Dimmit. As many as 20 migrant workers were crowded into each two-room unit. TRLA won a federal court order which enjoined these practices and ordered the dismissal and replacement of the Housing Authority's entire managerial staff as well as the representation of Chicano and non-grower interests on the Housing Authority board.

In October, TRLA sued the Castro County Commissioners' Court, claiming that the County Commissioner districts had been gerrymandered to dilute Chicano voter strength. In March, a federal district court judge declared the apportionment scheme unconstitutional and ordered a redistricting that will substantially strengthen minority representation.

Currently pending is a suit against Sheriff McPherson, the Department of Public Safety and the U.S. Immigration and Naturalization Service on behalf of two Mexican-American farmworkers who were jailed, allegedly without probable cause, on suspicion of being illegal aliens. Tuddenham explains that it is a standard practice, which TRLA seeks to have enjoined, for officials to detain and harass residents of Mexican ancestry.

Although TRLA's civil rights cases get the most publicity, the cases which have the most immedi-

ate economic importance, and which make up the bulk of the Hereford group's practice, involve minimum wage claims. Beardall says that the average wage paid to migrant workers is \$1.85 to \$2.00 per hour, and that wages of less than \$1.00 per hour are not uncommon.

Jennifer Harbury, a California native, first became acquainted with TRLA during the summer after her first year at law school, when she worked at the organization's Westlaco office. During that summer, she says, "I went to clients' meetings and learned about the problems of education, language and racism facing migrant workers."

Harbury shared her enthusiasm with Law School acquaintances Ed Tuddenham and Bill Beardall. TRLA had plans to open a new office in Hereford, and the opportunity to participate in that expansion was appealing to the three students. According to Beardall, the prospect was attractive because "it was an area where legal services had never been rendered before, where there were shocking conditions, and where there was a lot of labor activity."

Their choice of work was inevitably a choice of life-style as well, and the three admit that they have made some sacrifices. Hereford, a shipping center whose population swells from 16,000 to 25,000 during the summer peak season, does not offer the kind of intellectual and cultural variety that they enjoyed in Cambridge. "The town has one movie theatre, and it specializes in dog movies," says Tuddenham. "I've seen 'Wilderness Dog' and 'Summer Dog' twice each."

The variety of the three attorneys' social lives is similarly restricted. Their advocacy of farm workers' rights has left them isolated from much of the Anglo community. "We have each other, and we have our clients. They have been very good to us," Harbury

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Ely on Judicial Review: Seminal, Witty

Richard B. Bernstein

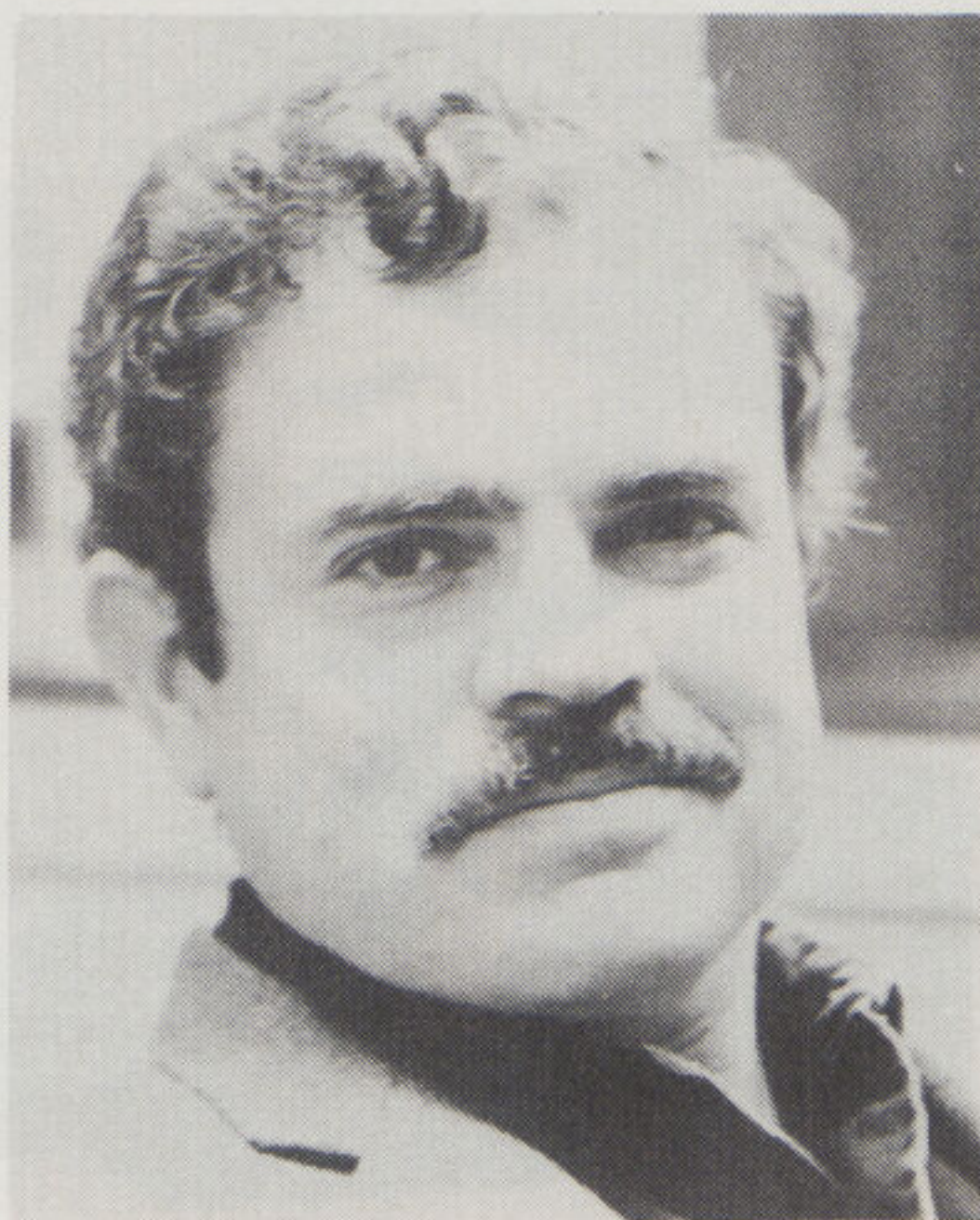
John Hart Ely, *Democracy and Distrust: A Theory of Judicial Review*. viii + 268 pp., Harvard University Press, \$15.00.

Democracy and Distrust is one of the most challenging and sophisticated works on American constitutional law ever written. It is a surprisingly short book, especially when compared with Prof. Tribe's monstrous treatise *American Constitutional Law*, but its aims are different. Where Prof. Tribe aimed "to provide a coherent foundation for an active, continuing, and openly avowed effort to construct a more just constitutional order," and thus tackled nearly every major constitutional controversy past and present, Prof. Ely restricts himself to an exploration of perhaps the root question in modern constitutional debate: how to reconcile the theory and practice of judicial review with "the underlying democratic assumptions of our system."

Much academic blood has been spilled over the twin questions of how to justify and how to practice judicial review, and one of the many virtues of *Democracy and Distrust* is Prof. Ely's calm, erudite, and good-humored review and critique of the approaches offered by judges (such as Hugo Black, Felix Frankfurter, John M. Harlan, and J. Skelly Wright) and professors (such as Herbert Wechsler, Ronald Dworkin, Harry Wellington, and especially the late Alexander M. Bickel). In particular, Ely's discussion of the bizarre and ultimately implausible theory of constitutional interpretation offered by Raoul Berger in his *Government by Judiciary* is especially enlightening and (surprisingly enough for a work of constitutional scholarship) entertaining.

Third Alternative

Unfortunately, lack of space precludes an extensive analysis of Prof. Ely's own theory of judicial review, which he presents as an alternative to the traditional



Prof. John Hart Ely

choices of "interpretivism" — "enforcing norms that are stated or clearly implicit in the written Constitution" — and "noninterpretivism" — "enforc(ing) norms that cannot be discovered within the four corners of the document." His theory may be briefly (though not necessarily accurately) summarized by reference to the titles of the last three chapters of his book: "Policing the Process of Representation: The Court as Referee," "Clearing the Channels of Political Change," and "Facilitating the Representation of Minorities." Each chapter identifies and deals with one of Ely's major concerns, all of which add up to a conception of the Court's role as "helping to make (the underlying democratic assumptions of the constitutional system) a reality."

Prof. Ely's thesis may not be wholly original; he acknowledges his debt to, among others, his former colleague at Yale Law School, Prof. Charles L. Black, Jr., who presented similar ideas and suggestions in his 1970 work *Structure and Relationship in Constitutional Law* and in last year's Holmes Lectures. Nonetheless, Prof. Ely's statement and elaboration of his views makes *Democracy and Distrust* one of the most powerful and suggestive books on any legal subject in many years. This is a difficult book, demanding at least some

knowledge of constitutional law and history to appreciate it fully. While Prof. Ely's style is not suitable for bedtime reading or for relaxing with young children, it is an order of magnitude better than that of practically any other constitutional scholar, except perhaps for Profs. Paul Freund and Archibald Cox. I would further suggest that readers should not bypass the extensive footnotes, despite their inconvenient location in the back of the book; Prof. Ely is also rare among legal scholars in that his footnotes are often as illuminating as his text.

Felix Frankfurter once wrote, "Constitutional law . . . is not at all a science, but applied politics, using the word in its noble sense." *Democracy and Distrust* is a seminal work and a superb illustration of Frankfurter's point; it is essential reading for anyone interested in constitutional theory and its practical implications. ☛

SPORTS QUIZ

NOTE: This week's Sports Quiz deals with athletes whose first name or last name is the same as a college or university in the United States.

1. This left winger, whose last name is the same as a university located in Indianapolis, has played for the New York Rangers, St. Louis, Toronto and Vancouver in his NHL career. Name the player and the school whose name he shares.
2. A bare-footed boy from Texas who currently kicks footballs a long way for the Philadelphia Eagles has the same name as a small college located in central Indiana. Name the athlete and the school.
3. Better known by the nickname of "Down-town," this current NBA star has a last name which is the same as a well-known Ivy League institution. Name the athlete and the institution.
4. The school is located in a small Massachusetts town while the athlete who shares the same last name was the last man to hit at least .400 for an entire major league season. Name this former star and the school in question.
5. This NFL Hall of Famer starred for the Detroit Lions as both a defensive back and a punter while having a first name which any Eli would be proud of. Name this combination of athlete and college.

(Answers on Page 16)

Solicitor General Describes Duties

By Laura A. Taylor

Wade McCree, Jr., the Solicitor General of the United States, addressed a group of about 40 students last Friday afternoon on "The Solicitor General and Government Litigation." The speech, the final event of the 1979-80 HLS Forum series, covered the history and practical aspects of the management of government appellate litigation.

McCree, when he took the podium, noted that it might seem "incongruous" for him "to talk about something as mundane as the role of a government litigator when the nation is in such a time of crisis," but added that "no matter how things seem to be deteriorating, people have to look forward to another day."

Appellate Strategy

The Solicitor General oversees the Government's appellate litigation strategy, and conducts all Supreme Court litigation. If a U.S. attorney loses a case, he is required to report the judgment if it is "colorably appealable," with a recommendation to the Solicitor General whether an appeal should be taken. After review and an additional recommendation by an appropriate division of the Justice Department, the Solicitor General decides whether an appeal will, in fact, be taken.

If the appeal is authorized, an attorney from the Justice Department handles the litigation. If, however, the appeal is to the Supreme Court, the Solicitor General takes over the conduct of the litigation.

McCree's work, which involves the review of nearly 5,000 items per year, is done with "an amazingly small staff" of 18. Of these, 14 "assistants" are generalists, averaging two to three years out of law school, and are generally hired for terms of about two years. Each assistant, according to McCree, has at least one Supreme Court argument in his or her first year.



D.N.J.

*Solicitor General
Ward McCree, Jr.*

Four "deputies" round out McCree's staff. The deputies correspond to partners in private law firms in terms of responsibility and prestige. They are specialists in such areas as land and natural resources, criminal or civil litigation, and civil rights.

McCree noted that, of the 1,700 applications for appeal which were received by his office last year, only 550 were approved — two-thirds of the cases were kept out of the appellate courts. The office is "selective in picking cases where we will petition for certiorari" to the Supreme Court, adds McCree. It also has a most impressive success rate; last year, out of 68 certiorari petitions filed, 72 percent were granted.

Important Cases

In the question-and-answer period following the speech, McCree maintained that his office does not pick cases for appeal to the Supreme Court "because they're easy to hit." Rather, he asserted, "important cases" are chosen, citing busing, affirmative action, and prisoners' rights cases. He described them as "very difficult cases, about our success in which we had mixed views."

The Solicitor General himself, adds McCree, argues cases "that

only he can lose" — difficult cases that would look questionable if lost by anyone other than the Solicitor General. He noted that he had only three weeks to prepare for the Nixon tapes and papers case, shortly after his appointment to the post. "We don't pick cases because they're soft."

McCree also discussed the independence of the Solicitor General from the influence of the Attorney General. The Attorney General, said McCree, legally has the power to direct the Solicitor General, but "doesn't exercise it." His independence is both a product of tradition and of a strong desire to keep the Solicitor General "immune from political pressures."

Asserting that "we don't attempt to avoid enlightenment," McCree stressed that he welcomes the communication of ideas by the Attorney General, but maintained that he "would leave" if he were instructed to do something that was "against my judgment."

McCree also noted that he encourages input from other sectors as well; even "law professors from Harvard have come down" to discuss cases with him. "It is not improper to have someone seek to persuade you," said McCree; the "impropriety is in the persuasion of power, not in the power of persuasion."

The average "tour of duty" of a Solicitor General is about three years, according to McCree. "I can see why," he added, noting that he has not been able to take a vacation in the three years since his appointment. When asked if he will stay on if President Carter is re-elected, McCree said that he has not yet made his decision, but added that, because of the pressures of the job, "eight years . . . would be awfully difficult."

McCree, HLS '44, was appointed Solicitor General in 1977. His past record includes judgeships in Wayne County, Michigan, the Eastern District of Michigan, and the Sixth Circuit. He practiced law for four years after his graduation from HLS.

the Coop

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Please specify height, weight, chest measurement,
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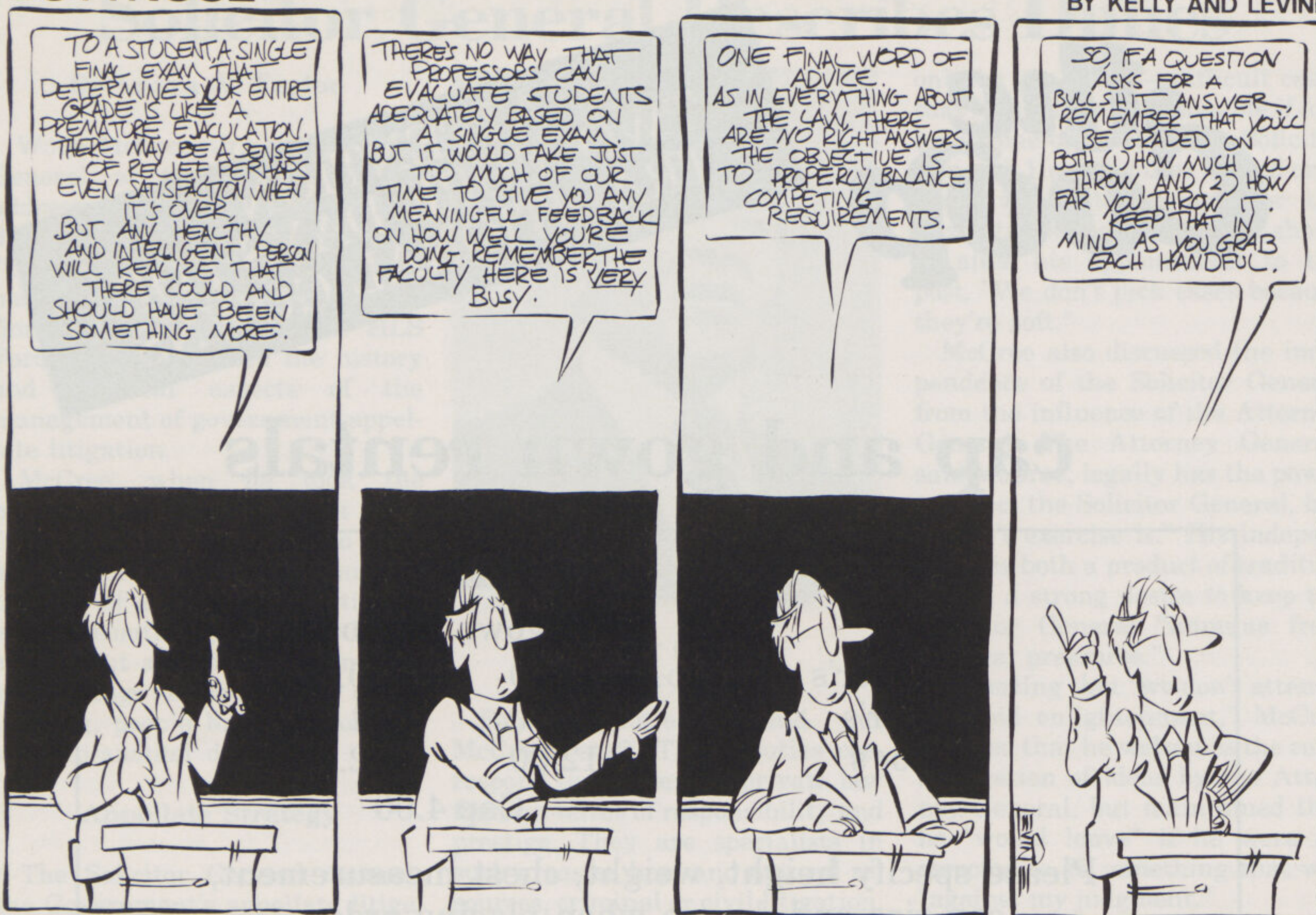
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Deposit will be refunded when
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**Orders must be placed by MAY 3
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Rentals will be ready May 29

MEN'S SUIT DEPT — THIRD FLOOR



Legal Institute Getting Act Together

(Continued from Page 1)

ably more spacious quarters — in a one-time office building around the corner — just in time to accommodate its first full complement of 22 students, drawn primarily from Harvard (whose contingent will number eight), Northeastern, Suffolk, and New England Schools of Law.

The Institute already boasts six full-time practicing attorneys, several paralegals, and an impressive, deeply committed support staff numbering nearly 20. Next year, with the arrival of full-time students, the Institute will provide a full third-year curriculum, which will include courses in community legal services, poverty law, and professional responsibility. Also, all students will get a share of the LSI's growing case load.

"We envision ourselves at a kind of crossroads," says Kettleson, where people in schools can get out into practice, and people practicing

poverty law can help train others."

Kettleson sees the LSI continuing to expand to fill the needs of its immediate community, and those of the legal-services community in general. Already, LSI staffers have generated an impressive array of published articles, as well as several desk references ("Handling Lead Paint Cases," "Handling Summary Process Cases") and resource guides. Regular training sessions are held each Friday morning on neighborhood nuts-and-bolts topics such as AFDC payments and housing matters.

LSI personnel also serve on advisory committees and participate in nationwide activities affecting the provision of legal services to low- and middle-income families. The LSI, which draws its principal funding from Harvard, the Legal Services Corporation, and programs like VISTA, also hopes to

employ five visiting attorneys per year.

"We've got the potential for a terrific educational experience here," says Kettleson, a long-time veteran of legal services work in Massachusetts who once served as Harvard's assistant dean for clinical programs. "It's just the right mix of reflection, study, and immersion in practice — it makes you feel like you're making leaps."

Although students enrolling in the LSI third-year program are required to express a commitment to ongoing legal services work after graduation from law school, Kettleson says the LSI's principal concern is with fostering and maintaining students' philosophical dedication to the Institute's ideals.

"We hope that everyone who comes here will want to take the next case, will want to stay alive to the needs of people, and will want to stay in legal services," she says.

3L Writes Book on Oil and Gas Pricing

By Laura Taylor

Despite the absence of an oil and gas course at HLS, a third year student has been studying that subject intensively for the past year. His work will culminate in the publication this month of a two-volume looseleaf work, *Crude Oil and Natural Gas Pricing*. Although it won't be carried in stock by the Coop, the author, Patrick D. Kelly, has offered to autograph copies for any student willing to pay the \$125 price.

Kelly graduated from the University of Texas in 1974 with a B.S. in engineering. For three years, he analyzed regulations for Exxon and served as liaison between the legal and engineering staffs. In this capacity, he discovered that "there were no good reference works for non-legal people who must understand and comply with laws and regulations," and decided that he would develop such materials during his career.

Kelly resigned from Exxon, set up a closely-held corporation called Permit Consultants based in Houston, and began work on a one-volume analysis, *Federal Regulations That Affect Oil and Gas Production*. "I tried to finish it before I started law school, but various people who were reviewing it didn't respond in time. By the time I realized how much work it would take, my financial position was so desperate that I had no choice but to finish it," Kelly said.

This work caught the attention of the International Human Resources Development Corp. (IHRDC), a Boston firm that specializes in oil and gas books, videotapes, and training courses. Kelly entered a publishing contract with IHRDC that will eventually result in five volumes, the two pricing volumes and three forthcoming volumes that will compile and analyze federal laws and regulations that affect production and other industrial operations.

A registered professional engineer, Kelly sees himself as a re-

source for both professions. "People who know the basics of two professions need to communicate each set of knowledge and procedure to the other set of people," he said, "and help them work together." His major goal in life is "to edit an encyclopedia of technology for use by lawyers, social scientists and developing nations. Ultimately, I would like to write science fiction

about technical developments that will demand responses by society and the legal system. Through the vehicle of fiction, I can point out problems and possibilities that should be considered before the actual inventions lead to makeshift, ad hoc reactions and conflict between people with competing financial interests."



Photo by Ben Littauer

Judges and contestants pay close attention in trivia contest final match.

'Rookies' Take Trivia Title

The final round of the Fifth Annual Harvard Law School Trivia Contest was held on April 24, before an enthusiastic crowd in the Ames Courtroom in Austin Hall. Larry Unger, Bruce Grossberg, and Robert Chesler, all 1Ls from Section II, came away with top honors.

In a closely fought struggle, the winning team, with a score of 500, edged out Alan Childress, 1L, Paul Hemp, 1L, and Charles Weinstein, 3L, who finished second with 400. Doug Cox, 3L, Roy Englert, 2L, and Don Board, quasi-L, finished third with 360.

Trivia Judges Richard B. Bernstein, 3L, David N. Johnson, 3L, and Kaye A. Thomas, 3L, entered in black robes after the call of the court. The robes came off almost immediately, and the judges got down to the serious business of asking trivial questions.

The questions varied from sports (Whose baseball uniform number was the first to be retired?) to movies (What were

Bob Hope's first words on film?) to literature (Who are the nine members of the Fellowship of the Ring?) to the truly trivial (What are all the words that appear on a nickel?).

Bernstein commented that this was the first time that an all-1L team had won. Grossberg said that "Larry put the team together," but that winning was "a team effort." Unger, when asked how much time he had taken to prepare for the grueling competition, said, "None. When I was a kid I used to read baseball cards and comic books all day."

The answers by the way, are: Lou Gehrig; "Thanks for the memories"; Frodo, Sam, Legolas, Gimli, Aragon, Gandalf, Boromir, Merry, and Pippin; and "in God We Trust," "Liberty," "E Pluribus Unum," "five cents," "United States of America," and "Monticello."

Chris Savage



To Make a Commitment

What do Castro County, Texas and Jamaica Plain, Massachusetts have in common? In each of these disparate communities there is now an HLS presence in the form of a group dedicated to providing legal services to indigent residents. At the Hereford, Texas office of Texas Rural Legal Aid three '78 graduates handle the legal troubles of the county's poor, much to the consternation of local officials who prefer to find legal impotence among the farmworkers. In Jamaica Plain, Boston's less affluent citizens are aided by the efforts of the Legal Services Institute, which will include eight HLS students in its full complement this fall.

Though there are other locations where the indigent enjoy the services of HLS students and alumni, the current rate at which graduates enter public interest or government work, as reported by Dean Sacks to the Alumni Association last week, is only two to five percent per annum. We find that statistic sickeningly low.

The joint sponsorship of LSI with Northeastern is an applaudable effort to make a public interest career a more accessible choice for students. Other steps which would raise the public interest entry rate, however, have been suggested but not taken. Several such proposals are now before the Michelman Committee.

We encourage the Committee to recommend faculty approval of Prof. Clark's proposal to assert service in the public interest as a major goal of legal education at Harvard. We also hope that the Committee will consider recommending reform of the Law School's placement system, which now allows better-financed employers to take full advantage of their bargaining position. The laissez faire approach to 1L summer recruiting, for example, permits students to make premature and uninformed career decisions. We think the proposal for a job fair, at which large firms would compete on an equal footing with employers offering an alternative summer experience, is a good one. It deserves careful consideration.

The decision as to where to begin one's legal career rests, of course, with each student. There is no threat to that autonomy, however, in efforts to raise each student's awareness of the many rewards of careers now chosen by the few.

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Fenno

Fenno stared at the huge glass jar of pills on the library table. He took a deep breath to collect himself, and then repeated uncomprehendingly, "Lecithin?"

"Sure," replied the 1L. "Lecithin is good for short-term memory, so when I reread a case or a page of my outline I take some." He dug into the bottle and popped another pill into his mouth. "You think *this* is crazy? My roommate is trying to program a desktop computer to handle Gordon's Contracts class and he's burned out three so far."

Fenno wandered through the Reading Room, shaking his head. The tables, the stacks, the Root Room, the elevator, the circulation and reference desks, even the window sills and tops of bookcases — every available square inch of space was occupied by frantic, studious 1Ls. The only upper-class people present were a 2L reading *Sports Illustrated* and four 3Ls doing research for *Miller's Court*. The only sounds Fenno could hear were the soft click of nails being bitten, the eerie rustle of turning pages, and the muted clunk of nickels disappearing into Xerox machines.

"It's really bad this year," thought Fenno. "I haven't seen things so tense since the day the faculty library got its twenty copies of *One L*." He shook his head sadly as he watched one 1L highlighting her casebook, notes, typed outline, canned outline, hornbook, and *Real Paper* Personals. "I have to think of something."

Suddenly Fenno noticed a 1L striding toward the circulation desk. She briskly shoved a stack of closed-reserve books to one side and leaped onto the desk. "Okay, everybody!" she called. "We've all been working too hard. It's time to play. Does anyone want to go to a movie?"

Fenno grinned involuntarily. Then his smile faded as the silence that greeted the 1L's brave suggestion grew more ominous. Her hopeful face clouded over. Fenno decided it was time to act.

"I'll go," he said, stepping forward. Ignoring the dozens of pairs of eyes boring into him, he added, "How about *Being There*?"

They waited. Shyly, hesitantly, the other 1Ls looked at each other and closed their books. One by one they joined the crowd gathered around Fenno and the now-happy 1L. Fenno smiled once more. "Okay," he said, "let's go."

As the crowd filed out of Langdell, someone began whistling "The March of the Desert Rats" from *The Bridge on the River Kwai*. Soon everyone was whistling the catchy tune. The 1L who had started it all tapped Fenno on the shoulder. "You don't look like Alec Guinness," she murmured.

Fenno's grin broadened. "So what? It worked, didn't it?"



Letters to the Editor of the RECORD

Goodbye, HLS and Good Luck

To the Editor:

As I approach the end of my third year at HLS, I feel compelled to vent my frustration over some characteristics of the school which I have found deeply disappointing:

1. Professors who treat teaching as a tedious and unpleasant burden, relegated in importance beneath 1) lucrative outside consulting; 2) speaking engagements; and 3) academic scholarship. Their lack of enthusiasm and preparation for class is infectious.

2. Huge classes. There are few under 50 students. Many have more than 150. Trapped in such a setting, students have no sense of participating in a learning process. The handful of seminars is virtually impossible to get into. It might be far more economical and efficient to shut down the campus entirely and issue each student a cassette recorder and set of tapes in lieu of live classes.

3. An insufficient number of second and third year courses which are both interesting and well-taught. As a result, these few courses are vastly oversubscribed each year.

4. Inadequate trial practice and workshop-type courses to meet the need and demand. Hundreds are cut from Federal Litigation, Trial Practice, and ITA each year. Harvard students emerge without even rudimentary litigation skills.

5. Shoddy first-year training in legal methods and library research. Members of the faculty, not students, should be teaching these important courses. While the present system saves the school money, it fails to fulfill its educational objectives.

6. A placement office which serves primarily as a cheap employment agency for corporate law firms rather than a vehicle for students to explore and find a desired place within the legal profession as a whole. Students are not counseled about alternatives to large-firm practice. Those who might be interested in legal aid, public defense, public interest law, small firm practice, or myriad other possibilities, if exposed to such options, are left largely to fend for themselves.

7. A library which treats students as second-class users. Faculty members can remove any book from the shelves, seemingly indefinitely. They get advance sheets and looseleaf services upon arrival, while students may have to wait several weeks for the same materials. Incredibly, the faculty has a separate library for its exclusive use in addition.

8. A tenured faculty composed almost exclusively of white males, many of whom

attended Harvard. Students and the institution as a whole would benefit from greater diversity.

9. A decision-making process which virtually excludes students from meaningful input on such issues as curriculum, grading, funding of clinical programs, faculty hiring and tenure, tuition, admissions, and credit requirements. On the whole, students are treated like short-term boarders, rather than as an integral part of the institution. Only as alumni, when their financial support is solicited, are ex-students accorded a

respected niche.

It is, of course, far easier to levy criticism than to accomplish constructive change. Overcoming the deficiencies described above will not be easy, particularly for an institution steeped in and perhaps paralyzed by its sense of self-importance. Harvard has made much of its reputation as the nation's law school. As one who has benefited by that reputation, I would love to see HLS employ its money, talent, and power to remedy its weaknesses and justify its fame.

Jamie Sultan, 3L

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Profs Study Economics at Miami Center

(Continued from Page 3)

Alchian, Benjamin Klein, and Harold Demsetz.

The Institute, as described in its literature, is designed for scholars "with little or no previous formal economics training" and deals "at a sophisticated level with the basic analytical tools of microeconomic theory and its application to current issues." Wolfman, an undergraduate history major at Penn, had only "a little economics in college; before it became quantitative." Moreover, he emphasizes: "In my field [Corporate and Personal Income Tax], I've had to learn some economics on my own — here, in an organized and disciplined way, I can get a handle on the economic tools modern economics have provided."

In addition to developing a firmer economic base, Wolfman decided to attend because of the favorable opinions of the program expressed by his colleagues at the University of Pennsylvania Law School and HLS. "People who have been there before found it extremely worthwhile, irrespective of their basic ideological perspective."

Hard Work Involved

Wolfman's three weeks will involve intensive study. "They make it clear," he stresses, "that it's a work session, with lots of reading and discussion." He continues: "I also have to do my bluebooks during that time." However, Wolfman adds, with a chuckle, "Nevertheless, I'm glad it's in Miami and that there are no exams, or third week papers to do; it's all 'pass-pass.'"

Steiner, who attended the Institute in 1972 when it was still held in Rochester, New York, found that "for a novice in the field, it was an extraordinarily valuable summer." Moreover, Steiner, who viewed the course as part of his general inquiry "into a number of fields of social theory," has used the economic perspective in his teaching of torts both to show "how economics applies to torts as well as to see its limits to a full understanding."

However, Steiner found that the sessions had a clear bias "towards market theory, with all its political and economic assumptions." He elaborates: "The sessions are to elucidate an existing system and framework. One thus is learning within that framework, rather than questioning the framework." But, he concludes, "In learning the framework, the sessions were very valuable."

The Institute is also beginning a similar economics program for judges. The funding, according to a *New York Times* report, comes from corporate sources, channeled through the Law and Economics Center at the University of Miami. While there has been some concern about the legitimacy of having corporations fund such instrumental instruction of judges, Steiner feels such concerns are not applicable to the program for academicians "who are better equipped to reflect on, question, and supplement the information before using it."

Wrongheaded, but Worthwhile

The Institute's class of 1973, also in Rochester, counted among its students both Warren and Brudney. Brudney found the Institute "wrongheaded and perverse, but worthwhile." He goes on, "It forced me to read books I wouldn't have read on my own." Warren, while more positive about the program, found the coursework "more immediately useful to teachers of Common Law subjects. To the extent any legal questions were used as examples, they were property issues, contract issues, and torts



HLVB

Prof. Bernard Wolfman

issues." Warren teaches income and estate and gift tax.

On a lighter note, Warren added: "The management was a little too single-minded in its devotion to studies. At first they refused to permit students to watch television, despite the fact that the Watergate hearings were going on. But the students finally got their way."

Finally, Ginsburg, a 1976 alum of the Institute, then held in Miami, has made direct applications of the program's microeconomic analysis in his written and course work. "I used the economic analysis in a paper on blackmail, distinguishing blackmail from conventional economic bargaining." Moreover, Ginsburg adds, "The following year, I taught the Economic Regulation of Business [at HLS], so the Institute was especially timely." Ginsburg had also seen "lots of work in print by Institute alums in which they use their economic training."

The Law and Economics Institute may very well have influenced life here at HLS in more ways than just having professors better versed in microeconomic theory. Ginsburg, who served on the HLS committee which proposed the winter-term format, remembered his experience in the intensive three-week session in wholeheartedly recommending the new system.



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HLS Pleases Berkeley Law Visitors

(Continued from Page 2)

make a decision as to whether I wanted to work on the East or West Coast." Although he has enjoyed his year in Cambridge, Sczudlo plans to work in Los Angeles upon graduation.

None of the four students found the transition from life at Berkeley to life in Cambridge particularly difficult. (The fifth student in the program, Larry Kopeikin, returned to Berkeley after the first semester. He could not be reached for comment.) Reflecting the sentiments of the group, Gary Shubert notes that he had anticipated problems in meeting people and establishing friendship by coming to a new law school as a third year student, but that this has not turned out to be the case. "Perhaps because we are new to the school," speculates Shubert, "people have been very warm and open. Whatever the reason, meeting people and making friends has been no problem. As a result, we now have two sets of law school acquaintances."

While the transition from life at Boalt to life at HLS was not all that significant, there are some fairly obvious differences to which the students have had to adapt. "As regards studies, either people here are more serious or I'm less serious," asserts Gary Shubert. "At Boalt I was always the one who had prepared for class, but here I'm certainly not the best prepared in my classes."

Paul Sczudlo agrees that students here are "a bit more intense," but he ascribes the difference to the dichotomy between East and West Coast mentalities rather than to intrinsic differences between the schools.

The change in climate was an adjustment all four students had to make, though on the whole the students didn't seem to mind nine months of Cambridge weather. One among the group who did have some reservations about the winter was John Schroeder. "My apartment has no insulation," he notes, "and I was a bit worried about how I'd fare this winter. I'm just glad it

was a mild winter this year." And despite the fact that he was none the worse for his apartment's lack of insulation, Schroeder confessed that he was very happy to see spring arrive in Cambridge.

One small sacrifice Schroeder did have to make in deciding to come to Cambridge was the selling of his car. "In light of what I'd heard about parking and public transportation in Cambridge, I decided to get rid of my car," relates Schroeder. "It may not sound like a tough decision to make, but as a Californian who has had a car since age 16, it wasn't easy." He concedes, however, that local public transportation is good and that the lack of personal transportation has not been a great inconvenience.

Other distinctions the students draw between the two schools are a little less obvious. Gary Shubert

notes an overall similarity between the two schools, and observes further that, "Psychologically, the relationship between Cambridge and Boston is much like that between Berkeley and San Francisco—including the fact that one crosses a body of water when traveling between the two. But Boston is ten minutes away from Cambridge whereas San Francisco is 45 minutes to an hour away from Berkeley, so Cambridge has a slight edge. What's more, Cambridge has more and better bars," Shubert adds with a grin.

Tom Jones points out one further difference. "Harvard does not have as political an atmosphere as Boalt," says Jones. "At Berkeley, most people are visibly concerned with particular issues. Here, the students seem more complacent politically and more intent on their studies." 

Heart of Texas Controversy

(Continued from Page 4)

says. An evening's entertainment is likely to consist of a barbecue down at the cotton gin.

But the three are unanimous in feeling that the stimulation and satisfaction they derive from their work more than compensates for the hardships it imposes. For one thing, they are getting some first-class litigation experience. TRLA encourages meaningful litigation, and the three have been arguing cases in federal district court almost since the day they were admitted to the bar. "Young attorneys around the country would drool to get some of the major federal cases that we've had to turn down," Tuddenham claims.

But more importantly, there are the rewards that come from making an important contribution to people who are very much in need of it. "The people around here have been so oppressed, and they are so surprised to find someone who is willing to help," says Tuddenham. "I'd work 24 hours a day if I could."

Harbury, who already works 80 or 90 hours a week ("I don't really keep track any more"), agrees: "You see battered, bent over, workdestroyed people come in here and ask for the simplest things. It really fires me up to work harder."

The amount of good to be done is a source of frustration as well as reward. Harbury is occasionally overwhelmed by a sense of "panic and desperation" from the fact that "there is so much to do, and so few to do it."

All three say that they plan to stay with TRLA for the foreseeable future. "This is what I want to be doing, and I feel great about it, though I don't feel great about what I see," Harbury says. "The bottom line is that the work is wonderful, and I love it." Beardall adds a word of encouragement to the "struggling souls at HLS": "If it's at all heartening, I can tell you that what we're doing is a damn sight more interesting and satisfying than law school was." 

Alumni Association Analyzes State of HLS

(Continued from Page 3)

ter public service or government (excluding about 100 clerkships per year). The number entering government is declining, perhaps reflecting dissatisfaction with recent and current administrations. Many students would like to enter public service firms, but these usually hire only attorneys with two or more years of experience. About 15 percent of HLS graduates eventually enter public service or government.

The clinical teaching program was hurt by the loss of Profs. Robert Keeton (who became a Federal district judge) and Gary Bellow (who has established the Legal Services Institute in Boston) (see story, p. 1), but both probably will teach at least one course per year. The Law School is exploring the possibility of establishing an off-campus office through which students can do field work.

A recent report by Associate Dean Charles Nesson concluded that the current training in legal writing is not sufficient. HLS is considering ways to identify and assist students with special writing problems. Dean Sacks stated that "seminars are, of course, good vehicles for writing," but he did not address the lack of feedback given to students on exams and papers.

The Michelman Committee was mentioned but not discussed, since it has no solid results or proposals yet. Prof. Michelman was not present. Dean Sacks expressed concern over the need to train law students for professional work, without making any specific comments or commitments on courses, the

case method, or the Socratic method. Given the nature of the audience, he chose not to expound his theory that law students should indulge in and enjoy their last long chance to theorize and speculate on how the world ought to be. When asked about interdisciplinary problems, he stated that they were on "a plateau" and mentioned the difficulty of getting law professors to work with anyone else.

The Dean reported that the Langdell Library modifications are nearly complete, at a cost of about \$1.35 million. The Law School has

million; it has nine weeks remaining and a goal of \$2.7 million.

Judge Rudolph Kass, '56 and Michael Smith, 3L, reported on the recently formed Alumni-Student Committee. Its primary aim so far has been to encourage one-to-one communication between law students and established practitioners. They are considering various possible avenues of expansion.

Robert Segal, '42 reported on the RECORD Committee's recent annual dinner with the RECORD staff at the Museum of Transportation. Potential conflict between the RECORD and a new publication recently announced by Dean Sacks, *In Brief*, was discussed. The *HLS Bulletin* has been reduced to semi-annual publication.

Officers for the next year, and the governing Council through 1984, were elected (see box). The new HLSA president, John R. Mahoney, '43, specializes in transportation law and international work. In past work with the United Nations Committee on Trade and Development, he has been involved in negotiations between developed and developing nations, and is deeply cognizant of the need for people to exchange information rather than simply make speeches. In a lengthy interview, he expressed concern over the Dean's domination of the meeting, and a desire to bring other faculty members into the process. He also expressed an interest in student input through the Student-Alumni Committee and the Visiting Committee.

Skilled diplomats usually praise their predecessors, and Mahoney was no exception. Yet unlike most diplomats, his statement of respect for the current HLSA president was clear and convincing. "Harris Weston is both innovative and cautious. He didn't make mistakes even though he did new and constructive things. The Association has definitely improved over the last few years, and he is largely responsible. He'll be a tough act to follow, but at least we've got some upward momentum."



HARVARD LAW RECORD

New Representatives

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President — John R. Mahoney, '43; First V-P — Sheldon Olenis, '48; Second V-P — Jerold Solovy, '55; Third V-P — Kwock Tim Yee, '52; Secretary — Laura Lou Meadows, '60; Treasurer — Paul F. Hellmuth, '43; Ass't Sec. — John H. Muller, Jr., '65; Ass't Treas. — Wilson Pile. Executive Committee: Ruth I. Abrams, '56; Carolyn Clark, '68; Fred Fishman, '48.

Council 1980-84:

Robinson O. Everett, '50; Robert L. Shults, '53; Mark I. Harrison, '60; Elizabeth Pine, '60; Edna C. S. Krendl, '70.

also acquired the Dow House, and is considering spending \$600,000 for its conversion into an alumni center. The Harkness Commons proposal, reported on Friday night, would cost \$2.8 million. The Ames Courtroom might be remodeled for use by Massachusetts state courts, at a cost of about \$500,000.

Fund-raising problems also were discussed. The Law School budget has increased from \$12.8 million last year to \$14 million this year to \$15.6 million next year. Inflation and energy costs are the major factors in the increase. The fund-raising drive has nearly reached \$2

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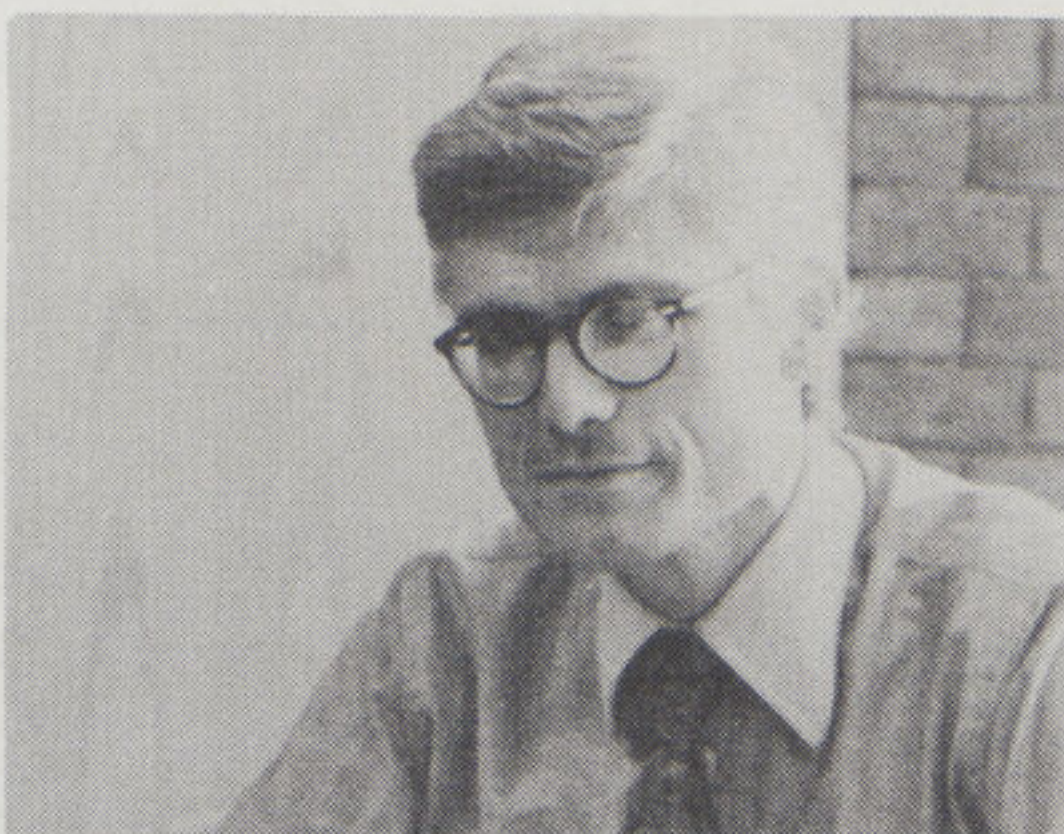
By Dan Hershman

You probably wouldn't expect a tax lawyer-teacher to be able to make you laugh, smile, or even guffaw very often, but Visiting Prof. Alvin C. Warren, Jr. somehow manages to make one do all three soon after meeting him. Through that interchange, one also grows to appreciate tax.

Just as Earvin "Magic" Johnson, the basketball rookie, parlayed an enthusiastic and infectious spirit into a joyous, winning season for the Los Angeles Lakers, so has Warren come to lift the spirits of students who have lived with an often reserved and remote faculty. With his quick wit, self-effacing charm, and infinite patience, traits not too frequently observed at HLS, Warren has apparently won himself a permanent appointment to the faculty.

It's not official yet, but the visitor from the University of Pennsylvania Law School is all but tenured at HLS. "I'm not supposed to comment. The appointment is now in the midst of being processed," he says. The University will make its official decision this summer, but there is little doubt Warren will be approved. "If I am offered a permanent position at Harvard, I will stay," Warren says.

As an undergraduate at Yale, Warren majored in English. Since he attended the University of Chicago Law School, however, he has focused almost exclusively on taxation. Why tax? "What I find fascinating about the subject is that it embodies the most technical issues of statutory application and the



D.N.J.

Prof. Alvin C. Warren, Jr.

fundamental issues of distributive justice in society." Warren adds, "It helps to be able to speak the language" if one seeks the opportunity to determine just how fair the tax system actually is.

Warren conveys his views on many of the inequalities and inconsistencies the tax system allows, but he feels "[s]tudents should certainly think about what a fair system is." He's not trying to win students over, however: "To the extent that they act on that is up to them." Tax study can be important to everyone, Warren says: "Income tax issues are so pervasive that all students should have it."

Coming from Penn and Philadelphia, Warren makes comparisons between both the law schools and the cities. "Penn is so much smaller, you get to know the students better. . . . Students are stronger here," he says, "yet in the large class, there is more of a tradition of less spontaneous participation" than he knew at Penn. Warren feels that the size disadvantage in classes is offset by the opportunities at HLS for faculty members. Their political views — in tax espe-

cially — vary, a fact Warren appreciates: "I think there's a range of views among faculty; that is very healthy."

Warren says he and his family "really liked Philadelphia, a great city to live in." But he, his wife — a Wharton School MBA candidate completing her work at the Harvard Business School, and their two young children like Boston and Cambridge too. "Cambridge is unique; there's nothing like Cambridge in Philadelphia," Warren admits. An "urban-oriented person," Warren regrets "giv[ing] up being right between New York and Washington," but he sees Cambridge as a "terrific community," thus concluding he can be happy in both places. Warren and family look forward to becoming skiers, enjoying outdoor winter sports, and tackling the mountains in the summer.

Occasionally, Warren does actual tax work. While in Philadelphia, he consulted for Morgan, Lewis and Bockius during the academic year, and practiced with the firm during the summer. He is currently preparing a case for trial for them. When asked for his own advice to law students, especially those who might follow the footsteps of Catharine Hanteis, '76, and try to deduct from income their summer living expenses while away from Cambridge, Warren responded: "For the typical law student, going away, not leaving a spouse [which Hanteis did, among her other circumstances]: If I were the commissioner [of the IRS], I would litigate; if I were the trial judge, I would hold for the commissioner." For Alvin Warren, taxation is serious business. ☛

Hello and Goodbye from the RECORD

This issue is being sent to next year's 1L class. Welcome aboard, everyone. We hope you'll enjoy HLS and the RECORD and that neither will spoil your summer.

With this issue the RECORD ceases publication until September, so please have a good summer and be ready to join us again in the fall.

The RECORD says a special goodbye to all graduating 3Ls, especially staffers Jorie Roberts, Emily Bresler, Richard B. Bernstein, and David N. Johnson. They helped make it happen.

Next year Laura Taylor and Newton White, 1Ls, will make it happen as managing editors for the RECORD. Eileen Brownell, 1L, will be business manager, and Bennett Murphy, 1L, consulting editor.

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More Little-Known but Lovable Law Lore

Joan Ohlbaum

Which professor is the most long-winded?

Visiting Prof. Stephen Goldberg's wind lasts the longest. He has run in 10 Boston Marathons, although a leg injury side-lined him from this year's contest. His best time for the competition is two hours, 35 minutes, better than a six minute per mile pace. A two hour, 21 minute time qualifies a runner for an Olympic Marathon tryout.

Prof. Phillip Areeda claims he logs 30 to 50 miles weekly.

Lonely? Depressed? Life passing you by?

That's too bad, because the one HLS professor in a position to help you wishes to remain anonymous. A hot scholar here invented the concept of computer dating and started the first such company, Operation Match, during his college years in 1965. He began matching people within his campus, but eventually dropped out of college and expanded his operation to campuses nationwide. Operation Match is now defunct.

Blankity blank, blankity blank, blankity blank?

We can't print the question, but here's the answer: Prof. Charles Nesson's father was the Boston city censor who bleeped Jane Russell in the movie "The Outlaw," which was later advertised elsewhere as "Banned in Boston."

Why did Nixon appoint Prof. Archibald Cox as Special Watergate Prosecutor?

Nixon must have heard that Cox's great grandfather was William Maxwell Evarts, attorney general under Rutherford B. Hayes, and counsel to Andrew Johnson during his impeachment trial. Apparently Nixon reasoned, "Any man whose grand-dad stood up for the President can't be that hard on me." Evarts is portrayed in a portrait in the Langdell Treasure Room, and in a sculpture on Griswold's fourth floor.

Incidentally, Cox's wife's grandfather was the late HLS Dean James Barr Ames.

Yes, but how many of them have read the cases?

160,000 to 200,000 people watch Prof. Arthur Miller's socratic show "Miller's Court" each Friday night on Channel 5. Producer Claude Pelanne says the show's audience has tripled in its first season; "Miller's Court" is first in popularity among the four WCVB studio-produced shows.

Is there an underground stream of water beneath Langdell?

Yes.

Is it true that there's no such thing as a free lunch?

There would be such a thing at HLS if professors would spend the \$200 per year allowed to each of them for socializing with students. Other free lunches are available at Harvard. Each 1L section has \$750 to spend on social functions. Each orientation group leader has \$50 to blow to convince his charges

they really will like it here. Each clinical course may budget some bucks for parties and dinners.

"Nerds do it, we do it, over-educated Pee-aitch-dee's do it..."

But Cole Porter didn't do it for long. He attended HLS, hated it and left.

Cole's gain is HLS's loss, because he left without writing a school fight song, (though he wrote one at his undergraduate alma mater, Yale). Harvard Law is stuck with: "Offeree, offeror, nisi quash 'em, Harvard Law!" Not quite "In the Still of the Night."

Thanks to Ellen Bernstein for access to loads of lore.



Sports Answers

1. Jerry Butler (currently with the Vancouver Canucks) and Butler University.
2. The shoe-less wonder is Tony Franklin while the school is Franklin College in Indiana.
3. Fred Brown of the Seattle SuperSonics is the man known for his long shots while the Ivy League school in question is Brown.
4. Ted Williams turned the trick for the Red Sox while the school referred to is Williams College in Williamstown, Massachusetts.
5. The player here is Yale Larry while the school is Yale.

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