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TWENTY-FIVE CENTS

University Nabs Imposter 3L

By Carl Oppedahl

A Revere man who impersonated an HLS 3L and a Business School student during the last nine months was given two years' probation April 15 in Middlesex County District Court. The defendant, Stephen Grassidonio, was charged with falsely pretending to hold a college

degree and with larceny of more than \$100 worth of library books.

Grassidonio was represented on both counts by David H. Coburn, a third-year student at Boston University Law School, through the Massachusetts Defenders Committee. Coburn refused comment on the case beyond acknowledging that he represented the defendant.

According to the impersonated 3L, who asked that his name not be disclosed, Grassidonio fraudulently obtained the University ID card of the 3L, and used the card to obtain the 3L's college records. The imposter then used the records to apply to several law schools, including Columbia, Boalt, Stanford, Chicago and University of Florida Law School. He was apprehended when the University of Chicago arranged a phony admissions interview between the imposter and a Chicago alumnus living in Cambridge.

Faculty Votes to Abolish October Fly-Out Break

By Mary Tarduno

Next year's schedule of classes at HLS will not include a fall "fly-out" break. The decision was made at last week's faculty meeting where the faculty rejected by a vote of 20 to 16 a Placement Committee recommendation that a fly-out break be included in next year's academic calendar.

The fly-out break was an experiment suggested by the Placement Committee and implemented this past fall whereby the Law School held classes on Columbus Day and Veterans Day so that two successive days in October could be set aside for students to visit law firms. The break was designed to reduce the number of class days missed by students interviewing at firms. June Thompson, director of placement, conducted a survey of 2Ls and 3Ls this spring to see whether the break served its intended purpose.

According to Thompson, the re-

sults were what the Placement Committee had expected: approximately one-third of the time spent by students in interviewing at firms fell during the two days of the fly-out break. "We knew two days wouldn't solve the problem. . . . While [the results] may not be stupendous, the break made some cut into the time people missed class. The results are about what we had wanted," explained Thompson.

Prof. Abram Chayes, chairman of the Placement Committee, stated that it was hard to tell whether the break had served its intended purpose because the statistics collected from students were not "very solid." He felt that the fact that one-third of the time spent away from campus by students fell during the break "was enough of an indication" of the success of the experiment that it should be repeated next year.

Chayes did note that it was pos-

How He Did It

The imposter of the HLS 3L and of the business school student began his scheme by somehow obtaining identification cards of the students from Harvard. Harvard University identification cards are produced at the Name and Address Office on the third floor of Holyoke Center, a clerk there explained, and replacements for lost cards are given out only upon written authorization from the administration of the student's school within the University. The final digit in the ID number is increased by one on the replacement card. Grassidonio obtained replacement cards for the unnamed Business School student last summer, and for the 3L last fall.

Grassidonio may have forged the authorizations, or may have obtained them by going to the HLS and HBS offices handling lost cards. Lucille Demirjian, who handles lost

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Weatherspoon Not Just a Minority Counselor

By Gretchen Rule

Russell Weatherspoon joined the HLS Health Service as a part-time counselor on March 2. After graduating in 1974 from Brooklyn College in New York City with a B.A. in English, Weatherspoon joined the faculty of The Stony Brook School as an English instructor. About two years ago he was appointed to serve also as school chaplain, a position that included both administrative and counseling responsibilities. While serving as chaplain Weatherspoon was asked to join the "rotating rosters" of "Baseball Chapel" and "Pro-Athlete Outreach." Both organizations provide chapel services to professional athletes before games and on Sundays. Weatherspoon is still connected with the program, providing services for some New England Patriots' visiting teams and the Boston Red Sox.

Weatherspoon is at Harvard as a graduate student in education and is working toward a degree in counseling and consulting psychology. He characterizes the field as "normal people with normal, manageable problems just trying to make adjustments." "Once here, I was faced with the decision of whether to return to the school where I was, and where I was happy, . . . or whether to make a break *because* it was so comfortable," Weatherspoon said. "I decided that if I could I wanted to get involved in counseling and yet help professional and becoming-professional minority people in predominantly Caucasian, high-pressure situations. It seemed like a new avenue of work; I didn't know where might be a place to start. Then I was asked to come here [to HLS] — it was just what I had in mind."

Human Problems

But Weatherspoon is not strictly a "minority counselor." "Caring for the minority population is not my only task, but it is something that I need to be very conscious of. But anyone can walk through that door,"

he said, adding that so far the overwhelming majority of his clientele has been Caucasian. Weatherspoon also noted that the problems of minority members and women and those of Caucasian males are about the same. "The problems tend to be human problems," he stated. "If [the problems] are different with the minority population, it's because they're conscious of strong, long-standing stereotypes about them, and they're afraid that the problem will be



Photo by John Morris

Russell Weatherspoon

seen [in that light]." According to Weatherspoon, many of the difficulties occur when someone realizes that not only do others believe the stereotypes, but that they do themselves. "If anything is threatening, it's realizing that you believe [the stereotype] yourself," he said. "It's very incapacitating."

Weatherspoon feels that many problems center on problems of self-definition. "There is a strong need for some people, including some minorities and women, to demonstrate competence. But this can be difficult in a school where everyone is not only competent but omni-competent. These people need to decide what 'competent' is. For someone who defines competence as getting an 'A', the first 'C' or 'D' can be very traumatic. This is especially true for a student who

is also a minority, as he or she could feel that this might be labeled as a 'true index of condition' [or the like]. As for a male Caucasian, he, too, is worried about competence, but not along racial lines." Weatherspoon continued, "I'm concerned that the minority and female population become proactive rather than reactive in their lifestyle here, that they don't succumb to the temptation to define themselves in terms of the mythology of living created by male Caucasians. Rather, they should realize that there can be another set of values that is appropriate to them, and that these are valid ways of being whole."

Team Effort

Weatherspoon sees himself as part of a team of counselors that includes psychiatrists Preston Munter and Jessica Oesterheld and psychologist Mark Byers. "I'm just one person among several in mental health service here at HLS," he noted, adding that if a student seems to be in need of assistance that a different "team member" could better supply, the counselors are quick to refer the student to that person.

As the end of the semester approaches, more people are coming in with exam-related problems, Weatherspoon noted. He said that the Health Service has compiled a "multi-page resource sheet" of studying and test-taking tips and that counseling is always available for students who feel that they have more of a study block.

Weatherspoon has been "trying to get a feel for the place" since joining the Health Service in the beginning of March. "The school certainly looks different from a 1L, 2L, 3L, administrative, or faculty point of view," he noted. "It's a different beast entirely depending on who you talk to."

"This is an environment in which one can potentially see most other people as competitors and possibly by extension as enemies," concluded Weatherspoon. "But thankfully most people don't do that."

HLS Institutes Research Program

By Laura A. Taylor

Next week, when HLS students register for courses, they need not settle for the usual round of two, three, and four credit offerings in Corp Tax, Tax Tax, Tax Corps, Boring Corps, and Dull Tax. Next year, the Law School will number among its course offerings two 12 credit research programs; 15 to 25 students will be allowed to enroll in each of the programs. In the fall, Prof. Robert Clark will direct a program in Health Law and Policy; Prof. Philip Heymann will offer Federal Law Enforcement Policy for the spring term.

The Michelman Committee proposed the introduction of the research seminars in a report last October, and the proposal was accepted by the faculty on a trial basis last December. The program will be evaluated next year; more formal long term evaluation procedures will be set up if the program is allowed to continue.

Counts As Written Work

Intended primarily for third year students, the research programs will constitute the whole of a student's academic schedule for the semester in which he or she is enrolled in the seminar. Both the fall and spring offerings will feature group sessions, outside speakers, and intensive writing and research on specified aspects of the course. Participation in either program will satisfy the Law School's written work requirement. The object of each program will be to produce an anthology on its topic; the volumes will be placed in Langdell, and may

also be published.

Students will be graded on a credit/no credit basis for their work in the programs. Each professor will, however, make a detailed written evaluation of each student's work. The evaluations will be kept on file in the Registrar's office, and will be sent to employers upon request. Proponents of pass/fail Law School grading should not, however, get their hopes up: Prof. Clark and Dean-designate Vorenberg denied that the research program grading policy is indicative of a movement toward pass/fail grading at HLS. Prof. Clark added, "I think that the faculty's impression was that in this situation the evaluations would be helpful . . . The thought was that a regular set of grades would make the program too much of a risky thing for students who are worried about their grades," since the student would receive a single grade for 12 credits of coursework if the programs were graded like other HLS courses.

The faculty has not yet made a decision as to how the credit/no credit grade will affect the determination of honors for graduation, stated Vorenberg. He noted, however, that his assumption is that the research program grade would not be considered in honors calculations.

Health Insurance Proposal

Prof. Clark's course will focus on an evaluation of a specific national health insurance proposal. The proposal, he noted, "grew out of several seminars with students on the government and health care." Fifteen different areas of inquiry will be addressed by program par-

ticipants. "It's a great way to try to relate everything that's in the field," said Clark.

Guest speakers will lead discussions "throughout the course," said Clark. He noted that he has made arrangements for several speakers from the Medical School and the School of Public Health, but declined to mention the names of any of the speakers, since final arrangements had not yet been made.

As for his selection criteria, Clark stated that he is "interested in students who feel that they want to go into [health] law as well as students who want to develop their writing skills." The course is "also for students who want to learn more about an area in a different format," one which features more writing and interaction among students than other HLS courses.

A Variety of Students

"I'm looking for a variety of students," he added. A "fair number of students," including one who is an M.D., have shown interest in the course so far, said Clark. He noted that he may not have to apply strict admissions criteria to keep the number of students in the course down to a manageable level: "I first have to see how many students apply. Since this is something new and students are risk averse, there may not be a problem."

"No regular classroom hours at all" will be scheduled, according to Clark. At the beginning of the term, the course will meet for "a few hours" each day; during the research period, "open ended" meetings will probably be held twice a week. "It will all be very informal," stated Clark. He does, however, "expect [his students] to be working full time on the course."

Clark encouraged students to register for the research program: "It ought to be enormous intellectual and social fun for the students who are in it . . . If I were a student, I would lunge at the chance to be in it." 

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Judge Awards Quinto His Fees

Pro se plaintiff David Quinto, a senior editor of the RECORD who is currently studying in Hong Kong, has been awarded statutory damages, attorney's fees and costs totalling \$1283.54 by the U.S. District Court for the District of Columbia in his copyright infringement suit against *Legal Times of Washington* and its former managing and executive editor, David Beckwith. *Quinto v. Legal Times of Washington, Inc.*, no. 80-1005.

The award followed a grant of summary judgment for Quinto by Judge Thomas A. Flannery in January. (See RECORD, March 6, 1981, "Judge Finds for Quinto in Copyright Suit.") Quinto filed suit after the *Legal Times* published verbatim an article written by Quinto and previously published in the RECORD; the story described perquisites received by HLS students working as summer law clerks for private firms.

Quinto was awarded the full costs of \$583.54 that he incurred in bringing the suit. The bulk of the costs went to a \$434.52 fee for the transcripts of two depositions. The statutory damage award was \$250, the minimum allowable under 17 U.S.C. § 504(c)(1). Flannery wrote that this figure was arrived at "considering the fair market value of plaintiff's article and the amount defendants saved by copying plaintiff's article rather than writing their own."

\$500 Fee

In setting Quinto's attorney's fee award at \$500, the court said that it considered the amount of work necessary in bringing the suit, the skill employed, the monetary amount involved and the result achieved. Quinto claimed that he had spent over 200 hours working on the case. The court, however, said that only about 100 hours should have been necessary, explaining that "the amount of time expended by plaintiff must be substantially reduced since he was 'dealing with an unfamiliar subject and cannot fairly charge defendants for [his] education.'" The

court also reduced the rate at which Quinto would have been compensated for his 100 hours of work "in order that the attorney's fees award [would bear] a reasonable relationship to the award of damages" of \$250.

The defendants had argued that no award of attorney's fees should be made to a *pro se* litigant in a copyright infringement suit; to support this view, the defendants noted that there are no reported cases in which a prevailing *pro se* litigant in such a suit has been awarded attorney's fees for the value of his time, and that there is nothing in the legislative history of the Copyright Act which shows that a *pro se* litigant is eligible for an award of fees.

Rejecting the defendants' contention, Judge Flannery wrote: "It is wholly consistent with the congressional intent that the Copyright Act be privately enforced to award attorney's fees to a prevailing *pro se* litigant. To deny such a litigant attorney's fees solely on the grounds that he did not incur any liability to pay attorney's fees ignores the fact that a *pro se* litigant must forego other activities in order to pre-

pare and pursue his case." The court also dismissed the argument that there must be a showing of public benefit from a suit before a fee can be awarded in a copyright case.

The defendants' contention that Quinto should not receive a fee award because he refused to accept a settlement offer or to negotiate in good faith was also rejected. The court's answer: "It suffices to say that this court's award of statutory damages, costs, and attorney's fees exceeds the \$500 offer of judgment defendants made. . . ."

A spokesman for the *Legal Times* said of the case, "The result was that [Quinto] got a verdict which we don't agree with. The case was wholly unsuited to any litigation . . . We had offered a settlement of some \$500 . . . We have in a sense been vindicated since the award was for less [than our settlement offer] . . . But we have been forced to go through with it, and have no intention of going forward since the costs would be totally out of proportion [to the possible benefits]. . . . The litigation had no purpose or benefit."

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NOTICE

Ballots for the Coop Student Director Election will be available at the Cashier's Office of any Coop store for those Coop Student Members who have not received their ballots through the mail. Completed ballots must be returned to the Coop or postmarked by

Tuesday, April 28, 1981.

**the
Coop**

'Paralegal' Kennedy Promotes LSI

By Rob Woolmington

Prof. Duncan Kennedy forsook the doctrinal skirmishes of his Harvard Law School classroom this spring for a new job across the river, but took time last Thursday to report to students here on his temporary reincarnation as a paralegal in Jamaica Plain.

Reflecting on three months of work at the Legal Services Institute office run by Harvard and Northeastern law schools, Kennedy mixed stories from the front with the emphatic message that poverty law practice can be intellectually stimulating. He concluded his Root Room talk by proposing that HLS respond to the current funding squeeze in legal services by making "basic and fairly massive" changes in its current clinical and placement programs.

Kennedy, who is not a member of the bar and has never practiced law, said legal services work would be "an incredibly valuable experience for a very large number" of students at Harvard. He proposed that HLS expand its legal services program to encompass a caseload "in the thousands" and modify its substantive law offerings in ways beneficial to students interested in poverty or neighborhood law practice.

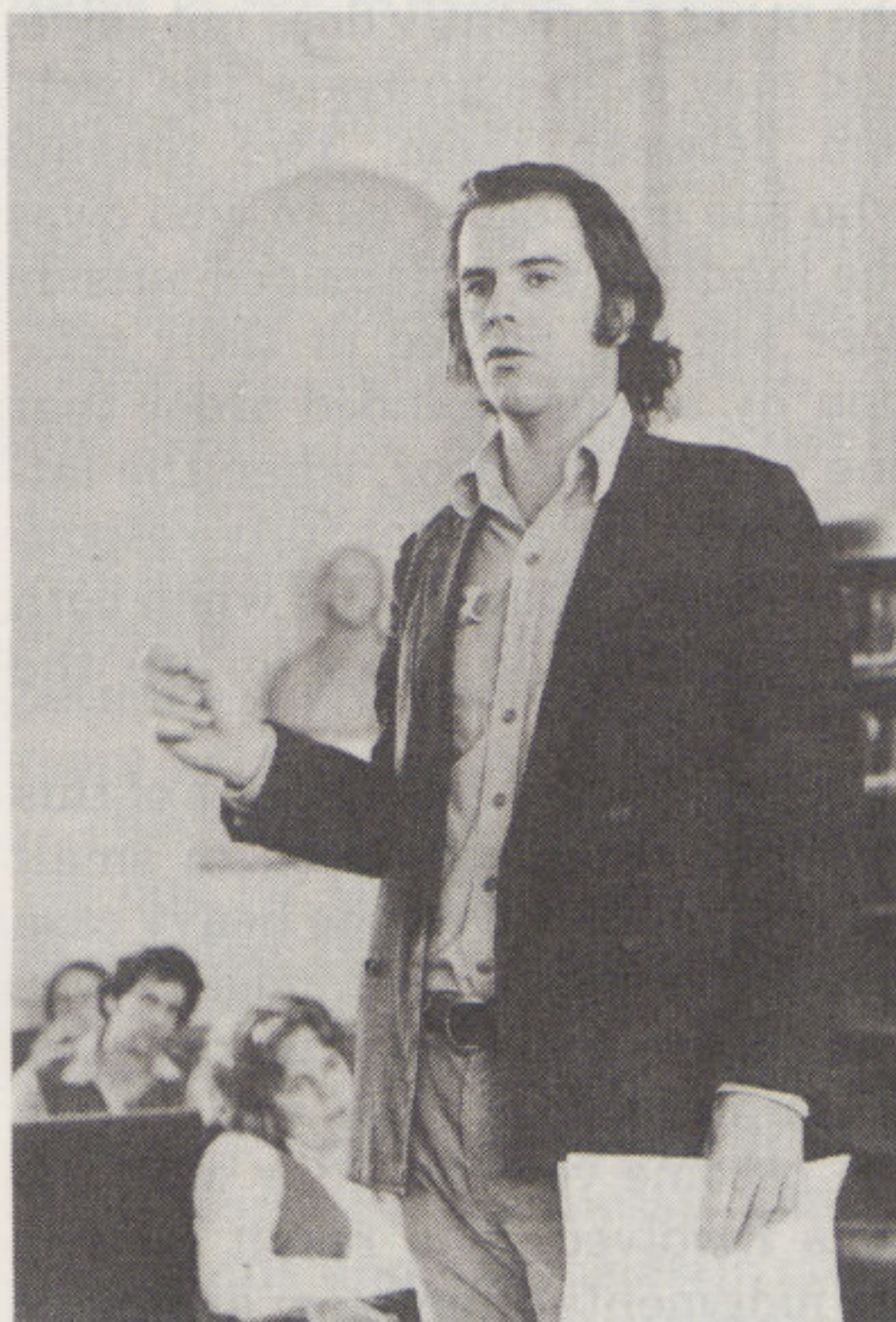
To fund such a venture Kennedy suggested that a tax of \$300 per recruiter per day be levied on law firms which use Harvard's placement office for recruiting. The office estimates that law firms spend at least \$5 million a year (including lost billable hours and costs of student "fly-outs") in recruiting Harvard students. Given the bar's current support for continued Legal Services Corporation funding, Kennedy argued, it may be possible to tap successfully corporate sources for such work in Cambridge.

Student Initiative Needed

Kennedy told students that, because "majorities at the faculty meetings are up for grabs," a strong

student initiative for a "new model" of education might prove successful. He suggested that students favoring such a plan direct their attentions first to the Michelman Committee.

Most of Kennedy's 90-minute talk was devoted to recounting his personal experiences as an "intake" worker at the Jamaica Plain office, and to analysis of the social utility and personal satisfactions of a pov-



R.W.

Prof. Duncan Kennedy

erty law practice.

Kennedy's passion for doctrinal dispute is well-known to his students. He reported Thursday that there was as ample opportunity for manipulating the "open texture" of the common law in legal services practice as there is in the classroom.

The commonplace notion that poverty law practice is boring may be traced in part, Kennedy said, to an attitude shared by many people who choose such work. They do not want to admit that they enjoy the fuss and bluster of legal disputation.

Kennedy reported that not only are the technical legal questions often interesting, but the "policy universe" is rich and largely unprobed. "Applied public policy, in poverty law practice, is open intel-

lectual terrain," he said. "It's a gold mine."

Kennedy cautioned against viewing legal services work as "a major engine for social transformation." He described it rather as a service, useful for delivering specific things to clients, and making a significant effect on individual lives. But Kennedy said he does not believe that legal services work could function as a prime component of any grand political strategy. As a political instrument, legal services work is most useful in providing skilled services to organized groups. Kennedy, while stressing that his views are tentative, said he did not believe legal services lawyers would likely be effective in organizing political groups, only in assisting them. He attributed this in part to a dependence/dominance relation that tends to be established between legal services attorneys and their clients.

Kennedy emphasized that, while many legal services lawyers find themselves flooded with work, there is "a great deal of simple job happiness" possible in the field. He cautioned students not to think that poverty law practice requires "sacrifice," except perhaps in salary.

At present only a dozen or so Harvard students can work full-time at the Legal Services Institute in Jamaica Plain. About 35 in each class can work part-time at the Harvard Legal Aid office on campus, though this year more than triple that many applicants sought positions. While he ascribed his decision to become a paralegal for a semester as "a cliché story of classic mid-age crisis," Kennedy strongly urged students to participate in such work, no matter what their career goals. Students are permitted by court rule to argue cases — a privilege not accorded to Kennedy. Though a tenured professor of law, he is neither student nor lawyer, and so he slipped through the categories. He is spending his semester, happily it seems, as a mere paralegal.

☛

Alternatives to Civil Litigation

GABE SHAWN VARGES

Courts throughout the United States have been experiencing a "litigation explosion" in recent years from which Massachusetts courts have not been exempt. As more and more cases are brought into court each day, and the backlog of untried cases grows, litigants, judges, and some attorneys have become increasingly aware of the unsatisfactory way in which the established legal process is coping with this pressing challenge.

For litigants, the dissatisfaction stems as much from the long delays before being heard in court as from the extremely high costs which the process frequently involves. Besides the often astronomical attorney fees, parties must absorb court fees, witness costs, and their own lost wages.

If the process proves unsatisfactory for many parties bringing average- or above-average-size claims, it is even more so for those with small claims. A wage earner who sues a merchant for a \$90 deposit he alleges was wrongly kept may "win" in court, but may come out losing, given the time lost from work and the costs of consulting with an attorney even when the latter does not represent him in court.

Small Claims Courts

Attempts to deal with these deficiencies have typically centered on promoting small claims courts. In Massachusetts small claims courts have a long history, but they are often criticized for providing no real alternative to the normal court process. Absence of formal rules of evidence and pleading is supposed to make them more accessible to people who cannot afford or do not find it economical to have legal representation; but often the party who can afford an attorney *will* be represented, leaving the other party at a disadvantage.

The adversarial nature of the

proceedings in small claims courts, as in all courts, further serves to make the process either inequitable or ineffective. The parties, as in the case of neighbors, are often individuals who will continue to have some contact after the trial. A "guilty" judgment against one or the other frequently does not solve, and may even aggravate, the problem between them. Two tenants who sue each other as to who owes the landlord for a damaged outside door are not helped in their relation by a judge-handed order that one pay for the door, when the latter knows he was not fully responsible for the damage and when both will continue to have to use the door jointly.

Creative solutions to cases of this type are rarely produced in small claims courts, given the heavy case load under which most judges work. Most cases are decided in less than 10 minutes by judges who rarely can become very familiar with the facts involved. The result is that the judgments often seem arbitrary — something which may help explain why some 60% of all small claims judgments are not obeyed.

Experiments With Alternatives

Concern with deficiencies of this type has been increasing in Massachusetts, as well as throughout the United States. Experiments of various types are addressing the problems of court delay, legal costs, and small claim court deficiencies. In most of them, the focus is on providing litigants with alternatives to the adjudatory process. Mediation, arbitration, negotiation, and non-adversarial conferences are common tools employed.

At Harvard, concern with the effectiveness of the legal process and its access has taken several forms. Two courses are presently being taught on alternative mechanisms of dispute resolution, including one for first-year students.

Early exposure of law students to non-adversarial techniques and alternatives is particularly important, according to Prof. Frank Sander, who teaches both courses. A third course, more tangentially related to access to effective legal redress, is on negotiation techniques and is taught by Prof. Roger Fisher, who has established a full-scale negotiation project at the Law School. Next year, a course dedicated entirely to mediation will be taught by Prof. Sander.

Student Mediators

Among students, interest in promoting alternative dispute resolution methods has also been increasing. Under the leadership of Karen Falkenstein, 3L, a Small Claims Mediation Program has been created as a student organization. The program has some 25 volunteers and works in conjunction with the Small Claims Court in Quincy. It has been in operation only eight weeks and has already produced impressive results. Seventy-two cases have been mediated and 52 settlements reached. In addition, the program has helped reduce a two to three month backlog at Quincy Court to about six weeks.

The program, run on a modest budget of less than \$1,000, relies on trained student volunteers to mediate cases which have been filed at the Court. On the day of their scheduled court appearance, litigants are informed of the option to have their case mediated instead of being brought to a judge. The process is totally voluntary and a party may at anytime choose to go back to court.

The mediation process itself is informal and flexible. After hearing each side tell "what happened," the mediator attempts to help the parties reach a settlement acceptable to both. The key seems to be to lead parties to recognize their

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HLS Runners Survive Run

By Tom Heywood

(Continued from Previous Page)

own interests which are often in conflict with the positions they come in with. Hurt feelings and miscommunication are addressed and the resulting solutions tend to be reflective of a joint effort to solve a common problem, which contrasts with a judge-imposed verdict. According to Falkenstein, this produces effective and creative agreements, induces parties to live up to their agreements (which are enforceable in court), and leaves parties feeling better, as there is no clear "winner" or "loser".

Unlike the Harvard Small Claims Mediation program, whose future seems assured by its having been incorporated as an official HLS student organization, the fate of other attempts to increase access to justice via alternative dispute-settlement procedures seems less certain. Budgets for legal administration and social services budgets are being cut everywhere, and private support for these programs is shrinking as more groups battle for their limited funds.

While important questions about possible due process restrictions which non-court solutions may produce need to be examined, support of means for parties to settle their disputes in a less costly and more efficient manner is merited. First, by encouraging and assisting parties to settle disputes with minimal court involvement, more judicial resources will be freed to give greater attention to those cases which truly require court adjudication. Second, given the *de facto* obstacles that exist today to access to the courts — such as expense, delay, and bias toward repeat players, the well-educated, and the wealthy — procedures which will provide average citizens with choices other than going to court or not doing anything about a dispute at all are likely to succeed and to amount, in fact, to a promotion, not denial, of due process. ❧

"Never again," vowed Jon Cook, 1L, as he crossed the finish line in the 85th running of the Boston Marathon, one of the world's most celebrated running events. Cook was one of a score of HLS students who covered the 26-mile, 385-yard trek from Hopkinton to the "Pru," and his sentiments were no doubt shared by many during the final miles of the grueling event.

The roster of HLS students who covered the undulating course this year includes Andrea Davis, 3L, Steve Friedland, 3L, Greg Miller, 2L, Sandy Pensler, 2L, Lorraine Pratte, 3L, Steve Richardson, 3L, Jeff Stein, 1L, Marshall Schmitt, 1L, and this reporter. This was a first marathon for many of the HLS students, though the marathon experience was nothing new for other, more avid, student runners.

This year's race was a memorable one for the HLS students who attempted the run as well as for the world class runners who participated. Temperatures in the low 50s, low humidity, a slight tailwind from the northwest, and an ubiquitous and enthusiastic crowd of some two million combined to spur many runners on to individual bests and make the run an exhilarating, if demanding, event.

Toshihiko Seko of Japan won the event in 2:09:26, bettering Bill Rogers's Boston and American record by one second. Allison Roe's 2:26:45 was the second fastest time ever recorded by a woman in any marathon; she shattered the previous women's record in the Boston Marathon by nearly eight minutes. At age 73, John Kelley completed his 50th Boston Marathon, an athletic accomplishment rivalling those of such sports figures as Gordie Howe in hockey and George Blanda in football.

While HLS students did not chalk up record-setting times, like many of those running merely completing the course was victory enough. Undoubtedly, one of the most distinctive and memorable aspects of the Boston Marathon is the crowd

that clusters along the entire course, transforming the roadway into a veritable 26-mile human gauntlet. The celebration of Patriot's Day by Bostonians revolves around the marathon, and virtually all the runners from around the country and the world who assemble each April in Boston attribute their excellent performances on the hilly course to the cheering, cajoling throngs that line the suburban streets from Hopkinton to Boston.

Indeed, the commitment of Bostonians to the race was total. The Boston YMCA set up watering stations every four miles or so along the route, offering succor to all runners in the form of water and "E.R.G.," an electrolyte solution. Outthrust hands proffered wet cloths, ice cubes, orange slices, water, and even beer (for which there were more than a few takers, especially in the final miles) waved ceaselessly from both sides of the course. Intermittent but driving rock and roll tunes emanating from strategically placed stereo speakers and even a live country rock band playing atop a tavern in one small town along the route provided a pace for some runners, transcendence for a few, and distraction for still others.

In some stretches, such as in front of Wellesley College, the run narrowed to a mere eight to 10 feet as the crowd pressed in from both sides and the screaming of the crowd became a din. And by the time the weary runners hit the series of rises which constitute Heartbreak Hill, some 20 miles into the run, cries from the crowd such as "you're all winners" and "bring it on home — this is the big one" simply didn't allow the runners to drop out of the race, no matter how severe the pain and how sore the muscles.

Despite the blisters, bruises, sore muscles, and utter exhaustion experienced in the immediate aftermath of the race, most of the marathoners agreed that simply completing the Boston Marathon was reward enough for their efforts. ❧

Legal Aid Still Strong in Hong Kong

By Timothy A. Gelatt

Ed. Note — Mr. Gelatt is a 3L member of the East Asian Legal Studies.

At a time when the fate of public legal assistance programs in the United States hangs in the balance, a talk presented on April 15 in the East Asian Legal Studies speakers series by Ms. Pauline Cheung, Hong Kong solicitor and Assistant Principal Legal Aid officer in the Legal Aid Department of the Hong Kong government, provided some interesting comparative insights. Since 1967, the government of that British Crown Colony, which sits on the doorstep of the People's Republic of China, has funded programs of legal assistance ranging from advice and representation in civil cases of all varieties to defense in criminal trials and appeals. This year over \$5 million is being provided for these programs; additional public funding is always available should expenses exceed expectations.

Advertising and Publicity

In a society whose population of five million is predominantly Chinese, one might expect the traditional Chinese wariness of law and lawyers to affect people's willingness to seek legal aid in matrimonial, housing and other civil disputes. Indeed, it has taken time to educate Hong Kong's population about the legal aid programs, but the results of advertising and publicity campaigns have been impressive: last year, the Legal Aid Department handled 13,000 applications for assistance in civil cases and 3,000 in criminal matters. The Department has offices in the two major areas of Hong Kong and last year inaugurated a system of what Ms. Cheung termed "barefoot lawyers" — members of the legal aid staff who rove the rural New Territories on the Chinese border in air-conditioned vans to help local people with legal problems.

The Legal Aid Department has

only 41 lawyers on its staff, assisted by about 60 paralegals. Since all but three of the lawyers are non-Chinese "expatriates," a corps of highly trained interpreters forms a vital part of the staff. They enable the clients, 99.9 percent of whom are Chinese, according to Ms. Cheung, to communicate with their attorneys.

The 41 lawyers generally have about 80 active cases at any given time. Those cases represent only about 30 to 40 percent of cases handled through the legal aid system; the other 60–70 percent of cases are farmed out to private sector lawyers in Hong Kong who have agreed to take on legal aid cases for a fee. The fee, paid from the legal aid budget, is usually significantly lower than an ordinary fee, but is still apparently attractive enough to make it worth the lawyer's time.

Outside Help Required

In some situations, legislation governing the Legal Aid Department requires that cases be farmed out to private attorneys. When both parties to a divorce proceeding apply for legal aid, for instance, the Department will not advise either of them, but will send them both to outside lawyers. Moreover, the Legal Aid Department will not assign its own staff lawyers to handle clients suing the government, but will send those cases to private lawyers to be handled, still at public expense. Although work loads are heavy and recruitment has been slow and unable to keep pace with the demand for services, the system of farming out clients to the private sector has enabled legal aid in Hong Kong to meet its statutory duty to provide services to all applicants who meet the qualifications for assistance.

Those qualifications are, in civil cases, twofold. First, the applicant must meet a financial means test that requires him or her to have "disposable income" — net of housing and other living expenses — of

not over \$200 per month, and "disposable capital" of not over \$2000. By Hong Kong standards these are liberal tests and make about two-thirds of the population financially eligible for legal aid.

Success Test

In civil cases, the "processing" section of the legal aid staff must also be convinced, after collection of evidence and other relevant inquiries by the paralegals, that the applicant has a reasonable chance of succeeding in his or her suit. Should legal aid be denied for failure of this merits test, an appeal may be made to a registrar of the Supreme Court, whose decision is binding on the Legal Aid Department and the applicant. In criminal cases of first instance, only the means test is employed; the likelihood of success is considered for representation in appeals but a denial of assistance on this ground is reviewable by a judge.

In many cases, legal aid is provided completely free. Those who, while meeting the means test, are considered able to afford it, are asked to make a small contribution to help defray expenses. In addition to the assistance provided by the Legal Aid Department, free legal advice is provided with no "means test" by volunteer lawyers in Hong Kong's Law Society. That Society also provides lawyers for representation in minor criminal cases before magistrate's courts, a service that is free to clients and for which the lawyers are paid a flat per diem fee of \$200 from the government's legal aid budget.

Pauline Cheung's description of Hong Kong's legal aid system conveyed an impression that the system is managing to hold its own with considerable success in the face of increasing demand, and that, while we in this country contemplate retrenchment of legal aid, further expansion and development is in the cards for public legal assistance in the "Pearl of the Orient."



Ranchod Reviews Law Under Apartheid

By Will Hunter

What is the role of a lawyer in a country with a repressive legal system? And what role can the American legal profession play in improving repressive conditions in a foreign country?

Those were two of the questions addressed by Bhandra Ranchod, a professor at the University of Dur-

ban-Westerville, South Africa, speaking to a group of Law School students Tuesday under the auspices of the Harvard International Law Society. Professor Ranchod has been a visiting professor at Columbia Law School this year, and will return to South Africa in a month.

Professor Ranchod painted a bleak picture of conditions in South Africa, where the 4.5 million whites

continue to exercise total control over the country's 20 million blacks. Recent minor changes in South Africa's racial policies, such as limited government approval of creation of black trade unions, have done little to alter the basic fact that the white minority is unwilling even to consider sharing power with the black majority.

No Violence

Effective power sharing, however, must come if South Africa is to avoid full scale war, Ranchod predicted. As a lawyer, he believes he must work within the legal system to try to bring about peaceful change. "I can't operate as a lawyer and go around throwing bombs at the same time," he said. "I value human life, and want to see reason prevail. I think it's still possible to promote change without violence."

Ranchod defended his choice of tactics when pressed by a black South African student who charged that history has proven pacifism a failure in the country. "If I were to advocate violence, I would be restricted or banned [by the government]. I don't think you can be effective at all if you are banned. If you're living in the country, you must be a pragmatist."

Ranchod added, though, that his is an idealistic pragmatism. "I don't believe that one must throw up one's hands and say it's hopeless. There may not be any results in the near future, but we must try. This is the most difficult human rights issue in the world to resolve peacefully. But I am a pacifist, as most Indians have been in South Africa."

America's Part

Ranchod urged the American legal profession to do its part to bring about a sharing of power in South Africa. Specifically, he suggested that Harvard and other law schools provide opportunities for black African lawyers to upgrade their skills. Over 90% of the lawyers in

(Continued on Page 16)

Dorms Pass Inspection This Time — Barely

By Erich Merrill

Cambridge health inspectors returned to the Law School on April 8 to see if Housing Code violations found on March 24 had been corrected. Though some violations in the dorms stood uncorrected, Facilities Operations Officer George Cook said that the inspectors have decided to approve Hastings and Wyeth for occupancy for another year.

Hot Plates

Students and Law School officials had been upset by the fact that the inspectors made an unannounced search of the dorms on March 24, while students were away on spring break. Following that search, the Law School was sent a letter detailing the violations found. A large number of the violations were hot plates and other cooking appliances which students had in their rooms. The letter said that unless the violations were removed, criminal citations would be issued against the students involved. Cook asked the inspectors to notify him before making any further searches of the dorms.

On April 7, the inspectors called Cook and told him that they would make a reinspection on the morning of April 8. The inspection would include all rooms in which violations had previously been found.

Cook assured them that he had taken steps to see that all violations had been removed.

When the inspectors arrived on the morning of the 8th, Cook said, he learned that they were under pressure from their superiors to issue the citations with which students had been threatened unless they found the dorms acceptable.

"They Were Mad"

Cook notified the RAs on the floors that were to be searched. He then accompanied the inspectors as they searched the rooms. Cook said that when the first two rooms which were checked both had violations in them, the inspectors were ready to issue citations. "They were mad; I don't blame them. Students had removed the violations, and then replaced them. That was just stupid," Cook commented.

No violations were found in any of the other rooms in Hastings or Wyeth, however. Whether their change in attitude was due to the absence of further violations or to Cook's persuasiveness, by the time the search was finished the inspectors were happy with the dorms, Cook said.

A few days after the inspection, the Health Department sent Cook a letter saying it would issue occupancy licenses for the dorms for next year.



Why Was It Easy?

A well-known television commercial tells you "not to leave home without it." Although the commercial was referring to a credit card, it is equally applicable to a Harvard ID card. As shown by Stephen Grassidonio, the aspiring law student, a Harvard ID can do many things in 1981: get you into a top-quality law school without earning high grades or LSAT scores, and even turn you into a completely different person. Mork from Ork didn't even have those powers. But seriously, the incident points out some problems with bureaucracy at Harvard University and the institution's ability to protect the security and privacy interests of students.

It appears that before the imposter incident, a Law School student who lost his or her ID could obtain a replacement without showing a photo identification card or some other significant proof of identity. At least now steps are being implemented at the Law School to change the process; at the Business School, the person in charge of giving out written authorizations for replacement ID cards did not even realize that there might be a problem until a RECORD reporter called her to ask questions for a story.

Even if a would-be HLS student like Grassidonio were to forge a written authorization instead of getting one from the appropriate Law or Business School offices, easily implemented measures could have nipped the impersonation in the bud. For example, the Name and Address Office at Harvard could mail students notice of the issuance of replacement cards; if a card were issued to an impersonator, the notice would give warning to the victim of the scheme.

Currently, the Name and Address Office at Harvard does not even routinely compile, let alone distribute, lists of ID card numbers for which replacements have been issued. The person who has stolen an ID card, therefore, can wreak havoc until the card's expiration date is reached; if such lists were distributed, the holder of the original card in an impersonation scheme would be alerted to the scam as soon as someone checked his card against the list.

The story of Grassidonio's exploits may be entertaining to some: after all, he was pretty clever in obtaining the information he wanted. But if you were the 3L whom he impersonated, you would not be pleased at all. The RECORD hopes that the Law School administration and the University will take this incident seriously and institute measures to prevent its recurrence.

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Fenno

"Spring is Here! Well, spring *was* here." Fenno shivered in the cold and empty bleachers in Fenway Park. The blawnd haired girl from Slumaville was nowhere to be seen, there were no normal people around to interact with, and dammit, Fenno's beer was congealing and the Red Sox were losing.

"Well," thought Fenno, "even if Boston isn't ready to wake up from the winter blues yet, Fenno here is gonna shape up his bod." He looked down at his waistline, and decided that now was a much better time than never to get some exercise.

Red Line back to Harvard Square. Up to the room to get a pair of shorts. Over to Hemenway to shoot a few hoops. One of the largest people Fenno had ever seen turned around to look at him. "Who are you?" he queried the intimidated Fenno. "I'm Fenno, and I'd like to play basketball, if you wouldn't mind." A devilish grin on his face, the big guy said, "OK Mr. Fenno. Play. I'll guard you."

Fenno felt exhilarated. He dashed around the court, dribbling with the grace of a Meadowlark Lemon, if not the rhythm. Three perfect jump shots. Fenno was really moving. He flashed a smile at the big guy, who looked more and more intent on doing Fenno in. The next thing Fenno knew, a large basketball sneaker was planted firmly on his face.

"Hope you enjoyed our little game. Do come back again," the big guy taunted as Fenno wiped the blood from his face and crawled toward the door. "So much for physical fitness. Time for plastic surgery," Fenno moaned to himself.

Fenno did not trust the people at the Law School clinic to put band-aids on straight. So he decided to head for the square.

"Do you have your ID card? What is your mother's shoe size? Your father's net worth?" Poor Fenno tried to keep from swooning as he answered the nurse at Holyoke Center.

Three hours later, Fenno was finally ushered into an examining room. "So what happened to you?" the doctor asked. Fenno passed out.

Fenno woke up and looked around him. A large picture window, flowers, primary colors on the walls, a view of the river, magazines by the bed. "Where am I?" he asked the man in the next bed.

"Nirvana," came the answer. "Actually, it's Stillman Infirmary, but it's heaven compared to the rest of Harvard." Your profs will never find you here, and the food is great. Besides, it's cold outside."

"Not bad," thought Fenno. He decided to stay a while. He rang for the nurse, and in his weakest sounding voice asked, "May I have an aspirin?" She smiled and brought him a bottle.

Fenno was going to like it here.



Letters to the Editor of the RECORD

Elitists' Choice

To the Editor:

The Harvard Law School Elitist Cinema Society, the Law School's oldest organization devoted to establishing and promoting cinematic good taste, takes pride in announcing its Second Annual HLS-ECS Awards, for films released during 1980:

BEST FILM: *Ordinary People*

BEST ACTOR: Robert De Niro (*Raging Bull*)

BEST SUPPORTING ACTOR: Michael O'Keefe (*The Great Santini*)

BEST ACTRESS: Mary Tyler Moore (*Ordinary People*)

BEST SUPPORTING ACTRESS: Mary Steenburgen (*Melvin and Howard*)

BEST DIRECTOR: Richard Rush (*The Stunt Man*)

BEST CINEMATOGRAPHY: *The Shining*

BEST ORIGINAL SCORE: *Fame*

BEST ADAPTED SCORE: *Ordinary People*

Richard R. Hyde, '79

Michael G. Psareas, '79

Juergen O. Skoppek, '79

Richard B. Bernstein, '80

John H. Eickemeyer, '80

David N. Johnson, '80

New York, NY

El Salvador

To the Editor:

I have read your March 13, 1981 article, "Students Mobilize on El Salvador." I am amazed. Will some people never learn? How can anyone possibly support communist guerilla movements, no matter how attractively couched in "revolutionary" rhetoric, after seeing the result of the communist victory in Viet Nam, which, as your article itself recalls, excited similar sympathies in this country. The bloodbath there, as well as repeated reminders such as Afghanistan, Ethiopia, and Cambodia, should leave no doubt in any reasonable person's mind that any government — even a Somoza — is less bad than the totalitarianism and oppression of the communist left.

In fact, our government is taking exactly the right position in El Salvador in attempting to shore up a centrist government with economic aid while giving it the means to fight off the violence from both extremes.

Richard P. Sybert, '77

Los Angeles, CA

To the Editor:

I read the HARVARD LAW RECORD monthly with pleasure.

I refer to the March 6, 1981 issue, page 10, Article entitled, "Reagan's Machismo". In this Article in your second paragraph you begin as follows:

"Regardless of what the Soviets are doing in Latin America. . .", is a broad inclusive statement calling for explanation. I trust that my conclusions from this paragraph do not signify your endorsement of the Soviets doing whatever they want in Latin America.

Nor does the opening sentence of your third paragraph in this Article call for your conclusion without explanation. I look forward to a possible clarification by you to be printed in the HARVARD LAW RECORD.

At the same time, I applaud you for your forthrightness, irrespective of my obvious disagreement with your conclusion.

Bernard A. Riemer, '29
Boston, MA

Ed. note — We welcome the chance to clarify matters.

While the Soviets are indirectly supporting the rebels in El Salvador, we do not believe their actions warrant the large infusion of military aid. The Administration's policy is directed to what it perceives as a global political situation and fails to address the specific problems of the Salvadorans. A better solution is to support the economic reforms which are needed there, rather than to buttress the army which is opposed to reform. The final aid package which was passed recognized this to some extent.

Our worry that America might be drawn into an unfortunate war should have been explained by our closing sentence concerning the possibility of being drawn in to save face. The motive for sending military aid was a belief that our national image needs bolstering around the world and that is what worried us. Thanks in part to the outcry of so many Americans, we think the dangers have decreased some in the time since we wrote.

Right Policy

To the Editor:

I am dismayed, but not necessarily surprised, at the naivete of the editor and of your correspondents with regard to South Africa, for several reasons:

1. Your simplistic, knee-jerk reaction against South Africa ignores the fact that in the real world there is a long list of absolutely vital strategic minerals which are found in only two places, the Soviet Union and South Africa. Without access to these minerals, the United States would soon become militarily helpless.

2. Why is it that your wrath is concentrated only on right-wing repressive regimes and never on the at least equally repressive (and more dangerous to us) regimes of the left?

3. You are also, it seems, blissfully unaware of the fact that the pure black republics and dictatorships of Africa are doing a

brisk business with South Africa, while some of them criticize us for doing the same.

John P. Nash, '34
Manitowoc, WI

Public Interest

To the Editor:

I have just read Wanda Payne's article, "Clinical Programs: Actual Lawyering," in the February 27, 1981 edition of the RECORD. As a former member of HGAP, I feel compelled to comment on that portion of Ms. Payne's article which discusses HGAP.

After spending a paragraph describing the traditional HGAP programs (placements in district attorney offices and other government agencies), Ms. Payne writes, "Contrary to popular belief, the prosecutorial experiences offered by HGAP do serve public interests." She then, apparently by way of explanation, goes on to describe some of the newer HGAP programs (the lead paint and Housing Court projects).

The public interest may indeed be served by prosecuting landlords who violate lead paint laws or sanitary codes. But some of us grew up thinking that the public interest was also served by prosecuting common criminals. How sad that "popular belief" is no longer in accord with this view.

Michael Gary Hilf, '79
Forest Hills, NY

To the Editor:

What on earth does Wanda Payne think prosecutors do that is, according to popular belief, contrary to the public interest? ("Contrary to popular belief, the prosecutorial experiences offered by HGAP do serve public interests.") Does popular belief hold that it is contrary to the public interest to prosecute those accused of murder? Robbery? Battery?

As used in the RECORD, what does "public interest" mean? Might it perhaps be a good idea to publish a glossary with the first issue of each school year?

Orwell lives!

Stephen B. Lemann, '57
New Orleans, LA

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A Welcome Break From Life

THOMAS ISENBERG

It's a hot and beautiful spring day. You either have no work to do or have decided it is too nice a day to waste studying. What's a law student to do? Now, there is an answer. Far from the hot concrete of Cambridge and the meager dry and brown vegetation of the Common lies an oasis of splendor and beauty, a veritable tropical paradise.

This place of idyllic wonder is the Mount Auburn Cemetery. Located only a few physical miles from the Law School, down Mt. Auburn Avenue, the Cemetery could as well be thousands of miles away in terms of nature. Possibly the most pastoral spot in all of the Boston metropolitan area, the Cemetery, founded in 1835, spreads over 170 acres of hills, lakes, glens, and valleys, replete with blooming flowers of all varieties, exotic trees, wildlife of hoof and wing, and luscious foliage.

One must not be deterred by the undeniable fact that this is a cemetery we are talking about. For this is no ordinary cemetery. The over 68,000 occupants of Mt. Auburn, including mortals from all walks of life, are made up of quite a few famous and distinguished past members of humanity. In a small and barely noticeable plot lies Oliver Wendell Holmes, Sr. Near the elder Holmes rest Henry Wadsworth Longfellow, Winslow Homer, Mary Baker Eddy, James R. Lowell, and Charles Sumner. Of special interest to readers of the RECORD, many past denizens of HLS dot the lush landscape. Joseph Story lies in an impressive tomb, John Chipman Gray in a more modest abode, and Austins and Thayers literally crop up by the tens. Many of the stones and tombs bear interesting inscriptions and fascinating monuments (i.e. dogs, cats, lambs, babies-in-cradles, and one with a small garden gate left ajar — its owner never to return from his journey to the other side).

One must not feel that here is a morbid place, for as one strolls the well-kept paths of this haven, the thought of being in a cemetery is literally the farthest thing from one's mind, or at least one of the least important things on one's mind. In fact, a few courses are taught at the cemetery for the Cambridge Center for Adult Education; one such course involves strolling the grounds and studying the famous exotic trees, while another involves birdwatching.

To emphasize the pastoral setting Mt. Auburn Cemetery offers us city-dwellers almost on our

Willow trees in a lazy haze of greenery. Lastly, one must descend about fifty feet to reach the breezy Dell Pond (next to the Thayer mausoleum) where, because of its sunken character and extreme shade, the temperature always seems a full ten degrees cooler.

For a view, one can ascend Mountain Ave. (all the paths and roads have names) and climb the tower. I know you've heard it before, but on a clear day, you can see for miles and miles: downtown Boston, stately Harvard, the River Charles winding its way toward the sea. For meditation and seren-



Mausoleums at Mt. Auburn Cemetery.

Photo by John Morris

doorstep, allow me to tell you about the four lakes enclosed by the Cemetery's gates. Halcyon Lake is by far the finest. A large shining body of water surrounded by accessible grassy shores, Lake Halcyon matches any city park's pond. Auburn Lake, flowing along a row of magnificent and quite spooky (if one looks inside) mausoleums (including the Cabot-Lodge ensemble housing Henry C. Lodge), looks like a gondolier's dream — long, dark, and moist. At the other end of the grounds is Willow Pond, a large lake flanked by Weeping

ity, two fine chapels on the grounds provide resting spots with a European feel. And if the heat gets to you, and all the shade from the trees is not enough, hundreds of water faucets line the paths providing cool, refreshing relief.

So if you want to "get away from it all" for what seems like a blissful eternity, but lasts only a few fleeting hours, take a pleasant stroll through Mount Auburn Cemetery. After a few afternoons in this Cantabrigdean paradise, the rigor and pressure of a law school education will not seem quite so bad. ☘

Welcome to New York, John Harvard. Have You Considered Joining The Harvard Club Of New York City?



On Friday, April 24, members of the Admissions and Membership Committees of The Harvard Club of New York City will be in Cambridge at the Morris Hall lounge at the Business School and at the Hasty Pudding Club at 12 Holyoke Street between 11:00 A.M. and 5:30 P.M. to make it easy and convenient for Faculty, University Officers and graduates to become a member of the Club.

Candidates for membership will be proposed, seconded and interviewed in one step. Requirements for supporting letters, etc., are waived for this event. Information about the Club will be available and Committee Members will try to answer any questions you may have concerning membership.

The Harvard Club of New York City can be a most comfortable and convenient amenity that will make New York more enjoyable. It offers a central location in the Grand Central area, with spacious dining rooms, bedrooms, bar, lounge, library and extensive sports facilities.

Brochures describing the Club in detail are available at the A.H.A. office in Wadsworth House, at the desk in the Faculty Club and in the Business School Faculty Club.

If you cannot be in Cambridge on this date but are interested in Club membership, please call or write Ms. Thelma Leventhal, Secretary to the Admissions Committee, Harvard Club of New York City, 27 West 44th Street, New York, NY 10036 (212 840-6600) and request information for the regular membership procedure, rates and brochures.

DATE: Friday, April 24, 1981

**PLACES: Morris Hall Lounge
Business School
and Hasty Pudding Club
12 Holyoke Street**

TIME: 11:00 A.M. to 5:30 P.M. (No appointment necessary)

Harvard Club of New York City

27 West 44th Street, New York, New York 10036 (212) 840-6600

University Nabs Imposter 3L

(Continued from Page 1)

ID cards at the Law School, told the RECORD that as a result of the incidents, students seeking replacement cards will now be required to produce some form of photo identification to get Law School authorization for a new card. Betty Ford, who handles lost ID cards at the Business School, told the RECORD that she had not heard of the incidents, and said that she intended to consider requiring students requesting replacement cards in the future "to at least sign something" so she would "have their signatures later."

Grassidonio obtained the 3L's undergraduate transcript from the registrar's office on October 21 by impersonating the 3L and exercising the 3L's rights under the Educational Privacy Act, popularly known as the "Buckley Law." Under the Privacy Act, nearly all material about a student in the school's files must be made available to the student upon request.

Grassidonio next prepared fake letters of recommendation on stationery of the Kennedy School and the Graduate School of Arts and Sciences, and obtained copies of resumes of several law students, one source indicated. It is not known how he obtained the stationery and the resumes. He then used the transcript and letters of recommendation to apply to five law schools, and also registered the 3L with the Law School Data Assembly Service.

A Wrong Step

Grassidonio was tripped up because he applied to Columbia Law School, where the 3L was spending his final semester under the HLS hardship program. Someone in the admissions office there noticed the similarity of names between the applicant and the third-year student, and further investigation showed that the two had identical birthdays and social security numbers.

"I first learned of it [the impersonation] when the director of ad-

missions at Columbia called me into his office," said the 3L. "It was a weird feeling," he said, to be shown the application. While the address on the application was that of a Boston mail drop, the phone number was traced to Grassidonio. Harvard officials were alerted, and they began an investigation in January 1981.

"I might conceivably have been tipped off earlier," the 3L explained, "because of two seemingly-unconnected incidents during the fall." For one fall placement office interview, an interviewer did not have his resume, and he had not received the appointment notice. "He [Grassidonio] probably went to the placement office and took the resume," the 3L guessed. Then, in November or December, the 3L received an "overdue notice for a book from Widener Library." Apprised of the Name and Address Office's policy of changing the final digit when issuing a new card, he said "That explains it. The library notice had a '1' in the last digit."

A Sham Interview

Once the impersonation was detected at Columbia, the names of the other schools Grassidonio had applied to were obtained from LSDAS, and one of the schools, University of Chicago, was persuaded by HLS to call Grassidonio to a sham interview in February with an alumnus of the school. Mary Upton, Molly Geraghty, and Harvard Police Chief Saul Chafin were waiting for him. Grassidonio was arrested on the spot; Harvard's police officers are deputized by the Middlesex and Suffolk County Sheriffs, and need not be on University property to make arrests.

During police questioning, Grassidonio mentioned the business school ID card and a search of his home resulted in the recovery of several library books that had been checked out with the card last fall. While one newspaper account of the incidents reports that the books

came from Baker Library at the Business School, Mary Chatfield, the librarian there, told the RECORD she "knows nothing" about the incident. The criminal complaint filed by Harvard stated that the books had been taken from Widener Library, and Edward Doctoroff, head of circulation there, said he had been involved in the investigation. "A business school student had reported his card stolen" last fall, Doctoroff explained, "after he had received overdue notices on several books." The five books, valued at about \$160, were economics books, he said, and "had not been returned till recently."

Grassidonio was charged under Mass.Gen.Laws Ann. chapter 266, section 89, which provides up to a \$1000 fine or a year's imprisonment for anyone who "knowingly and falsely pretends to be a graduate or to hold any degree, at a college . . . of this commonwealth or elsewhere. . . ." Since the charge is only a misdemeanor, the University also filed the larceny charge, listing the value of the books at \$123. Under Massachusetts law, larceny of property worth more than \$100 is a felony.

"Cool As A Cucumber"

When Grassidonio came to trial April 17, Jeffrey Ayerhahn, the District Attorney, reduced the charge to "larceny of an amount under \$100", because, he told the RECORD, some of the books had been returned before the filing of the complaint, a fact which had not been uncovered until the morning of the trial. Grassidonio "admitted sufficient facts to support a finding of guilty" on both charges, according to court records, and trial was continued until April 8, 1983. This means that if the defendant stays out of trouble for the two years, the charges will be dropped.

University officials were unwilling to speculate as to why Grassidonio engaged in the fraudulent scheme. One had suggested pri-

(Continued on Next Page)

Imposter 3L

(Continued from Previous Page)

vately that perhaps he intended to try to sell the places in the law school classes, while another thought he might intend to apply for and receive a federally-insured student loan, and disappear with the money. "He was cool as a cucumber," said one, "and gave no clue as to why he did it."

The 3L felt it was unlikely that Grassidonio's motive was to use the impersonations to fraudulently obtain credit cards. "I checked with TRW [one of the largest national credit bureaus] to see if any credit cards had been applied for," and none had. When asked for a guess as to the imposter's motives, the 3L said, "It's bizarre — I can't begin to guess."

It is not known how Grassidonio was originally led to engage in his scheme at HLS, nor how he came to know his way around the law school. He had worked at the Coop, according to one source. "Obviously he had thought this out in a sophisticated way," said the 3L.



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"BETTER BUYS AT BRINE'S"

Faculty Abolish Fly-Out Break

(Continued from Page 1)

sible that some students took fly-outs they would not have otherwise just because of the existence of the break. He explained that even if such practice cut the "true" time spent from one-third to one-quarter, the result still justified implementation of the break next year.

Assistant Dean Stephen Bernardi, secretary of the faculty, said that the arguments of those faculty members opposed to the use of a fly-out break were aimed at having classes on the holidays, namely Columbus Day and Veteran's Day. Although the faculty members could see the benefits of a fly-out break, explained Bernardi, they did not think that those benefits outweighed the fact that faculty members could not be with their families during the holidays because of the break. Bernardi added that there was also a sense among the faculty members that having class on the holidays put the Law School outside "community norms."

Prof. Charles Fried, who moved at the faculty meeting that the use of the break be discontinued, amplified these concerns. "I made the motion because I thought [the break] was an inconvenience to people who wished to be with their families on what was a normal holiday," Fried said. He added that he thought the break gives students the message that "all kinds of shuffling and displacement" of the academic schedule will be introduced for placement reasons; Fried believed that it was not appropriate to convey such a message.

The Placement Committee has not developed any mechanism to replace the fly-out break in attempting to reduce the amount of time students spend away from class to interview. Because of the long lead time required for major changes in placement operations, said Thompson, any new policies will not be introduced before the fall 1982 interviewing season.



1L Council Reps Elected

Five 1Ls were elected to the Law School Council last week. Chris Auguste, Tim Casady, Brian Curran, Will Hunter, and Lauren Taslitz will serve as class representatives for the next two years. The 15-member council, which meets weekly as the school's official student government, will elect its officers for next year later this week.



SPORTS QUIZ

NOTE: This week's Sports Quiz deals with athletes whose last names are the same as common fruits of general consumption.

1. Once a third baseman, this man switched to pitcher where his performances earned him a place in the Hall of Fame. Who is this man who is also known for his recent stint as manager of the New York Yankees?
2. Wearing the number 16, this man was at the helm of the Detroit Lions' offense for most of the 1960's. Who is this long-time National Football League quarterback?
3. Outspoken and flamboyant, this man has been fired from two different National Hockey League coaching jobs in the last three years. Who is this man with a pet bulldog who goes by the name of Blue?
4. The first pick in last year's major league baseball draft, this 18 year-old is touted as the next Ted Williams. Who is this young shortstop?
5. A former member of both the California Angels and the Chicago White Sox, this man was a fairly consistent performer both at the bat and in the field. Who is this player who toiled in the outfield during most of his career?

(Answers on Page 16)

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South African Law Discussed

(Continued from Page 9)

South Africa are white, and it is hard for black law graduates to get positions in many of the white law firms. Consequently, their legal training is often not as good as it could be.

Despite the repressive racial laws and the lack of a truly independent judiciary, Ranchod said that blacks could benefit from better legal representation. "Many people still appear in court without professional representation, and they are invariably poor and black."

On the subject of economic pressure outsiders can exert on South Africa to force change, Ranchod was more reticent. One of the laws of the current regime makes it a form of treason for a South African to advocate disinvestment by foreign firms doing business in that country, Ranchod said. He explained one of his answers by adding, "I hope you don't mind me giving my

answer in this way, because it would be foolish for me to speak otherwise."

The professor predicted that the United Nations vote on economic sanctions against South Africa would be vetoed by one of the western economic powers, noting that U.S. investment in the country has increased in recent years, and that French investment has tripled since 1970. He complained that American companies are doing far less than they could to improve the conditions for African blacks. "I don't know of a single American corporation which has appointed a black to a management position," he said.

Whether foreign investment will continue depends, Ranchod said, on whether or not the country remains politically stable. "If violence were to break out, new investment would cease. And if all the black workers were well organized and went out on strike, the country would come to a halt." ❧

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HLS Team Best of N.E. Region

By Gretchen Rule

A team from Harvard will represent the New England region at the finals of the ABA Law School Division National Appellate Advocacy Competition this August. Susan Winkler and John Hammell, 2Ls, triumphed over the other participating New England law schools in the day-long regional competition held at Vermont Law School in South Royalton, Vermont on March 21.

A preliminary round, then quarter-finals, semi-finals, and a final round were used to determine the New England representative. The University of Connecticut bettered Yale in one semi-final round and advanced to meet Harvard in the finals; Harvard beat Vermont Law School in the other semi.

While the competing teams will prepare a brief for the national competition, this preliminary phase involved only oral arguments. But there was a twist: each team was required to argue both sides of each issue, and only found out a half hour before each round which side they would argue.

The three issues presented dealt with labor law. They included questions of individual rights in collective bargaining situations, whether a governor can dismiss a policeman for refusing to arrest picketers from that policeman's own union, and the government's obligation to bargain in good faith with public employee unions.

The nationals will be held the first week in August at the ABA/LSD Annual Meeting in New Orleans. About 16 teams from the 13 regions are expected to compete.

SPORTS ANSWERS

1. Bob Lemon.
2. Milt Plum.
3. Don Cherry.
4. Darryl Strawberry.
5. Ken Berry.