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Employers Voice Concerns About New Placement Scheme

By Roland Monson

Employers reacting to the recent changes in the HLS placement process are generally apprehensive, with some indicating that the changes might make it more difficult for some HLS students to find jobs.

Last March, the Law School Placement Office sent out a memorandum to employers detailing the various changes in the placement procedure planned for this fall, most of them intended to reduce the intrusion of placement into academic life. Chief among these changes were a later and

shorter on-campus interviewing season — four weeks beginning October 25 and including three Saturdays, the recommendation that flyouts be taken over winter break, and the extension from December 15 to January 10 of the date by which students must reply to offers. Other changes included an interviewing day of 1 P.M. to 9 P.M., lifting of the prohibition against asking 2Ls their grades, and a request that employers indicate whether they preferred students to appear at interviews in business dress.

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One Black Accepts Offer, Another Still Considering

By Erich Merrill

While the controversy over minority hiring continues to broil among students at Harvard, sources have identified the black lawyer who has accepted an offer for a tenure-track position on the HLS faculty, and another who is considering a similar offer.

Adebayo Olusegun Ogunlesi, a Nigerian who graduated from HLS in 1979, decided this summer to accept an offer to teach at HLS, according to several sources. The offer was made in late 1979 or early 1980, and was one of several teaching positions Ogunlesi was considering.

An offer was also made this spring to John Payton, an associate with Wilmer, Cutler & Pickering in Washington, D.C. Though Payton, an American black, is presently in Nigeria and could not be reached for comment, his office in Washington confirmed that he had received an offer and was in the process of deciding whether to accept it.

Prof. Alvin Warren, chairman of the faculty Appointments Committee, confirmed that Ogunlesi had accepted Harvard's offer. Warren said his understanding was based on recent conversations with Dean

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Air Systems Give Cause for Alarm

By Tiane Sommer

Fire alarms chased students, staff and faculty out of Langdell and Pound Halls three times in the past two weeks because of malfunctions in air conditioning units. During each incident, university officials investigated alarms and calls first and then contacted fire department officials, who found the fault in the Pound unit to be a mechanical failure that produced smoke. The Langdell unit merely needed a replacement firestat.

At 4:26 P.M. Tuesday the 14th an alarm was triggered in a machine room near what was once Langdell South Middle, an area between the basement and first-floor stacks of the library. Personnel from Buildings & Grounds (B&G), who hold the only key to the trouble zone, were summoned when library staff members were unable to ascertain the cause of the alarm. After B&G finally gained access to the space, they found that an air conditioning unit (known affectionately as "AC One") had triggered the alarm for an unknown reason.

At 8:41 P.M. the same evening the experience was repeated, again with no apparent cause. Finally, the cause of the intermittent complaint was pinpointed. A faulty firestat, a thermostatic (heat sensitive) device, had spontaneously

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Hinckley's Lawyer Defends Verdict

By Lee Christie

When a jury found John Hinckley not guilty by reason of insanity of the March 1981 shooting of President Reagan, our legal system worked justly and well. This was the message which Gregory Craig, one of Hinckley's lawyers, brought to a group of about forty listeners at the Law School Tuesday night. Craig, a young partner in the Washington firm of Williams and Connally, characterized the verdict as one based on overwhelming evidence of Hinckley's enduring mental illness. Conceding that the law of criminal insanity is imperfect, Craig still insisted that nothing about the Hinckley case justifies a heightened public outcry against the insanity defense generally.

Hinckley's case was atypical. Ordinarily a defendant who pleads insanity relies heavily on his own after-the-fact statements to psychiatrists — statements which prosecutors characterize as self-serving half-truths — and on interpretative testimony of expert witnesses. But Hinckley's lawyers were able to outline in their opening and closing remarks an avalanche of hard evidence indicating Hinckley's long-standing mental disturbance.

No Friends

For example, Hinckley had had no friends of either sex at any time during the past five or six years. The prosecution could not find anyone except Hinckley's parents and doctors with whom Hinckley had had a conversation longer than five minutes during the five years before the shooting. The defense presented medical evidence of Hinckley's long history of hypochondriasis — symptoms having no organic source — and of fluctuations in his body weight from 155 to 250 pounds.

The defense also traced Hinckley's frenetic and largely aimless pattern of travel. During the seven months preceding the shooting,

Hinckley made a dozen trips to New Haven, fourteen to New York City, fifteen to his Colorado home, and numerous others. Perhaps the most compelling evidences of Hinckley's twisted outlook were the 1500 pages of his own writings — one poem was about "maggots eating at my brains" — and the stacks of tape recordings investigators found in his family's Colorado home. The jurors heard a fifteen-minute soliloquy which Hinckley had delivered into his tape machine, pouring out his feelings of isolation and his obsession with actress Jodie Foster. Of this "Message to the World," as Hinckley entitled it, Craig remarked, "Samuel Beckett couldn't have done better."

By analyzing Hinckley's books, writings, and personal effects — including guns, handcuffs, and ransom notes stuffed into a Band-Aid box — the lawyers established a clear pattern of fantasies in which Hinckley projected himself into the lives of fictional characters who hijacked planes and kidnapped young women. Hinckley's fatigue jackets and empty bottles of peach brandy were reminiscent of Travis Bickle, the protagonist in "Taxi Driver." Hinckley saw the film sixteen times during one month in 1976, and on several occasions signed himself in as "Travis Bickle" or "John Travis" on hotel registers.

Mistake in Emphasis?

Craig found it curious that the government made such a strong effort in contesting the issue of mental illness. Craig felt that the average juror, without any reliance on expert psychological testing, could easily conclude "that Hinckley was not just weird but psychotic, not just strange but out of touch with reality." Craig felt the government would have done better to emphasize the second half of the insanity test — that the defendant's mental illness rendered

him unable to appreciate right and wrong, or to conform his conduct to the law. Indeed, when asked by a government psychiatrist what he was thinking as he aimed his gun at Reagan, Hinckley said that he was thinking, "Should I?"

Craig's own lawyerly characterization of the verdict was that it was "not wrong — there was substantial evidence to support it." Craig speculated that a jury of Harvard law students, if presented with the evidence heard by Hinckley's jurors, might not be able to reach a verdict at all.

Craig supports drastic revision of the procedures that follow a verdict of not guilty by reason of insanity. When it comes to the criminally insane, Craig thinks there is room in the Constitution for a tough system of release hearings totally distinct from the process followed for persons who have been civilly committed. The crime victim, his family, and the courts should get prior notice of any release proceedings, as well as an opportunity to appear and protest, in order to protect society from the early release of people like John Hinckley.

Craig feels that current proposals for a new "guilty but insane" verdict are good only in that the new term describes the verdict more accurately. But in suggesting that someone like Hinckley should be imprisoned if and when psychiatric treatment restores his sanity, Craig feels that proponents of the new verdict are missing the point. The very idea of punishment is predicated on the individual's responsibility and an insanity verdict is predicated on the absence of that responsibility. Proponents of the new verdict are amiss, Craig said, if they want to inflict punishment on a defendant who committed acts for which a jury found him not responsible.



The RECORD sells indexes to back issues for \$8.00 per year.

ABA/LSD Says HLS's VITA is A-OK

By Charlie Mitchell

The Harvard Volunteer Income Tax Assistance program was given the "Best VITA Program Award" at the American Bar Association/Law Student Division's annual meeting in San Francisco on August 9. Dean James Vorenberg called the award "a marvelous one that brings great credit to the volunteers and to the Law School as a whole."

VITA, an IRS-sponsored program, trained 110 student volunteers to help needy low-income, elderly, handicapped and non-English-speaking taxpayers with basic returns. Harvard's 1981-82 volunteers assisted in completing over 2,000 federal and state returns at seven sites in Cambridge and Boston, according to Bud Gilbert, 3L, who was co-coordinator of last year's

program along with Fred Haber, 3L, and Eric Lindblom, 2L. Another 2,000 people called the program and received forms by mail.

In a letter informing Vorenberg of the award, VITA National Director Gary Braun offered his "high commendation" to the HLS coordinators and volunteers for a program "outstanding" among competition "much stiffer" than in the previous year. Harvard, which has participated in VITA since 1977 but first entered the award competition in 1980-81, received honorable mention in its only earlier try. The 1981-82 award-winning entry consisted of a written report by Gilbert.

Good Publicity

The award is based on several criteria, including number of re-

turns completed, number of community sites served, number of hours open for service, effectiveness of publicity, and creativity of innovations. Gilbert believes that last year's program was especially effective in publicity and in developing "strong rapport" with local organizations, particularly the Cambridge Public Library and the Council on Aging.

Gilbert stressed that the award properly belongs to "all the 110 students, who provided an incredible amount of volunteer effort." Each completed 12 hours of training and at least 12 hours of on-site taxpayer assistance; many did considerably more than that. The program was overseen by the Law School Council and funded by \$750 from the dean's budget.

Enhanced Training Planned

According to Gilbert, last year's efforts managed to "get the program geared up to *start* doing the job it can do. Now we need to enhance it." The coordinators' priority for this year is to provide training beyond the minimum given by the IRS. The need for VITA may well increase, as the administration has threatened to cut back IRS taxpayer services for budgetary reasons.

Vorenberg believes that VITA is "one of the best examples of the dual value of volunteer service organizations": providing essential services to persons who could not get them elsewhere, and providing practical experience to students in a substantive area of law. Gilbert agrees that VITA provides experience not available in law school courses themselves, and adds that the program has helped combat some negative aspects of Harvard's reputation among less fortunate members of the community.

VITA training begins in early February, and organizational meetings will be announced well before that time.

Burglars Strike Again

By Susan Smith

The dormitory doors at HLS have just opened for the fall term, but the first burglar has already struck. Last Friday night, someone broke into a room in Hastings Hall and stole "several miscellaneous valuables."

The victims, who asked not to be identified, explained that they were both out Friday night for a couple of hours and had locked only the doorknob lock, leaving the deadbolt disengaged. When they returned, there was no sign of forced entry; the windows were shut and locked and the room was in order. However, they immediately noticed the missing items and contacted the Harvard Police.

Locks Changed

Although it is not certain how the burglar entered the room, the victims and dormitory officials

speculate that the trespasser either had a key or used a credit card. Both locks were changed the next day.

Rocco Forgione of the Dormitory Office urges all dormitory residents to lock both locks on their doors. "It seems we always put the warning out at the beginning of the year and nobody pays attention until it does happen," he pointed out. "This could happen to anybody. If you leave your room for only five minutes just to go to the kitchen, lock your deadbolt."

Forgione also mentioned that one of the solutions repeatedly suggested to solve the problem was to remove the doorknob lock entirely in order to force students to use the deadbolt. Another suggestion, changing all the locks, was rejected due to the expense involved. The least expensive, most viable method seems to be to continue to warn students to lock the deadbolt.

HLS '85: Adventure, Politics, Romance

By Charles Thensted
and Jack Robinson

More than 250 members of the Class of 1985 have been out of college for at least a year, and most not only found that there is life after college but also that there are limitless ways to live it.

Criminal law will be no mystery to Robert Settje, a native son of tiny Corona, South Dakota, (pop. 140) and for the last three years a member of the Madison, Wisconsin, police force, primarily with its



Peter Lebold Cohen

Fred McConnel, 1L

elite SWAT (Special Weapons and Tactics) assault team.

Although Bob has been attacked and has had his life threatened, he never had to "draw down and pull the trigger," says Bob.

If Bob seems unnecessarily relaxed in class these days, it's not

entirely because his assailants are using words instead of clubs but because while on the force he met and conquered the adversary he fears most. Bob and his partner responded to the call of a distraught housewife who sought to be relieved of an equally distraught bat she found flying around her house. Says Bob, "I am more afraid of bats than anything else, and I thought I wouldn't make it when I hit it with a broom and it dove toward me." Bob did, however, ultimately subdue the suspect.

Bob finally left the force for reasons more fundamental than the fear of flying bats: "There were more and more mornings when my wife Jennifer thought she would receive that phone call all wives of policemen dread. Besides, the psychological stress was beginning to change me into something I did not want to be. It was time for a change — for both of us."

Plebe Year

"I look on this as plebe year," says 1L Fred McConnel, a smiling 47-year-old retired Army Colonel, alluding to his days as a student at West Point.

This is Fred's second sojourn at Harvard, the first coming in the mid-sixties when he earned an M.P.A. In the meantime, he's been Assistant Dean at the Military Academy, served tours in Europe, Asia and Australia, and helped raise three now college-aged children. His wife is also changing careers — from teaching to interior design.

As a U.S. representative at the Four Party Joint Military Com-

mission in 1973, Fred was one of the few Americans to participate in face-to-face negotiations among the four combatants in South Vietnam. Most recently, Fred served at the Pentagon as Secretary to the Joint Chiefs of Staff of the Armed Forces.

Against the backdrop of his varied experiences and after three weeks of law school, Fred finds himself "enormously impressed with the intelligence and quality of view" of Harvard's faculty and students and is just as swamped as any other 1L. "I'm doing three things while I'm here," he declared. "I'm going to class and learning everything I can; I'm going home and studying as hard as I can; and I'm letting my hair grow."

China Hand

Lawrence Bates graduated with Yale's Class of 1980 as a Chinese Studies major. Through the Yale-China Association he secured a position with Wuhan University in Hubei Province. Says Larry, "I wanted to go to China not only to become fluent in Mandarin but also to complement my study of their culture with an actual living experience."

Expecting to teach only spoken English, Larry actually taught history, English grammar and English literature as well. According to Larry, his task was made considerably easier by the intelligence and great enthusiasm of his students (apparently only an estimated 1% of Chinese students are allowed to attend university).

Although Larry was able to resist the lure of Harvard Law School for only two years, he is still drawn to China. He hopes by concentrating on East Asian legal studies and international law he'll be able to mesh his legal career with his abiding interest in Chinese politics, culture and education.

Kate Ashton didn't take any time off between Harvard College and

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Students Fund Record Number of Grants

By Andrea Hartman

Last summer, 23 HLS students working at public interest organizations were funded by their classmates through Student Funded Fellowships (SFF). According to Mary Woolsey, 3L president of the SFF Board of Directors, the student-run organization collected over \$20,000 in contributions during 1982 — an all-time high — and was able to award more fellowships than in any previous year. Most of the money was raised during the spring, when HLS students were asked to donate 1% of their projected summer earnings. Woolsey noted that the success of the drive "shows some commitment by those not taking public interest jobs to public interest law."

All fellowship recipients must find employment with non-profit organizations before applying to SFF. Board member Florrie Darwin, 2L, noted that the program directors try to select a diverse group. "We try to encourage people to work in a wide range of geographical areas," she said. "We try to get a mix of field work with academic jobs." Selected applicants receive approximately \$185 a week from SFF for their summer work.

Eddie Feldman, 2L, who received a fellowship from SFF, spent the summer working at Massachusetts Correctional Legal Services in Boston. According to Feldman, that organization "does prisoner civil rights work representing indigent inmates." The most common type of action handled by the organization is suits against the Commonwealth for brutality to inmates. "The focus was to take cases that would help broader classes of inmates," said Feldman.

Like many HLS summer interns, Feldman spent most of his time

doing research. He was paid much less than many of his peers, but has no regrets about the monetary aspects of his employment. Commented Feldman, "There's no savings [with an SFF internship]. I'm sacrificing the savings for a commitment and opposition to what is being done in a law firm." Regarding the SFF organization, Feldman said, "I think the program is great. It's completely student run and relies on the benevolence of fellow students. I think it's important because it allows people the choice of getting a public interest job."

Impact Litigation

Marilyn McMahon, 2L, another fellowship recipient, spent the summer in San Francisco working for the Lesbian Rights Project. McMahon's interest in lesbian rights stems from her support of feminism. Remarked McMahon, "At first people thought it was weird that a straight woman wanted to work at the Project, but for me it's connected with the feminist concerns I have."

According to McMahon, the Project handles two types of cases: "impact litigation," which involves test cases used to try to establish a legal principle; and direct client services for indigent or poor lesbian women. During the summer, McMahon participated in preparing an "impact litigation" case. The suit involved a lesbian who chose to have a child through artificial insemination, and made private arrangements for the process. A year after the child's birth, the male donor sued for child visitation rights. McMahon noted that the Project took the case in order to try to establish the legal principle that the court should look to the intent of the parties at the time of arti-

ficial insemination in order to determine the rights of the male donor.

McMahon had only praise for both the Lesbian Rights Project and the SFF program. Regarding SFF, she commented, "I think it's great because it made possible what I did during the summer."



Michael Malumat

Eddie Feldman, 2L

The SFF organization will begin preparing for next summer's program within the next few weeks by choosing a new Board of Directors, which will include 1L's. Darwin noted that the Board, in addition to supervising the SFF program, will administer the David Shelton fellowships, which were founded in honor of a deceased member of last year's 1L class. The Shelton fellowships are also awarded to HLS students who work for a public interest group during the summer, but are intended for students with an interest in community-organizing activities.

McKinsey & Company, Inc.
"Careers at McKinsey"

Speaker: Donald Gogel, HLS '76, Partner
October 4, 4-6 p.m., Pound 335

Older Students in Pound Society:

By Brad Hudson

Roscoe Pound did not grow up dreaming of being a lawyer. Before entering the legal profession, he earned a Ph.D in biology and worked as a practicing biologist.

The Roscoe Pound Society is an organization for those students who have "matriculated in the real world" before coming to law school. Like Pound, many members are "career switchers" who have pursued other career or educational goals before coming to HLS. In its second year, the society may be the only law school organization in the country specifically addressing the needs of older law students in an educational and hiring system centered around the young.

Although open to all students, the Roscoe Pound Society is designed for students who have "significant experience since college" according to society President Penny Pittman Merliss, 2L. Most members have been out of college at least two years before coming to HLS and most are over 25 years of age.

According to Merliss, the society was spearheaded by a small group of older students in last year's Section IV. Whether by design or chance, Section IV seemed to have an unusually large number of older students.

"Fifth Wheel"

Originally, the society functioned as a support group for older students. (Vice President for Placement Rick Williamson said that he felt "like an elliptically-shaped fifth wheel" as an older student at HLS.) They soon realized that they shared a number of common problems, a major one being placement.

"A lot of members were having problems with the 1L placement process," explained Merliss. She said that the school had not been straightforward about the general placement process and the special difficulties facing older students.

Because few older students live on campus, not many of them received "tips" from 2Ls and 3Ls advising them to begin their summer-

job search well before the January date recommended by the placement office. "Older students needed a network," said Merliss.

Helen Deiss Irvin, 2L, agreed that 1L placement is tougher for older students. "I think we have to meet higher standards," she said. Irvin, who served last year as the society's vice president, related some of her placement frustrations. Not waiting until January to begin her job search, she mailed out 136 cover letters in October. None of these letters generated an interview.

Tactless Interviewers

While she admits to being significantly older than most law students, Irvin is extremely active, serving as editor in chief of the *Women's Law Journal* and playing on a co-ed intermural basketball team. She described one interview she had with an "obese, red-faced partner in a major Atlanta law firm." During the interview, the partner asked: "Are you sure your health will stand up?" "You don't seem overweight for your age," he then observed. After seeing Irvin's resume, which described her ten-year position as a tenured professor, he went on to comment on a particularly inept associate whom he felt could never make it "except as a professor."

Williamson stated that one objection firms have to hiring older associates is that, actuarially, they won't be around as long as their younger counterparts. However Williamson also points out that firms must give equal consideration to retention rates, which he feels are higher for older students.

"We have much more stability to offer," agreed Irvin. "We know what work is," she explained, and as a result hold no unreal expectations about work in a law firm.

Although most of the placement problems were encountered in the context of interviewing with private firms, Merliss stressed that not all older students are "obsessed with firm work." But firms are where the money is and many older

students, she explained, have families and simply cannot afford to take lower-paying, public interest work.



Lon Povich

Penny Pittman Merliss, 2L

Another major problem society members found they had in common was financing their law school education. Rules that may make sense for students straight out of undergraduate school can wreak havoc on older students' lives.

Assets a Problem

According to Merliss, students are essentially required to liquidate all of their assets before receiving financial aid. A woman, then, would be required to count a family residence owned jointly with her husband as part of her assets.

In fact, Irvin sold her home to finance her law-school education. This year she is required to include a copy of her mother's tax return in her financial aid application.

"I'm not condemning administration policies," stressed Merliss, who feels that the problem stems from the administration's lack of experience with older students. "School financial aid policies need to be a little more accommodating to older students," agreed Williamson.

Currently, the society has about 30 dues-paying members and has another 70 people on its mailing

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Matriculating in the Real World

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list. Dean Vorenberg sponsors the society, whose members come from a variety of backgrounds. Society members include doctors, registered nurses, ministers, military officers, and numerous teachers, professors and Ph.D.'s.

Roscoe Pounders are highly visible around the Law School. Last year, members could have been found serving on the Law School Council, captaining the Jessup finalist team, and out-negotiating competitors in the Williston competition. This year, members can be found working on *Law Review*, leading the Black Law Students Association, serving as editors of law school publications, and teaching Legal Methods.

While the society focusses on the special problems of older students, meetings are not simply encounter groups for airing problems. "Very little griping about school goes on at meetings," observed Merliss. "Most people are happy to be here." Members try instead to explore their problems and seek solutions on a practical level.

Less Anxiety

One problem older students seem less inclined to experience is anxiety over whether the decision to come to HLS was a good one. Williams speculated that the lack of anxiety stems from the larger sacrifice many older students make to come here. "We know things are not the end of the world because we've had so many ends of the world," added Irvin.

Merliss found that being older

made the first year easier in other ways as well. Living away from campus reduced much of the student-generated pressure around exam time. Her Ph.D. in English had given her many of the reading skills important in first-year classes. And because she had lived in the area before coming to HLS, she didn't feel any of the pressure that usually goes along with moving to a new place.

Views of Success

While Williamson agreed with Merliss that being older made the first year easier in some ways, he found it harder in one significant respect: "We have to swallow a certain amount of stuff about what makes success that some of us are no longer willing to buy."

Although the society began as a support group, it is becoming more of an advocate for older students. One important step is a law firm survey taken in conjunction with the placement office. Drafted by society members last spring, the survey solicits employer attitudes toward hiring older students, their preferences regarding a candidate's resume presentation of life and job experience, and a summary of the employer's retention rate for older students.

Last spring the placement office mailed out 200 copies of the survey as a "pilot project." So far, 56 firms have replied. According to Williamson, the results are "almost universally positive . . . from 'warm' up through 'glowing.'"

Citing trends at the Business School and other professional and

graduate schools to place more weight on experience in the admissions process, Williamson speculated that "25 years from now this won't be a problem." "We have some real advantages for law firms," he added. "They just have to catch on."

Other projects planned by the society include inviting firm representatives, judges and public-interest employers to speak to the group. The society also plans to conduct a program of "horizontal and vertical outreach" — establishing similar groups at other law schools and at other levels within the university.

But Merliss, Irvin and Williamson all agreed on an important goal: to reach out to the older students in this year's entering class. According to Merliss, the largest problem last year was that "we didn't know we had a problem." Added Irvin: "If we had known what we know now, it would have been easier." ☛

RECORD Wins Awards for News, Humor

The RECORD received awards in three of the eight categories in the Law Student Division in this year's American Bar Association newspaper contest. Brad Hudson's story of Jan. 22, 1982 on the lawsuit challenging Arkansas's creation science law won first place in the "feature article on substantive law" category. A cartoon by RECORD staffer Mike Medina which appeared in the April 23, 1982 issue received honorable mention in the editorial cartoon category. The RECORD was also selected as the best overall newspaper in the ABA/LSD's First Circuit.

Student-produced newspapers from all over the nation submit articles and entire issues for consideration in the annual contest's eight categories. ☛

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From Harlem to Harvard and Back Again

Muhammad Kenyatta

"Don't push me because I'm close to the edge . . . it's like a jungle sometimes. It makes me wonder how I keep from going under."

— Grand Master Flash

"You're playing us too close, we here in the ghetto."

— Third World

The anguish of millions of Black families and individuals trapped in the downward spiral of dying inner-city ghettos has found its voice in the soul songs and Reggae rhythms of popular Black music. The sounds of anguish and anger pulse out from portable stereophonic music boxes that are as numerous as jobs are scarce for the majority of Black youth. Life is desperate close to the edge where every day is another skirmish in the prolonged war for survival.

The brutal truth is that our people's future is at stake in a high risk political economic crapshoot where the "house man" controls the odds by loading the dice against people of color. There is no way most of us are going to win in this contest called America, unless we insist upon new rules and a guaranteed fair game. Franklin Roosevelt in the distant '30s tried to even the odds with a new deck and a New Deal.

In the '60s and '70s, Affirmative Action became the code words for compensatory measures aimed at insuring a new, fair game for Black people. Simply put Affirmative Action means guaranteeing that "down-pressed" minority citizens get our fair share of employment and educational opportunities historically denied us.

Password for Passage

Affirmative Action, so-called preferential treatment for victims of discrimination, is probably second only to Voting Rights among the great victories of the Negro Freedom and Black Power move-

ments. In business, in government, in college opportunities, in job-training and in professional schools like the prestigious Harvard Law School, Affirmative Action has been the precious password for passage from the ghetto into the middle-class for hundreds of thousands of Afro-Americans.

Of course, Affirmative Action has been directly helpful to only a minority within the minority. Some criticize it as useless to the Black masses, as the trickle-down approach to racial justice. But, from my vantage point as former college instructor and as a student at the Harvard Law School mentioned above, I see Affirmative Action as our best current hope for building a stable Black middle-class.

And we need that middle-class financial base and those middle-class skills to transform the ghetto jungle where the underclass millions struggle to make it hand to mouth. Affirmative Action is our hedge against the edge. Caught between Reaganomics and racism, we need a growing, socially conscious middle-class to pitch in and pick up in the ghettos which the government has given up on.

But White America has turned sour on Affirmative Action. From

once liberal journals like the New York Times to mealy-mouthed moderates of the political center to ultra-Right-wingers in the Moral Majority, we hear the cry that Affirmative Action is Reverse Racism. Reeling from economic recession and rocking from double-digit inflation, White America wants to return to the old game where even the best Black players almost always lost and any red-neck know-nothing could win.

War on Poverty Surrendered

The New Deal became the fast shuffle. America surrendered the War on Poverty. Instead of the game becoming fair, Black people are becoming fair game. Again. And if we do not take action to save Affirmative Action, we may be cut out of the deck. Entirely. Forever.

Here at Harvard Law School, Black students have mounted a sustained objection to this school's efforts to evade Affirmative Action in the hiring of professors. The White media and some misguided Black journalists have painted the fight for Affirmative Action at Harvard as an exercise in Reverse

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1Ls Dropped From Jessup Competition

The Board of Student Advisors reminded students yesterday that, beginning this year, HLS 1Ls will no longer be allowed to compete in the annual Phillip C. Jessup International Law Moot Court Competition.

According to David Lakhdhir, 3L, a BSA member and Jessup chairman, HLS 2- and 3Ls, formerly unable to compete, will now be able to participate in Jessup. In the past, 1Ls were able to substitute the Jessup Moot Court, which takes place in the fall, for the spring Ames Moot Court.

Assistant Dean for International Legal Studies David Smith explained that pressure for the change began about two or three years ago. Some faculty members expressed concern that the Jessup competition interfered with the Legal Methods program and placed too much pressure on the first-year students who participated.

Initially, Smith resisted the proposed change because he felt Jessup provided the sole opportunity for 1Ls to work with international legal issues. But a number of factors combined to change his mind last spring, when representatives from BSA and the International Law Society approached Smith with the proposal.

First, Smith and Prof. David Kennedy have arranged for a se-

ries of speakers on international comparative law. Second, Kennedy will teach a 1L elective on international law this spring. Third, the BSA will offer Ames alternatives this spring dealing with international law.

As far as can be determined, Harvard was the only law school in the country that used first-year students in the Jessup competition.
B.H.

Guest Opinion

From Harlem to Harvard

(Continued from Previous Page)

Racism. The Law School Dean labels it anti-white prejudice. That is patent nonsense.

The details of the Harvard controversy have been distorted, discussed and debated in this and other journals. This is not the time or place to rehash old arguments. The simple fact is that students have chosen to make an issue of Harvard's lily-white Law faculty: only two blacks out of seventy professors. Students are demanding that more Black and minority professors be hired.

Putatively Premiere

Because Harvard is America's putatively premiere educational and intellectual center, this student struggle has struck a national nerve. Whether the Affirmative Action maintains its potency as a legal concept will largely depend upon the success or failure of Harvard's much maligned Black Law Student Association. And you had better believe that what happens at Harvard will influence economic

and educational policy-makers all over America.

Thus a minor student protest has become a big gamble to save and strengthen Affirmative Action that indirectly affects millions of Black people. The students are learning their lessons from past movements, while mindful of the future's ever-changing challenges.

They are playing hard. They are playing to win. There is no room for surrender at the edge. Too many have already gone under. These students deserve all of our support. And our very best wishes for good, good luck.

Muhammad Kenyatta, president of the Harvard Black Law Students Association, submitted this article to help readers "to see the HLS fuss against the backdrop of the 'real world' outside and around us." The article was originally published in the National Leader, a black-owned national weekly newspaper which enjoys a wide circulation among black Americans.

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Reform That Hurts

It is apparent that the faculty's well-intended changes in placement policy, approved last spring and implemented this fall, were poorly conceived and will work to exacerbate, not alleviate, the problems associated with interviews and flyouts.

Alarmed by students' manifest lack of interest in their courses, and anxious to initiate a move toward spring interviewing, the faculty decided last spring to take drastic action to curtail the disruptive intrusion of the placement process into academic life at HLS. Unfortunately they failed to find out first how those changes would affect the students. As a result, they approved a scheme that will make it harder for some HLS students to get jobs and will probably shift the main disruption of classes from late October and November to late November, most of December, and much of January.

The whole plan presupposes that students will, when faced with an offer made in late November, postpone a flyout until the winter break. But in practice, many will fly out at the most critical point of the term, the final weeks. By the time offers are made under the new schedule, airline reservations for the holiday season will be difficult to make, and besides, many firms will empty out for the period during which the flyouts are supposed to occur. The potential for chaos is formidable.

When students at the University of Chicago Law School were assembled last spring and told the details of "the Harvard plan," most of them began to laugh. They were, a friend told us, delighted at the competitive edge they would now have over Harvard students. Employers would now see them first, fly them out first, and — most important — decide whether to make them offers before having seen many of their Harvard competitors.

The most unjust aspect of our placement system, meanwhile, continues unchanged. The charade of telling 1Ls that they don't need to worry about jobs until January, that they should not or cannot talk with employers who visit here in the fall — this is the most misguided of the Law School's placement policies. One-Ls who live in the dorms usually manage to find out from their elders that if they want jobs, they have to go after them in the fall. But those who reside off-campus and rely on the placement office's guidelines may find themselves in April scrambling for a summer job.



HARVARD LAW RECORD

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Fenno

Fenno was ecstatic. Today was the last day to drop/add and though he'd pre-registered for 12 hours, he'd been bumped out of every class. Most people pre-registered in hopes of getting courses. Not Fenno.

A surprise awaited him when he dropped by the registrar's office. The registrar had found an open course Fenno couldn't avoid taking. Fenno had no choice but to register. That didn't bother him. He marched confidently to Emotional Reactions, certain that fate would rescue him from the course.

When Prof. Cityperson trudged into the room, Fenno's hopes rose. He wouldn't last a day in Cityperson's class. Every encounter he had with Cityperson turned into a skirmish — usually of the sort that forced Fenno to beat a hasty retreat.

Sheets of paper from 150 notebooks rustled, then fell silent. Fenno turned on his tape recorder. What miracle could foil the registrar?

Three sentences into the lecture, the sound of the Go-Go's filled the room. Fenno looked unbelievably at his recorder — he had pushed "Play" instead of "Record."

"Fenno! Is that you?" Cityperson was not pleased. "Take this dime and go to the registrar's office. Don't even call her. Just tell her you've been removed from my course."

As the door closed on the droning lecture, Fenno rejoiced. Fate had smiled on him again. He felt only a twinge of remorse when he realized that to skip class he had to be enrolled in the first place.

"I guess I won't be taking any courses this semester," Fenno explained to the registrar, feigning disappointment.

"Not so fast, Fenno," the registrar grinned. "I've found another course that isn't over-subscribed. It's called Food and Feelings, courtesy of University Health Services."

Fenno had no intention of going, but his curiosity overwhelmed him. What would he find? A roomful of blindfolded students groping their way through spaghetti and tuna surprise, trying to tell the difference? He opened the door and walked in.

"Hello, Fenno," said his old friend Dr. Punter. "You don't look overweight."

Fenno glanced around the empty room as he answered, "No . . ."

"You don't look underweight either. Do you have any eating habits you want to change?"

"Not really." Fenno got the picture.

"Well, we'll expand the course's scope since you seem interested. What troubles you about your life, in any area?"

"Nothing."

"Fenno, are you really a law student? If there's nothing you want to change, you really don't belong in here."

"That's what I wanted to hear." Fenno turned and walked out. He glanced at his watch, then smiled. The drop/add period had just ended.



Letters Policy

The RECORD's policy on letters is simple. We read all of them. We print most of them, subject only to editorial discretion. We encourage letters on any subject, and particularly concerning subjects which have been covered in the RECORD.

Letters should be typed and must be received by 5:00 P.M. on the Tuesday before the issue. We prefer letters of no more than 700 words. Letters should be addressed to the RECORD rather than to third parties. In no event will the RECORD publish letters by writers who have not identified themselves to the RECORD.

Story Ideas?

Many of the stories in the RECORD spring from ideas suggested by readers. If you think of an event or subject which should be covered, give us a call at 495-4418 or leave a note in Dave Horn's 3L mailbox.

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Letters to the Editor

To the Editor:

In the most recent issue of the RECORD it was accurately reported that La Alianza had not joined the other organizations which comprise the Third World Coalition in endorsing the student boycott of the Racial Discrimination course to be offered during the 1983 winter term. I would like to take this opportunity to inform the RECORD of a change in that position.

At a general membership meeting on September 21, La Alianza members voted to endorse the boycott despite reservations on the part of several members. None of these reservations concerned the motivations which initially prompted the boycott. Together with Muhammad Kenyatta, BLSA, and the Third World Coalition, we feel that Harvard Law School has an inexcusable shortage of women and minority faculty members. The administration has given us no reason to be optimistic that anything will change without strong and unified action on the part of minority and white students.

Many of us in La Alianza regret that we will be unable to take this course but, in that respect, we are no different from the membership of BLSA, ALSA, or AILSA. I think it can safely be said that virtually all of the students participating in the boycott regret that they must give up an opportunity to take a course which we feel it is the responsibility of this school to offer. It is unfortunate that this school's refusal to hire minority faculty, for whatever reason, has left us little choice.

We feel our suggestions, including the Third World Coalition's affirmative action proposals, have been justified and reasonable. We are tired of being ignored. We now join in the boycott of this course, as offered in its present form, and we want to inform the administration that we will join with all concerned students to take further action if no effective change is forthcoming.

Joseph Garcia, 3L
President, La Alianza



Great Moments in the Law

No Comment Dept.

A professor at Harvard University has filed a \$2-million lawsuit against the head of the University of California at San Diego, accusing him of impregnating her in 1977, persuading her to have an abortion and then reneging on a promise to impregnate her again.

Lee Perry, an assistant professor of psychology at Harvard, is seeking \$2 million in damages from Richard Atkinson, 53, chancellor of the University of California at San Diego. Her suit charges Atkinson with "fraud and deceit . . ."

When Perry became pregnant, the suit charges, Atkinson, who has been married 30 years, insisted that the "timing of the pregnancy was destructive."

He persuaded Perry to have an abortion, the suit says, by promising her that they would conceive a child together again the following year. The following March, however, Atkinson told Perry he had no intention of conceiving another child with her, according to the suit.

— Boston Globe, Sept. 14, 1982, p. 1

People Who Sue People

Wilmington Trust Co. v. Wilmington Trust Co.,

26 Del. Ch. 397, 24 A.2d 309 (1942).

Belcher v. Belcher,

271 So.2d 7 (Fla. 1972).

Hooker v. Hooker,

215 Va. 415, 211 S.E.2d 34 (1975).

Beaver v. Beaver,

117 N.Y. 421, 22 N.E. 940 (1889).

Cousin v. Cousin,

192 F.2d 377 (8th Cir. 1951).

U.S. v. 121.20 Acres of Land, More or Less,
333 F. Supp 21 (E.D. N.C. 1971).

Coffin v. Left Hand Ditch Co.,

6 Colo. 443 (1882).

In Re Worms,

252 Cal. App. 2d 130, 60 Cal. Rptr. 88 (1967).

Reader's contributions to
"Great Moments" are welcomed.



Speak your mind

write a letter to the editor of the RECORD

Placement: Recruiters Apprehensive

(Continued from Page 1)

A subsequent letter sent by Dean Vorenberg to approximately 1,000 employers discussed the idea of shifting the whole interviewing process to spring starting with the 1983-84 academic year. According to June Thompson, director of placement, there is now almost no possibility of such a shift occurring so soon. Though some other schools have expressed an interest in the possibility, and even encouraged Harvard to make the shift alone as an experiment, none are willing to try it themselves at this point.

125 Firms Respond

The dean's letter solicited employer reactions to a shift to spring interviewing and some 125 firms responded. But according to Thompson, the reactions varied wildly. The only consistent theme running through the 3-inch thick stack of answers was the plea that Harvard not make the shift to spring interviewing alone.

The original memorandum expressed the "hope that these changes are temporary and will be changed next year." Since the originally intended changes now seem impossible, the changes to be implemented this year have become an open-ended experiment that may become permanent in sum or in part, depending on how they work out. "It's strictly an experiment this year," said Thompson, hopeful that it will all work out well but repeatedly emphasizing the unpredictability of the effects of the changes. "We have absolutely no way of knowing what's going to happen," she said.

Employers Critical, Apprehensive

Recruiting coordinators and hiring committee lawyers at firms of different sizes throughout the country were generally sympathetic to the aims of the changes but critical of the changes actually made or apprehensive about their effect on their firms. The initial

response of the hiring partner of a medium-sized Northwest firm to a request for an interview was, "So you're trying to find out how Harvard screwed everybody."

Free Market Control

But not everyone was sympathetic to the need for changes. One recruiting coordinator noted that "other law schools seem to manage all right — What's wrong with Harvard?" Several attorneys thought it should be left to the students themselves to regulate the degree to which interviewing interferes with classes. Said one: "Free market forces ought to control. If classes were good enough people could always schedule interviews around them." But even this free market advocate conceded that the interviewing process may have "gotten out of hand" — a phrase echoed by many — and was positive about trying the new program.

Harvard's interviewing season is now later than that of almost any other school. This was seen as an inconvenience by many firms. It prevented firms from doing their interviewing at Harvard on the same trip as they interview at other schools in the Northeast, naturally a greater problem for firms farther from Cambridge. This added expense and inconvenience has resulted in a few firms cancelling their Cambridge interviews, said Thompson.

Coordination is Difficult

She pointed out that it would be very difficult to coordinate interview dates with other schools. Yale, the school with which it is most often suggested that Harvard coordinate interviewing, "has gone off the deep end this year," she said. Yale is having a job fair the week of Oct. 17, during which there will be no classes.

The law schools in Boston let employers request interview dates, and if Harvard did that "everyone would come the first two days." Harvard will continue the practice

initiated last year of allowing students from other Boston law schools to interview at Harvard if there are interview times left after all the interested Harvard students are taken care of and if the interviewing employer assents.

The later interviewing season was seen by many firms as a disadvantage to Harvard students. "We're not going to wait around till October or November to invite students back to start the process," said a partner in a small midwestern firm. The representative of a large West Coast firm pointed out that as the season progressed and they had more and more offers outstanding, their hiring standards went up until it became a question of "Is this a person we just can't pass up?"

While conceding that the problem would not become really severe unless Harvard's season became even later than it is (e.g., spring), another lawyer pointed out that the difference in schedules has the effect of requiring firms to decide in advance how many positions to hold open for Harvard students. But this would disadvantage Harvard students at many firms since, "if we knew we were going to get some Harvard students, we'd hold some spots open, but we don't."

Bottom Quarter Hurt?

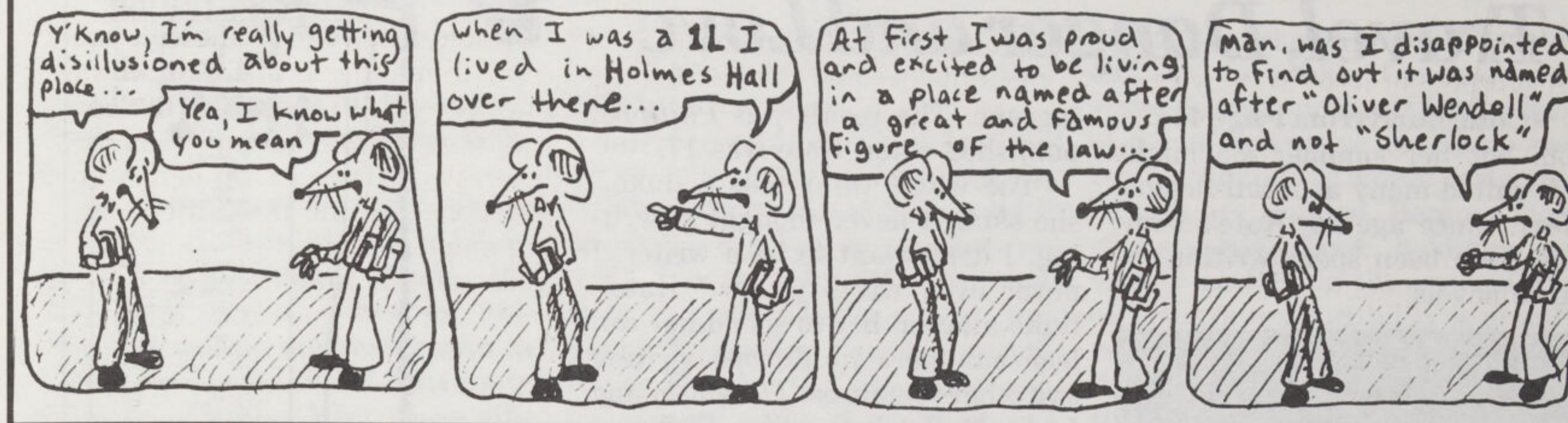
Thompson admits to some concern that the bottom quarter of the class might be hurt by the new schedule, but she pointed out that the end of the interviewing season is not the end of employment opportunities. Last year, students without jobs lined up were requested to register with the placement office, and at the end of the year only two 2Ls and 12 3Ls were still registered.

The shorter interview season will be busy. As of Tuesday, some 884 employers have Cambridge interviews scheduled, down somewhat from the more than 900 scheduled at this point last year. As many as

(Continued on Next Page)

Rat Race

R.U. Forreel



Some Foresee Problems With Flyouts

(Continued from Previous Page)

48 firms will be conducting interviews on some days. Some smaller firms are worried that they will be neglected in the turmoil. "If students can't make it to as many interviews, the smaller firms will get cut out first," said the hiring partner of one small firm. He also observed that HLS would continue to make concessions to small firms: firms of 35 or fewer lawyers are excepted from the rule governing the date until which offers must be kept open. Thompson shares the concern, noting the additional factor of less flexibility in the personnel requirements of small- and medium-size firms.

Winter Break Flyouts

The memorandum sent out by the placement office encouraged firms to use the Winter break (December 23 through January 4) for flyouts and stated that "there will be no flyouts after January 4." According to some of the firms talked to, the language used in such encouragement has been strong, but timing of flyouts is not included as either a rule or a request on the interview questionnaire sent out to employers this year. Thompson says that HLS is aware that not all flyouts can be fit into winter break. She admits that it would be practically impossible to enforce a ban on flyouts after January 4, but

hopes that students will avoid taking flyouts during winter term.

Some hiring attorneys thought winter break flyouts would cause serious scheduling problems for many attorneys are on vacation during that period and the ones who are at the office are extraordinarily busy. Some firms voiced no objections, however.

A more common reaction was pity for the students. "You're the ones who'll be flying around in the snow and sleet," said one recruiting coordinator. The bad weather and the difficulty of getting reservations were mentioned repeatedly, as was the disruption of vacations. "Someone from, say, New Mexico, who wants to work in California is going to be doing a lot of traveling."

No Cocktail Parties

Employers reacted to the prospect of a 1 P.M. to 9 P.M. interviewing day mostly with indifference or stoicism. "Face it, it's not going to be fun," said one hiring partner, pointing out that interviews often run an hour and more late by the end of the day. The recruiting coordinator of a large New York firm noted that the new schedule would eliminate evening cocktail parties and other informal contacts with students.

According to Thompson, many employers did not respond to the

question on the directory forms asking whether the employer preferred that students wear business dress. She reported that several had said that students were adults capable of making their own decisions on such matters, "which I interpret to mean [the students] better be dressed up."

As students, faculty and employers wait to see what differences the changes in the placement procedures will make, Thompson observes that "No matter what happens, one good thing to come out of this is that it got people thinking" about the time and money expended in the placement of law students.

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New Class Savors Action, Travel, Danger and Love

(Continued from Page 4)

HLS, but her summer job might have suited many as a full-fledged career. Since age 16, Kate's summers have been spent writing romance novels.



Peter Lebold Cohen

Lawrence Bates, 1L

She first got involved as a summer manuscript reader for the publishing company of Warren Brooks. "They were looking for romances set during the Regency period in England. The publisher thought they were the coming thing," Kate said. Because few were submitted that summer, Kate's supervisor suggested she try her hand at writ-

ing one. The result was *Philippa*, published when Kate was 17.

"The whole thing was a fluke," she said. "I never thought of writing. I don't want to be a writer. I never even wrote poetry." Kate's fluke allowed her to spend her college summers in Europe writing two other romances, *Theodosia* and *Lady Molly*, both, like *Philippa*, published under the pseudonym, Katherine Talbot. "The public was tired of 'rape historicals,'" Kate offered. "In my books nothing beyond a kiss ever happens, and I don't really describe that."

Writing is not Kate's first love: she's more fascinated by law and languages, but she may write more books if the demands of law practice and the vagaries of publishing permit it. Her next may be a spy thriller set in Eastern Europe. "On the other hand," she says, "I may try to sell another Regency, set this time in Paris during the Revolution of 1830."

Right now, however, she can't see giving up law for the writer's life, which Kate found not to be all that she'd imagined. As she described it with a sigh, "It's like writing a term paper, only *much* worse."

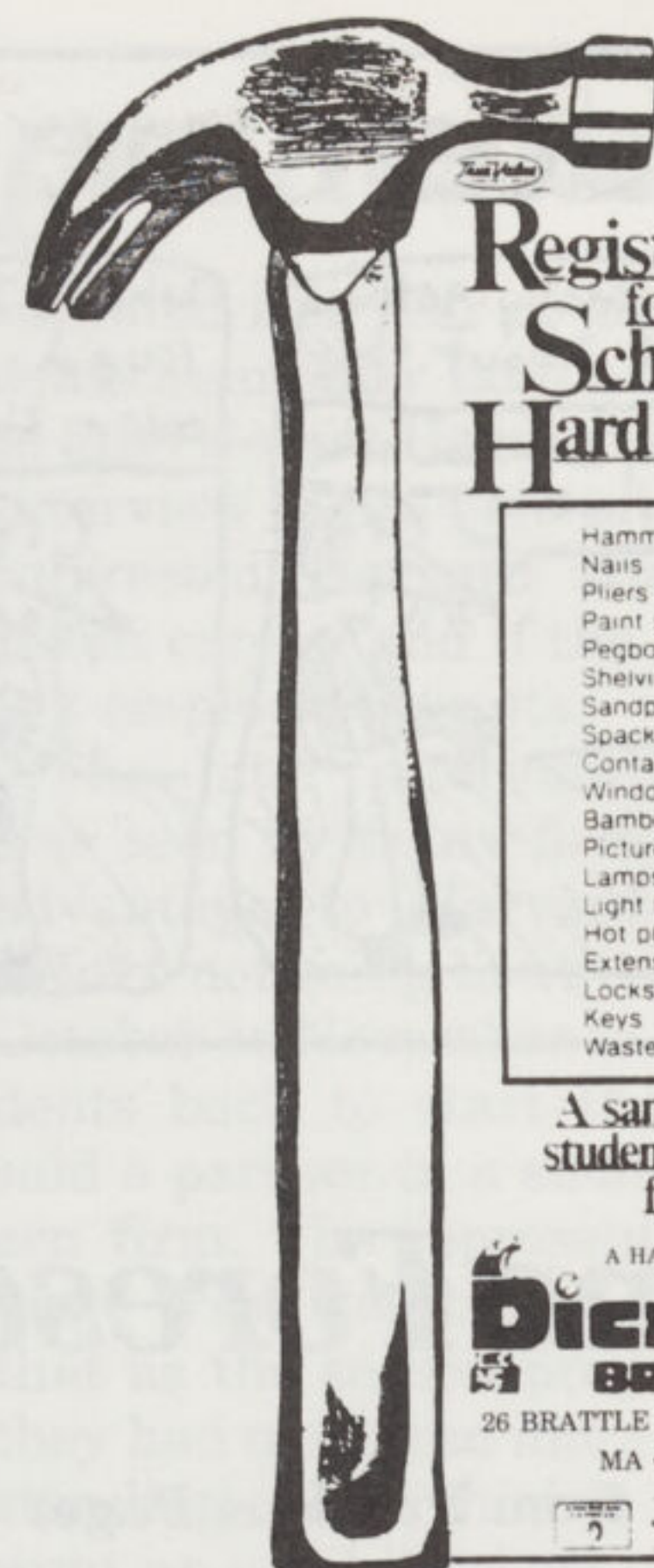


DSAC Spots Still Vacant

No one has yet volunteered to run for the five newly-created off-campus representative position on the Dormitory and Student Affairs Council, according to Kent Markus, 2L, DSAC president. Markus made the announcement Monday evening at the first DSAC meeting of the year. The positions were created to give students living off-campus a voice in planning social activities in and around the law school.

Miller will be served in the Harkness Pub, replacing Budweiser, according to Mike Sundel,

2L, DSAC vice-president. Other matters included setting the date of the first law school dance for October 2 and announcing that the dormitory floor funds had been increased to \$5.00 per person per semester. Markus also announced that efforts to improve the Hemenway Weight Room and to acquire copy and bank card machines for Harkness were in the offing. The Council voted to consider on a case-by-case basis funding law school parties.

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"AC One" Alarms the Studios

(Continued from Page 1)

been triggering the alarm and resetting itself; it has since been replaced.

An air conditioning unit was the culprit in a more serious incident in the Pound building Monday the 20th at 6:44 P.M., when an unidentified person smelled smoke in the hallway and called university security officials. After those officials investigated and found smoke in the hallway, they pulled an alarm which summoned the Cambridge fire department. By 7:15 P.M., according to Dave Horn, 3L, students were told to remain outside while fire department officials searched the building. According to Horn, smoke was visible, even when the building lights were turned off. The source of the trouble was finally traced to a malfunctioning air conditioning unit in the basement. During the investigations at Pound, as well as those at Langdell the week before, some people continued to enter the building although those who asked were told to remain outside.

More Snafus?

Perhaps the most important outcome of the incidents in Langdell was that library officials discovered that some students in the Root Room were unable to hear the alarm, despite the fact that last summer all the Langdell alarms were hooked up together, including those in the mechanical equipment rooms that house the air conditioning units, according to Harry S. Martin, director of the library. This was intended to avoid the problem experienced on at least one occasion a year ago when smoke from an air conditioner electrical fire did not sound the alarm in the public areas of the library. Apparently, although the fire alarms now ring on a common system in Langdell, when the door to the stacks is closed it is still possible to sit in the Root Room or in the 4th floor reading room and not hear the alarm at all. The law school "must

order new alarms," Martin said, but "there is no way to know how long that will take."

Another snafu occurred Tuesday night when B&G's testing of the backup power alarm in Langdell created a mix-up in communications. The test occurred about the time the second fire alarm was sounded Tuesday evening, according to Martin. The fire alarm signal showed up on the law school's central emergency switchboard. When the B&G office was notified, it apparently took some time before they recognized that the fire alarm was recognized for what it was rather than the backup power alarm test.

According to Peter Clancy, Superintendent of the University Technical Services office, there is now some question as to whether the air conditioning units and their firestats were properly installed. Installation may not have been performed according to HLS specifications.

Incidents have also focussed attention on the emergency preparedness of B&G and other HLS personnel during the evenings and on weekends. Although student use of the library, for instance, is heavy during many of those hours, B&G is without a "prepared response mapped out," according to Harry Martin, and operates with reduced staff. The library is also not lightly staffed at those times, he added. Martin cited one weekend last winter when flooding occurred in the Langdell library; it was difficult to get a response from B&G, and the first response was by a plumbing crew. Since the cause of the flooding was snowmelt from the roof, there was little the plumbers could do.

Not So Bad

HLS students may be reassured by the fact that Langdell, being an older building without modern ventilation systems or plastic walls, is less likely to burn. According to Martin, in the event of a fire the major problem, aside from smoke

injuries to people, would be water damage to books. Concern over water damage accounts for the lack of a comprehensive sprinkler system in the library where protective nozzles are isolated. Because most of Langdell's book holdings are tightly packed on the shelves, the collection's combustibility is greatly reduced. Consequently, a building fire would probably do no more than singe most of the affected volumes. Fire would totally consume only some bookcases and isolated books. Rare book areas are additionally protected by chemical fire retardants.

In support of his remarks Martin referred to a fire ten years ago at Temple Law School during which books were only singed but heavily water damaged. They were sent to a military installation and freeze-dried in a procedure that is now widely used to save and preserve books. The technique removes excess moisture, and de-acidifies the paper thereby extending the books' life.

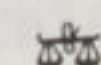


Sports Quiz

Note: Today's sports quiz contains five memorable sports quotations and asks you to identify the speaker.

1. One of the greatest football coaches of all time, this man is reputed to have said, "Winning isn't everything, it's the only thing." Name this football legend.
2. In an emotional halftime speech, this famous college football coach pleaded with his team to "Win one for the Gipper." Name this former coach.
3. This former major league manager explained his philosophy when he stated, "Nice guys finish last." Name this colorful sports figure.
4. "You observe a lot by watching," said a former Yankee manager as he explained why he was qualified for that position. Name this man.
5. This former manager was well known for many of his comments. Referring to a friend, this man noted simply, "He's dead at the present time." Name the baseball legend who uttered this statement.

(Answers on Page 16)



Three Offers Made, One Accepted

(Continued from Page 1)

Vorenberg.

Dean Vorenberg confirmed that one of the two black attorneys who have received offers has agreed to teach at Harvard next year. "He has accepted the offer. I hope and expect that he will be here in the fall." When asked to confirm that Ogunlesi was the attorney to whom he was referring, Vorenberg replied, "I really don't want to comment on that." He said that the formal announcement of the acceptance will be made during the winter term after the governing boards of the university act on the acceptance.

When asked to confirm or deny the reports that he has received and accepted an offer, Ogunlesi, reached in New York, declined to comment. Keem Belo-Osagie, assistant to the President of Nigeria and an acquaintance of Ogunlesi, said in a telephone conversation with the RECORD on Tuesday that he understood that Ogunlesi had accepted the offer.

Jim Hackney, a legal advisor to the State Department in Washington, indicated that conversations he had with Ogunlesi in June led him to think that Ogunlesi might join the faculty this fall. Hackney

said that Ogunlesi never told him that he would accept the offer, but their conversation led Hackney to conclude that Ogunlesi was "leaning toward acceptance."

Hackney knew more about Payton's plans. "I'm close friends with John Payton. I talk to him about once a week." Hackney said the Harvard offer was one of several Payton had received from "top ten" law schools, and that Payton was considering all of them "maybe with the intention of teaching in September of 1983."

Prof. Christopher Edley, a member of the subcommittee for minority recruiting, felt that Payton was not near a decision, but "my sense is that if he decides to teach he will come here."

Ogunlesi received a B.A. from Oxford University before coming to HLS in 1975. He was a *Law Review* editor, and graduated magna cum laude in 1979. He received an M.B.A. from Harvard that same year. Ogunlesi clerked for Judge Skelley Wright and then for Justice Thurgood Marshall before going to work at Cravath, Swain & Moore in New York City. He currently is on leave from Cravath and is acting as a consultant for the First Boston Corporation in

New York.

Payton was born in Oakland, California. He received his B.A. in 1973 from Pomona College, and graduated cum laude from Harvard in 1977. While in law school he worked on the *Civil Rights Law Review*.

A third black who was given an offer at about the same time Ogunlesi received his is now teaching at Yale. Prof. Steven Carter said in a telephone interview that while he was clerking for Judge Robinson in 1979 or early 1980, he received a call from Prof. Larry Tribe indicating the faculty's interest in him. The faculty then made Carter an offer in April or May of 1980. At that point, the offer was to remain open until Carter finished his clerkship with Justice Marshall.

Carter said that Harvard contacted him again during his clerkship with Marshall in 1980 or 1981, and told him the offer would be left open. After his clerkship ended, Carter practiced law in Washington until March of 1982, when he decided to accept a position at Yale.

Carter said he knew of a black attorney currently clerking for a judge in Washington who he understands will be interviewing at Harvard this fall for a position on the faculty.

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