

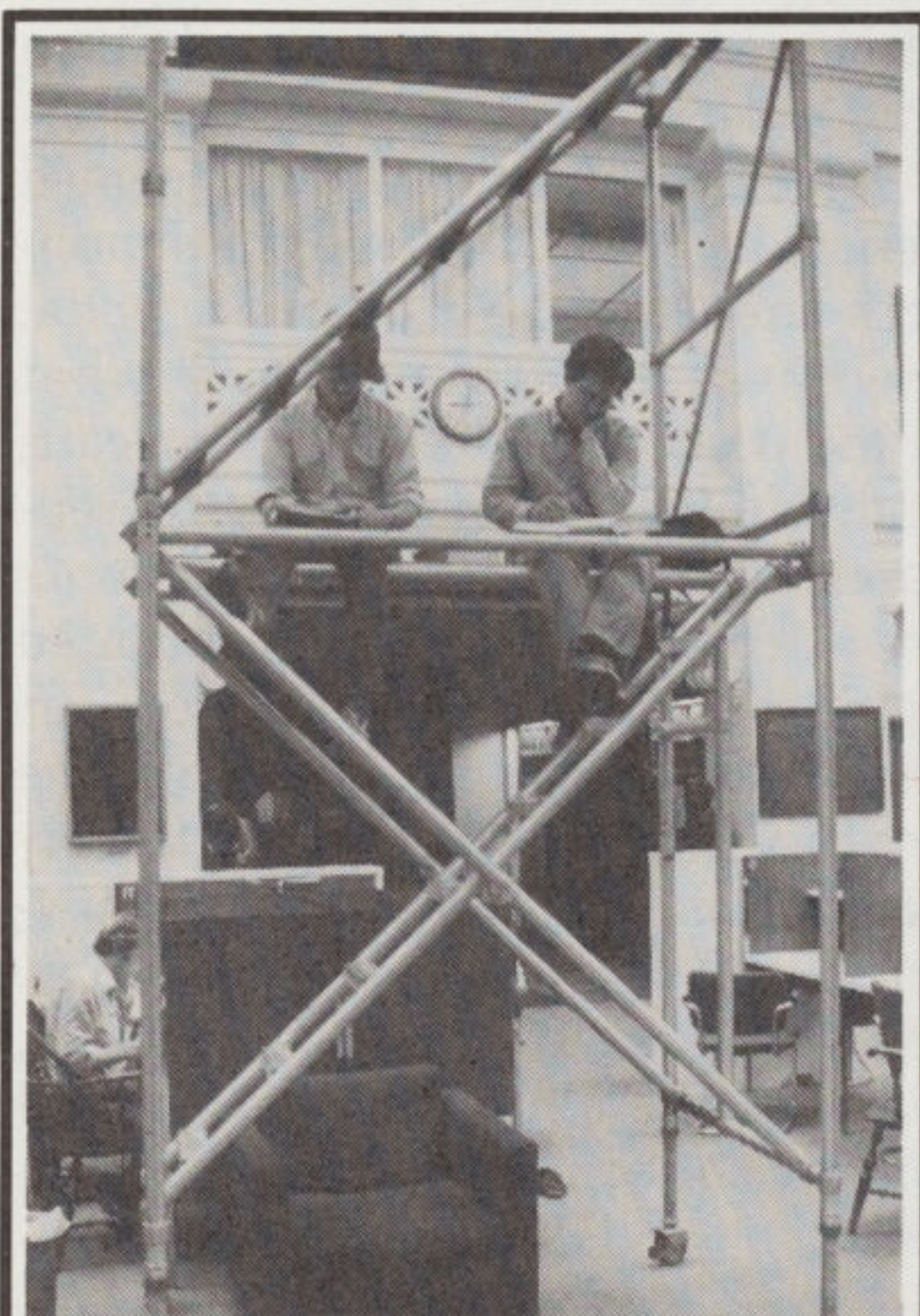
HARVARD LAW RECORD

America's Oldest Law School Newspaper

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25 CENTS



Erich Merrill

A notch above? Jonathan Berkeley and Scott Barshay, 1Ls, get a head start up the corporate ladder.

1Ls Ignore Placement Rules in Search for Summer Jobs

By Louis J. Hoffman

Last year's 1Ls spent a lot of time and effort finding summer jobs and often disregarded Placement Office policies, a Placement Office survey reveals.

The survey was taken last spring, but response was voluntary, according to N. June Thompson, director of placement. Hence the number of responses (161) was down significantly from the previous year (509) when the school required a completed form handed in at pre-registration. However, a comparison of the results of the two surveys reveals little difference, so the 1982

results are likely to be representative.

The survey indicates that the average student begins looking for a job sometime in November (73 students out of 158). He or she is most likely to use Placement Office materials such as the 1L directory (121 of 161). The student is most likely to write to an employer and arrange an interview at the employer's office (89 of 155).

Students contact an average of 32.3 employers and interview with five or six (the totals were different when classified by time and by

(Continued on Page 14)

Grade Change Puts Student on Law Review

By Michael Medina

An HLS student was given an erroneous grade in his Corporations class last spring, preventing him from being admitted to the membership of the *Harvard Law Review*. Stephen Presser, 2L, joined the *Review* in mid-September after Prof. Robert Clark corrected the grade.

According to Clark, Presser's handwriting was particularly bad, so he set Presser's exam aside after reading only a few segments of it. Clark said that he jotted down a "B" as his initial impression of the quality of the exam, with the intention of going back and exam-

ining it in its entirety. He forgot, however, to go back to the exam and the "B" was recorded as Presser's final grade in the course.

Presser said that his handwriting is very poor and confirmed other details of the story obtained by the *RECORD*, but declined to comment on the incident.

Tie Questioned

When Presser received his grades this summer, he thought that his mark in Corporations was low, but at first did not intend to inquire into it. He then discovered that a friend having the same grades was invited to join the *Review* while he was not. Since Presser was in Cambridge working as a research assistant for Prof. Gerald Frug, he went to Associate Dean Lance Leibman to inquire as to how, when two students have the same grades, one could make *Law Review* and the other not.

Leibman explained to Presser that he must have been in a tie, and been eliminated through the *Review* tie-breaking procedure. The *Review* automatically admits four individuals with the highest grades from each 1L section. In the case of a tie for the fourth spot, the grades are examined to attempt to break the tie. If the tie is unbreakable, both individuals are admitted.

When Presser expressed his doubts about the grade he had received in Corporations, Leibman

(Continued on Page 8)

New Coalition May File Hiring Complaint

By Erich Merrill

A newly formed student group revealed plans this week to ask the federal government to sue Harvard Law School for illegal discrimination in hiring of faculty. The Affirmative Action Coalition, meeting Monday for the first time, also discussed plans to offer a student-run alternative to the boycotted Racial Discrimination and Civil Rights course and to sponsor discussions of racial and sexual discrimination.

The AAC's statement of purpose describes the group as "a multi-racial group of Harvard Law School women and men concerned about the dismal record in the hiring of women and minority faculty." Don Tyler, 2L, an organizer of the group, said in Monday's meeting that the group is not a coalition of organizations interested in minority issues, but is a multi-racial group of students who are interested in furthering the purposes of affirmative action.

Smoothing Things Out

Burlette Carter, 1L, another organizer, explained at the meeting that a purpose of the organization is to develop "alternative tools of affirmative action" in addition to the Racial Discrimination course boycott. "Our whole purpose is to smooth things out, to open lines of communication between those involved [in the boycott] and those not involved."

Students of several races and both sexes attended the meeting. Joe Garcia, 3L, commented on the diversity of the group. "I'm pleased to see the large number of people who aren't minorities but who support affirmative action."

Tyler told the charter members of the coalition that the organizers hoped the group would file a complaint with the federal Office of Contract Compliance requesting that the office investigate Harvard's hiring practices. If those practices were found to be discriminatory, the office could bring suit

against the Law School to require that some change in policy be made.

Tyler saw benefits from filing a complaint even if no suit results. "We hope this will motivate the Law School to implement some sort of long-term plan to increase the number of minorities and women on the faculty," he said.

Bob Shapiro, 2L, a founder of the group, corrected a student who asked about "the suit." Shapiro broke in, "We are not bringing a suit; we're filing a complaint. Those words are critical." Shapiro then mentioned that the group hoped to get some Law School funding to support its activities.

Looking for Funding

Muhammad Kenyatta, 2L, president of the Harvard Black Law Students Association, felt the complaint should be the focus of the group's efforts. "The complaint is the vehicle through which we can best express coalition concerns, and I think that's the thing we should concentrate on."

Two other projects were discussed in the meeting. Shapiro told the group that the Third World Coalition had recently put together a syllabus for a 14-week, student-run alternative to the Racial Discrimination course. He explained that course organizers plan to ask legal scholars from around the country to lecture. Shapiro asked that the coalition support the course and raise money to bring the visiting scholars to Harvard.

Tyler explained that the alternative course served three purposes which the AAC should support. He began, "The Law School's excuse has always been that they can't find any qualified minority scholars to teach here. The idea of having the course taught by 14 different lecturers is to flood them with qualified minorities." He said the course would show the Law School that students cared enough about constitutional law and civil rights to set up their own course, and would allow those boycotting the Racial Discrimination course

to study discrimination law.

A final project mentioned was the sponsoring of lectures or symposia on discrimination at Harvard and across the country. Tom Stern, 3L, another founder of the group, said Harvard had a strong influence in legal trends elsewhere. What is being done at Harvard to remedy discrimination would be discussed across the country, Stern said.

Though those present seemed generally to support the three projects the AAC had on its agenda, there was disagreement over what stand it should take on the boycott, and whether it should try to represent the interests of all students who feel they are discriminated against. One student pointed out that taking a stand in favor of the boycott, which Shapiro said the organization should do, had a drawback. "We have to see that if we take a strong stand on the boycott, we won't be able to get the formal support of some student organizations."

Concerns Not Addressed

Another student asked whether the group intended to address discrimination against homosexuals. He said the group's plans didn't seem to address the concerns of the Committee on Gay and Lesbian Legal Issues, and that that group probably wouldn't enthusiastically support the AAC unless some change were made.

David Smuts, an LL.M. from Namibia, tried to steer the group away from disagreements over specific issues. "Overcoming discrimination is a challenge to anyone who's here. I don't think we should get bogged down in [one group's issues]. The broader goal is affirmative action, both here and beyond the Law School. I don't think we should ever lose sight of that."

The group adjourned after deciding that its next meeting would be at 1:15, October 25, in the Mallory-Smith room.

Boycotted Profs Meet With Students

By Roland Monson

Julius Chambers and Jack Greenberg, who will be teaching the winter-term course in Racial Discrimination and Civil Rights that is being boycotted by the Third World Coalition, were at the Law School Tuesday, Oct. 19, for a series of meetings.

The first was a private meeting with the Law School Council; the second, an informational meeting for registered and potential students in the course; the third, a closed meeting with the leadership of the coalition; and the last, consisted of some short remarks by Chambers and Greenberg followed by a long question and answer session. HLS Dean James Vorenberg attended both public meetings and Dean of Students Mary Upton was at all the meetings except that with the coalition.

Chambers and Greenberg met with the council at the council's request, according to Michael Michaelson, 2L, vice president of the council. Only four of the 15 members of the council attended the half hour meeting. The meeting was part of an ongoing effort by the council to mediate the various interests involved in the boycott controversy.

The meeting for students drew just over forty people, about twenty of whom raised their hands when asked by Chambers at the end of the meeting if they were planning to take the course. Almost all those attending were white. The only exceptions appeared to be a few members of the coalition and a few LL.M. students.

Outside the door, the Third World Coalition was distributing a variety of literature ranging from reprints of comments on the boycott by Harvard professors through messages from the Third World Coalition to a series of partisan reprints about the current lawsuit by the NAACP against the NAACP Legal Defense Fund (LDF) over the use of the NAACP name.

The course will cover four main substantive areas: Greenberg will cover capital punishment and voting rights; Chambers, school desegregation and employment discrimination. Litigation strategies and the ethical considerations in choosing cases and clients, lawyer-client relations, and funding will be discussed by both.

Few Questions Asked

There was very little response when the meeting was opened for

questions after the short presentations by Chambers and Greenberg. One student asked Chambers and Greenberg how they felt about the boycott. Chambers responded that he understood that one object of the boycott was to increase the number of minority and women tenured faculty at the law school; that the minority hiring record at HLS was "terrible", but, not knowing Harvard, he did not know the best way of accomplishing that object. Greenberg also endorsed that object of the boycott, but observed that he and Chambers "are not boycotting the course." Chambers then added that a personal object of his in teaching the course was to encourage students' interest in civil rights law, an interest which he noted has been waning in recent years.

The third meeting, between Chambers and Greenberg and 12 students representing the organizations of the Third World Coalition, was held in the Black Law Students Association office and lasted about an hour and a quarter. The coalition reportedly explained the history of minority hiring at HLS and asked Chambers and Greenberg to give up their course and participate in the alternative course the coalition is planning to offer this spring. They refused and reportedly frustrated and angered several members of the coalition by their "paternalism and insensitivity."

Meeting With Coalition

This meeting was apparently the result of suggestions by the HLS administration. When it became clear that Chambers and Greenberg would visit HLS on Oct. 19, the coalition was approached by Dean of Students Mary Upton and asked if they would like to meet with Chambers and Greenberg. The coalition responded that, while they would certainly not reject such a meeting, they did not desire it, since the teachers were not the issue and should not be
(Continued on Page 16)



John Morris

Jack Greenberg and Julius Chambers speak to students about their Racial Discrimination course.

Law Review Takes Affirmative Action

By Karen Moghtader

The *Harvard Law Review* recently announced the names of its 51 new members for 1982-83. (RECORD, Oct. 8, p. 5.) Included in this list was a record number of minorities: two blacks and four Asians. The hotly debated affirmative action plan, which the *Law Review* approved last winter, was implemented this year.

Under the plan, students could submit personal statements asking the *Review* to consider the fact that they were members of "an historically underrepresented racial or ethnic group" or that they have overcome "economical, societal, or educational obstacles." Sex was not considered under the plan.

When Jim Feldman, 3L, president of the *Review*, was first asked to explain the selection procedure which was used this year, he responded, "The decisions are completely our own. But I can tell you that the plan worked *exactly* the way it was supposed to work."

"Double Blind" Procedure

Later, Feldman was willing to reveal more information about the mechanics of the affirmative action plan. During the summer, Feldman explained, the registrar removed the names from the submitted personal statements and gave each statement a number. The registrar then took the grade transcripts of those who submitted statements, gave them matching numbers, and sent the statements and corresponding transcripts to the Membership Committee at the *Review*.

The entire plan is thus designed with double blinds, Feldman said. "We don't know if minorities came in through the plan or not. There was extreme anonymity in all phases of the plan."

The committee then evaluated each transcript together with its statement and sent the numbers back to the registrar, indicating which ones the committee had chosen to be on the *Review*. The registrar then sent the *Review* one list

consisting of the four or five students who were at the top of each section and the students whom the committee had selected earlier under the plan. Thus, the name of every applicant the committee had selected under the plan appeared on the list, but the "affirmative" members may have been at the top of their sections anyway. Consequently, not even the members of the committee know whether any of the "grade editors" were chosen as a result of the affirmative action plan.

Feldman declined to say whether there were any minorities chosen on the basis of grades under the plan.

Submitted personal statements were read and evaluated by the Membership Committee of the *Review*. The committee is made up of

five members, all chosen by Feldman. Larry Parkinson, 3L, chairman of the committee, said: "We're not giving any figures or names because none of the editors should be treated differently than anyone else on the *Review*." Parkinson felt that the plan was implemented "quite smoothly", but when asked whether he was happy with the plan, he responded: "No comment."

Feldman, who appointed himself to the committee, explained that he was concerned about embarrassing minorities who may be on the *Review*. Feldman said that he did not know how many minorities were members of the *Review*, and refused to say how many personal statements were actually submitted.

It is still unclear, however, what
(Continued on Page 13)

Lights . . . Camera . . . Action

By Roland Monson

The Harvard Law School Drama Society opens its activities for the year early next month. "It's a Long Way to Certiorari," a revue consisting of popular songs and original skits, will play two shows nightly November 4, 5 and 6. The show is organized around regional themes, and according to one cast member the skits are "very, very funny."

Almost everyone involved in "It's a Long Way to Certiorari" is a student at HLS. Michelle Kleinman, 3L, is the producer; Sandy Yamate, 2L, will direct. The music director, Greg Stepanich, is a Boston University undergraduate who was the music director of the last two spring shows. The choreographer is Sara Stopek, Harvard College '79.

Not too surprisingly, there are more 3Ls in the cast (11) than 2Ls or 1Ls: Bud Gilbert, Carol Halverson, Ken Hodder, Joe Jacob, Paul Kiernan, Fred Landau, Rosanna Marquez, Natalie Marron, Mike Meloy, Kelli Murray and Rick San-kovitz.

The seven 2Ls — Dave Burkett,

Carolyn Kratz, Mark Morris, Barbara Nocca, Ruben Perlmutter, Kip Purcell and Holly Wright — barely outnumber the 1Ls — Randy Eliason, Bruce Ellerin, Jim Goldstein, Jay Handlin, Susan Hoffman, Eve Lappas and Jerry Lavin. Jolene Hodder is the only member of the cast not an HLS student.

Second Production

The second Drama Society production will follow close on the heels of the first. Oscar Wilde's "The Importance of Being Earnest" will be performed November 19 and 20 in the Ames Courtroom. Produced by Fred Landau, 3L, and directed by Temple Dickinson, 2L, the production will include, with permission, some scenes involving a lawyer that are usually cut because they are still protected by copyright.

The third Drama Society production of the year will be an original musical, "North by North Middle." It will be produced by Dale Cendali, 2L, and Chris Hewitt, 3L, and directed by Tim Hearn, 3L.



Council Addresses Recruiting Gripes

By Andrea Hartman

The Law School Council decided on Oct. 5 to form a Placement Committee to investigate and propose alternatives to this year's placement process. The LSC created the committee because of what it perceived to be student dissatisfaction with the modified job placement procedures which go into effect this year.

Kent Markus, 2L, the LSC member who heads the committee, explained that opposition to the current plan began when it was originally proposed. "We [the LSC] felt that the plan did not adequately consider the needs of students, and made changes which to a great extent reflected the interests of the faculty members without representing the students." According to Markus, the LSC formally opposed the plan when it was debated, but failed to present the faculty with any alternative plans.

According to Brian Curran, 3L, president of the LSC, the principle factors which have led to the current plan's disfavor among students are the compression of the interview season from 7 to 4 weeks; the extension of interviewing hours and the addition of Saturday interviews; the delay in the commencement of the interviewing season; and the fact that the plan restricts flyouts to the winter break.

New Proposal Planned

The goal set for the new Placement Committee, said Markus, is "to knock out a comprehensive proposal in sufficient time to have it implemented next fall," assuming it first receives approval from the faculty and administration. He estimates that the plan needs to be completed by early spring.

The Placement Committee consists of 17 members: three from the LSC; three students who are members of the faculty placement committee; and 12 at-large members, who responded to a notice in the Adviser.

Markus plans to divide the members into three sub-committees: the first to investigate and report on the present 2L and 3L placement process, the second to look into 1L placement needs and procedures, and the third to explore the possibility of moving the entire placement process to the spring. Curran noted that the committee is open

Curran, Marcus and Michaelson all indicated that they believe students are worse off under this year's placement plan than they were under the placement plan previously in effect. Said Curran, "The worst problem is putting the flyouts over Christmas. People will have to do a lot of flying over that period." Markus noted that a problem with



John Morris

Brian Curran, 3L, Michael Michaelson, 2L, and Kent Markus, 2L, organizers of LSC committee.

to student input, and that interested students can still join the committee.

Student Input Promised

Markus said that the committee, before proposing a new plan, would try to poll all HLS students. Michael Michaelson, 2L, a member of the committee, observed that the law firms' reactions to this year's plan would also probably influence the proposals.

interviewing taking place late in the fall is that positions will have already been offered to students from other law schools that operate under less restrictive placement guidelines, thereby "putting HLS students at a competitive disadvantage." He believes it is possible that firms may already be canceling interviews at HLS because their quota of summer and full-time associate positions have been filled.

Help Give Richard A Rest

Richard B. Bernstein, our prolific book reviewer, is tired. The RECORD is thus soliciting students and alumni who would be interested in contributing reviews. If you are interested and would like suggestions, or if you have a book in mind which you would like to review, please contact John Morris, c/o the RECORD.

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Osborne at HLS: Paper Chase Revisited

By Charles Thensted

John Jay Osborne, Jr., creator of Kingsfield, Hart, Liberty Bell and the Robot Pimp, returned to the scene of his most celebrated work, *The Paper Chase*, to address an audience of about 150 on Thursday, Oct. 7.

The Forum's first presentation of the year was not an unqualified success. Whatever his talents as a writer and entertainment packager, Osborne is not a public speaker. His arrogance gets in the way, and at times he seems much more impressed with his own life and work than does his audience. In the end, though, the crowd got what it paid for, a behind-the-scenes glimpse at myth-making and, on balance, a satisfying, provocative evening.

The subject of Osborne's talk was "Harvard, Hollywood & Houseman: Alternatives to Wall Street." He could not have asked for a more sympathetic, wide-eyed audience, eager to get the inside scoop on *Paper Chase*, the book, the movie, the TV series, the paean to imagined life at HLS.

On that score Osborne did not disappoint, profligately dropping enough names to fill a year's *People* magazines. Of Lindsay Wagner, many a 1L's idea of first-year "sustenance," for example, Osborne said that although he "objected violently" to her casting as Hart's love because, let's face it, poor dear, she just did not have what it takes, "she really came through and I was sort of proud of her."

Edward G. Robinson, James Mason and Sir Alec Guinness, he said,

all were considered for the part of Kingsfield before director James Brooks decided on non-actor John Houseman.

Osborne described Houseman as a paragon of artistic integrity who would not sell out to Hollywood's craven horde. Thus, when Houseman thought it was tacky to show Hart's contracts grade near the end of the movie, 20th Century Fox had to dub in a Kingsfieldian paw scrawling an emphatic "A" on his exam booklet.

Philistines Close In

By the time the Houseman-Osborne tandem began work on the TV version of *Paper Chase*, the philistines were really closing in. Osborne wrote five of the critically acclaimed scripts and doctored several others, but eventually the thrashing that "Chase" was getting in the ratings by such worthies as "Laverne & Shirley" and "Happy Days" prompted ever-more outrageous challenges to taste by the show's producers. When finally, in the midst of America's romance with Russian lady gymnasts, Fox television insisted on a script about a Soviet sweetheart following her dismount with a defection to Harvard Law School, Osborne was beside himself. Houseman, and by default, Osborne, finally put their collective foot down. Said Houseman at the time, according to Osborne: "I'm too old and too rich to put up with any of this shit. Therefore, we have resigned." And they had.

Osborne expressed an unabashed love for his law school experience which he said reached full bloom with his reading of Lon Fuller's



Robert Peterson

John Jay Osborne, Jr.

The Morality of Law. Fuller, Osborne's real life contracts professor, bore absolutely no resemblance to Kingsfield. "He was a genius, a soft-spoken southern gentleman. Kingsfield," Osborne insisted, "is based on no one. He came from my mind. I'm tired of professors running around claiming to be Kingsfield." In fact, Osborn emphasized, none of the characters in *Paper Chase* are real, although "the individual attitudes of the characters did reflect prevalent attitudes in the school."

In a final exhortation to his listeners, Osborne urged: "Find the people of quality here. Love something here the way I loved *The Morality of Law*. Out of that commitment you'll find your alternative to Wall Street."

Of one alternative, however, Osborne had little nice to say: "One L was boring as hell. It exploited Harvard Law School. I think it was a pile. If it was non-fiction, it should have named names. *Paper Chase* did not exploit Harvard Law School."

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Fred Graham: The Court and the Media

By Mike Isbell

Developments in libel law are likely to discourage tough investigative reporting by national news organizations, CBS News Law Correspondent Fred Graham told a gathering of about 100 people last week at the Law School.

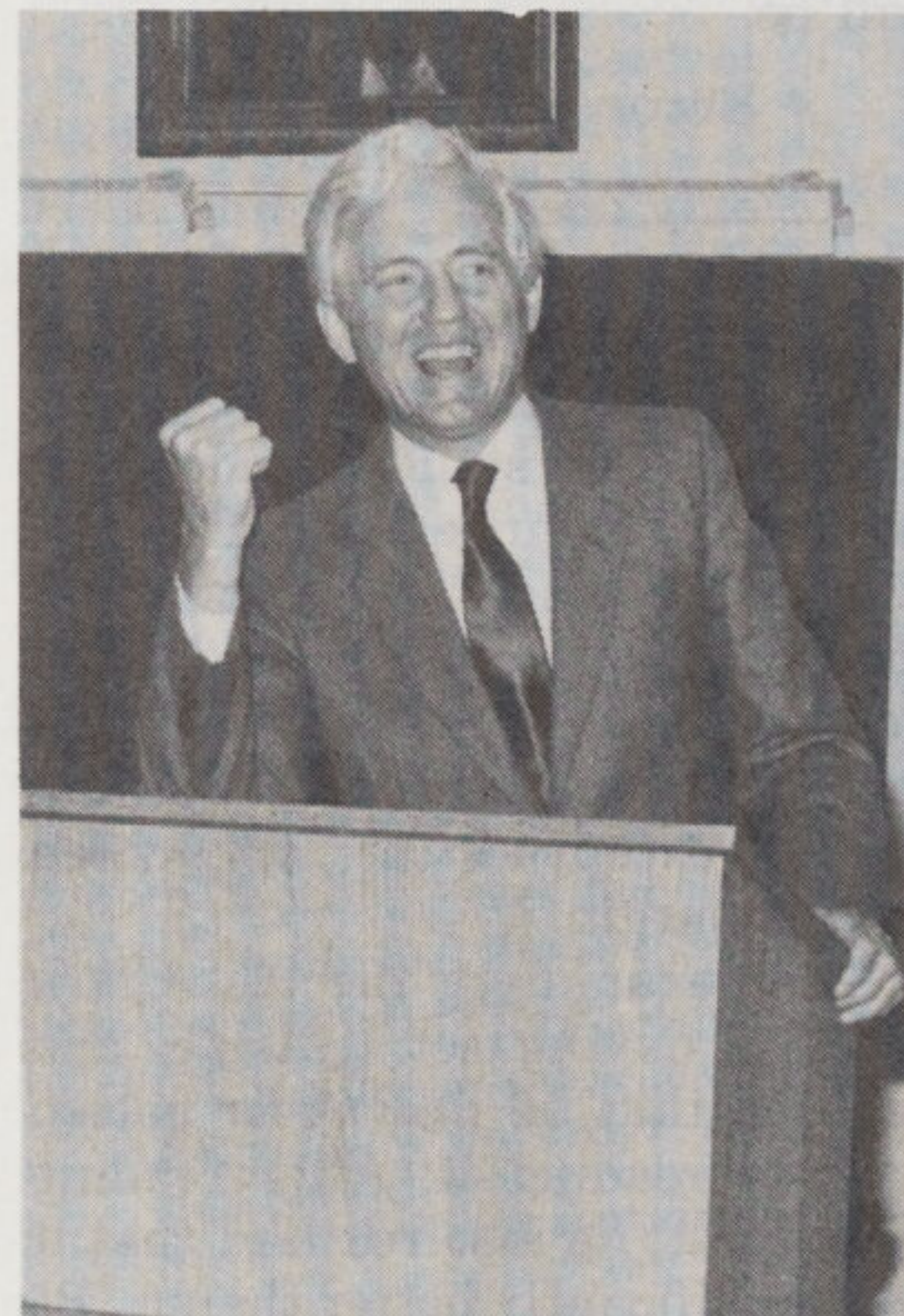
Graham, a guest of the Harvard Law School Forum, said the Supreme Court's requirement that "actual malice" be proved in order to hold new organizations liable in libel suits brought by public figures has backfired. The actual malice standard was defined by the court as publication with knowledge of the falsity of an assertion or with reckless disregard for its truth, but some observers say the term is frequently misinterpreted by lower courts to involve malicious intent. The application of the standard has also required the introduction of evidence regarding the press's knowledge at the time of publication.

"With the focus on malice in libel cases and in a country with deep suspicions of the news media, what has happened is that instead of focusing on whether something was damaging, the focus now is on the attitudes of CBS or *The New York Times*," Graham said.

Graham's fears are particularly relevant since his own network was recently sued by Gen. William Westmoreland for \$120 million.

Westmoreland objected to a CBS documentary which alleged that American military officials conspired to distort enemy casualty figures during the Vietnam War.

Graham said the malice requirement might encourage a jury to become preoccupied with CBS's motives in making the documen-



Fred Graham

tary. CBS contends the documentary was truthful although the network admits people involved in the production of the program did not adhere to several CBS standards.

The result of the recent increase in libel suits against national news organizations might well be a reduced emphasis on investigative reporting, Graham said. He said he was especially concerned about a recent \$2 million libel verdict returned against *The Washington Post*. According to Graham, the

truth of the *Post's* story was only a minor issue during the trial.

Graham said changes in the viewing habits of Americans could affect, perhaps adversely, the future of television journalism.

"I think we have to admit that in the post-Cronkite era, who's best will be measured by the ratings. We don't like it but we have to admit it.

"There is some logic behind it and the logic is money. A single Nielsen (rating) point maintained throughout the year can amount to \$70 million in revenue.

"The concern is whether we in television news can resist the kind of debasement of taste that has happened in entertainment. The returns so far are not disappointing."

Graham said he expects changes within the smaller world of reporting of legal matters. According to Graham, the changes will be due to the Burger court's emphasis on a reduction of judicial activism.

"I do not think this is a controversial year in the Supreme Court," Graham said. "The *Bob Jones* case will be interesting but it is striking how insignificant some of the cases are. There are few of the cases affecting people that would have been the meat and potatoes of the Warren court."

Twenty-two of the 24 criminal cases to be reviewed by the Supreme Court during this session are petitions by federal or state prosecutors who lost in the lower courts, Graham said.

"What I see for the near future is a lesser role for the Supreme Court in the life of our country," he said.

In view of the Burger court's efforts to skirt controversy and since no Watergate scandal exists now, reporters on the law beat are forced to look for other stories with a legal angle. Graham said he is presently working on stories concerning mandatory pro bono, the growth of legal clinics and the high rate of unemployment among law school graduates.

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Grade Change Puts Student on Review

(Continued from Page 1)

told him that there was nothing that he, Leibman, could do about that. He suggested that Presser talk to the professor involved if he wanted to pursue the matter.

Presser went to see Clark to inquire about his grade, and Clark said that he would look into it. Clark's Corporations classes have an enrollment which can run from 150 students to well over 200. Clark says that each term some students inquire into their grades, sometimes up to twenty of them, although he says only "four or five" from Presser's class did so.

When Clark retrieved the exam he was "shocked" to discover that he had made an error. "This was an unusual case for me," commented Clark. "I've never had this happen before." Clark has been teaching at HLS since 1978.

Clark normally uses a detailed grading sheet in evaluating each exam. The grading sheet is broken up into separate sections for each question on the exam. Within each section are listed a number of arguments, cases, and/or statutes to which the student would ideally refer in answering the particular question. Alongside each of these is an assigned point value, which Clark circles if the appropriate reference is made. If the student only partially makes the reference, Clark crosses out the number and gives partial credit according to his assessment of the completeness of the reference. If the student presents a reasonable argument not included on the grading sheet, he also gives bonus points based on his assessment of the validity and applicability of the response.

Also included in this grading procedure are "fudge points" as Clark refers to them. After finishing reading an exam he may award points for "clarity, organization and coherence," "sophistication," and/or "sensitivity to policy and ethical issues"; but may also deduct some for "exceptional obscurity, disorganization, or verbosity."

Clark then adds the points up, records the total, and has his sec-

retary calculate how that grade relates to the grading curve. He also records a "Gestalt grade" which is his impression of the grade the student would receive, based on his initial impression after reading the exam. These factors go into calculating what a student's final grade will be.

Error was Obvious

Not only does the grading sheet ease the process of evaluating a large number of exams, but it helps in explaining the final grade received to the student should he return to inquire, according to Clark. He knew right off that something was wrong, he said, when he saw that the grading sheet attached to Presser's exam was unmarked except for the "B" written in the margin.

After examining the test Clark recalled having set it aside, and realized that he had never gotten back to reading it. After reading through it, he also realized that it was significantly better than a "B" exam, "by at least a couple grading levels" he said. (HLS grades include: A+, A, A-, B+, B, B-, C, D, and F.)

Not being sure what to do, Clark went to talk to Leibman. Leibman referred Clark to Prof. Richard Parker, chairman of the HLS Administrative Board. Clark said that Parker told him "it was, essentially, not in their 'jurisdiction'."

At HLS a student's grades can only be routinely changed because of a "clerical error". Otherwise, a vote of the entire faculty is required. Such "clerical error" includes errors in the adding of points or transmission of the grade information to the registrar's office, according to Annie Bombard, associate registrar, who is in charge of grades. Bombard recalls doing some grade changes every term, but not a lot, and never as many as fifteen or twenty.

The last time a professor attempted to change a grade for other than "clerical error" was in 1953 according to Assistant Dean for Academic Administration Stephen

Bernardi. Bernardi searched the HLS records to discover that 1953 case, although the "faculty vote" policy predates it. At that time a professor proposed to change a grade because he had re-read an exam, at the request of a student, and found it better than was indicated by the grade awarded. The minutes of the meeting reveal that before the motion was defeated, then-Dean Erwin Griswold commented that grades could only be changed for reasons of "mechanical error."

"It was very difficult for me to decide what to do" said Clark. As for the possibility of putting it to a full faculty vote, "there was no way I was going to do that," he said. Clark stressed that he was not re-evaluating the exam, but in fact was evaluating for the first time because of his oversight. "I made a mistake," he commented. "I'm only human."

Happy Ending

When Presser returned to see Clark at the beginning of the fall term, Clark explained his error, and went over the test with him. Following this, Clark sent a letter to the registrar explaining that an error had been made and requesting a grade change.

When the Registrar's Office re-computed Presser's grades, they discovered that he should have been admitted to the *Law Review*. Leibman reported that soon after this he contacted Jim Feldman, 3L, editor of the *Review*. "I gave him a 'hypothetical' identical to what had happened," said Leibman, "and asked what he would do. He said 'We'd ask him to join, of course.'"

Finally, on Sept. 16, approximately a month after the other students admitted to the *Law Review* on the basis of grades reported for duty, Feldman circulated a memo notifying the *Review* membership of Presser's delayed admission because of an error "[a]t some stage of the grading/transmitting/compiling process." *Review* membership could be critical to Presser's future, who hopes one day to be a law school professor himself. ☛

Crew Prepares for Head of the Charles

By Michael Malamut

Sunday is the day of the Head of the Charles, the most famous and most prestigious boat race of the fall season. Crews come from all over the country to participate, and the Harvard Law School Crew will be among them.

The crew, although beset by troubles (including the arch-rival Business School team's wrecking of a boat they shared), will be fielding two boats for the three-mile event. A men's lightweight four and a women's club eight are entered in this year's competition.

The crew has a competitive program and a recreational program. The rowers in the competitive program prepare for only one event — the formidable Head of the Charles. What makes "The Head", as it is fondly known, such a challenge? The river is well known for its treacherous twists and turns which challenge the skill of even an expert coxswain. Boats are sent out sequentially and timed over the length of the long and tiring course, unlike in spring races where the general format is the regatta, a generally shorter race, with crews starting at the same time and racing neck and neck.

After a brief foray into the house league intramurals in the spring several years ago, the spring season for the crew has consisted solely of recreational rowing on a fairly well organized, co-ed basis two or three times a week. There is also a recreational program in the fall,

but it is less structured than is preparation for the "Head."

A men's club eight also was preparing for this race, but in addition to problems with their shell, the boat was denied a place in the race by the Head of the Charles Organizing Committee. Unless an entry from an organization has finished in the top 40 percent of the finishers the year before, it is not assured of an entry and must take part in a lottery to determine whether it will row.

Melanie Hirschhorn, 3L, president of the crew, caught the crew bug while an undergraduate at Smith. When asked whether she thought it made sense to practice so hard when they don't even expect to win, she replied: "We're rowing because we'd rather row than watch; because we love it. And if we do well in spite of the poor equipment and conflicting schedules, it would be a boon."

Addicted to Rowing

David Lakhdhir, 3L, who will be rowing in the light four and received his training on the Harvard Lightweight Varsity Crew, added, "We row 'cause we're addicted."

The women are rowing in a boat built in 1938 and are lugging about 350 pounds more than any of their competitors will be. Both the men and the women are using borrowed oars. The Business School, on the other hand, has its own oars, with dollar signs painted prominently on the blades.

Several Law School oarsmen will be rowing in the Business School men's eight on Sunday. The Business School's heavyweight program is traditionally stronger than the Law School's, while the Law School generally fields better lightweight rowers. This year is the first that the Law School has entered a women's eight, but it is hoped that with increasing female enrollment, it will soon become a Law School tradition.

All of the participants in the competitive rowing program rowed in college, many with distinction.

Chip Vetter, 3L, captain of the HLS crew, was the captain of the Dartmouth Varsity Lightweights and stroked their boat. While the level of competition may not quite be what it was for them in college, they still struggle to make weight (there is a 160 pound maximum for lightweights in the Head) and practice hard.

The Men's Lightweight Four race starts at 11:55 and the Women's Club Eight event begins at 1:30. Women's Club Eight consists of Carla Munoz, 2L; Linda Dakin, 1L; Judy Miles, 2L; Melanie Hirschhorn, 3L; Debbie Matthews, 1L; Barbara Ryerson, Stanford grad; Mariebeth Roche, Harvard undergrad; Lisa Vetter, Dartmouth grad; Sally Harris, Harvard undergrad (coxswain).

Men's Lightweight Four includes: Kevin Gaut, 2L; David Lakhdhir, 3L; Chip Vetter, 3L; Bob Thomas, Harvard Graduate School of Education; Tom Schweich, 1L (coxswain).

Sports Quiz

Note: Today's sports quiz asks you to identify athletes whose last names are the names of important figures in the Old Testament.

1. A recent winner of the Swiss indoor tennis championships, this young man is one of the rising stars on the pro tennis circuit. Name this athlete.
2. An alumnus of San Diego State, this former wide receiver helped lead the Denver Broncos to their only Super Bowl appearance. Name this former all pro.
3. Primarily known as a blocking back at USC, this running back has combined with William Andrews to give the Atlanta Falcons one of the more potent rushing attacks in the NFL. Name this player.
4. Though he had not played organized football since high school, this athlete recently signed on as a wide receiver in the NFL. Name this athlete.
5. This former outfielder and frequent pinch hitter began his major league career with the Los Angeles Dodgers in 1969, hit .318 for the San Francisco Giants in 1975, and also played for the Milwaukee Brewers and the San Diego Padres. Name this player.

(Answers on Page 13)

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Understanding Anger

In a community of highly educated adults, one would hope that primitive feelings of hatred for all persons whose race, ethnicity, culture or religion differs from one's own could be tamed if not extinguished. But at Harvard Law School, it often seems that persons of different races and cultures coexist in a kind of uncomfortable truce. Some of us would like to change that.

We are not asking, at this particular moment, for any particular organized political action. We ask instead that people take an important first step by sitting and thinking for a long, silent moment about the state of our troubled community.

Early this month, someone painted a swastika on the Jewish Law Students' bulletin board. Easy to condemn, yes — and we condemn it emphatically — but maybe a little too easy to condemn. Most of us here don't paint swastikas, or mouth racial slurs, or bomb synagogues. Most of us are careful not to violate the rules of properly enlightened behavior.

But neither do most of us do anything to lessen ethnic tension, to try to understand the thoughts, experiences and feelings of persons we disagree with on issues like the boycott and the war in Lebanon. One thing all of us as human beings have in common is the capacity to suffer. Because of this, we have a duty to try to understand the suffering that underlies the angry irrationality we so easily condemn.

All the meeting, talking, marching, shouting, boycotting and writing we do will be dust in the wind if we cannot bring ourselves to understand why others hate us and why, in our weaker moments, we find ourselves hating them.

A New Interviewing Tactic?

Some of us were greatly relieved to hear of a student whose B was the result of his illegible handwriting. This fact will come in handy in the approaching interview season when, for the first time in several years, interviewers will be allowed to inquire into students' grades. What better way to set a potential employer at ease than to explain that sometimes professors make grading errors because of handwriting, and then supply the hiring partner with an appropriately illegible sample of handwriting?

There is only one catch: what do you do if your exams were typed?

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Fenno

JT: Welcome to Placement Jeopardy — the game where we have all the answers as long as you ask the right questions. Will you please welcome our contestants: Harold L. Richards and Fenno. [Applause] Please choose a category, Fenno.

F: Public Interest Work for \$50/week.

JT: I'm sorry, Fenno, that's not one of our categories. Harry?

HLR: Corporate Assets for \$650/week.

JT: This Corporate Asset is your most effective interviewing tool.

F: [BUZZ] What is a bright smile, a firm handshake and a dynamite resume?

JT: That is incorrect.

HLR: What is a little white lie?

JT: That's right. Select another category.

HLR: Corporate Liabilities for \$750/week.

JT: Mere mention of this Corporate Liability may keep you from getting any offers from firms in the recruiter's home city.

F: [BUZZ] What is an I.R.S. Tax Audit?

JT: Wrong!

HLR: What is pro bono?

JT: Correct! Select again.

HLR: Corporate Humor for \$850/week.

JT: The sight of this unintentionally humorous document will bring on a fit of hysterics in the soberest senior partner.

F: [BUZZ] What is the HLS endowment investment portfolio?

JT: Wrong again!

HLR: What is the 1L Employment Directory?

JT: Correct. Harry is leading by the score of megabucks to zippo. Now we enter Final Jeopardy. Harry, how much do you want to wager on one final question?

HLR: All of it.

F: But I haven't got anything.

JT: Then you don't have anything to lose, do you? The category is Corporate Fun. Here is the answer: This institution provides students with a chance to travel all over the world, meet fascinating people, and experience unique social customs — absolutely free. [Brief musical interlude] Time's up. What is your question, Fenno?

F: What is the Marine Corps?

JT: No! Harry?

HLR: What is a fly-out?

JT: That's right. Tell Harry what he's won, Don Pardo.

DP: Harry, you'll have the time of your life this summer in the city of your choice writing a dull memo on corporate tax for a medium-to-large law firm.

JT: Since Fenno's been a good sport, tell him about his consolation prize.

DP: Fenno, you'll have the time of your life this summer in the city of your choice writing a dull memo on corporate tax for a medium-to-large law firm.

HLR: But that's what I won.

JT: Well folks, that's the way things go in Placement Jeopardy — the show where everybody wins the same prize. 🍀

Letters to the Editor of the Record

A Better Defense

To the Editor:

Recent letters to the RECORD seek to defend the late Prof. Walter B. Leach on various grounds against complaints that he was rough in classroom on early women students at the Law School. One letter defends him on the ground he was gentle in a class he held "in 1925".

Bart needs a better defense. I knew him well. We graduated together in the Class of 1924 after being roommates in Hastings Hall, and enjoyed a life-long friendship. He went from law school to clerk for Justice Holmes for a year, then took a litigating berth for a couple of years in a small Boston firm before coming back to the Law School to teach.

When a student in law school, Bart was a budding intellectual giant. His piercing black eyes and fast roving mind sometimes made it hard to keep up with him. If he seemed rough on occasion, you soon found out it was the way he struggled to solve a problem. Most of the time he was wonderfully gentle and considerate, and this is what made him a treasured friend to me.

After he graduated, Bart was not a man to suffer fools lightly or listen over-long to continued repetitions of an argument he thought he had demolished. People would say afterwards that his quarrels with Boston court-room adversaries were born of intellectual arrogance. However that may be, Bart was a lot happier in academe than at the bar.

In all my years of friendship with Bart I never knew him to lose his sense of humor or his gift for friendship. Whether crooning his popular ballad "Non-negotiable You!" to a roomful of drunken graduates, or propelling his angular frame in a general's uniform down miles of Pentagon corridors, or revising galleys for still another assault on the Rule against Perpetuities, there was a twinkle in his eye, a quickness to his smile, and an easy recall of names.

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.

If some early HLS women students were shocked by what they encountered in his classroom, it is just possible that they were learning the hard way what it is to try one's strength against a sparkling intellect. If so, they were experiencing one of the things the Harvard Law School is all about. My hope and belief is that the complainers are better off today for their good luck in having been privileged to fence in class with this resourceful but not unmerciful man.

W. Houston Kenyon, Jr., '24
New York, N.Y.

Auto Litigation

To the Editors:

Since you enjoy the names of (divorce) cases in which one appears to be suing her/himself, the following case should provide further amusement:

Self v. Self, 58 Cal. 2d 683, 26 Cal. Rptr. 97, 376 P.2d 65 (1962).

Keep up the good work.

Robert L. Mennell
Professor of Law
Hamline Law School
St. Paul, Minn.

Social Engineering?

To the Editor:

In your issue of Sept. 17 you write of a boycott of one of the classes by some student organizations, Black students, American Indian students and Asian students. May I put a hypothetical question to the editor? If a group of white law students at the school were to boycott a class in, let us say, product liability, because the professor was black or American Indian, or Asiatic, would that not be discrimination? What is it when a group of Black students, American Indian students and Asiatic students boycott a class because the professor is a white man? Is this discrimination or can it be said to be social engineering?

About to celebrate my 89th birthday anniversary, this is a problem which causes me great concern. It would be terrible for me to go to my grave without knowing the answer.

Edgar J. Schoen, '18
Chicago, Ill.

Back to School

To the Editor:

Considering the ringing blunder in his ad copy promising BETTER GRADES, OR YOUR MONEY BACK! (RECORD, Oct. 8, p. 13), perhaps Wentworth Miller, Esq. should go back to Yale Law School. He proclaims that his "copyrighted three-step approach"

will "transform your law school experience." The fact is that in no case does copyright protection extend to any procedure, process or system, regardless of the form in which it is embodied. 17 U.S.C. §102(b)(1976). How can a law student possibly justify paying \$50 for exam advice from someone who seems to have flunked the Copyright course? Oh, well, back to *Gilbert's*.

John Getsinger, '73
Cambridge, Mass.

Turnabout

To the Editor:

Law students, as well as interviewing law firms, should be willing to comply with the anti-discrimination guidelines of the HLS Placement Office. Fair's fair; the rules of the interviewing game should apply to all players.

Students would probably agree readily not to discriminate against law firms on the basis of "race, color, creed, national origin, age, sex" and even "marital or parental status, handicap, or status as a Vietnam era or disabled veteran." These are some of the factors as to which interviewing law firms are forbidden to discriminate.

But what about the other factor of "sexual orientation" which is also listed in the Placement Office's literature? Now answer me truthfully. Would students be willing to invest years of their careers with a law firm whose interviewer proudly announced that half of the firm's lawyers were homosexuals?

Louis E. Braswell, '62
Mobile, Ala.

An Army Problem

To the Editor:

The HARVARD LAW RECORD (Sept. 10) stated:

ARMY THREATENS SIEGE OVER GAYS,
SCHOOL RESPONDS.

The Army may threaten to withdraw further defense contracts from Harvard University because of Harvard Law School not allowing the Army to recruit there.

As a graduate of the Harvard Law School in 1927 and as an army officer (JAG) in World War II, there was plenty to do in minding one's own business.

Part of the Army's own business relates to sexual orientation.

In view of the stresses and strains which are emphasized in an Army, the Army should be permitted to recruit from the Harvard Law School and Harvard Law School should not attempt to have the Army recruiting barred because gays are eliminated.

(Continued on Next Page)

Letters

(Continued from Previous Page)

This situation is the Army's problem and should be left to the Army alone. The United States Armed Forces should be able to act country-wide standards as to recruiting personnel. So far as the sexual orientation is concerned, the United States Government, who does not wish gays in the Army, is well within its rights in making such determinations. . . .

The Harvard finances stand firmly on tax-exempt deduction. Army personnel are recruited to the Army on a sound basis — (no gays). These two issues should not be put into conflict on either side. Let the Army make its requirements; let Harvard furnish the Army to the extent the Army desires. . . .

Dana C. Backus, '27
Port Washington, N.Y.

On Holmes

To the Editor:

In reading the Sept. 17 issue of the RECORD, I came across a challenging question posed by Judge Wyzanski in his defense of Justice Holmes. I fear that most readers, in their determination to finish the article, might not have paused long enough to give Judge Wyzanski's question the attention it deserves. Therefore, I urge the editors to reprint it in full: "Yet who with a perspective that includes the last half of the 17th century's estimate of the Bard of Avon or of the master of chiaroscuro and of character portrayal, can imagine that our current estimate of Justice Holmes is other than a reflection of our own provincial absurdity?"

Who indeed?

Pat Kelly, '80
Maryland Hts., Mo.

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WE, THE UNDERSIGNED STUDENTS AND FACULTY MEMBERS OF HARVARD LAW SCHOOL, REAFFIRM OUR STRONG COMMITMENT TO THE STATE OF ISRAEL AND TO ISRAEL'S UNQUESTIONABLE RIGHT TO EXIST.

We have been deeply disturbed by the recent events in Lebanon, and await the findings of the independent judicial commission established by the Israeli government to investigate any potential responsibility of Israelis in the killing of Palestinians by Phalangist militiamen at Sabra and Shatila.

At the same time, we object to recent characterizations of the Middle East conflict which portray Israel as the only or the major obstacle to peace in the region.

For the thirty-four years since Israel's founding, only one Arab country, Egypt, has recognized Israel's right to live in peace. A settlement in the Middle East will not be possible until the Arab countries accept the reality of Israel.

While we believe that Israel should be responsive to the rights of the Palestinians, and while some of us may disagree with specific policies of the Israeli government, we believe it is especially important at this time to reaffirm our strong commitment to Israel's inalienable right to exist.

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Great Moments in the Law

Phone Feud

CHATTANOOGA, Tenn., Oct. 16 (UPI) — Gertrude Jamison, 84 years old, tormented A. Douglas Thompson by telephone for 45 years, and she is at it again, he says, apparently by having circumvented a court-ordered padlock on her phone.

"We had peace and quiet for six months, but now it's the same old baloney all over again," he said Thursday. "She's gotten that lock off the phone. She's just mean."

On Friday, Mrs. Jamison's daughter, Betty McAllister, said, "Mother cannot call because I have the key to the lock on my key chain. But mother hates him. Mother just holds a grudge."

In 1937, Mrs. Jamison's dog jumped out of a hedge and nipped Mr. Thompson, 16 years old then, on the heel.

"I was a newspaper delivery boy when that dog bit me," said Mr. Thompson, a retired painter. "I turned her dog in to the humane society and she really hated me for it." The dog was returned, but Mrs. Jamison sometimes called Mr. Thompson 15 times a day.

He has taken her to court often. In 1965 she spent four months on a county penal farm for harassment. In March 1982, Judge Russell Hinson threatened to jail her again and ordered the phone dial locked. He suspended a six-month sentence when she pleaded guilty and swore she would stop calling.

Judge Hinson gave the keys to the lock to Mrs. McAllister.

Mr. Thompson said he believed that Mrs. Jamison's daughter had unlocked the phone. He said he had received four annoying calls since Wednesday. "She used to belch out vulgarity," Mr. Thompson said. "She's a rascal, I'll tell you."

Mrs. Jamison's lawyer, Mickey Barker, said of his client, "She's got high blood pressure and a very weak heart, but maybe she's still got a finger that works."

— *The New York Times*,
Oct. 17, 1982, p. 32

Ah, New York Practice . . .

Working relationships are easy and informal. A weekly firm lunch is held each Thursday and all lawyers in the firm who are in town and not on trial attend.

— from the firm resume of
Kreindler & Kreindler,
1982 HLS Employer Directory,
p. 676

Law Review Takes Action

(Continued from Page 4)

the committee considered when evaluating the personal statements. Furthermore, the plan only specifies that a successful applicant under the plan have grades "close" to those that would have put the student in the top four or five in a section. Whether the committee defined "close" as being in the top 10 or even the top 50 remains unanswered.

The personal statements are also used in selecting the writing competition editors. Here, the Membership Committee *does* know what impact the plan had. The committee was given a list of the applicants (by numbers) who were selected by the Writing Competition Committee. The Membership Committee then read the statements and their corresponding writing entries and then added additional applicants to the list.

Muhammad Kenyatta, 3L, president of the Harvard Black Law Students Association, is pleased that there is a record number of minority students on the *Review* and feels the "appointment of a black woman is a major breakthrough." However, he said that BLSA still feels that the *Review*, as a journal, should be open to anyone and should not be confused with an academic honor society.

"Yale Plan" Supported

Joe Garcia, 3L, president of La Alianza, also feels that members of the *Review* should be chosen in a more equitable and open system. He favors the "Yale Plan", which allows some students to become editors by submitting notes for publication. La Alianza was not happy with the affirmative action plan when it was introduced last year. The organization is still unwilling to endorse the plan, although Garcia feels it is "better than nothing."

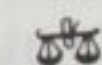
Garcia was glad to see more minorities on the *Review* but added, "We don't know if the plan is really working because there is no outside check. I am curious about how

much the statement was used by the committee." There are no Hispanics on this year's *Review*.

Ralph Rios, 2L, president of the Puerto Rican Law Students Organization, stated, "I am sorry to see that a Latino was not chosen to be on the *Review*. To end the confusion, I think the *Law Review* should make a public statement delineating the criteria used in the affirmative action plan."

Prof. Christopher Edley declined to comment on the plan. Last year, Edley attacked the plan because he felt "at the base of this plan an irrational and unjust system of selection continues." (RECORD, Feb. 19, 1981, p. 16) Dean Vorenberg also declined to comment on the affirmative action plan. The *Review* first approved an affirmative action plan in February 1981, but the proposal, which included quotas, was met with a storm of criticism from the faculty and alumni. In the face of the opposition, the *Review* voted to put off implementation of any plan for a year. In January 1982, the *Review* voted 41-35 to adopt the current affirmative action plan which would allow applicants to submit their personal statements. In February, the faculty voted to take no action on the new plan.

The current affirmative action plan is due to expire in 1986 unless the *Review* votes to extend it.



Correction

In the text of our Oct. 8 story summarizing the results of a survey of student opinion (p. 3), only one student was reported to have been unaware of the boycott of the winter term Racial Discrimination course. The correct number was four.

Sports Answers

1. Yannick Noah
2. Haven Moses
3. Lynn Cain
4. Renaldo Nehemiah
5. Von Joshua

1Ls Devote Time and Energy to an

(Continued from Page 1)

place). The student does two interviews during Christmas vacation, one during January break, and two while school was in session. Two interviews are in Cambridge, four are not.

These contacts lead to a first job offer sometime in January (38 of 153). 1Ls get an average of 2.1 offers. One lucky student got eight offers. The average student accepts a job in January (41 of 153) or February (34 of 153). Only 12 of the 161 students received no offers.

The job a 1L accepts is overwhelmingly likely to be with a private law firm (300 of 383 students for which this information is known based on summer address sheets). The job is more likely than not to be in the student's hometown (86 of 151).

The comparisons in the box indicate that many of last year's 1Ls disregarded Placement Office policies and advice. Some current 1Ls appear to be following this approach. One cited the difficulty of waiting until "after employers have come here and gone again" if the job desired is outside the student's hometown and the Boston area.

A Judgment Question

Many current 1Ls are critical of the placement policy, as well. An anonymous 1L made the case this way: "I've sent about 50 resumes asking for interviews on campus. I resent the fact that the Placement Office tries to prevent employers from seeing us on or near campus. We didn't get here without being able to judge how much time we

can spend on placement or other activities without interfering with our workload. They should at least be neutral; it's one thing not to help 1Ls, but it's another to threaten to 'get' firms that interview 1Ls."

Educational Considerations

As noted in the Placement Office's September 1982 memorandum to first-year students, the office's policy of "discouraging employers from scheduling interviews in the Cambridge area before March 1 . . . has been adopted primarily on the basis of educational considerations. . . . It is the Faculty's strong belief that the first months of Law School are most profitably spent concentrating on legal studies."

(Continued on Next Page)

Policy: No on-campus interviews before March 1.

Reality: Eighty students had 343 interviews in Cambridge, 81 students had no interviews. An estimated 195 of the Cambridge interviews were during the March interview period, leaving about 150 that were not. Twenty of 154 students found the job they ultimately accepted by writing the employer and arranging to meet in Cambridge. Thirty-three others tried the technique.

Policy: "Our advice to first-year students is that they postpone, at least until Thanksgiving, the search for summer jobs."

Reality: Forty-five of 158 students began looking for a job before November 1 (28.5%), 73 others began before December 1 (46.2%), possibly many of these before Thanksgiving.

Policy: Encourage exploring career possibilities other than with private law firms.

Reality: Three hundred of 383 work in private law firms, 17 in corporations, 19 in government,

35 in public interest or legal services areas, and 12 elsewhere.

Policy: Concentrate on studies during the first year.

Reality: Students contact an average of 32.3 employers asking for summer jobs.

Policy: "Virtually all first year students who seek law-related jobs find them."

Reality: Twelve of 161 did not find a job (7.5%), 63 of 161 had only one offer (35.4%), 40 of 161 had two offers (24.3%).

Policy: Interview during vacations rather than during school.

Reality: Eighty-six students have 303 interviews during times other than Christmas, January or Spring vacations. About 195 of these are during the March interview season, leaving 108 during other times.

Policy: "Experience shows that this postponement [until after Thanksgiving, at least] will not seriously disadvantage any student who chooses to seek law-related work."

Reality: All seven students who started looking in September got an offer by February. Of the 51 students who began looking for jobs before November 1, 10 (19.6%) had no offer by February 1, and 5 (9.8%) were still in the market by March 1. Of those who began in November or December, 51 of 97 (52.6%) had no offer by February 1, and 35 (36.1%) remained on March 1. Based on the larger 1981 survey, where 38 of 436 students (8.7%) received no offer, 3 of the 120 students who began looking before November 1 got no offers, but 24 of the 181 who started after December 1 (13.3%) got no offer.

Policy: "Postponing the search for a summer job is the better way to proceed."

Reality: Seventy-seven of 148 did not follow a course of action which was "responding to information supplied by the Placement Office." Sixty of 104 respondents felt that there was not sufficient information available.

— L.J.H.

Of-Illegal Quest for Summer Jobs

(Continued from Previous Page)

The "Rules and Requests" sent to employers, as reprinted in the 1982 Employer Directory, justifies the rule in part "because it seems best to concentrate the School's resources on second and third year students, whose employment requirements are more urgent. In part [the policy] reflects a view that it is too soon for beginning students to start focusing sharply on career planning, with the resulting diversion from academic work during the critical early months of law school." As explained to employers, "[T]he School has established a requirement that employers using the Placement Office may not organize on their own interview schedules in the Cambridge area for first year students before March 1."

Another 1L, who also requested anonymity, pointed out that the policy may be counterproductive by generating more work for the aspiring first-year student. "I'm not following their standards, and I think the standard is bogus. It creates more tension and pressure than if they gave us more information. The current policy just increases the effort necessary."

1L Pressure

Thompson regretted the decision of many 1Ls to break the policy, but she recognized that violations are widespread. "I'd rather not see 1Ls start so early," she said. "But whether we should change the rules to fit the game I'm not sure." She felt the Placement Committee had two options — work harder to prevent the violations or change the policy to allow some of the activities currently banned. "You may call it maternalistic," she said, "but I worry about the pressure on the 1Ls after only one month here." Thompson said she did worry less, however, about those students who "just write a few letters early."

The 1L placement policy began by a vote of the faculty sometime between 1972 and 1977, Thompson believed. The placement policy as

explained in a 1972 brochure did not even mention 1Ls. Thompson said that this was because none of the firms recruited or hired 1Ls 10 years ago.

Changes Rejected

Although there has been no faculty vote in recent years, the Placement Committee did discuss

changing the 1L policy last year but rejected the idea. This year's committee is chaired by Prof. Abram Chayes, and includes as members Profs. Meltzer, Rosenberg and Bernardi, Thompson and Doug Phelps of the Placement Office, Career Counselor Mark Byers, and three students not yet appointed.



No Grades? No Check!

HLS students fearing a repeat of last fall term's delayed exam grades may want to consider transferring to Catholic University of America's Columbus School of Law in Washington, D.C. The faculty there voted some years ago to institute a policy which has made late grades a rarity: the dean is authorized to withhold a faculty member's paycheck if his or her grades are not handed in within a reasonable period of time.

Dean Michael Noone explained that the school's policy creates two levels of sanctions. Academic Rule 1(a) sets a standard for the pace of marking. Faculty members are expected to grade 20 exams per week, turning in all their grades no later than six weeks after the exams were taken.

More Rules

If the grades are not received by that deadline, Academic Rule 1(b) allows the dean to publish the name of the professor and the course. If two weeks after publication the grades are still not forthcoming, the dean is authorized to withhold the professor's paycheck.

The policy seems to have been effective. "The bottom line is that we don't have any faculty members who we've ever had to consider withholding a check for," Noone told the RECORD Monday, although he did note that the school had published professors' names from time to time. Noone cautioned, however, that the policy is easier to imple-

ment in a law school where no class may have more than 60 students, as is the case at Catholic U.

J.M.



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Boycotted Profs Meet With HLS Students

(Continued from Page 3)

made to seem the issue. Shortly thereafter Don Tyler, 2L, and Cecil McNab, 3L, members of BLSA received letters from Chambers and Greenberg requesting a meeting.

The final meeting was held in Langdell North Middle and was attended by about 150 people. In contrast to the second meeting, about half the audience was black. Prof. Bernard Wolfman opened and moderated the meeting. First Green-

berg and then Chambers spoke briefly about the problems of civil rights litigation under the Reagan administration. Shortly into the question and answer period that followed, Muhammad Kenyatta, 2L, president of BLSA, asked about the current lawsuit between the NAACP and the LDF. This and other questions and attacks on the LDF occupied most of the rest of the time. Toward the meeting's end Rafael Rios, 2L, a member of the coalition, asked the speakers if they

would cross a coalition picket line to teach the class, considering that the minority students at the Law School did not want them to teach the class and none would be in it, making the course totally ineffective as a way of encouraging non-whites to become civil rights litigators. Greenberg responded with the hope that there would not be a boycott and said that they would teach the class. (In the coalition meeting, Greenberg reportedly observed that, while there were still a few white students interested in doing civil rights litigation, it had been a long time since he'd seen a black student at a top law school who was interested in that as a career.)

Finally Cecil McNab, co-chairman of the coalition, interrupted Wolfman's closing remarks to call on Chambers and Greenberg to abandon their course and participate in the Third World Coalition's alternative course. The meeting closed without a response. ❧



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