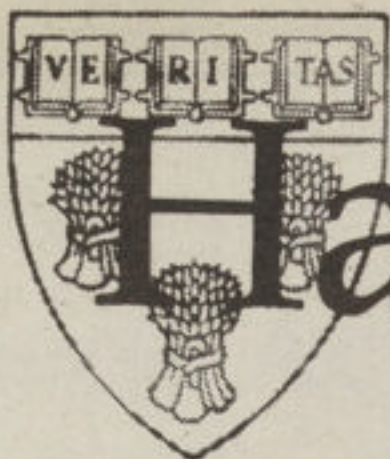




Tuition Set To Jump \$1,075

By Greg Dingens

Each student will pay \$1,075 more to attend HLS next year under a preliminary budget proposed by Dean Clark -- the tenth straight year an HLS tuition increase has outpaced inflation.

One reason for the increase is a desire to close the "tuition gap" between Harvard and other top law schools which charge more money, according to a memo written by Paul Upson, assistant dean for finance and operations.

If the budget is approved, each student will pay \$14,475 instead of the current \$13,400 to attend HLS. Ten years ago, tuition at HLS was only \$5,000 for the entire year.

The eight percent increase comes in a year when inflation is estimated at five percent.

In response to the proposed increase, next week the Law School Council will consider a protest calling for tying commensurate improvements of student life and facilities to any increase in tuition.

"It is unconscionable to be

using current students as a debt instrument to finance the Law School's failed capital strategy," according to a stinging critique of the budget written by LSC member Tom Samuelian, 2L.

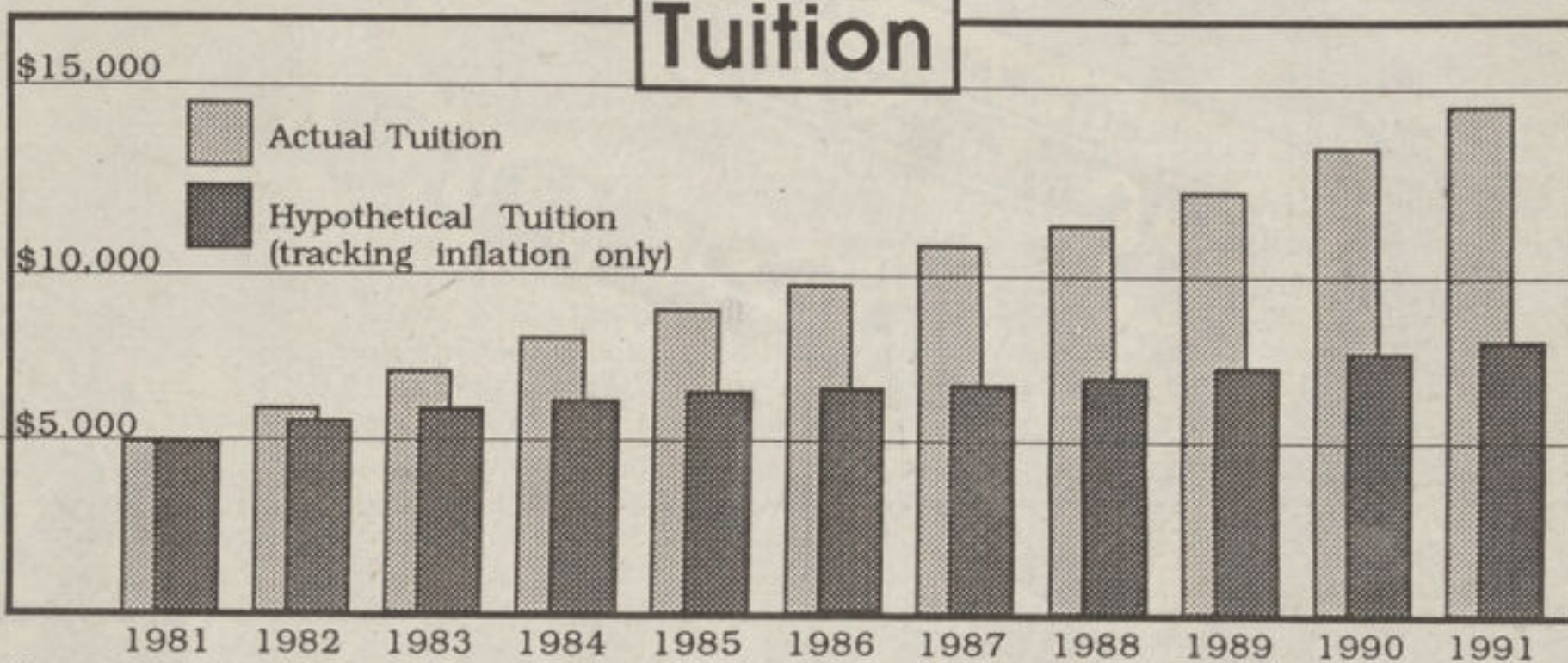
Samuelian said raising tuition to catch up with other law schools "is at best obfuscation." Harvard's self-proclaimed sister law schools include Chicago, Stanford, Yale, and Columbia.

"There are good reasons why HLS tuition is lower and should remain lower ... most importantly, economies of scale resulting from by far the highest student-faculty ratio among comparable law schools," said Samuelian.

The total law school budget proposed for 1990-91 is \$42.4 million. The largest line item is \$10 million for faculty salaries, which pushes the average salary for a full-time professor to well over \$100,000 and represents a 7.3% increase over last year.

Although constituting a small part of the total budgeted expenditures, spending on traditional "student concerns" such as financial aid

(continued on back page).



Next year's proposed increase in tuition follows a 10-year trend of tuition outpacing inflation. The "hypothetical tuition" is a calculation of what tuition would have been if it had grown with inflation each year from 1980.

Yale Graduate To Join Faculty

By George Paul

Dean Robert Clark '72 has hired lawyer-philosopher Scott Brewer as the sixth black professor out of the 67 total faculty members.

Brewer, the former editor-in-chief of the Yale Law Journal, will join the faculty in 1991 after clerking for U.S. Supreme Court Justice Marshall.

Brewer holds a masters degree in philosophy from Yale University, and has served as a teaching fellow and visiting instructor at Harvard, Yale, and Dartmouth. He will specialize in law and philosophy.

Owen Fiss, the Alexander M. Bickel Professor of Public Law at Yale, proclaimed the hiring of Brewer "a victory for Harvard."

"Scott Brewer is a far-ranging person whom the students will love," said Fiss. "He is an extremely warm and sincere person."

Fiss added that Brewer's background in philosophy would add to his "depth and range" as a professor.

The hiring of Brewer comes after Clark extended a visiting professorship offer to Gerald Torres, an expert in environmental and securities transactions. Torres, whose will come to HLS next semester, will be the only Hispanic on the faculty.

Unlike Brewer, Torres will not be tenure-track. After one academic year the faculty will decide whether to make him an offer to be a tenure-track professor. HLS has never had a tenure-track professor who is Hispanic, Asian-American, or Native

American.

HLS also has never had a tenure-track professor who is a black woman, although visiting professor Regina Austin is up for such an offer this year.

Harvard was attractive, Brewer commented, for several reasons. He identified "the level of scholarship in law and philosophy," the "tremendous research facilities," the Law School's proximity to the Philosophy Department, and the "fruitful" atmosphere at both the university and law school.

"The focus of my research has been looking into the relations among the disciplines of the philosophy of language, the philosophy of law, and political and moral philosophy, generally to understand the processes of legal analysis and reasoning," Brewer said.

"Clerking and the immersion in legal analysis," Brewer said of his current work, "has been an invaluable help. It has improved my faculty to reason and reflect on the law at a higher level of abstraction."

Clark stated that Brewer has superb credentials.

"Scott Brewer's analytical and classical philosophical training contribute a lot to the sharpness and rigor of his

(continued on back page)

Five HLS Grads Earn Prestigious Public Interest Fellowships

By John Thornton

Indigent patients checking in at Brigham and Women's Hospital often face a bureaucracy that keeps the benefits they are entitled to out of their reach. Now, thanks to a public interest fellowship established by the law firm of Skadden, Arps, Slate, Meagher & Flom, these patients will have Robert Patten '89 in their corner.

Patten and four classmates, James P. Halpert '89, Molly McUsic '89, Kevin S. Reed '89, and Alan Jenkins '89, will join 20 other fellows named this year and 25 who are in their second year of the two-year nationwide fellowships. More Skadden fellows were chosen from HLS than any other law school.

In addition to work involving the Legal Services Center, the Harvard graduates will work for public service organizations such as the Voting Rights Project of the Lawyer's Committee for Civil Rights, the Arizona Center for the Law in the Public Interest, and the NAACP Legal Defense & Educational Fund.

The fellowships pay a second-year federal judicial clerkship salary, currently \$32,500, interest repayments for fellows from schools without a student loan forgiveness program, plus the regular fringe benefits of the organization with whom the fellows work.

Ronald Taybak '74, fellowship coordinator at Skadden Arps, says that response to



Robert Patten '89

the program, introduced in June, 1988 to celebrate the firm's 40th anniversary, has been terrific. "In light of the number of applicants we have received [606 applicants last year, 173 this year], it's false to say that students aren't interested in public interest law and support that statement with statistics of the paucity of students who go into it. This ignores the lack of [public interest] jobs and the obstacles to getting them," he added.

The \$10 million endowment, which will pay for the fellowship for five years, was in part a response to "massive federal cutbacks," in legal services funding, according to Taybak.

He said his firm hoped to serve as an example to stimulate other firms to provide for full-time positions in the public interest, citing several reasons for their importance.

First, Taybak said, "there are certain kinds of things that cannot be done on a case here, case there basis. They require an expertise that can only be learned by total immersion."

Second, Taybak pointed to the importance of getting people involved in public interest "from the onset of their legal careers."

"If you get outstanding people, they will be a major force in promoting public interest law," he added.

Patten, who said he always intended on having a public interest career said that "the beauty of the fellowships is that they allow involvement in particular projects and organizations that don't have the resources to fund someone or are unlikely to hire someone right out of law school."

More than just an advocate, Patten will be directing students at HLS and Harvard Medical School in a research and service project to see if patients are deprived of benefits they should be getting and assessing the impact of health services.

In addition, Patten said, the program has an institutional reform aspect "designed to address some of the problems these folks face when they apply for benefits. Typically if they apply for these benefits on their own they have to spend hours in waiting rooms and are given inaccurate or incomplete information. Often they give up before they get any benefits."

Finally, the program is designed to teach. Patten added, "We hope to train young doctors and lawyers to think about the ways those two professions can cooperate, which is kind of a novel idea."

Public Interest Committee Prepares Position Paper

By Patrick Miles, Jr.

A Law School Council committee is seeking comments from student organizations on a proposal for the law school to make sweeping changes designed to increase support for public interest law.

The LSC Public Interest Committee, along with the Emergency Coalition for Public Interest Placement (ECPPI), presented a position paper on Feb. 26 that contains proposals to require students to do pro bono work, for the admissions office to step up recruiting of students with a public interest background, and for the

faculty to replace current first-year elective courses with substantive public interest law courses.

The draft also urges the law school to provide a scholarship program for incoming students with public interest experience, and to offer more fellowships for post-graduate and summer public interest jobs.

"Our goal is take all the creative energy students have put toward public interest and translate that into specific policy recommendations that can be implemented quickly, effectively, and with minimal cost," said Steven Donziger, an ECPPI member who helped

(continued on back page)

THE GOLD CARD®. A SPECIAL MEMBERSHIP OPPORTUNITY.



FOR GRADUATE STUDENTS EXCLUSIVELY.

Take advantage of this special opportunity to become a Gold Card member. American Express will approve your application based upon your status as a graduate student. Your acceptance will not be dependent on employment and income history. As long as you have no negative credit history and no negative American Express experience, you can soon be carrying the Gold Card.

And you need only call to apply. Any time, day or night, 24 hours a day. There is no lengthy application to complete.

Once you receive the Gold Card, you can begin enjoying the many benefits of this distinguished membership, including: Worldwide check-cashing privileges. Emergency Card replacements (usually by the next business day). A complimentary 24-hour, toll-free travel service. As well as insurance protection for your Gold Card purchases.

The Gold Card. Available to you now on this exclusive basis from American Express. Call today to apply.

The Gold Card®
1-800-648-4420



NASAH Struggles With Success; Seeking More Active Involvement With Homeless

By Greg Dingens

Despite success which most fledgling organizations would envy, the National Association of Students Against Homelessness (NASAH) enters its third year searching for a more active agenda to help the homeless while experiencing growing pains.

NASAH's impressive fundraising accomplishments have continued to provide financial assistance for homeless shelters around the nation, yet NASAH National Chairperson Dave Attisani, 2L admits the group is not satisfied and is still struggling to define its goals. NASAH expects to raise over \$50,000 this year, more than doubling last year's results, but Attisani's concerns lie with the outreach program, a new service instituted this year designed to actively involve students.

Attisani maintained that "this year was a disappointment" in terms of involving students in Outreach and fostering personal awareness of the homeless problem. He said he thought NASAH members "spend too much time pushing paper" and therefore "don't know who the homeless are." This knowledge is essential to the group's desire to understand and help solve the complex problems of the homeless.

Growing pains stem from an ambitious strategy to expand to a national franchise from a single benefit dance three years ago. The transformation of an HLS organization into a 16 school, nationwide program and local efforts to increase active student participation have burdened the informal system, leading to what Attisani calls "a stabilizing year."



Kathryn Matthews, 2L

Considering when the other law schools were added to the organization last spring, however, the administrative scrambling over the summer was as successful as possible, according to both Attisani and Kathryn Matthews, 2L director of the HLS chapter. Management of the loose coalition of schools has made "huge leaps forward," said Matthews. The expansion initially created "problems of administrability," but she said she is pleased with the results. NASAH recently incorporated as a not-for-profit organization.

Known last year as "Code Critical," the group raises money by asking law firms to participate by substituting lavish recruiting budgets for travel, lodging and entertainment for more modest comforts. The money saved by these voluntary downgrades in luxury is donated to homeless shelters selected either by the participat-

ing firm or by the local NASAH.

A plan in which travel agencies donate a percentage of revenues generated by law students' travel and a new campus-wide bottle and can recycling effort are other recent NASAH innovations. "Almost one hundred percent" of all proceeds go directly to shelters, Attisani said, since the student-run group operates with little overhead.

With "money still rolling in" from law firms participating in the Firm Commitment Program, as well as the \$6,000 raised from the fall benefit and \$2,000 from NASAH-affiliated travel agencies, Matthews said NASAH had collected \$48,000 as of last week. While the results are clearly an admirable success, greatly surpassing last year's \$20,000, the accomplishment seems less than optimal considering the added number of law schools participating in the program.

Matthews said that such comparisons are difficult, because "it depends on the way each firm chooses to donate." Some firms closely calculate the savings based on student recruiting trips, while others simply "write a check for a thousand dollars." Attisani noted, however, that NASAH's primary goal is to raise money from student sacrifices on recruiting trips, and as policy "we certainly do not solicit direct donations." Such donations constitute "a very small percentage" of total collections.

While Matthews modestly predicts "increased" future revenues, Attisani remains more confident in NASAH's continued growth, noting that "over the next two or three years, we expect geometric increases" in col-

(continued on page 12)

HLS News Briefs

DSAC ELECTS NEW SLATE.

DSAC has elected its board for the next school year: Roger Chari, 2L, president; Barbara Barrett, 2L, vice president; Diane Janofsky, 1L, treasurer; Sharon Sobczak, 1L, secretary; and Cameron Jones, 1L, business manager.

EXAM DEFERMENT POLICY REVISED.

Following concerns of discrimination raised by COGLLI, LSC, and one concerned student, provision (2)(c) of the Exam Deferment Policy -- which allowed exam deferments in the case of "death or serious illness in [a student's] immediate family" -- has been revised to include "other person with whom the student has a similarly close relationship." Based on similar objections, provision (2)(h) has also been eliminated. This provision allowed deferments based on "marriage of an immediate family member."

HEMENWAY GYM RESULT

The Law School and the Athletic Department agreed to make several changes at the Hemenway Gym after a tour by students and university officials on Fri., Feb. 9. Who will pay for the new equipment was not settled but students were promised one or two new stair climbers, one or two rowing machines, an inclined bench, a pull-up bar for upstairs, new carpeting and replacements for missing Universal equipment. In addition, a student monitor will be hired, and a panel of three students, Charlotte Gibberman, 3L, Chris Rossomondo, 1L, and Jim Doyle, 1L, was established to see that student concerns are met.

OLD,
RARE, SCHOLARLY
AND OUT-OF-PRINT

BOOKS ON LAW

- CONSTITUTIONAL LAW AND HISTORY
- INTERNATIONAL LAW
- LEGAL HISTORY (AMERICAN, ENGLISH, ROMAN)
- LEGAL BIOGRAPHIES
- JURISPRUDENCE
- TAX AND COMMERCIAL LAW
- ETC., ETC.

For those students and others who desire to know more about the law than can be found in a casebook, a court opinion a loose-leaf service, or a form book.

Send \$1.00 for catalogue to:

Q.M. DABNEY & CO.
P.O. BOX 42026

WASHINGTON, D.C. 20015

Perfect LSAT Scores Quadruple

by John Thornton

Approximately four times as many people who took the most recent versions of the Law School Admissions Test (LSAT) scored a 48, the highest score attainable, compared to students in previous years did, according to Director of Admissions Joyce Curll.

Does this mean that today's applicants are smarter than previous test takers or that the current results are somehow flawed?

Probably neither, according to Stephen Luebke of the Law School Admissions Services (LSAS), which administers the test. He explains the fluctuation mainly as the result of the elimination of the "facts and issues" section of the test, which required examinees to read a set of facts and

their test takers to take the old test [which had the coachable sections] and not the new test.

"I think, though I'm not sure, that we're going to see things evening out," he added.

Luebke and Curll agreed that the elimination of the coachable section has made the new test better.

Despite this avowed improvement, Curll maintained, "The Admissions Office is treating the test pretty much as we always have. We have always denied the majority of people who received 48s. Less than 40 percent of the people who got 48 last year were admitted, and I would imagine the percentage will be lower this year."

The LSAS is considering addressing the increased number of 48s in several ways, according to Luebke. "One possibility would be to set the range

"Less than 40 percent of the people who got 48 last year were admitted, and I would imagine the percentage will be lower this year."

rules and decide whether a question posed was irrelevant, required more facts, or called for a choice between the rules.

The section was eliminated, Luebke said, because it was found to be "coachable."

He explained that since this section was the easiest on the old test, the questions on the other sections of the new test were made easier in order to equate the new test to the old test at the median. The resulting flattened bell curve, created more of the highest scores, particularly 48s, because these represent a relatively wide range of raw test scores.

Luebke also cited variations in the test taking populations immediately preceding and following the changes in the test as possibly exacerbating the increase in high scores. "Many test prep companies were telling

of scores at ten through 50, as was originally planned when the test was changed from a 200 through 800 format in 1982," he said. He added that the reason they did not give 49s and 50s was that "nobody was scoring that well, so the top of the scale was dropped."

"Now it looks as though those extra two scaled scores would be useful to us to discriminate among the 48s."

"Another option would be to adjust the equating slightly," he added.

Regardless of what comes of the test, it appears that students who were not coached and answered more poorly on the issues and facts section than the other sections could do better on the test. "It may be that the changes in the test would benefit [a student in that situation]," Luebke said.

Harvard Law Record

Volume 90, No. 3

Erick Hachenburg
Editor-In-Chief

Good Ideas That Need Debate

Law School Council and the Emergency Coalition for Public Interest Placement have prepared a preliminary proposal for the future of public interest at Harvard Law School, and the result is a collection of innovative, even radical changes that would have far-reaching affect on student life at the law school. LSC formed a committee to study the issue so that it could do its part to influence the administration's efforts in the area of public interest. Last week, the committee began circulating a position paper, and earlier this week LSC debated the paper but postponed a decision until next week.

Regardless of the outcome of the LSC debate, the position paper forms the boundary of a much-needed debate about public interest. Before the debate can begin, however, students must become familiar with the issues. The position paper first proposes that past involvement in the public interest field should be considered in the admission to this law school. The paper suggests that past involvement would indicate a high likelihood of future involvement. Before such a proposal is adopted, much more evidence is required to establish whether past involvement actually leads to future involvement. Also, if the profile of the accepted students will be changed, another type of student will no longer be present at the law school. In addition, the sentiment of the student body should be explored to determine whether the position paper expresses the desires of a few active students or encompasses a broader base of students.

The paper then proposes a change in the first-year curriculum to require a poverty law and a clinical component. Although there are already many requirements in the first-year curriculum, support for another requirement must be carefully considered. Freedom to choose one's course of study allows students to concentrate on the areas in which they are interested. If first-year courses have some fundamental value, it must be decided whether a poverty law course is on the same level. Possibly, another broader course would be a better choice.

The paper also proposes mandatory pro bono for students in their second or third year. The clinical aspects of this suggestion offer tremendous educational potential, but it too needs more debate and investigation. The plan might overwhelm the current clinical capacity of the law school may be extreme. Also, students may again resist the imposition of another requirement. If students are uninterested in clinical programs, it must be considered whether it still is worthwhile to force students to take them.

One further underlying central question is what is public interest. No where in the paper is public interest defined. The committee, in preparing the report certainly also has the responsibility of defining public interest. Without a definition, many political questions will be raised. Conservative students will complain that the plan implicitly favors liberal causes, and liberal students also will be concerned about public interest causes that are contrary to their beliefs. Students are justified in raising these issues because the funding will probably be provided primarily through other students in the form of tuition.

All of the suggestions have merit and are worthy of debate, but most students have not been informed. This debate is too important for the majority of students to sit back quietly and watch the few active students form the future of the law school. As it is now, the public interest activists are lobbying professors to give the impression of substantial student support. The problem is that no one knows whether there is substantial student support. Students have supported a restoration of the status quo, but the extent to which this support extends is unknown. On March 7, an open forum will be held to discuss the future of public interest at Harvard Law School; hopefully, it will be well attended.

E.H.

Staff

MANAGING EDITOR Patrick Miles
NEWS EDITORS Greg Dingens, Kristen Swartz
PHOTO EDITOR Felicia Ravago
BUSINESS MANAGER John Bautista
STAFF KA, Eli Clark, Fenno, Erin Edmonds,
Julia Gordon, Jacqueline Hayes,
Jim Houpt, Troy Morgan, George Paul,
Linda Popejoy, Marilynn Sager,
Sharon Stone, Paul Tarr,
John Thornton, Lee Tucker,
Carol Umhoefer
BUSINESS STAFF Dan Goldberg, Ron Goldstein

Editorial/Letter Policy

All opinions included in letters to the editor, as with columns, editorial cartoons and editorials, belong to the authors and do not necessarily represent the opinions of the RECORD staff.

The RECORD welcomes letters to the editor on any subject from students, alumni and interested members of the law community. Letters are printed as space provides and are edited for space and clarity. All letters should include the name(s) and phone number(s) of the author(s). All letters submitted become the property of the RECORD.

Letters To The Editor

Student Rejects Andres Grant

To the Editor:

I want to explain why I'm not using my Andres Grant in the public interest. Eventually, the complexities of my project, combined with the uncertainty of funding, made the risks involved untenable, and I took a job abroad.

If I may offer my comments to a new program, I think the Andres Grant, and the Student Funded Fellowships, and for that matter the Human Rights Grants, should change in two ways. First, positive information should be available earlier. Will a certain project be funded? It is difficult enough to afford the financial losses that virtually anything but corporate work entails, especially when the high cost of law school, and the paucity of grant money (compared to other graduate work) both reflect the availability of corporate salaries. I found myself unable to say, for certain, whether or not I had money, an uncertainty that made negotiating a new project difficult.

Secondly, and more generally, the programs more widely ought to reflect student initiative. I found the funding to be very conservative, that is willing to support "official" do-good organizations. Given the creativity and energy of people at Harvard, much more could be accomplished by requesting, and reviewing, original proposals. (To some extent, this comment does not apply to the Human Rights Program.) In particular, I think research should receive funding. It is lovely that Harvard students work in the public interest, by serving the disenfranchised. But what Harvard could do, and I think should do, is encourage its students to work on the problem of determining the public interest. While we are here because we know how to work, it is more important, in our somewhat mechanical world, that Harvard students assume their full obligations, and be encouraged to think.

— Burt Westbrook, 1L

Characterization Unfair

To the Editor:

I must rebut the implication in the last issue of the RECORD (More Dorm Rooms To Be Allocated To Women) that I am an opponent of Dean Wald's dorm reallocation plan. I wrote two letters to the Dean regarding dorm reallocation plans. My first letter was criticism of the across the board 50/50 allocation of rooms by gender. In my second letter (where I proposed a dorm reallocation plan which, even you admitted, was "almost identical" to the one ultimately adopted) I said that my "[original] opinion ha[d] been greatly modified" because I had "seen more data" and had "spoken with the supporters of the school's 50/50 proposal." It was this second School Council's debate of the reallocation issue.

Your story does not distinguish properly between the original proposal for dorm reallocation and the plan ultimately adopted. Many of us were opposed to the original proposal but are enthusiastic supporters of the newly adopted policy. To have painted those of us who were against only the first proposal with the same brush as those who are against the present policy, is highly misleading. You never even make clear who, among the people you quote, if any, are actually opposed to the new plan.

In my second letter I state that I was "moved by the obvious pattern of discrimination against [1L] women..."

it is clear that immediate and strong action needs to be taken to correct such a situation." I not only looked to devise a plan for the future but attempted to address the issues of the past. In an effort to correct the discrimination which has already occurred, I recommended that "we give priority to [2L and 3L] women who had applied for dormitory space for their first year but had been denied (these rooms, naturally, should be subtracted from the allotment of [2L and 3L] men)."

I not only support the new plan but I also support efforts to carefully monitor the allocation system in the future. As I wrote to the Dean of Students, "The upper class allocation next year with the intention of getting closer to or arriving at (depending upon what the data from this year seems to call for) a 50/50 division for all classes."

Although you never directly said that I am opposed to the new policy you consistently surround my name with comments attacking those who DO oppose the new plan. Since I am also highly suspicious of the motives of those who oppose the new method of dormitory allocation, your implying otherwise (in an attempt to create a more exciting story) is not only sensational journalism -- it's bad journalism.

— Raymond Jasen, 2L

La Alianza Commends Faculty Choice

To the Editor:

La Alianza would like to take this opportunity to congratulate the Faculty Hiring Committee on the recent hiring of Prof. Gerald Torres as a Visiting Professor for the 1990-1991 school year. Professor Torres will bring to this school not only the unique perspective of a Hispanic, but also an area of expertise which is severely needed at HLS: environmental law. Even at this early juncture, we have high hopes that at the end of the year, Prof. Torres will be offered a tenured professorship here at Harvard Law School.

We are satisfied that our efforts have finally elicited a response from the administration. Still, it is important that the hiring of Prof. Torres be recognized for what it is: the first step towards the achievement of our ultimate goal, which is the reflection on the HLS faculty and in its curriculum of the growing strength and influence of Latinos and Latinas in the United States. To realize this goal, La Alianza continues to advocate improvements in these two areas.

With respect to the faculty, we expect the administration to continue to include Latinos and Latinas in its search for candidates every year. The search must not be limited to one candidate per year. For too many

years, such a limited search has resulted in the presence of no Hispanic faculty at all, for the simple reason that the administration has given itself no room for failure. Just as more qualified candidates are offered positions for any professional occupation than are realistically expected to accept, so should several offers be extended to qualified Hispanics each year, with the goal of bringing more than one new Latino or Latina professor here each year.

Further, the search at this point has excluded a significant pool of qualified candidates for positions other than "Visiting Professor." The committee need not look far to find His-

(continued on page 7)

Alumni Assails Editorials

To the Editor:

Thank you for your letter of Jan. 19, 1990. The package of seven issues of the RECORD were [sic] read with dismay.

Apparently in your transition, the difficulty in mailing was accompanied by a great deal of difficulty in thinking. If editorial thinking of the RECORD reflects the quality of thinking at Harvard Law School, the law profession is facing hard times.

— Leonard Robbins, '44

RTY HORWITZ HAS A
 ELIGIOUS EXPERIENCE
 T MARTHA'S VINEYARD
 N THE SUMMER OF 1991.
 HE SELLS HIS WINE,
 GROWS A BEARD AND
 RUNS OFF TO ISRAEL
 TO BECOME A RABBI.

HLS Should Look At Public Service—And Itself

The fact only one in 14 of the legal needs of the poor are met while 95 percent of lawyer hours in this country serve one percent of the population is enough to make anyone feel awful inside. What is absolutely distressing -- and inexcusable -- is that Harvard and most other top law schools do so little to deal with this national disgrace.

Steven Donziger
Columnist

That is why a student proposal under consideration by the Law School and Council to implement a public service requirement makes so much sense. After reading all the literature I could find on the idea, it seems it was invented to help Dean Clark and students reach some common ground on public interest issues. This is an idea for federalists as well as guild members; besides, it's cheap to implement.

The public service requirement has the potential to enrich and enliven our education while adding hundreds of thousands of hours of legal assistance to the community. If this were to become a fixture of legal education nationwide by the year 2000, law students alone could increase dramatically the delivery of legal services to poor people in this country.

Under the program, students also will be able to leverage their labor to induce the private bar to take more pro bono cases. With student help, lawyers will be more inclined to ante up their own time for non-fee work.

If all that seems too good to be true, four law schools have adopted the requirement after receiving wide

backing by politically diverse sectors of their faculties and student bodies. And all report positive results, despite some early glitches. The schools are Penn, Tulane, Florida State, and Valparaiso.

The program would require each student to work a minimum number of pro bono hours during the second and third years of law school in order to graduate. At Penn the total number of hours is 70, based on a pro-rated portion (over the academic year) of the ABA-recommended pro bono requirement of 50 hours annually. At the three other schools students are required to complete only 20 hours over two years.

The program can be administered by a fulltime staff person who is responsible for compliance and developing placements in the Boston area. Each student will be supervised, and the cost of that supervision would fall mostly on private attorneys who ac-

couraged, the most important requirement is that you do, not what you do.

The architects of the Penn program, while welcoming the benefits to society, correctly emphasized that the central purpose of the program is educational. It is seen as augmenting the existing professional responsibility requirement and also teaching students lawyering skills.

The Penn program -- approved by a 3-1 margin in a student referendum -- operates on the premise that a responsible lawyer will devote a portion of his or her work to pro bono activities. By requiring students to do pro bono work during law school, Penn hopes to inculcate in students the habit of setting aside a certain amount of time for public service work as practitioners.

At Florida State, the faculty curriculum committee also emphasized the educational aspect. "We wanted it to

nized the same problem: Harvard is sending too few graduates into public interest and public service jobs. Obviously, there are differences in how to deal with it. But my guess and certainly my hope is that students and Dean Clark have more in common than they realize.

A public service requirement is a great idea, but one thing made clear by the LSC position paper is that substantial change must come in all areas of the law school if students are going to be able to gut out the financial and social pressures that direct them to large law firms.

We need a public interest counseling center separate from the placement office. As the Dean has pointed out, we need post-graduate fellowships and an expanded Low Income Protection Plan. We need first-year electives in substantive areas of law that lend themselves to public interest work. And we need a public interest scholarship program to attract more disadvantaged students to this hyper-expensive law school.

We also need to restore Harvard's position as the preeminent law school in the nation in support of public interest law. In the 1970s we were the first school to hire a public interest counselor. In the 1980s we were the first school to create LIPP. In the 1990s, we might be the fifth school to adopt a public service requirement.

Although it is ridiculous to set law schools against each other, it seems that until this year we have been slipping in terms of the quantity of imagination being thrown at the public interest issue. At the moment there seems to be no shortage of fresh ideas. Let's hope those with the power demonstrate the will to get them implemented.

"It seems this idea was invented to help Dean Clark and students reach common ground on public interest issues..."

cept student placements.

Although the program could be designed in infinite ways, the four schools have put an emphasis on poverty law while allowing students wide latitude to choose whatever placement they want. Voluntary work in existing clinical programs would obviously count toward the requirement.

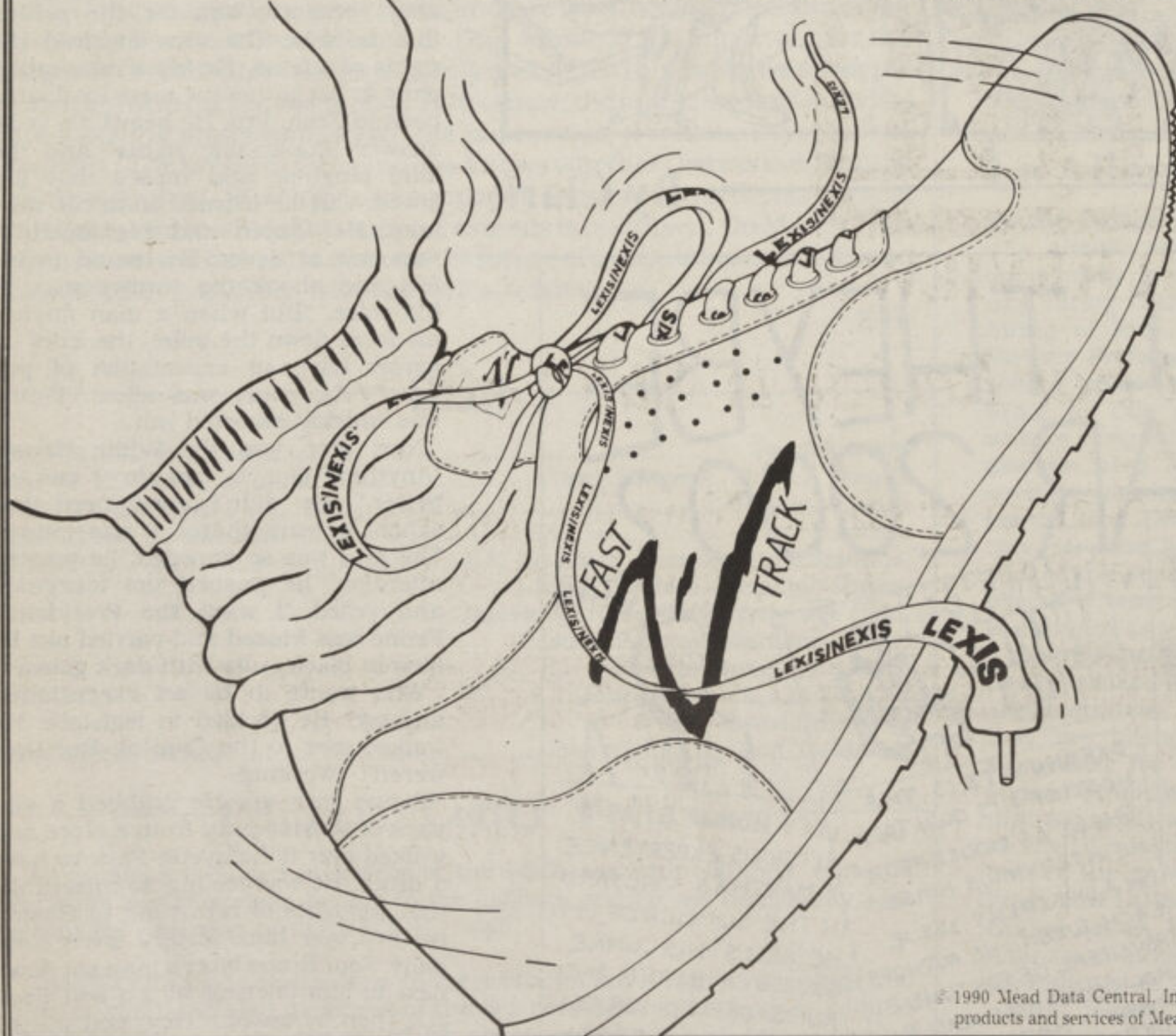
At Tulane most students choose legal services work, some do impact litigation, while others go to places like the National Rifle Association. The only limitation is that the work be unpaid and legal in nature. Although service to the needy is en-

be directly related to the kind of education we want [students] to receive, which is to see firsthand the legal problems that poor people face ... and the institutions that are trying to deal with those [problems]," said John Larson, the associate dean.

"We felt we could teach that better by having students do it rather than by having them read about it," he added. "The idea is to make the [public service requirement] a laboratory for the professional responsibility class."

For all the heat this year between students and Dean Clark, we tend to overlook that both sides have recog-

The Training Course That Lets You Run With The Best.



If you want to move your career into the fast lane, your next move should be to the LEXIS® Fast Track program. It's the fastest way there is to learn both basic and advanced skills on America's foremost computer-assisted legal research service: the LEXIS® service.*

Evening and Saturday classes are available from March 19 to April 8.

To register, call 1-800-222-8714. Call today and make your first step the right step.

FAST TRACK
LEXIS
Make Your First Step The Right Step

© 1990 Mead Data Central, Inc. All rights reserved. LEXIS and NEXIS are registered trademarks for information products and services of Mead Data Central, Inc. Fast Track is a trademark of Mead Data Central, Inc.

La Alianza Sees Long Road

(continued from page 4)

panic candidates qualified for tenure-track Assistant Professorships. There are many Hispanics who can meet the most rigorous prerequisites. There have been many Latinas and Latinos on the staffs of law reviews at Harvard and other top law schools, many of whom have gone on to prestigious judicial clerkships. Although these are the traditional basic criteria for Assistant Professorships, the pool of Hispanics so qualified has gone completely untapped at Harvard Law School.

Far greater are the numbers of Latinos and Latinas qualified to contribute to clinical legal education at HLS, yet not one been given the opportunity to do so has. For a variety of reasons, it is in the field of public interest that Hispanic attorneys have excelled more than any other, from arguing precedent-setting civil rights cases before the Supreme Court to providing important legal services to the poor. To look at the clinical faculty at Harvard Law School, however, one would think that Hispanics have played no such role. La Alianza will continue to press for a change in this situation.

Changes are also long overdue in the area of curriculum. Although Prof. Randall Kennedy has laudably begun to include the special concerns of Hispanics in his class, "Race, Racism and American Law," other classes addressing the issues of civil rights or constitutional law barely acknowledge that our special concerns exist.

Hispanic legal issues are so varied and complex that there are journals devoted to their study in law schools such as Boalt Hall, UCLA and Arizona State. This kind of commitment is surely not an unreasonable goal for Harvard Law School if it wishes to further its aim of remaining one of America's preeminent law schools. La Alianza will not allow Harvard to lag behind in this area.

On April 6 and 7, La Alianza will be hosting its first-ever alumni conference. Latinas and Latinos will be coming to HLS from all over the country, all sharing two common experiences: having graduated from Harvard Law School and never having seen one of their own tenured as a professor at their alma mater. The administration seems finally to have committed to the goal of ending the second aspect of these alumni's shared experience. For our part, La Alianza continues its commitment to seeing that the administration does not regress to complete inattentiveness to our concerns, and that the hopeful prospects suggested by the Visiting Professorship of Gerald Torres will lead directly to the achievement of true equality at Harvard Law School.

The Membership of La Alianza
Ivette Pena, Co-chair
Loretta Martinez, Co-chair
Rudy Rodriguez, Jr.,
Academic Affairs

**Next RECORD:
March 16**

**Master of Laws
Boston University
School of Law**

LL.M. Degree in Banking Law Studies

A unique graduate program offering separate, multi-disciplinary courses of study in **American Banking Law Studies** and in **International Banking Law Studies**.

Taught by faculty of the Boston University School of Law, eminent banking law attorneys and management experts, these innovative programs provide an exceptional blend of intellectual and practical education at one of the nation's most prestigious law schools. Covering the full range of advanced banking law subjects, the curriculum also includes courses specially developed to introduce lawyers to the economic and managerial aspects of the U.S. and international financial services industries.

These comprehensive LL.M. programs offer unparalleled educational opportunities for lawyers who wish to practice in these dynamic, fast growing areas of specialization.

Applications are now being accepted for full or part-time enrollment in September 1990.

For a catalog containing detailed information and application forms, write:



Graduate Program in Banking Law Studies
Morin Center for Banking Law Studies
Boston University School of Law
765 Commonwealth Avenue
Boston, Massachusetts 02215

or call: 617/353-3023

HARVARD LAW STUDENTS TAKE NOTE:



BAR REVIEW

New England's Largest Bar Review is Still Growing!

Last year more students than ever chose New England's most experienced bar review course. The reasons are clear:

1. More Practice

SMH students perform better because they spend significant portions of their preparation time practicing on sample questions. SMH includes over 2000 practice questions in its program, and spends over 18 hours of class time reviewing hundreds of those questions.

2. Thorough Texts

SMH students perform better because the SMH texts are easy to read and understandable. The law is explained in complete sentences and paragraphs, the way the bar examiners expect you to write.

3. Better Teachers

SMH students perform better because our Professors and Lecturers are experts at teaching. They do more than review the law, they explain it.

Contact your campus rep or call Linda at 666-8700.

GET THE SMH EDGE



MPRE ETHICS EXAM

**PIEPER NEW YORK BAR REVIEW'S one day seminar
will be offered 9:00 a.m. to 4:30 p.m.**

NEW YORK CITY LIVE: SATURDAY, MARCH 4, 1990

TAPE AVAILABLE AT THESE LOCATIONS:

**NEW YORK CITY, NASSAU, ALBANY, BOSTON, BUFFALO,
SYRACUSE, WASHINGTON: Saturday, March 10, 1990**

Successfully passing this two hour exam is a requirement for admission to the New York State Bar. This seminar is *FREE* to students who are enrolled in the *PIEPER BAR REVIEW COURSE*, otherwise there is a \$125.00 fee which includes books. Why not come and experience the Pieper method.

Applications can be obtained from your Law School or the National Conference of Bar Examiners (319) 337-1287.

The filing deadline for this exam is *February 16, 1990*. The exam fee is \$25.00. Late registration will be accepted until *March 7, 1990*, but the exam fee is increased to \$75.00. If you miss the *March MPRE*, the next *MPRE* exam is *Friday, August 7, 1990*.

For more information contact your Law School Pieper Rep or

90 Willis Avenue, Mineola, N.Y. 11501 • Telephone: (516) 747-4311

Friday, March 16, 1990
(Happy St. Patrick's Day!)

Nicaraguan Elections

(continued from page 5)

ist economic mismanagement and civil rights violations. After all, the Sandinistas employed the entire state apparatus to ensure a victory. Three hundred opposition candidates were threatened or bribed to drop out of the race. The campaign was free, but not fair. Still, Nicaraguan voters refused to play along. You just can't depend on those beaneaters.

It's not just in Central America that the left is going down at the polls. The left was thrashed in Brazil's recent presidential elections. And later this spring, a radical libertarian movement seems almost certain to win elections in Peru. The fact is, voters in Central and South America have far more intelligence than we Yanquis give them credit for. Collectivist ideologies hold less appeal south of the Rio Grande than in Berkeley, New Haven, or Ann Arbor.

So, will the right learn anything -- like given a chance, the same people who elect the Arbenzes and Allendes will vote them out? Who knows? And will the left learn anything, or will they continue to be suckers for any thug who hides his dictatorship behind the rhetoric of "education" and "economic justice"? Unfortunately, I fear the latter. Even as I write, some very distraught young lady, who has "been down there," is on the phone to the local talk radio station, telling listeners that, "The Nicaraguan people just love Daniel Ortega. This is a horrible victory for the CIA." Yeah, and Castro's a swell guy, too.

Shabazz Reflects On Malcolm X

By John Thornton

Attallah Shabazz related a revisionist history of her father, Malcolm X, to a nearly full Ames Hall audience Feb. 23, two days after the 25th anniversary of his assassination in a Harlem auditorium by members of the Nation of Islam.

Shabazz, 32, told of life in a household headed by a man who was quite different than the hate-monger portrayed by the media.

"I was being raised by Malcolm and not privy [to the media image]. I had not heard of the ills of the oppressor. I had not heard of the wrongdoings just yet."

"As opposed to my father building me up by putting another group of people down, I was simply given a menu of the positive things and made aware of my heritage, my parentage, my lineage. How wonderful indeed it was being black, but not in comparison to another." Later she added, "I was getting a sense of support without ever hearing things like 'the white man is the devil.'"

"I was being raised by Malcolm and not privy to the media image. I had not heard of the ills of the oppressor. I had not heard of the wrongdoings just yet."

During the speech Shabazz tried to divorce Malcolm X from the more volatile statements he made before he was excommunicated from the Nation of Islam by its leader, Elijah Muhammed.

"Though you heard Malcolm's mouth, Malcolm's articulation, they were from a concept, from a policy instituted by the Nation of Islam. My father was not permitted to make

statements without permission of the Nation of Islam."

Although not a strict practitioner, Shabazz considers herself a Muslim in the Eastern tradition and is not affiliated with the Nation of Islam.

Shabazz, who calls herself a "conversationalist" rather than a lecturer, often turned the discussion from her father to admonitions that the audience, her "siblings in the revolution," treat each other respectfully and lovingly.

Belying her work in a charm school, she told the audience to address people as Sir, Ma'am, Mr. and Mrs., and to thank their parents.

To point out the rudeness in American society, she asked audience members, "How many of you eat Chinese food?" After nearly the whole audience raised their hands, she asked, "And how many of you know how to say, 'Thank you' in Chinese?"

Shabazz also worked to dispel conventional images of her father as the polar opposite of Dr. Martin Luther King, Jr. She said the two "got

together on a number of occasions," but that they tried to keep it out of the press.

Similarly, Shabazz has appeared on several occasions with King's daughter, Yolanda, and has co-founded a theater company with her.

After his split with the Nation of Islam, Malcolm X founded the Organization of Afro-American Unity (OAAU) that had as one of its goals



Attallah Shabazz, the daughter of Malcolm X

redefining the African American struggle not in terms of civil rights but as a human rights struggle that could be taken to the United Nations. The OAAU died out without Malcolm X's drive, according to Shabazz.

Asked what her father would think of the current use of his name as a symbol of anger, either disparagingly or reverently, Shabazz replied that if her father were alive today, he would have a twenty-five year history of nonviolence that would preclude this type of characterization by anyone. She again stressed that he had been speaking the anger of others.

Shabazz even reinterpreted her father's famous saying "By any means necessary," as not implying only violence but to include "learning to read, to write, and to speak."

R.M. ROCK CUSTOM TAILOR

Is at the Charles Hotel to satisfy your summer wardrobe requirements. Order now for delivery in May.

SPRING SHOW: March 3 - March 11

100% Wool Suits \$295 - 450

100% Cotton Shirts \$38 - 50

Credit cards and personal checks accepted.

Full Guarantee of Customer Satisfaction!

For appointments or further information, call Harvard Business School Students:

Larry Culp
6612-7016

Eric Armour
547-5695

Serving Harvard Business School For Over 20 years

THE ONLY CHOICE!

BAR/BRI Prepares More Graduating Law Students
for the N.Y., N.J., MA., CT., N.H., VT., ME., and R.I.
Bar Exams Each Year Than All Other Courses Combined!

There must be a reason why.

	YES	NO
Does BAR/BRI have the finest bar review outlines to use while in law school as well as for bar preparation?	☒	☐
Does BAR/BRI have the most qualified faculty teaching its review course?	☒	☐
Does BAR/BRI have a full-time attorney staff to give each student personal assistance in using the BAR/BRI material and method?	☒	☐
Does BAR/BRI grade more individual essays for its students than any other course?	☒	☐
Does BAR/BRI offer its course in more locations than any other course?	☒	☐

Compare BAR/BRI vs. The Competition!

barbri
BAR REVIEW

THE ONLY CHOICE!

Northeast Office:
BAR/BRI
415 Seventh Avenue—Suite 62
New York, N.Y. 10001
(212) 594-3696

New England Office:
BAR/BRI
160 Commonwealth Avenue
Boston, Mass. 02116
(617) 437-1171

Connecticut Office:
BAR/BRI
880 Asylum Avenue
Hartford, Conn. 06105
(203) 724-3910

A New Appointment In Counseling

By Kristen Swartz

Mark Byers, Ph.D., was recently named director of student life counseling, created through Dean Clark's administrative reorganization. Before his appointment, Byers, who has been working at HLS for 13 years, was splitting his responsibilities as a student life counselor and assistant director of career services. Although he is not being replaced in the Career Services Office, Byers said, "I don't feel the change will affect career services at all."

Byers' new title was yet another step in Clark's reorganization of the counseling services at HLS. So far, three people have been removed from Career Services: Ron Fox, assistant director of career services; Dana

selling Office is Sheila Statlender, Ph.D., who specializes in women's issues.

As director of student life counseling, Byers said that many of his responsibilities will remain the same as they were prior to the reorganization. Thompson said that Byers will still work "in cooperation with Career Services, taking some of his prior responsibilities and putting them under the Student Life Office."

"The major change, really, was not in our relationship to Career Services but a change in the relationship to Health Services," said Byers. "Our energies will now be spent on more ordinary problems of living on campus for the average and not-so-average students at Harvard Law School." Byers said that, in the past, there was

people do when they grow up, if they grow up, is the \$64,000 question."

The soon-to-be-hired minority counselor, Byers said, "will be a fairly active liaison with the different minority groups on campus as well as someone who can work effectively with minority faculty who already have heavy counseling demands made on them." Byers envisioned new outreach programs designed by the new minority counselor, such as helping Prof. Ogletree '78 with his Saturday School Sessions.

Explaining that counselors do not always fit the traditional mold, Byers said they do "anything that makes life emotionally easier on campus . . . sometimes the best kind of counseling is support to student organizations—from beer and potato chips to finding a panelist."

Thompson said that she initiated a lot of the restructuring of the coun-

selling services in cooperation with Dean Clark and Sarah Wald, dean of student life. Thompson said she wanted changes because her office "wasn't as efficient as it should have been. The public interest information wasn't being kept up-to-date."

Thompson said "students will not lose anything through the reorganization" of her office. "More people in Career Services will be involved in the different areas." Rather than one person in one area, Thompson continued, the restructuring will "integrate the whole office, with people involved with all things."

Byers has a Doctor in Counseling Psychology from Boston College. Before coming to the Law School, he was an assistant director of counseling at Harvard Business School and a staff psychologist for University Health Services. His new appointment became effective Feb. 12.

"...sometimes the best kind of counseling is support to student organizations—from beer and potato chips to finding a panelist."

Bullwinkle, a full-time staff person; and now Byers. The only new person filling the void in Career Services is Stacy DeBroff, recently hired for a six-month temporary position as a placement advisor concentrating on public interest. Also as part of the reshuffling, June Thompson is working as director of career services full-time, whereas before she was splitting her time with Admissions.

Clark's reorganization includes the addition of a counselor specializing in minorities issues. Byers said that he hoped the part-time position would be filled by the end of this month.

Although the opening has not been posted, his office has begun to contact faculty and various minority groups on campus to determine what the priorities should be for the new post. Currently, the only other person working in the Student Life Coun-

too much emphasis on "long-term psychotherapy"; the new focus of student life counseling is on the "normal conflicts and crises at Harvard Law School."

Student Life Counseling offers both individual counseling and outreach programs. Byers said that, beside the minorities-issues counselor, there were no other immediate changes in the future for his office, but he expected it to "continue to evolve, looking for more innovative ways to provide services."

Many of the workshops provided by Student Life Counseling that Byers described, such as "Interview Strategies", "Discovering Legal Careers" or "Job Search Planning", seem more career-orientated than geared to student life on campus. "Concerns about careers are a central metaphor for Law School," Byers said. "What

The Harvard Law School Drama Society

~presents~

THE CRIMSON SLIPPERS

or, *There's No Place Like Holmes*

produced by David Levy and Adam Raichel

directed by Adam Raichel

Thursday, March 8 at 8:00 p.m.

Friday, March 9 at 6:30 and 9:00 p.m.

Saturday, March 10 at 2:00 and 8:00 p.m.

Ropes-Gray Room, Pound Hall

Tickets on sale for \$5.00 at Hark or at door.

ARENT, FOX, KINTNER, PLOTKIN, and KAHN of Washington, D.C.

is pleased to announce that the following members of the Harvard Law School class of 1991 will participate in the firm's 1990 summer associate program:

Jed Arkin

Shannon Hayles

Gregory Lyons

Paula Russo

Sima Sarrafan

Terri Silvers

Kinney Zalesne

Classifieds

Airline Ticket For Spring Break: American Airlines. Round-trip to **San Francisco**. \$278. Call John at 576-5136.

Ride Needed: In mid-March, to Seattle, WA. Call Greg at 493-9536.

VIDEO: The CIA: Secret Wars From Vietnam to Nicaragua. John Stockwell, Liaison Officer, National Security Council. Former CIA field Officer/Station Chief (Africa; Vietnam). \$14.95. Available in VHS only. **Make checks payable to: THE WINDMILL, P.O. Box 589 Corte Madera, CA 94925.**

Support
RECORD
Advertisers

Harvard Law Record (ISSN 0017-8101) is published bi-weekly during the school year. Harvard Law School Record Corporation, 23 Everett St., Cambridge, Mass. 02138-9984. Telephone (617) 495-4418. Subscription price: \$20.00 year mailed; \$30.00 year mailed outside U.S. Individual copies: 50 cents at the Law School, \$1.00 mailed. Second-class postage paid at Boston, Mass. and additional mailing offices.

Copyright 1990 by the Harvard Law School Record Corporation and by the contributors.

POSTMASTER: Send address changes to Harvard Law School Association, Harvard Law School, Cambridge, Mass. 02138.

ALUMNIAE ADDRESS CHANGES: Alumnae who receive the Record as a result of membership in the Harvard Law School Association should mail change-of-address information to the Harvard Law School Association, Harvard Law School, Cambridge, Mass. 02138.

Each alumnae receiving a Record subscription through the Harvard Law School Assn. should be on notice that \$5.80 of H.L.S.A. annual dues are used to purchase the Record subscription he or she receives. Dues are paid at any time during the H.L.S.A. fiscal year that began in April 1, 1989 and ends in March 1990 will purchase a subscription that begins in September 1989 and expires in May 1990, and so on in following years.

return address:
HARVARD LAW SCHOOL
HARVARD LAW SCHOOL ASSOCIATION
HARVARD LAW SCHOOL
CAMBRIDGE, MA 02138-9984

SECOND-CLASS POSTAGE
PAID AT BOSTON, MA
AND ADDITIONAL OFFICES

Budget Increases Outstrip Inflation

(continued from page 1)

and student organizations has substantially outpaced both budgetary expense and tuition increases since 1987.

The amount allocated to student organizations will increase by 13.1% to \$1.65 million, or 3.9% of the total budget. Financial aid will increase 15.4% to \$3.74 million, or 8.8% of the total budget.

The financial aid line includes a 16% increase for the Low Income Protection Plan, following a 100% increase last year. LIPP will have a total of \$725,000, up from \$600,000 this year.

Even with the increase, the budget still has a \$1.4 million deficit. The gap is expected to be closed by March 14, when the budget will be discussed by the faculty, according to Upson's memo.

Upson would not indicate if programs would be cut to eliminate the deficit. The numbers are in a "state of flux," said Upson.

Samuelian lambasted the law school for not allocating more money to financial aid and said substantial sums of money could be saved by restructuring the jobs of professors.

"Debt-ridden students are currently being forced into indentured servitude to corporate law firms because of woefully inadequate financial aid packages offered by this Law School cannot possibly enable them to meet the burden of soaring tuition and living costs in Cambridge," he said.

Samuelian also proposed changing the grading system to pass/fail, reducing the time needed to grade exams and freeing the professors to teach smaller classes.

"Professors spend nearly as much time grading papers (60 hours) as they do in class and at office hours (70 hours)," said Samuelian. "Considering that the exams have no comments and are an inadequate form of evaluation, students would prefer buying more instruction and advising from professors and less uninformative evaluation."

A detailed list of grudges concerning the quality of life on the campus is also cited, centering on the inefficiencies and inadequacies of the Harkness Student Center, the library and the dormitories. The Graduate Center dormitories have been an eternal fountain of discon-

tent; the protest proposal claims "even Gropius would call for it to be torn down," and concludes, "The grad complex should be torn down before it becomes a permanent monument to the insensitivity of the administration toward the student body."

Samuelian said students leave HLS with a "negative impression" because of the poor living conditions and archaic facilities.

"Because of their bad experiences at the school, most vow never to give a penny to the school after graduation," he added. "The fundraising difficulties faced by the law school are of its own making. The only way to break the cycle is to improve this generation's experience at the law school so that when we are in a position to contribute to the school, we will be willing to give."

Most long-term spending patterns outlined in the budget include extensive computerization of faculty and administration of HLS, faculty and class additions, administrative building projects, and increased financial aid.

The tuition increase follows a decade-long trend in HLS tuition spiraling upward well in excess of national inflation rates: the nominal annual growth in tuition from 1980 to 1990 has been 11.9 percent, compared to an average annual growth of 5.5 percent by the CPI in the same period.

While budget spending also has outpaced inflation, the relative burden HLS has placed upon each student in bearing the costs of his or her legal education has not changed significantly in the last five years. Tuition income has constituted an average of 63 percent of all budgeted income, the same as next year's expected contribution.

The primary discretionary pool of income which could be used to offset student expenses, consisting of unrestricted endowments and gifts, has been increasingly reserved for the school's long-term capital programs and as a "safety valve," but is returning to historical levels of use in the operating budget.

Both Assistant Dean Upson and Dean of Students Sarah Wald declined to comment upon the status of present and planned capital projects.

NASAH Enters Third Successful Year

(continued from page 3)

lections. He added that it is impossible to determine the amount of money raised by each participating school at this time, since the law firms send donations directly to the national headquarters here at HLS and often do not itemize by students' law schools.

Attisani sees more active involvement for NASAH in the future. One goal is to "invigorate the Outreach

Program," structuring involvement "on a limited basis, with clearly defined parameters," since that would best facilitate participation of students who are busy but genuinely "would like to offer their services and time." Ultimately, he said, NASAH would like to "find ways to help people directly" rather than simply "earmarking checks for reputable homeless shelters."

Public Interest Proposal Released

(continued from page 1)

write the draft.

"The ultimate goal is to send more of our graduates into public interest and public service jobs, and to make HLS the preeminent law school in the nation in terms of public interest law," Donziger stated.

The proposal is in the drafting process, and proponents of the document are listening to comments and criticisms in order to revise the proposal to make it reflect student consensus. They expect to submit the ideas to the student body in a referendum in early April.

"We believe that the student body as a whole will support this proposal," said Lori Wallach, 3L and a spokesperson for ECIIP. "The public outcry this past fall is an indication students support the principle that Harvard should do more for public interest."

Wallach noted that a public service requirement at Penn was passed last year by a three to one margin in a student referendum. "This idea really makes sense, no matter what your political perspective or ultimate career choice," said Wallach.

Students from ECIIP have enlisted more than 100 students -- divided into teams of two -- to initiate discussions with each faculty member to discuss the curricular changes, especially the public service requirement.

The finalized version of the document, if it is adopted by the LSC and supported by

other student organizations, will be presented to Dean Robert Clark '72 before the March 7 open forum on public interest at HLS. In the letter to the LSC accompanying the proposal, the Committee explained that the position paper will be useful at the forum "to help frame the issues for debate."

The position paper said the specific proposals were an attempt to respond to the "crisis" afflicting the legal profession. Quoting statistics from the American Bar Association, Donziger noted that 95 percent of legal work is devoted to the wealthiest one percent of the population, while 93 percent of low-income people do not receive adequate legal services.

"At some level the Dean has recognized the problem. We have recognized the problem. Hundreds of students have recognized the problem. The question is: can the law school do more to deal with it? Our answer is yes -- much more."

David Buchholz, 1L, the LSC representative who sponsored the draft proposal, stated, "If HLS would implement the proposal, we would not only make a difference here but we will influence legal education throughout the country."

The position paper proposes ways to attract and "to encourage applications from potential candidates who might not otherwise apply [to HLS]." The proposal seeks to "admit more people

who have demonstrated a commitment to public interest work" by placing greater emphasis on "non-traditional criteria" -- such as the nature of prior work, published written reports and speeches.

The proposal lists modifications in the law school curriculum that would emphasize public interest law. The current first-year electives would be replaced by substantive public interest law courses such as civil rights, housing, family law, environmental law, and poverty law.

Wallach said there is debate among students as to whether to augment existing electives with the public interest law courses, or replace them altogether.

Christopher Rossomondo, 1L, a LSC representative, stated his objection to such a curriculum change. "By replacing the first-year courses with all public interest law is just as unfair as having all the courses be corporate-oriented," he said. "We should protect the ability of everyone to choose."

Asked to respond, Wallach said "most first-year core courses already are filled with business or corporate-oriented content. Students have no choice but to take these courses. We feel by adding public interest courses not currently available, we will be broadening their ability to choose."

The pro bono work, called a Public Service Requirement, would require each student to do a minimum number of hours of pro bono work in order to graduate. Wallach said the requirement would be non-political and would permit students to do any work they wanted as long as it was unpaid and was legal in nature.

Such a requirement already has been implemented at Penn, Tulane, Florida State, and Valparaiso, and is being considered by 20 other law schools, according to Wallach.

Ambitious "financial incentives" are also being urged in the position paper. Post-Graduate and summer Fellowship programs are proposed, with full salary (approximately \$30,000 annually) grants given for 2 to 3 years after graduation for public interest work given in the former case, and "full stipends" given to students working for public interest over the summer. Additionally proposals are increased "loan forgiveness," primarily in the form of LIPP funding, and 3-year "Public Interest Scholarships" for incoming students pledging to pursue a career in public interest.

Finally, a "Public Interest Law Center" is proposed, providing "comprehensive public interest services" including counseling, placement, education and research functions.

Rossomondo expressed his view at the LSC meeting that an issue as important as public service requirement should be presented to the entire student body.

"The pro bono proposal should be put to a referendum for all of the students to vote on, out of fairness," said Rossomondo. "Otherwise, we as Council members would be overstepping our boundaries."



Photo by Felicia Revago
Raul Alfonsin, former president of Argentina, lectured in the Root Room about legal and human rights issues in his country.

Brewer To Join In 1991

(continued from page 1)

work," said Clark.

The former editor-in-chief of the Yale Law Journal also won praise from members of the HLS community.

Brewer is "an extraordinary young person who has an outstanding record for himself in both the legal and philosophy fields," said Prof. Randall Kennedy. "He has demonstrated great achievement and shows tremendous promise for the future."

Tynia Richard, 3L, the president of the Harvard Black Law Students Association, commented that Brewer "is eminently qualified to be on the faculty of any law school."

Richard said it was important that Harvard pay more attention to creating a more gender-diverse faculty, especially with the departure this semester of Prof. Susan Estrich to USC. HLS now has only five women professors, none of them minorities.

Yale Law professor Akhil Amar praised Brewer's work on the Law Journal.

"He opened the Journal to less staid approaches and served as a voice of inclusion by opening up the conventions of form and style," said Amar. Amar said that Brewer brings a "very interesting and lively mind into law and jurisprudence. His wit and erudition are missed [at Yale]."

When asked about his status as a minority faculty member, Brewer replied, "It is important that law schools hire the best teachers and scholars, and there is no reason why this doesn't include minorities." Clark added that Harvard wants to be a leader in the area of hiring minority faculty and said that the appointment "was further evidence that Harvard cares" about the concerns of minority students.

The 1988 Yale graduate is currently clerking for Judge Harry T. Edwards of the U.S. Court of Appeals for the D.C. Circuit, and will begin clerking for Thurgood Marshall this summer.