TRIAL TACTICS EXPLAINED

Three prominent trial attorneys spoke to the students concerning trial tactics and techniques. The program was obtained for the school by Professor J. Edward Collins under the auspices of the Defense Research Institute, Inc.

Paul Gouldin, Esq., was the first speaker. Gouldin concerned himself with the preparation of a case for trial. His lecture covered the interviewing of clients and witnesses, the preparation of the trial brief for the benefit of the judge and the preparation of what was termed the work trial brief.

The second speaker, Carlton Thompson, Esq., concerned himself with jury selection, the investigation and voir dire examination of prospective jurors as well as the opening to the jury. During his analysis he discussed the difference between the investigation of jurors for trials held in small towns and those in large cities. He particularly noted the problems which arise in a small town concerning the knowledge of the general citizenry of the facts which give rise to the controversy, the parties involved, and even familiarity with counsel. He suggested approaches to be taken with the jurors during voir dire as well as methods which might cause a prejudiced juror to disqualify himself so that counsel would not have to use one of his peremptory challenges.

The third speaker, Daniel Ryan, Esq, discussed the presentation of law, proof and the summation to the jury. He ended his lecture with a demonstration of the examination and cross-examination of a medical witness. The witness was John Walsh, Esq., and the testimony had been taken from a recent trial handled by Mr. Ryan with names changed. The problem involved an attorney who had managed to paint himself into a corner so that he was forced to rely on the expert opinion of a radiologist. The expert had not been prepared concerning the case, he had seen the plaintiff only once, and then quite some time after the accident. He had examined her, but not for the problem for which the injury was claimed, and he was asked to testify from someone else's x-rays. The witness ended his testimony by stating that, while he had an opinion, he had absolutely no facts upon which to base it.

Law Forum Presents Winters

The second lecture of the 1967-1968 Law Forum was held in conjunction with the annual Order of the Coif Dinner.

The speaker was Glenn R. Winters, Esq., who is a graduate of the University of Michigan Law School and presently the Executive Director of the American Judicature Society.

Winters is one of the most informed and prominent voices in the plea for judicial reform in this country. With these qualifications, he chose as his topic "The Merit Plan for Judicial Selection—Its Historical Development."

Mr. Winters began his address by describing the merit plan presently supported by the Pennsylvania Bar Association and under consideration by the Pennsylvania Constitution Convention. Under this plan the appointment of certain judges would be by the Governor from a list submitted by a nominating commission. These appointees would then hold office for two years at which time they would be subject to the approval of the electorate in a non-competitive election. The judges would then sit for a term of ten years after which their tenure would again be subject to the approval of the voters.

Winters pointed out that disillusion with the electoral process of selecting judges began about the turn of the century. Numerous proposals and variations were offered to the basic pattern of nomination by a commission, appointment, and tenure of judges for a specified period. The major difference among the various plans was in the makeup of the nominating commission. An overall change was first adopted in Missouri in 1918, and by the summer of 1957 some form of the plan had been effected in fifteen states.

In the concluding portion of the lecture, several predictions were offered with regard to the future.

DEAN ON SABBATICAL

Dean Teaches At Western Reserve

Dean Reuschlein has taken a sabbatical leave this year at the Case Western Reserve University Law School, Cleveland, Ohio, for the current semester. Dean Reuschlein announced that at the invitation of Dean Louis A. Tepper, he will teach a course in corporations as well as a seminar in jurisprudence.

The Dean disclosed his intention to return to Garey Hall for the purpose of attending and participating in various peripheral Law School functions, including the final round of Reimel Moot Court Competition, and the annual meeting of the Board of Consultants.

The Reuschleins will be occupying a house located in Cleveland Heights while Professor Frankln and his family will take up temporary residence in the Reuschlein home.

NEW EDITORS NAMED TO DOCKET

The Villanova Docket editors have announced the selection of next year's editorial board. Selected as Editor-in-Chief is John Justin Blewitt, Jr., who received his B.A. from the University of Scranton in 1966. Stephen A. McBride, who is a 1966 graduate of Providence College, has been selected as Associate Editor of the Docket.

Selected as Alumni Editor is Patrick J. Mandracchia, who is a 1965 graduate of Villanova University. The Managing Editor is Robert J. Eby, who is a graduate of Dickinson in 1966.

The new editors will work with the present staff on Volume 5, No. 3 and will assume their editorial positions for the fourth issue.

Consultors Visit Set

The Board of Consultants, composed of about thirty members of the legal profession, will visit the school on March 8, 1968. The Board serves as advisors to the Dean and faculty on the progress of the law school from the vantage point of the judge or practicing lawyer.

The Consultants visit the law school officially as a group once each year. This year they will be in (Continued on Page 6, Columns 2 and 3)

BRUCH APPOINTED AS ACTING DEAN

Under appointment by the University's President, the Very Reverend Robert J. Walsh, O.S.A., Vice Dean George D. Bruch has assumed the position of Acting Dean of the Law School in the absence of Dean Reuschlein who is presently on sabbatical for the second semester.

When asked about law schools in general, areas in which reform is most exigent, and perceptive future trends, Acting Dean Bruch referred to the widely recognized need to keep law school curricula in step with the rapid paced technological advancements and other developments in our society. He expressed the view that Villanova was making commendable progress in this respect, pointing among other things, to the seminars now being offered in Law and Economics, Criminal Law and Psychiatry, Criminal Law and Narcotics, Judicial Administration, and the course in Land Use Planning with its emphasis on urban renewal.

In the same context, he called attention to the clinical experience a number of the second and third year students are gaining through volunteer service each week in the Community Legal Services programs of Philadelphia and Delaware counties, where there is a need for sixteen neighborhood law offices providing legal services to the underprivileged. Finally, he noted that there is a great deal of work currently being done in the Faculty Curriculum Committee, which is under the direction of Professor Abraham, looking toward additional course offerings and revisions in the curriculum for the next academic year.

When asked about law students and faculty-student relations, Acting Dean Bruch was of the opinion that Villanova takes an active place to no other in this regard. For years, he stated, the student body has largely self-governing, with an elected Student Bar and Honor Board leadership and a (Continued on Page 2, Column 3)
Elsewhere on these pages you will have learned, if you did not already know, that Dean Reuschlein is on sabbatical leave during the current Spring semester. We know he will enjoy this much earned change of scene, serving with an old and valued friend, Dean Toepfer, who recently moved from the Harvard Law School faculty to take over the Deanship of the Western Reserve School of Law. All of us here wish the Dean and Mrs. Reuschlein and family a happy postman’s holiday in Cleveland and look forward to their return this June, when—without a doubt—he will resume what he sometimes refers to as “burdens, burdens, burdens.”

Participating as judges in the second round of Reimel Moot Court were James Beasley, Esq., J. Charles Shott, Esq., and Thomas Deven, Esq. Contestants were: M. Nathan, A. Schiffrin, D. Kimbell and R.M. Kennedy.

Students Gain Experience Through Community Legal Services Program

Under the direction of Professor Brown, many students have become involved with the Community Legal Services Program which is designed to aid indigents unable to afford adequate legal protection of their rights. There has been an avalanche of litigation since the program has begun, and the In re Gault decision placed an even greater burden on the understaffed program.

The program is divided into three sections: Litigation Office, Neighborhood Office, and the Juvenile Office. The law school student is involved in researching problems for the lawyer under whose auspices he works. Partial determinations are made through investigations and personal interviews with the clients. Also, due to lack of adequate funds, many motions and written by the student are often relied upon by the lawyer in the course of the litigation.

While the primary purpose of the program is being accomplished, namely aid to the poor, the students recognize a lack of sufficient organization, a ramification of an understaffed operation which is detrimental to its effectiveness. Occasionally, a lawyer is expected to be in two courtrooms at one time.

At this point, the first year student, expressing the opinion that the reports are sent to the litigation department.

“Dave Belkin, a second year student, expressed the opinion that the program is "definitely something worth doing." Prior to the program, "we had no money to pay the students.""
The words “right to privacy” do not appear in the fourth amendment of the Constitution but the Supreme Court has held that within the framework of that amendment, certain words do exist. The question then arises, as to whether the existence of these words makes the individual more secure from governmental invasion of his privacy by merely imposing stricter restrictions on the ability of the government to engage in searches and seizures or do they create areas of individual activities which are beyond the scope of governmental intrusion. In today’s world of “bugged martinis” and electronic ears, the resolution of this problem becomes increasingly important. Focusing on the conflicting views of justices Douglas and Black in recent decisions gives greater definition to the problem and perhaps a better understanding as to the conclusions reached by the majority in this area.

Justice Douglas, writing for the majority in Griswold v. Connecticut, 381 U.S. 479 (1965), held that various Constitutional guarantees give rise to zones of privacy. Although not relying specifically on the fourth amendment in reaching the holding of the case, which was to declare unconstitutional a state statute imposing penalties for the dissemination of information leading to the use of contraceptives, he does ask the rhetorical question, “Would we allow the police to arrest the sacred precincts of marital bedrooms for telltale signs of the use of contraceptives?” The clearly negative reply sought, gives rise to the implication that where a search and seizure has taken place the threshold question is not whether it was reasonable, but if the areas searched or the things seized were protected by a mantle of privacy. Justice Black, joined by Justice Stewart, vigorously dissented, opposing the position believing the criteria for barring invasions of privacy is to be measured only by the expressed language of the fourth amendment, that is, the search and seizure unreasonable.

In Berkley v. New York, 386 U.S. 41 (1967), the Supreme Court was faced with deciding the constitutionality of a New York eavesdropping statute. Relying exclusively on the fourth amendment, the statute was found to be violative of the commands of that amendment. The Court in making this determination did not create a zone of privacy but chose rather to examine the standards employed in permitting and conducting electronic surveillance of the individual. It is apparent, however, the Court was greatly concerned by the dangers inherent in this law enforcement tool and although unwilling to carve out an area of privacy, the concept of privacy provided grounds for imposing almost impossible standards on the law enforcement body in order to make effective electronic surveillance. This is exemplified by the Court's position on notice requirements; recognizing secrecy is essential for eavesdropping, the Court has imposed a requirement of showing exigent circumstances before permission can be granted without notice to the person whose conversation is sought to be overheard. The importance of the right to privacy is made more apparent by the Court's statement, "It is now well settled that the Fourth Amendment's right of privacy has been declared enforceable against the States through the Due Process Clause of the Fourteenth Amendment," whereas the command could have been phrased as the Fourth Amendment's right against unreasonable searches and seizures.

Justice Douglas, concurring with the majority, takes the opportunity to reassert his position and take exception to Justice Black's interpretation by stating, "With all respect, my Brother Black misses the point of the Fourth Amendment. It does not make every search constitutional provided there is a warrant that is technically adequate." In dissent, Justice Black states, "The Fourth Amendment's language fairly construed, refers specifically to 'unreasonable searches and seizures' and not to a broad undefined right to 'privacy.'"

The Court has within the month had to re-examine the problems of eavesdropping in the case of Katz v. United States, 389 U.S. 347 (1967). There a warrant placed an electronic device on the outside of a public telephone booth to record petitioner's conversations as evidence of his gambling activities. In framing the Constitu-
C. Army
Judge Advocate General — Must fulfill a 4-5 year service period in order to retain the classification. Selection is almost entirely limited to those who were in ROTC or served on Law Review in Law School.

Army Medical Service — An attorney would be given special consideration to serve as an administrative officer because of his legal background. Selection rate is quite low and individuals selected for appointment may be required to wait for periods up to a year for active duty, and no draft deferment is available during this waiting period.

D. Coast Guard
Coast Guard Officer Candidate — The Coast Guard does not have a special program for lawyers, but for those who have perfect to near perfect vision, the Coast Guard offers a commission. Active duty consists of three years. The regular Coast Guard is closed.

II. Occupational Deferments
The National Security Council has made the list concerning which occupations are to be deferred deliberately vague. Draft Boards may defer attorneys both in the scientific and technical fields and those in elementary, secondary, and college levels, according to what is considered necessary in the particular area.

Lawyers working for companies in the scientific, technical, or health fields will probably be deferred. The activities include work in aircraft, missile, space and chemical industries. In this area of operations the local board is given discretion as to which occupations it will defer.

Pennsylvania Selective Service
A copy of the reply to the letter's question was sent to the Office of the Director of Selective Service for the State of Pennsylvania. The following is a summary of the reply by Lt. Colonel, AGC William C. Grimm:

A. No student who has reached the age of 26 by the end of the current academic year will be the recipient of an order for induction, unless he is classified as I-A.

B. All married students with children born prior to July 1, 1967, holding a III-A classification will continue to maintain such status.

C. The status at the end of the current academic year of other first year students not falling into either of the above two categories will be determined following receipt of recommendations from the National Security Council.

D. Those second and third year students not falling into either of the first two categories will be allowed to maintain their II-S status until completion of their third year.

E. No one who is now classified II-B will be given a III-A exemption.

F. Hardship deferment classifications are granted by the local board under the provisions of Selective Service Regulations 1622.1, 1622.30, 1624.1, 1624.2, and Methods Course. Those students who do not have a 3-A deferment but who desire one will have to prove that a hardship will exist by denial of the deferment.

HARDSHIP DEFERMENTS
Will be granted on proof of extreme hardship. This is the test applied. This is the test applied.

JUDICIAL CLERKSHIPS
I. Defense — May be given to lawyers who have a bona fide judicial clerkship, whether it is a federal, state, or county clerkship.

OCCUPATIONAL DEFERMENTS
Will be given where the registrant's occupation is deemed necessary for the maintenance of the national health, safety and interest. This is final and cannot be overturned. Each registrant is on his own, and must prove that his job is necessary. No "close" occupational deferments are given. Further tests are made of the registrant's classification, but the draft board in the classification, but the draft board.

It should be noted that the Local Boards in New Jersey have wide discretion in the granting of deferments, and State Selective Service Headquarters in Washington, D.C., has no direct control over them. If a lawyer feels he has been denied a deferment, he should contact his local board or the nearest Coast Guard Recruiting Office.

(Continued on Page 5, Column 1)
NEW CALENDAR ANNOUNCED

The Calendar for the 1968-69 academic year is a result of a number of meetings by a Planning Calendar Committee which included in its study recommendations of student leaders. These reports were considered at a Faculty meeting and the calendar represents the full year's work of the Faculty. The major changes from the current year's calendar are the placing of the final examinations before Christmas, the introduction of a mid-term recess at the halfway point in the second semester would be more beneficial than at Easter. The positioning of the final examinations before Christmas was motivated by two considerations primarily, (1) avoiding a serious inbalance of instruction time between the two semesters and (2) recognition of the desirability of a real period of rest and relaxation between the two semesters. With the examinations prior to the Christmas recess, the two-term system is due to the belief that a short period of rest and relaxation is necessary to be most effective.

The introduction for the first time in Villanova's Calendar of a mid-term recess in the spring semester is due to the belief that a brief period of vacation at this point in the second semester would be more beneficial than at Easter.

SCHOOLS OF LAW 1968-1969

1. The order of call is:
   a. Those second year students holding a II-S will most likely be classified I-A.
   b. If a student has a child and request a parenthood deferment.
   c. Candidates for a Master's Degree will be given an additional year to complete their study. Such a period of time.
   d. If a student is married and his wife is pregnant or if she has a child and request a parenthood deferment.
   e. Those second year students holding a II-S after June 30, 1967 he will not be eligible for III-A on the basis of parenthood.
   f. Those over 26 will be classified I-A upon graduation and are not entitled to another II-S in their third year.
   g. Candidates who requested a II-S after June 30, 1967 and have a child may request a III-A deferment here.

2. Third year students
   a. First year students will be deferred for one year.
   b. If a student has a child he should request class III-A, but if a student is deferred in II-S after June 30, 1967 he will not be eligible for III-A on the basis of parenthood.
   c. If a first year student has a child born prior to July 1, 1967, he will continue to hold a III-A or he should request a III-A and not a II-S.
   d. Those over 26 will probably not be called.

3. Incoming students
   a. Those over 26 will probably not be drafted though they will be classified I-A.
   b. If a student has a child he should request class III-A, but if a student is deferred in II-S after June 30, 1967 he will not be eligible for III-A on the basis of parenthood.
   c. If a first year student has a child born prior to July 1, 1967, he will continue to hold a III-A or he should request a III-A and not a II-S.
   d. Those over 26 will probably not be called.


NEW YORK SELECTIVE SERVICE

TALKED TO: Col. Alpert
1. Law School Draft Deferments: Col. Alpert said that the present law does not generally allow a law student deferment after this current school year. He did say that all deferments are handled on an individual basis, and that therefore, he can not make a general statement on any "class" of students.
2. Order of Call: The order of call has not been changed, with the order being age 26, backwards.
3. Hardship Deferments: Are also handled on an individual basis, but a research one.

MASSACHUSETTS SELECTIVE SERVICE

1. The order of call is:
   a. Delinquent
   b. Voluntary
   c. Those 19-26 of age who are single or married after August 25, 1965.

2. Third year students
   a. Those over 26 will probably not be drafted though they will be classified I-A.
   b. Those under 26 who have a III-A or who have not requested a II-S after June 30, 1967 and have a child may request a III-A and will keep such a classification.
   c. Those students who requested a II-S since June 30, 1967 and are under 26 will be classified II-A upon graduation and are not eligible for III-A deferments based on parenthood.

3. Second year students
   a. Those second year students holding a II-S will most likely be entitled to another II-S in their third year.
   b. If a student is married and his wife is pregnant or if she has a child, he did not request his II-S after June 30, 1967, he should present evidence of his wife's pregnancy or of the birth of a child and request a parenthood deferment.
   c. Those over 26 will probably not be called.

4. First year students
   a. First year students will be deferred for one year.
   b. If a student has a child he should request class III-A, but if a student is deferred in II-S after June 30, 1967 he will not be eligible for III-A on the basis of parenthood.
   c. If a first year student has a child born prior to July 1, 1967, he will continue to hold a III-A or he should request a III-A and not a II-S.
   d. Those over 26 will probably not be called.

5. Incoming students
   a. It appears that unless an incoming student qualifies for a deferment due to parenthood or hardship or some other deferment, he could not expect to get a II-S for his first year at Law School in the State of Massachusetts.
LEGAL SERVICES
(Continued from Page 2)
views were not by appointment. The result was that many clients would be waiting to be interviewed, affecting the completeness of preparatory questions aimed at obtaining a history of the case. With the influx of greater student assistance and a scheduling of interviews, these problems are being remedied.

Gene Boyle and Joseph Priory commented on the benefits derived from their experiences in the court room; both students are serving in the Litigation Office. "The cases are being represented but there are no real legal arguments, and the judge also sets an equitable solution based on factual presentations of opposing attorneys." They said this was primarily caused by historical precedent before the re Gault and the lack of time for attorneys to adequately prepare a well-reasoned, legally-oriented brief.

The benefits derived makes the time highly worthwhile to the students. Dennis Coyne summed up the advantages by stating that "especially for a person who does not come from a legal background or having a legal professional experience, it offers a working knowledge of the law and how it is practiced outside the courtroom." Priory stressed the personal satisfaction of helping people attain their legal rights and the opportunity the program offers to see the law in its practical operation as contrasted with the ideals of the textbook.

Those involved on every level expressed a desire for even greater student participation both this year and next. The advantages are great, while at the same time, a worthy cause is served.

LAW FORUM
(Continued from Page 1)

The course of the merit plan: The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan. The Nominees will disappear, along with the American Bar Association's Fairness in the Judicial Selection process at the end of the 1970's merit plan.

(Continued from Page 3)
Winners Announced
in Tennis/Basketball
By Michael J. McShane

This fall the I.C.C. held its first annual inter-club tennis tournament and the event went well with good student response. The doubles were won by Robert Dowler and David Fox of St. Thomas More, while Bob Morganstern of Hughes-White defeated Bill Benner of Cardozo-Ives to take top position in the singles. A follow-up Spring tournament is planned, weather permitting.

Nata Giudice, who scheduled the matches, reported that 20 club members participated in the singles rounds and 16 in the doubles, with three of the number coming from our female ranks. Three-game sets were played under standard tennis regulations, the opponents having one week to play each round at their convenience and to report the results.

Hughes-White won two games by a total of 3 points to junk off to an early lead in the newly formed I.C.C. basketball league. Ed Walsh's outside shooting sparked the Hughes-White A team to 10 point lead at halftime. The Taney-Moore B team rallied in the second half to take one point lead with only 20 seconds remaining on the clock, but Walsh took the ball the length of the floor and made a driving hook with 7 seconds left. Taney-Moore missed the last shot at the buzzer leaving the final score 47 to 46 in favor of Hughes-White.

In a low scoring game between the Hughes-White B team and the Taney-Moore A team the Hughes-White B team took a 24 to 22 lead after a jump shot by Jim Deehan with 55 seconds showing on the clock; then regaining possession on an errant pass, Hughes-White managed to run out the clock for the victory.

The games between Cardozo-Ives and Warren-Stem resulted in a split with the Cardozo-Ives B team defeating the Warren-Stem A team 28 to 27. The height under the boards made the difference for Cardozo-Ives, The Warren-Stem B team knocked off the Cardozo-Ives A team 47 to 42 in the second game. A special commendation must be given to Dave Knoll and Marvin Fichler for the fine job they did running the four games completely on schedule and without a hitch.

Consultors
(Continued from Page 1)

here on Friday, March 8th, and the faculty would like them to speak a significant part of their day meeting with students. It is planned to have groups of two or three consultants meet with groups of from six to ten students drawn from among the representatives of the various student organizations. The students will have an opportunity to discuss with the consultants matters of interest to them as law students at Villanova.

From The Dean's Desk
(Continued from Page 2)
day-time enrollments of the 6 Pennsylvania law schools, we note that Villanova is second largest. This study reports our enrollments for the past 4 years as: 1964—280, 1965—331, 1966—378, 1967—410. There are 125 in the graduating class this year.

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