The Docket, Issue 1, September 1976

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Hutchinson resigns labor post

By JOHN MARSHALL
On August 23, 1976, U.S. Department of Labor announced the resignation of James D. Hutchinson (Villanova Law School, 1960) as Administrator of Pension and Welfare Benefit Programs. The Washington Post and the Wall Street Journal had reported his resignation as a protest against inefficiency and inadequacy within the Department of Labor. In an interview with The Docket, Hutchinson acknowledged that he intended his resignation to stimulate reform.

Hutchinson’s past experiences represent an extraordinarily impressive career in law and public service. A native of Wilkes-Barre, Pa., he graduated from law school and was editor-in-chief of the law review.

Burger’s Clerk
Following law school he was a clerk to Chief Justice Warren E. Burger on the U.S. Supreme Court. In 1969 he entered active duty with the U.S. Army Military Police Corps, and was separated for the rank of Captain in 1971. He practiced law with the firm of Stepoe & Johnson in Washington, D.C., from 1971-1974 and was made a partner after only three years.

He left Stepoe & Johnson to accept an appointment as Deputy Attorney General in the Department of Justice, where he remained until accepting his present position.

In his position as Administrator of Welfare and Pension Benefit Programs, Hutchinson is primarily concerned with regulating the reporting, disclosing responsibility provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

The regulatory policies, standards and compliance strategies for the Department of Labor, in administering ERISA, were developed largely by Hutchinson and his staff. He is particularly sensitive to the wide-ranging implications of ERISA. A memo to the Secretary of Labor asserted:

James D. Hutchinson

“...there is no single piece of legislation of recent years that has as much potential impact on the management relations and the economy.”

Yet, James Hutchinson has not hesitated to state his position and the results of an interview emerge some indication of why.

Hutchinson clearly conveys an impression of placing particular emphasis on action and decisiveness. He uses the word “efficiency” liberally in his speech and in a tone that suggests the concept is very central to his being. It is not difficult to imagine the frustration such a person might encounter in an organization where the process, not even having the virtue of being methodical, is just slow.

Ineffability
He specifically criticized Civil Service hiring practices, which admittedly were founded for the admirable purpose of limiting patronage appointments, but which now impede an agency’s ability to adjust its staffing requirements both in number and in skills to cope with newly legislated demands.

In his own position he had difficulty hiring top pension experts needed to evaluate the pension funds.

He also indicated in his memo that overlapping jurisdiction of the Labor Department, the Internal Revenue Service and the Justice Department created inefficiency and confusion.

The problems of overlapping jurisdiction,” he elaborated, “are not so much a nuisance to the agencies themselves as to the public, who must deal with all agencies. Much of the information required by Labor and IRS is redundant, yet because of different forms and reporting periods they must be prepared separately for each agency. But perhaps the most serious consequence is the difficulty encountered by someone seeking a timely exemption when both agencies must approve the request.”

When questioned about possible solutions to correct this overlap, he replied that there might be several satisfactory alternatives, ranging from a new and separate agency to a realigning of jurisdictional matters.

Hutchinson indicated that he had no immediate plans for the future and that he was looking forward to spending more time with his family in the coming months.

43 teams participate in Reimel competition

A total of 43 teams, a record number at Villanova, will participate in this year’s Moot Court competition. An additional 44 teams will compete in the Moot Court II credit round. Both participants and competitors will argue the same case.

By JEFF LEIBERMAN
In the practice of law, a wife who happens to be a full-time lawyer earning in excess of $55,000 per year may care for her husband (a work-at-home artist who’s never realized more than $3,000 per year) and her son, both of whom are in need of custody.

The husband also requests alimony. The child is very ill and needs care for his young son. The husband also requests alimony. The child is very ill and needs care for his young son. The husband’s need is based on the facts that he has been sick for many years. The wife was at work.

He intends to continue to do so if granted credit.

The wife plans to provide a home for the child at home while the husband is at work. He intends to care for the child at home while the wife was at work. He intends to continue to do so if granted credit.

The wife has no plans to work in this case. She also describes herself as the person who cares for the child at home while the husband is at work. She intends to continue to do so if granted credit.

The wife practices law with the firm of John D. Freund III, Dan & Lossing, counsel for the petitioner; Justice Thomas W. Pomeroy of the Supreme Court of Pennsylvania; Chief Judge Joseph F. Weis Jr. of the U.S. Court of Appeals for the Third Circuit; Patricia J. Barratt, J. Keith Fetter, counsel for respondent.

Richette posits lawyer’s role

By KIM McFADDEN
The Women’s Association of Villanova Law School hosted students and faculty to an evening with the Honorable Lisa Aversa Richette Sept. 8.

A graduate of the University of Pennsylvania and Yale Law School, Judge Richette currently sits on the Court of Common Pleas in Philadelphia.

Former chief of the Family Court Division of the Philadelphia District Attorney’s office, a member of the Board of the National Commission on Child Abuse, a founder and member of the Board of Child Abuse Prevention, Effort, Teen-Aid and one of the directors of the Philadelphia Child Guidance Clinic, Judge Richette came well versed in the contemporary dilemmas of the justice system and most willingly shared them with her audience.

Addressing the pitfalls of legal education, Judge Richette reminded the audience that middle-class professionals exist on a “small island in the huge social sea of unhappiness, poverty, wretchedness and despair.”

She emphasized that legal education confined to the reading of case law and the generation of arguments in an atmosphere permeated with a “lack of law review permits the student to lose sight of a role as professional in the community — one of helping and aiding clients.”
Dellapenna, Harvey
added to faculty

By FAITH LA SALLE

Joseph Dellapenna, a former professor at the University of Cincinnati Law School, has joined the faculty at Villanova University Law School for the next year as an associate professor.

Dellapenna's appointment is part of a larger effort by Villanova Law School to expand its faculty and enhance its curriculum. He has a strong background in law and has taught at several law schools, including the University of Michigan and the University of North Carolina. He has also published extensively on various legal topics.

Dellapenna's arrival is expected to bring new perspectives and expertise to the Villanova Law School community. His contributions are likely to enhance the school's reputation and attract more students.

In addition to teaching, Dellapenna will be involved in research and other scholarly activities. His presence will no doubt enrich the academic environment at Villanova Law School.

The appointment of Dellapenna is a testament to Villanova Law School's commitment to excellence and innovation. It underscores the school's dedication to providing the best possible education to its students.
Walsh takes reins as dean

By LOUIS C. ROSEN

Robert Walsh, former professor at Villanova Law School, is now embroiled as a dean in the difficulties of initiating and strengthening programs at the University of Arkansas at Little Rock's newly established full-time law school.

Walsh, who taught constitutional law, conflict of laws, administrative law and federal courts during his six years here, will give top priority to establishing a first-rate teaching faculty at Arkansas.

In an interview with The Docket, Walsh said that the size of Arkansas' faculty will nearly double in the next five years.

"There's going to be a lot of responsibility in the area of personnel," Walsh said. "Also, they've had a very spartan tradition. . . . Also being dean of the faculty, Walsh will have the opportunity to forge new programs. He views being the first permanent dean at a developing law school as more of a professional challenge than if he were going to a more established, status quo kind of position as dean.

"I'll be able to establish traditions," Walsh said. "Rather than just going along with tradition . . . Also being dean offers a lot more opportunity for seeing concretely the fruits of your work."
Is there life after law school?

As the Viking spacecraft descended upon the Martian surface to investigate the potentialities of viable life forms, first-year students were similarly contemplating whether life as we presently knew it could comfortably coexist with the heat turned upon individual students called on in class, the arid sweeping winds of hypothetical questions raking the classroom, and cold isolated nights spent with a casebook. Fortunately, most members of the first-year class will arrive at more optimistic conclusions than did Viking. But the real question would be to ask why?

On the one hand, the law school experience is important for the substantive knowledge and legal skills that will invariably develop and mature. On the other hand, law students should remain particularly sensitive to the broader and probably more traumatic experiences of confronting various pressures which threaten an individual's identity. They should also learn how to successfully resolve those conflicts which inevitably arise from the law school environment.

Although opinions will differ as to the effect of three years of law school upon an individual's personality, it is certain that in most cases, the academic experience will have some degree of impact. Consequently, the real issue is the extent to which students will allow the legal experience to affect them one way or another, since in the course of three years of law school there are too many other important things to consider than merely learning the law.

McNamara part two: People

It is policy of the Villanova University School of Law not to discriminate on the basis of sex in its educational programs, activities or employment policies as required by Title IX of the 1972 Education Amendments. Inquiries regarding compliance with Title IX may be directed to Edward L. Collymore, director of social action programs, Villanova University (527-2100) or to the director of the Office for Civil Rights, Dept. of Health, Education and Welfare, Washington, D.C.
Tspectives on law school

that Michigan's average LSAT score for this year's entering first-year class is 780 and our entering class is, let's say, on the average of 62/630, that difference becomes irrelevant in terms of deciding the quality of that class and, more importantly, what kind of lawyers the students will make. There is simply a point at which it becomes irrelevant, at the upper end of the scale. The difference between an LSAT of 630 and 700 is just irrelevant. I'm not concerned about how well 630 students will do. I'm concerned about what kind of lawyers they make. And that 70 points to me means do you produce a demonstrably better lawyer.

You can play the numbers game all you want; as far as people I've known I've been delighted. The vast, vast majority of my associates at whatever firm I've been with have been fine people. I have nothing but a feeling of glowing expectation for what the graduates of this law school I have known, and the ones who will graduate in the future, are going to do. Presently here, will do, because of the fact that I found them people of character, people of worth.

Are there some things you find more important than others? Sure. Are there some things you haven't liked at all? A few. I hope that would be true. I have not always been a part of the association with the law students at this place, and very, very seldom could I legitimately criticize a student for not showing the kind of motivation or intelligence or good faith. I haven't found them lacking in that. And there are qualities that say a lot about what kind of lawyer you'll be and what kind of person you are.

McNamara: Law students, most probably the third year students who are the closest and most sensitive to the job situation, complain that members of the faculty who have come from large law firms don't do nearly enough to help students find jobs. McNamara: All I can do is talk about myself. In terms of drawing upon prior associations, a law teacher who is in a difficult situation, if everyone asked, "Will you do X for me?" and you did it, and what you simply did was to send a stream of people down to your former firm or former office, there would very rapidly come a time when your reputation of a person wouldn't mean anything. If you acted merely as a clearing house, making no judgment about whether or not there was a likelihood based upon what you knew about your students who were courting you, it did not involve and made no reasonable appraisal in advance, there would have been no way you could say, "This is a good person, hire him," and they won't pay any attention to you. Your own credibility therefore is a factor. You're going to look at a student who comes in and says, "Look, I'm looking for a job, will you send me to see firm X?" and you've worked for firm X. Well, you're going to say quite frankly, "No, I won't." Because (1) you don't think that they are going to like it there or (2) from what I know of you you're not going to get the job and a whole raft of reasons that will be satisfactory to that firm.

That's the first problem. It is just very different to do something for everyone that you would like to do something for, because every firm that you work for has a certain set of standards that it applies and a certain kind of person it's looking for. And if the student you're talking to doesn't fit those standards you are wasting his time and you're sending him down there. In terms of writing letters of recommendation, I will write a letter of recommendation for anyone who wants one. The terms of the letter will differ based upon a point that I know of the student and what my good faith will support. But I won't refuse to write a letter of recommendation.

As far as going out and beating the bushes for an applicant there have been times where I have done that for, for the simple reason that I thought the person, as I had come to know them, was such that it was almost my duty to do it. I'll see an occasional trial lawyer come by and I simply call up somebody that I know, and say, "I know of you're looking or not, but here's and-so-and-so. If you're looking, you might want to take a look at him."

I've done that and I'm sure from time to time other faculty member here has done that. I don't recall doing anything else, quite truthfully, because I'm not sure how much more I can do for anybody who is looking for a job. It's simply that every year you teach there are some people who will not get a job and he's got ambition. Take a look at him.

Docket: In the last few years the legal profession has been assailed. McNamara: I suppose that if I could change one single thing about legal education, here or anywhere else, it would be that members of the faculty who are the closest and most sensitive to the graduating senior. There is simply a point at which it becomes irrelevant, at the upper end of the scale. The difference between an LSAT of 630 and 700 is just irrelevant. I'm not concerned about how well 630 students will do. I'm concerned about what kind of lawyers they make. And that 70 points to me means do you produce a demonstrably better lawyer.

McNamara: This is the place for what the graduates of this school will note, quite a bit has changed. Probably the most drastic change is in the student body itself, which now includes women, who constitute over 30 percent of the current student body. Dean Emeritus Harold G. Heuschen will be returning to the law school for this reunion as will a number of other former faculty members.

School sets two reunions

By MARK ROODEN

Villanova Law School will hold its 20-year and 15-year reunions on Oct. 2 for the classes of '56 and '61 respectively. The 20th reunion will be a significant event due to the fact that it will reunite the students of Villanova's first law school graduating class. No doubt, the 28 graduates will note quite a bit has changed at the school since 1956. Probably the most drastic change is in the student body itself, which now includes women, who constitute over 30 percent of the current student body. Dean Emeritus Harold G. Heuschen will be returning to the law school for this reunion as will a number of other former faculty members.

On Sept. 23 the class of 1966 will hold its 10-year reunion at the school. For the information of new students, the Alumni Association performs a number of valuable services for the law school, including the Annual Giving Program, wherein the alumni raise funds for the school, and a placement program in which graduates of Villanova Law School are instrumental in placing recent graduates in meaningful employment.
Summer jobs in the law firm

Practically something for everyone: a brief glance at Park Avenue, Broad Street and Bryn Mawr

By BARRY SCHUSTER

Do you want to do Noyack, the Big Apple? It certainly is a city of hustle and bustle, even with the summer air seeming fresher. But in spite of this, the demobilization-derby taxicabs, or because of them, life in the law office is not as exciting as we were force-fed to think. This made it all the more satisfying, when, after such long time we were told not how little we knew, but how foolish we sounded.

After renewing acquaintances, the lawyers, we learned, had cleaned up quickly, amazingly quickly. We were already familiar with the physical surroundings except that what had been blue chip was reportedly posessed questions about for-bidding legal intricacies. Now with a dangerous sense of humor, we forcefully attacked issues. This time we were told not how little we knew, but how foolish we sounded.

Yea, this is a big firm which handles some big cases. At the time I left to begin law school, I was doing factual research (as the legal assistants do) for the discovery in an antitrust case. The building had mysteriously grown from nine floors, all to house some 55 partners, 120 associates, 70 legal assistants and hundreds of secretaries, typists and other unknown folk.

Years of Discovery

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Pinstripe to T-Shirt

But let too much about this large firm's impact on me in jeopardy, status-structured, and all-engulfing (all of which it is) there are more important things.

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Small-town girl in a big time firm

By JULIE CONOVER

My initial feelings about working in a large law firm were that it was going to be a breath of fresh air for me. I had imagined that all large city center law firms were bostions of WASP-controlled cliques. I had imagined that there were all types of people working in such a law firm; in fact, the largeness of the firm seemed to promote diversity. The only consistent denominator was that everyone worked hard to be a good lawyer. Additionally, it was important to have developed a relatively large number of women lawyers working at the firm.

The answer was yes, at least for the summer. I was happy to find that there were all types of people working in such a law firm; in fact, the largeness of the firm seemed to promote diversity. The only consistent denominator was that everyone worked hard to be a good lawyer. Additionally, it was important to have developed a relatively large number of women lawyers working at the firm.

And while the partner's gone

By REGGIE KRASNEY

A summer clerkship with a small suburban law firm (five or fewer attorneys) can provide a better choice to "practicing law" than an internship with a large or even medium-sized, center-city firm. The small firm is better able to specialize in areas of great human sensitivity; areas of the law in which the firm would generally be involved. The partners at these firms are perfectionists with their product, but the firm's personnel is diverse and relatively small.

Client Counseling offered

By SUZANNE BLACK

As an intern at a large law firm, I was responsible for a number of clients. The clients were individuals, corporations or in­dividuals, corporations or in­urance companies. When all of the attorneys are absent from the office, the responsibility devolves upon the clerk to check the daily mail for matters that require immediate attention. Calls from clients and others to in­volve "urgent" matters must be evaluated to determine if dis­cussion with the client may be warranted or if a sym­pathetic call to the client will tide the matter over until the attorney returns.

In short, for the clerk in the small suburban law firm is a quasi­attorney, one who performs substantially the same tasks as those of a solo practitioner, short of court appearances. The experience is invaluable and is highly recommended for any law student contemplating private practice.

Those are stacks and stacks of application forms that litter the desk of Sandy Moore, admissions and financial aid officer at Villanova Law School. Theoretical questions are presented in the fourth week and the final exam is to be given the final week. Moore wonders: "Will I find in next issue when THE DOCKET presents a portrait of the first-year class?"

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In short, for the clerk in the small suburban law firm is a quasi­attorney, one who performs substantially the same tasks as those of a solo practitioner, short of court appearances. The experience is invaluable and is highly recommended for any law student contemplating private practice.

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Insights into the public sector

By JON KISSEL

For the past two summers I worked for the Public Defender's office in Santa Barbara, Calif. This job gave me the opportunity to participate in the legal realm, both as a researcher who had limited contact with clients and as a certified law clerk who himself could handle a case load. I was fortunate to be involved with this particular office. A new Public Defender had recently been hired when I first came to work in the summer of 1975. Since new office policy was being formulated, assignments were being changed and personnel matters were being reviewed, I was less conspicuous as a law clerk. Due to the continuous movement within the office I was able to work at my own pace and devote all my time to helping prepare cases which were about to reach the trial calendar on a one case at a time basis.

Satisfaction

My work in this area greatly focused upon researching and preparing legal motions made at the commencement of trial. The less than glorious role of researching law clerk became a law clerk. Due to the continuous movement within the office I was able to work at my own pace and devote all my time to helping prepare cases which were about to reach the trial calendar on a one case at a time basis.

New Perspective

Suddenly I was thinking of myself in the courtroom, analyzing my argument together with the judge's personality, the D.A.'s method, as well as the subject matter. Before my first summer ended, I was able to participate in a felony jury trial and handle an entire case's motions. At this point in my legal training, this experience was more valuable than anything I'd ever engaged in.

This past summer I returned to the same office to handle more cases. My first week was occupied with motion practice, but by the second week, I was able to work continuously for 12 hours a day. Due to the continuous movement within the office I was able to work at my own pace and devote all my time to helping prepare cases which were about to reach the trial calendar on a one case at a time basis.

Banned Words

Certain facts will appear in the police reports which represent "banned words" to different judges. It is at this point that an attorney must go into chambers with the D.A. and attempt to equitably resolve his client's case. Arrangements are sometimes extremely crowded. I learned that during a busy day one might get the best "deal" for his client if the D.A. desired to enter into a plea bargain. Being acquainted, or even being friendly with the D.A. or the judge, is important in that respect.

Nitty gritty of defenders, SEC and U.S. attorney

COURT DISCLOSURE

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In Reimel (Continued from page 1)
October 11.
The entire Moot Court program is run by the Moot Court Board, a group consisting of 19 second- and third-year students who have become members of the board on the basis of high academic performance. In addition to Kemp, the board consists of Frank Baker, Sandy Kaufmann, Debbie Lerner, Jack Loughhead, Joe Murphy, Jim Staudt, Jennifer Asher, Joan Axe, George Eager, James Hilly, Lacey Ivanoff, Kathleen Kelly, Mary Ann Killinger, Susan Rhodes, Edward Saviano, Richard Schey, John Toner and Barbarann Uberti.
This year, the board’s responsibilities have been greatly expanded. In the past, various judges in the program were asked to indicate whether they felt that the briefs and oral arguments they heard were satisfactory. But this year, all briefs will be subjected to an anonymous screening by board members.
Participants whose briefs pass this screening will be deemed to have satisfied the Moot Court II standards. Those briefs which are not found to be satisfactory will be anonymously submitted to a faculty panel for a final evaluation. Grading is pass/fail.
This year’s hypothetical case was written by Prof. Gerald Abraham, who was assisted in his efforts by Moot Court Board members Jennifer Asher and Susan Rhodes. The idea, explains Kemp, was to try to have an interesting and timely problem. According to Prof. Abraham, “The fact situation isn’t taken from an actual case but it’s a problem that’s interesting and it involves currently important legal issues. This is a question that’s being litigated around the country and it involves, aside from the specific legal issues, a broader problem of sex-based discrimination. I tried to draw up a problem that was balanced so that there could be good, plausible arguments on both sides.”
Kemp says he’s happy with this year’s program and feels that no significant changes need to be made. And Prof. Abraham offers this caveat to participants: “The issues involved are relatively simple, but you’ll find that the answers are much more difficult.”

Richette (Continued from page 1)
from that very real social sea. Urges Involvement
Citing Prof. Curtis J. Berger’s editorial, “Law Is the Heart of the Lawyer,” which appeared in the New York Times last summer, Judge Richette urged that students become involved and take the time to care for the less fortunate in society. She agreed with Berger that “Law students should know that with the privileges of our profession comes social responsibility. This lesson should begin early!”
Although a feminist herself, Judge Richette criticized the Women’s Movement for its elitism

Insights (Continued from page 7)
sessions with representatives from the various divisions at the Commission so that they could become familiar with divisions other than the one to which they were assigned. While many of the projects given to summer interns were “make-work” or “review” and not really crucial to the overall work of the commission, the experience of working in Washington for an agency such as the SEC was invaluable.
Again the pay was standard government scale, but the scale was higher because the work was in Washington, which has a high cost of living.

(Continued from page 1)
In Reimel

(Continued from page 7)
with a group of students following her address at the law school.