The Docket, Issue 2, October 1976

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Managing Editor Mark Levin (standing) and staff members

Professors' ratings improve with some notable exceptions

By JAY COHEN

Teaching performance improved significantly in the 1975-76 academic year, according to the Student Bar Association poll conducted last year.

The percentage of professors receiving ratings of 80 percent or better on question No. 7, rose 12 percent from 1974-75, to 63 percent last year.

Question No. 7 asked the respondent if, knowing what he knew about a particular course at the end of the term, he would take the course again. Results were determined by dividing the number answering 'yes' by the total number of replies in the class.

The number of ratings of 100 percent on question No. 7 rose to six in 1975-76, doubling the previous year's total review. Professors Barry (international business) Levin (future Interests), Lurie (Trademark), Packel (Evidence), Rothman (Corps II), and Walsh (Fed (Courts) received the perfect rating. Prof. Levin is currently up for review by the Tenure Committee.

Professors Cohen (Torts), Abraham (Criminal Law), and Levin (future Interests), showed gains of 20% or more in 1975-76. The only significant drop in rating in the two-year period was Professor Dobybn (Insurance), from 93% to 67% in 1975-76.

The low ratings in the 1975-76 academic year were Professors Hysen (Environmental Law) 43 percent, Schoenfeld (Business Planning) 25 percent and Frug (Civil Procedure) 12 percent. These were somewhat lower than the lowest ratings in 1974-75.

While a low rating on one particular course may be misleading, a better picture of performance may be seen through an examination of an average of course ratings. (See chart.)

Seventy percent of the professor's ratings are based on students' opinions of preparation and ability to communicate. The poll also measured teacher preparedness and ability to communicate, showing a general satisfaction of those counts among students, with the singular exception of Prof. Frug. Prof. Frug, on a scale of 1-5 (1 being unpreparedness and ability to communicate) showed responses of 4.5.

Response Drops

This may be somewhat accurate since the average response over the two year period was 35 percent and first-year student response was more than twice that of the two upper classes.

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(Continued on page 11)

Reimel competition

21 teams survive first round

Round one of the Seventeenth Annual Reimel Moot Court Competition got under way on October 11. Twenty-one oral arguments involving 42 teams, were heard during the week. Participants argued before three-judge panels of practicing attorneys. In reaching their decisions, judges were to equally evaluate the written briefs and the oral arguments. The merits of the cases were not to be taken into account. In the 21 arguments heard in round one, petitioners were victorious in eight arguments and respondents in thirteen. Round two is scheduled for the week of November 13. The following article focuses upon one particular argument.

By JOHN FREUND

Appellate advocacy is, perhaps, the quintessential lawyering function. It summons all the legal cunning, resourcefulness, dedication, and powers of persuasion to which a lawyer lays claim. Moreover, it allows for the contemplation of law, unencumbered by determinations of fact. Thus, it is understandable why many law schools consider the form of appellate advocacy as a graduation requirement. While most Villanova law students are unlikely to desire repeating any required course, and certainly few would opt to repeat Moot Court, the same does not hold true for the Reimel Moot Court Competition. Indeed, while both instructive and rewarding, a contest of appellate advocacy can be just plain fun; at least, that is how Messrs. Barry Grimes-Harding '77 and Charles Mitchell '77 describe their motivation for entering the Reimels.

(Continued on page 5)

Law Review gains...slowly

By BARBARA BODAGER

and BARRY SCHUSTER

The Law Review, Villanova's prime source of scholarly legal writing, has in the past several years fallen significantly off-schedule. To date it is three issues and as much as six months behind schedule. The last issue of the Law Review, published in August of 1976, was only the third of the six issues in Volume 21 which was the responsibility of the former Administrative Board. Thus the present board must complete the three remaining issues in Volume 21 before it can even begin its own Volume 22.

But this is not a new situation as it has existed now for several years. As is evidenced by a look at the Law Review switch from a quarterly format to publishing six times per year. Another former editor-in-chief spoke of the inherent problem of the slowdown in the spring when the law review boards are generally up for review by the Tenure Committee.

Because several months are required to become acquainted with the law review, and even with the entry of a new board means slower publication. Other situations reported by several past present editors included such varied problems as article solicitation, the time required for reviewing articles, and the need for timely submission of articles. Whatever the cause, such delays pose a significant threat to the Law Review's future as a leading academic publication.

This may be somewhat accurate if, in fact, this is a large number of problems are not to be easily put aside, for these delays pose real concern to any law school. Reimel rests upon the Ad­ministrative Board certain to any law school. Re­imel rests upon the Ad­ministrative Board.

The only significant drop in rating in the 1975-76 academic year was Professor Dobybn (Insurance), from 93% to 67% in 1975-76.
One of the more difficult and sensitive problems in the Law School is the fight to maintain our financial aid program. Involved is much more than the many, sometimes painful, decisions that must be made on individual applications for aid; there is also the very basic question of whether Villanova's financial situation will ultimately restrict access to the Law School to the rich. Hence, a financial aid program is necessary if the Law School is to remain accessible to the sons and daughters of middle and lower income families.

Our current tuition of $2,750 per year is substantial, even if it is not as high as the tuition charged at many other private institutions. For example, at some other private law schools are: Boston College, $4,200, Catholic University of America, $4,100, Fordham University, $3,100, Georgetown University, $3,375 and Notre Dame $3,050. This summer the University of Pennsylvania Law School is $4,190. Private institutions cannot, of course, compete on the basis of tuition with state or state related institutions whose programs are supported by the public treasury.

Whatever our competitive situation might be, our outlook still represents a significant financial commitment on the part of those who attend our Law School. As our tuition fees are full, the approach taken with respect to financial aid becomes ever more crucial.

In this context I will discuss only that financial aid which is paid out of current Law School income. Other financial aid is supplied by individual benefactors, foundations, and the state and federal governments. I shall not include work study even though work study is supported in part by the Law School. Among other things, an integral part of our total financial aid program is the approach taken with respect to financial aid becomes ever more crucial.

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In the past the Law School’s basic approach was to award financial aid in the form of full or half tuition remission. In each of the years during the period 1968-69 through 1972-73 there were, on the average 27 full tuition scholarships and 27 partial tuition awards. There were also during this period between 20 and 30 Dougherty Fellows receiving full tuition, room and board each year. In addition there was a grant from the Law School (excepting the three McDevitt Fellowships) should be allocated on the basis of financial need irrespective of class standing, and be in the form of interest free loans. As these loans are repaid, the monies are deposited to a special account for the benefit of the Law School and its students. In the event of reusing our income and building our endowment of our own, the Law School has none. We are asking to secure continued access to the Law School to the sons and daughters of families much like many of our own.

The second program was the distribution of resumes to interested legal service employers, when, who applied from (Continued on page 3)

Defenders hear 4-in-1 pitch

By CHRISTINE WHITE-WIESNER

Editor’s Note: Dean Wiesner directs the placement office at Villanova.

The National Legal Aid and Defenders Services Association held its national conference in Philadelphia from October 13-15. Place- ment directors from the law schools of Temple, Rutgers-Camden, Pennsylvania, and Villanova, under the Four-In-One Program, sponsored three programs during the conference.

The first was to provide joint interviewing at a convenient site near the conference for any interested employers. A few employers, generally from Florida or Ohio, were interested.

The second program was the distribution of resumes to interested legal service employers. David Levy, director of the National Legal Aid and Defenders Services Association, indicated that $14,000,000 has been recently designated by the National Legal Service Corporation to develop staff and offices in geographic areas not presently being served by legal aid programs.

An additional $5,000,000 has been allocated to support existing programs. For the 1976-77 fiscal year starting, October 1, approximately $125,000,000 is in the budget to support 3,300 attorneys in 225 legal aid offices throughout the country. By 1980 the National Legal Services Corporation’s budget is expected to be $500,000,000, which will provide two attorneys for every 10,000 poor people in this country.

Glenn Carr, director of the Reginald Heber Smith Community Lawyer Fellowship Program, is the former regional director in Atlanta for the Legal Services, mentioned that legal aid employers, when reviewing job applications, usually look for applicants who worked in legal services offices during the summer or participated in a clinical program, had other work experience related to law school, and were poor people, took law school courses in areas typically handled by legal aid offices, or who in some other way have demonstrated a commitment to serving the poor.
also said the book would serve as an example to other prosecutors and had a desire to write a scholarly presentation of the prosecution. He consequently involved in a teacher exchange which, in the Manson case, Impeded Bugliosi's progress.

Vincent Bugliosi, the prosecuting attorney in the Tate-LaBianca murder case, said he had a desire to write a scholarly presentation of the prosecution. He also said the book would serve as an example to other prosecutors and investigators of how investigations can be improperly run by the police, which, in the Manson case, impeded Bugliosi's progress.

By MARGEUX RODDEN

Prof. Ian W. Hooker has arrived at Villanova Law School from Nottingham, Eng. After his year's stay he was asked to remain at the English school, where he had a 10-year tenure.

Enjoy States Hooker feels that he will probably stay in the United States permanently, however. "My family and I enjoy the lifestyle here, as well as the climate and the people, most particularly the people at Villanova Law School," he said.

Hooker is teaching criminal law, this semester and will teach torts the spring term. He is also teaching a section in professional responsibility this term. Next semester he will have a seminar on Topics of Comparative Law, which will compare the problems and procedures of the American and English law systems.

Prof. Hooker has a high regard for American law students, whom he favorably compares to students in England where law is an undergraduate study and the students are much younger. He feels that the extra maturity of the American student shows itself in the classroom. It seems that the more experiences one has before one studies law, the more interesting the study will be and, therefore, one would learn more easily, according to Hooker.

He states that the process of admitting students both here and in England is a highly selective one. He has seen a high caliber of student in both places. However, he said the students here seem to be more committed to their studies. Moreover, he noted that they not only want to study law, but they are more likely to have made a clear determination of what their future will be as opposed to the 18-year-old law student in Nottingham, Eng.

Lecture Method

The teaching method in English differs (from the American context in that lecturing is the principal tool rather than the case method. Only a few courses are taught by the case method in Nottingham, and even then, the teacher uses more lecture than class discussion. Small group tutorial teaching supplements these lectures. The teacher meets with group of approximately five students and looks to the students to provide questions which have occurred to them on the subject. Students are also expected at that time to answer questions the teacher poses. Thus there is more personal contact between teacher and student.

This can exhaust the teacher both physically and mentally since the teacher has to repeat the short sessions many times over in order to reach the entire class. He may have meetings on the same subject for over three hours, according to Hooker.

Three years ago, Prof. Hooker was appointed a lay magistrate to sit in a criminal court. About 95 percent of all criminal actions are handled by these courts in England. Much of the work done is very stimulating. He explained that he was actually in a position to apply the laws that he had spent so many years learning about and teaching. This was a tremendous opportunity from the standpoint of an academic attorney, he said.

While in England, Prof. Hooker also developed expertise in employment law. Labor law in England extends more broadly into areas which would not be part of the academic curriculum here. This is paradoxical in a way, he observed, because recently in England, many of the matters which would be the basis of collective bargaining here have been introduced as statutory rights by Parliament. The workers automatically get these rights, thus eliminating many bargaineable subjuncts.

When asked his opinion on the Watergate scandal and the general unrest in the U.S., he noted that the possible effects on this country, he stated: "The young people here seem to be keenly aware of what is wrong with the society. It is my belief that positive changes are reflected in the study of the students, and this society is going to change for the better because of them."

Work study offers hope

By RENEE McKENNA

J. Clayton Undercoffer III, former litigator in the U.S. Attorney's Office, has joined the Villanova University Law School faculty as a visiting professor for the 1976-77 academic year. He is currently teaching Trial Practice and will teach Evidence in the spring.

A new course dealing with advanced problems of federal criminal litigation has been proposed by him and recently accepted by the curriculum committee for the spring semester. Undercoffer is a 1963 graduate of Drexel University where he majored in business administration. Upon graduation from Villanova Law School in 1966, he clerked for the Hon. Thomas Clary, chief justice of the U.S. District Court, Eastern District of Pennsylvania, and worked for two years as an associate with the firm of Clark, Ladner, Fortenbaugh and Young, where he specialized in tax and casualty litigation.

In 1969 he left private practice to join the U.S. Attorney's Office as an assistant U.S. Attorney. His employment with the Government lasted approximately seven years and culminated in May 1976 when he was appointed by the court as United States Attorney for the Eastern District of Pennsylvania. Other positions held by Undercoffer, within the U.S. Attorney's Office include Chief of the Criminal Division and First Assistant United States Attorney.

These positions involved complex criminal litigation and grand jury investigations. As a result, he has acquired a wealth of experience and skills which he plans to pass on to his students.

Innovative Course

Evidence of his desire to share these skills is demonstrated by the innovative new course he has proposed for the spring semester. Seeing complex criminal litigation as a growing area of law and realizing the necessity of students being exposed to this field, Undercoffer has designed a seminar dealing with advanced problems of federal criminal litigation. The course will focus on complex criminal cases dealing in all probability, with white collar crime. Students will be exposed to pre-indictment problems, the grand jury and pre-and post-indictment procedures.

"They will have the opportunity to deal with a complex model and see it all," he explained.

Undercoffer's major concern in his legal career has been "conscientious learning." Reflecting on his professional experience, he said, "I'm not concerned with the ideal of where I should be on the corporate scale. A person must do what he wants to do." This is why Undercoffer came to Villanova Law School rather than returning to private practice or remaining with the U.S. Attorney's Office.

In his opinion, it was the "most challenging" offer of available alternatives. However, Undercoffer has never really considered teaching as a fulltime career. His next challenge will be to open his own law firm in Chester County.

Undercoffer firmly believes that experience is an excellent teacher. Advising young lawyers interested in trial work he said: "My personal belief is that the only way to perform trial skills is to try cases. An attorney interested in trial work should do whatever he can to get as much exposure to the courtroom as possible as early as possible. He must learn to work under pressure."

The best place to acquire this experience is in defender's associate and prosecutor's offices, not in private practices, said Undercoffer. In addition, he does not feel it takes any special talent to become a lawyer.

"If you want to do it," he said, "then you have the talent."
Past, present deans preside over reunion

By LORRAINE FELGY

Villanova Law School's classes of '56 and '61 held their 20-year and 15-year reunions October 2. A total of 36 alumni attended. The reunion for the class of '56 was especially significant in that these alumni were the law school's first graduates.

Dean Emeritus Harold G. Reuschiein, the first dean of the law school and guest of honor, made the trip from San Antonio, Tex., to be present. Reuschiein was dean of the school 19 years before he left to teach law full time at St. Mary's University in San Antonio. Dean Reuschiein confessed that although he and Mrs. Reuschiein find Texas very agreeable, he does miss all his Pennsylvania friends. When asked to what he attributed his success in helping to establish the law school, the former dean jokingly replied, "to an abundance of nice people easily conned."

Expresses Gratitude

After dinner, Reuschiein gave an impromptu speech, reminiscing about the first years at Villanova. He expressed his gratitude to the class of '56 for the trust and confidence its members placed in the then new law school. "We did something about which we can all be proud," he said. In a blend of truth and humor, Reuschiein mused: "I try to get back (to the law school) about every five years. I like to come back to hear everyone lie about what they're doing. You know mostly what they've been doing is going to seed. But that's not the way they tell it."

Among the alumni present was Thomas Ward, class of '61, who is currently vice president of administration of Diston Inc., located in Pittsburgh. Ward has been a corporate lawyer since graduation. "Learn economics and accounting as well as law," was his advice to would-be corporate lawyers.

The Hon. Thomas Pitt, class of '61, a judge of the Court of Common Pleas, Chester County, also attended. He said it was delightful to be back and that he was looking forward to seeing Reuschiein, his dean during his law school career. Judge Pitt was one of the members of the reunion's planning committee.

Growth Noted

Peter Liebert, a former lecturer at the law school for 13 years, commented on the growth of the school over the years. One alumnus, when asked what his most vivid memory of law school was, replied, "studying in the library." Things have not changed.

The committee which organized the reunion included Jim Conners, Jim Garland, Joe Glancy and Al Janke, all from the class of '56; and Tom Pitt, Robert Shetach and Joseph Waiheim, from the class of '61.

Additional members of the class of '56 who attended were Tom Brady, Ed Casey, Bob Garbarino, Barry Gibbons, Leo Gribbin, Jim Himsworth, Neale Hosley, Art Kania, Mike McDonnell, Bernie McLafferty, Joe More, Frank Murphy, Harry Osman, Norman Shuchy, Carl Schoe and Tom Stevens.

By KIM MCFADDEN

The Montgomery County Public Defender's Office has been working closely with student volunteers to better acquaint them with the criminal justice system as well as to give them practical experience in brief writing.

Led by Attorney Pete Drayer, chief of the appeals division, and Joseph D'Annunzio, an attorney with the Public Defender's Office, the program entails brief writing of actual appeals cases and a series of informal lectures by members of the criminal justice system of Montgomery County. Each student is expected to write at least one brief for the semester within a relatively flexible deadline. Weekly meetings are spent reviewing the student's progress and answering any questions, procedural or substantive. Both Drayer and D'Annunzio are accessible any time to solve impending problems.

The first of the lectures was by Attorney Michael Morris, administrator of the 29 district justices of Montgomery County.

Morris explained that with the demise of the justice of the peace system in 1969 came the district justice, who has original jurisdiction in all criminal cases. This expansion of jurisdiction has brought with it a need for screening the quality of those involved in the system. Before anyone can file for election to the position of district justice, he must pass a test qualifying him for office. If elected, he will be constantly informed of procedural changes and new laws. This is a far cry from the often uninformed JPs who worked on a commission basis — no charge, no fee!

Mark Schultz, a 1975 VLS grad who worked with the MontCo DA's office, conducted the second lecture, informing students of the role of district justices facing the DA's office.

The program will extend throughout the year. Any second- or third-year student who would like to participate in the second semester should not hesitate to take advantage of the practical experience offered through service to the Public Defender's Office.
Legal research is overhauled

By JEFF LIEBERMAN

Due to dissatisfaction with last year's program, substantial changes have been made in the first-year legal research course. The new "Introduction to Lawyering Skills," is a two-credit course extending over two semesters, combining last year's lawyering skills and Moot Court I programs.

Grading is still pass/fail and students will receive a single grade for successful completion of the course. The first semester consists of legal research and involves the investigation of basically the same hypothetical problem as was used last year. Those who had the case the year before will recall with fond memories the tragic saga of the physical eviction of Fred and Margaret Gallagher and their resulting injuries.

Prof. Charlie Harvey, the new law librarian, will control the instruction of the legal research aspect of the course. Unlike last year, the course will be mainly self-taught. Students will teach themselves how to do research by reading the reading and completing the assignments under the guidance of student teachers. The teaching assistants consist of nine second- and third-year law students who are members of the Moot Court Board. In addition, nine library assistants, students in the second and third years, will assist.

Smaller Groups

The class is divided into smaller groups. Each group, which is composed of students to a group) on the theory that it will be easier to learn the material if the first-year students will have a greater opportunity to work with their instructors. There is a class for the students, divided into four-member teams, each of which is required to write a brief outline of the legal research aspects involved in the hypothetical situation and draft a legal memorandum and complaint.

In the second semester, the teams of four will split into teams of two for the Moot Court portion of the course. Teams will then be assigned to represent either the plaintiff or defendant and will be required to write a brief and engage in oral argument.

The final evaluation of last year's program, it was decided that a major revamping was necessary. According to Prof. Gerald Abraham, coordinator of the course, the idea behind combining the legal research and Moot Court programs was to make it possible for the student to be better able to work on legal analysis and preparation for oral argument.

"Since the class is already writing a memorandum, it might as well use it towards an oral argument," Abraham said. The purpose of the program remains the same—to introduce students to what lawyers do by having them actually do it. Hopefully, some of what they learn will stick so that they'll be better prepared when they get into practice," Abraham offered.

The Real Problem

The major concern is with the legal research phases of the course since this is where most of last year's criticism was directed. Finding the proper method for learning how to use the library is a real problem, emphasized Abraham, but he thinks that this year's set up will be effective.

And, Prof. Harvey said, "There are those who think that it's something that they can't be taught." She feels that self-teaching is a good idea since in the final analysis, that's how to learn.

It's still too early to fairly gauge student reaction, but all those involved in the program's organization are hopeful that it will work out and are awaiting student reaction with interest. As Prof. Harvey stated, "The method deserves a fair chance."

Legal research is overhauled

Lawyers give tips on jobs

By LORRAINE FLEGEY

As part of the Law Career Seminar Series, the Young Lawyers Section of the Philadel phia Bar Association visited Villanova Law School, October 5, to give advice to law students on how to obtain employment in the legal field.

The representatives of the association included Steve Cuchmore, John Scott, Mike Wysocki, Susan Harmon, Margaret Rendell and Arthur (Buz) Shuman.

Starting the discussion with the on-campus interview aspect of job hunting, the members of the association suggested the following guidelines:

Try to stay the interview, don't only look at it as a ticket to a job.

Don't limit yourself to legal roles.

Rememberto that an interview is a personal interaction between the two parties.

Don't use the salesmen's approach, the most important thing is to be yourself.

Avoid putting down paper the questions that you want to ask the firm. Memorize them instead.

As to resumes, the following suggestions were given:

Spend time on your resume.

Get the resume professionally printed. It looks much more impressive this way.

Put your interests into resume, it gives you depth.

Don't hesitate putting in all recent work experience, even though not legally related.

It shows that you're ambitious.

Concerning the smaller firms that don't interview on campus the best approach is to:

Send your resume with a cover letter to a specific person in the firm, either the person in charge of hiring or a Villanova Law student who has a zeroxed copy of your cover letter; make sure it's an original.

Set up in approximately three days with a phone call asking if the resume was received and if the firm would be interested in interviewing you.

If you know someone personally at the firm, ask him/her if you can use his/her name in your cover letter, mention that this certain person suggested that you apply for a position at this particular firm.

In order to locate the names and addresses of firms for which you might be interested, and which are not interviewing on campus, one speaker recom-
Reviewing the Review

Because every law school's law review necessarily reflects not only upon members of the review, but also upon every student, faculty member and alums, we view with particular concern the significant delay in the timely publication of the Villanova Law Review.

The Villanova Law Review has not been able to publish on time for at least the past two years. However, in all fairness, the situation has improved immeasurably. The Review has been catching up admirably. But since the earliest projections anticipate at least one and one-half to two year period before the Review has entirely caught up, the question still remains as to whether this is soon enough.

This question is left for individuals to decide for themselves. Although it is especially important to appreciate that the publication of incisive legal scholarship is both tedious and time consuming, timeliness is an extremely crucial factor in evaluating the quality of a legal journal.

Therefore, law review members should remain sensitive to the particularly heavy responsibilities that result from membership on the Review. The sooner and more effectively that the present Board of Editors and staff are able to resolve these present difficulties, the greater the likelihood that the Review will further contribute to enhancing the reputation and prestige of Villanova Law School.

Exams: Prof irresponsibility

It cannot be emphasized enough that this editorial is not directed at any individual faculty member but at particular methods of examination.

We must necessarily begin with the assumption that there is no perfect method of measuring an individual's academic ability. Weaknesses can be found in virtually all academic testing. Therefore, the goal should be to develop a measurement of ability as is reasonably possible.

Every day in class, most law professors will use the hypothetical both to impart an understanding of legal concepts and to determine whether the class can apply a particular general rule to new and diverse situations. This is also the usual method of examination, that is, to create a unique factual situation that will attempt to measure a student's ability to apply general rules.

However, this is not always the case. One method of examination that is presently used at Villanova Law School consists of using an old examination (usually bound and accessible to all students) and either making in-significant changes in a question or lifting it verbatim from an old exam.

This method of examination raises questions both of fairness and accuracy of measurement of academic ability.

Even though one can easily argue that all students have equal access to old exams placed in the library, must law professors be so lazy or unmotivated as to use old exams rather than learning the law. Spending several thoughtful hours analyzing and discussing an old exam is not the same as anticipating the exact questions on an exam.

Frequent usage of this testing technique encourages students to spend more time memorizing answers to old exams rather than learning the law. Spending several thoughtful hours analyzing and discussing an old exam question which turns up on the "the" exam is a tremendous advantage.

In an environment where grades mean so much and count so heavily, the mere possibility that such an advantage and its inherent unfairness may play a significant role in the examination process is no less than outrageous.

Valente's legal process a scheduling casualty

In light of criticism (see letters to the editor) in this issue, we were particularly disturbed at the administration's lack of sensitivity to student interests in requesting Prof. Valente to teach jurisprudence this semester rather than the process.

Although we believe that the particular letter to the editor sufficiently articulated the substantive academic merits for a course in legal process and because the school administration strongly encourages first- and second-year students to plan out course selections over the period of one to two years, this sudden course change especially disrupted the plans of those students who deferred enrollment in the course until their third year.

Since legal process would address the interests of a greater number of students who would have preferred to elect course rather than jurisprudence, the administration's actions in this regard were particularly shortsighted and unfortunate. Consequently, we strongly recommend that the administration make every good faith effort to institute the legal process course in the second semester so that those students with a sincere desire to elect the course will be able to do so.

THE DOCKET

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To The Editor:

A question of responsibility for CLS professionals

To the Editor:

One would think that one of the benefits of attending a small law school like Villanova would be that the Administration could afford to deal with the students in a personal and humane manner. The recent decision of the Administration and Faculty to deny credit to Libby Bennett for work in the Community Legal Services (CLS) clinical program last year, leads one to suspect that this is not so.

The CLS clinical program is a two credit, all-year course in which students interview, counsel, and represent clients of Delaware County Legal Assistance Association, Inc. In order to receive course credit the student must undergo a four week training session and take client intake on a weekly basis during the year. The two credits are allocated one per semester for purposes of calculating the student's course load.

After completing her first semester last year at Villanova, Bennett was forced to take a semester's leave of absence because of overriding personal concerns. As a member of the CLS program Ms. Bennett wanted to continue to handle her clients' cases. She asked permission to remain in school part-time to continue her CLS work and to take Evidence, which is a prerequisite for Trial Practice. Ms. Bennett was informed that as a matter of school policy she could not be enrolled in the Law School part-time.

Ms. Bennett continued her work with CLS during the semester she was out of school, working directly from the office of the Delaware County Legal Assistance Association in Chester. During this period she was prohibited from membership on the Board of Editors.

To The Editor:

Legal procedure called "shortsighted"

To the Editor:

It was with extreme displeasure that I noted the deletion of the course offering in Legal Process from the 1976-77 law school curriculum. Perhaps that decision-making body (whichever one it be) charged with determining what course selections will most benefit law students believed that by erasing the Legal Process course from the curriculum slate they would afford themselves an opportunity to fill the opening created with a more "relevant" or more "functional" course selection.

If such were the feelings of the curriculum directors, then, in my opinion, their reasoning could not have been more sorely misguided. I cannot, reflecting upon my three years of contracts, codes and caselaw, recall a course which
The heart of the lawyer

In the concern over the ills of legal education, let me suggest another malady. I believe that in pricing intelligence, law teachers have been too insensitive to — indeed, rejecting of — matters of the heart.

Legal education is an intensely cerebral pursuit. Inside the classroom, students listen as we dissect court opinions, ridicule fuzzy-headed thinking, stiffen passions as unprofessional. We praise our students by telling them they "think like a lawyer," an ability requiring a wholly analytical matrix for dealing with problems.

Within days after their arrival, our first-year students learn about Law Review. And to become an idea flax which we encourage, that their careers will suffer if Law Review, the quintessence of intellectual meritocracy, eludes their grasp (even though it happens to 99 percent of them). Slowly, I conclude that if we — and society — are to judge them highly, they must prove themselves with their heads.

I believe that the head is attached to the heart — not only biologically — and that is the polarizing heart and then be imbued with the man of woman that legal education has avoided.

I do not assert that legal education makes our graduates evil, but I do believe that legal education makes our graduates less feeling, less caring, less sensitive to the needs of others, less tolerant of the frailties of their fellow creatures, even less alarmed about the injustices of our society, than they were when they entered law school.

What concerns me is the mind-set and the heart-set into which we mold our students; that it is better to be smart than passionate, that people who feel too deeply tend not to think too clearly, that a fine intellect can rationalize any position or state of affairs, no matter how outrageous or innocent or unjust.

That we put such a premium on the lawyer's intellect would matter less if lawyers were less. But as we view our society, which has entrusted lawyers with so awesome a managerial role, we seem no closer than we were decades ago to achieving individual dignity for vast reaches of the population. Whether it be poverty, discrimination, joblessness, or courts, prisons and mental hospitals that do not work; or medical indigency, environmental pollution, or squall housing — there is not a festering spot in American society that lawyers in their many power roles, if they cared, could not exert influence to improve.

Of course, there are many in the profession who do care. But there are far too many others who have not learned to care, or have forgotten how. And we as law teachers have not thought it important to encourage our students to become compassionate public leaders, to become sensitive to the systematic changes that must occur if this nation is ever truly to realize its promise.

We should require our students to study first-hand our city courts, prisons and station houses, welfare centers, mental hospitals, to gain an insight into how these institutions work and, more important, the ways in which they fail.

We should require every student to spend some time to public service. This might include representation of the poor, teaching law to high school youngsters, counseling community groups, serving in internships in governmental agencies. Law students should know that with the privileges of our profession comes social responsibility. This lesson should begin early.

We should train our students to deal with other human beings, to begin to understand that the client who comes into a lawyer's office is usually a troubled person, to begin to appreciate that what surfaces as a legal problem very often has its roots in deep-seated social problems.

Above all, I think that we as teachers must let our students know that we value their humane as well as intellectual qualities — and our own as well as theirs. For unless lawyers value the compassion in themselves, I think they will be incapable of caring about the human needs of others.

— Curtis J. Berger

Curtis J. Berger is Lawrence Wien Professor of Real Estate, Columbia University.


Who is suing whom for what?

I walk, I stroll, I run and dash
To come in late is much too brash
Approach the threshold, catch in throat
What were the damages — punitive? Remote?

I chit, I chat, I fumble about
Till fish bites — then familiar about
Pour the pound, the stamp the floor
"Kids, we're in business," he says with a roar.

I shift, I simmer, I feel dismay
Wondering who'll get nailed today
He's caught my eye, glares with delight
Why did I get so high last night?

I read my brief, I strain
I rack all regions of my brain
Ask why, ask how I often neglect
Facts that from his mouth eject

I finish weekly, I should know the Laws
Knowing full well the spell of those jaws
Bite into a man’s spirit
Just who is suing whom, for what?

I'm still drunk — I don't know what I'm doing
Regardless: I put down again by the infamous "Jowls!"

— John M. Hyson

A TASTE OF THE SOCIAL MELANGE

The Editor

The term of credit participant

provided me with a more relevant or more functional insight into the legal system than did Prof. Valente's class in the legal process. Nor can I recall which I found more intellectually stimulating.

When all is said and done, case law can always be researched when the occasion arises, the UCC and the IRC are always available for reading by anyone with a leaning and standard contracts are to be found in files replete with such materials.for business ventures.

However there are no hornbooks discussing how an attorney should go about choosing a case, or a legal problem, for which a particular line of precedent is inappropriate or outdated, that a just resolution of a pending controversy requires the court to adopt a pliable legal standard rather than a rigid principle governing the case, or that a particular statutory or common-law rule is ripe for judicial rather than legislative intervention Villanova's Legal Process course does not teach these skills.

Prof. Valente's course presented the law student with a unique opportunity, an opportunity to delve behind the black print of the formal court opinion and to explore the subjective and otherwise undisclosed influences channeled into judicial decision making.

A poll of Harvard Law School graduates revealed that they found Legal Process to be the law school course most helpful to them in their roles as practicing attorneys. I fully agreed with that selection and would strongly recommend that the course be re instituted at Villanova.

— Albert R. Romano '76

October, 1976 • THE DOCKET • Page 7
Activist role urged in environmental law

By Kim McFadden

Albert Slap, Esq., an attorney with the Public Interest Law Center (PILC) of Philadelphia, met informally with students October 5 to discuss public interest practice and environmental concerns.

The PILC receives funds from both state and federal sources. Although its founder, Ned Wolfe, had envisioned contributions from private law firms as a source of funding, Slap reports that funds have not been substantial. Private attorneys, due to the expense of public interest litigation and the manpower required to effectively prepare a case, are frequently prohibited from handling such cases. The voluntary funding of groups like PILC is one way in which these attorneys could passively meet the Canon of Ethics' requirement of devoting part of the legal practice to the public interest.

Although its founder, Ned Wolfe, would prefer to ignore this obligation completely, the PILC practice in employment discrimination and police brutality is now an environmental concern. Slap had envisioned contributions from environmental law after graduation, but this thought was precluded by the University of Pennsylvania.

The environmental law litigation PILC receives funds from both individuals and the manpower required to enforce public interest litigation is one way in which these attorneys could...
GPA confusion

By JEFFREY WEEKS

When you are a first-year law student, it's pretty easy to feel terrified by the thought of grades, especially when the administration posts the fall semester exam schedule during the last week of September. This article is presented to help clarify the confusion concerning grades, especially on the part of first-year students. The following is a breakdown of the grading used at Villanova.

GPA LETTER GRADE

- 4.00-3.50 "A" average (superior)
- 3.49-2.75 "B" average (very good)
- 2.74-2.25 "C+" average (good)
- 2.24-1.88 "C" average (satisfactory)
- 1.87-1.67 "C-" average (marginally satisfactory)

A first-year student must have at least a 1.67 GPA to move on to the second year. A second-year student must have at least a 1.75 average to move on to the third year, and a third-year student must have a 1.75 to graduate.

The following are percentages of all grades given for courses, excluding seminars, in 1975-76.

GPA

<table>
<thead>
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<th>GRADE</th>
<th>CLASS OF 78</th>
<th>CLASS OF 76</th>
<th>and 77</th>
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<tr>
<td></td>
<td>Fall Term</td>
<td>Spring Term</td>
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</tr>
<tr>
<td>A</td>
<td>8</td>
<td>8</td>
<td>12</td>
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<tr>
<td>B</td>
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<td>21</td>
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<td>C+</td>
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<td>31</td>
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<td>C</td>
<td>28</td>
<td>32</td>
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<tr>
<td>C-</td>
<td>9</td>
<td>7</td>
<td>4</td>
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<td>D</td>
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In response to a Student Bar Association request, Assoc. Dean J. Edward Collins posted the following:

"In order that students talking to recruiters may be better informed as to the significance of their grade point averages and class standing, the following information is made available. It shows the grade point averages in various percentages of the classes examined."

PERCENTAGES CLASS OF 78 CLASS OF 77

<table>
<thead>
<tr>
<th>GRADE</th>
<th>Cumulative</th>
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<tbody>
<tr>
<td>10</td>
<td>3.18</td>
</tr>
<tr>
<td>20</td>
<td>2.89</td>
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<td>2.74</td>
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<td>50</td>
<td>2.43</td>
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<td>60</td>
<td>2.30</td>
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<td>70</td>
<td>2.22</td>
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<td>OUT.</td>
<td>210 students</td>
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Prof. Harry W. Jones of Columbia

Jones examines ABA code of ethics

By SUZANNE BLACK

Prof. Harry W. Jones, Cardozo Professor of Jurisprudence at Columbia University, delivered the inaugural Donald A. Giannella Memorial Lecture September 30 on the topic of "Lawyers and the Legal Profession: The Unyielding Ethics of Professional Responsibility." The text of Jones' lecture will be published in a future edition of the Villanova Law Review.

Jones welcomed this addition to legal education in that it focuses attention on the lawyer's role itself to be examined more critically, he said. The Code of Professional Responsibility has been amended its legal education standard for accredited law schools to require a course in legal ethics, focusing on a study of the Code of Professional Responsibility.

The major problem with the code is that it is primarily a barrister's code, focusing on courtroom advocacy, Jones explained. It neglects the ethics of the attorney's role as counselor and draftsman where the traditional adversarial safeguards do not exist. Jones said that the code sets standards too low in this area. There should be a better accommodation between an attorney's partisan loyalty to his client and his objective of the attainment of truth and justice.

The text of Jones' lecture will be published in a future edition of the Villanova Law Review.

Members of Giannella's family, including his wife and mother, felt that Jones' lecture was an appropriate tribute to Giannella, both as a man and as a teacher. They offered their congratulations to Prof. Dowd for the idea of the memorial lecture series and for the fine organization which made the inaugural lecture a success.
Dick Allen: victim of insensitive press?

By JON KISSEL

The Philadelphia “boos” are unequalled, just as their cheering can be deafening. These are fans who embody their partisan nature in their hearts and souls. This intense devotion becomes tragic when a city’s followers are subjected to rumors, myths and legends perpetrated by writers who are outcasts of the system they malign.

Philadelphia fans were shocked when they read that their beloved Phillies were a team torn apart by racial tension caused by “demon” Dick Allen. Yet these same readers could not realize how badly this situation had been misconstrued when they subsequently read Garry Maddox’s quote: “This is the closest bunch of guys I’ve ever played with. I never heard anyone say anything concerning racial tension until you guys brought it up.”

Unfortunate Veteran

Dick Allen is a man who won’t talk to the press because “they’ll never get me right anyway”. He is an unfortunate veteran whose career has been blackened by ruthless reporters whom he has avoided like the plague, yet a player who has won some of the highest awards baseball can offer to a rookie and a veteran and a human being who mentioned to a trio of softball players “Our dedication and devotion to the game should be rewarded, only to be quoted as giving an ultimatum to the team’s management.” Moreover, it is important to note that much of the criticism directed at Dick Allen is legitimate and well deserved.

Those who have never seen the “Ball Four”, or “North Dallas Forty” side of athletics cannot be faulted for believing what they see on television. However, others, like myself, who have personally known the Phillies, talked with them, drank with them and seen what their lives and personalities are really like, realize the way sentiment can be continued babbling of insensitive reporters.

The Phillies’ players know who Dick Allen is and respect him for what he is. Adverse statements from individuals who have played with or against Allen are practically nonexistent.

What gives the press the right to fabricate them now?

Upset in ICC opener; Caniglia clause looms

By JON KISSEL

The Inter-Club-Council kicked off the 1976 flag football season with some late surprise. A standing-room-only crowd was on hand at O’Brien Field to witness one of the exciting games of the past two years, facing a virtually unknown group of second-year students calling themselves Warren Sterns “B”.

Boos Unequaled

I have attended athletic events in nearly every major city in this country. Philadelphia’s fans stand alone in the emotion and intensity they display for their teams.

The Philadelphia “boos” are unequalled, just as their cheering can be deafening. These are fans who embody their partisan nature in their hearts and souls. This intense devotion becomes tragic when a city’s followers are subjected to rumors, myths and legends perpetrated by writers who are outcasts of the system they malign.

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What gives the press the right to fabricate them now?

Tenison competition

O’Rourke repeats

By RICK TRONCELLITI

On October 15, the attention of the entire law school was “re­moved” from the Appeals Court, Most Court, County Court or even Traffic Court to a court of infinite prestige, the tennis court. Yes, before a packed house of students, faculty, innocent bystanders, and immortal witnesses at the St. Mary’s Tennis Courts, the champion of the law school was decided in trial by battle.

John O’Rourke successfully defended the title he captured last year by defeating first-year student Wally Tice 6-1, 6-3, before a wind-chilled and otherwise blown-away crowd of approximately 50 tennis neophytes and some law school critics.

“The key to the match was that I was able to keep the ball in play,” said the champion of his victory. “He seemed to have trouble with the wind and he hit out on a lot of shots.”

Before its conclusion, the early line showed defending champion John O’Rourke to be the tourney favorite. O’Rourke had stormed past five semifinal opponents in Todd Venez, Bob Genuario, Paul Cody, Rich Flexner and Paul Beck. He seemed quite in control, but was apprehensive about the finals.

“I expect Scott Wallace to win the tournament,” he stated a week before the finals. “He’s been even more times than I have him.”

Many others also thought Wallace would be the other finalist. However, Wallace ran into tough competition in the semifinals and did not get a return shot at the title.

“Wally Tice was the proverbial dark horse of the tourney, having triumphed over Reggie Kraemer, Jane Fromstein, Brian Schwartz, and Ted Merritt before facing Wallace. In the first set, the former player from Kenyon College went ahead early before losing the first set 5-7. The second set was a seesaw affair which was tied at 4-4, before Wallace completely collapsed. He proceeded to lose the next two games (and hence the second set), as well as being shut out on the deciding set, 6-0.”

“Best Set”

“I don’t know if he choked or not, but something happened to him in the third set,” Tice commented afterwards. “He just didn’t play as well as he had before, but I also played about the best set of tennis that I ever have.”

While Tice’s victory over Wallace may have been the most shocking upset of the tourney, there were several others along the way. First of all, the tourney finals had to be delayed for a week because tourney director Mike Sullivan skipped the player’s special ConRail train for three days in order to see his special doctor about a recurring shoulder injury. It didn’t help, though, as he lost to Paul Beck in the quarterfinals.

Exit Editor

Another shocking upset was the defeat of Docket Sports Editor John Kissel in the second round. After an opening victory over Jack Duffy, “Little Johnny”, as his close friend Dick Allen refers to him, was shocked by Craig Schwartz, the third surprising event was the appearance of a female player in the third round. Third-year student Tonia Hahn defeated Frank Deasey and Jim Seeley, before falling to Mike Sullivan.

Recent tennis aficionado Dean J. Willard O’Brian professed no prediction on the outcome of the tournament, other than the fact that he was struck by a (Continued on page 11)
be deducted for negligence. The figure arrived at will then be divided by the number of cases he failed to brief in his first year.

A rating below 500 will require the player to attend and outline the remainder of the course in Trust Tax for his former club. Failing to do so will require him to volunteer in said course a minimum of twice a week for one month. Those players with a rating between 500 and 1500 will be responsible to their former teammates for editing the current Dobby Outline and finding a new artist for an updated Barry Outline. An over 1500 rating will result in that player taking any three exams for the member of his former team with the lowest class rank. John O'Rourke, last year's athlete of the year, is presently a free agent and teams are beginning to make inquiries as well as preliminary calculations.

Tennis tournament won by O'Rourke

(Continued from page 10)

ball, thrown racket, or beer can while watching the finals it would be considered an intentional tort, any mitigating circumstances notwithstanding. Rumors to the effect that a motionless highwayman would be in attendance at the finals proved to be false. When asked if the evaluation prepared was rated 97 percent as being between 1-3 in preparedness of those responding in Civil Procedure and 63 percent in Constitutional Law II.

The evaluations have been criticized on this point for their vagueness and lack of subtlety. Frug told The Docket that the 1-5 type response did not clarify what the problems were and that Prof. Abraham felt the numerical response left the interpretation too wide open.

How to Interpret
Dean J. Willard O'Brien explained: "The numbers themselves are only one bit of information." While not discounting them altogether, he said, "You have to know how to interpret the data." O'Brien said this means keeping technique in mind; the professor using the Socratic method will score less than the teacher who lectures frequently.

When asked if the evaluation prompted any changes, O'Brien stressed the supportive relationship of the course evaluations to improving teaching performance. In addition to student feedback, Dean O'Brien mentioned other current practices such as closed-circuit tapings of classes and faculty evaluations, which are aimed at helping professors improve.

The student evaluations even play a part in the tenure process. According to Professor Abraham, the Tenure Committee "takes them seriously and they're going to play a part in the tenure evaluation."

Abraham stated that the committee has evaluations from the last three to five years on each candidate. After a diligent search, The Docket was told by every authority, including the poll's sponsor, the SBA, that copies were available only as far back as 1974-75.

In the next issue

POST ELECTION WILLIAM GREEN INTERVIEW
CLINICAL PROGRAMS AT VILLANOVA
ADMISSIONS CRITERIA BY PROF. LURIE
PROF. ROTHMAN: HOW TO ACE AN EXAM
TENURE SCREENING COMMITTEE REPORT
DISTRIBUTION OF SBA BUDGET

The Docket encourages contributions from students, faculty and alumni

INFORMATION PLEASE

Dear Alumnus:
We want to make sure that each alumnus is receiving The Docket. If your address differs from the address on the label, please fill in the "cutout" below and send it in. If you know of an alumnus who is not receiving The Docket we would likewise appreciate your help in finding him. We are also interested in finding out what you are doing and have done since graduation. So fill in the card below and send it in. Also, if there is any particular event which would be of interest to our readers, please feel free to enclose a letter.

Your Name: __________________________
Address: __________________________
City: __________________________ State: ______ Zip: ______
Name of Alumnus not receiving The Docket:
Address: __________________________
City: __________________________ State: ______ Zip: ______
Your Present Position: __________________________
Employer: __________________________
Address: __________________________
Marital Status: __________________________
Children: __________________________
Achievements: __________________________
Other: __________________________
See enclosed □:

Prof. Arnold Cohen intensely contemplates the "inner" game of tennis.
99% pass Pa. bar exam

The Board of Law Examiners of the Commonwealth of Pennsylvania announced October 18 the results of the bar examination given July 27 and 28. A total of 1,705 applicants took the examination, of which 1,527, or 89.56 percent, passed. At Villanova, at least 99.38 percent of those taking the Pennsylvania bar exam passed. It was not determined at press time whether one student had actually taken the examination.

The following graduates of Villanova Law School were successful in the exam:


Dennis T. Burns, Patricia H. Burrell, Michael J. Casale, Jr., Harry S. Cheken, Jr., Kyran W. Connor, Todd R. Craun, Eve L. Cutler, Regina M. David, Alvin deLevis, Thomas L. Delestrates, Harold Einhorn, Susan B. Eisenman, Edward F. Evans, Robert W. Evans III.


