McAndrews-Guidera take Reimels

Distinguished panel praises advocates

VILLANOVA, April 16 — James Guidera and Dennis McAndrews overcame stiff competition from Kimberly McFadden and Jane Seeger to win the Seventeenth Annual Reimel Moot Court Competition, held April 16, at Villanova Law School. The Theodore C. Reimel Award is generously contributed by Mrs. Reimel in honor of her late husband.

The near-capacity crowd in Rooms 29 and 30 was treated to superb performances by the four participants, who argued before a three-judge panel sitting as the Supreme Court of the United States, headed the panel. The panel included the Hon. Collins J. Seitz, chief judge of the U.S. Court of Appeals for the Third Circuit, and the Hon. Morris Pashman, associate justice on the Supreme Court of New Jersey.

The afternoon session was marked by poised presentations from the contestants and several humorous interchanges between the Bench and the advocates. Though some nervousness was evident in the early going, the finalists demonstrated that they had become well-seasoned in the art of appellate advocacy.

The arguments got underway shortly after the scheduled 2 p.m. starting time, as the bailiff proclaimed, "All rise!" An awesome silence fell over the audience as the three judges entered the courtroom, led by Prof. John Hyson, Moot Court Board faculty advisor.

On receiving affirmative replies to his inquiries of the teams' readiness, Justice Rehnquist, acting as chief justice, asked Ms. Seeger to open the arguments. Though some trembling was at first perceptible in her voice, she proceeded to give an opening argument which Rehnquist later described as excellent.

The McFadden-Seeger team represented the petitioner, William Adams, in his attempt to have two Villanova statutes declared unconstitutional. His wife, Joan, had brought a divorce action against him, claiming their marriage had suffered an irretrievable breakdown. Both parties had asked for custody of their young son, and William, an artist who had never earned more than $3,000 in any one year, had also requested alimony. Joan, an attorney earning more than $50,000 a year, was granted the divorce and custody of their son.

William's request for alimony was denied. He appealed, contending that a Villanova statute which precluded alimony payments to the divorced husband violated his right to equal protection of the laws.

He claimed, in addition, that the Villanova statute which created a presumption that custody of a child of tender years should be given to the mother violated his rights to both equal protection and due process. The Supreme Court of Villanova affirmed the trial court's decree, and William appealed to the Supreme Court of the United States.

Seeger Attacks Statute

Seeger, handling the custody statute, tried to convince the court to apply strict scrutiny in analyzing the statute. She contended that the statute failed to meet this rigorous standard and thus violated the equal protection clause of the Constitution. Seeger argued that the statute violated due process as well, since it deprived the petitioner of a fundamental interest without a hearing.

McFadden, Seeger's partner, urged the court also to strike down the alimony statute. She tried to convince the court to apply strict scrutiny in analyzing the statute. She contended that the statute failed to meet this rigorous standard and thus violated the equal protection clause of the Constitution. She argued that the statute violated due process as well, since it deprived the petitioner of a fundamental interest without a hearing.

McFadden, Seeger's partner, urged the court also to strike down the alimony statute. Seeger appeared to be slightly startled when asked to discuss her client's standing to raise the question: "I believe," she told the court, "that the lower court opinion and the footnote to that opinion was meant to dispose of that..."
law reviews plagued by lateness

More students to be selected from the new writing program

Editorial Board chosen

By JEFF LIEBERMAN

In many law schools across the country, law reviews have fallen far behind schedule. At the University of Minnesota Law School, the problem reached such an extent that the first issue of this year's volume was released in February, prior to publication of the long-delayed final issue in last year's volume.

Even the "sacred" Harvard Law Review fell significantly behind recently. However, much hard work was put in during the summer to bring the publication up to date, and this year's issues have been on time. According to an editorial board member, "There's a tradition here of being out on time and people like to keep with tradition."

All area law schools appear to have fallen at least one month behind schedule this year. This year's issue, chosen by The Docket, Joanne Thomas, editor-in-chief of the Temple Law Quarterly, expressed optimism that the publication would be caught up by June. "I'm sure every journal has a problem of falling behind," Thomas said. "We've just working as hard as we possibly can to catch up."

Alfred Putnam, editor-in-chief of the University of Pennsylvania Law Review, stated that he had plans to try to get the material in a little earlier. "But, by and large," Putnam, "even if we get it in early, we tend to lag behind."

VLS No Exception

The Villanova Law Review has been in a long-awaited issue No. 1 of this year's volume was finally released in March, far behind schedule. But, according to Bob Parrott, editorial board member, "the Review is not as far behind as it appears to be."

"Issue No. 2 is at the printer," he said. "and half of issue No. 3 and No. 4 (a combined issue) is also at the printer."

He reported in addition, that most of the work had been completed, though it is not yet at the printer. Issue No. 1's delay was partially caused by the fact that it took almost 75 days to print, about one month longer than it should have taken. According to outgoing Managing Editor Kathleen Shay, the contract with the current printer runs for another year. But Shay was hopeful that future issues would be printed in less time and was quite optimistic that the new board would get back on schedule.

"I'll be surprised if they don't," she said.

The Review's problems seem to have started several years ago when the publication switched from publishing four to three times a year. When this year's Administrative Board began its work last April, issue No. 3 of last year's volume was at the printer. That volume, containing about 1,012 pages, was much thinner than budgeted.

According to Shay, "the Board caught us out one issue. "It looks as if there's no change," she said, "but much of our work is at the editorial stage."

However, that the Review is still several issues behind.

How far behind is difficult to say. Since falling behind, the Review has added its publication dates and put out combined issues. What is clear, though, is that this year's total of 26 percent of the total, far below other law reviews. This included only two articles by Villanova professors.

"In general," said Shay, "we prefer to publish student work."

But she added that she would like to see more faculty support. "Only a handful of us," she said. "Their support has not been as great as we hoped it would be."

Comments of other editors ranged from "like the independence of the Review, but I wouldn't like to see any more faculty involvement in the Review," to "horrible, horrible."

Disappointed in Faculty

Shay noted that the faculty is generally cooperative when approached but that they're not as supportive as they might be, and she expressed disappointment at the small faculty turnout at the criminal justice symposium which the Law Review sponsored. The faculty, she added, could be very helpful in getting the Review connections for outside materials.

According to Prof. Walter Taggart, Law Review faculty advisor, while it would be better for the Review if more of the faculty wrote for it, there's no obligation on their part to do so.

"I would hope that in the future, a more substantial portion of the Review would be comprised of faculty writing," he said, "but they're not writing as much as I would like."

The Review would be comprised of faculty writing," he said, "but they're not writing as much as I would like."

Major Change

A major change has been made by the Review in an effort to get back on schedule. According to Shay, a new position, projects editor, has been created to help with the backlog. The projects editor will be on the managing editor level.

The recently completed 1976-77 volume contained very little material by non-staff writers (26 percent of all printed materials), an amount, both in pages and percentage of the total, far below other law reviews. This included only two articles by Villanova professors.

"In general," said Shay, "we prefer to publish student work."

But she added that she would like to see more faculty support. "Only a handful of us," she said. "Their support has not been as great as we hoped it would be."

Comments of other editors ranged from "like the independence of the Review, but I wouldn't like to see any more faculty involvement in the Review," to "horrible, horrible."

Disappointed in Faculty

Shay noted that the faculty is generally cooperative when approached but that they're not as supportive as they might be, and she expressed disappointment at the small faculty turnout at the criminal justice symposium which the Law Review sponsored. The faculty, she added, could be very helpful in getting the Review connections for outside materials.

According to Prof. Walter Taggart, Law Review faculty advisor, while it would be better for the Review if more of the faculty wrote for it, there's no obligation on their part to do so.

"I would hope that in the future, a more substantial portion of the Review would be comprised of faculty writing," he said, "but they're not writing as much as I would like."

The Review would be comprised of faculty writing," he said, "but they're not writing as much as I would like."

"It's not true that people are turning their backs on the Review," he said. "There's no basis for the Review to feel slighted."

As to whether the faculty should put more emphasis on helping the publication rather than on outside projects, Taggart commented, "I might be better to write a book for West and have a major casebook than do an article for any law review."

The newly-appointed Editorial Board for Volume 23.

New Board Members

The editorial board for Volume 23 will consist of Jeanne K. Runn, editor-in-chief; Ira J. Rapoport, second-year student; Patricia A. Godfrey, managing editors; Susan Kassell and William G. Frey, articles editors; Richard W. Shy, Third Circuit review editor; Lynn G. Zeilitz, projects editor, a newly

(Continued on page 6)
question at this time. . . that standing is not to be raised."

Judge Seitz, smiling, withdrew the question, stating, "Oh, I see. We're not to ask you about that." He evoked further laughter from the crowd by adding, "That's what I like about being a judge. There's very little ground that's sacred."

Guidera, representing respondent-wife, handled himself at the podium with the self-assurance of an experienced appellate lawyer. Unlike his adversaries, he spoke without the aid of any notes, though at times his delivery sounded like the recitation of a memorized script.

**No Double Standard**

Guidera contended that the alimony statute was, indeed, constitutional. He was asked by Justice Pashman whether he agreed that the legislature was "primarily concerned with needy persons . . . needy spouses." He replied, "It would be fairer if we said needy female spouses."

He went on to explain that this did not create a double standard. "Petitioner can go out, upon this divorce, and seek a job without having to overcome any barriers of economic discrimination," he said. "That's not the same situation with women."

McAndrews dealt with the custody statute, contending that it did not violate equal protection or due process. Also standing at the podium without any notes, he insisted that custody of a child was not a fundamental right and, therefore, the applicable level of scrutiny would be the "substantial relation to an important government interest" test.

"I would point the court," he said, "to the case of In re Burrus, where this court stated very clearly that custody is not a right arising under the Constitution and therefore, it is not a fundamental right."

**Important Government Interest**

McAndrews argued that there was "obviously a very important government interest, that interest being the best interest of the children of Villanova." And, he maintained, "The prevailing view among psychologists is that there is nothing more essential to the normal, healthy upbringing of the child of tender years than its mother."

Justice Pashman inquired as to what should be done in the situation where the children of Villanova. And, he maintained, "The prevailing view among psychologists is that there is nothing more essential to the nor­

Justice Pashman inquired as to what should be done in the situation where the children of Villanova. And, he maintained, "The prevailing view among psychologists is that there is nothing more essential to the nor­

Justice Pashman and Mary Anne Killinger, Moot Court Board member.
Counsel's role vital

Protecting rights of the critically ill

By MARITA TREAT

The attorney is not thought of as a necessary professional within the hospital nexus. Yet in the newly developing area of patients' rights, staying a lawyer, the physician, is an indispensable party. Rather than thinking of law as the retroactive measure of correction used in the medical malpractice practice today (which adds to spiraling costs in the medical field and has long-range adverse effects on health care), it should be a complete change in the legal approach to medicine.

It is strongly recommended that every family with a critically ill loved one in the hospital should retain counsel as well as a physician to protect the rights of a human being who is now helpless.

There is a way, in special situations, to utilize the powers of equity to raise the standard of medical care. Much has been written recently about the "right to die." On the incompetent end of the life continuum, much has been argued by anti-abortionists about the rights of the unborn to live.

Yet it is not better to fight a population explosion from the source, than to face the enforced measures exemplified by the Four Horsemen of the Apocalypse? Or to turn on the elderly with the cavalier decision that their time has come? Is life a "you've had your turn" experience?

Right to Live

Very little is said about the aged and critically ill patient's right to live if they so desire. Hospitals and attending physicians follow a practice today of noting "no extraordinary measures," "no heroic" or "no team" (meaning no cardiace rescue team) for the aged patient.

Has this patient given up his right to live because he is old? What if he wants to live, fights to live, and has a chance of making it, with the help of the so-called "extraordinary measures," or even with ordinary measures that are sometimes withheld (e.g. hyper-alimentation for the patient who is "NPO." "Nothing by mouth.")

Hyper-alimentation is a method of giving balanced liquid nutrients intravenously to patients who are too ill to take anything by mouth. This method of feeding would save the life of an aged patient, full of good spirit, with excellent vital signs. Yet suppose this measure is withheld and the patient is kept on mere glucose (sugar water) intravenously for over a month. This is a process of slow starvation and debilitation that would weaken and kill even a strong, young man.

This writer has observed this first hand at one of the area hospitals, and each time, the standard of care commensurate in this area — indeed, one of the better hospitals by reputation.

Good for Practice

In addition, medical students, student nurses, and — worse — student technicians ("All you need to be a medical technician is a Science Degree Helps"") have been involved in trying to construct a new course. Harvey presented a lecture and a short and painless lecture on the use of the library. Substituting for more lectures were three long — and many — problem sheets.

The questions on these sheets, e.g., "Is serving as a court-appointed attorney involuntary servitude?" required short answers and cites. Each of these questions also required six hours of what could best be described as a scavenger hunt. Procrastinators found their work considerably easier. They could set the volume on its spine and have it open automatically to the right page, often with the right section underlined by an earlier scavenger with tracing tendencies.

Mixed Reaction

Small groups, led by second- or third-year students, discussed the case problem sheets and reading assignments. Was all of this helpful? Yes, say some; no, say others. Students judged the short-run utility of the research by whether it helped in researching the memo for the moot court segment of the course. If your small group meeting was scheduled early enough to enable you to do the research assignment before embarking on the necessary memo research, you felt helped by the problem sheets. If not, you felt abused, having already learned the methods on your own by trial and error. This split reaction must be (Continued on page 10)

Legal research: a rose by any other name?

By BETH WRIGHT

"Introduction to Lawyering Skills" was the new title for this course. Students enrolled in Legal Research and moot court. What has changed besides the name?

"You should take a day and wander around the library. That's the only way you'll know how to find anything. They won't teach you how," a third-year student said. "Legal research? Nobody told us anything."

Manko said, drawing an analogy to the EPA as a "young, growing agency." He had less than a "telling a Law Forum audience" a procedure of starvation and killing even a strong, young man. "NPO," "Nothing by mouth.")

When he applied to law school, he expected to have a "legal research: a rose by any other name?" The planned Philadelphia companion tunnel is "forward looking," though perhaps "not as important in 1977 as it will be in America and beyond," according to Philadelphia attorney Joseph Manko.

Manko, a former regional counsel for the Environmental Protection Agency admitted that he was uneasy in his current position as special counsel to the Philadelphia tunnel issue. He still defends the tunnel, telling a Law Forum audience recently that it had been in the works for years and may now be merely a political football due to the unpopularity of the Rizzo administration.

"It was supposed to have been built with the Market Street East project," Manko said. A major reason for the big-department stores that are assured the tunnel would be completed. The youthful Manko spoke at length about his unusual career in environmental law.

"The gimmick is to get someone to pay for the same issues" as were dealt with by government agencies, and for Manko, it has meant turning down some profitable cases. Yet he has a burgeoning career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.

Power in the Regions

During that time the power was in the regions. Manko said, describing the EPA as a "young, growing agency." He had less than "powerful cases. Yet he has a difficult career in environmental law and is a partner at Wolf, Block, Schorr and Solis-Cohen.

Graduating law school in 1964, Manko practiced securities law until about 1973 when he says, the securities market began to turn down. He then accepted a job with the EPA as regional counsel. He held the job from October 1973 until October of 1975.
Experts discuss centralized computerized information system

By LOUIS C. ROSEN

A panel of experts composed of lawyers and lay persons discussed the controversial area of computerized criminal justice information systems recently at a Villanova Law Review/Student Bar Association symposium.

Opinions on the merits of any such system spanned the spectrum from strong advocates to those highly critical of centralized information systems. Participants were asked to consider specific categories of data: (1) arrest information, both that which doesn't; (2) personal history information, such as personal associations; and (3) medical history information.

Lawrence J. Beaser, counsel to Gov. Milton J. Shapp, pointed out that the panel was discussing not only information to be collected by the police and the courts, but also by the prison, probation and parole systems and district attorneys. The possibility that individual information systems provided the impetus for the debate.

State says no

The commonwealth will not be computerizing its Justice Information System, Beaser said. Pennsylvania does not currently maintain or contemplate a centralized collection of Philadelphia, however, does have plans for a computerized criminal Justice Information System (PJIS)."The advent of computerization has made a major change in the potential of our criminal justice information systems," Beaser said. "In the past, these systems' capacities tended to limit the dissemination of information. Their efficiency has always been one of the chief protections of individual privacy in my mind."

"The computer-prepared dossier, pulling together information culled from thousands or millions of documents or transactions is, in my mind, much more than the mere sum of its data bits," he continued. "This ability to automate the aggregate data can lead to potential abuses and invasions of privacy."

The questions of who should have access to the information and what information should be included in the system necessitate an examination of several competing interests: (1) the individual's right to privacy; (2) the public's right to know what its government is doing; and (3) the justice system's need for efficient administration.

Panel members approached the problem from different perspectives.

Balance the interests

"The situation is one of compromise, of balancing conflicting interests and securing as much as need be with least sacrifice of other interests," Beaser said. "In making policy decisions in balancing these three areas, I personally believe we must recognize that there are very real dangers."

"I believe that those who control the information to be computerized," he continued, "should bear the burden of showing that computerization is necessary and that the balance should be tipped in favor of computerized record keeping."

Prof. Donald W. Dowd served as moderator for the symposium on computerized criminal justice information systems. "The centralization means that the information doesn't have to be redundant," he said. "What we would like to do is to harness the power of the system to keep track of the various elements in the system, and not to just store it in the system and not to anyone."

Eliminate delay

Chase, executive director of PJIS, detailed the various automated systems currently in use in Philadelphia and plans for the centralization of these systems.

By JOHN MARSHALL

Dan Mullen will head the Student Bar Association for the 1977-78 academic year. The new officers and representatives were chosen in elections held March 29-30. The presidency was the most contested office, with Mullen leading three other candidates. Many of the other officers ran unopposed.

Outgoing SBA officers relinquished control and helped erase a budgetary surplus by planning for more TGIFS.

Mullen SBA president; budget balance erased

By JOHN MARSHALL

Mullen SBA president; budget balance erased

The new SBA representatives began their term at the April 7th meeting. Eight of the 10 members were present, which is exceptional attendance. During the year TGIFS, the new SBA had several budget proposals to launder the money into next year's accounts, but Mike Reed, whose past presidency was hallmarked by unethical consideration, convinced the group to concentrate on spending the money this year.

More TGIFS

Some of the excess will be spent on TGIFS, and the SBA voted to fund a golf tournament and a first-year party after finals, but there will still be a considerable surplus. Any necessary expeditions would be prudent to make their requests now.

The SBA also discussed the status of the coffee and study aids concessions. They are normally given to students with financial need, who operate them at a profit to themselves and provide a substantial benefit to the students. The future of the study aids concession is uncertain because of some high-level faculty skepticism of the academic value of the study aids. But as one of the new SBA members pointed out, if the study aids are continued, the study aids concession will only mean that the students must pay more to get the books elsewhere.

If the drops are too low, the SBA conceded that the aid plans to launder the money into next year's accounts, but Mike Reed, whose past presidency was hallmarked by ethical consideration, convinced the group to concentrate on spending the money this year.

The new SBA representatives began their term at the April 7th meeting. Eight of the 10 members were present, which is exceptional attendance. During the year TGIFS, the new SBA had several budget proposals to launder the money into next year's accounts, but Mike Reed, whose past presidency was hallmarked by unethical consideration, convinced the group to concentrate on spending the money this year.

More TGIFS

Some of the excess will be spent on TGIFS, and the SBA voted to fund a golf tournament and a first-year party after finals, but there will still be a considerable surplus. Any necessary expeditions would be prudent to make their requests now.

The SBA also discussed the status of the coffee and study aids concessions. They are normally given to students with financial need, who operate them at a profit to themselves and provide a substantial benefit to the students. The future of the study aids concession is uncertain because of some high-level faculty skepticism of the academic value of the study aids. But as one of the new SBA members pointed out, if the study aids are continued, the study aids concession will only mean that the students must pay more to get the books elsewhere.

If the drops are too low, the SBA conceded that the aid plans to launder the money into next year's accounts, but Mike Reed, whose past presidency was hallmarked by ethical consideration, convinced the group to concentrate on spending the money this year.

The new SBA representatives began their term at the April 7th meeting. Eight of the 10 members were present, which is exceptional attendance. During the year TGIFS, the new SBA had several budget proposals to launder the money into next year's accounts, but Mike Reed, whose past presidency was hallmarked by unethical consideration, convinced the group to concentrate on spending the money this year.

More TGIFS

Some of the excess will be spent on TGIFS, and the SBA voted to fund a golf tournament and a first-year party after finals, but there will still be a considerable surplus. Any necessary expeditions would be prudent to make their requests now.

The SBA also discussed the status of the coffee and study aids concessions. They are normally given to students with financial need, who operate them at a profit to themselves and provide a substantial benefit to the students. The future of the study aids concession is uncertain because of some high-level faculty skepticism of the academic value of the study aids. But as one of the new SBA members pointed out, if the study aids are continued, the study aids concession will only mean that the students must pay more to get the books elsewhere.

If the drops are too low, the SBA conceded that the aid plans to launder the money into next year's accounts, but Mike Reed, whose past presidency was hallmarked by ethical consideration, convinced the group to concentrate on spending the money this year.
**Clerkships: all you ever wanted to know**

**By JULIE CONOVER and JOE DWORETZKY**

In the 1960's the most popular job for young men graduating from law school was clerking for a federal or state judge. The reason was simple: law clerks were given draft exempt status. While this advantage has been abrogated by Congress, a number of advantages still attach to clerkships in general, and particularly to federal clerkships. Since the time to apply for federal clerkships is the spring of the law student's second year, this is an appropriate time to set forth some information concerning federal clerkships and discuss the mechanics of securing one.

Perhaps the best thing about a federal clerkship, or any clerkship, is that it provides a period of respite after law school and before beginning a permanent job in which to relax and think about the law in general. If you are undecided about a permanent career or have suspended your social consciousness for three years of law school, clerking provides a breathing period to get back to normal and think about what you want to do with the law. Also, while most federal clerks require hard work, few judges demand that their clerks regularly work weekends.

Julie Conover, who will be clerking for the Hon. Daniel Huyett, U.S. District Court for the Eastern District of Pa.

Law firms are generally very receptive to applicants who have had federal clerkships. In fact, many of the large law firms credit the time an associate has spent clerking towards the time required to become a partner and pay a former clerk a salary higher than that paid to associates in the firm.

There are 97 active judges, and about 50 senior judges, on the 11 District Courts. Each year for the last several years the time for applying for federal clerkships has come earlier and earlier. One Circuit Judge ruefully commented in his standard rejection letter that “Soon we will be hiring our clerks on the basis of LSAT scores alone.” In recent years some judges in the D.C. Circuit have selected their clerks in April of the students' second year. Other circuit judges are not far behind. Generally, applications for Circuit Court clerkships should go out in April or early May. Applications for District Court clerkships should be in by the early summer (May or June).

The Association of American Law Schools (AALS) has tried to set up guidelines for the hiring of clerks. Under the proposed guidelines, April 15 would be the earliest date for application by a second-year law student, and September 1, 1977, would be the earliest date for appointments to clerkships. A substantial number of federal judges have agreed to bind themselves by the AALS proposals, but a significant number have not. A list of those judges who have agreed and those who have not is in the placement office. AALS made a similar proposal last year, but many judges failed to follow it.

**Students' Dilemma**

The lack of unanimity places the student in an uncomfortable position: if Judge X is not going to hire until September but Judge Y offers a job in July, what do you do? The problem is complicated by the fact that federal judges do not ordinarily give a student very much time to decide whether to accept an offer. A number of judges ask the students they interview to be able to make up their minds within a day or two of getting an offer. One Third Circuit judge suggested that 45 minutes and a telephone ought to be sufficient for a student to make a decision.

Professor Walter Taggart cautions that one should not ordinarily turn down an offer of a clerkship. He believes that unless the applicant withdraws his or her application after interviewing with the judge, that the applicant has implicitly promised to accept an offer if given. While Professor Taggart's view is probably correct, it should be said that most of the federal judges understand the difficult position the student is placed in, and consequently allow a certain amount of time to check with other judges.

The consensus of the speakers was that their clerkships were invaluable learning experiences and important vehicles for developing contacts with prospective employers.

Brown has a federal clerkship with the Hon. Daniel Huyett of the Federal District Court in Philadelphia. The federal clerkships are for two years as opposed to (Continued on page 7)

---

**New Board**

(Continued from page 2)


**SBA vote**

(Continued from page 5)

ideas and volunteers shortly.

Each new member was asked about his plans for next year. Dan Mullen is particularly interested in getting more student input into decisions and wants the SBA representatives to be more accessible than in the past. Tom Lowry, one of the returning representatives, is including expansion of the social committee membership and establishing written guidelines for budget decisions. The feelings of the first-term representatives were probably best expressed by Wendy Wallner who asked, "Just what is the SBA supposed to do?"
Twas truly a "Nutwork"

By MAX PERKINS

"Tradition dies hard at Garey Hall, and this year's production of "Nutwork" was a doozy. The annual law school production, which combines song, satire, and adventure, is a must-see for anyone interested in the federal judiciary.

Clerks give some tips

(Continued from page 6)

Talking to Other Clerks

Generally during an interview you will be given the opportunity to speak to the judge's clerks and ask them questions. This is an excellent opportunity to get "inside" information about the way that judges use clerks. Since all judges have different styles, it is important to find out if the judge's style will suit yours.

Most clerks respond well to candid questions about the judge, and his or her philosophy and work style. Do not hesitate to ask how much responsibility the judge gives to clerks, whether the judge seeks out and accepts divergent opinions, and how many hours clerks work in an average week. Another good question to ask is what are the negative points of the clerkship. Naturally, however, most clerks only have good things to say about their judge.

Opportunities for Women

In spite of the increase in opportunities for clerkships for women, the fact remains that the vast majority of federal judges are men. Many women have never hired a woman clerk and feel uncomfortable with the prospect of working so closely with a woman.

Thus, it is often more difficult for a woman applicant to get an interview and job offer than for a man. This is not meant to be discouraging, however; many judges are hiring women and no doubt more will follow in the future.

Liberal and Conservative Judges

One major question is whether a clerk must share the ideology of the judge. The answer is different with different judges. Some judges seem to select clerks who have different views than they do, while others, select clerks that share their views.

You should probably not try to apply to all "liberal" or all "conservative" judges. A clerk's job is not to supply the judge with a particular viewpoint, but to fairly research the law and accurately describe what he or she discovers. A clerkship with a good judge will be valuable regardless of whether or not you agree with his or her opinions. In fact it may be more valuable if your judge does not share your views, because you will then be forced to explain and support your statements more carefully.

Active v. Senior Judges

Often students apply only to active judges, and not to senior judges. Senior judges have a somewhat reduced caseload, but otherwise do the same things as active judges. Most senior judges have only one clerk, which means that you will work well with the judge and whether he or she enjoys your company.

Where to Find Them


Financing course by ALI-ABA

ALI-ABA will present a course of study entitled "Municipal Financing. The Interaction of Federal Securities and Bankruptcy Law" at the law school this summer from June 12 to 17. Prof. Walter J. Taggart of Villanova Law School is one of the planning chairmen.

Separate legal disciplines of federal securities law, bankruptcy law and municipal law will be examined as they interact in current problems relating to the authorization and sale of municipal securities. The evolving law and voluntary guidelines which influence the determination of the appropriate financial reports, including budget information and investor information, will be considered as they apply to different types of municipal securities.

Changes required by the Securities Act Amendments of 1975

(Continued on page 11)
More faculty input needed by REVIEW

The latest joke around the law school is that the 1972 volume of the Villanova Law Review has just been completed. In reality, the problem may not be quite that bad, but it is still painfully obvious that the Review is far behind schedule. To date, only one issue of this year’s volume has been published. The primary issue is determining exactly how far the Review is behind and to what extent it has caught up. The vast majority of law reviews publish their first issue in November and continue to publish an issue or less than every other month thereafter.

The problem began several years ago and has been with us since. Can the publication ever be put back on schedule? Other law schools, notably Harvard, have demonstrated that with a little extra effort, it can be done, and without sacrificing quality.

Thus, the new Editorial Board has its work cut out. While toiling to bring the Review back onto schedule, it must also endeavor to put out high quality work. It will, no doubt, be a difficult task, but with hard work and dedication, not an unreasonable goal. Certainly, most of the work on this year’s volume has been completed. Now it’s just a matter of getting it published and beginning the work on next year’s edition.

The question has recently been posed as to whether faculty members should play a greater role in the production of the Review. Undoubtedly, the faculty has been very productive in their outside writings and classroom materials, both of great value. But, has too little emphasis been put on helping the Review, especially now as it struggles to get back on schedule?

Though we agree that the majority of each volume should be devoted to student work, the recently completed Volume 21 contained only two articles by Villanova professors. Those who have contributed some of their time should be commended; others should consider lending a hand, even if only in the way of getting the Review connections for quality outside material. This would do much to bolster the prestige of the publication, which would, in turn, help to expand the reputation of the school, the faculty, and the Villanova Law Review itself.

A plea, some hope and thanks

Taking over the reins of The Docket one month before final exams can be disconcerting at best, so my most sincere thanks go out to the paper staff who made this issue a little more bearable for me, especially those individuals who, without complaint, completed assignments on short notices.

While my dream of being portrayed by Dustin Hoffman in a sequel to “All the President’s Men” has yet to materialize, writing for The Docket these past few semesters has been a truly enjoyable experience. Researching and penning articles provided a well-needed respite from staring at stuffy casebooks and furnished a welcome opportunity to express a little creativity, an attribute too easily repressed by law school’s trials and tribulations.

For its writers, working for The Docket should be fun. Yes, contrary to popular belief, law school can have its pleasant moments.

The Students

Sitting amidst mountains of knowledge
Absorbing intelligence from immense volumes.
We read for centuries, a millennium or two, But something lacks...

Yet we remain persistent servants of the mind.
Learning from those innominate records of progress,
We regress..

Into loneliness.

The mind expands at
The heart's expense.
The mountains erupt like volcanoes,
And our minds are scorched with ignorance.
Still.

After we are cremated
Others come
To bury themselves alive.
Amidst the mountains of knowledge.

C.J. Young

Commentary

Press and Politics

By CHUCK DURANTE

In a year when much of the news media was doing its sleuthing and investigatory reputation it picked up during Watergate, newspaper editors and political writers have a little more time to put their efforts into newsmaking. The Philadelphia Inquirer betrays a garrison mentality that is quite common among political writers. This is everywhere law students' blithe willingness to buy Fitzpatrick's imagined conspiratorial con- 

In November and continue to publish an issue less than every other month thereafter.

The problem began several years ago and has been with us since. Can the publication ever be put back on schedule? Other law schools, notably Harvard, have demonstrated that with a little extra effort, it can be done, and without sacrificing quality.

Thus, the new Editorial Board has its work cut out. While toiling to bring the Review back onto schedule, it must also endeavor to put out high quality work. It will, no doubt, be a difficult task, but with hard work and dedication, not an unreasonable goal. Certainly, most of the work on this year’s volume has been completed. Now it’s just a matter of getting it published and beginning the work on next year’s edition.

The question has recently been posed as to whether faculty members should play a greater role in the production of the Review. Undoubtedly, the faculty has been very productive in their outside writings and classroom materials, both of great value. But, has too little emphasis been put on helping the Review, especially now as it struggles to get back on schedule?

Though we agree that the majority of each volume should be devoted to student work, the recently completed Volume 21 contained only two articles by Villanova professors. Those who have contributed some of their time should be commended; others should consider lending a hand, even if only in the way of getting the Review connections for quality outside material. This would do much to bolster the prestige of the publication, which would, in turn, help to expand the reputation of the school, the faculty, and the Villanova Law Review itself.

A plea, some hope and thanks

Taking over the reins of The Docket one month before final exams can be disconcerting at best, so my most sincere thanks go out to the paper staff who made this issue a little more bearable for me, especially those individuals who, without complaint, completed assignments on short notices.

While my dream of being portrayed by Dustin Hoffman in a sequel to “All the President's Men” has yet to materialize, writing for The Docket these past few semesters has been a truly enjoyable experience. Researching and penning articles provided a well-needed respite from staring at stuffy casebooks and furnished a welcome opportunity to express a little creativity, an attribute too easily repressed by law school's trials and tribulations.

For its writers, working for The Docket should be fun. Yes, contrary to popular belief, law school can have its pleasant moments.

The Students

Sitting amidst mountains of knowledge
Absorbing intelligence from immense volumes.
We read for centuries, a millennium or two, But something lacks...

Yet we remain persistent servants of the mind.
Learning from those innumerate records of progress,
We regress...

Into loneliness.

The mind expands at
The heart's expense.
The mountains erupt like volcanoes,
And our minds are scorched with ignorance.
Still.

After we are cremated
Others come
To bury themselves alive.
Amidst the mountains of knowledge.

C.J. Young

Commentary

Press and Politics

By CHUCK DURANTE

In a year when much of the news media was doing its sleuthing and investigatory reputation it picked up during Watergate, newspaper editors and political writers have a little more time to put their efforts into newsmaking. The Philadelphia Inquirer betrays a garrison mentality that is quite common among political writers. This is everywhere law students' blithe willingness to buy Fitzpatrick's imagined conspiratorial con-
D.A. purchases a $7,600 Lincoln Continental, on City Hall funds, for "on-the-job" use. It is as if he begged the writers to mention his new "gas-guzzler."

A grand jury investigation of municipal corruption got underway in February, with a box of 18 presentments and 44 indictments, among the quarry, Isadore Bellis. The spectacle of the investigative jogs时 when Fitzpatrick opts against replacing or extending the grand jury. It's a "I told you so." Ruminations of a Rizzo-Fitzpatrick rapprochement proliferate

Two months later, Richard Kleinodin, whose Justice Department led the original Watergate investigation, pleads guilty to lying under oath. The Pennsylvania Crime Commission reports extensive police corruption in Philadelphia. Having just scuttled the municipal corruption grand jury, Fitz can't understand why people don't trust him to head a cop-corruption probe.

In August, President Nixon resigns. Allegations definitely that there'd been a $10,000 fundraiser for Fitzpatrick whose name had never disclosed. The rookie D.A. reacts to the hoe of legitimate questions on campaign financing, tax implications and his ethics by stonewalling. Many questions could have been answered, many doubts could have been allayed.

Instead, Fitzpatrick turned his first year into a parade of missteps. Fell for Fitz' stonewalling. "Did

Jon R. Waltz, a Northwestern University law professor, relates the tale of the confused and frightened client who is greeted by his lawyer with "a flurry of references to such legal maxims as the voir dire, res ipso loquitur and Rule in Shelley's case. The lawyer assumes comprehension (or is attempting to prevent it). The client shakes his head and prays."

What make these examples from opinions published last month in The New York Law Journal. At the press of judges, "all the more" becomes "a fortiori." Above is stretched to "hereinbefore" and a routine landlord-tenant dispute is evaluated into a controversy between the "petitioner-landlord-appellant" and "the respondent-tenant-appellee."

Then there is the judge who relied on what he called "the familiar legal maxim" that "he who consents merely to the letter of the instrument goes but skin deep into its meaning."

Fred Rodell, a retired Yale Law School professor, is one of the most acerbic critics of lawyers himself, he published a book, "Vve Unto You, Lawyers!" in which he referred to lawyers' "dreary doubletalk" and their "solemn hocus-pocus."

"None," replied Professor Rodell. Last year, a group of citizens monitoring housing in New York State found they could not hear what was going on. This year, another group of monitors in Philadelphia had no trouble hearing, but what they heard was an old version of Dickens' Chancery Court, where Mr. Tangle and his learned friends "tripped one another up on slippery premises... in technicalities... and pondered walls of words."

In a study issued this month by the Fund for Modern Courts, one of the most frequent observations made by the Family Court wasn't mere "code."

It is not only lawyers—or "laymen" as lawyers call them—who are confused. In a poll released last month by U.S. News & World Report, a majority of 500 judges and lawyers who responded said that the opinions of the United States Supreme Court were too long and confusing.

"I don't find them confusing," said Justin A. Stanley, the president of the American Bar Association. "But their length distresses me as much as the length of briefs distressed the judges."

Last November, Chief Justice Warren E. Burger put lawyers on notice that if they wanted the Court to consider their cases they had better not overload the court with long briefs. Nothing longer than 75 pages, said the Chief Justice.

What else is to be done? Since lawyers are taught that every issue has at least two sides, they are God's gift at putting up problems than at finding solutions. The progress may be glacial. In an address before the editors, one of the major of official prayer in public schools.

Judge Kaufman considered that lawyers' say prayers in lower courts as well. But that recommendation is based on the premise that lawyers write clearly. To help the next generation of lawyers and those who write about the law, Judge Kaufman said there was a "compelling need" for law schools to offer courses in law reporting.

A few schools already do so. But legal education is not looked upon as the sole culprit. "Law schools blame colleges, colleges blame secondary schools and secondary schools blame primary schools," said Mr. Stanley of the American Bar Association.

"I see a lot of writing that is at best careless," he said. "Rules of evidence and rules of evidence, the fact they are known. I'd like to have every young lawyer pass a grammar test."

"Lawyers Now Confuse Even the Best Prepared. A poll of 500 judges and 500 lawyers, all of which are confused.

The Docket Award
This year's award is given to John Freund for his article, "It's all up to the judges." The piece was selected from many excellent submissions.

The Docket thanks all who participated.
Various & sundry activities keep Taggart on the run

By CAROL YOUNG

Those who can barely find time to study, eat, sleep and possibly attend classes, may very likely be amazed, if not intimidated, by the time-juggling of Professor Walter Taggart to accommodate his various activities.

Not only does he perform his usual professorial duties and run five miles daily, but anyone who has spoken through the new microphones, been brave enough to open up their grades, been hired for a work study job, read Moore's Federal Practice concerning federal and state jurisdiction concepts, or, on a narrower scale, been exposed to Chapter 8 of the Federal Practice, has very likely attended classes, may very likely be amazed, if not intimidated, by the time-juggling of Professor Walter Taggart to accommodate his various activities.

Around the law school Taggart has become a "Wally-of-all-trades," through his concerted attempts to modernize and promote the school. Taggart was instrumental in the acquisition of the school's classroom microphones. He became involved in this project by way of his supervision of the construction of the Law School's Counseling Center.

Taggart was also responsible for the introduction of computerization to the law school with respect to grades and other administration functions. He believes that the use of computers will greatly help increase the productivity of the administrative staff and thereby better serve the entire law school community.

The appearance of work study at Villanova University was facilitated by Prof. Taggart and Dean O'Brien, both of whom helped convince the University to adopt the program, which makes more money available for financial aid and opens up more student job possibilities working on these specific projects. Taggart is head of the Curriculum Committee.

In addition to all the above and those things he likes to do in his spare time (spend time with his family, ski, golf, play squash and garden), Taggart is revising parts of Moore's Federal Practice, focusing on federal and state conflicts of jurisdiction.

(Continued on page 12)

Prof. saves theatrics for the stage

By C. M. NIEDZIELSKI

Those who 'caught' the annual school play as it raced by on March 31 possibly were surprised by a different facet of Prof. John Cannon's personality. In the program Cannon was a 'plug' in an appearance as 'Wolfman' John, the 'let the show go on' showbiz type. But, if that was not a ploy perspective on the man, then the legitimate credentials of Cannon in the theater do, indeed, intrigue one to search beyond the accepted perceptions of the concise law school professor.

Cannon's first attempt at the stage was, almost naturally, in the hallowed area of the high school play, where he assumed the leading role in the production of "Finian's Rainbow." In college (Villanova) he majored in political science, but had a definite sideline interest in the school plays, as well as involvement in other area college productions, notably at Rosemont College. While in the Army he worked in the productions of the Drama Guild.

Recently he has worked with the Footlighters, The Main Line Players, and the Society Hill Playhouse. He is now working extensively with the Plays and Players, at 1714 Delancey Place in Philadelphia. A recent role was in "Angel Street," where he played the middle aged detective.

A Director, Too

Subsequent to that he was in a role was in "And Miss Reardon Drinks a Little" which played about three years ago. In the play, which consisted of an exclusively female cast, save one, he assumed the role of the crude, obnoxious husband of the leading lady. To husband of the leading lady. To those who consider Shakespeare to be the "distant star," Cannon, who has portrayed several roles in that sphere, answers by saying that he does not consider those

(Continued on page 14)
Lunch hour: food for thought

By LORRAINE FELEGY

The Villanova Law Forum once an innovative and influential legal forum, now has become a regular legal event on campus. The program, initiated this semester by Shippen Page, Barry Schuster, and George Sheehan, under the guidance of Prof. John Hayson, set out to bring together members of the legal and nonlegal community to present issues of interest to students and faculty alike.

The format of the Forum consists of a lunch hour, in which students have an opportunity to discuss the issues presented by the speaker in an informal atmosphere. Speakers have included F. Emmett Fitzpatrick, Philadelphia district attorney; Faith Whitten, the Delaware County councilwoman; Letty Thall of Women Organized Against Rape; Sandy Swenson for the ERA; Joseph Manka, environmental law attorney; Albert Lewis of DEA; and sports attorney Richie Phillips.

Heated Debates

At each of the Forums, students and faculty have posed numerous and challenging questions which the speakers have not inappropriately risen to the heat of the debates. But, thus far, the casual atmosphere has achieved its purpose of a free dialogue on issues presented each day.

When questioned as to what he attributed the success of the Law Forum to, Page replied, "There have been several great many people hungry for exposure to what lay outside the law school. A group like the Law Forum can provide this continuous exposure which one shot lectures can't satisfy.

Added incentives to attend the Forum are the coffee provided by Mike Hohenhaid and Joel Scher and the pastry from Mrs. Higgin's Bakery.

The Law Forum, through the extensive range of topics covered, has added a new dimension to law school life. Because of the enthusiastic response of the students at Villanova, the Forum is already planning its program for next year.

Barry Schuster has expressed hope that John Dean of Watergate fame, Farrah Fawcett-Majors, and Howard the Duck will be able to speak next semester.

Paradoxes and Reality

In addition to his involvement in petroleum production since the late 60's, Hudson is an independent consultant petroleum engineer. His appearance at Villanova to speak on energy was sponsored by the Villanova Environmental Research Group.

Hudson stated early in his talk that the domestic petroleum industry is "... justly criticized for being the largest, most powerful, and largest consumer of the earth's energy resources. The word "conservation" has recently been added to "energy," and the oil industry is.thus called on to have a "green conscience."" And although the oil industry itself has become a target for conservationists, Hudson emphasized that it has a positive role to play in the quest for energy.

"We need a strategy that recognizes the need to conserve energy and yet leaves us enough energy to keep our economy going," Hudson said.

Hudson stated that the energy crisis is not just a problem of the 1970's. He cited the need for energy conservation in the 1960's and predicted that the energy crisis will continue into the 1980's and beyond.

Another aspect of the energy crisis is the need for new energy sources. Hudson discussed the possibility of using coal as an energy source, but pointed out that coal is a dirty fuel and that the technology for its use is not yet developed.

Hudson also discussed the role of the government in the energy crisis. He said that the government should be more involved in energy policy and that the government should be a partner in the energy crisis.

"The government has a responsibility to ensure that we have a secure, reliable, and affordable energy supply," Hudson said.

Hudson concluded his talk by urging the audience to think critically about the energy crisis and to work together to develop a sustainable energy system.

Speakers at a Law Forum discussion on the U.S. Secret Service.

Drug official stresses suppression of traffic

By NANCY FELTON

Those who attended the Villanova Law Forum March 29 gained a perspective on illegal drug traffic in the U.S. and governmental efforts to halt it. The speakers were Albert Lewis, director of the Drug Enforcement Agency (DEA) office for the Pennsylvania, New Jersey and New York area, and John O'Brien, DEA's special agent and Strike Force representative to the Organized Crime Section of the Attorney General's Office.

The DEA is part of the Justice Department and was formed in 1972 to implement the Controlled Substances Act. As well as handling the foreign implications of dealing in dangerous drugs, DEA's order of priority in dealing with illegal substances starts with heroin, barbiturates, cocaine, and ends with marijuana.

"Suppression of Traffic"

"The normal thrust and 90 percent of the agency's effort is the suppression of illicit traffic," said Lewis. This is done by infiltrating criminal groups importing drugs and undercover agents to investigate conspiracy cases. DEA also regulates legitimate production of dangerous drugs, to guard against leakage into an illicit market.

Lewis noted that this region leads in the manufacturing of amphetamines, with the agency uncovering three or four labs a month. However, the bulk of the discussion centered on heroin traffic and addiction. Lewis, when asked about the relation of addicts to the rate of other crimes, mentioned that the problem develops before addiction; addicts are those "who have already dropped out."

Lewis was also critical of drug maintenance programs. He advocates use of Methadone to stabilize addicts so they can attain a drug-free existence rather than "maintenance."

Laws Are Effective

When asked whether drug laws need revision, Lewis said the laws are effective, but the problem is in enforcement. Uniform and mandatory penalties would deter drug profiteers, although an overloaded criminal justice system is a severe limit. Lewis' personal view is that decriminalization of marijuana is an issue at the federal level, where marijuana use is not a focus of the agency.

Lewis pointed to past successes of the DEA, such as in helping stop the "French Connection" and Turkish drug traffic. The Mexican influx is now DEA's target. Measures of success in this area are the decline in heroin purity on the street and the radical decrease in heroin deaths. But Lewis sees "no success until treatment, rehabilitation and education gear up. Law enforcement is only part of a greater problem," he commented.

Abuse Potential

DEA deals with all drugs that have abuse potential. Lewis noted the large number of persons addicted to Valium and the proposed laws concerning the prohibition of amphetamines for weight loss. Lewis' personal view is that governmental regulation of conduct is proper where the state must end up caring for the person who abused his personal right.
Taggart on the run

(Continued from page 10)

ties have made him an im-
prominent link between the law
school and the job market. Dean
White-Wiener stated that
Taggart also retains many of his
connections by way of his control
over alumni activities as alumni
liaison.

Taggart regards his role in
student placement as a passive one,
that since many of his former
classmates are at "middle range" in
their careers so that
they never need replies, "You just
don't do as
law school related activities
as much as you
tried to when you
were a student."

Through his work with
Judge John F. Fullam who is pre-
cipal of the Penn Central
reorganization case, Taggart, him-
self once a law clerk for Judge
Fullam in a case series link of con-
tinuity between the changing law
clerks. Taggart has his own office
in the courthouse and concen-
trates primarily on the adminis-
terative end of the case.

He now chairs the American
Bar Association's fourteen-
member subcommittee on
Railroad Reorganization, which
engages in reviewing relevant por-
tions of the new bankruptcy
laws presently pending in Congress.

Taggart is also a member of the
American Bar Association's Com-
mittee on Consumer Bankruptcy,
an associate member of the
National Bankruptcy Conference,
and was a consultant for the
National Commission on
Bankruptcy Reform.

One project of Taggart's which
ties his outside activities with the
law school was the American Law
Institute American Bar
Association Joint Summer
Conference in Villanova during the
summer of 1976. Taggart, who is a
member of the American Law In-
stitute, indicates that another for
the program is planned for this sum-
mer. He is working as one of the
three co-chairmen.

Twas truly a "Nutwork"

(Continued from page 7)

occurred when the president was informed that news
of the Law Review was being postponed indefinitely
until the next issue came out. (Rumor is circulating
that Volume 23 for a ver-
batim publication of the transcript of this year's show)
This disappointment quickly evaporated with
the news that Betty Murphy, ala the assistant to Assoc. Dean
J. Edward Collins. Having battled, pleased with and
intellectually challenged the jakiag of the recently promulgated bankruptcy
laws.

With music strikingly similar to "Those Were the
Days," Mrs. Murphy had the whole audience clap-
ing along and drew a well-deserved ovation.

Sci-Sci Silliness

What show would be complete without a little sci-
Sci "In the Trench." The
brave spaceship crew, Helene McGunn (as Sandy
Moore), Skip Kunds, Candie Horse (Prof. Mary Joe
Bill), Bill McKee (Prof. Taggart) and Dennis
McAndrews (as Prof. Valente) travels to unknown
reaches in space only to find specimens of some
little life forms very similar to a Garrey Hall rugger
mate (Phil Hyde and Rochelle Rabin).

Song and dance were provided by the Femme
Fetiches (gamer based discrimination) played by
Linda Salton, Rochelle Rabin, Beth Weinsteins, Kathi
Karnitz and Bilan Wharton. The Vested
Remaindersmen (also a sex-based classification)
were Glenn Page, Dave Bonner, Jon Stevens, Rob
Fry and Tony Truari and Sal Iacopelli.

This year's production of "Nutwork" was proof
positive that Director Eric Johnson exercised due
care and did not breach his fiduciary duty (thanks,
Peter Horowitz) while there still linger some doubts
as to the material representations made by insider
issuers and underwriters Linda Salton, Phil Hyde,
used to band among Betty Murphy, Skip Kunds and Rochelle Rabin. It was, though, a difficult task to
teach Tom Luray how to watch TV and explain to
John Lawch, t'a Emily Lattis, the difference be-
tween baroque courses and bar review courses.

But with the great effort shown by all of these
drinks, the excellent performances of Prof. John
Cannon (as himself?), Prof. Counts (on piano), Steve
Cooperstein (as the "Del" Prof. Delfapman), Phil Collins
(Prof. O'Brien), Steve Kastrowitz (as "O.K.") Jack
Dobbin, Jim Kusel (as Dean Collins), Frank
McDevitt (partygoer), Susan Finkel (partygoer), Roy
Stahl ("To Tell the Truth"), Prof. Undercofler (as
"Stretch" Patch) and musicians Mike Sudder, Jerry
Reeves, and Chuck Williams inter alia, supra,
"Nutwork" may just satiate our television appetite
until next year.

One student's trials

The first year in a nutshell revisited

By DAVID ITKOFF

There's a common saying at the
law school which sports the
following graffiti: "The law is: a
run for the loot in a three-piece
suit, flying with the wind of a
seamless web; the oldest
profession; whatever the Supreme
Court says it is, in protective
coloration; a black letter word;
capable of repetition yet evading
scores, also. I'm not sure what
the professors won't get the
positive that Director Eric Johnson exercised due
mentions, office apokfr" of mean
scores, also. I'm not sure what
the professors won't get the
positive that Director Eric Johnson exercised due
satisfaction, but, never-
theless, a small consolation,
because even upon completing our
three years, law students are still
in double jeopardy.

Late at the Start

My first day at law school was
really something! The very first
thing that happened was that I
was late for school. I'd missed
the bulk of the Dean's opening
speech, but arrived in time to
hear: "So, welcome to school." I
then got that the gist of it. After
this we each received a flaming-
red brochure entitled "First Year
Trauma." It was very il-
Illustrating, and patronizing
as well. I folded it carefully
and placed it in my rear pocket
for safekeeping, but by the end of
the day it was shredded by sweat
and frustration, so that now "First Year
Traumas" is only some remnants of
papery lint in my rear pants
pocket.

On the first day of law school, I
pulled a muscle from trying to
carry five 10-pound books and
their supplements, plus a lexicon,
manuals, and indexes all at once.
A lesson to be learned from this
is that one must attempt to
obtain knowledge by gradual means, and
not the U. S. Rev. has reserved Volume 23 for a ver-

On the fourth day of law school,
I noticed a guy with a stack of old,
unread books. He was opening
each one and underlining passages
at random. I asked him what he
was doing, and he said that no one
would buy the books unless they
were underscored in yellow ink.

On the fourth day of law school,
I heard the joke about the law
(Continued on page 14)
Dobbyn's detective stories more devious than his exams

"But how could you deduce my name from that?"
"Actually I was there to go on. Your handshake indicated well-conditioned muscles, recently exercised since the veins on the back of your hand are still swollen. The practice football field is just a hundred yards beyond that window, so I was aware that practice ended about twenty-five minutes ago—just about the time you showered and walked over here. By mentally matching your personal statistics with Villanova's football roster, it was a simple matter to conclude that you're probably Paul Lucas."

"That's incredible, Professor."
"But parlour tricks, Mr. Lucas. Now can I help you?"

(From "Deadly Perceptions," by John Dobbins. Published in Mystery Magazine, February 1975.)

By JEFFREY GALPERIN

Who knows what evil lurks in the hearts of men? Dobbyn do. Or at least Prof. Hart, one of his students. They are fully registered.

In "Echos of Ghost" (to appear soon in Fiction Magazine) Prof. Hart, who designed dream up by some law students to create, through the use of the school's computer, a fictitious student, took out life insurance on him, then knock him off and collect.

Creative Writing Course

Prof. Hart was born out of a writing assignment given in an adult creative writing workshop in which Dobbyn attended several years ago. Children's authors Jean Dobbyn and Fred Dobbyn were part of the group to write a narrative piece in which particular attention was paid to the various perceptions of the senses of the narrator.

"Rather than do the usual tripe of walking through a garden smelling the flowers and hearing the bees," Dobbyn tells, "I decided to try to write a story about a blind detective where the perception of each sense would be critical."

He modeled and named his hero after a favorite law Professor Henry Hart, whom he had studied under at Harvard Law School.

"The good professor passed away while I was taking a course in Fed. Courts, but to this day I still think of him as the archetypal professor," Dobbyn says. A fan of Arthur Conan Doyle and Agatha Christie, Dobbyn wrote a detective story that involves more mental than physical action. This is not to say that his stories are without suspense. In all of his detective stories, there is a strong undertone of tension which builds as the clue unfolds.

Change of Pace

Dobbyn says he writes when he can, usually from 9 to 11 p.m. or through the night if he feels inspired. He finds it an enjoyable change of pace from his other writing. (He is also the author of "Nutshell" on Injunctions, a book entitled So You Want To Go To Tax Law School, numerous law review articles, book reviews, comments, and magazine articles on everything from a miniature horse farm in Gettysburg to psychological cheating in tennis. He also has a novel underway."

Ideas for new mysteries occur to him everywhere, he says. "I see a couple of characters in a restaurant discussing something furiously and I begin to ask myself, 'What if...?'"

"Whether it's law or detective work or something else, the human condition, to the values and the new procedures which are being legally explored in the courts where the perception of one's own material is time, said all three professors. As Hyson added, time spent on exploring new teaching methods and materials usually takes away from time allocated to professional publications. New teaching methods such as Cohen's exercises put a burden on the student's time as well, though Cohen does not see this burden as excessive either for student or teacher. All three teachers believe the advantages of devising one's own materials and methods prevail since the teacher is more familiar with the subject, and is in command of the organization of the course. All three stated that students benefited from what each person found to be more effective teaching and materials.

This concern about the quality of legal education at Villanova is by no means limited to Profs. Cohen, Frug and Hyson, but their efforts to adapt and improve materials and methods certainly reflect the concrete responses needed to illustrate such concern. Students who have found the conventional methods somewhat ineffective may wish to express greater concern about instructional methods (or a lack thereof) and may wish to opt when possible for those professors who attempt to teach as well as professor.

Prof. Fred Rothman models the latest in legal attire.

Prof. Rothman models the latest in legal attire.

Protecting rights of the ill

"Cut off negligence at the pass," to quote the Karen Ann Quinlan of California today, is an example of the harm that it does to competent and incompetent medical personnel to be concerned by Hyson, Frug and Dobbyn. They wish more than anything in the world that there is still a chance. Why wait till the harm is done? If you think you can sue as you stand at the open grave?

It is within the power of policy in hospitals today, that looks for a cutoff point to human life, we should rethink its terms. If a line must be drawn, it should not be the arbitrary one of age but the line (much touted and being legally explored in California today) of volition — the voluntary relinquishment of life by those who do not wish to prolong their dying, do not wish mere existence as vegetables, do not wish to be the Karen Ann Quinlan of tomorrow. But the Karen Ann Quinlan of today has never been consulted and to presume to make that decision for her is a repugnant and awesome task.

Clearly, social policy, hospital practice and the legal profession must be sensitized to the reverse side of the coin — the rights of the helpless, the sick, the dying. Injustice and outrageous perpetrated on them, we like to think, are rare. But it is of crucial significance to the human condition, to the values that society as a whole and that professionals — physicians and attorneys in particular — should be concerned with if we are to preserve something implicit in the social structure and the notion of a society is how it treats its minorities, its weak, its underprivileged classes. I submit to you another class of person — the critically ill, the aged patient who has been dismissed on the spurious and absurd grounds that he is old.

Malpractice suits are not the answer to medical care that fails short. The answer where there is one is in equity, when the patient, protected by counsel, can employ the wrongfull behavior and mandate that which is right.
Sometimes law school is just fun and games

By KID KISSEL

"Hey Frank, what's the issue in Sherwood v. Walker?" "You gotta be kidding; you know I hate that game yesterday!"

"Well, what about that bum on the railroad tracks case from last semester? You know I couldn't follow that!"

"Why are you asking me, you know I have no idea!"

"Well I'm stuck... the smokeball's got me down, Pals..."

"Sherwood v. Walker?"

"I know I have a game yesterday."

"Almost everyday, but estoppel in..."

"...rebouncing that our future juris..."

"To work and work hard. Yet for..."

"Semester. Wally went through it..."

"The railroad tracks case from last..."

"Smokeball's got me down, Pals..."

"...Sherwood v. Walker?"

"As seeing I'd finally broken into..."

"As seeing my quarterback com..."

"Complete a last-minute bomb to Jon..."

"...I'll ever be able to do with Pen..."

"There is about now at Garey Hall. Foot..."

"...is the most dramatic event more than they will..."

"...the matchups for us in the..."

"...they are big problems. Merrit v....

"The study groups are gathering..."

"Possibly the greatest memories..."

"...is just fun and games."

"Soccer thriller of April 15, 1977, but..."

"Who is suing whom for what?"

"...she asked in an unaudible voice."

"...the Lord rested on the seventh..."

"...and the less precise the information uncovered. He feels that the Warren Report is "very exact.""

"Although independent from the FBI, Garey Hall, Secret Service..."

"The semi-finals were as..."

"...for the two past attempts..."
**Lawyer tells client to drop pants**

By Gary D. Hailey

Ed. note: There is a lesson to be learned from the following story. In fact, there are probably several lessons to be learned. But the lesson that we, as attorneys or attorneys-to-be, should learn from it is this: preparation in personal appearance is just as important whether the setting is the courtroom or the conference room, an attorney must expect the unexpected and be able to deal with it when it occurs.

Something unusual happened in the Tenth District Court of Galveston County, Texas, on November 20, 1975. A man named Owens, Jr., dropped his pants in open court to prove his innocence.

Owens was accused of the rape of a 24-year-old Galveston woman. When the lawyer representing the victim on the stand, the cooly identified Owens as her assailant.

On cross-examination, court-appointed defense attorney Roy Engelke asked the woman to describe various physical characteristics of her attacker in an attempt to show that he was not the positive identity of the client. "She was a convincing witness," Engelke recalled in a telephone interview last week. "On cross, I was really just fishing." He had to admit that the woman's description of her attacker, or not her assailant was circumstanced. "She didn't know, and I don't think that surprised anyone," said Engelke, "but she didn't stop there." The victim giggled, and without being asked by Engelke, volunteered this description of an important part of her assailant's anatomy: "He was so small."

Engelke didn't know whether his client's sexual organ was large, small, or in-between, but the woman's spontaneous comment gave him an opportunity to cast doubt on her identification of Owens as the rapist. Engelke requested that he and a deputy sheriff be allowed to examine Owens in a closed room.

"So we 'examined' him," Engelke said. "I asked the deputy if Owens looked small to him. The deputy said he had seen a lot of naked prisoners, and that there was no way Owens could be described as small. And no matter how small, he didn't look so small, either."

Engelke tried to put the deputy on the stand to refute the woman's testimony. But Judge Donald Markle refused to allow the deputy to testify.

"I didn't figure he was any expert in this business," Markle told a Houston Post reporter later that day. The judge also turned down Engelke's proposal that a physician examine Owens and report on the relative size of his penis, presumably for the same reason.

The only way Engelke could attempt to show that his client did not fit the woman's description was to have Owens drop his pants in front of the jury, who could then decide for themselves whether or not he was "small."

Engelke thought the situation over during a luncheon recess. "I was worried about whether the effect on the jury of this thing would be good or bad," he said. "I finally decided I had to try it. I didn't see any other way to rebut the women's testimony."

Engelke hoped that if the jury was offended by the show-and-tell scene, they would feel it was the judge who had forced them to look for themselves when he refused Engelke's requests that the deputy or a physician could testify whether or not Owens was undersized.

Markle had requested that Engelke allow the six men and six women of the jury to evaluate the evidence.

"Did Owens' organ fit the victim's description, or didn't it? Judge Markle is the master of either identification, like showing scars or fingerprints," he said. "I didn't look. I was looking out the window."

But a female clerk who had worked at the courthouse for a number of years wasn't so shy. "I've seen a lot of things at this courthouse, but nothing like that," was the wonderfully ambiguous statement she made to the courtroom. "And did Owens fit the description, the clerk was asked? "Uh, no," she replied.

But the jury must have disagreed with the clerk's, the deputy's, and Engelke's assessments of the defendant's sexual endowment. On Nov. 25, after deliberating for three-and-a-half hours, they brought back a unanimous verdict that Jesse Owens was guilty of aggravated rape.

The next day, Judge Markle sentenced Owens to 50 years in prison. Various post-trial motions and appeals were readied and filed. Owens awaits the final outcome of the legal maneuvers in his jail cell.

Roy Engelke is no longer Owens' attorney. He is back in his Decker's, Texas, law office with his partners. They have what is described in the latest Martindale-Hubbell as a 'general civil practice,' and their clients include several small banks, a savings-and-loan association, and an insurance company.

Will the Owens case have a profound impact upon the law? Probably not. But it certainly had an effect on Jesse Owens, the juror, and attorney Engelke.

"I was appointed to my first criminal defense case seen after I graduated from the University of Texas Law School in 1959," Engelke recalled. "I wasn't called on again by the court to defend anyone until the Owens case came up, over 15 years later. After what happened in that one, I may never be appointed to a criminal defense again."

And his colleagues and friends may never let Roy Engelke forget the day that he told his client to drop his pants in open court. Engelke ruefully admits as much.

"They'll probably put that story on my tombstone."

Reprinted with permission of the Harvard Law Record.

---

**Day-care proposed by student**

By NANCY FELTON

Margo Rodden, a second-year student, has proposed setting up a day-care center at Villanova. So far, most of the support has come from the law school and university administration have been supportive. Rodden sees the convenience of having a day-care center right on campus, a primary goal of such a facility would be to decrease the cost of other day-care services.

The proposal, however, faces substantial obstacles. The least of these would be staffing the center. Rodden suggests pooling parents' time and enlisting elementary education students from Rosemont and members of senior citizens' groups. The major difficulty is location. The university has very limited space, according to Beverly Shore, coordinator of Villanova's programs for women.

Some concrete planning is necessary to determine whether a day-care center at Villanova is feasible. A proposal must be submitted for university approval. This would require research into possible legal problems which might be encountered. An important step in the day-care programs has already been initiated to help in constructing guidelines.

Any interested in the project is asked to contact the Women Law Students Association or The Docket.
Seminar explores the sole practice

By JAY COHEN

Youth prevailed at a seminar on Opening and Building a Law Practice, held on April 4, in New York. Organized by the Manhattan firm, Legal Management Services Inc., the paying audience was shown an outlook optimistic as to the chances of success and yet tempered by a persistent theme of the "Lawyer as Entrepreneur."

"Attorneys often forget this," moderator Laurie Hutzler pointed out. The series of panels throughout the day strove to interweave this businessmian approach with guides to handling the personality demands an attorney must encounter in client relationships. The topics ranged from such non-legal minutiae as stationery and coffee machines to the complex legalities of the Keough Plan and income record. At no time, however complex the panel discussions, was the sentiment that one could start one's own firm and become successful far from sight. And the crowd, whose dress ran from Docket chic, button-down and blazer, to Louis of Boston chic, hung on every word (well, maybe not those of an insurance representative who sounded like a policeman giving testimony). Some of those present were already established, but all were hopeful.

Malpractice Insurance Costs

One word that was often mentioned and that somewhat dampened the optimistic spirit was "malpractice," and a low white went up when figures on malpractice insurance were revealed: for $100,000-300,000 coverage, an attorney right out of law school would have to pay $1200-1300 per year (the rate is less than half that for more experienced practitioners or those covered by a firm).

The theme of caution surfaced in seemingly innocent spots. For example, one panel mentioned that a postage meter was a handy office tool and added, almost as an afterthought, that its other advantage was to stamp a date on an envelope, which is especially important to contract negotiations since the letter would be effective as of the mailing date which would be conclusively established by the machine.

Despite other urgings, like those of the LMS people to spend the first year of a new practice with uncertain income and perhaps even to go the first year without a net income. "This is to return calls immediately or have her secretary call, like Cillers, Ms. Ellenbogen stressed the importance of promptness, and of keeping the client's trust and respect.

As to where clients might come from, Ellenbogen was quite emphatic: "Every place you go there's a client," she said. She was equally certain that exposure was a key to finding clients. "Be visible," she said, advising the attorney to join the Bar and to become active on its committees, besides participating in civic groups and the like.

Ellenbogen acknowledged the problem that Gillers had touched on earlier, regarding a sort of adversary relationship with the client once it came time to collect, and offered several suggestions.

Don't charge the client for every minor item, she said, addressing the question of whether to bill for phone calls. She advised that it looked bad to the client to see that every minute spent in the attorney's confidence over the phone was costing him money.

Ellenbogen suggests that the lawyer write a follow-up letter to every call and then include a total charge in the bill for correspondence. Not only does this prevent the client from thinking that the attorney does not care about his problems, but it gives him something tangible to see as the product of the lawyer's time.

Several non-lawyers addressed these present on related subjects. Corbin Miller, representing Morgan Guaranty Trust Co. of New York, spoke of the young attorney's tendency to overlook bankers and proposed a realistic working "marriage" between the two. Attorneys need to realize that they do not have to borrow to be good customers, he said, suggesting that lawyers should not attempt to borrow in the early stages of practice since they would probably not have the financial soundness (marketable securities or a solid personal statement) to assure the bank of repayment. Still, he suggested, the banker could be a valuable financial counsel. The attorney should know what his needs are before approaching the banker.

Using Legal Systems

Laurie Hutzler, representing LMS, addressed the topic of office management systems. She briefly outlined such devices as standard client interview forms, billing systems in which each client is assigned a number to reduce filing error, and a docket-control calendar system, which is necessary, incidentally, to obtain insurance coverage against that ubiquitous shadow of malpractice.

Hutzler mentioned the specific efforts of LMS, in tandem with the insurance companies, to arrive at a Risk Management System, designed to eliminate those errors commonly responsible for malpractice claims. One of the elements of such a system would be having several people responsible for docket control, thus eliminating the classic problem of statutes of limitation foreclosing a client's action.

Other Aids Exhibited

Throughout the day, representatives of companies manufacturing books, aids and other products for the legal profession, exhibited their wares. By far the most fascinating was the LEXIS computerized research terminal, which displayed cases on a non-digest basis from the master computer, when certain words or phrases were punched in. One benefit, besides the basic one of speed, is that as the data is stored without being digested, so that the attorney is not at the mercy of a digest's classifications.