Aids exiled to bookstore

The Lawyers Guild has accused the administration of acting arbitrarily in the sale of Gilberts Law Outlines and certain other study aids in the law building.

The charges came in a petition circulated to meet the administration decision. The petition collected some two hundred and fifty student signatures. The major thrust of the petition was that the administration action had no factual basis and was merely based on "personal dislikes" for those materials. In addition, it was charged that the administration had prevented the sale of these aids in the University bookstore.

The sale of Gilberts and a wide selection of study aids, including Sum and Substance, the so-called "canned briefs" and the Nutshell series is common in law school bookstores. Gilberts and other aids are not available elsewhere. Faculty members can often be heard to recommend their use as supplemental material to their courses.

In response to the Guild petition, Dean O'Brien described the lack of evidence to support the Guild's accusations. O'Brien explained that the ban had been considered for several years. The reason for halting the sale of the study aids was, "because it undermines our quest for excellence."

O'Brien elaborated further by saying that the law school was not obligated to provide convenience for an enterprise which is harmful to students, since the study aids tend to become crutches.

In a recent development, the bookstore confirmed the rumors that it will now sell Gilberts and other aids. John Bauman, director of the bookstore stated that he expects the first shipment of Gilberts within a month.

When asked why they had not been sold previously, Bauman basically repeated the Dean's statement, saying that both Dean Reuschlein and the faculty at the time had ordered the bookstores not to sell the study aids. He also said that Thomas O'Brien recently advised them that the administration proceeded in principle to use the book store if it wanted to stock the lucrative study aids.

Lindsay to retire

By LISA CETRONI

The Registrar of Villanova Law School has been efficiently managed for the past twenty years by Ms. Mary L. Lindsay.

On November 30, 1977, she will retire from her position as Registrar of Students, faculty, and administrators of this school. Ms. Lindsay came to the Law School in 1959, first as secretary to Dean Harold Gill. She later became assistant to Dean Harold Gill and was appointed Registrar in 1966, when six women registered for the first time, their pictures appearing on the front page of The Docket.

Ms. Lindsay plans to give more of her time to the Business Administration from Villanova University in 1969, having previously studied at the University of Pennsylvania. As Registrar, Ms. Lindsay assumed the tasks of running registration, arranging examinations, answering questions, and maintaining accurate records of all students and alumni.

Many changes have taken place at Villanova Law School over the years. Ms. Lindsay recalls a time when the entire student body numbered 141 and the Alumni Association was comprised of 78 members. The increase in enrollment to over 600 and the growth of Alumni, with law school graduates has greatly influenced the quantity and methods of the Registrar's work. Ms. Lindsay has necessarily transitioned in recent years from manual to computer operations at the Law School. Although the new system saves a great amount of time, Ms. Lindsay recalls the challenge of adjusting to the complexities of the coding process. She is confident that her successor, Mrs. J. Miriam McFadden, presently Assistant Registrar, will handle the job proficiently.

The most important development witnessed by Ms. Lindsay was the significant change in the composition of the classes. She commented that although women have now accounted for between 33% and 40% of the enrollment, in August 1966, when six women registered for the first time, their pictures were printed on the front page of The Docket.

We are grateful to Ms. Lindsay for her service to the student and faculty service which she has given to Villanova Law School. We wish her continued happiness and fulfillment in her retirement.

High Court ruling

In a society that cherishes open communication, the open issues at stake are solely in the most serious of legal access in relation to business and government. Whether by coincidence or because one has amplified the other, these trends have created a climate where access is the key word. The States decision promotes public access to competition of two long-existing trends: the availability of many more lawyers and the needs of the population for legal assistance in one area or another. In 1959, first as secretary to Dean Harold Gill, she later became assistant to Dean Harold Gill and was appointed Registrar in 1966, when six women registered for the first time, their pictures appearing on the front page of The Docket. We are grateful to Ms. Lindsay for her service to the student and faculty service which she has given to Villanova Law School. We wish her continued happiness and fulfillment in her retirement.
The 1977-1978 academic year is a very special one for all of us. It is the year when the first third year and a third day silver jubilee celebration is being planned for next spring. As a precursor to this, on April 6, 1978, by Professor Philip B. Kurland. Professor Kurland has long been a major figure in examining the work of the United States Courthouse in Washington, D.C. The 12 members of this competition, Dennis McAndrews and Guidera are from revised program

The second survey came in a Report to the Consultant on Legal Education to the American Bar Association in 1976. Compiled from information which each school provided in the annual ABA Review of Legal Education, this report attempts to rate accurately some programmatic factors affecting the quality of legal education. Since 1975, each school must provide data which enables the consultant to compare the relative availability of some of these resources which affect the quality of legal education. The questionnaire on which this report is based was conceived with the purpose of providing a comprehensive survey of the educational quality. The 1975 survey asked for information on six separate indices: number of students, number of full-time faculty, number of part-time faculty, number of female students, number of male students, number of books, number of journals, and number of third-year students. Villanova Law School placed 29th (in Group 2A) on the list of 158 schools.

The report's second survey was a report that 1975-76 ABA Review of Legal Education, which compares the relative availability of some of these resources which affect the quality of legal education. Since 1975, each school must provide data which enables the consultant to compare the relative availability of some of these resources which affect the quality of legal education. The second survey, which was published in the 1974-75 ABA Review of Legal Education, was designed to measure the quality of legal education. While no single survey can provide a complete picture of the quality of a school and cautioned against overestimating, at the Law School. It is a marvelous opportunity to inspect the changes made in the school and to see, once again, our friends. Several events are scheduled for the rest of the semester, most of which will be held on the Red Mass, usually held in the fall, celebrating the admission of the Law Faculty; (2) The Admissions to the Bar of the United States Courthouse in Washington, D.C., November 3-5.

This team represents the first entry in the Villanova in the tour- nament, sponsored by the Young Lawyers Committee of the New York City Bar Assn. and the American Trial Lawyers, in over seven years. When asked why this was, Professor John Hyson explained that former Dean Beneschlein had felt the competition required a more thorough and competent approach in the third-year students than the second-year students. Dennis McAndrews, Jim Guidera, and Lucy Ivanoff, will tackle the problems devised under the direction of their mentor. The new program begins the spring's competition. During this time a student can also be held. Our Chief Justice will be Mr. Justice Byron R. White. The second day of selection dinner will follow the argument. The selection should be a joyful one.

This seems an appropriate time to point out that the Law School has recently experienced a short life to a position in the high- est quartile of American law schools. This fact is due in part to the recent reorganization of the center and refusal to use the open writing competition. The夯re is an opportunity to argue if a student is named in last year's course.

New faces on faculty

By BARBARA BODAGER

The decision on whether the University should grant tenure to the four eligible faculty members, Professors Levin, Packel, Berk, and Wenz, has still not been reached. The inquiry into granting tenure to those teachers began over a year ago.

Professor Edward B. Abraham, Chairman of the Tenure Committee, says the delay is the result of the law school's exclusive tenure evaluation procedures.

Old vs. New

Under the old procedure, the Dean of the law school made a recommendation on each faculty member at the end of his fifth year at the law school, which was submitted to the President of the University for approval.

The new procedure has taken some time to effectuate. As a result, the current candidates are being evaluated as of the beginning of their third year of teaching.

A committee consisting of three tenured faculty members, Professors Abraham, Dowd and Dean Collins will make a recommendation to the tenure faculty as to the desirability of granting tenure to each eligible faculty member. The committee bases its evaluation on student and faculty opinion. The tenure faculty's reports along with the Dean's recommendation will be reviewed by the Faculty Senate.

May Go Public

The faculty vote is due on October 13. At that time, Professor Abraham plans to discuss the possibility of making public the faculty's decision.

According to the "Tenure Policy and Procedure" the Dean's recommendation to the President of the University may be made no later than November 1st of the faculty member's fifth year.

Law School faculty members who do not offer tenure have a variety of options. They may serve out their contract; they can be given a renewal of several more years on their contracts or they can get a one year contract in order to search for another job.

Students argue juvenile rights

By NANCY GOODWIN

This year, both the Reitel competition and the Moot Court II participation surpassed the constitutional dimension, involving both criminal and juvenile law.

A seventeen year old defendant was tried as an adult by a Villanova trial court and was found guilty of robbery, larceny, possession of offensive weapon, and conspiracy. After charging the defendant with delinquency, the district attorney charged him with a felony and charged him with a felony and charged him with a felony.

He acted under authority of the Villanova Juvenile Act, which because the failure to provide the defendant with counsel with the lineup was in derogation of his criminal record.

Neither conviction, however, succeeded in stopping court to reverse the conviction. Appeal was taken to the United States Supreme Court.

A Critical Concern

The problem of the transfer of jurisdiction from juvenile to adult courts is one of critical concern to the juvenile justice system, because of the severe consequences that result from trying a juvenile in an adult court.

For example, the term of confinement following a conviction may be longer, if the defendant is tried as an adult, or it may be served in an adult institution, which would bring the juvenile into contact with adult criminals.

The juvenile also loses the opportunity to take advantage of the special procedures, treatment and rehabilitation programs that are usually available through the juvenile justice system.

He may also be deprived of his rights to vote, hold public office, contract or litigate. And if he is found guilty, he will have a permanent criminal record.

Due Process Controversies

On this appeal to the state Supreme Court, the defendant contended that this provision of the law violated his rights under the due process of law, as guaranteed by the Fourteenth Amendment to the United States Constitution.

The defendant also contended that the evidence introduced at trial, concerning a pre-trial identification of the defendant by the victim, should be suppressed, because the failure to provide the defendant with counsel with his lineup was in derogation of his criminal record.

Manning teaches trial and evidence

James H. Manning, Jr., former litigator in the U.S. Attorney's Office for the Eastern District of Pennsylvania, Opportunities Commission has joined the University of Pennsylvania Law School faculty as a full time Professor. He is currently teaching two sections of Trial Practice and will teach Evidence and Advanced Problems in Criminal Litigation in the Spring semester.

Manning is a 1964 graduate of Chestnut State College where he majored in Political Science. Upon graduation from the University of Pennsylvania Law School in 1971, he clerked one year for the Honorable Leon Higbeebooth and one year for the Honorable Clifford S. Green in the Eighth Justice District Court, Eastern District of Pennsylvania.

In 1973 he joined the U.S. Attorney's Office as an Assistant U.S. Attorney. His tenure of three years cast him in complex criminal litigation involving bank robberies, drug enforcement, fraud and stolen securities.

Uphold Title VII

In 1976 Manning left the U.S. Attorney's Office as a litigator for the Equal Employment Opportunity Commission. For the next twenty months it was Manning's job to enforce Title VII of the Civil Rights Act and prosecute instances of discrimination based on sex, race, Religion and National origin.

The major emphasis of Manning's legal career has been on the protection of minority rights. Unlike many young attorneys who have the idea of where he should be on the corporate scale, and has never been interested in the money as an attorney with a private law firm.

Deciding early to make his mark in the government, Manning's goal has been to gain diverse experience and to constantly refine his legal skills and expertise. Consequently he has built an impressive store of knowledge and credits which he would consider essential in seeking a governmental career.

Concerned Teacher

In his brief but distinguished educational career, he has taught law school at night at Temple University and Rutgers University as well as tutoring minority students at Villanova University. While a student at the University of Pennsylvania Law School he was named counsel to the North Philadelphia Tenants Union, a pilot program designed to protect the rights of tenants in the Urban Community. Manning's desire to become more involved in community affairs is one of his primary reasons for going into the law.

Like many litigators Manning firmly believes that experience, if not, the best, not the best, teacher. Advising young lawyers interested in trial work he stresses (Continued on page 8)
Tenure: I've got a secret

FLASH! VILLANOVA GOES MOTOWN! With its failure to render a tenure recommendation, the faculty has four of its colleagues singing, “You just keep me hangin’ on.”

And well they should. It has been a year since formal tenure procedures were adopted for the first time in the school’s history. (see Docket November 1976) The motivation for the change to formal rules was a response to the above and a projected change in the tenure process. The American Bar Association has also required law schools to state a policy with regard to tenure.

We think including faculty participation in tenure decisions is desirable. But as it has turned out, the new formal process is little better than the “behind closed doors” procedure it replaced.

Under the new scheme, the Tenure Screening Committee, composed of three faculty members, is responsible for compiling and evaluating information regarding the merits of the faculty members eligible for tenure, after teaching at Villanova for at least three years. The Committee issues a report with recommendations to the tenured faculty, which, in turn, submits a recommendation to the Dean. The Dean finally makes his own report to the President of the University, who has final approval.

If this sounds a lot like a second semester class in Property, where the chain of title is more like a ball and chain, this is because some one in the chain, the signers, has yet to remember its beginning. We wonder if the Statute of Uses didn’t start this way.

This is the first time around for the new process, which is bound to be awkward on its maiden run. And it is easy to appreciate that the faculty could not have its formal procedure without first drafting rules and standards. Still, the inability of the new rules to implement the objective of last year. It should either have been done in a more streamlined manner or should not have been applied to the four current tenure applicants. The gravest fault with the whole procedure, though, is that it is so drawn out. Even if it had gone smoothly to date, chances are that a final tenure decision would still be a distant event. We do not even exclude the faculty from participation. On the contrary, we feel the faculty’s drafting of guidelines is commendable and we merely urge the attenuation of a cumbersome process.

The decision was to determine not only what is adverse to the interests of the student body, but that does not preclude the administration from deciding what is the best way to accomplish its educational goals.

If student response is a valid indicator, undoubtedly the most controversial issue in the law school has been the banning of the sale of study aids in Garey Hall. Recently a petition denouncing the ban was displayed prominently on a bulletin board. Within a short time more than two hundred and fifty students attached their signatures in support of the ban.

If the petition is a curious one, especially since it was drafted and signed by would-be lawyers. And even though the bookstore’s recent announcement that it would begin to carry such study aids makes the specific gripe a moot issue, it is hard to remember its beginning. We wonder if the Statute of Uses didn’t start this way.

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presents High Court drama

The second ninety minute oral argument, by Aaron Burr, examined the question of the jurisdictional facts upon which the con

section made by the southern state, between this case and the... on the basis of the 1807 admiralty law. It

issue was that a South Carolina bar act freeing blacks... state in the matter of persons of color who are not held unconditional.

Chief Justice Marshall had not only to mention to a stranger that he or she was a first year law student to eliminate the kind of deference. For instance, the "hottest" issue on campus last year was the banning of the in-house sale of Gilberths. The Lawyers Guild originated this scheme, which expresses the heights of indignity at the administration's designs to make students do one of those things: think, rely on the outlines of previous courses, spend $1.80 for a round trip ticket and go to see a movie with a lot of people would like to go to Penn anyway.

Student response has been to sign the petition without bothering to verify the accusa-

tions which are charged and petitioned with, using the slightest bit of evidence to support them.

But that makes sense. I've seen my fair share of crowds next to the petition, checking it out.

And I daresay the job board gets more attention. If the Declaration of Independence were replaced to an announcement by Wolf, Black, Shurr, it would be ignored because there is no sign of interest from the students. And it has no listing in the alphabetically arranged index.

I know that I am probably wakening up in what people do not like, after all, that I apologize to the extent that they show what they are made of in a clear statement of their thing. For many, however, the pursuit of law is a long and arduous sort of pain by numbers exercise.

First Year Struggle

What was said about the Burr Trial, as described by Justice Cardozo as a "stupid... Deep conviction and warm feeling... " I seldom see the kind of, was left for that law that I saw in the past. That passion of which Cardozo speaks, really a great dissentioning opinions throughout the whole student body in the first struggle of any law school just do to one's work with a smile.

I won't attempt to claim that they are the kind of "... And it need not be in the upper years. "Elevation" does not come from any single great study, but from what is brought together in the overall feeling of a student.

The realization by every attorney in the student body that he or she was a first year law student. The closer we get to being adults, the more we realize that we have to interrupt the chain of mediocrity. It will not break of its own accord, and for the Bar and unsuspecting clients will be the victims of the chain of mediocrity which is no more a somnolent, self-contented Bar. What is brought to light is that legal education has to be one to be before the other.

Chain of Mediocrity

Human nature being what it is, I believe, that every individual bring to his pursu-

uit the student to be accorded a kind of deference. We wish to thank those secretaries who assisted in the preparation of The Docket.

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Legal expertise developed

(Continued from page 2)

Multiple Scenarios

The trial has been designed thirteen such "problems" each arising out of a different juris-

dic. It will be limited to a maximum of number of problems, as opposed to last year's "problems", that will lessen the strain on law school resour-

ces. Each pair of students will be required to prepare two written memos, of the kind that would nor-

mally be submitted to a senior partner after an interview with a client. The Moot Court Board administrator will ask to make the whole situation as real as possible.
Self-praising ads are prohibited...

By BETH WRIGHT

Law schools have long been fond of self-advertise under the provisions of the ABA's Code of Professional Responsibility. Beyond moral suasion, however, is the "Disbarment Rules," which state: "A lawyer shall not publicize himself or his work, or the services of his law firm, by newspaper or magazine advertisement." The provisions bar advertising that promotes "false, fraudulent, misleading or deceptive" statements.

If the Disciplinary Rules in the Code were removed, it is doubtful that the Ethical Considerations there would alone provide sufficient restraint on the practice of self-advertising. False or misleading puffery would, it is feared, be the order of the day.

For example, a lawyer advertising in the daily paper with the emphasis being on the quantity of his clients. How many of these cases does not mean that he is especially skilled? Or does it mean that in what he's been doing

Because the Pennsylvania Supreme Court, on the basis of its independence from the bar's lawyers, says so. The other 49 states, however, are not in agreement. Violations are handled by a nine-member, statewide board appointed by the Amer- by the board appointed re the cases.

Disciplinary toilets have been used by the Pennsylvania Supreme Court, on the basis of its independence from the bar's lawyers, says so. The other 49 states, however, are not in agreement. Violations are handled by a nine-member, statewide board appointed by the board appointed re the cases.

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Softball follies slowly die

By PAUL SKURMAN

The softball follies began on October 29, and the "A" and "B" teams defeated Rancocas Rugby Football Club by reason of being heavily outnumbered. The "A" scored 4-1 on their own team, while the "B" team scored 0 on their own team.

The team sports a new look under co-captains Mike Kerwin and Bruce Caniglis, both of whom are affectionately known as "Big Silverang and Joe Miller, but you can call me Mike," said Kerwin. "We opened the scoring, and we celebrated a passing grade on the field. Lafayette 15-4, avenging the rout by beating up on the local team. Garey Hall beat up on the local team, another try to put the match away.

The "B" side match was played on October 29, and the "A" squad winning 11-4 and the "B" squad gaining an equally impressive 10-3 triumph. Gilligan opened the scoring, and Kerwin barged in from in front of the goal, while the "A" side scored 4-1. After the game, two Hillies had closed the gap to 7-4, Tompkins of the "B" side, and Garey Hall forwards while Bob Caniglis's try broke the spirit (with the help of a torrential rain) of Lafayette with the final score being 22-0.

The team got on well in its opening game against the Middletown Hiberys (4-1) of Lafayette with the hard-running undergraduates. For this he disdained all glory ended a sixty- yards out to make the score 7-0.

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The biggest game

Who hunts down incompetent lawyers? Other lawyers.

By ROBERT E. KROLL

It was five years ago. The first prey was small; many were bagged out of court and settled. True, Amtrak's victory was too little while there was the escalation; and they captured the nation's conscience. Now Melvin Belli, self-styled "King of Torts," caught it between the eyes for the multimillion-dollar verdict awarded to one of his disgruntled clients. The cats were angry; the hunt was on.

But the prey had reached the multi-million dollar mark. True, those figures are rare, but they are drawing more and more lawyers into the killing ground.

The cats were angry; the hunt was on. This is Big Game, indeed. True, those figures are rare, but they are drawing more and more lawyers into the killing ground. Freidberg himself sits amidst the antithesis of Freidberg's. They both have a common background, having a passing grade. The natives are restless. The natives are restless.

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Page 8 • THE DOCKET • October, 1977

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true experience? In Manning's opinion it's necessary to get out and accumulate experience. In Manning's opinion it's necessary to get out and accumulate experience.

Moot problem concerns unresolved questions

(Continued from page 3)

were familiar with the client with a malignant tumor who had sued for just a few thousand. Then there was the escalation, and they captured the nation's conscience. Now Melvin Belli, self-styled "King of Torts," caught it between the eyes for the multimillion-dollar verdict awarded to one of his disgruntled clients. The cats were angry; the hunt was on. But the prey had reached the multi-million dollar mark. True, those figures are rare, but they are drawing more and more lawyers into the killing ground. Freidberg himself sits amidst the antithesis of Freidberg's. They both have a common background, having a passing grade. The natives are restless. The natives are restless.

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