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THE DOCCKET

Vol. XVIII, No. 3

October 24, 1980

SBA Sets Budget Seven Groups Funded By John Delaney orientation activities (\$700) and the

The Student Bar Association has finalized its budget for the Fall 1980 semester. Approximately \$1200 was allocated to various student organizations, while the S.B.A. reserved \$1650 for its own use.

S.B.A. administered funds are a prime source of income for organizations in the Law School. Any student group is eligible for such monies, provided that its officers file a copy of the organization's constitution with the S.B.A., submit a written budget request, and attend the budget hearing. The Executive Board of the S.B.A. — the elected officers, class representatives, and University Senator — then considers the request and allocates the money. The procedure is repeated in the early spring.

Paul Dougherty, S.B.A. president, explained the criteria used in determining who gets what, "To receive funds, the organization must be open to all law students. We examine the organization's history, size, proposed activities, and alternate sources of funds. Additionally, each request is considered in light of all the others — there is a need to balance them based on how much money is to be distributed."

The S.B.A. uses its own funds in diverse ways. The social committee will have \$600 to finance T.G.I.F. gatherings, films, and the world-reknowned Christmas party. Intramural athletics was given \$100 for equipment; the newly conceived Law School yearbook received \$500. To finance its emergency loan program, the Student Bar set aside \$150. The academic committee was given \$200 for its speaker program and \$100 was reserved for office supplies.

Additionally, the S.B.A. sponsored the

orientation activities (\$700) and the Faculty forum (\$400) from last year's surplus.

(Editor's note: In the next issue, **The Docket** will explore the source of the S.B.A.'s budget and what happens to the activity fee paid by each law student.

Executive Privilege

Noted Constitutional Law Scholar Raoul Berger will speak on "Executive Privilege" Tuesday night, October 28, 1980, at 8 p.m., when the Law Review hosts a colloquium. He will give a general address to the law school the following night.

Professor Berger, professor emeritus at Harvard Law School, has written many books on current problems in Constitutional Law.

Among his many publications are: Government by Judiciary: the Transformation of the Fourteenth Amendment (1977); Executive Privilege: A Constitutional Myth (1974); Impeachment: Some Constitutional Problems (1973) and Congress v. The Supreme Court (1969).

Joining him at the colloquium, at the invitation of the Law Review, are Professor Donald W. Dowd, of the Law School, and Professor Gerald E. Frug, Professor of Law at University of Pennsylvania Law School.

Panelists for the colloquim include Craig R. Shagin ('80), Kevin G. Amadio ('81), Nancy H. Fullam ('81) and Elizabeth M. McGeever ('81). Professor William D. Valente, also of the Law School, will serve as moderator.

Professor Berger's general address on Wednesday, October 29, at 8 p.m. is sponsored by the Thomas More Society. The professor will discuss the "Role of the Supreme Court in a Democratic Society."

Professor Berger's address Wednesday night will be followed by a reception hosted by the Philadelphia Chapter of the Thomas More Society.

All students, faculty members, alumni and members of the community at large are cordially invited to attend.

Not Quite Excellent? New Grade Adopted

By Tom Harrigan

A new grading system will be in effect here at the Law School this semester. Students now have the possibility of getting a B-plus grade, rather than simply an A, B, Cplus, C, C-minus, D or F.

The proposal to add the new grade was submitted to the faculty by the faculty's Grading and Examing Committee and approved by the faculty last summer.

The new policy will afford greater latitude to reflect gradations in the performances of students in a class, according to Dean Abraham. The purpose of the change was to afford professors the opportunity to recognize (with a higher grade) groups of students who would previously have been grouped together with others receiving B grades.

How this will be realized in practice, and whether or not the change will have a



"grade-flationary" impact, remain to be seen.

HALLOWEEN

T.G.I.F.

When?

Friday, October 31, 1980

What?

Costumes Optional

Where?

Cafeteria at 3:15 P.M.

The new policy furthers the trend in recent years at the Law School toward refining recognition of gradations among students. Originally, when number grades were used (for example, 70, 71, 72, etc.), extremely fine distinctions were possible. The switch to letter grades reversed this situation entirely, restricting professors to a few broad categories.

The addition of the new B-plus grade to the scale which already includes a C-plus and a C-minus, is a swing back to the middle ground in terms of gradation.

Leftovers

Unsold books may be picked up by contacting Joe Marcucci. Hours when Money is being distributed will be posted periodical-

Wall Street Style

the DOCKET VILLANOVA LAW SCHOOL VILLANOVA, PA. 19085 **Law Office Politics**

By Tony Green

In a way, the young Wall Street associate considered the story he was about to tell hysterically funny. Funny enough to make one cry. It was about one of his colleagues at his firm, one of Wall Street's biggest. "You see, this guy used to wear those bikini underwear," he said, smiling. "And he was standing at the urinal next to one of the

more senior, senior partners who evidentally noticed that his junior was wearing that kind of underwear.

"Word got down to the associate, very quickly, that this was just not done at our firm. Why was this so significant? Well, first of all, it shows that nothing is sacred, nothing private. But it is also a question of image. This firm is stuffy. And the image should be reflected by its members — from their Brooks Brothers suit to their shiny black shoes to their underwear. Needless to say, he switched to boxer shorts."

Check out any book store these days and you'll find a shelf full of books telling you how to make it, how to win through intimidation, how to dress for success, how to scratch your adversary's eyes out and how to win at office politics.

So you might as well face it: the political games are played out everywhere. In a marriage. In a love affair. In a kindergarten class. At a law school. And at law firms, large and small. The games are played by almost everyone, the mail boys, the summer associates, the young lawyers and the big guys who play games to make the little guys work harder. And you might as well be prepared to play the game.

Now you are asking: Who are you, Tony Green, to know the office politics game? Well, buster, as a political reporter I learned the game from the best of the business, guys like Buddy Cianfrani, Bill Green, a fat committeewoman from South Philly and media wizard David Garth, the man who's running John Anderson's presidential campaign. (Garth has had some successes.) I found myself employing the same tactics fought in the political trenches in my former place of employment and after surviving an especially vicious political war, I decided to write about the phenomenon for **Philadelphia Magazine**. In my research, I talked to a bunch of office pols, to psychologists and Wharton professors. (I also wrote a story on law office politics for the **Student Lawyer** which is running in their November issue.)

I interviewed a crew of lawyers from cutthroat Wall Street to laid back L.A.

Lots of questions came up. I even answered a few of them.

Q: Playing political games makes me nauseous. Can I make it without playing politics, by just working hard?

A: If you're good, if you work hard, you can certainly make it. But, in a way, that is a political maneuver in itself. You promote yourself as a neutral power — sort of like (Continued on page 4)

THE EDITORIAL

Question of Honor: Whose Jurisdiction?

"The Honor System is a standard of behavior in student life required of those attending Villanova Law School. Each student has the right to compete fairly. Students are assumed to be honorable unless their conduct proves them to be otherwise. The Honor System demands that each of us participate in preventing any student from gaining by his or her actions at the expense of another." Preamble, Code of Conduct for Villanova Law Students, prepared by the Villanova Law School Honor Board.

The current VLS Honor Code is being revised, as an article elsewhere in this issue notes. A committee composed of students and faculty (Tim Kiser, Paul Dougherty, Gus Sellito, and Professors Cannon, Goldberger, Barry and Cohen are members) is studying proposals now for the new Code.

One significant area to be formulated relates to jurisdiction under the Code. Put simply, the question might be phrased in these terms: who decides when there has been **no violation** of the Code?

Until September, 1979, that decision was made by the students on the Honor Board and their decision was not reviewable by the faculty. In September 1979, however, to the great surprise of the 1979-80 Honor Board, the introduction to the Code of Conduct was changed to read, "The administration and faculty retain jurisdiction over all student conduct which fails to meet the standards of academic and professional behavior, whether such conduct constitutes a violation of the Honor Code or not."

The summertime change in the Code's introduction was prompted by faculty action taken in the wake of an unprecedented rash of plagiarism accusations. Of the three students called before the Honor Board in the spring of 1979 for plagiarism, two were found by the Honor Board to have violated the Code and were later sanctioned by the faculty. The third student was exonerated by the students on the Honor Board and that case was, under the former wording of the Code, not reviewable.

After the 1979 change in the introduction to the Code, the faculty could apparently review **de novo** the case of a student exonerated by his peers under the Honor Code proceedings and then, without regard to the earlier finding, hold the student in violation of the Code.

On the floor before the committee studying the new Code are two proposals which relate directly to this problem. One proposal essentially mimics the 1979 change, giving the faculty jurisdiction over "all conduct which fails to meet accepted standards of academic and professional conduct, whether such conduct violates the Code or not." The other would give the Honor Board **exclusive** original jurisdiction over Code violations, with the faculty retaining jurisdiction over all **other** matters.

We favor the latter approach as the proposal which recognizes the responsibility of students to each other in enforcing a Code of Conduct at the Law School, and which recognizes, in the best Anglo-Saxon traditions, that the accused's guilt or innocence ought to be determined by his peers.



Presidential Predictions: ALittle Horse Sense

By Tom Bovenzi

I finally caught up with good ol' Tom "Horse" Spicious the other day to ask him what he thought about this year's presidential election. Horse has always been an astute student of the political arena and ever since our high school days the Horse has had a penchant for backing the losers. I figured I'd find out who Horse was supporting this year so I could let everyone else know who was going to win. It was Horse's incurable sense of fantasy that predicted in 1972 that Richard Nixon would experience his most humilitating defeat ever and it was Horse in 1976 who said a peanut farmer from the South with absolutely no experience in Congress could never be elected President because "the people just ain't that stupid."

Well the Horse was quaffing a few cold ones down at McCann's Pub when I finally put the question to him.

"Whose going to win the election this year Horse?"

"What election?" said Horse.

I could see Horse was up to his usual coy ways, playing dumb again so as not to tip his hand.

"Well Horse, who you voting for this year for President?" I asked hoping the political wizzard would open up a bit.

"I ain't voting for nobody this year, they all stink," growled Horse.

It was obvious Horse had already made up his mind but was just plain being stubborn.

"Well what about Jimmy Carter," I said, "He's done a pretty good job the past three years. He's kept inflation well under 20% while at the same time keeping employment down to an almost unbelievably low 9%."

"What are you crazy," said Horse, "My grandmother could have done a better job than that."

"But Carter's foreign policy seems steadfast and realistic." I said, "Remember it was Jimmy Carter who had to remind us that the Russian invasion of Afganistan was the gravest threat to world peace since 1945."

Horse wasn't impressed, "And it was also Jimmy Carter who said he learned more about the Soviet Union in the three weeks following that invasion than he had learned in the past thirty years. I mean the man ain't much of an historian now is he?"

I could see Horse wasn't too impressed with the President.

"Well, what about Ronald Reagan?" I asked.

"Now you got to be kidding" snarled Horse, "Reagan's probably the only politician in this country today that would be worse for this country than that peanut farmer in the White House."

"But Reagan's talked about restraint in government to curb inflation and about getting the red tape off of big business so we could have a more productive economy. Now you have to admit those are pretty worthy goals," I said figuring Horse would concede the obvious.

"Baloney" cried Horse, "That trigger-finger Reagan would have us in a war faster than the Giants could blow a 20 point lead. And besides, any candidate who feels that a majority of the people in this country don't warrant a Constitutional guarantee to equality ain't getting my vote."

It didn't seem like Horse was totally satisfied with Reagan, but then again Horse can be very elusive at times.

"Well then," I said, "How about John Anderson? He might be a refreshing alternative."

"Well I don't know," said Horse, "I guess I'd go along with Anderson if he picked Lucey as a running mate."

"Ahhh," I thought to myself, "Now thats the good ol' intuitive Horse Spicious I'm used to talking politics with."

Well voters, It looks like Anderson's not going to be elected President this year. You heard it from the Horse's mouth.

New Honor Code Proposed

by Kathy Yesenko

Last year, a faculty committee was organized by Dean O'Brien and Associate Dean Abraham to examine the Code of Conduct for Villanova Law students for the purpose of recommending changes in the procedures employed by the Honor Board in hearing cases involving alleged violations of the Honor Code.

The committee was comprised of faculty members, and representatives of various student organizations after a significant change had been made in the jurisdiction of the Honor Board over potential violations of the Code of Conduct.

It is unclear what the outcome of last year's committee was, but the faculty determined that a new Honor Code should be devised.

This past summer, Professor Cannon was responsible for drafting a new Code of Conduct. In addition, a new committee was formed to discuss the proposed code.

The committee, which meets weekly, is made up of Tim Kiser, Honor Board Co-Chairman; Paul Dougherty, SBA President, and Gus Sellito, a second year student, with Professors Cannon, Goldberger, Barry, and Cohen. two alternatives currently proposed. One proposal gives the Honor Board original jurisdiction, but the faculty also retains jurisdiction over all conduct which fails to meet accepted standards of academic and professional conduct, whether such conduct violates the Code. The other proposal gives the Honor Board **exclusive** original jurisdiction, with the faculty retaining exclusive original jurisdiction over all matters, other than those alleging a violation of the Code.

(3) Rights of the Accused — Discovery. The new Code requires the Board to turn over any information it possesses relevant to the case at least 24 hours prior to the hearing. The old Code did not provide for discovery.

(4) Report Submitted to Faculty. The new Code proposes that in the event the Honor Board conducts a hearing and submits a report to the faculty, the name of the accused shall not appear in the report but shall be communicated privately to the Dean. This is to insure that the faculty will not have knowledge of the identity of the ac-

DUCUEI

Editor-in-Chief Kate Harper

Associate Editor Kevin Gleason

Copy Editor Tom Wilkinson

Faculty Advisor Professor John Cannon Associate Editor Kathy Yesenko

Photography Editor Eric Bruning

Ad Manager Jon Birnkant

Staff: Tom Bovenzi, Wei-Wei Chau, Dave Eddy, Pete Barrett, John Delaney, John Schreck, Matt Wolfe.

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The most significant changes **proposed** by the new Code are:

 A reclarification of the definition of conduct constituting a violation of the Code. The old Code's provisions in this area were felt to be confusing and overlapping.
Jurisdiction of the Honor Board. The

old Code provided that the Honor Board. The shall have original jurisdiction pertaining to a breach of the Code of Conduct. There are cused when reviewing the Board's findings.

(5) Review by Faculty. The old Code provided that the faculty could review Board's findings of Honor Code violations. The new Code provides that the faculty may review findings of **no**-violations as well as violations.

(6) Remand. The new Code also proposes that the faculty may remand a matter to the Board for further proceedings.

It should be noted that at this stage, these are merely **proposals**. It remains to be seen how many of these provisions will be adopted.

A Job Well Done

The Placement office announced recently that about 2000 interviews have been scheduled this fall by employers interested in interviewing Villanova Law students at the Law School.

The more than 50 employers from the public and private sectors who have requested these interviews have demonstrated their confidence in the graduates of this Law School.

The Placement Office and Ms. Dehne are to be commended for their efforts in encouraging these employers to meet VLS students. Congratulations!



94 Miles to Go

By John Schreck

Outstanding distance runners are not very hard to find around Villanova, and a few can even be found at the Law School. One of the best is Walter J. Taggart, VLS Profesor of Law.

A '68 graduate of V.L.S., Profesor Taggart basically sees his running as a hobby.

"I really enjoy the social aspect of distance running, being with friends and doing what I enjoy. In a way it is a lot like playing golf."

However with a full teaching schedule and many responsibilities to the legal community outside of V.L.S., he often finds it difficult to run his usual 95 miles per week and has to drop down to as few as 50 miles per week.

After two short years as a competitive distance runner Professor Taggart put in a strong showing at the Philadelphia Half Marathon on September 23, posting a time of 1:22:11.

"It was an intolerably hot day and I had to jog in the last two miles," he says. However he adds, "I was really pleased with my performance in the rest of the race. I had gone out at a much faster pace than before and didn't have any trouble other than with heat, and that seemed to be getting everyone down a slower time than usual."

So if you see a red-haired, bearded runner on Township Line road, be careful how you pass him. He could probably catch up with you before you got home.

Garey Ruggers Win Again

by Pete Barrett

The fall classic of Rugby was recently held on the Villanova University Campus. The Garey Hall ruggers were pitted against their undergraduate counterparts in a hardhitting match characteristic of the fierce rivalry that has grown between the two teams. When the dust had settled and the kegs were tapped Garey Hall had come out on top 13-8.

A noted sports authority had this to say about the victory, "If you want to go out and break your necks, then go ahead, but how does this affect me ... Bob Kaplan?"

Well I'll tell you how it affects you, Bob. The law school is making a name for itself (ask Neil) in some very influential circles.

The same men that opened the scoring for Garey Hall are also opening doors for important employment opportunities for all of us. If Nicky Caniglia hadn't charged into the endzone, if Mike Hagan and John Mc-Clusker hadn't combined for another try, and if Joe "Big Foot" Bentley hadn't added his extra points, well then perhaps Chief Justice Warren Burger wouldn't have offered clerkships to team captains Neil Davidowitz and Dennis Platt. Actually, it may be true that no such offers were ever made, but this only highlights further the general atmosphere of ignorance in this country as to the importance of the Garey Hall Rugby Club.



Third year students Neil Davidowitz, Jim Brogan and Jay Gebauer scan the job board.

Class Rank: Bottom 90%?

A recent New York Times article caught our eye with what, at first, looked like cheerful news for job-hunting law students.

The article cited a study by the National Association for Law Placement which said there's been a "slight improvement" this year in recent law grads finding employment (over previous years).

The article noted that top students have "a seller's market" to look forward to when peddling resumes. Our hopes were dashed, however, by this quote from McGeorge School of Law placement director Arthur

Time To Spare?

ABA Law Student Division members interested in writing book reviews on current legal literature for the "Books for Lawyers" section on the ABA Journal should send writing samples, particularly published work, to Carrie L. Hedges, Book Review Editor, ABA Journal, 77 South Wacker Drive, Chicago, IL 60606.

Terzakis:

"Every law placement office is concerned with the bottom 90 percent of the class. For them, the market is still very competitive."

That's funny. "Bottom 90 percent" is not how we phrased it on our resume.

Cannon on Stage

Villanova Law School's own thespian Professor John Cannon will be performing in Plays and Players' current production at their theater at 1714 Delancey Street in Philadelphia.

Professor Cannon plays the part of one of the candidates in Gore Vidal's The Best Man, tonight, tomorrow night, October 30, 31, and November 1, 2, 6, 7, 8.

For more information, call PE 5-0630. Tickets are four and five dollars

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THE RAT RACE AND **'OTHER LEGAL GAMES'** (Continued from page 1)

Switzerland in World War II. Nobody will bother you. But there's one problem.

You can't let it bother you when you see some nerd in the cubicle next to you climbing the ladder ahead of you - the guy who doesn't know his Brooks Brothers pinstriped suit from Shepard's citations but who plays a hot game of squash with a senior partner.

Q: What is the most effective political tactic used in a law office?

A: Probably the most popular ploy is hitching yourself to a star. The academia calls this concept "mentoring." Simply put, you find yourself a powerful member of the firm and become his protege. You better make sure that your adopted mentor is truly a rising star and that he does the kind of work you enjoy.

Q: How do I establish myself with a mentor?

A: Obviously, you can't go up to a partner and say, "Will you be my mentor." Rather, you should find something you have in common with him — football, asbestos litigation, Ronald Reagan's campaign, the ERA, anything — and talk to him or her about it. One of the first things you should do upon walking in the door of a firm is to learn all you can about your employers: the firm's history, its leaders, its stars, its clients, its income, its taboos and its rules of etiquette.

Q: What if I find myself politically stagnant. Let's say I'm assigned to a falling star or a boring piece of business?

A: If you've been assigned to the drudgework, you have probably done something wrong already. The best thing to

SOCCER

by Mitch Smith

The Villanova Law School Soccer team opened up its season two weekends ago with a very impressive 1-1 tie against the previously unbeaten and unscored upon Wharton Business School. As nearly 16 spectators cheered our local heros on, it was apparent from the start that this was to be an all out battle. After Wharton had got on the scoreboard first, the VLS boosters came on strong exploiting the much slower businessmen with relentless pursuit and aggressive play.

Pete Prinson finally threaded the Wharton defense in the second half and drilled a perfectly placed shot into the Wharton net to knot the score at 1 apiece. Thereafter, the VLS forwards played a superb game as Captain Marty Rubenstein and veteran Ricky Liss were all over the field making one clutch play after another. Mike Gottlieb also had a stellar performance as he constantly broke up Wharton drives.

In VLS's second game of the season they really showed their metal as they totally dominated their lowly opponent, Hahnnemann Medical School, by crushing the meddies 2-1. Incredible as it may sound, Howie Levin played the game of his life as his ubiquitous presence seemed to have Hahnneman completely mesmerized. Howie scored VLS's first goal and once again first year man Pete Prinson played an excellent game as he scored the winning goal.

do is to apply yourself to the work voraciously. Get the lousy job over with and, at the same time, impress your bosses with your dedication. Maybe you can recoup some of your losses. Or maybe you should find another job.

If you have found that you have attached yourself to a falling star, don't desert him like a musician jumping from a sinking Dutch ship. Stay with him — thus demonstrating your loyalty - and try to find another, more useful mentor.

Q: How about if I meet this really nice guy or girl at my firm? Can we go out? A: Strictly speaking, that depends on the

law firm.

Q: Tell me about some other tactics.

A: Making yourself indispensable is another, terribly effective ploy. Let's say the firm gets a piece of business in an especially complicated field. Assigned to the work, you learn that case inside and out. You become untouchable. They need your expertise for that business.

Another game is to develop your own subspecialty, one that few others have discovered. The trick is finding that subspecialty; this requires imagination, saavy and foresight. In years past, clever office pols have built their own lucrative, little

"Lawyers can spot a young associate playing the Eddie Haskel game a mile away."

etiquette of your firm. But, generally, interoffice love affairs backfire. First you try to keep it a secret but that's impossible. And when you break up - if you break up things can get a little dicey, with the scorned partner pouting and crying. Such scenes might look petty and immature to the higher ups. Besides, you're not really supposed to think about such things. You're supposed to think about only one thing: the

niches in such fields as asbestos litigation, environmental law, aviation law and the like. Recently, a small coterie of clever Philadelphia and Jersey lawyers have cashed in on casino gambling in Atlantic City. Bringing in a choice piece of business will also earn you some points.

Q: Do I have to kiss . . . feet to get ahead? A: Apple polishing might work in a greasy spoon or a real estate firm but lawyers are

specialists in analyzing people and they can spot a young associate playing the Eddie Haskel game a mile away. Subtlety is vital.

It is important, however, to get the bosses to yourself in a social context. Office politics is played at its best on the squash court, at lunch and at cocktail parties.

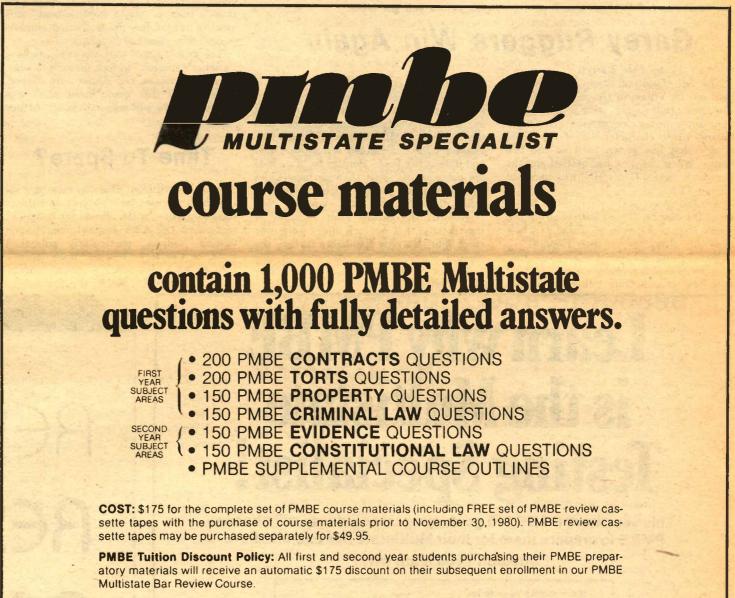
This is an especially brutal part of the game for women. Unfortunately, most of the country's senior partners who will determine your fate are men, men who won't be too quick to invite a woman along for an after work drink with the boys.

It can be a vicious cycle. To get invited to such functions, the lady associate has to be assertive. But some men, most men, are put off by assertive women.

Q: Can I learn anything from Machiavel-li?

A: Yes. The political game can get pretty evil. And if you find Machiavellian ploys offensive, you should at least acquaint yourselves with them so you'll be prepared when one of your adversaries aims one at you. Management also used Machiavellian games to make you work harder. For example, they'll pit associates against each other, promoting competition and forcing you to work harder.

It's a jungle out there.





The fleet Chip Powell and ball-control specialist Mark Verlin looked very impressive throughout the game especially on VLS breakaways where both men just seemed to be in the right place at the right time. It looks as though the Law School soccer team is slated for another fine season and hopefully will bring home the Professional League Crown again this year.

LAW SCHOOL YEARBOOK

The SBA has announced plans to publish a yearbook for 1980-81. People interested in working on the yearbook are asked to leave their names at the SBA office. The planned format includes casual pictures of the third year class. and candid shots are needed. Posters will inform students of sign-ups for pictures.

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