Twenty-First Annual Reimel Moot Court Competition was held. The final argument on April 1, 1981, was presented by Lisa Palfy for the respondent. When Frank Arleo for the petitioner took on Joe Kohn, the arguments were victorious.

Lisa Palfy and Joe Kohn (L.) competed with Frank Arleo and Gus Sellito (R.) at the Reimel Moot Court Competition.

Kohn and Palfy Win Reimels

Last Saturday, the final round of the Twenty-First Annual Reimel Moot Court Competition was held. The final argument saw the team of Gus Sillitto and Frank Arleo for the petitioner take on Joe Kohn and Lisa Palfy for the respondent. When the three-judge panel handed down its decision, the team Kohn and Palfy emerged victorious.

For both teams, the oral argument on Saturday was the culmination of seven months of preparation and five preliminary rounds of appellate oral arguments.

The competitors argued before a distinguished three-judge panel, including Judge Patricia Wald, sitting as Chief Justice of the Villanova Supreme Court, Judge Bruce Kauffman, and Judge Edward Cahn.

Judge Wald, who sits on the Court of Appeals for the District of Columbia Circuit, earned her appointment to the bench through her work with the Justice Department, as well as through her distinguished work in areas of law connected with social issues. Judge Wald has worked for Neighborhood Legal Services and the Crime Commission in the District of Columbia, and she has co-directed programs for drug abuse, law and social policy, and mental health law. She has also written a book, Law and Poverty.

Judge Kauffman, who sits on the Supreme Court of Pennsylvania, was selected by Governor Thornberry on a merit basis to fill a position which had been vacated. As a believer in merit selection, as opposed to election, as a system for awarding seats on the bench, Judge Kauffman determined earlier this year that he would run for re-election only upon receiving the nominations of both the Republican and Democratic parties. He has received only the Republican nomination.

Judge Cahn, United States District Court Judge for the Eastern District of Pennsylvania, wrote the opinion in the recent case of Goldberg v. Rosacker. Goldberg was a key case relating to the military draft in the Reimel problem. Judge Cahn's decision declaring last year's draft registration unconstitutional on the grounds of sex discrimination is currently under review by the United States Supreme Court. Oral argument before the Supreme Court was heard Tuesday, March 27.

The problem for this year's competition, which deals with the constitutionality of limiting a military draft to men, was written by Professor Mary Joe Frug.

Brogan Critical

By Dave Eddy

The sixteen percent increase in the law school tuition to $4251, approved by the University Senate was largely a fait accompli. Jim Brogan, law school representative to the Senate, commended the Senate's decision, saying that the body's discussion of the budget was basically academic because of a dearth of specific budget figures made specific, intelligent discussion impossible. Brogan further noted that even if the figures were presented, the Senate is largely powerless.

Despite this, the Senate voted 13 for, 11 against, a abstaining on the tuition increase proposal. All the student senators and two faculty members were against the budget and Dean Abraham and Prof. Cannon abstained.

Brogan's dissatisfaction with the increase was tempered somewhat by the fact that from what he could "glean" the 16% increase was reasonable.

Brogan disparaged the skeletal presentation of the budget given to the Senate to approve. The total dollar figures were not broken down in any meaningful way, he said, yet the senate was expected to vote on this matter.

A second cause for dismay involved the budget-maker's apparent disregard for the Senate's expressed and accepted priority of having financial aid increases keep pace with tuition increases. Not only was this not done with the graduate program but the budget was even less successful with the law school. In the law school budget there was a 5.8% disparity between the increases.

A third area of dispute involved another priority established by the senate. This was the deferral for the third year in a row of the maintenance of the university's physical plant.

Reagan Plans Hit Students In Wallet

By Wei-Wei Chiu

The Reagan Administration's proposed budget cuts in the area of government educational loans should not affect students for the 1981-82 academic year, according to Sandy Mannix, Villanova Law School's Admissions Officer. However, for the 1982-1983 year and thereafter, although nothing definite has been done yet, most of the proposals are "bad" for students and some will be "disastrous."

The new program changes the current National Direct Student Loan (NDSL) and Guaranteed Student Loan (GSL) programs in primarily three ways. First, the in-school interest subsidy is eliminated and replaced with an interest payment while-you-are-in-school provision, such interest being compounded while the student is in school. If the student graduates before the six-year period is over, he or she starts paying interest payments. This, says Ms. Mannix, will be "fatal" for some students. Second, the most devastating provision is "Eligibility-Based-On-Remaining-Need," which requires students to exhaust all other possible sources of support before they can apply for the GSL and determinations of funding is made on the basis of need. In other words, the student would have to get NSL, work-study, school loans, etc., before he or she can even apply to the GSL program. Finally, the new educational loan program adds a parental loan program with the percentage value of interest floating at the market rate (currently the interest rate is fixed).

Various student aid groups have put forward other suggestions to the government, including the following: (1) to retain the interest subsidy; (2) to replace the "income cap" that used to be in existence under the GSL program (Any student whose income over the parent's income is under $20,000 gets GSL automatically, otherwise, he or she.

(Continued on page 5)

No Student Graduation Speaker

Dean Abraham, with the assistance of Dean O'Brien, has decided that there will be no student speaker at the law school commencement ceremonies. The idea had been proposed by the Student/Faculty Committee, which suggested that the graduating class be permitted to vote on whether to have a member of the class deliver an address at graduation.

Dean O'Brien and Dean Abraham both opposed the suggestion on the ground that students would not like having one of their number singled out for special notice at the commencement exercises.
An American Problem

Atlantic

To the Editor:
The current problem in Atlanta is significantly different from the recent Iranian crisis. In Iran, we knew who the captors were. After twenty months, Atlanta officials are no closer to finding out what killer or killers have been victimizing its neighborhoods of its young people. We also knew that the relationship between kidnappers and their operations was well-established. In Atlanta there are no clues as to why the killers are targeting innocent children. These are not just isolated incidents. There are a few of the differences between Iran and the current situation in Atlanta. The issue is that the differences are not clearly delineated, and the tenacity of the incidents, is the degree of sensitivity shown by Americans.

Iran struck the American conscience in a way no incidents in recent times have. Nevertheless, the Atlanta crisis has been received with an insensitivity that borders on outright shamelessness. We proffer to be a caring nation. Yet, it took the Reagan Administration weeks to declare whether the “adoptive” for the government to send money to the state to aid in its investigation. The administration feared that giving aid for investigatory purposes could result in the subject of the victims being killed. The political sensitivities were raised $700,000 dollars so our illustrious First Lady, Nancy Reagan, can redecorate the White House. The message emanating from the White House was very clear — we want the furniture in the White House. If we think this is the lives of the youth in Atlanta.

It is tempting to let the issue rest at this juncture but there is much more involved. It is the fact that you, as Atlantans, are being killed — it is that “Black” youth are being killed. At a recent news conference, after twenty dead children had been found, President Reagan solemnly announced that a little over one million dollars was being sent to Atlanta for investigatory purposes.

On the same day, the Reagan Administration appropriated 100 million dollars for the promotion of a bill aimed at wages and development.

At this conference the President was asked whether the administration had acted the way he had in the past, accorded adviser, without being responded by saying that his administration was color-blind. Well, if you believe that then you must be further convinced that the recent budget cuts are not color-conscious. Former President Jimmy Carid, in his approach to the International problem, was interested in the differences with the Atlanta crisis. Meanwhile, the private individuals were raising $700,000 dollars so our illustrious First Lady, Nancy Reagan, can redecorate the White House. The message emanating from the White House was very clear — we want the furniture in the White House. If we think this is the lives of the youth in Atlanta.

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The annual Villanova Law School Fund Drive Phonathon ran from January 29 through February 19 this year and has raised to data over $30,000 in pledges for the Law School, surpassing the drive's goal of $25,000, even with one class ('62) still outstanding. Chip D'Ambrosio, Alumni Director in charge of the fund drive, predicts a 50% increase over the ultimate goal.

Alumni were asked to come to the law school and phone their own classmates. All students and alums were treated to cocktails and dinner before an evening of the classes participated except for '58 and handled by law student volunteers. Both with '63, '69 and '73. These classes were $4250 and the highest average pledge of $125. The class of '75 made the most dollar pledges) and 300 "your decision" were 670 positive dollar pledges (specific and will fill in their pledge amount on their goal.

Due to the increased demand for blood by the hospitals in the Penn-Jersey region, our goal has been increased from 75 pints to 100 pints. As a result, we need the help from all law schools including the faculty and administration if we are to meet our goal. As always, a free keg of beer will be given to the class donating the highest percentage of blood.

Please contact any SBA officer or representative to sign up for an appointment.

Mr. D'Ambrosio cited several interesting statistics from the phonathon results. The class of '77 may be the first class in the post-1973 era to have 100% participation. The class of '66 had the most pledges with $4250 and the highest average pledge of $125. The class of '73 made the most positive responses with 71. This year, there were 670 positive dollar pledges (specific dollar pledges) and 300 "your decision" type pledges (person called is mailed a card and will fill in their pledge amount on their own), making a total of 970 positive pledges from the phonathon alone. The number is equal to the total number of donors in the entire fund drive last year (not just the phonathon). Of this year's donors, 350 positive pledges came from people who had never donated before to any of the Law School's annual fund drives.

By Wei-Wei Chiu

Mr. D'Ambrosio stresses that the money raised from the phonathon fund drive is used strictly for the purposes of the law school and is maintained in accounts that the Law School controls. Two things which the annual fund drives are shooting for are word processing equipment for the Law School and microtechnology for the law library. Proceeds from the fund drive will also go towards paying for the publication and mailing of the alumni director. (The current one is being printed now).

Mr. D'Ambrosio notes that all the participants in the phonathon enjoyed the event and considers the phonathon "an extremely successful and rewarding venture." NOTE: Next year's fund drive phonathon will be moved from February to November, which will help donors in terms of tax consequences.

Blood Drive

The Student Bar Association is sponsoring its third Blood Drive on Tuesday, April 14, 1981, from 10:30 a.m. to 3:30 p.m. St. Mary's GYM has been chosen as the site for this semester's drive.

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The Young Lawyers of the Pennsylvania Bar Association has planned a wine and cheese reception for area law students on Friday, April 10, 1981 beginning at 6:30 p.m. until 8:00 p.m. at 260 S. 15th Street at the Fellowship Building auditorium. "We are anxious to meet with you and your fellow law students," said Mr. John M. Zech of the Young Lawyer's Committee.

Everyone is invited to attend. Please RSVP at 397-0850 during the day or at 545-6030 in the evening.

Another Success

J. Michael Ryan and Maria Pecoraro '81 have been pleased to announce the opening of their law offices: Ryan & Pecoraro, Suite 100, 1223 West Chester Pike, West Chester, PA. 19380, (215) 436-9510.

Examiners Expand Exams

For Examinees

by Tom Barnes

There will be more subjects to study for the July, 1982 Pennsylvania Bar Examination, the Board of Law Examiners has recently announced. Students taking the 1982 test will be required to know and prepare to be tested on Federal Income taxes, family law, and perhaps other topics which will not be tested on the July, 1981 exam. According to Acting Dean Gerald Abraham, the increased coverage grew out of a concern by the Board that a practicing Pennsylvania lawyer should be familiar with the substantive law of these subjects. Dean Abraham said that the Board informed the Deans of the seven Pennsylvania law schools last May that they wanted to increase the number of topics covered on the essay portion of the exam. The announcement also stated that no changes would be made without consulting the Deans. In a meeting with the Board last summer, the Deans unanimously opposed the changes. Dean Abraham was not present but in his opinion, the Deans argued to the Board that there were no inadequacies in the exam's present format, and that it wasn't a good idea to induce students to take courses that they might not have desired or planned to take. Dean Abraham also speculated that the law schools' Deans let the Board know that they didn't like being told how to arrange their curriculums. The ability to figure out a problem is what is important, says Dean Abraham, and so they should only test on a core of subjects, and leave students with the freedom to choose electives.

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Rich Gessche Class of ’82 — I disagree with the intervention in the internal conflicts of another country. My disagreement is particularly acute in this instance as the evil we seek to combat is precisely the means we choose, namely intervention. The goals of his policy are vague, they’ve been poorly articulated. Thus they are open to dangerous interpretation.

Lawrence R. Delite Class of ’81 — I think the president’s policy is about right. He’s attempting to limit the arms flow into the country and he’s proposing economic aid to help solve the economic problems and continue land reform to work. If these two things are accomplished then El Salvador will be able to reach a political solution to its own political problems. That is the most desirable outcome.

By Kathy Yeneko

The annual Villanova Law Review Symposium on “Legal Ethics — Ideas In Conflict” was held on Saturday, February 21, 1981. Moderated by Professor Mary Joe Frug, the symposium consisted of presentations of three proposals for revision of the Code of Professional Responsibility by: Robert B. McKay, Esq., Professor of Law, New York University School of Law and member of the American Bar Association Commission on Evaluation of Professional Standards; Monroe H. Freedman, Esq., Professor Of Law, Hofstra University School of Law and reporter for the Roscoe Pound — American Trial Lawyers Foundation Commission on Professional Responsibility; Allen B. Zerfoss, Esq. Chief Disciplinary Counsel, Disciplinary Board of the Supreme Court of Pennsylvania and chairman of the National Organisation of Bar Counsel; and Alexander Unkovic, Esq., member of Mayer, Unkovic & Scott, Pittsburgh, Pa. and chairman of the Disciplinary Board of the Supreme Court of Pennsylvania.

Prof. Frug began the symposium by stating that lawyers’ ethics have come under increasing scrutiny in recent years with the Code of Professional Responsibility prompting criticism by various groups of lawyers. As a result of this criticism, the proposed Model Rules of Professional Conduct was designed by the American Bar Association. Professor Dolores Spina has resigned for personal reasons, but will perhaps assist part-time with the Trial Practice program.

Frug, Spina Leave: Three Hired

By Mitchell Smith

Among the new faculty members announced for next fall is a scholar who knew Villanova from its earliest days.

Thomas O'Toole, who will return next year as a Visiting Professor, taught here from 1953 to 1962 as part of the Law School's founding faculty. A graduate of Harvard College and Harvard Law School, he has also taught at Suffolk, Georgetown, Northwestern and Antioch law schools, served as Dean at Northeastern and practiced law in Massachusetts and Pennsylvania.

"Although the curriculum for next year has not yet been finally decided, it is possible that O'Toole will teach Constitutional Law, Torts or Labor Law, according to Dean Abraham."

By Mitchell Smith

O'Toole will be three new full-time faculty members of slightly varied background and expertise.

Anne Poulin will bring a background in Chicago Law, having served as an Assistant U.S. Attorney in Chicago, a faculty member of Radcliffe College and the University of Maine School of Law, and has been teaching at Chicago-Kent Law School.

Louis Silvce, the second full-time recruit, is apparently considered popular by his students at Rutgers Law School-Camden, where he teaches Property law said Dean Abraham. He has worked with two of Ralph Nader's public interest groups and with Legal Services in Connecticut, and is a graduate of Yale University and the University of Texas Law School.

Labor Law is a specialty of the final addition for next year, Henry Petrillo, Professor of Labor Law. Though uniquely interested in criminal defense work to stick to the basic, Shuman said he reads the recent decisions as representing a pendulum swing from decisions of the last decade which expanded the constitutional rights of suspects. Shuman said he used to tell students to "use their imagination" in finding constitutional attacks, but that he no longer believes such arguments will be successful.

Shuman, who heads the Organized Crime Unit in the Philadelphia District Attorney's Office then spoke for more than an hour on the inner workings of La Cosa Nostra and the "trickle down" crime effect on the Mafia's huge illicit drug operation.
Dean Offers Short Reading Period

Students may find themselves short-changed on reading period next spring if the calendar proposed by Dean Abraham is ratified by the faculty.

Currently, students are allowed a four day reading period between the last day of classes and the first day of the exam period. The proposal calendar would shorten that period from four days to two days.

Dean Abraham offered the calendar as a solution to those who complained that the law school's winter break was too short. By shifting the exam period on the Monday following the last day of classes (a Friday), the law school will be able to extend the winter break by two days.

The Student/Faculty Committee voted not to endorse the calendar at their March meeting. The Committee, largely dominated by students, passed a resolution calling the proposed calendar unacceptable and suggesting various alternatives. All three alternatives featured a four day reading period. The Committee is purely advisory to the Faculty.

ABA-LSD Meets

Dickinson Law School was the host for this year’s American Bar Association Law Student Division, held on March 21. Villanova Law School was dutifully represented by Bill Brittan, ‘83, Scott Sandusky, Third Circuit Governor, chaired the conference. The morning session included speakers from Harrisburg on the subjects of lawyers in government and lawyer’s role in lobbying. The afternoon session was reserved for workshops. The last order of business at the conference was the election of the new Third Circuit Governor, Jeff Nesson of Baltimore Law School.

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Ethics

Comparing the search for a new Code with a “melody of tones”, Zerfoss began by stating that the best tone should be “It's a Grand Old Code.” While recognizing the efforts put forth by various lawyers groups, Zerfoss is of the view that the present Code should not be abandoned. Zerfoss discussed some of the proposals but considered many of them to be already covered by the present Code. Emphasizing the need for a uniform Code throughout the Country, Zerfoss believes that the National organisation of Bar Counsel will resolve the problems with the code by reviewing all proposals and making amendments.

Unkovic compared the search for a new trial to the writing of the United States Constitution, the only difference being that the volume of material written about legal ethics vastly exceeds the text of the Constitution itself. In Unkovic’s opinion, if the results of the Code in deterring attorney misconduct have been as effective in other states as they have been in Pennsylvania, “We should be very careful before we disturb the present format.” Although Unkovic believes it would be a mistake to change the format, some of the ideas that have been presented could nonetheless be adopted.

After the symposium, a wine and cheese reception followed.
Committed To Mental Health Law

By Mitchell Smith

Singlehandedly running the Villanova Law School can be a daunting task. But Dean Gerald Abraham has been doing just that this semester and has still somehow managed to maintain his sense of humor. "I don't write mystery stories," he said with a laugh as we began the interview.

This year Abraham has carried the responsibilities of his own position, Associate Dean for Academic Affairs, as well as the administrative duties of Dean O'Brien, who is away on sabbatical.

With what little spare time is left, the Dean is active as a volunteer in the field of Mental Health, acting as President of the Mental Health Association of Southeastern Pennsylvania, and serving on the Patient's Rights Review Committee of Haverford State Hospital.

The Review Committee hears complaints from patients about, for example, improper treatment. The Mental Health Association is a citizen's organization engaged in advocacy for the mentally ill, and also raising money for improved conditions.

Pointing out that there has been a "revolution" in the legal status of the mentally ill, Abraham feels that this expansion of legal rights and resulting improved conditions has been brought about largely by a small group of dedicated lawyers, and that their work has been a "credit to the bar."

While before, courts commonly deferred to professional judgment in medical conditions, they now frequently recognize constitutional rights formerly denied to those mentally disabled. One can no longer be committed to an institution, for example, without some form of due process. In Pennsylvania, this means proof that the patient is ill and dangerous, with evidence of dangerous acts done within thirty days prior to commitment. Once within the institution, one now has rights to proper treatment, freedom from intrusive treatments such as brain surgery, and humane conditions.

The Dean, who has taught a seminar in Mental Health, feels strongly that credit should be given to those lawyers and laymen who have worked for these advances. He himself was introduced to the area by his wife, who is a clinical psychologist with the Community Health Center in Paoli.

Abraham graduated from New York University in 1951 and New York University Law School in 1953. He also studied law for one year at Göttingen Germany, in 1957. Having come to the United States with his family as a child, Abraham still speaks German fluently.

Before joining Villanova, he also clerked for a New York State Court of Appeals judge and practiced for a while in New York City. He was a teaching fellow at Harvard for two years and taught at Duquesne for one year in 1961.

Joining Villanova in 1962, he has taught Criminal law, Family law, as well as the seminar in Mental Health, and has also written in the areas of Civil Procedure and Pennsylvania Practice.

Hopefully his experience and humor will continue to grace these halls for many years to come.

Football Round-Up

By Jim Franz

For an unprecedented third year in a row the Law School Intramural Football Championship was captured by the widely acclaimed third-year team, Legal Lightning. Although this championship game took place only four months ago, it seemed such a trivial and meaningless character and his brother, all had difficulty in adequately putting to ink the horrendous debacle some people have had the hitherto a tragedy. Nevertheless, after much consternation and several threatening phone calls from some thing I wish to purchase the PMBE Multistate Bar Review Seminar.

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Dean Gerald Abraham takes on greater responsibility without losing his sense of humor.

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