



The Docket

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THE DOCKET

April 1, 1981

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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 Sellito 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 brief writing 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 Thornburgh 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. Rostker*. *Goldberg* was a key case relating to the military draft issue in the Reimel problem. Judge Cahn's decision declaring last year's draft registration unconstitutional on the grounds of sexual discrimination is currently under review by the United States Supreme Court. Oral argument before the Supreme Court was heard Tuesday, March 24.

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.

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

Brogan Critical

LAW TUITION UP

By Dave Eddy

The sixteen percent increase in the law school tuition to \$4512, approved by the University Senate was largely a fait accompli. Jim Brogan, law school representative to the Senate, commented 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 provided, the Senate is largely powerless.

Despite this, the Senate voted 13 for, 11 against, 4 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.

Brogan's frustration with this largely ceremonial body was evident throughout the discussion. The senate has voted down the budget twice in its history and for the most part is forced to accept the recommendations of the Budget Committee (who are supplied with figures) in making decisions.

Furthermore, the Board of Trustees, who make the real decision, simply overrode the Senate on the two previous occasions. One concession was granted to the senate, however. The budget hearings from now on will take place during the December meeting rather than the March meeting so that the budget is not quite as firm as it was this year when reviewed.

VLS Team Winners

By Tom Barnes

Marie Barnhurst and Dave Pennington have teamed up to win the Merna B. Marshall Moot Court Competition, a new event sponsored by the Philadelphia Chapter of the Federal Bar Association. Also competing from VLS were Jim Brogan and Sharon Brass, Vince Knox and Charles Rausch, and Lou Magazzu and Andy Susko. The Marshall Competition is named in honor of the late Philadelphia Common Pleas Court Judge, who was a past President of the Philadelphia chapter of the Federal Bar Association.

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.



Pictured above are: (l.) Suzanne McCann, Dave Robbins, Prof. R.S. Packel, Joanne Selleck, and Ann Nevel.

On Trial

By Tom Barnes

Ann Nevel and Joanne Selleck were runners up in the Regional Round of the National Trial Competition held at Dickinson Law School, and will go on to the National round. Dave Robbins and Suzanne McCann made it to the semis during the four elimination rounds held at Dickinson. The Regionals involved a criminal bribery case, and the Nationals will also consist of a criminal problem. All four participants thank their student witnesses and judges, Mrs. Jane Anderson, and Professor RS Packel and Goldberger for their valuable assistance.

THE EDITORIAL

Changing The Guard

The news that Villanova Law School has hired three new faculty members is a bittersweet announcement when coupled with the news that Professors Frug and Spina are leaving. Professor Mary Jo Frug will teach next year at New England School of Law and Professor Dolores Spina will leave the faculty to attend to family obligations. Both will be sorely missed.

Professor Spina has been much admired by her students here at the law school for her practical, down-to-earth approach to the law. Her students remark favorably on her "no fluff" style and pass the word that she's "easy to understand," a valuable attribute in a law professor.

Professor Frug, on the other hand, is admired for other reasons. Her quick wit and often self-deprecating humor allow her to teach employment discrimination with the enthusiasm of a pioneer while neatly deflecting the hostility that such an emotionally-charged subject often engenders.

It takes nothing away from either of these two professors, fine teachers in their own right, to remark at this point that with the departure of both of them, Villanova loses its only two fulltime teaching positions held by women. Although Professor Anne Pulin has been added to the faculty for the fall, the addition of one woman professor while subtracting two still adds up to a faculty that simply does not have enough women professors.

This is a situation that we, at the **Docket**, hope will be rectified during the next academic year. It is generally conceded that the Law School would be benefitted by bettering its faculty/student ratio — priority should be given to the addition of women professors.

On a personal level, we will miss Professors Frug and Spina, while we wish them the best of luck in their new endeavors. The Law School community is poorer for their departure but was greatly enriched by their tenures here.

Believe It Or Not . . .

By Kate Harper

Students who lobbied for increased awareness of security problems in and around the Law School have gotten a sympathetic ear from Mrs. Betty Murphy, Law School facilities coordinator.

Mrs. Murphy reported recently that she has made progress in improving several conditions which students had complained were dangerous.

One major complaint was that the parking lot was dark at night. According to Mrs. Murphy, lightbulbs in the parking lot have been replaced with mercury vapor lamps which are designed to give greater light. A larger light was stationed near the dumpster and electrical wiring, which had caused blackouts, has been repaired.

Mrs. Murphy also contacted both SEPTA (Southeastern Pennsylvania Transportation Authority) and CONRAIL with respect to improving the lighting conditions at the Villanova train station which bisects the University campus. The Law School will most likely request that the Villanova Station be added to the list of stations slated for improvement by SEPTA.

The Facilities Coordinator is also working on a plan to lock all but certain exits from the building and to post signs listing the telephone numbers of the campus security and the Radnor Township police.

Students with security concerns should contact Mrs. Murphy, whose office is opposite the Administration Office.

THE DOCKET

Editor-in-Chief

Jon Birnkrant

Associate Editor

Kevin Gleason

Copy Editor

Tom Wilkinson

Faculty Advisor

Professor John Cannon

Associate Editor

Kathy Yesenko

Photography Editor

Eric Bruning

Senior Editor

Kate Harper

Staff: Tom Bovenzi, Wei-Wei Chiu, Dave Eddy, Pete Barrett, John Delaney, John Schreck, Matt Wolfe, Mitch Smith, Tom Harragan, Marianne Bechtle, Anthony Green, Tom Barnes, Marc Arrigo.

The **Docket** is published monthly by the students of Villanova Law School, Villanova University, Villanova, Pa. 19085. Letters and articles are welcomed from students, faculty, alumnae and the community at large. Paid advertisements are also accepted, please contact the **Docket** office for details.

An American Problem

ATLANTA

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 youths. In Iran we also knew that the captors were reacting to America's previous involvement in its internal affairs. In Atlanta there are no clues as to why the killers are taking the lives of innocent children. These are but a few of the differences between Iran and the current situation, but it is our belief that what really distinguishes the two incidents, is the degree of sensitivity shown by Americans.

Iran struck the American conscience in a way few incidents in recent times have. Nevertheless, the Atlanta crisis has been received with an insensitivity that borders on outright shameless hypocrisy. We profess to be a caring nation. Yet, it took the Reagan Administration weeks to decide whether it was "appropriate" for the federal government to send money to the state to aid in its investigation. The administration feared that providing aid for investigatory purposes would set a dangerous precedent. Meanwhile, 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 think the furniture in the White House is more important than we think are the lives of the youth in Atlanta.

It is tempting to let this issue rest at this juncture but there is much more involved. It is not just that youth in Atlanta 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 finally 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 purchase of cobalt, a mineral used in weaponry development.

At this conference the President was asked whether the administration would have acted sooner had the youth involved were not Black. The President 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 Carter did not approach this concern with all deliberate speed either. The insensitivity extends beyond the White House, however.

The Black children and the parents of Atlanta have been doubly victimized. Not only have they fallen victim to a ruthless murderer, but they have also been a victim of unrelentless criticism. The press has characterized the parents of the victims as negligent and uncaring. The children have been labeled "street hustlers." This attitude is offensive and is the product of a racist mentality. It is a failure to understand the reality of their situation.

These families are poor. Their children are compelled to earn money any way that they can. For them, this is a matter of survival. Yet, these children are accused of placing themselves in a dangerous position. Our society has always been predisposed towards passing judgment upon victims of crime. This practice is even more intolerable here, since these children are judged by standards that have no application to their lives.

"Concerned" middle-class America has cried, "Why can't those children be more careful like ours?" The answer is obvious and is in plain sight for any of those who care to see it. The Black children of Atlanta have no access to secure play areas — the city street is their playground. Their parents are low-paid workers who are away from their homes for long periods of time. It is impossible for them to guard their children 24 hours a day. Their neighborhoods are in a state of decay. Abandoned buildings and dark alleyways are commonplace. They beckon to criminal activity.

It is surprising that a tragedy of this dimension has not occurred before now. It is merely fortuitous that Atlanta has been the place of this crime. All of the urban areas across our nation are potential settings. Until we begin to understand and face the multitude of problems in our cities, Atlanta will repeat itself.

In conclusion, we knew when the Iranian crisis began. We are not at all sure when the Atlanta Crisis started. We knew that there were 52 Americans taken in Iran. In Atlanta, an entire population has been taken hostage and is living under a cloud of fear and apprehension. Each day that another child is found dead or reported missing, fear is generated and felt well beyond Atlanta. The problem in Atlanta is not a "black" problem. It is an American problem. It should concern all of us — **equally**.

Representatives of Balsa

Docket Reporter Scoops Metro Papers

By Kevin C. Gleason

Within the last few weeks I was approached by an organization which is doing business in the tri-state area under the alternate names of Energy Age 1 and Solar United National Products, Incorporated. After attending an indoctrination meeting curiosity led me to research the activities of the organization. Their business structure is referred to as a 'pyramid' marketing scheme and operated in a similar fashion to a chain letter.

The company's product line includes: a fuel efficiency device for automobiles, an in-window solar heater, a line of jewelry and silver flatware. In the course of the sales routine, the promoters emphasize the great potential profits associated with participation in their plan. There is one small problem which goes unmentioned. The operation might be illegal.

The facts are simple. Of the two names used in the promotions only one is a registered name. The only solar device in their line actually decreases the amount of solar radiation available to heat living space. The promoters claim that F. Lee Bailey is a director of the corporation. Mr. Bailey knows nothing of the organization. The agreement which one is encouraged to sign is instantly voidable at the election of either party without notice.

All of these factors are not of themselves sufficient for any real legal action.

However, some agencies are very interested in continuing the investigation, including: the FBI, SEC, FTC, Pa. Securities Commission, N.J. Securities Commission, U.S. Postal Inspectors, and the IRS. I wouldn't want all of those guys mad at me!

My investigation took an interesting turn when F. Lee Bailey's Washington representative, Mr. Wayne Smith, called the Bulletin about the story. I spoke to a reporter from the Bulletin. She was very interested in being fed the story which was the product of my labor. When I suggested that my investigative expenses be covered by her paper I was accused of being a "stringer", whatever that is. Also I was accused of participating in a scheme to trade the reputation of a future attorney for a lousy hundred bucks. We could not reach agreement.

Oh well, why not try **The Inquirer**? While more receptive to the proposition, **The Inquirer** has still not accepted.

Now I know what they mean by the expression, "Between the devil and the deep blue sea." Should I turn over the information and swallow the loss in the interest of the public good?

I adopted a three-part plan to bring this case to a close. First, all of my information was turned over to the FBI White Collar Crime Unit. Second, I returned to the safety of the Law school. Third, the **Docket** scoops the major metropolitan newspapers. Lesson learned — Don't talk to strangers.

A cartoon illustration of a man with a large nose, wearing a cap and glasses. He is sweating, with several sweat drops around his head. He is holding a pen in his right hand and a notepad in his left. Above him is a large, cloud-like thought bubble containing the text "JUSTIFIABLE HOMICIDE". The signature "Malchow" is at the bottom right.

STUDENT FORUM

What Is Your Opinion Of President Reagan's El Salvador Policy?



Rich Geschke 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. Deiter Class of '81 — I think the president's policy is about right. He's attempting to limit the arms flow into the country to cut down the internal violence and he's proposing economic aid to help solve the economic problems and enable land reform to work. If those 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.



Bob Griffiths Class of '82 — In view of recent Soviet expansionism and El Salvador's proximity to the United States, it may be the right time and the right place, from a practical standpoint, to communicate our strategic interests to the Soviet Union. We must be very careful, however, that our "global perspective" does not create a backlash among the peoples of Latin and South America. Fostering the goodwill and friendship of those peoples would best effectuate the Monroe Doctrine.



Anne Naczi Class of '82 — It is good that once again we are supporting our allies.

Panel Discusses Ethics Code

By Kathy Yesenko

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. Zerkos, Esq. Chief Disciplinary Counsel, Disciplinary Board of the Supreme Court of Pennsylvania and chairman of the National Organization of Bar Counsel; and Alexander Unkovic, Esq., member of Meyer, 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. Similarly, the Roscoe Pound —

American Trial Lawyers Foundation developed The American Lawyer's Code of Conduct. The National Organization of Bar Counsel also recognized the need for a more workable code and suggested amending the present code rather than abandoning it completely. The question which results out of these three proposals is, according to Prof. Frug, "Which code and which aspects are able to resolve the ambiguities in the current code and which group of lawyers is capable of speaking for all lawyers?"

Some of the problems in the present code outlined by Prof. Frug include questions surrounding the scope of confidentiality in the lawyer-client relationship, the obligation for a just result at trial, and the obligation to deliver legal services to the society generally.

Responding to these problems, McKay outlined some of the proposals the American Bar Association's Kutak Commission has developed and emphasized the continued need for the profession to continue self-regulation. "No other profession," he stated, "is so free of government regulation." McKay spoke of the four "C's" which must be considered in making amendments to the present code: competence, cost, conflict of interest, and confidentiality. With respect to the confidentiality interest, McKay feels that the Code's Ethical Considerations are misleading and the Code itself does not give guidance on the role of the attorney as an

advocate, advisor, intermediary, evaluator, and negotiator. With respect to cost, McKay suggested that the Code fails to adequately respond to the demands of the client in preventing unreasonable delay in the judicial process. McKay also stated that problems occur in the conflict of interest area and that loyalty to the client should be of paramount importance. Lastly, McKay is of the view that the present Code does not forbid disclosure of client disclosure in all circumstances and an amendment should be made to allow disclosure only in cases involving serious bodily harm.

Freedman began his presentation by stating that he does not agree with the proposals set forth by the Kutak Commission. Criticizing McKay's view that disclosure of confidences made by the client to his attorney should be allowed in cases involving serious bodily harm, Freedman

feels this would be harmful to the lawyer-client relationship because clients would be reluctant to disclose their "secrets" to their attorneys. This reluctance, Freedman feels, would make it very difficult for lawyers adequately to assist their clients. Moreover, in Freedman's opinion, the Kutak proposal would result in "selective ignorance" with the lawyer being forced to give some sort of "Miranda warning" at the outset of his contact with his client to the effect that the client should "be careful" what he tells the lawyer. Freedman then outlined some of the suggestions put forth by the American Trial Lawyers Foundation. Essentially, Freedman sees the lawyer as the "champion against a hostile world" and feels that respect for the "autonomy of the individual" is reflected in the American Trial Lawyers' proposal.

(Continued on page 5)

Shuman Addresses Seminar

Villanova alumnus Arthur R. "Buzz" Shuman of the Philadelphia District Attorney's Office, spoke here recently to Professor John Dobbins' seminar class.

Shuman, giving a brief review of recent United States Supreme Court cases dealing with the rights of the accused, counseled students interested in criminal defense work to stick to the basics. Shuman said he reads the recent decisions as representing a pendulum swing from decisions during the last decade which expanded the Con-

stitutional 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.

Faculty Changes

Frug, Spina Leave; Three Hired



Professor Dolores Spina

By Mitchell Smith

Among the new faculty members announced for next fall is a scholar who knows 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, Northeastern 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.

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

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

Louis Sirico, 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 Perritt brings an especially interesting background to the school, having worked until now for Conrail as Assistant General Counsel in charge of labor matters, as well as having degrees in Aeronautics and Management from MIT. He is a graduate of Georgetown Law Center and has worked in the Federal Government.

Unfortunately, however, this expansion in personnel will be offset by the resignation of two of Villanova's most popular and respected teachers.

Mary Jo Frug will teach next year at the New England Law School, while her husband will join the faculty of Harvard Law School.

Dolores Spina has resigned for personal reasons, but will perhaps assist part-time with the Trial Practice program.



Professor Mary Joe Frug

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 proposed 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 starting 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

By Bill Brittan

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, '82. 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.



Bill Luttrell, (VLS '79) is currently filming segments for Channel 3's Evening Magazine (weeknights at 7). In May Bill will appear twice weekly in a legal advice spot. Bill spends about 40% of his working time involved in his expanding visual-media career. Good luck Bill!

Loans

(Continued from page 1)

she goes through a need analysis); (3) to have fixed interest rates on parents' loans; or (4) to add a loan "floor" — a loan to the student granted GSL must be for at least \$1000 or more.

Ms. Mannix emphasizes that the "time is now for students to show that they will need serious (financial) support" and urges students to write to the following members of the Senate Subcommittee on Educational Rights and Humanities, who will be making the critical decisions; Sen. Wiecker of Connecticut, Sen. Stafford of Vermont, Sen. Quayle of Indiana, Sen. East of North Carolina, and Sen. Denton of Alabama. In addition, Ms. Mannix stresses that it is "really, really important" that students and their parents write to their own senators and representatives as well. A possible argument to use in writing to congressman, she suggests, is to remind them that continued funding at the graduate level at the current rate will pay off in the long run since the higher-educated will earn more money and return more money to the federal treasury. She says that the mail is now running 15 to 1 against any student aid program whatsoever.

For students who are currently being funded on the government loan program, Ms. Mannix says that it is the opinion of the financial aid personnel that such students should continue on the same terms since it is too complicated to change students mid-stream. However, she adds that it is only an assumption that such a "grandfather clause" would be put in, and that there are "no guarantees to that effect."

In short, the bottom line is to complain now about the proposed cuts in the government student loan program or suffer the consequences later.

Ethics

(Continued from page 4)

Comparing the search for a new Code with a "melody of tunes" Zerfoss began by starting that the best tune 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 organization 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.

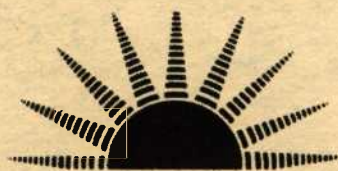
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Dean, Gerald Abraham

Committed To Mental Health Law

By Mitchell Smith

Singlehandedly running the Villanova Law School can be no easy 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 in 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 controversies, they now frequently recognize constitutional rights formerly denied the 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.

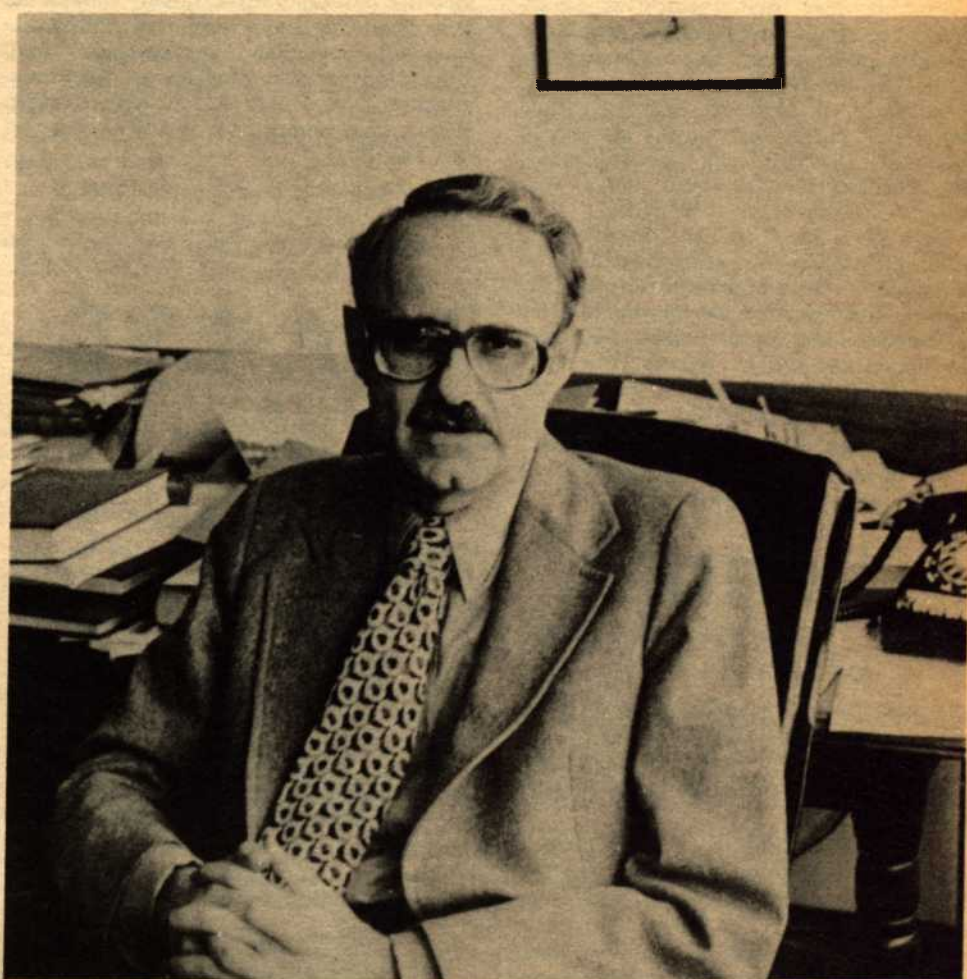
The Dean, who has taught a seminar in Mental Health, feels strongly that credit should be given to those lawyers and laymen who have worked for these advances. He himself was introduced to the area by his wife, who is a clinical psychologist with the Community Health Center in Paoli.

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

Before coming to 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.



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

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 Lightening. Although this championship game took place nearly four months ago, it seemed of such a trivial and meaningless character that this reporter, in all honesty, had difficulty in adequately putting to ink the horrendous debacle some people have had the audacity to call a "football game." Nevertheless, after much consternation and several threatening phone calls from some thug who identified himself as "Bruno," I was willing to recall that nightmarish occasion.

It was a balmy day last November when speedster Dave Weller scored two touchdowns in the opening minutes of the Garey Hall Super Bowl to pace undefeated Legal Lightening to a 31-19 victory over Jaffe's Jets.

Dave Weller's touchdowns came on a 50-yard pass from quarterback Ricky Liss and a 32-yard return of an intercepted pass thrown by Jets quarterback Paul Rosengard. The Jets struck back with a touchdown pass of their own and the first half ended with Legal Lightening leading 13-7.

Legal Lightening opened the second half with a touchdown reception by the elusive Neil Davidowitz on a brilliant "tackle eligible" play. Moments later lightning linebacker Dennis Platt alertly picked off a Rosengard pass and returned it for a touchdown to provide the winning margin. Ricky

Liss added an insurance score on a 4 yard quarterback draw play to cap the scoring for Legal Lightening.

Jaffe's Jets scored twice late in the game to bring the final score to 31-19.

Outstanding defensive efforts were turned in by the Legal Lightening cornerbacks Jim Spadero and Marty Rubenstein and by middle linebacker Jim Franz. These defensive stalwarts have been mentioned as likely candidates to the league All-Star team.

The powerful Legal Lightening offense provided excellent protection for quarterback Ricky Liss all afternoon. Superior performances were turned in by lineman Jim Langione and Joe Ambrosio and halfback Dana Rosencranz. Although these three grid iron men have no chance whatsoever for All-League honors they are still very much in the running for honorable mention selection.

Jaffe's Jets, a first year team, finished the year with a very admirable 3-1-1 record and is thought to be one of the favorites to capture the crown next year. In the semifinals, Co-Captains Ricky Liss and Dana Rosencranz led Legal Lightening to a 26-25 victory over second-year team Captain Crank, coached by Tom Long.

The names of the championship team members will be engraved on a plaque in the Law School Lounge. The entire Legal Lightening squad is scheduled to graduate in May (although there is some speculation about that prospect), leaving the race for the 1981 football title wide open.



Legal Lightening: 1980-81 VLS Football Champions: Kneeling (left to right): Jim Spadero, Dave Weller, Ricky Liss, Marty Rubenstein; standing (left to right): Dana Rosencranz, Dennis Platt, Neil Davidowitz, Jim Langione, Jim Franz, Joe Ambrosio.

The Docket staff of 1981-82 is very grateful for the faithful services of the members of the graduating class. We wish them success in the years to come. Thank you to Pete Barrett, Marianne Bechtle, Tom Bovenzi, Eric Bruning, Tom Delaney, Kate Harper, Tom Harragan, Mitch Smith, Tom Wilkinson, Matt Wolfe and Kathy Yesenko.

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