The Docket, Issue 2, October 1982

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TO HEAD INSTITUTE ON LAW & MORALITY

Dean O'Brien To Step Down

By James Watkins

Father Driessell head of Villanova Univer-
sity, announced on September 16th that J. Willard O'Brien will be stepping down as Dean of the Law School, as of August 1, 1983 to assume the directorship of the John F. Connolly Institute of Law and Morality.

The Dean's move, in departing from an
established, on going institution to take up
the reins of one which merely exists on
paper is a bold one. The Dean appears in
talking to him to have gained an opportu-
ity to concentrate on a major interest of his
life. The Law School itself, though losing
its second dean in its 30 year history, may
gain as a result of this move. The Dean
hopes that the Institute would, on the na-
tional level, reflect the Law School's deep
concern in the field of law and morality.

The Law and Morality will physically be
located on the main campus due to lack of space in the Law School but the
Dean will continue to teach courses on
a part time basis and will be returning in
1987 to assume a full time teaching load.

The ultimate goal of the Institute accord-
ing to Dean O'Brien is to harmonize the
religious heritage of the United States with
the legal system. This goal, while admis-
tedly "ambitious," was both possible and
appropriate to the Dean. The first step to-
ward this objective would, in his mind, be
to demonstrate to the ordinary lay person and the average practitioner the "relation-
ship between the judge's personal beliefs,
prejudices, background and education and
the way a judge decides a case." This
would in turn lead to a perception or under-
standing of how the legal system reflects
"our commonly shared moral principles."

The seed for the idea of an Institute on
Law and Morality was first sown in 1979. A
major hurdle to actual implementation was
achieved when it was decided to establish
an institute rather than an endowed chair.

The latter course entailed an endowment of
close to a million dollars whereas an insti-
tute gave a tremendous amount of flexibil-
ity both financially and practically in the
event the Institute did not bear fruit. John F Connolly, well known benefactor to the
University and a member of the Board of
Trustees had donated sufficient funds to
launch the Institute.

The Dean used two stories to illustrate
why he had come to the decision to devote
himself full time to the subject of Law and
Morality. Several years ago he was on a pa-
travels in the Holocaust. During the
panel discussion he found that many
people in the religious community saw law-

ters treating the law as at best something
that was amoral. This perception and atti-

dude, it became apparent to the Dean, if

(Continued on page 5)

1st Year Writing Program in Full Swing

By M. Th. Bourque

From left, Randy Rolfe, Jack Loughhead, Joe Dellapenna, and Eric Jacobs confer on the new legal writing program, and one of the curses which has already been encountered is that law students may feel offended by such cal-

orous disrespect for time-honored clauses

Llewellyn Directs Taxing Program

By M. Th. Bourque

Some tax students even venture to guess
that its reputation will soon surpass that
of the Law School. Still, the Program is little

under the direction of Professor Don W.
Llewellyn, the Tax Program has grown
steadily over the past two years. It is now
nearly half the size of the daytime program.
The faculty consists of two other Profes-
sors of Law, Marcus Schoenfeld and Nicho-

(Continued on page 4)
The decision of the Dean to direct his efforts toward setting up an Institute to harmonize the relationship between the legal system and morality may appear to many of us to be akin to St. Francis giving up his life for the love of some of the cloths or Edward VIII abdicating the throne for Mrs. Simpson. In each case, the new pursuit, while charming and laudable, may not seem at first glance to make too much practical sense. The same can be said about the pursuit of another private group who knock in the doors of M3X missionaries and ask for blood on records.

While the harmonizing of law and morality in the threat of a nuclear holocaust affects us on a broad front, the plight of just individuals and their concerns with hard fact are not any less pressing. Of whether individuals or groups who champion these concerns often do not let impinge upon our daily lives. Unfortunately, the means chosen by individuals or groups who champion these causes are often an excuse for us not to participate. Yet they are frequented only by those who are willing to do anything other than to have their concern from the easy chair. Thus, especially with such critical issues, a person who set out to do something about them should be commended by us. For as Edmund Burke once said, "The only thing necessary for the triumph of evil is for good men to do nothing." We wish both the Dean and Prof. Goldberger success in their respective pursuits, however elusive the goal may be.

In a series of daring phone calls, Kevin Peck has managed to snag a number of advertisements. Whatever the motivation of the 1% of people on all ads, or perhaps daring to be the best, this modern day Horatio Alger rightly deserves the title of Business Manager of Docket. We salute him.

International Law Weekend

This weekend Washington International Law Weekend, to be held Friday and Saturday, October 15-16, 1982, in Washington, D.C., promises excellent opportunity for students interested in international law to meet with and question representatives about their work and practice. This event is sponsored by the ABA Section of International Law, the Washington Regional Council of International Law Societies and the International Law Society of Georgetown University Law Center, the National Law Center of George Washington University and the Washington College of Law of American University. For more information, please contact us, Brenda Smith, c/o International Law Society, George Washington University Law Center, 2000 L St. N.W., Washington, D.C. 20052, or call Maria da Cunha at (202) 634-4400 or John Dale at (301) 270-8682.

The Docket

The Docket editors have selected some of the more salient contributions to the recent issue of American Journal of International Law. We think that many of you will find these articles interesting and informative. We have tried to select articles which we think are of particular interest to our readers. We hope that you will enjoy reading these articles as much as we have enjoyed selecting them. We hope that you will enjoy reading these articles as much as we have enjoyed selecting them.

The Docket

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The Docket

Editor-in-Chief
Dave Eddy

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The Docket

Letter to the Editor

By Marc A. Arrio

**"Men are not all brutes, but the brute exists in every man."**

Robert's have brought into being the idea that just how easily individuals can turn against their fellow human beings and commit the most savage acts of violence with the slightest hesitation or remorse, all for some. What is a greater bolder idea — better some common good. I am no naive, overly optimistic idealist. This idea comes to the natural human, but I was particularly disturbed upon reading a letter to the Editor in the September 1982 issue of the Docket entitled "Corporal Punishment." Written under the pseudonym of "Fr. Somatic," this letter onward with what the author terms a "Christian" approach to dealing with crime. After assigning that he is neither a sadist nor a masochist, Fr. Somatic ties what he claims is his "Christian, logical, rational, and compassionate" solution to the problem of crime, corporal punishment and criminality in general through the restoration of corporal punishment.

Setting aside for the sake of discussion some rather contending references to non-Christian that flow logically from Fr. Somatic's repeated reference to his concept of "Christian" and the reluctance of three principal problems with his argument. First, he has a set of views grounded in the views of Christ and the Bible is colored by the angry, violent God of the Old Testament, yet his concept of the merciful God of the New Testament. Finally, it is also often based on an underlying consistency. Whether any of these problems is fatal is, of course, a purely argumentative opinion but I will try to deal with each of these simply.

Fr. Somatic states that the history of the use of corporal punishment dates from 1786 legislation in which the Society for the Prevention of Cruelty to Animals was done in substitution in continuing "hard labor, publically and disgracefully imputing corporal punishment. While I have no qualms with this historical event, as a theoretical construct is both misleading and, as a matter of fact, the Friends were able to quickly move on to the abolition of corporal punishment. In actuality, the ducking stool was in use in Pennsylvania and New Jersey and the whipping post in Florida until relatively recently. In fact the penalty of the ducking stool was only eliminated in Pennsylvania for the most serious of crime common in our lifetime. In addition, Daniel J. Mannix in his book *History of Torture* (New York: Dell Publishing Co., Inc., 1964) points out, if anyone can have started the moral condemnation that culminated in the outlawing of the legal use of corporal punishment, that per the economist and jurist Cesare Bonesano, Marquis of Beccaria (1735-1794). Beccaria's innovative Crimes and Punishments, published in 1764, advocated the prevention rather than the punishment of crime. Depriving the possibility of the futility of corporal punishment and urged speedy trials. His book went through six editions in eighteen months, was published in twenty-two languages and is directly related to the abolition of governmental and, consequently, corporal punishment in France, Germany, and the Netherlands.

Fr. Somatic writes, "Let no one suppose physically and emotionally. From Moses to Paul, the exponents of traditional faith ascribed all experimental becomings and were glad punishment was not worse." That Biblical figures preferred not to receive something more than being cast upon which they were accustomed, is reasonable. Not many people would be pleased with something even more severe than a beating, but acquiescence in the face of the inexorable law does not necessarily mean advocate corporal punishment if given a choice.

Making much of the rashness of the burst in the Bible, Fr. Somatic fails to note that the state of a period which is in some point, is 2,000 years away from us is not entirely applicable today. The wrathful God of the Old Testament, who smote the Canaanites merely because they were an abomination and sent plague upon all who were Egyptians regardless of guilt in the event of the Israelites, is hardly commensurate with the forgiving God Christians are supposed to follow in the New Testament, much less the ideas that prevail today.

Marc A. Arrio
Copy Editor, the Docket

Professor of Philosophy

Thomas More Society Member, Villanova Community Member, Member, American Society of International Law

The Docket welcomes all letters and comments. Please double space, type all contributions and submit to Marc A. Arrio, Docket Office. All contributions must be signed although anonymously will be given upon request.

The Docket wishes to correct information contained in the last issue. Under the heading "Seasonal Labor" the Docket included a statement from student Anne Mosher. Contrary to its appearance, Ms. Mosher did not intend to be published. The Docket apologizes for the mistake.

Marc A. Arrio
Copy Editor, the Docket

Peter Morrisson

Thomas More Society Member, Villanova Community Member, Member, American Society of International Law

The Docket

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The DOCKET
Librarian by Anna E. Arakelian

The new director of Villanova’s Pulling Law Library is Professor Alan Holoch. With great enthusiasm, he says his goal is to make Villanova’s Law Library more closely aligned with the needs and the desires of the students.

Professor Holoch has been at Villanova since May. He received his J.D. from the University of Southern California, where he was also awarded the Creighton B. Atchison, Jr. Master’s Degree from the University of Southern California’s College of Library and Information Management.

He plans to be a Law Librarian from the start! Those were the words of the first University of California, Los Angeles Law Librarian. I found the information field to be very well established and the acade­mic environment attracted me.” After receiving his Masters in Library Science, Professor Holoch began his career at UCLA. He continued his work in the library was in the Law Library of the University of Southern California. After he had advanced as far as he could in the library without a law degree, Professor Holoch “took the plunge” and entered law school. He received his J.D. in 1979 and has been a member of the Bar of the State of California since that time.

Since Professor Holoch has been with Villanova for only four months, he says he is not yet familiar with the changes in the library would best serve the needs of the students. He has, however, conducted a survey of the students might help to show how the library is serving or not serving their needs. “I have never seen a survey that substitutes for talking to people about what they would like to see happen in the Library.”

How does he like teaching and working in the Villanova Law Library? Professor Holoch says that “this is an ideal teaching situation, if you will. I have been at the university for six weeks and spend the rest of the year administering the library, like teaching. My goal in library administration is to serve the students who are good legal researchers.”

Not only does Professor Holoch like teaching and working in Villanova, but he is also enjoying this part of the country. He has attended a football game from the midpoint and the past thirteen years in California, so the chance to travel around the East Coast and visit the great cities like New York and Washington, D.C. He is excited. Professor Holoch says that he enjoys living in the Hereford, Pennsylvania, area. “I wouldn’t trade it for a law office, I hope that the graduates of Villanova will understand that the library’s function is to serve the students and faculty.”

And of course, there are computers. “One of the greatest issues for everyone in the future is going to be the library. Today we see that there are fewer people using the libraries because the computer is becoming more and more a presence in our lives as we seek and use information.” Professor Holoch says that the Villanova Law Library is unmanageable. The reporter and digest system is so large now that it has occasionally become a time consuming and painful operation to perform manual legal research. The computer with proper intelligent use, can perform a rapid, accurate, and efficient search of a very large body of literature. Other areas of law which the computer has entered are legislation, proposed legislation, administrative law, and periodical literature.

Lexis Publishing Company, for example, have anything to fear?” No says Professor Holoch, “not at all. The West Publishing Company is diversifying. In fact, Westlaw, West Publishing Company’s computerized legal research system, is the main competitor of Lexis. Computers may eliminate a need for loose leaf services and citators. Loose leaf services have traditionally been the main source of very current information in administrative law.” These services are very expensive and quite labor intensive. A computer data base can answer specific questions more quickly and inexpensively. Will the library of the future be made up of just computer terminals? This is a possibility, but it’s not something that will be happening in the near future, according to Professor Holoch.

Professor Holoch says that he is beginning to see how many of our students like to see more of them learn to use the computer. Lexis training will be offered this spring. Professor Holoch is looking forward to coming to the library and discovering what other services in the future. The staff hopes that students will be encouraged to come up with a program that will encourage students to get involved in the library. He says that “just as we wouldn’t imagine sending out our graduates without a certificate of graduation, it won’t be possible that they probably aren’t real law students.” No matter what computer-based research systems we may have, there are people, something I strive for in these columns.

Real law students don’t join study groups. (Why share your wealth with others?) Real law students don’t feel guilty when they cut class. Real law students never appear paranoid or panicked. (Even though they are.) Real law students don’t take courses because they have to be on the bar exam. Real law students don’t get nervous when professors insist that they perform well that Gilbert’s Study aids include various mistakes. Real law students never tape record a class. (Who wants to listen to it once, rather than twice?) When asked about a job interview, the real law student just slightly grins, confidently and coolly.

Are You Real Enough?

1. Last night, at 7:30 p.m., I was:
   a. Sleeping
   b. Studying for next week’s class
   c. Watching “Family Feud.”
   d. Uhh, I don’t remember.
2. When a class is over:
   a. I look forward to what’s ahead
   b. leap out of my seat and ask the professor a pertinent question.
   c. I pretend to fall asleep
   d. try to find a friend to talk to.
3. At exam time, I:
   a. look at anything but Gilberts and Emanuels
   b. take a nap
   c. drink very much.
   d. study all night. (If your answers to the above questions weren’t any but c, you can qualify as a real law student.)

Does your law school have a yearbook? If so, you probably can’t buy a local copy of this year’s book, it is already sold out. The 1983 Yearbook is still under the direction of the Student Faculty Board. It is said that the third year students, there will also be a sizeable section of student ads. The yearbook is now on sale. For photos of second and third year students.

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TheDivider Line

Nerd

Are you kidding?

Chib soda (With a time limit on daydreams.)

Nerd

Nerd

Wall Street firm, federal prosecutor, law professor

All statutory courses.

The Third Circuit

Fast Times At Ridgemont High?

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A Real Life Exchange Between A Real Student

And His Professor

Professor: Mr. (name still withheld), please give us the next case.

Name withheld, who graduated from Pennsylvania. It might be overruled. I only read Pennsylvania Supreme Court cases. (Note: The student’s name is called on name withheld again that semester. Name withheld, who graduated from Villanova some years ago, still has not found a legitimate job (the law).)

Professor: (name still withheld), please give us the next case.

Real Law Student: I’m sorry professor, but there is no case in Pennsylvania. It might be overruled. I only read Pennsylvania Supreme Court cases.

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Collins Drafts New Course

By Pattie Brennan

Most of us had our first exposure to Professor Collins in the terrifying experience known as Contract Law. The echo "Who is this man whom we have just met?" that is so often heard in Contract Law is still pronounced in the voice of Prof. Collins. He is a professor of law at Villanova who has introduced several courses in the area of legal drafting and has been involved in the drafting of several major contracts.

Collins has an impressive history of introducing new course into the VLS curriculum. Among these are Trial Practice, Contract Drafting, Interviewing and Counseling, and most recently, Legal Drafting.

In 1966, he began the first course in Trial Practice, which was dubbed "Trial Happenings." The class met on Saturday mornings and, carried no credit, because the faculty felt it would be of use unless taught by an experienced litigator. Professor Collins, who is quick to acknowledge that he was not a trial lawyer, found that he was a great deal which could be taught. Today, about 80% of the third-year class is enrolled in Trial Practice. There are eight sections taught by various faculty members and local lawyers and judges, and the course carries 2 credits.

Several years after the advent of Trial Practice, Professor Collins instituted a course in Contract Drafting. This course was designed to acquaint the law student with the drafting activities of a law office. Because of the individual attention required to evaluate each student's work, the course is limited to 12 persons. Although he believed this course to be a success in terms of teaching those 12 students the elements of good drafting techniques, Professor Collins voiced frustration at still being able to reach more students. The search was on for a course in Legal Drafting open to all.

Another Collins innovation was the course in Legal Interviewing and Counseling, which was offered for the first time last spring. In addition to learning the techniques of interviewing and counseling, students participate in role-playing exercises, interview and counseling activity with simulated clients, and self-evaluation.

As an adjunct to the new course, Professor Collins organized an intra-school client counseling competition last spring, and the winner's team represented VLS at the national competition in Delaware during spring break. The Law School Division of Counseling, which was offered for the first time, seemed to create a lively classroom environment. The students' reactions seem to create a lively classroom environment. Professor Collins has given them a new course in Legal Drafting. This course is the result of his deviation from the existing drafting course for a greater number of students.

The course, which has unlimited enrollment, focuses on the theory of legal drafting and on individual drafting efforts. It is a different approach to the field, and Professor Collins has given it the title of "Contract Drafting." The course has been designed to be a hands-on experience, and students are expected to work on drafting problems with a small group of peers. The course is taught by Prof. Collins and an assistant professor.

In the fall schedule, he is teaching a drafting course to a large number of students. As a result, he spent a great deal of time last year researching the course book and evaluating the accompanying manuals. He was finally convinced that the course would work, and the decision was made to include a course in Legal Drafting in the fall schedule.

Professor Collins is optimistic that the exercises in drafting and reformatting will help the students develop a better understanding of the language and a realization of the importance of individual words. When asked whether he believes that the drafting course should replace the first-year program in legal research, Professor Collins said that yes, he does. He feels that the first-year program alone is unsatisfactory because it only teaches students how to use the library efficiently. He feels that the drafting course will be more useful.

The future of the Legal Drafting course will depend on the success of the course. Since the future is still uncertain, the course can achieve its goals, a great deal of emphasis will be placed on the need for students to develop a sense of professionalism. The course will probably sit in on some classes and may even interview students enrolled in the course.

If the course gets a green light from the faculty, Professor Collins hopes to offer it in both semesters. The net result would be that every person in a graduating class could elect a course in drafting.

Graduated Tax Program

(Continued from page 1)

The Graduate Tax Program was insti­ tuted in 1980 in response to numerous re­ quests from Law School Alumni and the professional community at large. After investigating the feasibility of operating a Tax Program and conducting some small-scale research to get a reaction, the Administration decided to offer an experimental course in taxation, which was developed in consultation with the established and respected New York University Program. The program is designed to help students develop a sensitivity to the language and the importance of individual words. When asked whether he believes that the drafting course should replace the first-year program in legal research, Professor Collins said that yes, he does. He feels that the first-year program alone is unsatisfactory because it only teaches students how to use the library efficiently. He feels that the drafting course will be more useful.

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Graduated Tax Program

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The Marathon Pipe Line Decision: A Question of Too Much or Too Little

By Bruce Babij

Aside from the financial straits of such corporate behemoths as Braniff International Air­

line and Manville Corporation, the big news this summer in the world of bank­

ruptcy was the decision in the Marathon Pipe Line Co. v. Northern Pipeline Co., et al. The

Court — with the defi­

nition in the Federal Deposit Insurance Act — held in a 4-2-3 decision that the

bankruptcy court did not have jurisdic­

tion to hear Northern's lawsuit. The

decision of the Court's holding, it is neces­

sary to look further to the background

information.

Jurisdiction Of The Bankruptcy Courts
Prior To The Code

The enactment of the Bankruptcy Code in 1978 was to a great extent precipitated by the

unpredictability, inconsistent decision­

making and by Congress under the Bank­

ruptcy law was the recent Supreme Court
decision in the case of Northern Pipeline

Construction Co. v. Marathon Pipe Line

Co. et al. The Court — with the defini­

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information.

Legal Ease

(Continued from page 1)

The Code. It is unconstitutional. In order to have a wider range of students participate in the on-campus recruiting, Temple Law School has adopted a place­

ment policy which gives its Placement Of­

fice some control in the selection of students who are to be interviewed. This new policy allows the law school to randomly select 25% of the students that each law firm and company will interview on campus. The other 75% is selected by the law firms and companies based on the re­

sumes that are submitted to them.

The random selection that the Placement Office conducts is based on student preference and is accomplished through the use of a computer. The computer sys­

tem seems to be an important aspect of this policy. This was the first year that Tem­

ple was able to implement such a policy because prior to this year it did not have a computer system that was capable of han­

dling the work. All student firms and companies interested in interviewing on Temple's campus received information about the new program in a booklet that was mailed out by Temple's Placement Office in August. According to Gregory Broderick, Temple Law School's

Placement Director, law firms and compan­

ies have been very accepting of this new policy.

Allowing students to be randomly se­

lected for on-campus interviews at law

schools is not a new or unique idea. At

the University of Pennsylvania Law School, all of the students who receive on-campus

interviews are randomly selected by the

law firms. The policy was used this policy ever since they’ve had on-campus recruiting. The selection process is based on the preferences of

the students and their schedules. Lynn

Davis, the Assistant Placement Director at

Penn admits that law firms would prefer to be able to do some choosing in who they interview, but the school feels very strongly about this policy. Ms. Davis also stated that this random selection policy seems to be typical of the way most by League law schools handle their on-campus recruiting. At Penn, if students are inter­

ested in a particular firm, but were not

selected by the computer, they are encour­

aged to send out resumes on their own.

Villanova’s Placement Director, Virginia

Shuman, thinks that Temple’s new policy has some merit, but also notes that it has a couple of drawbacks. She explained that delaying law firms have started to cut back on the number of students they wish to inter­

view and on the number of law schools they intend to visit this year. Therefore, a law school should be careful at this juncture not to lose a firm or company any result, for withdrawing from the school’s on­

campus recruiting, they may be reluctant to agree to.

Ms. Shuman also noted that many of the large firms who interview in the fall will only hire people who are at the top of the class, so that it is unlikely that this new policy will result in more jobs for the stu­

dents. In addition, Ms. Shuman believes that before a policy which is similar to

Temple’s could be implemented at Villan­

ova, a computer system would be needed for the Placement Office.

Villanova has tried to have more stu­

dents participate in the on-campus recruit­

ing by extending the period for this type of recruiting. Villanova’s students are able to come in and interview in the Spring. Also, Ms. Shuman stated that she and the law school placement committee realize that the placement system is not perfect and are considering modifications for the future.
Professor Does Peace Work

By Mary Porter

1L Reporter: "Do you have a few minutes, Professor Goldberger?"

Professor Goldberger: "Sure. Come in."

1L Reporter: "I would like to interview you for the 1L Reporter on your work for CBS this summer on the draft evasion cases."

Professor Goldberger: "What?"?

1L Reporter: "Well, I would like to interview you about your work for CBS on the draft evasion cases."

Professor Goldberger: "Hold it. Where did you get that information? Have you talked to any of the defendants before this CBS interview or before the Supreme Court decision?"

1L Reporter: "Well, I was concerned about the possibilities of a nuclear war, but I've never done any political type things before. I guess you could say I've taken a neutral position on these issues." P.G.:

"I agree. CBS interviewed the average lay person and practitioner who is not aware of the underlying moral foundation of the legal system. While the case remains open, Professor Goldberger's involvement with the Brandywine Peace Community members displaying a casing from a nuclear warhead, which the magazine incorrectly identified as a "stolen nuclear warhead.""

The Brandywine Peace Community, a group of religious peace activists, has been active for several years, but only recently gained notoriety for several high profile incidents of civil disobedience. Philadelphia magazine featured them in the September issue. The cover photograph shows several Community members displaying a casing from a nuclear warhead, which the magazine incorrectly identified as a "stolen nuclear warhead."

General Electric manufactured the casing at their plant in King of Prussia where it was later retrieved from a scrapyard. The casing holds the nuclear explosive, which is carried by a missile. Several casings were destroyed when a group affiliated with the Brandywine Peace Community entered the General Electric Plant in September, 1980, and smashed the casings with hammers. The incident became known as the Flowshears action from the biblical reference to beating swords into plowshares. The eight people arrested in that case included Rev. Daniel Berrigan, Philip Berrigan, another priest and a nun.

One of the Flowshears action defense attorneys, Michael Shifetz, VLS '73, represented several draft resisters who testified to Federal Judge where the pacifist testified to Federal Judge for payment of Federal Income Taxes because he was not permitted to exclude his taxes from military use. The pacifist has paid no Federal Income Taxes since 1958. Instead he calculates the tax due, files a return and gives the tax payment over to representatives of the World Peace Movement for international reconciliation and relief.

At a hearing before a Federal Magistrate, a Federal attorney asked the pacifist to disprove his claim. The pacifist refused and the attorney asked for a contempt of court citation. The hearing was continued before a Federal Judge where the pacifist testified to his religious objections to paying Federal Income Taxes. After the hearing, Professor Goldberger filed a brief for the pacifist, but the government unilaterally withdrew the subpoena, and the judge did not issue a citation. While the case is pending, the pacifist has refused to pay Federal Income Taxes because he was not permitted to exclude his taxes from military use. The pacifist has paid no Federal Income Taxes since 1958. Instead he calculates the tax due, files a return and gives the tax payment over to representatives of the World Peace Movement for international reconciliation and relief.

In the two years since reinstatement of the draft registration approximately seven million men have become eligible for draft registration. An estimated seven hundred thousand to one million have not registered. Federal Prosecutors have indicted seven and tried ten, one of the two is in jail, the other is on probation. The seven who were indicted belong to a group of approximately 225 young men who have refused, in writing, to cooperate with the Selective Service in registration. The twelve other draft registration resisters are the focus of Professor Goldberger's legal work for CCCO. For the past two years he has represented approximately 1,000 young men, war veterans, and women. He has written for the American Law Journal concerning legal issues on the draft. At attorney training sessions, he has discussed defenses which can be raised for draft resisters and discussed problems of proof common to these cases. Professor Goldberger said that the 20 year old public draft resister, Professor Goldberger will travel to Scranton in October for a local discussion of the draft resistance issues. He has been on call in radio talk shows in Philadelphia. There has also been newspaper interviews and a local Public Radio interview on Professor Goldberger comments about draft resistance.

How does the Villanova Law School view Professor Goldberger's activities? Professor Goldberger claims the institution has shown tolerance and encouragement for the outside professional activities of all faculty members. Although some may have had difficulties on the issues, they respect his personal interest in "legal work in support and to assist people who are working for peace."
Insecure Creditors

(Continued from page 5)

specialized judges on the federal judiciary, and the need for flexibility in confronting the problem of bankruptcies which closely follow economic vicissitudes. There also seems to be a deep-seated prejudice fostered by the long years of practice under the referee system that bankruptcy courts and those that practice in them are not quite up to the qualitative standards set in other areas of the legal profession. Should such considerations once again restrain Congress from conferring full Article III status on bankruptcy courts, it seems that the only other viable alternative would be to cut back on the bankruptcy courts' jurisdiction. However, in so doing, Congress will once again be confronted with many of the problems which the expanded jurisdiction of the bankruptcy courts was designed to alleviate. District courts will again be burdened with loads of bankruptcy decisions, and the ultimate determination of bankruptcy cases will once again be measured in light-years. Of course, Congress might decide to follow the current fashion in legislative philosophy and do absolutely nothing. In terms of tragi-comedy, this latter option might be the most interesting. Difficult choices must be made one way or another, by the time that this esteemed newspaper reaches your eager hands, Congress will have begun the long process of answering the questions raised by the Marathon case, and of putting our bankruptcy courts on a firm constitutional foundation.

— Laurie Kramer, 3L

U.S. pressure that takes the form of moral self-righteousness is hypocritical in light of U.S. government actions in Vietnam and elsewhere: who are we to throw stones? Of more practical importance in terms of diplomacy is that such an attitude causes the Begin government to further resist reasoned solutions. In such volatile times the U.S. must be a source of stability and reliability in an area prone to explosive action and reaction. However, the U.S. also cannot mute its criticism of Begin and his terrorist tendencies. As both a symbol and a constructive policy change the U.S. must not add to the possibilities of violence by sending any weapons to any country in the Mid East. Such conditions as mandating that weapons can be used for "defensive purposes only" are meaningless.

— Laurie Kramer, 3L

The quickest, most cynical, and least satisfying response is 'of course not. The U.S. has a time honored tradition of vigorously defending governments which tacitly support factional death squads which do their governments' dirty work, why should we treat Israel differently?' More to the point, I believe that people in this country and in Israel suspect, perhaps rightly, that criticism of Begin's government will become criticism of Israel per se. It appears likely that some senior military leaders were aware of the killings for many hours before taking action. If this be true, Israel herself shall punish those implicated — that was the message of the largest rally in the country's history which recently took place. If we Americans feel morally compelled to take action better that it be against those in our own government who ordered the withdrawal of U.S. troops from W. Beirut nearly 20 days before originally scheduled.

— Charlie Howland, 1L

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LAW SCHOOL FORUM

"In light of the recent events in Lebanon, do you feel U.S. policy toward Israel should be re-evaluated?"

"I believe the U.S. should reevaluate its relations with all countries at various times — not only Israel. However, in the case of Israel, the U.S. as a world power has a responsibility to not only assist its ally, but to aid in finding a solution acceptable to all parties involved."

— Ernie Hart, 3L

"Yes. The economic and political support the United States has rendered Israel in the last 20 years mandates that Israel give serious consideration to United States opposition to policies adopted by Israel. In light of the recent repudiations by Begin of U.S. policy in Lebanon, this administration must seriously consider economic and political sanctions."

— Paul Kennedy, 3-L

"U.S. pressure that takes the form of moral self-righteousness is hypocritical in light of U.S. government actions in Vietnam and elsewhere: who are we to throw stones? Of more practical importance in terms of diplomacy is that such an attitude causes the Begin government to further resist reasoned solutions. In such volatile times the U.S. must be a source of stability and reliability in an area prone to explosive action and reaction. However, the U.S. also cannot mute its criticism of Begin and his terrorist tendencies. As both a symbol and a constructive policy change the U.S. must not add to the possibilities of violence by sending any weapons to any country in the Mid East. Such conditions as mandating that weapons can be used for "defensive purposes only" are meaningless."

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OFF THE DIAMOND

By Sean Abdul O'Grady

To avoid shocking you sensitive Docket readers I've saved this revelation for late in the game. But only the truly intrepid of you have already surmised the answer from my headline. . .go ahead, take a shot at the law school using law students as the cast of characters. Yes, you're correct. Villanova Law School will be the site for a VLS (Variety of course selections) 6:00-8:00 p.m. Speaker Ed O'Malley '60 from the FBI Washington D.C. area alums meet in Senate Capitol Bldg. (S-207)

DATE CHANGE — The Annual Alumni Meeting scheduled for November 1st, Orlando 5:30-7:30. Unfortunately, the capacity for sports to act as a antidote for aggression in sports case it's very possible to get results that are endemic to modern professions.

SPORTS TORTS

By Walter T. Champion, Jr.

Unfortunately, only the 1.5 penalty minutes. This hardly seems fair, but when a non-expert jury is asked to decide whether someone who demands exciting, all-out

CINEMA VERITE AT V.L.S.

By Keith Kirsch

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