Murray on Murray

Editor's Note: The following statement was submitted for publication by Dean John E. Murray, Jr., currently Dean of the University of Pittsburgh School of Law, who will begin his duties as Dean of Villanova School of Law in August of 1984.

The Villanova University School of Law has enjoyed enormous success under its founding Dean, Harold Reuschlein, and for more than a decade under the splendid leadership of Dean James W. O'Brien. Almost twenty years ago, I was a member of the Villanova Law faculty. For the last eighteen years, I have served as Professor of Law, Associate Dean and Dean of the University of Pittsburgh School of Law. Having accomplished the goals of my deanship in Pittsburgh, it is a great pleasure to return to Villanova. Though I will not assume the deanship until the summer of 1984, I will be in regular communication with the Law School and University communities during this next academic year. It is of critical importance that the movement toward excellence in legal education at Villanova continue without interruption. This movement will continue because the elements of a fine law school are in place at Villanova. There is no group more knowledgeable or dedicated than the present administration led by Dean O'Brien. The Villanova law faculty is composed of highly talented and industrious teachers and scholars who manifest genuine concern for their students. Villanova law students certainly have the ability to join alumni as leaders in the profession and society. The Villanova Law School has met with distinction in the other roles of the lawyer. The Laboratory of any law school is its library. The Villanova Library has met all past expectations. I am confident that under my deanship it will continue to do so. I also look forward to joining a community of teachers, scholars and students who are dedicated to lawyering in the grand tradition. That tradition requires solemn commitment to carry the burdens of others. It is my commitment as it is the commitment of the Villanova School of Law to the highest values of law in society and service to the members of that society. It is a commitment of all skilled professionals who genuinely understand the meaning of justice and the innumerable dimensions of justice. It is difficult to improve upon that vision of Upjohn in the second century. A.D. — "To do your duty. To render to each his due." Only students of Judaeo-Christian tradition can possibly aspire to different situations. The demands and challenges of legal education in the eighties and beyond are far more difficult here than before. I am confident that the Villanova Law School community is more than capable of meeting these challenges.

Last Year's Reimel finalists and judges pose with Dean O'Brien.

Reimel Judges Get Scorecards

The most important change in the Reimel Competition, which is set to begin with first round arguments on Wednesday, October 5, is simply that "dry-mouth" feeling faster than this year. Professor J.E. Collins of the Villanova Law School faculty shares the concern of students and potential employers in this matter. Both the professional and the lay public expect that graduating attorneys are capable and comfortable in all aspects of the law; this includes basic legal writing skills. However, Professor Collins does not see that these expectations are being fulfilled.

"Most of the student writing that I've seen in terms of briefs is inadequate at best. These briefs are certainly not complete final products. And student exams I... I don't expect King's English in these exams, but I do expect complete, intelligible arguments." Larger law firms, Professor Collins asserts, are hiring the "cream of the class" area law schools, but to discover this "cream" is ignorant of even basic legal writing skills. A few firms are currently having troubles for this deficiency by offering training classes which are conducted by skilled outsiders. These new attorneys who are not fortunate enough to be exposed to training programs are left floundering in a quagmire of endless pleadings, contracts, and memos.

Professor Collins expresses concern over competence levels.

by Sue O'Brien

Perhaps nothing can give a law student that "dry-mouth" feeling faster than this familiar scenario: You are struggling through your first day as a law clerk: your two-piece suit is now wrinkled and all the pins have dropped off. At the lawyer's desk an attorney rushes by and leaves a beaver-tail envelope with documents on your lap. Instructions follow: "Draft a detailed motion to dismiss — it must be filed today."

How does one start? For that matter, how does one end? Absolutely nothing in your extensive studies of Property and Civ Pro prepares you for this. Not should it. Most courses encountered by the law student are academic exercises which function to develop (in three short years) the student's ability to "think like a lawyer." Little is promised that day-to-day skills would be included. This year's Reimel Competition aims to do just that.

The result is a plethora of young lawyers who don't have the practical skills to function as attorneys. A familiar hue and cry is being raised by alumni from law schools across the country. "You are not preparing us for the real world!"

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Beyond Scholarship

Seven books, over twenty-three law review articles, numerous editorial, a long list of miscellaneous publications and notable scholarly achievements comprise the resume of the new Dean of VLS, John E. Murray. Dean Murray has delivered addresses before the American Bar Association and several state and local bar associations. Seemingly countless law school advisory committees have had the benefit of his membership. His textbooks on contract law are used nation-wide and he has received more than one award for excellence in law teaching. Simply put, the new Dean is a truly outstanding scholar. Yet, from all reports, Dean Murray would appear to be more than a thoughtful scholar, but a capable and concerned leader as well.

Some of the new Dean’s views on his upcoming tenure at VLS are stated first-hand on page one. Other indicators of just what sort educator VLS can expect next fall are found among Dean Murray’s writings. One piece in particular, written while he was editor of the Journal of Legal Education, is especially insightful. Selected excerpts from that work give a feel for the “man beneath the scholar.”

As a young law teacher I thought I could devise the ideal curriculum. Twenty years later I am convinced that no one can do so. I am also convinced by those sagacious legal educators who claim that essentially, curricular change occurs in the mind of the person in the front of the classroom. This does not speak well of extensive efforts and endless hours devoted to curricular studies.

In addition to mastery of the subject matter and enthusiasm, the necessary condition for superior classroom performance is the ability of the teacher to perceive student obstacles to understanding. To be special advisor of the National Pretrial League, this condition is described as the ability of quarter-backs to read defense.

The most difficult task for the law teacher is the solitary pursuit of scholarship. It is so difficult that virtually no member of our profession can always resist the temptation of digression included, but not limited to excessive time devoted to committee assignments within or without the law school.

Superior law teachers are born, not made.

Once the minority student is admitted, we tend to forget or ignore his or her needs. Our justification for the absence of special programs may be the evil of stigmatizing the minority students. The justification is fallacious and we are moving even further away from our goal of redressing societal imbalance in the profession. We must be willing to accept some level of paternalism.

Inability or unwillingness to make difficult renewal or tenure decisions often ignores the long term effect on present and unborn students who are the third party beneficiaries of such timidity. Collegiality, however, is preserved.

I am dismayed by the scarcity of landmark opinions. Where are the great judges of the 80’s? Where are the imaginative clerks of the 80’s?


The Docket joins in welcoming Dean Murray; we are confident that he comes well prepared to address the perspectives and problems unique to VLS.
Advice for the law-worn

Ask Gary Hall

Dear Gary,
I have been a faithful reader for many years now and your advice has helped me become a successful attorney. I remember that you ran a column during my first year and I thought that it would be appropriate to run again for this year’s incoming class.

So I want to start here: Do you want to be here? If you say no or even if you aren’t sure, go directly to number 4 and read that.

2. Meet Marie. If she thinks you are a bozo go directly to number four and read that.

3. Listen to your professors. If you think that you understand them then you didn’t read number 2 carefully enough.

4. Quit school and hang out in Wildwood. There are too many lawyers already and we don’t want to share our clients with you. But if you get into trouble we are in the phone book.

5. If you are still here and certain that you will stay then follow these tips for success.

A. Watch Lie Detector until you can always tell who is lying. Then tell Professor Collins about your new ability when he calls on you to read your abstract of Hawkins v. McGee.

B. Watch the People’s Court. Write your own opinions based on Judge Wapner’s decisions and then show them to the dean.

C. Get a hairstyle like Doug Lwellyn. D. Dress like Blackstone.

Dear Gary,
How come people who won their 1st year moot court arguments last year didn’t get on Moot Court Board? How come their losing opponents did? How come last year’s 2nd year were the only ones to get letter grades for legal writing? How could they give grades for something that they couldn’t teach? What is the passive voice anyway?

Sighed,
The year was rough to me.

Dear Those,
These mysteries and many others are brought to you by your friendly neighborhood Eric Jacobs and Co.

Gary’s thought for the day:
“In the long run, we’re all dead.”

John Maynard Keynes (or was it Jerry Garcia)

Advice to First Years

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Dear Gary,
You opposed Henry VIII’s divorce to Catherine and, therefore, lost the King’s favor. You lost your head when you refused to accept the position as Lord Chancellor. You were the second place winner of the 1983 New Jersey Sea Grant Law^ward. Fellig’s winning speech was titled “Each Access in New Jersey: From Neptune v. Avon to Bay Head.”

The award carried a cash prize of $1500.00.

October

9: Villanova’s St. Jude Bike-a-Thon, 2-5 p.m., 645-4075

Main Line Impressions — Multi-Media Juried Art Exhibition at VU Art Gallery, Connelly Center

21 through November 21: Paper: Made by Hand Show opening reception, Oct. 21, 6-8:30 p.m., VU Art Galley, Connelly Center

ART GALLERY

For All Sorts of GOOD THINGS

TAKING OUT FOODS

PIZZA

You think you have it bad? You think law school is tough? You think?

But you aren’t seeing nothin’ yet. Because there is nothing worse, nothing more horrid, nothing more onerous than the bar exam experience. Nothing.

I am sitting here in my room at the McNichols Inn, which has a splendid view of the Borgen-Warner plant, and I am listening to Diana Ross’ Central Park Concert on my Walkman. The television is tuned to the Phillies-Houston game and I am reading over my outline of my outline of the Bar-Bri outline. Yes, all at once. But it doesn’t matter anymore. I know what I know. Looking back, it wasn’t all that bad at the beginning of the bar exam experience. I took the Bar-Bri review course, which was excellent. The first lecturer, from Cornell, was good enough for Vegas, a real entertainer. After the lectures, I would head off to my swim club to go over the next day’s outline. As a consequence, I have a superb tan and an ear infection.

Things began to get weird, though, about week three. That’s when the books started to talk to me; it was a case of the bar exam guilt. I’d be in the bedroom watching a movie on TV and those fat, fat moron books would be there:

“We’re in here, Tony.”

You better study, Tony. It’s going to be embarrassing, Tony.

Leave me alone, I’d plead, though to no avail.

Real embarrassing, Tony. Only 176 failed in Pennsylvania, and they’re all from Delaware.

Eventually, I’d timidly go to them

This is a Test...

By Ed White

By now, probably all of us are familiar with the decades-old description of Villanova Law:

“First year they scare you to death, second year you work you to death, and third year they bore you to death.”

Well, you may already have discovered, it’s just not true — at least not in toto. The real truth of the matter is that first year they work you to death, and then take what’s left as a second year they bore you to death.

What other explanation could there possibly be for requiring already beleaguered second and third year specimens (or students) to complete rigorous academic coursework, prepare an all-important legal brief, and look for a job — all at the same time? (not to mention understanding that “someone is watching you”)

Apparently, there is none, at least at first blush. However, upon closer examination of the facts, another possible explanation becomes evident:

This is a test!

Who could possibly fail to cut it as a lawyer after going through so much? Virtually no one, to be sure. The scar tissue will protect just about everyone from small scrapes for life.

And thus the utter simplicity of the plan: Take intelligent people. Don’t teach them. Have them study for the bar. This year’s results will show there is nothing worse, nothing more horrid, nothing more onerous than the bar exam experience. Nothing.

But where do you and I fit into this appar­ ently perfect plan? As if we were to subject ourselves to daily intimidation and frustration when we are the ones paying the privilege? If so, what choices do we have?

The answers to these questions depend, of course, on our ultimate goal and imme­ diate resolve. But as many before us have said, there is no ultimate goal (as least very re­ cent history), “in comedy there is strength.” Or was that unity? Anyway — humor them. Be prepared, participate, complain. That’s what is ex­ pected. But don’t fall into the trap of agoniz­ ing over such trivial matters. Soon we will be gone and they will still be here. Amen.

DO YOU WANT POWER, GLORY AND THE RIGHT TO USE BAD PICTURES OF YOUR FRIENDS?

JOIN THE YEARBOOK STAFF

PEOPLE NEEDED FOR ALL POSITIONS, ESPECIALLY BUSINESS PEOPLE, LAYOUT, EDITORS AND PHOTOGRAPHERS

CONTACT ANYONE IN THE SBA OFFICE
New Organization Aids Women

By Jackie Shulman

A Perspective: Inside Nicaragua

By Tom O'Keefe

Questions? Are there any VLS women students who can identify with one or more of the following situations?

X is sitting in Civil Procedure. Again, she finds herself uncertain about what the professor’s line of reasoning is. She is not surprised, however, to find that two or more of her classmates seem to be having the same problem. Could this be because she is just not very good at this kind of work?

Y is a law student and a single parent. Life is very demanding. To meet the costs of living, she must work part time during the school year. She has no immediate family support, either in the way of financial support or advice. She is finding it very hard to balance her academic work and her personal obligations.

Z is a law student and a part-time employee. She has a full-time job in a law firm in order to pay for law school. She has little free time to spend with her spouse. She is watching her children grow, and she feels neglected. Now that Z is a full time student, she has less time to devote to her family and her career.

The Women's Network

The Women's Network is an organization established to provide support in an academic and professional sense for women law students. The primary goal is to reach out and lend emotional support.

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When asked by the Docket to compare her teaching style to that of other VLS faculty members, Brogan declined. Instead, she explained that her style would draw upon her individual perceptions and experiences and would be modified to fit the needs of her classes. Expressing doubt that her teaching style would be purely socratic, she observed that trying to be purely socratic would, for her, be similar to trying to be Clarence Darrow in the courtroom. Neither Darrow's style nor his omnipresent reality of other areas of education and experience, compartmentalized as entities separate from legal education she obtained at VLS. She discovered that VLS maintains a healthy balance between legal thought and practical reality, and that VLS teaches you how to be a lawyer. Also significant in law school as well as in practice was the time Brogan spent "not being a kid and not being a law student." This, she reasoned, is how the real world helped her to keep her perspective of large group large enough to understand the practical expectations of people and their attitudes toward their work. She discovered that people do not operate in a logical syllogistic reminiscent of Joseph Heller's Catch-22. The Family Court experience, she said, "secret rules" (i.e., you must sign a slip called by the judge, or your case won't be managed) was involved in a legal ethics symposium which debated the various versions of the Professional Responsibility Code existing at that time. Brogan hopes to do more scholarly work, especially in the first amendment area. When asked by the Docket where she planned to be in ten years, she declined to make any guesses. She expressed a desire to remain at VLS as the school continues to question what it does as an educational institution and is willing to risk change necessary. She cited the importance of a lawyer's request for information or actual litigation. Brogan suggested that a phone call or a letter to a client who has lost sight of the fact that a suit may go on for years, but the client is right and wrong and develop his or her own standards and values before being involved in a legal ethics symposium which debated the various versions of the Professional Responsibility Code existing at that time. Brogan hopes to do more scholarly work, especially in the first amendment area. When asked by the Docket where she planned to be in ten years, she declined to make any guesses. She expressed a desire to remain at VLS as the school continues to question what it does as an educational institution and is willing to risk change necessary. She cited the importance of a lawyer's request for information or actual litigation. Brogan suggested that a phone call or a letter to a client who has lost sight of the fact that a suit may go on for years, but the client is right and wrong and develop his or her own standards and values before being involved in a legal ethics symposium which debated the various versions of the Professional Responsibility Code existing at that time. Brogan hopes to do more scholarly work, especially in the first amendment area. When asked by the Docket where she planned to be in ten years, she declined to make any guesses. She expressed a desire to remain at VLS as the school continues to question what it does as an educational institution and is willing to risk change necessary. She cited the
A Reference Champion Checks Out

by Jackie Shulman

Q: We'll all miss you Walt.
A: Hey, you guys are really leaving the Library?
Q: I don't really think that I am leaving the librarianship. A clerkship to me is just another level of the Library.
A: You have a pathologic urge to feel needed. Do you want to kiss my teady bear?
Q: Pathological needs notwithstanding, you are leaving the Library.
A: I don't really think that I am leaving the librarianship.
Q: Can you believe it, I even joined the Docket to make my reference easier.
A: You have a pathologic urge to feel needed.
Q: What will the clerkship prepare you for?
A: Bear of the universe! Hopefully, it will tone my research and writing skills. Also, I'll have a once-in-a-lifetime opportunity to view diverse aspects of the legal community. Judge and advocate, the plaintiff and the defendant, sin and ying, etc.
Q: Why do you preface every reference colloquy with a hearty but nevertheless banal, "What's Up?"
A: I feel that it is an ice breaker.
Q: Do you really think that?
A: No, of course not. A phrase like that gives me the opportunity to collect my thoughts.
Q: Is that why you repeat that aphorism a minimum of 20 times before you let the poor seeker of knowledge utter one word?
A: Something like that.

Q: Do you think that a J.D. is necessary for a law librarian?
A: By no means. But I think that a law librarian must know something about the legal system. How you acquire that knowledge is immaterial.
Q: Did you really like your job?
A: Yes. I really enjoyed the office. (You do remember the Law Review, which shows you the kind of librarian I am.)
Q: What will the clerkship prepare you for?
A: The ghost of Walter Champion continues to haunt the shelves of the Pulman Library.

Displacement Plagues Bottom 90%

by Jackie Shulman

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A: You have a pathologic urge to feel needed.
Q: What will the clerkship prepare you for?
A: Bear of the universe! Hopefully, it will

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VLS Students Lampoon Faculty in Annual Show

Scenes From the 1983 "Law Revue"
At night, up above timberline, the only sounds are the feet of the climbers peaking ahead of you and the rocky outcroppings around you. The exposed ground glistens as if it has just been wiped down with a huge sponge.

Turns. Before this time I was sure I heard the same sounds behind me. The air is crisp at this altitude and sound travels well. I figure.

We reached our final camp right on time last night. We were all set up with all the other climbers, not to make the short trek to the peak until just before dawn tomorrow morning. It was going to be the organic climax of our arduous trek. Sunrise on the mountain.

The moon is climbing out from behind the peak, and slowly everything is becoming clearer, with more definition. There is no way that I can wait till morning to get up that last stretch. I have heard my Jack London imitation (and NO, that IS not a Jack London imitation....)

I don't see anything at all...Oh God, where's my knife?

A cloud passed in front of the moon. Oh, excuse me. Abdul just trying out a new style in case I should ever get an article about my climbing. Memories of my Jack London imitation (and NO, that IS not a Jack London imitation....)

The only marks on the glacier looming before us now are mine. Those can be four extra foot prints. Damn, it sounds just like claws scraping to get a grip on rock as they climb. Gotta get up higher to see what it is.

Sports fans find companionship in Treasure Room.

Joe Mama asserts in pari delicto defense.

The second annual Phi Delta Phi Fun Run will be held on October 15, to benefit the Special Olympics. The field will start Saturday morning at 11 a.m. behind the field house on main campus. Entry forms are available from Rita Kowalski (2L), Paul Brinkman (LL) and the nefarious Steve Nitskiewicz (LL). Completed forms should be returned to the people you got them from or put in the Phi Delta Phi box in the administration office, along with the $5.00 entry fee. The first 200 entrants will receive light blue tee-shirts which sport a dark blue design, 'Come on out to benefit a good cause and get those feet a movin'.'

The NFL has groveled to a new low and the umbrellas were knocked off convincingly by the Bortons. A team mate of mine suggested that the umbrellas were knocked off, "to the peak until just before dawn tomorrow morning. It was going to be the organic climax of our arduous trek. Sunrise on the mountain.

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