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Panel Discusses Ethics

by Kellie J. Harrison

On Monday, January 12, 1987 at 7:30 p.m., the Young Lawyer's Association presented a panel discussion on "Ethical Problems Facing The Young Advocate." The panelists included the Honorable Sandra Massermoss, the Philadelphia Court of Common Pleas; the Honorable Albert W. Sheppard, Jr., the Philadelphia County Court of Common Pleas; Paul C. Astor, Esq., Partner, Astor, Weiss, and Newman; Peter J. Boyer, Esq., Partner, Blank, Rome, Comisky and McCauley.

The panelists discussed several different areas of ethical considerations. Paul C. Astor lectured on the changing attitudes toward advertising by attorneys. He does not believe that legal services should be sold like beer or tamapons. Instead he would like to see legal services maintain a more dignified facade. The Honorable Sandra Massermoss spoke on ethical problems that come up in judge/attorney interaction. She noted that it is better for a judge to reprimand one for unpreparedness than to have a judge distrust one for a falsehood. The Honorable Albert W. Sheppard urged young lawyers not to forget common courtesy when they enter a courtroom.

Following the panel discussion there was a brief question and answer period. When asked how a judge should handle a bribe offer, the Honorable Michael R. Stiles replied, "Just say no." Peter Boyer, when asked his opinion of unnecessary interrogatories used to slow the progress of a case, stated that such conduct is unethical. However, he admitted, this type of conduct is ever present in our legal system.

The evening ended with a wine and cheese reception at which panelists continued to answer the questions of those in attendance.

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by Mike Pellini

In September, the untimely death of Professor Robert A.J. Barry created a vacancy in the Villanova Law School faculty. In the interim, the Faculty Recruitment Committee has convened in an attempt to fill the vacancy as quickly as possible. The committee is currently in the process of completing its search and will begin interviewing its final candidate selections on campus in the first week of February.

According to Professor J. Willard O'Brien, chairman of the Faculty Recruitment Committee and former dean, the current professor search is part of a well-organized and structured process conducted nationwide by the Association of American Law Schools (AALS). The AALS is one of two accrediting associations in the United States chosen by the American Bar Association (ABA).

The AALS program acts as an employment agency and clearinghouse, conducting a national advertisement to find qualified candidates and employers from around the country. The system allows law schools to find interview candidates with whom they might not ordinarily be able to come in contact with due to the difficulty and expense of advertising. A position opening nationally.

In addition, since the AALS program attracts new entrants into the teaching profession, it is advantageous for a school such as Villanova, which is accompanied with an aging faculty, to participate in a program such as the AALS as an attempt to attract younger candidates.

The AALS program requires that each candidate submit a resume on a standardized form provided by the Association. The standardized form allows continuity between candidate applications. The AALS then sends copies of the resumes it receives to any law school which requests them. According to O'Brien, the AALS sent approximately 575 resumes to the VLS Faculty Recruitment Committee this year. Including the resumes of individuals not participating in the AALS process, the VLS committee reviewed a combined total of over 600 resumes between October and December of the fall semester.

The culmination of the AALS program is a two day nationwide employment conference held each year in Chicago. In the conference is the final step in bringing together prospective candidates interested in teaching law with accredited universities who are offering positions. The conference, which was held in November, was attended by Professors O'Brien, Brogan, Dowd, Poulin and Vailente, who comprise the Faculty Recruitment Committee.

During the two day conference, the Faculty Recruitment Committee interviewed approximately twenty-five candidates who had been selected from all of the resumes reviewed by the committee. According to Dean Frankino, newly appointed dean of Villanova Law School and liaison (Frankino will ultimately recommend the successful candidate to the Vice President of Academic Affairs at Villanova University) each of twenty-five who were chosen to be interviewed had superior credentials.

Frankino described the interviewing process, a series of 20-minute interviews of each candidate, as "a process of peer evaluation and peer selection, with the Faculty Recruitment Committee functioning as a pre-screening device in the selection of the candidate." Although the Faculty Recruitment Committee performs the initial candidate screening, the final decision lies with the entire law school faculty, which conducts the hiring process.

Frankino added that one of the purposes of the initial interview process is to simply eliminate (or screen out) candidates whose professional standards may not be acceptable to Villanova Law School.

Frankino went on to state that "the faculty is very aware that the representation on the search committee is important in developing the best possible candidate." O'Brien expressed the same sentiment.

Frankino described the interview process as being "very positive" and "very professional." The committee is currently in the process of making a final recommendation to the Faculty Recruitment Committee. Frankino added that one of the objectives of the search is to hire a candidate "suited to the mission...to attract additional women and minorities" but that "the faculty is very aware that the representation on the search committee is important in developing the best possible candidate."
We'll Miss Him

If you can recall those first frenetic weeks of law school, about the friendliest face you saw on the other side of the podium was that of Alan Holoch. While all our other instructors were scrutinizing — and scaring — us to death, Professor Holoch set about teaching us one of the trade's most valuable secrets: legal research. He did it in a way that kindled interest and a sense of competence, not fear of failure. Professor Holoch is leaving us at the end of this semester to become law librarian at Ohio State, which boasts one of the largest law school libraries in the country. We wish him well, and we'll miss him.

The endowment to become more astute in our development as lawyers it seems to me that the announcement in the newsletter was poorly drafted and articulated (perhaps an indication of a defect in our legal education). I would like to suggest to those "conservatives" that they examine the conservative threads running through the laws constitutional and otherwise and not to "propogate" them but extract from them what will guide and lead this country to a more just and equitable social order where everyone can pursue their own happiness. Keep in mind that there are many in this country who would love to return to a social order where Plessy v. Ferguson 163 U.S. 537 (1896) is the rule of law, and an entire race of people were categorically denied their own humanity and any pursuit of their own happiness. Be aware that these are the individuals who identify themselves as conservatives. The present system, as it exists, has for too long been responsive to the community that seeks a return to the accurate intent of the framers whom "intent" is actually an arguable one!

Edgar C. Smith, '21

Time for Quality Class Time

First-year students recently received more than just their grades. It was their first formal feedback as to how they're doing in law school. Some were pleasantly surprised; others somewhat content. Many, we suspect, were not so pleasantly surprised; others downright dismayed. Except for those who got an opportunity to participate meaningfully in class this semester. And who’s to blame but students who didn’t volunteer before have no reason to risk participating now.

The problem is that the system tends to encourage the worst rather than any appreciable display of wrong ones. Enlightened faculty members are aware of the problem. Some blame it on just the sheer size of first-year class sections. Rather than with those two sections of 125, isn’t there a way to make three sections of 80? Perhaps those who teach the small first-year sections in Torts and Criminal Procedure could be prevailed upon. Given a choice, students would much prefer trading off one small section for five moderate-sized sections. Then maybe first-year students could all get several stats at participating. Instructors might be able to assign drafting exercises, or give quizzes, as the second-year tax teachers did this year. Not only did they help students better focus on the material, but boosted some 40 students’ grades as well — students who would otherwise be summarily tagged with grades not reflective of their true grasp of the material. If more emphasis is placed on quality class time, grades are going to remain more a reflection of one incident — the test — than the result of any dynamics of the learning process.

Horrory for Hyson

Just when it seemed like law school was a vacuum, along comes a Professor who teaches that people are just as important to the development of law as cases. One of the second national" commemoration of Martin Luther King Day, John Hyson held a luncheon discussion of “King and the Law.” Some dozen and a half students turned out, some by virtue of discussing the incisive incipience, others by virtue of curiosity. What was said was not important. The fact that something was said is what counts. Thanks, Professor Hyson. Who knows, maybe next year you’ll fill in for his class party?

Letters to the Editor

Student Questions

Conservative Club's Goals

Dear Editor,

This is the third year in a row that "the always steady" A-Team has made it to the finals. In the past two years the A-Team has seen only one regular season game.

4. The A-Team feels quite fortunate to meet the Latent Defects on the day they played "their worst game of the season.

5. With all due respect to Mr. Carr was right about two things: 1) the score, and 2) the fact that the game in question was not as close as the score reflected.

Normally we would not dignify the "Carr’s pronouncement" with a reply, but his consistent arrogance and misguided management have left us no choice. In this case, we feel the record be set straight. The A Team has always maintained a policy of respecting the Law School Softball Championships, and the Carr’s Crown is a figment of an overactive imagination.

The A-Team

Retraction

In the last issue of the Docket, the headline "Latent Defects Win Crown" appeared on page 15. This headline should have read "A Team Wins Crown." The Docket wishes to apologize for any confusion and inconvenience this may have caused.

THE DOCKET

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The Docket invites all members of the YLS community to submit Guest Editorials for possible publication.

by Brad Remick

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THE PAPER CHASE

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Second Year Student Wonders . . .

Are Our Books Out of Synch?

by John Bravacos

Many, many years ago Philadelphia was a Republican city. Then the Democrats came in, took over the suburbs, leaving the city to the Democrats. Since that time most of Philadelphia has been Demo­ cratic. Now, one of the more visible Democrats is going to become a Republican, and run for mayor as one. Does this mean that Frank Rizzo will be renamed President Reagan? Does this mean that the Republican mayor in Philadelphia? I doubt it. Chances are, Rizzo sees himself as the T. Boone Pickens of the city political arena, and views the Republican party there as just another easy mark. For the Democrats, this is worse than it appears. Rizzo supporter, and there are many of them, will be registering as Re­ publicans in order to vote for the third party. The Repub­ licans will have their problems also. New members don't always that the rules of the law school have not been won. The new Rizzo Right will not just dismiss the vultures and make that sure that our legal education is effective. The political education does not fit on that kind of educational program. Wanting a good job is fine, but using law school only as a weapon in the workplace does not improve legal theory. The government agency seems awfully cost­ ineffective. Never again will we hear the office, not to mention the time — to broaden the legal mind and get credit. From here on out, every­ thing we do will be on the meter.

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Are Our Books Out of Synch?
The Student-Faculty Committee is drafting a proposal that would require the faculty to include the student body’s majority vote on the list of graduation speaker candidates it submits annually to the University administration. At present, the faculty compiles a list of four prospective speakers with informal input from students, and is not obliged to seek that input to the Board of Trustees charged with approving the list.

“W e want to put a mechanism in place to assure that at least one name on the list is someone the students want to hear,” Harold Lucas, a 3L committee member who introduced the proposal, said. “As it stands now, the faculty can just disregard our choice. We want to change that.”

Professor Leonard Levin, one of three faculty representatives on the committee, said that such a proposal “would be favorable for all concerned.” The faculty “deems itself, as the faculty, we deem it to be, in control of the curriculum,” he said. But he maintained that “ultimately the students also have to realize that we’re looking to increase the quality of the students as we can get,” he said. Sometimes, however, that input fails to pass faculty muster, and Levin expressed the hope that “perhaps the faculty will see that the students are also in line with the alumni and the alumni’s desire for academic prominence,” said Levin. “Anyone who smells of politicking,” he said, “is not likely to be approved by the University.”

Lucas proposed that students vote twice, first for anyone they’d like, then a runoff for one of the top three choices in the initial tally. “That way, every student would have a vote and we would be real say in who’s invited,” he explained. “Perhaps we could show the faculty a percentage breakdown in case one candidate appeals to them more than another.”

The Law Alumni Association honored Dean Harold Gill Reuschlein and the first graduating class of ‘56 at an awards dinner in November. Dean Reuschlein was the founding Dean of the Law School, and is credited with being principal responsible for its development, in a very short period of time, from non-existence to prominence. He served as Dean from the inception of the school in 1952 until his retirement 20 years later. From 1972 until 1984, Dean Reuschlein was a distinguished member of the faculty at St. Mary’s University School of Law in San Antonio, Texas. He returned to Villanova in 1984.

The Docket Needs Staff Members!

If You’re Interested, See Jeanne Rapley or Sue French or Leave a Note in the Docket Mailbox in Student Services.

Prof. Search Begun

(Continued from page 4) faculty does not mirror the make up of the student body. Thus, Villanova will continue to seek women and minorities affirmative action and, however, that the bottom line in VLS’s hiring policy is that the candidate must be qualified.

Neither O’Brien or Frankino expressed any preferences to the area of the country that the new professor would come from. Both expressed a preference that the person be young.

The final step in the selection process is to invite approximately 10 to 20 candidates to VLS. According to O’Brien, “at this point I’m interested in finding a young, vigorous person to participate in the institutional transition.”

The candidates will be invited to accommodations at the St. David’s Inn and a tour of the area surrounding the law school. The interview itself is a series of interviews throughout the day in which each faculty member is allowed a chance to meet the candidates and to review their qualifications. A packet of information on each candidate is also distributed to each faculty member. The packet contains a resume, the results of a background search and copies of anything the candidate has published.

Students are also provided an opportunity to evaluate the candidates at this time, and student comments are also included in the packet given to each faculty member. O’Brien expressed the belief that students often have excellent insight into candidates and he believes that by allowing student interviews to candidates it “might help the candidates decide to come to Villanova.”

This year, six candidates were chosen from the initial 600 applications to visit VLS. The six are expected to be on campus in the first week of February and the faculty is expected to make its final selection later that month.

The symposium will be held in rooms 29 and 30 of the Villanova Law School and will run from 10 a.m. with a coffee break midway through the program. A wine and cheese reception will follow.
by Nancy Drew & Lois Lane

February Extravaganza

No II's could be reached for comment on their post-exam "string of pearls". However, we can only surmise it was a repeat performance of last year. All the lights were on but one no was home. We do know that there was a lot of "friendship's" on Jan. 14th. Each class was represented equally (surprise, surprise). Did F. & J. have their little ba­

loons doing on your head? Were they surgically attached? We've heard of an airhead, but this is ridiculous. We've also heard of Frenard for discovery. The IL's are making a feable attempt to come into their own. An unprecedented mid-week bash was thrown by Bob R. of the AWC. He could blame it on running out of beer before mid-term exams, or he might have anticipated such a decent showing of first years on a Wednesday night. In fact, it seems that the first year class studies for midterm exams.

Future Honeymoon "Sweets" seen looking rough around the edges with pictures of in-room jacuzis and husband making the coffee. Among the ladies was Ellen P., Roseanne S., Mary Jo K., and Steve W. Congrat­

ulations to the future brides and grooms. When you set the date, let one of these gals know we've saved our gift — a roll of quarters for each of you. There is a well known 2D couple that has reportedly been talking carrots (carrots!). Unfortu­

nately, she has been looking on Sansom Street and he has been looking for his contract in the produce department.

And, although negotiations are still preliminary, word has it that John R. is working on a merger.

We hear he is soliciting Maria S.'s proxy. Nothing like good old fashion capitalism courting.

Speaking of nuptials, is it true that Professor Cannon was in the "wow venue" over the holi­

days? Not even these private dicks could come up with the details. By those the policemen carried in is order.

And you thought you were busy... The 2D year is proud to announce its first born! Congratu­

lations to Pat S. and her husband John (VLS Class '83). The issue in question came into being on Jan. 5, 1987, weighing in at a healthy 8 lbs. 11 oz. and was 20" long. If you thought 8-9 classes were hard, try a 2D. feedings.

From the State of Intoxication "Void Where Prohibited" and Barleycorn's threw another out­

standing bash. Nice job, Treva H., Jamie F., Andrew S., and the rest of the guys. Unfortunately, the usual following wasn't pres­

ent. What's the matter guys, your fan club couldn't get in without ID? Perhaps they have to be in before the street lamps come out!

Applications for the "Void Where Prohibited" fan club are available at the Docket office. Just think, a free autographed picture of Andrew S. to hang on your bedroom wall. Anyone over 17 years of age need not apply. All the Scoops Fit to Print

when he was stopped for a traffic loss of his driver's license. Once he showed his driver's license, he instead showed a packet of Miranda cards, similar Application to the "Void Where Prohibited" card fan club available at the Docket office. Just think, a free autographed picture of Andrew S. to hang on your bedroom wall. Anyone over 17 years of age need not apply. All the Scoops Fit to Print.

When It Happened To... The Real Miranda?

by Mary K. Schottmiller

This is the first in a series of articles asking the question, "What ever happened to those people we read about in our case?"

For instance, Jane Smith of Professor Delpaonna's Contracts class fame. Did she ever specifi­

cally perform or maybe Horsey finally had that date with Chadwick?

Probably the most famous party we've come across certainly has a household name, even among non-lawyers. You know who we're talking about... Miranda. Miranda the Arizona case.

From a Supreme Court decision bearing his name was handed down, becoming the sub­

ject of heated discussion; henceforth all policemen were to carry a Miranda card, advising suspects of their right to remain silent, and the Miranda case was added to every criminal and constitutional lawbook.

But Miranda himself didn't fare well. The freedom that the deci­

sion created helped him very little. All he received was a new trial, in which he was found guilty. Miranda tried desperately to capitalize on his fame. He printed a packet of Miranda cards, similar to the VLS cards. He autographed the cards, and sold them at $1.50 apiece on the stairs of the Arizona courthouse where he was originally convicted.

However, Miranda did earn further notoriety. The Arizona policemen easily recognized his bad driving skills and ticketed him often for a variety of traffic offenses, which resulted in the loss of his driver's license. Once when he was stopped for a traffic offense and failed to produce his driver's license, he instead showed a Miranda card in an effort to clip­

ping off himself. The officer immediately arrested him.

In 1976, 10 years after his claim­

to-fame case, Miranda was mur­

dered in a sleazy bar over a handful of small change. The Miranda rights, however, still live.

Next month's issue: Did little Brian Daily really know his aunt was about to sit down in that lawn chair?
By Way of Greeting:

THE function of an institution of learning like yours is the systemic endeavor to extend and deepen understanding regarding man's relation to society. Thought that is not expressed is stillborn. The speculations of thinkers and the findings of investigators can promote understanding only when expressed, thereby promoting acceptance or the correction of misconceptions. And so it seems to me indispensable for a Law School that is devoted to the philosophic study of law to have an organ for the work that is done in it and that it stimulates outside of its own walls.

Felix Frankfurter, Associate Justice
Supreme Court of the United States

The launching of the Villanova Law Review will prove, I am sure, a significant event in the field of the academic study of law, not only in Pennsylvania but throughout the country at large. Such Law Reviews have come to be important factors in contributing to legal research and discussion, and I am confident that this latest addition to the group will take its place among the foremost. On behalf of the Court of which I am a member I am glad to extend congratulations and best wishes for the success of this promising venture.

Horace Stern, Chief Justice
Supreme Court of Pennsylvania

On A Wing and a Prayer

by Susan J. French

When it opened its doors in 1953, the Villanova School of Law was comprised of one dean, a librarian, two rooms in Old Falvey Hall, four professors, and sixty-seven students. Its primary material assets were assorted crates of library books kept in scattered piles in the two rooms in Falvey Hall, and, a provisional accreditation from the Pennsylvania Supreme Court.

Tuition was $200 a semester. Of the 67 students who populated that first class, 26 graduated. Of the three women who entered, one graduated, one withdrew, and the other, ranked very high in the class, became a man after completing her second year.

The idea to start a law school at Villanova was originated by the then president of Villanova College, the Rev. Francis A.N. McGuire, O.S.A. (McGuire is currently the only non-lawyer on the Board of Directors.) McGuire hired University of Pittsburgh law professor Harold Gill Reuschlein as dean and founder of the law school.

How to Start a Law School

It was Reuschlein's job to hire faculty, place students, and put together a student body.

"We had too many in that class," Reuschlein recently reflected.

Reuschlein initially worried about not having enough students. Reuschlein recalls that he went to McGuire and asked, "Are you willing to hire those students if they have ten students?" McGuire inquired whether that was what the dean expected. Reuschlein replied that he was unsure if people would come to an unaccredited law school. Reuschlein said he then described the idea further and thought it over, "We need stars." He went back to McGuire with a proposal to send letters to the presidents of mostly Catholic area colleges without law schools offering scholarships to students in those colleges. Reuschlein paraphrased the letter as, "We're opening a new law school, and we're willing to grant a full tuition scholarship to a candidate whom you appoint.

"We got a great cadre of students that way," Reuschlein recalled last week. "We haven't had better students since.

The Rev. Leo Brown, a professor of education was appointed as the school's first admissions director by McGuire. Students of the class of '56 came from as far away as Georgia, West Virginia and Massachusetts, as well as from Erie, Scranton, Allentown, Jersey City and New York City. Robert Garbarino, a member of that first graduating class, and currently Associate Dean for Administration, recently reflected, "It was kind of amazing for a brand new school to have people from such a wide range of places." Garbarino continued, "There were about one-third of the class were ex-G.d.'s.

Garbarino, who was in the Marine Corps at the time Reuschlein was assembling the first class, says he originally planned to attend Yale Law School, when he received a telegram from the president of St. Bonaventure offering him a full tuition scholarship to Villanova.

Arthur Pulling, the Harvard Horsestrader

The first faculty member Dean Reuschlein hired was Arthur Pulling, the law librarian at Harvard Law School. Widely regarded as the finest law librarian in the country at that time, Pulling had to leave Harvard because he had reached their mandatory retirement age of 65.

"We were fortunate that Mr. Pulling had to retire," commented Reuschlein, "so I hopped up to Cambridge and brought him down to visit. He loved the place and agreed to come to Villanova.

"He was a horsestrader," Reuschlein mused. "He gave us a great deal by begging. What he bought he probably got at half the price. He never refused a gift. Many of the books he received as gifts remain on the shelf. Some were traded; others were sold. Some went in the incinerator. But everyone who donated got a generous tax deduction.

Current Villanova students may recall seeing various books in the Pulling Law Library, stamped "Harvard Law Library." According to Reuschlein, at about the time Pulling was due to retire, Harvard had two law libraries, one in Langdell Hall and the other in University Hall. The Law School decided to close the Austin library. Pulling was contacted and offered to buy the part of the collection, which was for sale, a fairly complete library in itself.

"Not many libraries were put together that quickly," Reuschlein noted.

Garbarino's favorite Arthur Pulling anecdote comes from one time he, Pulling and Reuschlein went to Dechert, Price and Rhoads to visit a partner there. Reuschlein's qualifying for the Pennsylvania Bar, Pulling and Reuschlein were his sponsors. Garbarino remembers the following exchange after his interview concluded: "The partner remarked, 'If there's anything we can do for you, let us know.' Pulling said, 'There is. I make it a practice to be sure to leave a law firm without a book.' To which the partner replied, 'Well, never let it be said that Dechert, Price and Rhoads didn't come through.' What would you like? 'Martindale-Hubbell.' 'Pulling replied.

At that time Martindale-Hubbell was three volumes. So each of them walked back with the volume of Dechert, Price and Rhoads' set of Martindale-Hubbell," Garbarino laughed.

Interestingly enough, Pulling didn't even have a bachelor's degree. Villanova awarded him an honorary degree years after he became librarian here.

Assembling A Faculty

The original group of law professors assembled by Reuschlein were Thomas I. O'Toole, John T. Macartney, John G. Stephenson III and Francis E. Holahan.

Stephenson was an acquaintance of Reuschlein's during the war from the Judge Advocate General School in Ann Arbor, Michigan. He was regarded as a very effective instructor, Reuschlein mused recently. "He came into my office in the Pentagon just before he was due to be separated. He had talked to the Judge Advocate General School in Ann Arbor, Michigan. He was feeling of staying of staying. I said 'Why not teach?' So I sent him to the University of Miami, where a new law school was starting. He was unhappy there. When we got ready to open he was a graduate student at Yale.

O'Toole was recommended by a Harvard law professor with whom Reuschlein visited while at Cambridge wooing Pulling. "He said O'Toole was teaching at Northeastern, which was closing its law school," Reuschlein recalls. "He said O'Toole was very good, good enough to teach here, [Harvard] but he isn't. So I contacted O'Toole, who called the Dean. 'O'Toole came to visit Villanova and I showed him up," Reuschlein said.

Holahan had just graduated from Pitt, where Reuschlein had most recently been teaching. He accepted Reuschlein as a job.

Macartney was the last man hired. Reuschlein says he had looked hard to find someone to fill the last position. "I had worked on a project with Macartney at Pitt to write a Public Health Code for the Commonwealth. One day Jack Macartney came to see me. He asked about the school. I said we needed another faculty member. 'What about me?' He accepted my offer on the spot without telling his wife," the dean noted.

Top: Two of the introductory greetings from the first issue of the Villanova Law Review.
Middle: The entering class of the Villanova School of Law, 1953. Above: Graduates of the class of '56 with Dean Emeritus Harold G. Reuschlein at a banquet held in their honor last November 8.

(Continued on page 7)
A Law School is Born

(Continued from page 6)

How the Kentucky Derby Brought the Garey Fortune to Villanova

Eugene Garey was a New York lawyer who left an estate of roughly $100,000, or several million dollars. Neither he nor any members of his immediate family attended college.

One Mooney was the president of the Bryn Mawr Trust Company, during the Depression, and for years afterward. According to Reuschlein, Mooney was a true devotee of Villanova, but liked Villanova because they had a law school. He had no college affiliation — he went to Chicago-Kent Law School out of high school.

Mooney suggested Villanova, says Reuschlein.

"Money put Fr. McGuire in touch with Garey. Fr. McGuire could charm the turkeys off an elephant. Garey decided to leave the money to Villanova," Reuschlein continued.

Getting the money proved to be more difficult. After Garey died, his wife followed within a year. But, says Reuschlein, "A law suit was threatened by Garey's half brothers and sisters, (including one who was a Dominican nun) whom Garey had supported all his life." This was despite the fact that the terms of the will were very clear that Villanova was to receive everything.

Villanova's problem, explained Reuschlein, was a mortmain clause in its charter, which meant the college wasn't allowed to take gifts of money. Such clauses were common in charters around 1848, the year the college was chartered. Counsel felt it would take the state would not enforce it. I

"So came the day of the hearing. The parties adjourned to the Supreme Court owing to a similar clause in their charter." Reuschlein says he and several Delaware County Republican politicians went to visit the attorney general and the district attorney. Cornell was a Republican, who assured him that the state didn't intend to do anything about the clause. Reuschlein replied, "If I'd never taught corporations, I'd never know this, but there's McGraw v. Fisk. Two million dollars was left to Cornell for their library. Cornell lost a contest in the U.S. Supreme Court owing to a similar clause in their charter."

Trusket arranged for the charter to be administratively amended.

The litigation proceeded in Westchester County, N.Y., the site of Garey's will probate. The parties argued whether the judge's chambers. The judge said the case could be settled with $10,000. The two and a quarter million dollars was free," Reuschlein concluded.

Approximately one million dollars of the money was used to construct Garey Hall, according to its cornerstone. The cornerstone laying was attended by then Senator John F. Kennedy, then Auxiliary Bishop Fulton J. Sheen, and Chief Justice Earl Warren.

Only the class of 1956 never occupied Garey Hall.

The Paper Chase, The Early Years

Coats and ties were required classroom attire. Garbarino said of his days as a law student. "Classes were very lively ... we had an interesting assortment of personalities ... Everyone was constantly kidding. We'd mimic the profs and the dean."

Students didn't have to stand when called on, said Garbarino. He remembers attending "tons" of meetings because everything had to be started from scratch: dances, banquet, the law review, the Student Bar Association, the Honor Board, study clubs.

Garbarino says students were told to organize study clubs and then report back to the dean who was in which club. Each took the name of a jurist: Charles Evans Hughes, Thomas More, Judge Parker, or they used a legal term, like the Certiorari Club.

The Law Review's rather inauspicious beginning was the day when Dean Reuschlein stopped second year student Garbarino at the hallway, told him he was the editor, handed him a list with nine names, told him this would be his staff, and that he should pick two associate editors, according to Garbarino and Reuschlein.

That first year, stated Garbarino, the Law Review printed two trial issues, nos. 0 and 0. Garbarino recalls that the budget for those two issues was $50. He remembers mimeographing the copies by hand after hours in the university print shop.

"The third year we printed a full-fledged review," Garbarino said. Volume one included greetings from Supreme Court Justice Felix Frankfurter, and Pennsylvania Supreme Court Chief Justice Horace Stern. The lead article was by Melvin Bell. "The King of Torts," says Garbarino.

The Moot Court's beginnings were similar to the Law Review's. Dean Reuschlein informed the students that they all had to compete, said Garbarino. "I was told that my partner, Art Flores and I, plus John Garland were our national team. Here are the papers, go prepare." The team won the regionals, and did the next year's team, and went on to the nationals. "It was impressive to have a school that didn't even have seniors to win that thing," enthused Reuschlein.

A Villanova National Moot Court team hasn't gotten as far since.

Like many of his classmates, Garbarino worked as a dormitory prefect in order to receive room and board. He recalled the more undesirable sides of the job as standing for three hours each day at the door to the cafeteria to enforce the college's jacket and tie dinner requirement for undergraduates and doing room checks.

"A lot of people who arrived here didn't know how they would feed themselves," Garbarino stated. "Mr. and Mrs. Reuschlein scoured up jobs for some."

Footnotes

The Villanova School of Law was accredited by the American Bar Association in its second year. "That's unprecedented," remarked Garbarino.

The school was the first religiously affiliated law school to receive the Order of the Coif. In its second year, Villanova students held regional and national offices in the American Law Students Association.

Like many of the other students, Garbarino depended on the G.I. Bill for book and spending money. Garbarino remembers that the curriculum was very demanding. "We worked like dogs to be successful," Garbarino said. "These were the most confident people in the world. Some left here and opened firms of their own."

Reuschlein described the early faculty as tough, graders. "That was intentional," stated Garbarino.

He added that "the professors were around all day long ... they were very available. The million of availability was started from..."
**FEATURES**

**Crimes of the Heart**
by Caroline Reeves

When Diane Keaton, Jessica Lange, and Sissy Spacek are cast together in a movie adaptation of a play written by Beth Henley, what could possibly go wrong?

When I entered the Erica Rittenhouse theatre on Sunday afternoon to see Crimes of the Heart, I had a rather Oscar-worthy performance showered on me with Oscar-worthy performances. I was dizzled on by a series of tirade and off-point performances that made an already sugary sweet script scours. The film is frustrating to watch because one cannot help feeling that there is a wealth of misdirected talent in the air. To begin with, the characters are often not convincing. Diane Keaton plays the role of Lena, a middle-aged woman who is gradually accepting the fate of becoming a spinster with a shrunken ovary. The problem is that Keaton, Lange, and Spacek were supposed to be down home southern folk. The renowned actresses pretending to be these real characters, not actors who are pretending to be real characters, not actors who are pretending to be real characters. We need to be convinced that these characters are real characters, not actors who are pretending to be real characters.

I suspect that in writing the play Ms. Henley had set out to show how three sisters down on their luck could be reunited and automatically lapse back into a playful childhood world. O.K. I believe this is a common transition that occurs among reunited sisters but simply did not believe that the transition took place in this movie. There is too much attention focused on the creation of a sappy-huggy-kissy-try to-look-good cheese world and too little attention focused on what reality makes these characters tick.

The movie is not bad. Some of the photographs are beautiful. Some of the lines are witty. One might have expected a couple of klenexes during the heavy duty, sappy scenes. The major problem is that Keaton, Lange, Spacek and Henley were supposed to be down home southern folk together and made a great movie.

Lange and Spacek are cast to a Pulitzer Prize-worthy script. We need to believe that the transition took place in this movie. There is too much attention focused on the creation of a sappy-huggy-kissy-try to-look-good cheese world and too little attention focused on what reality makes these characters tick.

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**Student Sets for Taxing Season**

by Walter Lucas

H&R Block Inc. has some two dozen Volunteers in Tax Assistance to help people prepare their tax returns. About this time, it’s just as close a taste of real life practice. Our advice this time is:

"We’re not tax preparers," says Prof. Marcus Schoenfeld, who heads the student program. We don’t file tax returns; we just help people put the information together so they can file it themselves. That way, he notes, VLS avoids problems of preparer liability and potential malpractice.

Schoenfeld describes VITA’s client profile and indicates that most total annual income falls below the nationwide median. More volunteers have about $12,000 worth of gross income on the average. The people who can’t afford to pay H&R Block $50 now just to get a help with their tax returns, says Schoenfeld, "as a result may never receive refunds they’re entitled to.

Recognizing that the Internal Revenue Service gets 34 percent of the gross national product in taxes, some two dozen volunteers hold a free income tax preparation help in the late afternoon and early evening. Aside from being poor, many of the 60 to 80 clients who seek out VITA this tax season are elderly. The elderly have special tax problems, mainly with respect to the treatment of one-time income, according to Schoenfeld. For example, he points to the problems of widows collecting their husbands’ pensions, or how to treat the profits from selling their homes and moving into an assisted living situation.

Most VITA students have already been a little more than two months in Tax Assis­ tation, says Schoenfeld, though some first-years have been known to volunteer as well. "Every year we manage to get four or five CPA or students who work their own income tax returns," he adds. For first-time volunteers, Schoenfeld holds a class on preparing tax returns, teaching from wall-size forms used for income tax returns. He stresses that actual experience is invaluable for volunteers. The volunteers do not charge for their services, according to Schoenfeld. For tricky questions, resident tax

**Prof. Marcus Schoenfeld**

students prepare three returns. This year’s program will start in mid-January, 1988, and will end by April 15, the tax deadline date. Whether the students have the advantage of volunteer tax assistance is obvious. For the student, one obvious advantage is that the volunteer’s help is usually available. Some practical application of classroom instruction is often an afterthought. Schoenfeld points out, is the chance to interact with real clients with real problems. Says Schoenfeld: "That’s far more valuable than being paid."
Cats Suffer Setbacks

by George Karibianian

The Christmas holidays brought a new twist to theVLSSA community as the Penn State Nittany Lions began their 2nd national championship in 5 years by downing No. 1 University of Miami 14-10 in the Orange Bowl. First, Florida's Fiesta Bowl. Penn State, 12-0-0, with their usual workmanlike defense, succeeded in forcing Miami's Heisman trophy winning quarterback Vinny "The Choke" Testaverde into throwing so many errant passes. Each of the interceptions, including the game clincher with 18 seconds to go, was thrown but rather than to one of a group of two to four PSU linebackers, who probably drew straws to decide who should pick off the next pass. This helped to make up for the lack of a passing attack by John "Financial Anal-yst" Shaffer, who concludes his football career by winning every game he has started since junior school, with the exception of last year's Orange Bowl.

Second, credit should be given to PSU coach Joe Paterno, who, despite Buff schedules, could come up with a winning team that would have been considered a "turnaround". This is "Miamian's" opponent was so not having considered a 0-2 start including a blowout at the hands of Washington. Trivia Question — Who was the only team besides the defending champion I-AA to finish undefeated and untied? Answer later. Oklahoma was the only other team this year to lose a game, and that was against Pittsburgh. "The Boro" Bosworth, proceeded to annihilate the Orange Bowl 42-8; unfortunately, the Nationalists Against Athletes don't award National Championships based on the point differential of major bowl games. Here's a riddle — Q: Why does Bo Schembechler eat his cereal out of the box? A: Because if they gave him a bowl he'd probably lose it. After losing the Rose Bowl to Arizona State 22-15, Bo's bowl record at Michigan is a poor 3-11. Of course, many coaches can attest, "The Boro" Bosworth, who is, besides having a winning record in the little floor time he has played, also has two concerns. First, Wilson has played well at his point position, but his touch is not the same as last year's. Then, for Wilson to sit because of fouls, Villanova becomes a very bad basketball team. Massimino has tried to mold freshman guard Eric Leslie into a point guard, but Leslie has not responded. As he appears to be the natural heir to Jensen, not Wilson, Massimino next tried to move Jensen to the three point position. However, against Providence Jensen turned the ball over four times at the point position. Massimino's latest effort has been to try senior walk-on Perry McDonald (17 pts 7 rebs). As it fact played well in the little floor time he has received, Massimino's latest problem is being batted back.

The Cats have been out rebounded in every game they've played in January. Forwards Plonisky, West and Taylor have been the team's leading rebounders with Taylor's 8 rebounds against BC as the highest total for any individual game. It becomes very difficult to win games when your leading rebounders are forwards who stand 6'7" or 6'8" and grab an average of 6 rpg.

PSU Takes Crowned National

by Robert Washuta

College basketball coaches across the country will tell you that it's in January when the NCAA Tournament officials begin work on determining who gets the sixty-four slots that leads to a National Championship in April. They'll tell you that because they know that it's in January when the sixty-four slots that leads to a National Championship in April. Jensen and Doug West who both played for St. John's to 19 first half shots and Villanova team used a multitude of offensive attack as well as their defense, succeeded in forcing Florida's Fiesta Bowl. Penn State, 12-0-0, with their usual workmanlike defense, succeeded in forcing Miami's Heisman trophy winning quarterback Vinny "The Choke" Testaverde into throwing so many errant passes. Each of the interceptions, including the game clincher with 18 seconds to go, was thrown but rather than to one of a group of two to four PSU linebackers, who probably drew straws to decide who should pick off the next pass. This helped to make up for the lack of a passing attack by John "Financial Analyst" Shaffer, who concludes his football career by winning every game he has started since junior school, with the exception of last year's Orange Bowl. "The Boro" Bosworth, proceeded to annihilate the Orange Bowl 42-8; unfortunately, the Nationalists Against Athletes don't award National Championships based on the point differential of major bowl games. Here's a riddle — Q: Why does Bo Schembechler eat his cereal out of the box? A: Because if they gave him a bowl he'd probably lose it. After losing the Rose Bowl to Arizona State 22-15, Bo's bowl record at Michigan is a poor 3-11. Of course, many coaches can attest, "The Boro" Bosworth, who is, besides having a winning record in the little floor time he has played, also has two concerns. First, Wilson has played well at his point position, but his touch is not the same as last year's. Then, for Wilson to sit because of fouls, Villanova becomes a very bad basketball team. Massimino has tried to mold freshman guard Eric Leslie into a point guard, but Leslie has not responded. As he appears to be the natural heir to Jensen, not Wilson, Massimino next tried to move Jensen to the three point position. However, against Providence Jensen turned the ball over four times at the point position. Massimino's latest effort has been to try senior walk-on Perry McDonald (17 pts 7 rebs). As it fact played well in the little floor time he has received, Massimino's latest problem is being batted back.

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Football: Finally Over
(Continued from page 10)

USC on a last second field goal. The Irish did more than win the game, for USC afterward fired head coach Ted Tolliner, reasoning being that against rivals ND and UCLA, he was 1-7. Adding insult to injury, the Trojans dropped the Florida Citrus Bowl to Auburn 16-7. The answer to the Trivia Question — none other than the Penn Quakers, who noticed their Sixth consecutive Ivy League championship. The Quakers probably would have been a favorite in the I-AA playoffs, but the Ivy League prohibits League schools from participating. Why is anyone’s guess, but what are we to expect from such second class institutions!

This final note — many bowl watchers noticed a slight change in the bowl names, mainly due to the great American system of free enterprise. We were forced not to watch the Fiesta Bowl, but rather the Sunkist Fiesta Bowl. I myself searched the dial to find the Sugar Bowl, but instead only found the USF&G Sugar Bowl. Is this a great country or what?

Semi-Finalists Announced

The Moot Court Board has announced that the following teams have advanced to the Semi-Finals of the Reimel Competition:

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<th>PETITIONERS</th>
<th>RESPONDENTS</th>
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<td>Baskett/Phillips</td>
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When: February 20, 3:30 p.m.
Where: The Docket Office, Room 6
Admission: One idea for the Annual Mocket (April Fool’s Issue)
Why: Why not?
Who: Everyone and Anyone
(Journalistic experience is not a prerequisite!)
What: Refreshments, Munchies, etc.
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