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1987

Vol. 35, No. 13, January 21, 1987

University of Michigan Law School

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Recommended Citation

University of Michigan Law School, "Vol. 35, No. 13, January 21, 1987" (1987). *Res Gestae*. Paper 333.
http://repository.law.umich.edu/res_gestae/333

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Marred Books Barred in Market

By Vince Hess

The market for used law school casebooks is weak, say spokesmen for the two college bookstores in Ann Arbor. However, complaints by law students have prompted one of the stores to re-examine its buyback policy for casebooks, and the store is encouraging suggestions from law students.

"Most law students don't buy used books," Bill Dion, assistant manager of one of the local college bookstores, Barnes & Noble, said. "There's not a great market for used lawbooks."

Paul Rosser, general manager of the other local college bookstore, Ulrich's, said, "Law students want not to buy used books. They want new books."

Rosser said that students in the professions, such as law, medicine and dentistry, "have a tendency to keep their books. They're going to be keeping them, except for your first-year students."

Rosser, who has been with Ulrich's for about 16 years, said his view of the used casebook market stemmed from the experience that Ulrich's had about five years ago. Then, he said, Ulrich's had a

casebook buyback policy of paying half of the new price for books to be used in courses in the next semester. The store paid the wholesale price after its supply of casebooks met the quantity required for the next semester.

However, Rosser said, Ulrich's got stuck with many used casebooks. Moreover, the store tried to sell the used books to wholesalers, but almost all wholesalers wanted only clean books, that is, books with no underlining or cribbing.

Thus, the store adopted a new policy on buyback of casebooks, and that policy is

still in effect. The policy is that in regard to books listed for the next semester, the store will buy back books with only one set of lines or crib notes, and will not buy back books with multiple underlining or notes. The store will pay 25 percent of the new price, and will sell the books at 50 percent of new.

For books not required for the next semester, Rosser said, Ulrich's will buy back only at the wholesale company's price and condition, and in almost all cases the wholesale company wants only
see ULRICH'S page three

New Location, Same Old Shit

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The Res Gestae

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Vol.35 No.13

The University of Michigan Law School

January 21, 1987

Insiders Gripe As Grades Plummet

By Steve Hunter and Reid Rozen

Controversy over grades once again struck the U of M law school, this time over the harsh curve issued by visiting Professor Peter Behrens in the classes of International Law and International Trade. According to one source, Behrens gave as many 17 failing grades. One group of disgruntled students went so far as to post flyers around the law school vilifying Behrens for the grades he gave and his "obnoxious" behavior, and warning students to drop out of the class he will teach this semester.

One reason for the low grades may have been a misunderstanding over the law school Pass/Fail policy. According to Dean of students Susan Eklund, Behrens was under the impression that Pass/Fail meant that anyone receiving a grade below a C would be a failing grade. This also explains why the initial posted curve was taken down, with many of the F's changed to D grades. Eklund said, "It

wasn't as if it was really a grade change."

Another possible explanation for the spate of low grades was offered by a student familiar with the controversy. Behrens, the student explained, followed published faculty guidelines by grading the tests submitted by students taking his classes for a grade separately from those tests taken by students choosing the pass/fail option. The graded tests, reviewed first by Behrens, established the "C" mark against which the pass/fail tests were compared. Because the better students took the class for a grade, and many less-motivated persons dropped the class before the final exam, the passing mark established by the graded tests was artificially high. It was a plateau that many pass/fail tests could not attain.

As of Monday afternoon, Behrens had posted a notice stating that persons receiving any grade below C would be given the opportunity to take a make-up

Grade Percentage Guidelines

First Year

A+	0-3%
A	13%
B+	21%
B	25%
C+	25%
C	11%
D+	0-3%
D	0-1.5%
E	0-0.5%

Second/Third Years

A+	0-3%
A	18%
B+	21%
B	29%
C+	19%
C	10%
D+	0-2%
D	0-1.5%
E	0-0.5%

Second/Third Year curves are for graded papers and tests only, and do not apply to seminars. Percentages for A+, D+, D, and E grades are "suggested maxima" according to the grading guidelines, and should not be viewed as "an affirmative expectation."

exam in the form of a ten page take home paper.

Eklund speculated that Behrens' curve sparked controversy at least partly because he is a visitor. Eklund said "when it happens with a visitor, its talked

about more." Eklund also said that not many students had dropped Behrens' classes this semester.

The *Res Gestae* was unable to contact Professor Behrens for comment by publication time.

Senate Advocates Student Feeding Frenzy

By Lisa Batey

In an attempt to acquire a much-needed and often-discussed new television for the Lawyers' Club, the LSSS is launching a contest designed to entice students to open their pocketbooks and satisfy their appetites. The "Domino's Dot Contest" kicks off this week, and runs through February 25th.

Both the individual and the group

that contribute the largest number of dots off Domino's boxes will receive prizes. The value of possible prizes to be awarded depends upon the total collected number of dots, and ranges from \$25 to an RCA 19" color television. Further details on prizes and how to turn in dots to LSSS will be forthcoming.

In other business at their January 19th meeting, the LSSS discussed, among

other things, holding a membership drive for the ABA Law Student Division, as well as plans to produce and distribute a student directory in the near future.

At the request of Dean Eklund, the LSSS will be proposing new guidelines for regulating the use of computers and memory-storage typewriters during law school exams. There was some dissension among Senate members

concerning the issue; a few members will bring formulated proposals to be discussed at next Monday's meeting.

LSSS President Reggie Turner also announced that the Dean Search Committee has narrowed their original list of candidates to a list of 40. He anticipates a further sizable reduction of candidates in the coming weeks.

Res Gestae

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The Res Gestae is published every Wednesday during the regular school year by students at the University of Michigan Law School. Opinions expressed in bylined articles are those of their authors, and do not necessarily represent the opinion of the editorial staff. Articles may be reprinted without permission, provided that the author and the Res Gestae are credited and notified. Mailing address: University of Michigan Law School, Ann Arbor, MI, 481 09-1215. Phone: (313) 763-0333.

Please Keep in Touch

THE RES GESTAE has successfully made the transition from room 408 of Hutchins Hall to room 700B of the Legal Research Building. We would like to express our gratitude to all those people who helped make our change of venue a little less traumatic than we had originally feared. Special thanks are due Henrietta Slote, who handled the details of the move from the administration's side, and who dealt with us fairly, honestly, graciously, and frequently.

We would have preferred that kind of treatment from all concerned. Although we concede that, as a student organization, the Res Gestae can be tossed out of its offices at the merest whim and caprice of the administration, we must insist upon being given adequate notice of our eviction if and when we get the old heave ho. Unfortunately, the first word we received concerning our ouster came to us via LSSS President Reggie Turner, who, on December 1, gave us a copy of a letter from Dean Eklund which should have reached us six days earlier. We eventually got our own copy of the letter, but we still find the delay in transmission inexplicable considering the RG pendaflex is barely twenty feet from Dean Eklund's office.

Even if Dean Eklund had contacted us immediately upon making the decision to reassign the RG office, the notice would have come too late. Prior to the receipt of the notice, we had no inkling of any impending move. Dean Eklund assures us that the delay in notification was due to her attempts at keeping us in our office. We have no reason to doubt her, and we appreciate her sincere efforts on our behalf. Nevertheless, we would have rather known at the earliest possible date that we were in danger of losing our office, rather than being presented with a fait accompli right before finals.

The lack of timely notification caused our staff some anxious moments, forced the LSSS into making a hasty decision without much time for deliberation, and worked a special hardship on SFF, ILS, and JLS, who had even less warning about being removed from their office than did the RG. Obviously, this situation could have been alleviated by prompt, forthright information.

We still look forward to a day when we can return to Hutchins Hall. It appears, however, that when ICLE moves out of the fourth floor its offices will be handed over to faculty and staff. Perhaps this means the administration, given all this new office space, will hire more permanent faculty members (a utopian thought indeed). If not, then there should be some serious consideration given to relocating student groups in less cramped, inaccessible, and undesirable locations. And please, next time, don't surprise us.

Forum

Public Interests Ignored

To Members of the Senate:

On behalf of SFF I wish to comment on the recent relocation of the RG office to our 7th floor conference room. I am not writing to criticize the RG's move. I understand that this was an emergency situation and the RG had little choice. But I would like to point out the deeper message that was communicated to us when you moved the RG into our back office.

Given the corporate bent of this school, it is a challenge to maintain student awareness of public-interest law. We work hard to ensure that public service remains a viable part of the legal profession. The sudden loss of half of our office tells us that we are less than indispensable to this law school. Prior to the move we were already complaining about the 7th floor office because it gives us no visibility as compared to the basement offices. For a group like SFF which exists almost completely on the awareness and generosity of law students, such low visibility is extremely harmful. The location of our office seems an attempt to tuck us away in a small corner of the school. So you see, by taking our office space, you've touched a sore spot.

In addition to its disadvantageous location, the other drawback of the 7th floor office is that it must be shared by three student groups--ILS, JLSU, and SFF. Needless to say, the quarters are cramped. The ventilation is bad and the temperature hot. And now, with the loss of our conference room, we have no space to accommodate our ten board members at weekly

meetings. Frankly, with the accoutrements of three student groups, we have little room to work at all.

I am not suggesting that the RG move. I understand it was not their choice to change offices. But I am suggesting that by taking some of SFF's already limited space you show a perhaps unconscious devaluation of our group. After all, I am certain there was no thought of moving the RG to one of the law review's offices. Perhaps, when the ICLE space opens up, some of the much-needed rejuvenging of office space could finally occur.

Public interest is already downplayed by this school. It is a constant battle for us to be heard above the roar of 700 corporate firms. Your actions, intentional or not, reinforce the message we receive at every turn that the public interest is secondary to other concerns. It is not to us. We devote a great deal of time to SFF because we think that it's vitally important that this law school support public-interest law. Otherwise, why would we be up there working away in that hot, cramped office?

Nancy Radner
 SFF Co-Chair

P.S. By the way, SFF is looking for new board members. We would like to add three first-years and one second-year. If you are interested--and not claustrophobic--please contact an SFF board member. Interviews for the positions will be conducted the week of January 26th.

Submissions Policy Outlined

Now that a new editorial board has been installed at the Res Gestae, it seems like an appropriate time to announce our new submissions policy. Actually, it's pretty much like our old submissions policy, which was printed way back in April of last year. About the only thing that has changed since then is that we now have a computer, which means that submissions to the RG no longer need to be typed and double-spaced. We're sure that will elicit a long sigh of relief from anxious would-be contributors.

Don't get us wrong. We want you to type your submissions--but if you can't, don't let that fact deter you from sending us something. Of course, if you're an RG staffer reading this article, don't think you can get away with typing your story on the old Smith-Corona you got for your high school graduation--you still have to use our computer. However, this article is aimed at the reading public at large, and anyway it's doubtful that RG staffers even read the paper, so we don't have to worry about sending them any mixed signals.

The Res Gestae is the student newspaper of the law school, which means that it is open to any student--if you want to offer your time and talent, and can find our new office, we want to see you. Usually, the best time to find somebody up here in 700B is on Monday

and Tuesday afternoons.

One final word about our policy concerning anonymous submissions. We will print them, as long as we are convinced that there is a compelling reason for the author to remain anonymous. The editor-in-chief and the managing editor must, however, know the identity of the contributor. We are scrupulous in maintaining the anonymity of our contributors. The same policy applies to persons who are contacted in regard to news stories, and who consent to being quoted on the condition that their identity is not be revealed.

NLG to Protest

Attorney General Edwin Meese will be speaking at the Detroit College of Law (DCL) on Monday night, and a contingent of Michigan law students will be joining students from DCL and Wayne State to picket the event in protest against Meese's stance on civil liberties and other issues.

The group, organized by the National Lawyers Guild chapter, will leave at approximately 6 pm Monday. Anyone interested in joining in the protest should sign up on the roster on the NLG office door (Rm 116--next to the copy distribution center). Anyone with a car is especially welcome.

Notices

Clerkships--There will be a meeting for all 2nd year students interested in applying for judicial clerkships, Monday, January 26, from 12:15-1:00 in room 218.

Lawyers Club Residents--Two housing forums will take place in the Lawyers Club. The forums will be an opportunity for residents to offer service suggestions and comments. Preliminary rate proposals for 1987-88 will be available.

The forums will be held in the Faculty Dining Room and will be open-house style. Scheduled times are:

Thurs. Jan. 29, 11:30 a.m. to 1:00 p.m.
 Fri., Jan. 30, 5:15 p.m. to 6:30 p.m.

Environmental Law Society General Meeting--for all current members and anyone interested in learning more about ELS--will be held at 7:30 tonight in Room 132.

Student Funded Fellowships--SFF is looking for a few good board members. This is a great chance both to support and learn more about public interest law. Positions for three first year students and one second year student, with a commitment to remain a board member during their time at law school. If interested, call Michelle Bryan at 668-0468 or put a note in her pendaflex to set up an interview appointment.

Res Gestae

Ulrich's Seeks Student Opinion on Buybacks

continued from page 1

clean books. The wholesale price, Rosser said, is slightly less than 25 percent of new.

Now, however, Ulrich's is re-evaluating its buyback policy for casebooks, Rosser said. The review began earlier this semester after law students trying to sell back books complained about the current policy. Rosser described the law students as "disgruntled."

As part of the review, the store is contacting bookstores at other campuses to learn what their policies are on buyback of casebooks.

In addition, Rosser said he wanted to hear from law students about their views, and he invited readers of the *Res Gestae* to give input to Ulrich's.

"We're trying to get ideas from the different law students who come in to sell back," Rosser said.

Rosser said he hoped that a new policy would be in place for the spring buyback season.

A change in casebook buyback policy, however, might affect prices, Rosser said, in light of Ulrich's problems in the past with low sales of used law books. "One is dependent on the other," he said.

The other college bookstore in Ann Arbor, Barnes & Noble, follows a different policy. Bill Dion, assistant manager of the

store, said the store bought back only those casebooks listed in the wholesale guide, and only at wholesale prices.

The Barnes & Noble policy on markings in books is to let the person buying back books make a "judgment call." Dion said that the store's book buyback personnel had looked at "thousands of books" and so had an idea of what would sell again.

"Books that are very heavily cribbed tend not to sell," Dion said. "That's been our experience."

Dion said, however, that "most books that come back are quite usable." It happens "rarely," he said, for the store's personnel to turn away a book for being too heavily cribbed.

Most Barnes & Noble stores, Dion said, have the policy of the store in Ann Arbor of buying back books on behalf of a wholesale company.

Both Ulrich's and Barnes & Noble have similar policies about not buying back study guides, such as outlines and Nutshells. Dion said the policy was a Barnes & Noble company policy. Rosser said that Ulrich's had quit buying back study guides when it changed its lawbook buyback policies several years ago.

The two stores have differing policies on buyback of undergrad and non-law graduate texts. Barnes & Noble uses the wholesale guide for all college

texts. Ulrich's buys back undergrad books at half the new price, and sells them at 75 percent of new. Rosser, general manager of Ulrich's, said the reason for the difference in buyback policies between undergrad and grad, including law, texts was that undergrads tended not to keep books for their own libraries, and were looking for savings from used books.

Rosser emphasized the practical side of book buyback. "We've got to be realistic. We're in a business, like the students will be," he said.

Rosser recommended that students seeking the best price for their used casebooks sell back during or after finals.

At the beginning of a new semester, he said, Ulrich's lacks the manpower to process quickly those books bought back after classes begin, and so the books do not get on the shelves for sale.

Ann Arbor's third college bookstore, the University Cellar, closed in December, reportedly because of financial troubles. Dion of Barnes & Noble said the possibility of the opening of a bookstore to replace University Cellar was "pure speculation." Rosser of Ulrich's said he had not heard anything, but that the university could support three stores.

"I wouldn't be surprised to have another store opening," Rosser said.

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On The Town

D. Gustibus reviews local luncheon cuisine

by D. Gustibus

D. Gustibus Disputandem has heard all of you diners out there asking, "Where can I get something to eat that is quick and convenient to the Law School?" D. Gustibus has therefore undertaken to augment your own experience with a series of short reviews of the nearby gustatory delights to be had by the noonday diner.

First, and probably foremost, is **The University Club**, in the Michigan Union. This is the place most professors seem to suggest, probably because it is the only place they know. The University Club features very pleasant surroundings, with high windows, lots of hanging plants, and a general airy feeling. The best thing here is probably the salad bar, which is enormous and serves many specialty pasta salads; a soup tureen is usually nearby, with a selection that is almost always tasty, hearty and spicy. The sandwich selections are good but fairly ordinary. One of us thinks that the other selections are average, but that everything tastes better at the U-Club; the rest of us think that the other selections are also very good. All agree that the U-Club is a worthwhile lunch stop, whether or not you have a professor in tow.

The Michigan Union basement dining establishments are being intentionally omitted; saved for a subsequent review.

Dominick's, behind the Law Library and adjacent to the B-School, is the restaurant most identified with the Law School. D. Gustibus feels this is unfortunate, as it is one of our least favorite places. To be sure, Dominick's can be delightful on a fair autumn day, quaffing beer from imitation Mason jars at one of the outside tables. But Dominick's appeal does not, in our view, extend much past that. There is far better pizza to be found in Ann Arbor, and the sandwiches range from good but uninteresting to downright tasteless and soggy. Moreover, the interior decor (all that one will see on most days in this state) adds nothing to one's dining pleasure, to be polite. Everybody seems to, sometime

in their Law School experience, eat at Dominick's once. But nothing says you have to go back again.

Cafe Fiore, on State Street near Liberty, is a good choice for a light lunch.

The display case shows all the selections, which do not include any sandwiches or subs. Cafe Fiore features a number of pasta dishes, all of which seem to be excellent. These range from Lasagna to Manicotti to stuffed shells to pasta salads. There is also a range of absolutely delicious pastries, cookies, tarts, eclairs and similar items. Take special note of the Italian sodas available; they include some adventurous but tasty flavors. Ending the dining experience is a selection of Italian ice creams. The decor is very flashy; kind of a Miami Vice Continental.

Complaints about Cafe Fiore are few, but notable. Service is affable, but will never set any land-speed records. The tables are very small -- no room to read a book or write anything, and hard to eat on. Food portions are tiny; for a hungry person, two entrees are recommended. Furthermore, Cafe Fiore is not cheap; prices for even a modest lunch, including a drink and a side dish, can easily top \$7-\$10. On balance, Cafe Fiore is a good choice -- if you've got the time -- and is recommended.

Southside Grill, at State and Packard, is also worth a visit. The selection includes a variety of specialty burgers, with such possible additions as sauteed mushrooms and havarti cheese. The other sandwiches are generally very good; shrimp salad is a standout, as are a number of vegetarian selections. Sandwiches generally come with pickles and potato chips on the side. Large omelettes, with a wide variety of ingredients to choose from, are another specialty. Southside Grill serves several different soups, which change daily, and are usually delicious. Portions are large -- enormous even -- so be forewarned, and do not over-order, for fear of incurring the mock wrath of the waitpersons. On that subject, most of us have found the service to

be very friendly, although some of us have also been put off by the manner of the waitpersons on occasion. The eating environment is pleasant, if somewhat spartan, with plastic plants and a large picture window (although the view is of State and Packard -- hardly scenic). But don't go for the ambience; go for the food.

Red Hot Lovers, on East University just south of South University, promises a spectacular Chicago hot dog experience. If their dogs are the best that can be found in the Windy City, maybe you should go to New York. The all-beef dogs are bland; mustard and sauerkraut aren't tasty accessories, they are essential in order to get much taste from the dog at all. The Red Hot dog is indeed probably the best dog in Ann Arbor, but that isn't saying much for a real dog lover. Some of Red Hot Lovers' selections are more appealing. There is a grilled tofu dog, which is a bit unusual, but at least one of us liked it (although another did not, and could barely face the thing; tofu on a hot dog bun is -- well, un-American). One very good selection is an order of fries; unlike ordinary fries, these are whole potato slices, cut in a grid/crisscross fashion and deeply fried. Although more than a little oily, they are substantial, filling, and tasty, and can be ordered with any number of toppings including (gloppy) cheddar cheese.

On to the subject of bagels. Nobody, but nobody, should graduate from here without having gone to the **Bagel Factory**. They've expanded recently, adding a lunch counter and more tables, so that one doesn't have to sit by the door and freeze anymore. Bagel Factory has great sandwiches, decent cookies, okay croissants, and wonderful bagels; the Factory is also the home of the "Fragel," a deep-fried raisin bagel covered with (our hands are trembling) cinnamon and sugar. Avoid the "experimental" bagels of the day, unless you're feeling brave. The Factory is a slightly long walk, all the way down South University and almost to Washtenaw.

Sitting almost right across the street from the Factory is **Uno's**, which we say

(and we're not alone) has the best pizza in Ann Arbor. Uno's also offers some salads and a sandwich menu, but the pizza -- especially the deep-dish -- is really what Uno's is known for. Service is uneven; you may find yourself waiting an abnormally long time even for water. Don't go unless you've got an hour or more to spend. Prices are reasonable.

Bicycle Jim's, just up South University from Uno's, offers good light entrees, appetizers, and sandwiches for lunch. Vegetarian chili is really good. Portions generally, especially appetizers, are excessive to a fault. Service is usually pretty prompt. The Long Island Iced Tea is highly recommended.

Ashley's, back on South State near Williams, used to be one of our favorite places to go -- until they took out the soup and salad bar and started serving buffalo wings with microscopic amounts of meat on them. They do have a great beer selection, nice atmosphere -- but generally disappointing food.

Up and across South State from Ashley's and Cafe Fiore, there's **Jason's**, which offers everything from ice cream to sandwiches to pastries to imported candies and tea. Some of us wanted to leave this one out of the review, since it'll only be that much harder to get a table now. We really like Jason's; it's inexpensive, it's fast, and you can get a really good peanut butter and jelly. Jason's is nostalgia with a progressive turn; you can get Droste chocolates to go with your egg-salad-on-white. See-and-be-seen nuts can sit at one of the two tables in the front window.

Contributions to Law in the Raw will be accepted. Just drop them off in either of our Pendaflexes or at the RG's office on the seventh floor. Credit will be appropriately mentioned for contributions.

Law in the Raw

BY DOUG GRAHAM AND TIM THOMPSON

THOSE CRAZY NEW YORKERS

Remember that guy who parachuted into Shea Stadium during the World Series? In a pre-Christmas mood, a New York judge penned the following:

Jail's not the answer in a case of this sort, To balance the equities is the job of this court, So a week before Christmas, here in the court, I sentence defendant for interrupting a sport. Community service, and a fine you will pay. Happy holiday to all, and to all a good day."

The New York Times, Dec. 20, 1986

A MICKEY MOUSE SUIT

A New Jersey woman is seeking \$6 million from Disney World for psychological trauma inflicted upon her 4-year-old son. According to the woman, an "apparently intoxicated person in a mouse suit" threw her son against a railing after the child grabbed Mickey's tail as the mouse passed by.

The Student Lawyer, December 1986

JUDICIAL INDISCRETION

In another alcohol related incident, Judge Raymond Sodini of Chicago, nursing a hangover at home, allegedly telephoned his chambers to ask his court

sergeant to don the judicial robes and handle the 8 a.m. court call. Most of the defendants were bums, derelicts and winos (OH MY!) arrested during the night. When the Judge staggered in later in the day, he would put his official signature on the orders that had been entered by the court sergeant. According to Sodini's deputy and drinking companion, Patrick Ryan, the two would go on 6-hour drinking binges and sometimes stay overnight in the Judge's Gambling Court chambers.

The defendants, who were also nursing hangovers, have not yet found a way to have people stand in for them. Sodini is currently on trial for taking bribes.

The Chicago Tribune, Jan. 14, 1987