

University of Michigan Law School  
**University of Michigan Law School Scholarship Repository**

---

Res Gestae

Law School History and Publications

---

1984

Vol. 32, No. 15, February 8, 1984

University of Michigan Law School

Follow this and additional works at: [http://repository.law.umich.edu/res\\_gestae](http://repository.law.umich.edu/res_gestae)



Part of the [Legal Education Commons](#)

---

### Recommended Citation

University of Michigan Law School, "Vol. 32, No. 15, February 8, 1984" (1984). *Res Gestae*. Paper 402.  
[http://repository.law.umich.edu/res\\_gestae/402](http://repository.law.umich.edu/res_gestae/402)

This Article is brought to you for free and open access by the Law School History and Publications at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Res Gestae by an authorized administrator of University of Michigan Law School Scholarship Repository. For more information, please contact [mlaw.repository@umich.edu](mailto:mlaw.repository@umich.edu).

# The Res Gestae

Vol. 32, No. 15

The University of Michigan Law School

February 8, 1984

## No Feedback, Just Grades

*This is the second half of a two part series in which the Res Gestae asked three third-year students, Martha Davies, (MD), Eric Sinrod (ES), and Tom Larson (TL), about their impressions of the law school experience.*

**RG:** What do you think about being tested and graded solely on your performance in a three hour exam period?

**ES:** Right now, it's January 19. We started our semester August 25. I haven't gotten a single piece of feedback yet from last semester. Nothing at all. Not a grade. Not a "That was a good paper" . . . I think that is absurd. I think as you go along, you should be doing papers, taking quizzes and exams. It should be more continuous. If you did poorly on one thing, you would get a little criticism and you know how to beef it up the next time around maybe.

When you have one semester and it's all brought down to three hours, well, we all know how grading tends to be arbitrary, at least the questions anyway. It's fortunate that we go to the University of Michigan Law School so that even if you are near the bottom of the class, you still have opportunities.

**MD:** I don't think it (an exam) is fair. There are a lot of people who can perform very, very adequately that just can't do it in three hours; they need to have time to sit down and mull over the problem. On the other hand, from a purely selfish, personal standpoint, I like not having to worry about — well, I don't need feedback. I guess I can usually tell from the class whether or not I can understand it, not by participating because I don't par-

ticipate a whole heck of a lot. I know how well I understand the subject matter just by how well I can follow what's going on in the class.

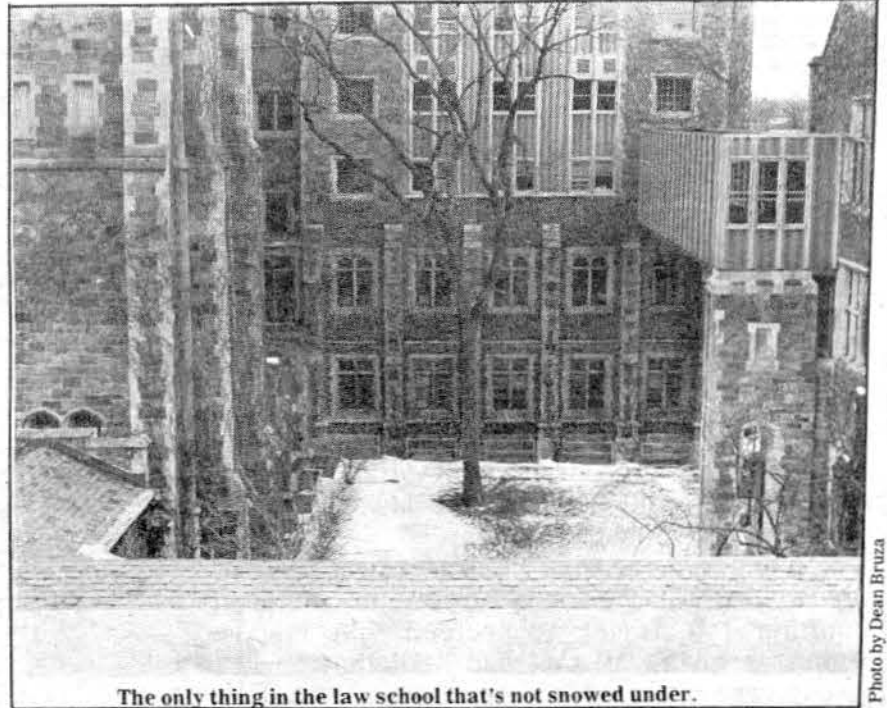
I guess I'm lazy. I don't want to have to take quizzes and write papers throughout the semester. I have a lot of time commitments and would rather not have to worry about outlining and studying early in the semester.

**RG:** Tom, do you feel that way?

**TL:** I hated papers as an undergrad. I loathed them. I spent much more time on them than I would for a class with an exam. But I always felt that that's how I learned best — not studying for an exam but writing a paper. Maybe it's harder to write a paper about the things they teach in law school — all of tax law or all of bankruptcy law. Papers can't test you on the mastery of material but for writing skills, which will be important in real life, they're not tested at all on an exam. You could be the greatest writer in the whole world and still get straight C's here.

**ES:** I guess I don't really want lots of exams and papers, but I would like smaller class groups in which we could talk. We all sort of have our own method of working through the materials in a course and studying for the final and I always use the same method pretty much and in general it's worked very well. There have been a few times when I was evaluated completely differently from the others. Feedback would have helped in those cases, you know, for whatever reasons the professor wasn't jiving with my style or I wasn't with his. It would be nice to know why.

See NO page six



The only thing in the law school that's not snowed under.

Photo by Dean Bruza

## Senate Declines to Up Speakers Budget

By Karen Jewell

Most of the Law School Student Senate meeting Monday night was devoted to discussion of allocation of the Speakers Committee budget. Committee chair Frank Wyman presented a proposal for co-sponsoring or supporting programs developed by various student organizations. Wyman requested that \$300 be added to his remaining budget of \$4,100, but the Senate refused to increase the budget.

Wyman met with the Senate to inform them as to how the money would be spent. The Speakers Committee had originally planned to organize a number of its own programs. But most of those plans fell through, and the remainder of the committee's budget will be given to support speakers sponsored by other organizations.

Rep. Tom Langan and Treasurer Don Baty were concerned that Speakers Committee money would be used to

supplement the budgets of student organizations that were either fiscally irresponsible or had failed to allocate enough of their own money for their own speakers. Langan moved that the balance of the committee's funds be returned to the Senate; the Senate would then examine student organization budgets and requests, and disburse money as it saw fit. Langan's motion failed to gain approval.

Wyman responded that it would be unfair and inappropriate to use his committee's budget as a referendum to look at student organizations' budgets again. As he saw it, the Senate's only function was to approve or reject his requested \$300 increase; it was his responsibility to decide where the remainder of his budget would go.

Several Senate members concurred with Wyman, but Baty and Langan disagreed. According to Baty, "The

See LSSS page six

## Bond: Reagan Destroys Civil Rights

By Kevin Tóttis

Sunday night, Julian Bond said pretty much what you'd think he'd say: the Reagan administration is quickly destroying civil rights gains made over the past 20 while simultaneously castrating domestic programs at the expense of a swollen military budget.

But it's the way the Georgia state senator said these things that made all the difference for the enthusiastic crowd of more than 320 at the University Alumni Center that night.

The former activist highlighted the "civil rights reverses" and other retreats of the Reagan administration through alliteration and metaphor.

The Reagan administration is embarking on a "national nullification of

the needs of the needy," Bond said. "When (Reagan) took office three years ago we were fearful. Now we know what fear is," he added.

The years since Martin Luther King's death "have been seesaw years" for black America, Bond said, pointing out that though there have been some gains, in many areas blacks are the same or even farther behind than they were 10 years ago. For instance, the average life expectancy of blacks in America still trails that of whites, he said.

The economic recovery has not benefitted all Americans, Bond added, saying that "for black America the U.S. stays in its worst depression in 50 years."

He likened the current status of black

America to that of the Reconstruction era, with a "corrupt administration and a seemingly unfeeling majority."

But in addition to assailing the administration for "dismantling and dissolving the civil rights protections written in statute and case law for the past 20 years," Bond also lambasted Reagan's foreign policies.

Bond ended his talk with a call for action to put an end to "the juvenile debate about the system and whether or not to be in it. It's like telling a drowning man to get out of the water."

He added that it is crucial for people to get involved and work for change. "We do the country and most importantly ourselves a great disservice by not getting involved."



## Res Gestae

Editor in chief: Ruth Milkman  
 Managing editor: Bruce Vielmetti  
 News: Kevin Tottis  
 Opinion: Andrea Lodahl  
 Feature: Michael Barnes  
 Arts: Carol Shepherd  
 Photography: Earle Giovaniello, Dean Bruza  
 Law in the Raw: Mike Woronoff, Nora Kelly, Dana Deane  
 Graphics: Eric Hard, Arthur Siegal  
 Ads: Kent Matsumoto  
 Business: Kachen Kimmell  
 Staff: Ted Lee, Greg Hopp, Karen Jewell

The Res Gestae is published every Wednesday during the regular school year by students at the University of Michigan Law School. Opinions expressed in by-lined articles are solely those of their authors. Articles may be reprinted without permission, provided the author and this newspaper are both credited and notified. Mailing address: Room 408 Hutchins Hall, University of Michigan Law School, Ann Arbor, MI 48109. Phone: (313) 763-0333.

### Sooner or later

OK, we're convinced. That last set of exams was a disaster. And trying to get the results turns out to be a nightmare. Some people's exams are lost. Others are somewhere in the wilds of North Carolina, in the hands of recently-visiting professors. Still others are floating somewhere around the law school, ungraded, unwanted, unloved.

Can you imagine this? You're a first year law student, in February, trying to get a summer job, trying to pretend that last semester wasn't all that bad. All that you really care about, of course, are those first semester grades—you want to know, your parents want to know, prospective employers won't even talk to you until they know.

So you haunt the grade board, and the grade board haunts you. And one day, the grades are up, except that by your carefully memorized exam ticket number, there is a \*. What does a \* mean, you desperately ask passers-by. Is it lower than an E? Higher than an A-plus? Bigger than a breadbox?

Trained by now to look at footnotes, you scan the bottom of the sheet, and lo and behold, you find a meaning. \* means see Professor Westen. It also means he lost your exam.

It means you worked your ass off all semester for a P. And it means that a whole lot depends on an even smaller base of information.

Of course, the loss of three first-year exams doesn't affect most of us indirectly. It does strike fear into the hearts of those of us who still haven't gotten our grades. Why aren't they posted? What does "They'll be ready in a few weeks" mean? That they've been temporarily misplaced, or that someone just hasn't gotten around to grading them yet?

Look, it's not that we're grade-conscious (well, we are, but that isn't the point). We get virtually no feedback except for that one little letter at the end of the semester. That's all we have to go by, to figure out whether we studied hard enough, or in the right way.

We've said this before, but it obviously bears repeating. The faculty and administration of this law school participate in a system which gives grades tremendous weight. If they are going to decide that the student's grades will be determined solely by their final exams, and that those grades will have an enormous impact on those students' futures, then there is no room for screw-ups.

That means no using old exams, no losing exams, and sooner or later grading exams. Sooner, please.

# Left

## 1984 Brings Prospect of New Justices, Same Old Injustices



By Andrea Lodahl

Now that the election year is upon us once again, with all of the handshaking and the headshaking, the process of sifting out a choice while being bombarded with familiar rhetoric is once again upon us. One thing that sets this election year apart, though, is the fact that four Supreme Court Justices are approaching the venerable age of eighty.

It requires no feat of mathematical prowess to calculate the chances of several — yes, possibly even four — Justices either going to their just rewards or retiring during the next Presidency. The possible consequences to the Constitution and basic civil liberties follow naturally by implication.

It has been rumored that President Reagan has a very specific set of criteria in mind in looking for new Justices. It would seem that Mr. Reagan is not content to find highly qualified persons who are also Republicans; in an effort to placate his far-Right constituency, he is said to be seeking Justices with positions on certain issues which are palatable to the Right. We need not enumerate those issues — busing, school prayer, and abortion all seem to be likely candidates.

If you are a member of the Right, especially an issue-voter, this could be a unique opportunity. With Justice Sandra Day O'Connor already appointed, Reagan actually stands a chance to appoint a majority to the Supreme Court of the United States. If you are not a member of the Right, this prospect should cause you profound disquiet of the soul.

The Court has always been both political and apolitical — the issues of fundamental rights are, unavoidably, shot through with ideological considerations. Many of the important decisions of the last thirty years have been attacked as "liberal" decisions, the Court accused of overstepping its bounds for the sake of social causes. Yet, the Court is not supposed to be politicized. Since the earliest

days, the various courts have all chosen not to decide questions that were too obviously both political and explosive.

The Court is appointed and tenured precisely to isolate it from the political pressures that compel many of the decisions of the other branches of government. Appointment of justices has usually been based more on their past performance as jurists than on nakedly political criteria. Sandra Day O'Connor's appointment was such a choice; and it was attacked instantly and viciously by the ultra-Right who felt that Reagan had "promised" them a committed pro-Lifer on the Court.

Perhaps Reagan's rumored new criteria were developed in response to that criticism; how predictable that one of his well-founded judgments should be the one to turn around.

The sincerity of single-issue activities should be neither doubted nor belittled, but single-issue commitment does not demonstrate overall perspective. When the qualities of a potential justice are being weighed, experience and, if you like, overall political leaning should take precedence over commitment to overturning a particular decision of a previous Court.

Fundamental "rights" are not supposed to be political and fleeting, but undeniable and enduring. Yet much of the Right's rhetoric has been aimed at those decisions and those bitterly won rights. Many champions of civil liberties feel that we have been lucky, the past four years — things haven't regressed much.

But with the prospect of a whole new Court, chosen on issue criteria, a Reagan re-election could bring it all tumbling down. We could spend the rest of the century trying to win back the fundamental rights that we are supposed to have established. So, when casting your ballot, ask yourself: Twenty more years?

Graphic by Eric Hard



# Right Maybe Giants Live Longer

By Michael Barnes

On February 6, 1911, Ronald Wilson Reagan was born in the small Midwestern town of Tampico, Illinois. Seventy-three years later, he is the oldest person to have held the Office of President of the United States. This week, it is appropriate to consider Ronald Reagan — not for the wisdom of his politics, but as an individual. I have chosen the week of his seventy-third birthday not because of its significance, but because of its insignificance. Like so many of his potential weaknesses, the President's age has faded into a non-issue, an irrelevancy. Three years after his inauguration, Reagan is on top of the world, and everything is coming up roses. He is, as he might have put it, "on his feet . . . and standing proud."

In one episode of "All in the family," around six or eight years ago, Mike Stivic accused Archie of writing in Nixon for President in the 1976 elections. The crowd giggled. Archie vehemently denied it, then sheepishly admitted having written in Ronald Reagan. The crowd roared.

We often fail to appreciate how far Reagan had to come in his bid for the Presidency. Eight years ago, he was a standing joke in most households: an aging movie star and retired politician, his right-wing ideology and dogmatic inflexibility widely known and generally ridiculed. Today, he holds the highest office in the nation, as he probably will for the next five years, and stands as one of the most popular Presidents in our history. Have we changed that much? Has he? Or has the world changed? In short, what is responsible for Reagan's phenomenal popularity? I think I have an idea.

Scientifically, it is easy to understand. Dr. Barbara Farah, a researcher at the Center for Political Studies, director of polls for the New York Times/CBS polls, and an expert on American voting patterns, suggests two modes of analysis by which Reagan's election can be understood. First, he exploited "retrospective" voting behavior, that is, he concentrated on the damage done by the previous administration, while also promising a better future for "prospective" voters. Second, he won the personality battle: a majority of voters "felt more anger with Carter than fear of Reagan."

Since taking office, he has been able to increase his popularity even more, simply by doing what he promised. He

has been successful in every way that his predecessor was not; his shrewdness and political acumen have worked miracles in the Congress, and his down-home image has endeared him to the American public.

Dr. Farah and her colleagues monitor public opinion each week and the results are unambiguous: although women, minorities, the less-educated, and, of course, the Democrats, did not support the President originally, every one of these groups has raised its approval rating of Reagan over the past three years.

Dr. Farah, who has been instrumen-

in his climb to the Presidency, or that he is a superb communicator, a powerful leader, and most of all, an extremely skillful politician.

Wyatt Earp, Johnny Appleseed, George S. Patton, and the Hardy Boys, all rolled into one. He is a genuine, red-blooded, American hero.

*Bullets can not stop him, but he is as real as the boy next door.*

I have a great deal of respect for political scientists. Especially for the Center of Political Studies, known worldwide for its many contributions to the field of voting behavior. But there

As Bernie Taupin wrote, "we're running short of heroes, back here up in the woods." American political culture has always been as full of heroes as our folklore has been. When we were very young, we learned about Paul Bunyan and John Henry the gunslingers of the Wild West. They were great Americans, and they were common people. Fearless, strong, and ambitious, they epitomized the frontier spirit and the American way. When we were older, we learned about George Washington, Honest Abe, and Teddy Roosevelt, cut from that same cloth. In a country with a strong and rich political tradition, it is only natural that folklore and elected office have merged as they have . . . Washington's cherry tree, Lincoln's log cabin, Roosevelt's Christmas tree. It's been a long time since we were allowed to respect those American heroes. I think that we have missed them.

We haven't had a good hero in the White House for quite a while. Maybe not since Kennedy or Franklin Roosevelt. But Reagan is a different breed of hero: his parents were not millionaires, he did not attend Harvard, and his family was unable to buy his way into politics. Like our favorite heroes, Reagan started with nothing except his faith in the American way and made something out of himself. He reached for the top and made it. But he's still a small-town boy at heart. His soft-spoken manners and simplistic view of the world make him real to tens of millions of Americans who see things just as he does.

Like the best heroes, Reagan is at once invincible, larger-than-life, and iron-willed, yet modest and human. Bullets cannot stop him, but he is as real as the boy next door. Because at one time he was just the boy next door.

That is the image at least. It is an image he has perfected in innumerable movies, speeches, and media events over the course of his seventy-three years. I suspect that the real Ronald Reagan is just a simple person, a decent person who thought that being President would be a good way to cap off a glamorous and fulfilling life. In the end, we may never know; all we have to work with is images. And as images go, Reagan's is a pretty good one.

You know, our heroes have never been all they were cracked up to be. In this age of media scrutiny and political cynicism, it isn't easy to be a hero. Under the circumstances, I think that Ronald Reagan comes pretty close. We don't have to agree over the wisdom of his policies, but we should appreciate a genuine, old-fashioned American hero while we have one. It will be a long time before we have another.

Happy birthday, Mr. President. And many more.



tal in several National Election Studies, predicts that Mondale will win the Democratic nomination, but that he

seems to be something about Ronald Reagan that simply is not captured in the polls and the statistics and the computer analyses that a scientist relies upon. Bob Dole, George Bush or Richard Luger would not be as popular as Reagan if they had been President and achieved exactly what Reagan has done. No, there is another factor. It has something to do with Midwestern small-town congeniality. It has something to do with living on a California ranch. It has something to do with a cowboy in *Tennessee's Partner*, a football player in the *Knute Rockne Story*, and dozens of similar roles in as many movies.

It has nothing to do with supply-side economics, tight fiscal policies, or the Secretary of the Interior. Wall Street did not elect Reagan, the American people did. To them — and perhaps to part of Wall Street — Ronald Reagan is

*Wall Street did not elect Reagan, the American people did. To them...Reagan is Wyatt Earp, Johnny Appleseed, George S. Patton and the Hardy Boys all rolled into one.*

has been successful on three points of his four-part plan (lower inflation, lower unemployment, stronger military) and is ostensibly working on the fourth (balancing the budget). He

will find Ronald Reagan very difficult to beat. One may disagree with the President's politics, or even dislike him personally. But no one can deny that Ronald Reagan faced an uphill battle



# Conference, Externships Provide Public Interest Alternatives

## Jewish Commitment in the Legal Profession

On Sunday, JLSU, in conjunction with the National Jewish Law Students' Association, is sponsoring a conference, "Jewish Commitment in the Legal Profession." Judges, law students, professors, and attorneys from throughout the Midwest will be attending, and the U of M's law-school community is invited.

The program features a comparison of American and Jewish law; a constitutional analysis of responsibilities of ethnically committed public figures; panel discussion on achieving ethnic goals in the professional jungle; and a

workshop on how students fit in (see accompanying schedule). The conference begins Saturday night with a PARTY (for details, phone Nancy Siegel at 994-5287).

The cost is \$10, which includes a bagels-and-cream cheese breakfast and a catered luncheon starring Northwestern University law professor Daniel Polsby. Individual events apart from the meals are free. Students and professors are encouraged to register by Thursday night if they want to guarantee a place at the luncheon. To do that, phone Bruce Wiener at 665-8111.

### Conference Schedule

Saturday, February 11  
8:30 p.m. PARTY

Sunday, 12 February  
8:15 a.m. - 9:30

Registration & Breakfast.  
Lawyers' Club Lounge.

9:30 - 10:00

Introduction & Orientation.  
Lawyers' Club Lounge.

10:10 - 10:40

"Duties and Rights in American and Jewish Law"  
— Rabbi Rod Glogower, Lecturer in Jewish Law,  
University of Michigan.  
Room 150 Hutchins Hall.

10:45 - 11:15

"Public Officials, Private Beliefs, and  
the Establishment Clause" — Prof. Frederick  
Schauer, College of William and Mary,  
Marshall-Wythe School of Law.  
Room 150 Hutchins Hall.

11:20 - 11:50

Workshop, Part I: "Jewish Commitment —  
Student Perspectives."  
Room 150 Hutchins Hall.

12:00 - 1:20

Luncheon, with Prof. Daniel Polsby,  
Northwestern University Law School.  
Lawyers' Club Lounge.

1:30 - 2:30

Panel One: "Exploring Professional Avenues."  
Paul M. Hamburger, Esq. (Moderating)  
Daniel Chazin, Esq. (Practitioner)  
Rabbi Elisha Prero, Esq. (Practitioner)  
Leslie Levy (Lobbyist)  
Room 150 Hutchins Hall.

2:35 - 3:00

Workshop, Part II: "Jewish Commitment —  
Student Perspectives."  
Room 116 Hutchins Hall.

3:10 - 4:40

Panel Two: "Balancing Jewish Commitment  
with Professional Responsibilities."  
Prof. Yale Kamisar (Moderating)  
Judge Avern Cohen  
Daniel P. Levitt, Esq.  
Prof. Michael Rosenzweig  
Room 150 Hutchins Hall.

4:45 - 5:00

Closing Remarks.  
Room 150 Hutchins Hall.



Hey, this could be you! Yup, Fred Small really used to be a law student, in fact, he graduated from this very law school. But he has decided to make people happy instead by singing. Small will be folksinging at the Lawyer's Club on Saturday night at 8 p.m.

## Public Interest Conference

Saturday, February 11

10:00 - 11:30

Labor:

Bernard Gottfried, NLRB  
Ann Curry Thompson, Kelman,  
Luria, Downing, Schneider  
and Simpson

Civil Rights:

Elliot Andalman  
Shirley Wilcher, National  
Women's Law Center

Susan Gzesh, Alexander &  
Fujimoto

12:30 - 2:00

Employment Discrimination:

Dave Piontkowski, Michigan  
Organization for Human Rights

Debbie Gordon, Stark & Gordon

John Bailey, EEOC

Legal Services:

Barbara Cook, LAS of Cincinnati

Bob Gillette, LS of SE Michigan

Jennifer Pilette, Juvenile Defenders Office

Alternative Dispute Resolution

Zena Zumeta, Ann Arbor Mediation  
Services

Kathryn Farrell, Washtenaw County

2:30 - 4:00

Private Practice:

Elliott Andalman

Bill Goodman  
Goodman, Eden, Millender & Grosian

Elderly, Handicapped:

Barbara Cook  
LAS of Cincinnati

Susan Hartman  
UAW Legal Services Plan

Political & Lobbying Careers:

Steve Fetter

Ross Eisenbrey

By KAREN JEWELL

Law school students have the opportunity for a first-hand look at public interest careers by participating in the school's external studies program. Externships combine research and a semester or practical experience at a governmental agency or public interest organization. Students who complete the program are awarded up to 12 semester hours of law school credit, part of which is based on a graded research paper done in conjunction with the externship.

Professor Alex Aleinikoff chairs the Curriculum Committee, which approves externship applications. As he sees it, "The program provides a way to combine serious research and what happens in the real world. It also gives students an experience that they are less likely to have at any other time in their lives. And, hopefully, the school is enriched by the students' experiences, through class participation and talking to other students."

Externships applicants propose their own programs, within guidelines set by the school. They are expected to work without pay for governmental, charitable, educational, or other non-profit organizations operated for the public benefit. Students are expected to coordinate their activities with a faculty sponsor, and must demonstrate that the host agency has undertaken an educational commitment to them.

According to Professor Aleinikoff, "We are concerned that there is an academic side to the program. The law school can't hand out a semester of credit for a job as an associate, even in a public interest firm. We look at the commitment of the place to give students broad exposure to the role of the office in the greater public interest."

Two of the most popular agencies for externships are the Office of the Legal Adviser in the State Department, and the Center for Law and Social Policy, both located in Washington, D.C.

Two of the four intern positions at the State Department last semester were held by Michigan law students Rob Portman and Rochelle Price. Portman found the work to be "a great way to apply what I had learned in school."

"The Office of the Legal Adviser has as its clients the various bureaus of the State Department. Basically what we deal with was the interrelationship of international law and foreign policy, how law should act to restrain foreign policy. Most of the things I worked on are confidential. I was involved in litigation on Salvadoran refugees, asylum applications, and International Court of Justice issues."

Portman said the externship "piqued my long-standing interest in international law. I did some legal research and writing. But the most interesting aspect was the contact with attorneys and clients. We were given a tremendous amount of responsibility. I definitely will be working in the international law area after I graduate."

Third-year Jim Jacobson completed a more unusual externship in Chicago,

with Business and Professional People for the Public Interest (BPP). BPP was organized about 15 years ago by an attorney from one of the city's largest law firms. It now has 9 staff attorneys, and relies entirely on private donations for funding.

Jacobson explained, "I worked in Chicago last summer, and asked around about public interest firms. BPP has a lot of prestige in the city, and is

pretty unique in that it does work in so many diverse areas: environmental, energy, housing, civil rights."

BPP was the driving force behind the Nuclear Regulatory Commission's recent denial of a license for Commonwealth Edison's Byron nuclear plant, and Jacobson was involved in that project.

"I sat in on conferences, meetings, and hearings. I went to Springfield and lobbied on environmental issues. It was interesting to see the process in action. I saw behind-the-scenes action that you never get from reading a case book. Not to take anything away from my professors, but I think it was the best educational experience I've had in law school."

**PUBLIC INTEREST LAW CONFERENCE**

**FRI. FEB. 10 3:30 PM**  
**RAMSEY CLARK**  
CIVIL RIGHTS ACTIVIST  
FORMER ATTY. GENERAL

**FEB. 10 7:00 PM**  
**POTLUCK DINNER**  
BRING A DISH IF YOU CAN

**FEB. 10 8:00 PM**  
**FRED SMALL**  
UM LAW GRAD  
FOLKSINGER

**AFTER FRED SMALL**  
**KEG FREE BEER**

**PANEL DISCUSSIONS ON ALTERNATIVE CAREERS IN LAW**  
**SAT. FEB. 11**  
10AM - 11:30AM  
12:30PM - 2:00PM  
2:30PM - 4:00PM

SPONSORED BY the U of M LAW SCHOOL PLACEMENT OFFICE



## Res Gestae

# No Feedback, Just Grades

from page one

MD: First year, it was scary. It was kind of terrifying to spend four months at law school, all the time you'd spend studying and it was all to come down to what you had done in a total of the few hours you spend taking final exams.

RG: Have any of you taken a test and after it was graded, gone back and read it and talked to the professor about it?

ES: I went back and talked to Soper about my exam and he was actually quite agreeable about it but I couldn't understand what he was saying. (laughs)

TL: I look at some of my exams. Some students look at all the exams and talk to all the professors. Some professors, Blasi for instance, talked about how difficult it was to figure out the difference between a C plus and a B plus.

ES: You know, first year I felt really glad just to be here because I was accepted in off the wait list. I thought that I'd probably just get C's and I was just happy to be here. My attitude was, 'I'll work really hard and however well I do will be the best job I can do.' And I worked really hard and fortunately, it turned out fairly well, so first year, I was not that conscious of grades. I was just conscious of trying to keep up with everyone else.

It wasn't until second year that I realized how important grades really were in Room 200. Fortunately, it worked out but I'm glad I didn't know that first year because it probably would have freaked me out.

TL: The first years I know are

worried about that. They know your job depends on your grades.

MD: I think a lot of people in our section were very grade conscious.

ES: A 3.5 and a 3.0 is a big difference in Room 200.

TL: It's tough to know that if you screw up on an exam it will make a big difference in the job you get.

RG: After I took the first set of exams, the ones I did well on, I wanted to go back and talk to the professor and the ones I didn't do as well on, I wanted to know where I hadn't done as well. I talked to one professor and he just frowned at me the whole time I was in his office and I had done well in his course. He looked at me like he didn't owe me that duty and that I shouldn't be asking him those sorts of questions.

ES: I guess the question is whether or not they can really have some sort of objective standard. In Con Law, there were over 100 people in the class. Two hours of writing for over 100 people. How could he possibly grade exam number 2 on the same scale as exam number 149? He may grade them weeks apart after having read different things. It's unbelievable.

TL: Some profs give straightforward exams. Like Browder, he has a laundry list and he sees X and he gives you two points and he sees Y and he gives you three points and he just goes check, check, check. And J.J. White is the same way. Our Torts Professor, Blasi, who is now teaching at Columbia, had a more intuitive approach to grading.

RG: Sometimes, it seems like a crapshoot.

MD: Yeah. I think that part of my advantage is that I have very neat handwriting. (laughs) I know that as a senior judge, when I'm reading papers, I tend to look much more favorably on the ones that are nicely typed and stuff like that.

RG: By the time you get to the third year, is the Socratic Method still worth anything?

MD: There are still a few classes where it seems worthwhile. But it's so depressing to sit in a class and have the professor just go right down the line.

TL: I thought it worked pretty well in Bankruptcy with J.J. White.

MD: That's true. I guess it's just when you have a combination of an unmotivated class and a professor who's not very adept at making the system work, it can be so painful.

## LSSS Nixes Hike

from page one

Senate agreed to give your committee a certain amount of money for projects that have fallen through. We did not budget that money for you to make independent decisions on where to put it. Some of these organizations have been fiscally irresponsible as to where the money is going. We shouldn't be funding speakers when an organization

spends \$400 on phone bills for which \$40 was budgeted."

In the end, the Senate concluded that Wyman was to retain his discretion in allocating Speakers Committee funds, but that his budget for the rest of the year would remain at \$4,100. Lancaster explained that that would be accomplished if the Senate took no action and simply moved to adjourn. The motion to adjourn was approved.

### The Center for Law and Social Policy The National Women's Law Center and The Media Access Project

are pleased to announce that they will be jointly interviewing interested students on  
**Friday, February 10**  
for fall 1984 semester externships  
in Washington, D.C.

Students should contact the Placement Office for more information.

## Notices

**WLSA FILM SERIES**—Take in a double feature during lunch today, Wed. Feb. 8 at 12:15 in the Seminar Room in the Library Addition. Today's films are *Workplace Hustle*, which explores the issue of sexual harassment on the job, and *Union Maids*, in which three women recall their involvement in early efforts to unionize "women's work." All students, staff and faculty are invited to join us for one or both of these excellent films.

**THE LAW LIBRARY** now has an account with DIALOG Information Retrieval Service. Through DIALOG we have access to over 160 databases. Many of these databases duplicate information we have in paper copy while others provide information not available here in any other form. Each search results in a customized bibliography, often with abstracts. The Reference Department will conduct a search, at no charge, for law students to find information that can't be found by using traditional research methods with the materials in our collection, or when traditional methods would expend a disproportionate amount of time compared to search results. For further information contact the Reference Department in S-223.

**LAW SCHOOL TUTORING**—Upper-class law students are available to provide individual academic tutoring to first, second and third year law students. There is no fee. Interested students may seek such assistance by contacting Virginia Gordan in 308 Hutchins Hall.

**INDIVIDUAL EXTERNAL STUDIES PROGRAM**—Please consult the notice on the Externship Bulletin Board (2nd floor, Hutchins Hall) concerning the procedures and deadlines for establishing an individual externship program. All individual externships must be approved by the Curriculum Committee. Students need to submit externship proposals for the 1984 fall term to the Committee by March 30, 1984. Extra copies of the externship guidelines and announcements of externship opportunities are on file in 307 Hutchins Hall. Please see Virginia Gordan (308 Hutchins Hall) if you have questions about externships.

**SENIOR DAY** is Saturday, May 12, 1984. This day is intended to honor all those students expecting to receive a law degree in May, August, or December 1984. The ceremony will take place in Hill Auditorium at 1:30 p.m. A reception will be held in the Lawyers Club for the seniors and their guests immediately following the ceremony. More information about registering for Senior Day and about ordering caps/gowns will be available at a later date.

**NEEDED:** First-, second- and third-year students (one of each) to voice concerns, complaints and or praise about our Law Library and its collection. Students will meet with a library consultant on Friday, February 10 from about 1:30 to 2:00 p.m. Interested students, please sign the list on the bulletin board outside the Senate office (Hutchins 217). We need your perspec-

tives to ensure that the library is serving our needs.

**FALL EXTERNSHIPS**—Interviews for fall externships with the National Women's Law Center, Center for Law and Social Policy and Media Access Project will be held on Friday, February 10. Students who are in their third or fourth term, this term, are eligible. Please stop by the Placement Office for more information.

**1st AND 2nd YEAR STUDENTS.**—Shirley Wilcher from the National Women's Law Center will meet with students interested in learning about the work done by her organization, the Center for Law and Social Policy and Media Access Project at a brown bag lunch in Room 132, Friday, February 10 at 12:15 p.m.

**NOMINATIONS ARE REQUESTED** from the student body for three awards given annually at the Spring Honors Convocation. The *Jane L. Mixer Memorial Awards* are made to the law students who have made the greatest contribution to activities designed to advance the cause of social justice. The *Southfield Bar Association Merit Award* is made to a student for his or her contribution to legal education or to the legal profession. The *Irving Stenn Jr. Award* is intended for a student who has made outstanding contributions through extracurricular activities to the well-being and strength of the Law School or University.

Students may make more than one nomination and are encouraged to make them soon. All nominations must be accompanied by a statement describing the activities and contributions of the nominee. The nominating statement should be addressed to the Awards Committee and must be submitted to Mickey Slayton, 307 Hutchins Hall, no later than February 15, 1984.

**THE FAMILY LAW PROJECT** will hire a coordinator for its summer program. All interested people should contact Daniel Frohling via his pendaflex folder or leave a note in the FLP mailbox, 3rd floor of Hutchins Hall.

**THE BLACK LAW STUDENTS ALLIANCE (BLSA)** is sponsoring "The Social Responsibility of the Black Lawyer" Speakers Series, to be held each Thursday, February 9, 16 & 23, 1984 in room 132 Hutchins Hall (Law School) at 4:00 p.m. Guests include prominent Black legal scholars and practitioners who will discuss their views on the mission of the Black lawyer. The university community and others are welcome.

**LEONARD WOODCOCK**, first U.S. ambassador to the People's Republic of China and former President of the U.A.W. will speak on "U.S.-China Relations" today, Wednesday, February 8 in Room 116 Hutchins at 7:00 p.m. There will be a dinner with Mr. Woodcock at 5:30 p.m. in the Faculty Dining Room beforehand. Interested students should sign up on the International Law Society's bulletin board.



# Feature

## Galactic Legal Rescue, in futuro

from page eight

"Enough of this foolishness, Captain." It was Lt. Commander Karn, "who gets charged for this shuttle?!"

"Census Report!"

"Census figures of the Bulc are seventy-five percent complete, Captain. No one missing so far."

"There you are Mr. Karn, we will soon have your man; only twenty-five percent left. The culprit's absence

the table, and Reaging's little blue pills to their tray.

"Sands here."

"Captain, long range scanner has detected a small ion-propelled vessel; computer reports ninety percent that this is the 2-238."

"Close in one the vessel; don't lose it; I'm on my way!" "Gentlemen..."

\*\*\*\*

### The Columbia! That meant Blahzi and Galactic Con Law.

should be detected within the hour." Sands had to say this; everyone knew it. Precedent demanded it. Words like these have been used in every shuttle incident—assume the thief was one of the Bulc youth.

Damitrius Koip broke the silence that Sands had hoped would follow his statement. "How do we know that it was one of the youth? There was that other time in recent memory."

"Who was the first to smoke a pipe?" thought Sands. "Da Koip or me? Doesn't matter, it had to be me."

"Bridge to Captain Sands!" the fervent voice brought the room to attention. Pipes went to the hands, glasses to

Doors of the turbo-lift opened; Sands led three other officers onto the bridge. "Report."

"We have a fix on the vessel," replied Ensign J.J.J., "it is the 2-238."

"The 2-238, ... are you sure?"

"Yeah, well kinda. Anyway, whatever it is, it's out of tractor range and on a landing vector for the planet you see on the screen."

"Lt. Witty, try to make contact with the 2-238. J.J.J., can we intercept it before it enters the planet's atmosphere?"

"Nope."

"Captain?" It was Lt. Witty.

"Yes, Lieutenant? Sands couldn't

understand why the Michigana allowed women on the bridge—pregnant women at that! There was only one entrance to

link with the 2-238."

"Main screen, Lieutenant."

A dark, menacing figure appeared

*"Lt. Witty, try to make contact with 2-238. J.J.J., can we intercept it before it enters the planet's atmosphere?"*

the bridge. What if there was a fire and she got in the way? Gotta work on charter amendments.

"Captain, subspace communications are picking up announcements for broadcast publications in this area, ... from the Columbia."

The Columbia! That meant Blahzi and Galactic Con Law. "Sound the alert! Tell the Law Review to start writing! ... And get me Kami Czar ... we'll need his treatise!"

"Aye sir, ... sir, I also have a visual

on the screen, black robes flowing in an imaginary breeze. A book slammed shut, and the figure laughed; an evil sinister laugh that sent chills through the entire bridge crew. Sands, startled, gained composure enough to call to the figure, but what came out was more like an enfeebled curse cloaked in disdain and disappointment. "... CZAR, ...!"

NEXT WEEK: "THE WRATH OF CZAR!"

## BAR/BRI

### The Multistate Professional Responsibility Exam (MPRE)

A \$75 deposit towards a BAR/BRI summer review course entitles you to the BAR/BRI review for the MPRE exam.

As many of you are aware, the MPRE is required in the following states for admission to the bar:

Alabama, Alaska, California, Connecticut  
D.C., Florida, Georgia, Illinois, Kansas,  
Massachusetts, Minnesota, Mississippi,  
Missouri, Montana, Nevada, New Hampshire  
New Jersey, New Mexico, New York, North  
Carolina, North Dakota, Oklahoma, Oregon,  
South Dakota, Texas, Vermont, Wyoming

The exam will be offered on March 16th in Ann Arbor. (Make sure you get your application for the exam postmarked by February 17. The application is available in the Placement Office.) BAR/BRI is offering a review course for the MPRE which includes a comprehensive review text, practice exams and a six-hour video taped lecture to be given March 10, in Room 100 from 9 a.m. to approximately 4 p.m.

## TO ENROLL: New York, New Jersey and Connecticut bar applicants-

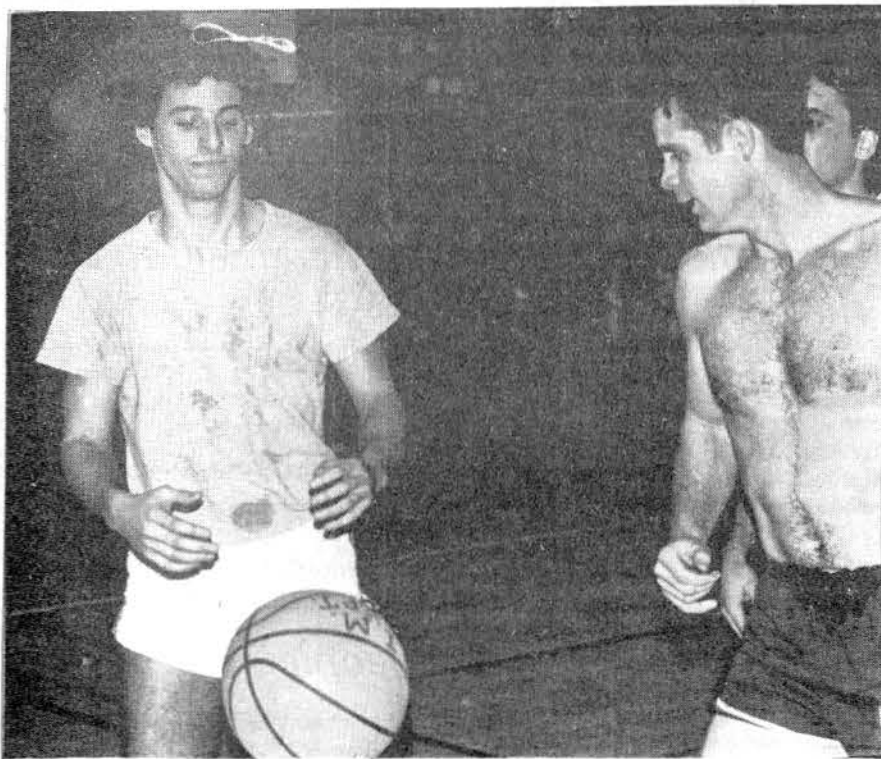
Check your pendaflex folders for applications and see Darby Bayliss (761-5177) and Mike Rizzo (663-9427) with questions.

## Applicants for All Other Bars

Greg Frizzell (662-7915) and Helen Haynes (764-9095) will be available outside Room 100 on Tuesdays from 9:00 to 11:00 and 12:30 to 1:30 and Thursdays from 11:00 to 2:00 to answer any questions and display sample BAR/BRI materials. \$75 deposit checks will be collected and MPRE study materials will be distributed at the times listed below.

Plan to pick up your MPRE study materials on Monday, Feb. 20, Tuesday, Feb. 21, or Thursday, Feb. 23 anytime between 10:00 and 1:30 daily, in front of Room 100.

**barbri**  
Bar Review



Neil Gelfand and Kurt Meckstroth play a little hoop at the Law School Basketball tourney last Saturday night.

Photo by Dean Bruza

It was an evening of lopsided scores at the Law School basketball tournament on Saturday night. The Law Big Dogs beat Groaning Floorboards 106-29, and the Wonkas beat Fungible Goods 66-21.

In an upset, Well Hung Jury beat the favored Legal Soul 43-31, and it was Big

Dogs II over Intentional Harms, 44-37.

Advancing to the next round in the coded division will be Clear and Present Danger, who will play Learned Hands. Ryan's Hope will challenge Torts Illustrated. The games start Saturday, Feb. 11th at 6 p.m.

Whoever "mistakenly" walked off with an IM ball, please return it. Someone's ID is at stake.

## Notice

**FIRST-YEAR STUDENTS** — Mandatory Westlaw training sessions will begin Sunday, February 12. Sign-up sheets will be posted on the Writing and Advocacy bulletin board. Please sign up as soon as possible.

It's Academic!

995-2652



# Feature

## May The Lex Be With You . . .

By Larry Michlovich

*It is now the year 2984. The last vestiges of democratic rule have long faded, leaving in the past days of order and structure. Mankind,— what is left,—is like sown seeds dispersed among remaining planets of the galaxy. Barbarism prevails.*

*Great ships of knowledge were launched from Earth to preserve and develop that element of civilization considered most precious—the law.*

*Anarchy is law. Life is reward; death is justice.*

*The fall was inevitable; scholars and even theologians had predicted it for years. Natural entropy, it was called—society must decay. As with any isolated system, energy generated loses the battle with disorder and chaos. The debate over how to save the structure of society was just another indication of its demise—how can you prepare for the future when you cannot survive the present?*

*This is the story of Earth's last attempt to preserve what once was. Starting in the year 2843 and for the ensuing forty-three years, great ships of knowledge were launched from Earth to preserve and develop that element of civilization considered most precious—the LAW! These vessels staffed with fanatics of the Law escaped the cataclysm which later befell Earth and its colonies. Escape from cataclysm, however, does not prevent escape from reality, . . . or does it?*

"Twenty-nine eighty-four," Captain Terry Sands thought slowly, "One hundred thirty-two years in space, not bad for a dream." It was the beginning of a new year according to the atomic Earth clock and was the second time in two years that a shuttle craft had been hijacked. "Another shuttle . . . my second." Shuttle craft remained on the Michiganana for the purpose of emergen-

cy escape in the event of catastrophe. Although it is forty years since the population exceeded shuttle capacity, the increasing thefts still raised questions of leadership and meant a need for embarrassing explanations and

no longer be the way to do it. Rumors spread too quickly. The whirl of the turbo-lift slowed at deck two, grunted, and started again paralleling the motion of the left. "I gotta get this thing fixed," he thought, with the repetitious enthusiasm of one turning the pages of a book.

Fortunately, the lift made it—doors opening to deck four. Deck four, dreary as all the rest. "New lights might do it," he thought.

The door of the Cook Room opened and in walked Capt. Sands, pipe in hand. Signs of acknowledgment crossed the room. Sands looked tired and gaunt, maybe in need of a vacation. Around the room, staff members were standing around—most in a daze. Doc Cooper was wearing his running suit and preparing for the meeting; he alone had been awake for hours already.

"I'll have white, Stretch," called out Sands. Doc Cooper poured him a tall one.

Sands sat down at a space cleared for

him at the gold edge of the octagon. Seven staff officers were visible in a variety of dress reflecting the extemporaneous nature of the meeting—or was it political affiliation? "Nah, not yet," Sands thought, and then spoke to

*The door of the Cook Room opened and in walked Capt. Sands, pipe in hand.*

assurances.

"Lieutenant, have the staff convene in the Cook Room in ten minutes," said Sands as he got up to leave the bridge, pipe in hand. "Susie really runs this ship, she should do this meeting stuff," Sands mused, "her and Crissy."

Sands felt relieved to leave the confines of the bridge even to have the confines of the turbo-lift close around him. "Cook Room, deck four," he barked to the microphone. The light in the turbo-lift was refreshing; so was its speed—fashionably late. That's the key trait of a good administrator.

Who could this refugee be? The staff will no doubt suggest one of the rebel youth, but that rationale got old after the first six shuttle thefts. Cover-up can

the recorder's table: "Conclave one, investigation of the disappearance of Shuttle 2-238. All department heads in attendance. Captain Terry Sands presiding. Go ahead Mr. Reagings."

*Being Science Officer had its advantages and Reagings exploited them to the fullest.*

as he spoke. It didn't matter, he chuckled, at least it's all in the record. "... enz grox xorg . . ."

Being Science Officer had its advantages and Reagings exploited them to the fullest. It was Reagings who felt that the position should be called: *Chief Ship's Theorist on any and All Matters of This Ship of Law in and for This Ship of Law.*

"Well persons, you may ask 'What happened?' But before we ask this question, we must realize that this question is indeed the generic summation of three quite different and very interesting questions. First, 'Is the ship missing?' This is the primary question in our understanding. . . ."

"More white, Stretch."

"... since, . . . well let's say that the shuttle weren't missing at all, then, of course, dammit, we wouldn't need to answer the other two questions. The need not to answer the other questions. . . ."

"Zng Nop Kikle brsotpn!" It was Dr. Gray Whit, interplanetary liason specialist. A remarkable man, Whit spoke one hundred twelve different languages; unfortunately, none of them were of Earth. Considered the expert in his field, Whit spent most of his time creating new avenues of the Law and composing volumes of this matter into books that no one could understand.

"Go ahead, Doctor."

"Hzh?!"

"Go ahead, . . . I said, . . . g-o a-h-e-a-d!"

"Zem pof rahr Rock, zBl sum Nina fgr rmlomndinpr mewk kaptin krk, prbble Wan ceva etitep arrrnarg . . ."

Sands, taking a long hit off his pipe, wondered if Dr. Whit mixed languages

See GALACTIC page seven

## Law in the Raw

compiled by Dana Deane

### 1983 Legal Awards

"Worst Legal Scholarship of 1983" goes to the class of 1983 editors of the Yale Law Journal. These best and brightest were so consumed in debate over the merit of various manuscripts and footnotes that they managed to go through an entire academic year without publishing a single issue. Presumably, those responsible for this fiasco are nonetheless so wonderfully credentialed that they've had their pick of the best jobs, which in an age of decade-long discovery and generation-spanning litigation probably makes good sense.

Harvard law students deserve the "Crybabies of the Year Award" for staging a protest of the faculty's audacity in initiating a grading system that took class participation partially into account. The faculty deserves its own "Flexible Spine Award"; they quickly abandoned the idea.

—The American Lawyer January, 1984

### U.P. Lawyer's Club

The Ogden Club in Menominee (Mich.) with its pale blue walls and pictures of yachts under sail, is a favorite hangout for lawyers. Locally, it is called the "Liars' Club."

The Detroit Free Press, Jan. 29, 1984

### No Juvenile Delinquents

People under age 16 will be barred from the floor of Softcon, a computer-software show in New Orleans this month. But an exception will be made if "the individual is the president or other executive officer of the exhibiting company."

—Wall Street Journal, Feb. 2, 1984.

### Be all that you can be?

A former U.S. Army reservist who was raped by soldiers while she was restricted to barracks sued the army last week after it ruled that she cannot collect damages because her injuries were "incident to service."

The National Law Journal, Jan. 30, 1984

### Quote of the week

"That's a real good thing, and not at all one of the more common qualities on the bench around here. There some real stoops who are judges; like an ungodly high percentage who are *real thick*. To say they're dumber than a post is to insult the post."

A local attorney in The Detroit Free Press, Jan. 29, 1984

### The rich people's court

It may be half the price and the judges could earn twice as much, but there aren't any clients yet and the courtrooms don't exist. Judicate, a private court system designed as an alternative to lengthy litigation, will make its debut early next year in Philadelphia, according to Allan Epstein of Philadelphia's Jablon, Epstein and Wolf, who helped form the company.

Epstein says he has already recruited judges to work full or part time when they retire from the bench.

... Epstein says it will cost each party \$75 to file a case; \$600 for a preliminary conference; and \$1,000 per full courtroom hearing. Fees will be split evenly between the company and the judges. Epstein estimates that a judge working five days a week, nine months a year, will earn about \$125,000 compared to the \$73,000 a federal judge now earns.

Cases will be kept completely private. There will be no juries, and parties will agree on expedited discovery rules. A judge, in robes, will enter the verdict.

The American Lawyer, January 1984