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1980

Vol. 29, No. 7, October 31, 1980

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Recommended Citation

University of Michigan Law School, "Vol. 29, No. 7, October 31, 1980" (1980). *Res Gestae*. Paper 450.
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October 31, 1980

The University of Michigan Law School

FEB 9 1981

8 pages

Senate budget hangs on Tisch loss

By Richard Cauley

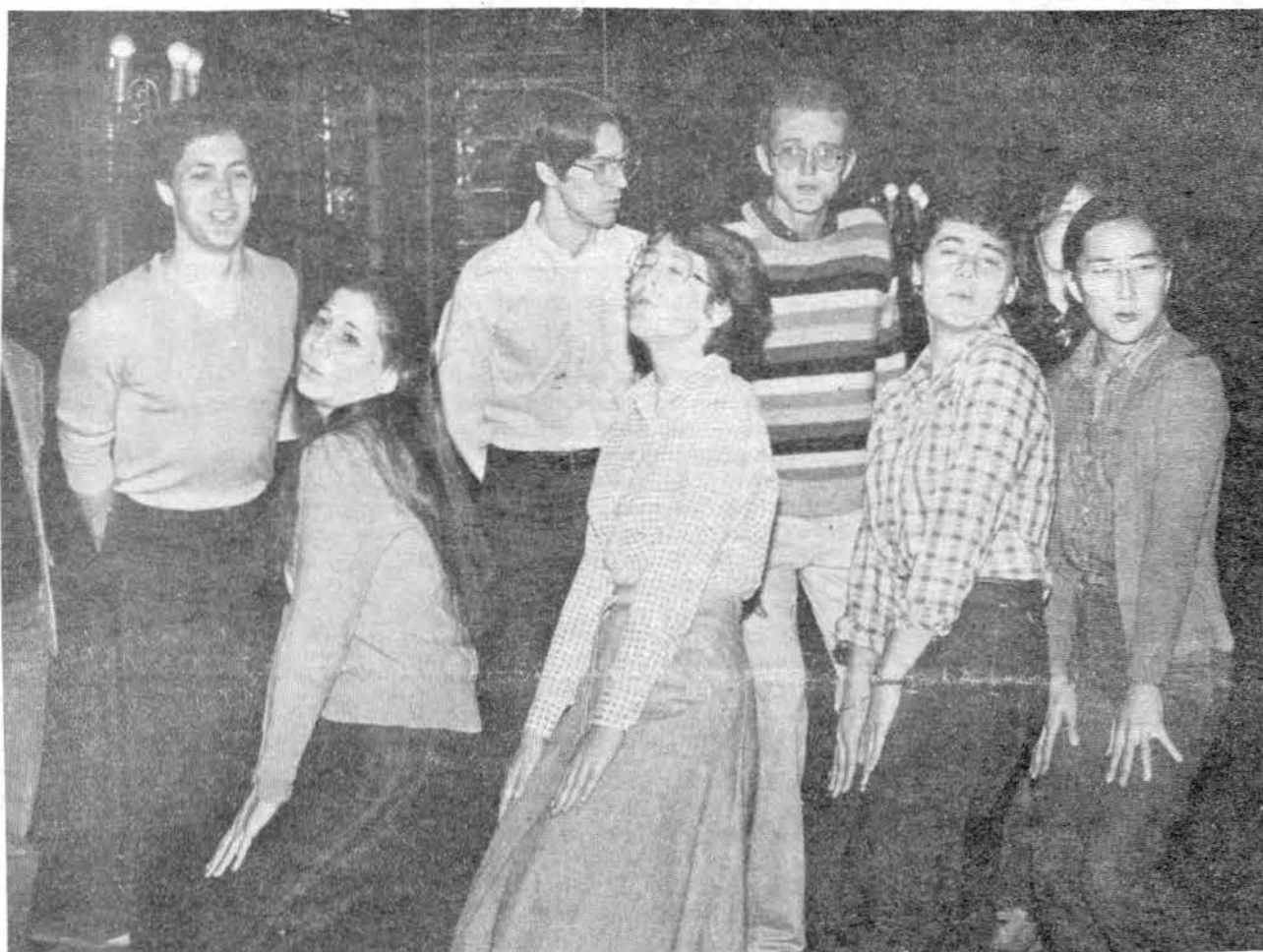
According to LSSS President Doug Ellmann, if the "Tisch amendment" passes next Tuesday, the Senate budget would have to be cut by almost a third. This would come about because of a loss of discretionary funds promised by Dean Sandalow. According to Ellmann, Sandalow said that if the amendment passes, any discretionary funds would be "up in the air" and that it would be "irresponsible" to cut library hours in order to fund Senate cocktail parties.

If Tisch is defeated, as the latest Detroit Free Press poll shows it will probably be, the Dean has "committed himself," according to Ellmann, to give the Senate \$9500. (This money does not come from tuition, but from the Law School Fund, over which the Dean has complete discretion). "We felt pretty good about getting \$9500," said V-P Andrea Beggs, who also attended the meeting with Sandalow, "because the Dean had to cut the general budget 6% and we still got \$1000 more than last year."

Final resolution of this issue will have to wait until after the election. According to Ellmann, Dean Sandalow "doesn't want to get into any imbrolios before the election" and said that "I don't think it's profitable to discuss the effects of Tisch anymore."

In other action, the Senate received a report from Jodie DeWitter, of the Academic Standards and Practices Committee. The committee, composed of 4 professors and 3 students, has been

see Senate, page 5



Res Gestae Photo by Paul Engstrom

The Headnotes

A hard look at Proposition D

By Melissa Hopp and Diane Baker

There are several propositions on the ballot this year designed to reduce or shift the state and local tax burden. According to a recent survey by the Gannett News Service, the most popular proposed amendment is proposition D, written by Shiawasee Drain Commissioner Robert Tisch. The major foci of the Tisch amendment are tax relief, reduced government spending, and consequently reduced government power.

The Tisch amendment would reduce all property assessments to their 1978 levels and to 25 per cent of their market value, instead of the current 50 per cent. This final assessment level is multiplied by the local millage to arrive at the property tax bill.

Lest the local units lose half of their local property tax revenue, the Tisch amendment, unlike Proposition 13, requires the state to reimburse the local units for lost revenue due to the change in the assessment percentage.

Additionally, the amendment restric-

ts the rate of growth of assessed values to 2 per cent annually for residential and agricultural properties. Growth of other property assessments is limited to the rate of growth of the previous year's consumer price index. New construction will be assessed at the 1978 market value allowing a 2 per cent annual increase for each year since 1978.

All current tax credits are maintained until an override by 3/5's of the state legislature. The amendment allows, however, additional tax relief for lower income and elderly property owners. Individuals with annual incomes under \$5,000 would be exempt from any property tax. Individuals with annual incomes between \$5,000 and \$10,500 would have their property assessments further reduced by one half. School operating millage would be removed from the bill for elderly property owners (63 and over).

The number of property tax exempt organizations will decrease. The magnitude of this decrease is not clear, since the amendment allows for tax exempt status to continue for churches,

schools, cultural and charitable organizations.

Finally, any changes in the taxes or rates currently set by the state must be approved by 60 per cent of the voters.

The impacts of the proposal are extensive. Local governments will experience a decrease in available revenues. Though the state is required to compensate them for lost revenues, after the first year the amount of compensation may increase only by 2 per cent, (a rate equal to the limitation on the growth of property assessments). If local government expenditures increase by more than 2 per cent per year, compensation cannot keep pace. Several University of Michigan economists foresee the demise of local governments within the next ten years as a result.

State government will also experience a decrease in available revenue. Since the state cannot levy another tax to meet the requirements of local reimbursement (approximately 2 billion dollars) a significant cut is mandatory in the current budget. 70 per cent of the

ate budget is earmarked—un-ouchable by the legislature. Local government reimbursements must come from the remaining 30 per cent of the budget which currently supports social services, mental health, law enforcement and higher education, etc. Compensation for local governments tentatively has been estimated at 60 per cent of this slice of the pie. Commissioner Tisch suggests that no decrease in provided services is necessary to meet this requirement. State officials disagree, foreseeing massive cuts in personnel and direct assistance.

Governor Milliken has proposed such a decrease in state money would necessitate cutting aid to the University of Michigan-Ann Arbor, Michigan State University, and Wayne State by 50 per cent while abolishing aid to all other state universities. State aid revenue goes into the General Fund of the University of Michigan. The fund is the major revenue source for salaries, physical plant maintenance, and

Law in the Raw

Compiled by Matthew Kiefer

Peerless Peer

The jury in a recent criminal trial in California had a somewhat unusual member. Although he admitted during voir dire that he knew the sheriff, the district attorney, and even the attorney general, 73 year old Donald R. Wright was still picked to sit on the jury. A Harvard Law grad, Wright formerly sat on the California Supreme Court as chief justice.

—National Law Journal, October 20, 1980

Last Laugh

When Sybil Jacques of Grosse Pointe sued for divorce from her husband of 15 years, noted admiralty lawyer Leonard Jacques, he responded in lawyerlike fashion. Attempting to avoid a burdensome property settlement, he argued that since their marriage took place before the statutory six-month waiting period had elapsed after her divorce

from her first husband, the marriage was a nullity. Undaunted, Sybil amended her complaint to include a \$3 million claim for legal malpractice. It seems Leonard had handled her divorce.

National Law Journal, October 20, 1980

One-Sided Balance?

A controversial seminar program for judges has been given tacit approval by an advisory committee on judicial conduct of the U.S. Judicial Conference. The four year old seminar in Law and Economics at the University of Miami (Fla.) has come under criticism for its one-sidedness, due in part to its heavy funding by large corporations seeking to advance pro-business economic theories. In an opinion approving reimbursement of judges for attendance at such programs, the advisory committee noted that "judges are continually exposed to competing views and arguments and are trained to weigh them."

—National Law Journal, October 20, 1980

Law Clones

A survey of this year's first year class at Harvard Law School reveals that about 30% are women, 40% are from Ivy League undergraduate schools, and their average age is 23. Only 8% of those applying were admitted, and 70% of those actually enrolled.

(The Director of Admissions is quick to point out that, of the 30% who did not enroll, about 1/2 did not go to law school at all, and most of the remainder went to Yale.) Although the survey's headline heralds the "tradition of diversity" reflected in the incoming class, it profiles the typical 1L as "a white male graduate of Harvard College who grew up in New York and majored in history or political science."

Harvard Law Record, September 26, 1980

Bitter Pill

Canadian women have been having difficulties paying for artificial insemination, because that country's Medicare program, as well as most private health insurance plans, do not consider it a reimbursable expense. A recent ruling by the Quebec Order of Pharmacists may provide some relief, however. After a "lengthy philosophical debate," that body has classified human sperm as "medicine," so that it can be re-imbursed as a prescription drug cost.

American Medical News, October 20, 1980

Case of the Week

Town v. Reno, 377 So. 2d 648 (Fla., 1979)—state could restrict religious use of marijuana, where there was indiscriminate use by church members, and where there was easy access to the drug by 11 year old boy who had absolutely no interest in learning religion.

Cooley Talks

Despite the call in some legal circles for adolescents to be treated as if they were adults, a University of Chicago scholar argues for legal flexibility that would reflect the "transitional" status of adolescents as they move toward adulthood.

Delivering the Thomas M. Cooley lectures at Law School last week, Franklin E. Zimring argued that a single "age of

majority" is an inappropriate legal concept in reflecting the "path to adulthood."

"Growing up is a process, not an event. For this reason, the adolescent years are best conceived as a learner's permit period when privileges are extended in the hope that a period of learning by doing can produce authentic maturity," said Zimring.

The professor, who is director of Chicago's Center for Studies in Criminal Justice, delivered a series of three lectures on the subject "The

Changing Legal World of Adolescence."

"To ask how old is old enough to date or drive is, in my view, to ask the wrong questions," Zimring observed. "Instead we must ask how old is old enough to learn to drive, to start a process such as dating that ends at competence if we're lucky—to invest, taking transitional risks, hoping that the result will be the right kind of adult."

By contrast, some legal reformers have argued for abolition of "youth" as a legally relevant concept and for treatment of youthful offenders with the full force of adult laws.

Warning against such a trend, Zimring said adolescents, in learning adult roles, should be "protected from the full force of adult responsibilities but pushed along" by degrees toward moral and legal accountability."

He went on to suggest a graduated system of rights and responsibilities conferred on young people at different ages.

Underlying our legal approach to adolescents, said Zimring, should be the "recognition that making decisions and making mistakes are an important part of attaining legal maturity."

"Often, the best we can do in regulating the transition to adulthood is muddling through, since much of the process of growing up is a period of trial and error."

notices

Phi Alpha Delta Law Fraternity will hold its fall initiation at 4:00 p.m. on Thursday, November 6, at the Washtenaw County Courthouse. All persons attending should meet in the Lawyers Club Lounge at 3:45.

Interested law students who have not already submitted an application should contact Dennis Wendte at 764-9052 or stop by J-37 in the Lawyers Club

The next meeting of the Lesbian and Gay Law Students group will be Wednesday, November 5, at 7:00 p.m. For more information, call 995-9292 or 763-4186.

"Discussion on U.S. Immigration Law and Policy," presentation by Carlos Recio, law professor, Detroit College of Law. Jointly sponsored by La Raza Law Student Association and National Lawyers Guild.

NLG General Meeting, Mon., Nov. 3, 3:30 p.m.—Discussion of projects, possible work with coalition against right-wing Cuban terrorism, report from recent NLG Regional Conference in Lansing, plans for new activities. NLG office, 3rd floor, Lawyer's Club. For info, call 763-2300.

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Environmental Law Society

ON TUESDAY, September 30 the Michigan State Senate passed a substitute for SB 1119, the proposed "Hydrocarbon Development Act of 1980." The bill's passage marked the latest event in the year old controversy surrounding SB 1119 and in the twelve year old controversy concerning oil drilling in Pigeon River Country State Forest. Although Senate Majority Leader William Faust said that the modified bill eliminated "the major objections put forward by environmentalists," Ken Sikkema, head of the West Michigan Environmental Action Council (WMEAC), disagreed. He pointed out that the substitute legislation in fact enacts the provisions of a 1976 state Natural Resources Commission plan for oil exploration in state forests. Known as the Consent Agreement, this is the very plan that the Michigan Supreme Court enjoined in 1979 in a suit initiated by WMEAC.

Members of the Environmental Law Society have been active in the fight against 1119. Students distributed an analysis of the bill among state senators, conducted a letter writing campaign at the University of Michigan last spring and travelled to Lansing to lobby. One ELS member acquired geologic information from the state and oil industries and recalculated the projected oil reserves, which a state survey had estimated at 77 million barrels. His figure was considerably lower, supporting environmentalists' suspicion that the survey conducted by the state had been too closely knit to oil interests.

SB 1119 threatened achievements of a decade by exempting all normal operations of the oil and gas industries from regulation by Michigan's environmental protection legislation. It also required that the Department of Natural Resources (DNR) develop plans for hydrocarbon development for that portion of the state's 546,000 acres leased to oil companies which it deemed to possess "exceptional environmental values requiring careful and prudent development plans compatible with the environmental standards in this act." Sec. 4(1) The "environmental standards in this act" were defined to condone all aspects of ordinary oil and gas operations. Thus the DNR was left with only the power to say how, and not whether, fragile environments were to be opened to oil and gas exploration and drilling.

SB 1119 would have applied to all state land leased to oil companies including, in the worst scenario, off-shore rights to drill in Lakes Michigan and Huron. But it was conceived specifically to open up exploration in Pigeon river, a 94,500 acre preserve in northern lower Michigan of which 72,000 acres are leased. Among the wildlife that would be adversely affected by drilling are bobcat, bear and the only sizable wild herd of elk east of the Mississippi.

The most recent judicial decision concerning Pigeon River was the state Supreme Court's banning the drilling of ten test wells in the forest. Following this decision, several state senators, backed by Shell (who has leased 30,000 out of the 72,000 acres) and other leasing oil companies, drafted 1119, an attempt to legislate around the Supreme Court's construction of Michigan's environmental protection laws. As drilling offers timely benefits of increased state revenues and an intrastate source of energy, it looks as if some sort of drilling will be permitted in Pigeon River. The question is at what degradation to state-owned land and by what weakening of Michigan's impressive environmental legislation.

In response to the drafting of SB 1119, WMEAC, supported by other Michigan environmental groups including ELS, offered a compromise that would permit drilling if accompanied by more stringent environmental controls. Ken Sikkema stressed that such a compromise "respects the environment and meets economic needs." If enacted, this plan would call for the drilling to be started in the least environmentally sensitive portions of Pigeon River, specify a time limit to all oil activities in the area, restrict the building of access roads to the oil rigs, and add to the monitoring and enforcement measures.

Environmental groups are still hopeful that legislation acceptable to both oil and environmental interests can be negotiated. The House will not vote on the Senate version of the bill before the November elections. WMEAC is exploring various courses of action to pursue in the event that the bill passes in its current version. In the meantime, ELS recommends a pre-election letter to the state representative of any Michigan resident opposing passage of the substitute bill. Any student interested in joining ELS in future activities relating to Pigeon River should contact the ELS office.

Preclassification and Early Registration Calendar for Winter 1981

Tentative Winter Schedule—posted on First Floor Bulletin Board for comments and suggestions (please submit in writing to Dean Eklund) October 21-October 24

Materials Available for Seminar and Clinic Reservations—Room 300 H.H. (seminar & clinic descriptions, sem. & clinic sign-up sheets, Winter schedules) October 27, 1:30 p.m.

Course Selection Panel Discussion—Room 100 H.H. Professors Rosenzweig, Chambes October 29, 3:30 p.m.

Clinic Information Meeting—Room 116 H.H. Professors Pepe, Duquette, and Rhee October 29, 12:00 Noon

Seminar and Clinic Sign-up Deadline—Room 300 H.H. October 31, 3:30 p.m.

Results of Seminar and Clinic Reservation Requests—Room 300 H.H. November 5, 1:30 p.m.

Preclassification and Early Registration Materials Available—Room 300 H.H. (course descriptions, election sheets, tent. schedules, tent. exam schedule, fee tickets, seminar & clinic lists) November 5, 1:30 p.m.

Dean Eklund Meets With First Year Sections To Distribute Materials
Section One—Room 150 H.H. November 6, 11:00 a.m.
Section Two—Room 218 H.H. November 6, 9:00 a.m.
Section Three—Room 218 November 7, 9:00 a.m.

First Year Elective Panel Discussion—Room 100 H.H. November 10, 3:30 p.m.

Professors Lempert, Payton, Green, Palmer, Watson, & Stein

Preclassification (Course Selection) Deadline—Room 300 H.H. November 12, 4:00 p.m.

Preclassification Results
Formal Registration, and Addition of Courses for those who have been "redlined" (removed from oversubscribed courses)—Room 200 H.H. December 4-8
8:30 a.m. to 11:30 a.m. and
1:15 p.m. to 4:30 p.m.

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Tuesday, November 18

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Res Gestae

The University of Michigan Law School

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Regent Candidates

NEXT TUESDAY, the voters of Michigan will elect two members to the University of Michigan Board of Regents. Because this election directly affects the law school, the Res Gestae is presenting a profile of the six candidates to enable you to make a better choice.

Deane Baker, incumbent Republican from Ann Arbor, is president of the Deane Baker Company which develops office and industrial parks. While Baker always does his homework, his stand is consistently right of center. An opponent of the Tisch Proposal, Baker believes that if it passes, the responsibility for determining who should bear the burden should be decided by the University administration. Baker's approach to the Board of Regents is businesslike, but he is accessible to students. He is perhaps best known for his opposition to the proposed Stegeman high-rise.

Stuart Hertzberg is a Democrat from Bloomfield Hills. A graduate of Michigan Law School, he is Chairman of the Institute for Continuing Legal Education. Hertzberg has strong ties with the Michigan Democratic Party and was a Carter-Mondale whip at the recent Democratic Convention. Cost and quality of education are the crucial issues facing the University according to Hertzberg. He is concerned with pricing low and middle income students out of the market of higher education. Hertzberg is in favor of affirmative action for minorities and for a greater sensibility to the needs of what he calls the "new majority," women students.

Nellie Varner, a Democrat from Detroit, holds a Ph.D in Political Science from U. of M. in 1968. Varner has been active in politics, working for Congressman Diggs, Mayor Young, and Powers. Currently director of U. of M. affirmative action programs and associate dean of the Graduate School with responsibility for student financial aid, Varner is also a partner in a Detroit real estate investment firm. Varner strongly supports divesting the University of its investments in South Africa. She is particularly concerned about rising tuition costs to the students and, unlike the other Regents, favors sitting down to talk with GEO, the graduate employees union.

David Laro, a Republican incumbent from Flint, was appointed to the Board of Regents by Governor Milliken in 1975. A practicing tax attorney, Laro resisted the other Regents' immediate opposition to the Tisch Proposal in order to make a careful study of its probable effects on the University. He now opposes Tisch wholeheartedly, and maintains that if it passes, all segments of the University community should have a say in where the cuts are made. Generally conservative, his guiding principle appears to be the overall welfare of the University. This has led him to withdraw his former support (for the proposed University divestiture of South African investments, an action which he feels would be too costly for the University. Laro was absent for the vote on the proposed Stegeman high-rise, which was defeated 3-2.

THE CHALLENGE: To Produce Something More Than Automobiles and "Band-aids"

by

Congressman Carl D. Pursell

Michigan 2nd Congressional District

Perhaps the most serious flaw in our socio-political system is that we are not oriented toward rational, long-range planning to resolve problems before they become crises.

Governments at all levels operate in a crisis-to-crisis vacuum. Labor and management operate in adversarial isolation. The vast talents of our great universities and many fine community leaders are seldom used productively in formulating public policy.

I believe the only way we're going to solve the significant problems we face in coming years is to set aside our traditional divisions and bring all the elements of our society together in a cooperative partnership. I'm working to make that happen.

I have proposed a unique "Leadership Conference on Michigan's Future," which I hope will convene next year to construct the long-term framework for a better future for our state and its people.

I want the University of Michigan to be in the forefront of this movement, and have already submitted a detailed proposal for review by President Harold Shapiro, one of our nation's most brilliant administrators and economists. His comments will be among the most important in shaping the scope and direction of the leadership conference concept.

Michigan is in the midst of a severe economic crunch—one of the worst in our history. It demonstrates how our people will continue to suffer from periodic economic shocks unless we can overcome our tendencies toward adversarial relationships and work

together for the common good.

Because Michigan is heavily dependent on the automobile industry, its economy is the most cyclically sensitive in the nation. The auto industry is today facing the greatest peril of its lifetime. The effects are being felt throughout the nation, and especially here in Michigan.

One of every 12 manufacturing jobs in the United States is directly—and one of six jobs is indirectly—dependent on the auto industry. For every hourly job involved in the manufacture of motor vehicles, there are two additional jobs elsewhere in the economy.

Over 300,000 auto workers are still off the job. Also laid off are an estimated 550,000 additional workers in industries dependent on auto production, in fields such as component parts production, iron and steel, mining, housing, transportation—the list is almost endless. Not only does this mean hardship and suffering for the families of those out of work; it also means that tax revenues will fall and federal expenditures will rise—adding even further to the burdens of those of us lucky enough to have a job.

We face today a situation we have not had to face since the Great Depression. While the United States has an unemployment rate that is worrisome, Michigan's is incredible. Where unemployment at the national level is over seven percent, in Michigan it is nearly twice that. In some Michigan cities, more than one of every four workers is now without a job.

Moving the United States out of the recession into

another period of economic growth will be a difficult task indeed. I am confident that the domestic auto industry will make a comeback, but Michigan will still have unique economic recovery problems. Like most northern states, we are experiencing a migration of some business and jobs to the sunbelt. Automation has replaced other jobs. Together these factors intensify the importance of diversification of industry and employment in our state.

The best approach for dealing with the adverse conditions now facing both the nation and this state is basically the same. First: the immediate problems created by the economic downturn must be dealt with as promptly and effectively as possible. Second: we must make meaningful provisions for the long-term stability of our economy.

With respect to the first task, I have strongly supported such programs as unemployment compensation, food stamps, trade readjustment assistance, and retraining for those who must shift jobs. It is particularly important that society help individuals and families who suffer because of economic dislocation.

No matter how worthy and valuable these actions may be, however, they are no more than "band-aids" for our problems. They only patch the cuts and abrasions of our ailments; they do not cure the cause of our affliction. I want to suggest, very forcefully, that the biggest part of the answer lies in looking ahead and doing some hard preparation

LETTERS:

To the Editor:

In the recent election of first-year representatives to the Law School Student Senate, there were seven candidates for four seats. Section one had four nominees, Section Four had two. One nominee ran unopposed in Section Three, but lost to write-in candidate Jerold Israel (subsequently disqualified). Nobody in Section Two cared enough to turn in a petition on time. Isn't apathy wonderful?

Apathy is particularly marvelous when manifested in the form of The Write-in Candidate. The write-in has made an initial commitment to apathy, but it is a weak commitment. Something happens.

Perhaps there is no nominee, and the prospective write-in candidate thinks "maybe I don't care much, but I'm better than nothing." And the prospective candidate is often correct in that analysis.

But that doesn't seem to have been the case in Section Four. Section Four boasted two candidates who cared enough about the Senate to take out petitions, accumulate twenty signatures, and win a place on the ballot. Section Four also boasted two write-in candidates who did not care enough to expend that much effort, but who waged aggressive write-in campaigns.

Those campaigns injected a little suspense into the election: one of the write-ins almost won. And they were

nice, clean, issue-oriented campaigns. That's fine, as far as it goes, and the way a campaign should be. But there is one issue that both write-ins failed to confront: why should anyone believe they're willing to do the work?

Remember, these are people who once made a decision that they did not care enough about LSSS to put in the time to be an effective Senator. But after the end of the nominating period, they decided they were willing to run after all, and were willing to work hard to keep that suddenly-coveted Senate seat out of the hands of someone who did care, who had no doubts as to their willingness to commit the time and to do the job.

Write-ins have an important

See page 6

O'Reilly: Viable Alternative

BY Terri Stangl

Few people seem to actually talk about the upcoming presidential election anymore. Instead, there are knowing exchanges of rolled eyes, shrugged shoulders, and sighs. Faced with dubious choices, at best, it is understandable why many people feel their votes will be nothing but useless gestures. But regardless of who ultimately ends up inside the oval office, it will be Congress that shapes most presidential initiatives.

Well aware of Congress' importance, many of the various groups that are now loosely referred to as "the New Right" have been systematically targeting liberal and progressive legislators for defeat. Backed by finances and personnel, these groups pose threats to such notables as Birch Bayh and George McGovern. In our own congressional district, however, there will be no such challenge. Republican incumbent Carl Pursell is not going to pull any punches against the status quo, nor object to its ever more conservative drift.

Here in the second district, there is an alternative: Kathleen O'Reilly. At a time when the majority of politicians are willing to sacrifice programs for people in pursuit of financial backing, O'Reilly presents a refreshing change. She offers a well-proven commitment to consumer and public needs, and an uncanny ability to implement these goals despite widespread, cautious conservatism. Not that there aren't good reasons for caution or concern. On the contrary, it is virtually self-evident that

this country is suffering from a serious economic upheaval, with all of its concomitant social and political repercussions. A careful, cautious analysis will be essential if we are to develop innovative solutions.

But just when such a rigorous and creative approach is most needed, the political community is wilfully and blindly withdrawing into a nostalgic past: past promises, past glories, past prejudices. Instead of devising new means of addressing the combined pressures of shrinking resources, domestic unrest, and our declining international influence, many politicians wrap themselves in the same thread-worn "solutions." Advocating a return of the U.S. as "number one," the restoration of "the family," back-to-basics in the schools, and the mythical egalitarianism of an unhindered free-market economy, these politicians seem oblivious to the fact that we must deal with our unique dilemmas with new tools and tactics.

Kathleen O'Reilly, by contrast, has shown herself to be the kind of person who can meet these unprecedented national problems with fresh, practical ideas.

She has worked for the President's Commission on Crime, for Nader's Public Interest Research Group, for the U.S. Attorney's Office in Washington, D.C. and was engaged in private legal practice for several years. In 1975, O'Reilly joined the nation's largest consumer advocacy and litigation group, Consumer's Federation of America (CFA), of which she was later elected Executive Director. CFA was founded

in 1968 to advance the consumer viewpoint before Congress, federal agencies, and the courts.

Under O'Reilly's leadership, CFA worked for laws prohibiting credit discrimination; for legislation which would strengthen anti-trust laws by allowing consumers to sue price-fixers; support for Truth-in-Lending disclosures which inform consumers of the terms and conditions of loan agreements; for legislation to attack the problem of 'redlining' by financial institutions; for lower energy and health care prices; for the National Consumers' Cooperative Bank, and more.

O'Reilly's accomplishments are impressive on their own. O'Reilly's approach to the economic crisis is comprehensive. She has worked against tight credit and high interest rates, and for legislation to hold down costs. She favors reimposing price controls on oil and gas, as well as programs of energy conservation that include solar and geothermal alternatives. She recently pointed out to a University of Michigan audience, "At a time when our oil supplies are being threatened in the Persian Gulf, our legislators should be pushing for alternative technologies... which can help us now, for the short run as well as the long run." Pursell, on the other hand, voted for the decontrol of oil, and against conservation measures to encourage weatherization, and mass transit.

O'Reilly has lobbied for hospital cost containment legislation and supports national health insurance, while Pur-

sell has opposed both these programs. He supports an across-the-board tax cut that would benefit the wealthy more than low and moderate income families, and also sacrifice vital social programs.

O'Reilly opposes draft registration and the cold-war mentality that it reflects. She supports a "firm, reasoned position against aggression" and an all-volunteer army. Although her opponent did vote against registration, he did no more. He failed to use his position as the representative of the largest student population of any U.S. Congressional district to speak on behalf of the young people who are most affected by the draft. O'Reilly, however, recognizes the need to speak out vigorously against such "inherently ineffective, ill-considered and dangerous policies like draft registration."

It is skill and initiative, combined with a politics that puts people first, that make O'Reilly more than just an exciting candidate. They are also the qualities that are desperately needed in a Congress that is succumbing to the New Right's offensives. Whatever reservations we may have about the presidential race, let them not obscure this welcome opportunity to make a real choice at the Congressional level.

The O'Reilly Campaign welcomes persons interested in helping. Please contact its headquarters at 668-8405, 201 South Main Street in Ann Arbor.

Terri Stangl is a law student who is working for the O'Reilly campaign.

for the long-term—something government has been particularly remiss in accomplishing.

Budgets, for example, are battled out annually. Elections face a Congressperson every other year. These pressures lead most people in government to look ahead only as far as today or tomorrow, or at best, the day after. Rarely do we peer at next year; never at ten years from now. Like physicians in an emergency ward we scurry from table to table stitching wounds and shouting for medication. But we seem never able to prevent the accidents and diseases before they become emergencies.

One of the greatest causes of the auto industry's current situation is, of course, the tidal wave of Toyotas and Datsuns and other Japanese imports that have taken over about 30 percent of the U.S. market. Much can be learned from the way this has come about. According to the U.S. Comptroller General, the basic problem is that while the U.S. "reacts" to crises, the Japanese "anticipate" them. "There is an important

time-frame difference between Japan and the United States," the Comptroller said. "[The Japanese] conception of 'early warning' rests on economic projections 5 to 10 years or more in the future." The United States is less farsighted.

In addition to looking beyond the current decade, Japan involves all aspects of its society in a planning process—management, labor, education, and government at all levels. In the U.S., however, these groups take it to be their task in life to fight one another—even when it is in the best interest of all to cooperate.

I am not suggesting that we copy the Japanese in all things. For instance, their government officials meet with labor and management leaders on a regular basis to decide production goals and determine which industries should be encouraged through various government incentives and regulations. This is too far down the road to socialism and would carry us further from our free enterprise roots than we really want to go.

However, I do strongly believe we can force meaningful partnerships to solve common problems, without destroying the individual identity of institutions, without reducing competitiveness, and without damaging the diversity that has been our strength for over 200 years.

Accordingly, I have been working with various leaders in government and in the private sector in Michigan, to help lay the groundwork for statewide, long-range cooperative planning sessions.

Michigan is as adverse as the nation itself. It is a leader in industry, agriculture, tourism—and a supplier of vast amounts of energy, minerals, timber, and other raw materials needed in production. Our transportation system is unequalled. We are a leading producer in 18 manufacturing and processing categories, with over 14,000 manufacturing facilities shipping products valued at more than \$80 billion annually. Twenty-one of the Fortune 500 companies have their headquarters in Michigan.

Despite abundant natural resources, however, Michigan's greatest wealth has always been its people. The per capita production of our workers significantly exceeds the national average, and their experience extends to almost every type of industrial job and business skill. The nation has long looked to our state for leadership in the fields of education and government.

It is this type of partnership that will be needed to overcome the lack of cooperation that seems to be precluded by the adversary system which is so pervasive in our society. I feel a responsibility to do what I can to encourage the type of cooperative, long-range preparation and action that is necessary if Michigan is to hold onto the prosperity and progressiveness which has so often made it the envy of the nation.

I propose that we start on the road to cooperation by convening a "Leadership Conference on Michigan's Future," composed of representatives from the public and private sectors—elected and appointed government officials, leaders of labor and business, academic experts, the media, and other community leaders—to recommend specific steps toward creating a climate in which we will be

able to work together as partners, not adversaries.

The ongoing activities of the leadership conference could be guided by a steering committee headed by, for instance, a distinguished leader in community development and our three major universities—U. of M., M.S.U., and Wayne State. It is my hope too that a series of working meeting similar to the original conference would follow on a periodic basis throughout the state.

This process should begin as soon as possible in 1981. I believe it should be initiated in a non-election year, to underscore the bipartisan—even nonpartisan—nature of this comprehensive effort to meet our state's biggest challenge.

The give and take of issues and ideas, so important in the legal process and in legal education, need not produce a society in which progress is impossible because everyone is working at cross-purposes for narrow self or special interests.

We are at a critical crossroads in American and world history. Never since the Revolution has one phrase been so true: "We shall hang together, or we shall surely hang separately."

Both the O'Reilly and Pursell campaigns were invited to submit a statement to the R.G.

R.G. CANDIDATE FORUM

I hate Reviewers

By Jon Kurtzman

I hate reviewers, don't you? I get more upset over a poorly written and conceived review than I do over the presidential election. Most of my quarrel can be described by my reading of the word reviewing itself. I think of reviews as tools, somewhat like eyes, which allow us who were not there to experience to a degree what we missed. Unfortunately, most reviewers only want to purvey their slightly or significantly warped perceptions of reality. I, for one, am tired of not being able to trust a review for more than the title of a movie or book. Although it has been suggested that we get rid of the lawyers first thing, I propose that we get the reviewers now.

Ah, if it were only possible that hacks were not given typewriters. But being as this is a somewhat free society. . . . It makes more sense to explain what I don't like and what I think should be.

The essence of most reviewers' and most writers' problems is that they have either failed or not bothered to isolate their premises. We see a lot of complaints that "so-and-so hates reggae so why is he reviewing it." These are only symptoms of the deeper problem that the reviewer was unable to see that he carried a large chip on his shoulder. For example, a Daily critic thought Sam Marlowe, Private Detective stunk because the lead character, who looks and sounds like Bogart, does some possibly un-Bogart things. His feelings of being let down

led him to make rash value-judgments about the strength of the plot and the script. He didn't like them because they weren't what he wanted.

In a different but related vein, the Free Press rock critic panned Springsteen's concert here because she finds his music juvenile and she could not understand the fags. I suppose that she also considered all of us jumping around as being juvenile, whereas a lively crowd at a concert she liked would be "inspired." What I am getting at is pretty simple. Some people like close order drill or tax law—beggars can't be choosers and we are all beggars. We need a lot less ego; it is a misexercise of pride to believe that a certain sensibility is better. Hawthorne would say that it is a sin to try to enforce that belief.

One change in review style should be greater experimentation with style. Remember that overworked idea from English that each work of art mirrors its creator, society, and idea or whatever your professor wanted? To effectively mirror the art being reviewed, we sometimes should try to arrange our words, which are imperfect even ousy means of communication, to give a sense of the artist's meaning as the reviewer can best

render it. This process make the review itself into a form of art. The reader then may interpret a review or, more usually, see on its face the reviewer's prejudices and ability to appreciate what was seen or heard.

Besides the obvious criticism that I am being as high-handed as I accuse others of being, I deserve criticism for making a little thing difficult and for ignoring an important function of reviews, which is to entertain. I have no answer to the first question except to say that I wish it were possible and we should try. What I want will only be possible when man himself has changed, the prospects for which are slim. We all have dreams, large and small; this is a small one of mine.

The second criticism—boring, boring, boring—is more troubling. Of course, humor is not big in reviewing circles. Reviewers tend to be pompous in their writing, but explaining what you think is more difficult than explaining aor recanting what others think. We all need a sense of the absurd.

On that note, I would like to close by performing the Moonlight Sonata with an elephant's bladder (with tabasco). Just think it, like the Minuet in G.

Letters

from Page 4

place in any elected-representative system. I strongly believe in a voter's right to write in, her choice, and in the right to a write-in candidacy. But I also believe that every person who wages a write-in campaign should be asked, and should be prepared to honestly answer, "why the change of heart? Why should we believe in your commitment to do the job?" However virtuous the answer, the questions have to be asked.

An election official should not be heard to espouse an opinion on anything before an election. That's why you see this now, and not two weeks ago. And that's why you won't hear this view put forth before the Senate election in March—at least, not by me.

But there are going to be hotly-contested races in March. And there are going to be write-in candidates who, like any every other candidate, will have to face some tough questions. And if anybody remembers to ask next time, one of the toughest questions is going to be the one about sincerity.

Kirk Messmer
LSSS Elections
Committee

Halloween Party

Friday, October 31 at 9:00 p.m.
Lawyers Club Lounge

This annual gala event will feature mega kegs,
witches brew, dancing and general debauchery.

ORGANIZATIONS—The Treasurer will not pay any student reimbursement requests from the last fiscal year after October 31.

The best Quiche in town is just around the corner.

If you're near State Street, you're just around the corner from the Stage Door. And the best quiche in Ann Arbor.

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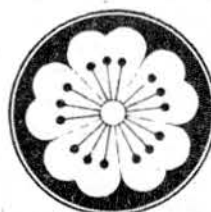
300 S. Thayer 769-3042 Next to the Bell Tower Hotel

Whether or not they have arrived in Ann Arbor, this season has previewed some of the finest films in years, lauded by most critics and successful at the box office. Among the best:

"Ordinary People," directed by Robert Redford, starring Donald Sutherland and Mary Tyler Moore. Pauline Kael hated it, calling Mary the "Wasp-witch mother" but the film, the acting and the direction are far better than Kael concludes. This expose of Lake Forest living is far from searing, but the performances are strong in this chronicle of upper class coping. Detached-son-attempts-suicide, while director and photographer capture the even more detached lifestyle of silent dinner table and impervious wealth. A strong piece sure to dominate the Oscar list. Sutherland and Moore are uncharacteristically and brilliantly cast.

"The Stunt Man," a modern day Don Quixote of the Hollywood set, the proverbial stuntman-actor-director triangle persists in the persons of Rialson, Rocco and O'Toole. The film is energetic (kinetic) but the comic O'Toole outshines the romantic brute Rialson. Script by Lawrence Marcus, directed by Richard Rush.

"The Elephant Man" insists it is not a movie of the successful Broadway play of the same name, continuing still, with David Bowie in the starring role. Rather, the black and white feature by David Lynch traces a similar but not identical life of John Merrick, Victorian showpiece who charmed high society into submission. The film traces a fairly predictable chronology, from Merrick's beginnings at the back street circus, through his encounters with Dr. Anthony Hopkins, to his introduction to Hopkins rich and liberalized Victorian society. The tenor of the film is softened by the dream-like sequences, glimpses at the hopes and fears of monster Merrick, and the changes in those dreams as acceptable society moves closer into his world. John Hurt is the often doll-like Merrick, Anne Bancroft is the actress of the day Mrs. Kendal, and Hannah Gofdon holds the stronger role, as Hopkins wife and Hurt's first introduction to proper society. Lynch combines some of the iconoclast movie-making he demonstrated in his earlier "Eraserhead" in creating the London street scenes and animal metaphors throughout the film.



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The Committee on Sports and Recreation must regretfully announce an unexpected change in our financial situation. Due to problems originating in the Student Senate, we no longer have any money, for any purpose. At present this means that we will not be able to finance any more intramural sports teams. If you have not been reimbursed by now, no money is forthcoming. As soon as we know anything about the status of reimbursements in

the future, we will put up notices both on this page and on the Sports board.

In the long run, this new development could have a profound effect on the operations and functioning of the CSARs. Without money, we may not be able to hold our traditional basketball tournament or assist any organizations attempts at expanding the recreative programs offered by the University.

We are sorry for this, but this is something totally beyond our control.

Grapple for Gold

Law Gold is now looking for wrestlers. The three day intramural tournament will be held in the middle of November. All interested participants should leave a note with their names, addresses, and I.D. numbers in the CSARs box outside the LSSS office on the second floor of Hutchins. CSAR Schisler will contact you when more is known about weighing in and the weight classes involved.

Last year a Law school team placed second in the graduate tournament despite the fact that only five men turned out for the team. Any person who wants to get out on the mat is welcome, especially those at the lower weight classes where there is very little competition. Law Gold has not had great success so far this year, so we hope to make up some ground in the wrestling tournament.

Public Interest Employment Conference

On November 7 and 8 the law school will sponsor the Public Interest Employment Conference. The Placement Committee needs your help in making this Conference a success. We plan to provide some services to those students attending the Conference. Also, students from out of state schools (Northwestern, Chicago, Wisconsin and Minnesota) will need places to stay while they are in Ann Arbor. If you will be able to assist the Committee during the Conference or if you have any available space to house conferees please let us know by filling out the form below.

I will be available to help the committee on:

Date _____

Time _____

I can provide _____ floor space, _____ couch, _____ bed for _____ persons to stay while they are attending the Public Interest Employment Conference November 7 and 8.

Name _____

Address _____

Phone _____

Sulmeyer, Kupetz, Bauman & Rothman

of Los Angeles, California

will be interviewing all interested 3rd year students for summer 1981 positions on

Wednesday, November 19

Our firm consists of 14 attorneys and specializes in bankruptcy and specializes and reorganizations. Our clients include North American Philips and Knudsen Corp.

Student's interview request cards are due in the Placement Office on November 3

Sports Poll

RICK'S AMERICAN CAFE awarded another winner last week with a pitcher of their best brew. He was Jim Patterson with a score of 15-3. They will continue this practice in future weeks, so get your entries in now for this week's contest. All games are for this weekend, so entries must be in by noon on Saturday.

Arizona (10½) at UCLA
Ball St. (3½) at Bowling Green
California (6½) at USC
Yale (3½) at Dartmouth
Georgia Tech (5½) at Duke
South Carolina at Georgia (1½)
Minnesota at Illinois (4½)
Michigan at Indiana (5½)
Wisconsin at Iowa (2½)

Miami, O. (2½) at Toledo
Ohio St. at Michigan St. (18½)
Missouri (3½) at Nebraska
North Carolina at Oklahoma (1½)
Purdue at Northwestern (21½)
Texas A & M at SMU (3½)
Pitt at Syracuse (9½)
Texas at Texas Tech (12½)
Villanova (8½) at Delaware

Tie Breaker

How many passes will Michigan attempt against Indiana?

Name _____
Address _____

Dogs Finally Falter

The Law Dogs ended their regular season with a loss on the Tartan turf last Thursday night. Coach Ross Crown blamed inferior offensive play due to the absence of key players. Three of the Dogs disappeared to remote parts of the globe for interviewing purposes, a common malady of the intellectually laden Law Dogs. Bob Ling, Tim Swanson and Joe Genereux, chose their careers over the last game and left only the team's feeble minds to direct the traditionally complex offense.

The result was a disaster. Not a single pass hit friendly hands in a despairing 6-0 contest. The vaunted running game was thrown off by the ab-

sence of Ling and continued confusion on blocking assignments by the hulking but more moronic offensive line.

The defense still sparkled even without Swanson, who tends to do a mediocre job at best. On three occasions the defense stopped their foes from gaining a first down even when there was little ground to cover and many downs to do it in. The lone score of the opposition was on the last play of the first half when the official missed calling a touch just short of the goalline.

Not deferred by this temporary setback and hoping to keep everyone in town for their next contest, the Law Dogs go for their first playoff victory on Sunday.

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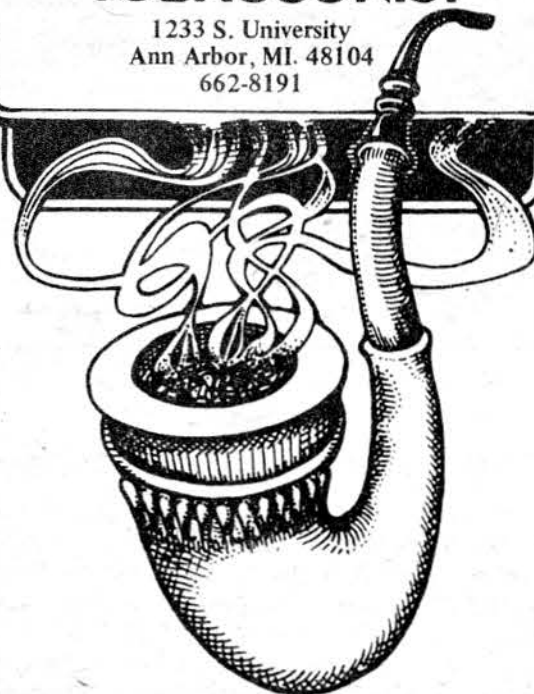
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AN OPEN LETTER TO THE LAW SCHOOL:

Keep the CIA off campus!

An Open Letter to the Law School Community:

We have become aware that on November 6 at the University of Michigan Law School, the CIA will be conducting interviews through the Placement Office. We are outraged! It is by now no secret that the CIA has been instrumental in contributing to the repression of people in the U.S. and around the world ever since its inception after WWII.

The CIA has been directly and actively involved in numerous clandestine intervention campaigns throughout the world. The links between the CIA and the Shah of Iran; its role in the Chilean military coup in 1973; its participation in Angola, Cuba and Vietnam; in Guatemala in 1954; and in other Third World countries are extensively documented and have been publicly revealed by the U.S. Senate. E.g. Senate Church Committee, 1976). The CIA has been involved also in a number of assassination plots, not least of which was the assassination of Orlando Letelier, the Chilean diplomat and one-time ambassador to the U.S., and his companion Ronni Mof-fet.

Here in the U.S. it has been revealed through a number of Freedom of Information Act suits, that the CIA has conducted illegal mail-opening campaigns (between 1953 and 1973 over 215,000 1st class letters mailed by or to U.S. citizens were illegally opened and copied by the CIA); has been involved in illegal drug-testing and mind-control research, using the resources of universities and research

organizations; has done extensive spying and surveillance on college campuses and of political organizations around the country, including here at the University of Michigan; has infiltrated national student organizations; and has collected files on numerous unsuspecting U.S. citizens.

Ever since 1976, at the height of the post-Watergate movement to reform intelligence agencies, the CIA and other agencies have responded by building a counter-movement to "unleash" the CIA. Now in 1980, with the international scene in upheaval and with U.S. economic and political power on the downturn, the "intelligence scandal" of the 1970's has receded from the public and new impetus has been given to the movement to "rebuild" the intelligence agencies. The activities and powers of the CIA have historically revolved around the unconstitutional repression of civil liberties and fundamental rights of peoples here at home and around the world.

The presence of the CIA on the law school campus on November 6 is an outrage and an insult. The fact that the Placement Office is expending the resources and energy to allow an agency devoted to repressive clandestine activity, to recruit future lawyers, is symbolic of a much larger problem at this law school. The law school is effectively conditioning us, as law students, to seek employment

with large corporate firms or government agencies like the CIA, who can pay "big bucks." The idea that any University of Michigan lawyer should work for moderate salaries or practice law in poor communities, representing poor, minority and working people, is never entertained, and is in fact looked down upon. We recognize the fact that the school is sponsoring a Public Interest Placement Conference next week, and think this is an admirable step, but find it ironic that according to the administration and Placement Office, the CIA is considered "public interest," whereas a non-governmental law collective practicing community law is not.

So, when the CIA shows up on campus, and offers a large salary with the promise of excitement and travel, of course many students jump at the chance to "serve the public." Rarely is the connection made between the individual job and the destructive role that the CIA plays in its protection of U.S. interests throughout the world.

We would urge the law school community to think seriously about this issue and to demand that the CIA not be allowed to use the University as an accessory to its crimes against U.S. citizens and peoples throughout the world. CIA off the campus!

The National Lawyers Guild
and 21 students and alumni

Editor's note: the signers names have been withheld by request.

Senate

from page 1

compiling statistics on what they call the "bottom 15," meaning the bottom 15 people in each section at the end of the first year. According to DeWitter, the faculty is concerned about the academic reputation of the school and that academic standards are not as high as they should be. The general opinion among the faculty is that students that repeatedly get in this position do not really belong in this school. The faculty's solution to this problem, according to DeWitter, is a screen applicants more carefully before they get here and to flunk people out more readily once they are here.

The Committee's job now is to compile statistics and see what common factors tie the "bottom 15" together. The fact that seems most common, according to DeWitter, is that they are almost all minorities and almost all "special admissions" students.

The controversy evidently began with the February, 1978 Michigan Bar exam when a substantial number of people, including a substantial percentage of Michigan graduates, failed to pass. Those Michigan graduates who failed were all in the "bottom 15." Instead of

deciding that there was something wrong with the test, according to DeWitter, the faculty decided that something had to be done about the students. "They're really concerned about their reputation and keeping up with Harvard and Yale," said DeWitter.

After hearing the report, the Senate expressed "grave concern" about the way the program was being conducted.

In other action, V-P Andrea Beggs announced that a formal referendum would be held on the issue of caps and gowns and the indication of honors on the Senior Day program sometime before Christmas.

First year representatives Cliff Douglas, Jackueline McMurtie, Joe Parise, and Thomas Lotterman were welcomed to the Senate and permitted to take office immediately.

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Tisch

from page 1

academic support. To offset the decrease in aid, cuts in these areas and/or an increase in tuition (the second primary source of revenue for this fund) would be necessary.

Control of any taxes or rates currently set by the State would be transferred to the electorate with a 60 per cent majority required to effect any changes. Though the implications of this provision address a broad spectrum of taxes and rates, included is tuition at all state universities. This presents special problems for the University in the short-run. Increases in tuition rates to offset the decrease in state aid would have to be approved in a state-wide election. Therefore, until tuition could be increased (obviously a long-term proposition) a decrease in expenditures is the only viable alternative.

Michigan voters should remember each of the three tax proposals is listed

on the ballot independently. Voting "yes" for one amendment does not automatically record a "no" for the other amendments.

Melissa Hopp and Diane Baker are graduate students in the Institute for Public Policy Studies.



MOOT COURT COMPETITIONS

Announcements have been posted regarding the 1981 Client Counseling Competition; the 8th Annual Giles Sutherland Rich Moot Court Competition in Patent, Trademark and Copyright Law; the 1981 Robert F. Wagner Moot Court Competition in Labor Law, the 1981 National Student Trial Advocacy Competition and the 1981 National Trial Competition. If you are interested in any of these competitions, please see Professor Rosenzweig as soon as possible.

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