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RES GESTAE

NOVEMBER 10, 1966
Vol. 20, No. 11
Ann Arbor, Michigan

The Weekly Newspaper of the U-M Lawyers Club

CAMPBELL COMPETITION CONTINUES TODAY

Court B oral arguments of the quarter-final round of Campbell Competition are being held today before a court composed of Samuel G. Wellman of Cleveland, Alan Kidston of Chicago, and Professor John Flynn. Attorneys Kidston and Wellman, both of whom are experienced practitioners in the unfair trade-antitrust law area, are members of the Committee of Visitors of the Law School. Professor Flynn, who is visiting this semester from the College of Law of the University of Utah, teaches Unfair Trade.

Students and their guests are invited to attend the remaining arguments being held today in the Court Room at 3:30 pm and at 8:00 pm.

The names of the 12 competitors who will proceed to the semi-final round will be announced on Monday.

OEO GENERAL COUNSEL SPEAKS AT LC LOUNGE TODAY

Donald Baker, General Counsel, U.S. Office of Economic Opportunity, will give a short talk at 4:30 pm on legal problems unique to the OEO arising out of poverty programs. Coffee will be served. Following this coffee hour, the Board of Directors has invited the Law School professors to attend a student-faculty dinner beginning at 5:15 in the dining hall.

WINTER SEMESTER CLASSIFICATION SET

Once again, the opportunity to outwit that old devil, the 8:00 class, is here. November 16, 17, and 18 are the dates set for classification and mark the only opportunities students will have to select their courses for winter semester.

Classification of 2nd and 3rd year students will run all three days from 1:30 to 4:30 pm. Classification of 1st year students will take place during the same hours, but on Nov. 17 and 18 only.

The schedule of work for winter semester will be available outside the Administrative Offices, 3rd floor HH, beginning Nov. 15. It will outline the exact steps to be followed in classifying.

Check the bulletin boards for room assignments and any late changes in procedure.

--Richard Sawdey

REPORT FROM THE BOARD

The Board of Directors Monday evening discussed with Prof. Joseph Sax (and approved) adding to the Law Club's speaker program periodic group discussions between students and two or three faculty members on current legal topics in the news including perhaps the Southwest Africa Case, restrictions on student voting rights, the RB-70 bomber issue, and others.

On behalf of the student body, the Board expressed its condolences to Dean and Mrs. Francis Allen for the recent loss in their family. The Dean's talk to students will be rescheduled.

In response to a written suggestion by University Vice President Richard Cutler, the Board rejected the policy of placing responsibility for non-academic discipline of students in Prof. Cutler's Office of Student Affairs.

This matter is currently in the hands of the individual departments and schools of the University. Instead of using a centralized judiciary council, it was recommended that the Law School maintain its tradition of autonomy in this area and the student Board continue to deal with non-academic discipline problems. This action was taken on the theory that each student here is preparing for admission to a profession which is primarily self-regulatory, and it would seem therefore appropriate that part of the educational process include training for this task.

Following the installation of fire extinguishers in each entryway (and 2 alarms in the past 2 months) it was suggested that all Club residents with fireplaces use their fire screens as an added precaution.

After considerable discussion, the Board recommended that the Graduate Student Council follow the one-man-one-vote principle by taking appropriate steps to revise its constitution and by-laws so as to accord all graduate departments or schools fair and proportionate representation. Background: Presently departments with as few as 12 students are entitled to one vote in the GSC while larger departments are entitled to one additional representative for each additional 100 students--with a maximum of 5 votes. The Law School currently has 1097 students but is allowed only 5 votes.

COMMITTEE OF VISITORS MAKES ANNUAL APPEARANCE

The distinguished-looking men who will be filtering about the school for the next few days are just what they appear to be--interested observers. For the fifth consecutive year, the University of Michigan Law School Committee of Visitors will be observing, evaluating and suggesting in efforts to maintain the excellence of their alma mater.

Formed partly to provide better contact between the school and its alumni, but primarily for an evaluation of the Law School program by a cross-section of distinguished Michigan Law graduates, the Committee of Visitors has been a proven success in both areas.

"Every two years the school requests that a number of graduates from all over the nation and all areas of practice serve on the committee," explained faculty liaison man Theodore J. St. Antoine. "After their tenure they become 'alumni' of the Committee."

Each year the Committee members and as many "alumni" as desire return to Michigan, observe the activities of the school, receive a report from the administration, meet with the faculty, and attempt to come up with constructive advice for the school to act upon.

"At present there are 47 Committee of Visitor members, most of whom will be here for the meeting, and 33 'alumni,' a few of whom are planning to return. Most of them are practicing lawyers, but we have a few judges, some men who are in government service and even one United States Senator," St. Antoine said.

The Committee's activities will range from meetings with administrative officers and faculty representatives to a cocktail and dinner party with the wives of both Committee and faculty members included, and attendance at the Michigan-Northwestern game.

"We expect a great deal of interest this year in the plans of new Dean Francis A. Allen," concluded St. Antoine. "The Committee of Visitors is aware of his excellent credentials and is anxious to hear about his plans for Michigan."

--George Dietrich

DEAN ALLEN LOOKS TO THE FUTURE

"What kind of issues are likely to be engaging lawyers during the remainder of this century?" Dean Francis Allen verbalized this question when interviewed by Res Gestae recently. The question is an important one for him. He stands at the head of an institution which has the task of providing the legal education necessary to equip today's law students with the ability to deal effectively with tomorrow's legal problems.

Because the longevity of law school deans can be considerable it was reassuring to hear Dean Allen stress this need for contemporaneous practicality in a school's program. "One must not be training 1966's students for 1946's problems, and this could happen if professors failed to advance their knowledge after leaving school."

As one of the important characteristics of the next 50 years, Dean Allen sees "the continuation of the knowledge explosion at an increasingly enormous pace. Social utilization of that knowledge represents one of our greatest problems." The Dean points out that a recently repealed Connecticut statute makes it crime for an epileptic to marry, without providing a definition of the term epileptic. But since we now recognize different forms of epilepsy, some with no hereditary characteristics, the statute assumes an archaic state of scientific knowledge. Similarly unenlightened statutes deal with sexual psychopathy and insanity commitments. The most recent concepts must be used by the attorney to prevent denials of such human freedoms. He must be extremely critical of established procedures to insure that they provide maximum fairness.

To deal effectively with these problems, a knowledge of psychiatry is necessary. Other problems demand the capacity to deal with computers. "I anticipate law students will be called upon to master areas that are now seen as rather remote from legal concern. If this is true," says Dean Allen, "we must be concerned with the law's integration with other disciplines." That is, because the legal problems of the future are likely to be defined by the new knowledge, to understand these problems at all, we must learn more about other fields.

"By this however I'm not saying we must produce the Renaissance man able to master all. This of course is no longer possible. We must be able to identify from the mass of knowledge the areas most significant to law. This suggests," said Dean Allen, "that although I don't mean to convert the law school into a multiversity, I do see the advisability of producing contacts with other disciplines. We already have a regular psychiatrist on the staff and bring in sociologists and philosophers to lecture. I'd like to add an economist in the near future who could bring additional insights into a whole range of problems in antitrust, unfair trade, tax policy and even criminal law and the narcotics traffic."

Dean Allen emphasized that although collaborators from other disciplines can make effective contributions by dispersing the new knowledge, usually in seminars, the bulk of the task in doing so must rest with the law professors themselves. Law professors must equip themselves to convey the ramifications of diverse fields as these are relevant to the legal courses they teach.

Allen is confident that carefully selected professors will meet this burden. "Get the best people available, provide them with the best possible facilities you can obtain anyway short of armed robbery, introduce them to a setting with limited distractions, and pray. These people are the ones who will respond to a perceived social need."

Many problems of the future however will continue to require the traditional lawyer's skills. Prosaic legal approaches may provide required answers--if the lawyer exercises his imagination. In this connection Allen points out social protest movements designed to call attention to housing problems. "Protest is necessary here, but however necessary, its ultimate goal is resolution of the problems. Because dealing with local housing commissions usually fails to solve the protester's problems, new solutions are needed. A part of the answer may lie in experiments with such measures as a receiver to collect rents and profits, which are then applied to rehabilitation of the structure." Such imaginative solutions are achieved by applying the traditional legal methods to situations where they have not heretofore been applied. Contemporary problems may be solved by confronting them with solutions transplanted from older problems.

The attorney then has an increasingly important role to fulfill in the future, a role that will be more difficult and more demanding than it has been in the past. Dean Allen wants his school to be able to train the lawyers that can measure up to that role.

--Sam Tsoutsanis

ANNOUNCEMENTS

Foreign Study Fellowships: several seniors still retain material which is needed for use by others interested in certain areas; will those seniors please return such material immediately to the office of Mrs. Gomes, 973 L.R. This applies particularly to Belgium.

Interested applicants are also advised that they should now be exploring the individual opportunities for direct application to the country where

they hope to work. Deadlines on direct applications vary, but fall between mid-November and mid-April in general. The various source materials are available in 973 L.R., but will have to be digested there; the principal publications cannot be loaned out, since they are in constant use.

Deadline for organization information and material to be submitted for the 1967 Quad is Nov. 12, 1966. Any revisions to copy appearing in the 1966 Quad should be submitted to Ron Gilbert at Mrs. Betts' office on the third floor of Hutchins Hall. Copy from last year's Quad will be used for any group not submitting its revisions by the Nov. 12 deadline.

Supervised Research with Seminar Credit. Professor Cesar Sepulveda, former Dean of the Law Faculty, National University of Mexico, Mexico City, will be visiting professor at the Law School next term. In addition to giving a seminar on the Law and Policy in the Organization of American States he agreed to guide and supervise individual research in Mexican law for those students who are able to read Spanish. Emphasis will be on Mexican laws and regulations affecting foreign investment and commercial activities. Students will receive two-hour seminar credit for this work. This is a unique opportunity for close personal contact with a leading Latin American scholar and we want to bring this to special notice of those who can read Spanish. There is no other prerequisite.

Prof. Eric Stein

TICKETS GO ON SALE TODAY FOR NOV. 19 DINNER DANCE BUFFET

Tickets for the roast beef buffet go on sale today at the Law Club office. Hours are 9-12 am and 1:30-3:30 pm. Sales end Nov. 17 and no tickets will be sold at the door. Dinner begins at 7 pm. Serving ends at 9.

Club boarders will receive a free ticket for dinner which must be picked up before Nov. 17. Tickets for everyone else are \$2.50 apiece.

The dance that follows is free and begins at 9:30 in the lounge and downstairs. The "Chosen Few" will play rock and roll downstairs. Free set ups and intermission entertainment will be provided.

Dress is formal or semiformal.

REPORT FROM THE LAW STUDENTS CIVIL RIGHTS RESEARCH COUNCIL

LSCRRC was organized last year to eliminate those who would become members for many of the same reasons one subscribes to the Evergreen Review (nice to have on your coffee table). Life as a LSCRRC member now involves hard work with little publicity, but is far from unrewarding. Each member is given complete responsibility for a single project. Operating on this basis LSCRRC avoids time-wasting delays inherent in superimposing a group countenance on an individual's work.

This fall, the members have handled cases involving the following issues:

Can a school board determine on the basis of race which high school a child ought to attend in order to promote racial balance throughout a school system? (Bussing students in Lansing, Mich.)

Can a city administration close city swimming pools in an admitted attempt to avoid a court order which says they must be integrated if they are operated at all? (Pool closing in Jackson, Miss. The case rests on Griffin v. The School Board of Prince Edwards County, Va.)

Should a seldom-used state statute receiving all common law crimes into the law of the state be used to support a charge of inciting to riot where there is no state statute specifically making this a crime and where only one state has ever prosecuted under such a reception statute for such a crime, and that in a 1930's labor dispute. ("Kercheval Riots" in Detroit.)

A more involved case has resulted from the arrest of a Negro passing through Washtenaw County for carrying a gun in his car. The Negro was reported to the police by an off-duty policeman. Questions that will probably be raised: May the Michigan statute making the carrying of a weapon in a car without a permit be applied in this case because of the manner in which the arrest was made; is this statute a burden on interstate commerce; and, given the recent racial disturbances, does a Negro have a right to the protection afforded by a gun if he was carrying it in a reasonable and safe manner.

There is no truth however to the rumor that the Council has been working on a brief in support of action to have the Law Wives removed from the Attorney General's list of subversive organizations.

--Frank Munger

GRAD WRITES FROM VIETNAM

The following letter was sent to Dean Proffitt by a recent U-M Law graduate and is reprinted here because it is not altogether unlikely that some of us will be going the same route. The attitude displayed therein exemplifies what on-the-scene participants feel and may frequently be contrasted with the attitude of the yet-to-be-involved and don't-want-to-be-bothered students at home:

"My current assignment is Staff Judge Advocate of Qui Nhon and Phu Cat. I have been briefed that Qui Nhon is about 60% V.C. They hit Phu Cat last week and killed 13 of our boys. I'll commute between them as a sort of circuit rider. The road is reasonably secure, held by our patrols, at least during the day.

Since my arrival in Vietnam I've been stationed in Saigon at 7th Air Force HQ. I leave tonight for Qui Nhon.

Saigon, once the Paris of the Orient, is certainly less than that now. Picture thousands of men, tons of equipment and scores of planes moving in diverse directions. The noise is deafening.

Our HQ is secured by sandbags and sentries. The possibility of a plastique or grenade is constantly with us, but adds to the excitement, I suppose, of the work.

The Army has about 400 prisoners in its stockade; we have only a handful. Their court-martial load is monstrous compared to ours. I'm trying a sleeping on post" case at Da Nang next week. With stepped up suicide raids by the V.C., the offense has taken on new seriousness.

I should like to receive law school publications here and alumni news and should be eager to learn if there are other Michigan men in Vietnam.

October always reminds me of Ann Arbor. How is the football season? We can be proud of our boys here. They're doing a fine job. We're winning. But it is costly and painful.

Paul Ostergard, Class of '64

P.S. How is it we had no course in jungle boots, fatigues and .38 at Mich.?" (Ed. Note--Those knowing of other Michigan Law grads in Vietnam are asked to submit addresses of same to Dean Proffitt for forwarding to Ostergard.)

WEEKENDER

The upcoming weekend should bring a whole new slate of films to town.

Leading off at the Michigan will be "Dr. Zhivago," David Lean's much-heralded and over-publicized adaptation of the Nobel Prize-winning novel by Boris Pasternak. I say "over-publicized" because "Zhivago" does not merit all the attention it has received. It is, at most, a good movie which is worth seeing but certainly not worthy of any claim to excellence. Omar Sharif, Julie Christie, Geraldine Chaplin, and Rod Steiger and Tom Courtenay have the lead roles. But as is so often true in a picture which employs a very large cast, notable talent goes to waste on very minor roles--e.g., Alec Guinness, Ralph Richardson, and Rita Tushingham. This is not to say that the acting is poor, though; with the very noticeable exception of Julie Christie, all do a competent job. But the film, despite beautiful and rugged photography, only comes out to be the Russian Revolution with veddy British accents. In short Lean and his cast have failed to bring any of the real power and tragedy of the novel to the screen.

The State will have ordinary comedy fare in "Not With My Wife You Don't," a typical technicolor farce of sex, marriage and infidelity. Seems George C. Scott comes back to chase Tony Curtis's wife, played, with gusto, by Virna Lisi.

The Campus, which may hold over "The Agony and the Ecstasy," should have "To Die in Madrid," one of the few documentaries currently making the rounds. This one concerns the Spanish Civil War of 1937, and according to the critics, does an excellent job of capturing the bitterness and frustration of this pre-World War II turmoil.

Cinema II keeps its hot streak alive with "Sundays and Cybele," the award-winning 1962 French drama about a soldier with amnesia who falls in love with a 12-year-old girl (no, it's not "Lolita"). Hardy Kruger ("Flight of the Phoenix") and Patricia Gozzi head the cast. Critical consensus: a tender, sensitive film with some very fine acting.

The Cinema Guild, on Thursday and Friday, will show the German classic horror film "M," a 1932 melodrama which sent the late Peter Lorre off on his distinguished career. In this one Lorre plays the role of a child molester. On Saturday and Sunday, the CG will have its first Experimental Film program of the year. If they're anything like last year, stay home.

Tube fanatics will also have some good weekend flicks to choose from:

--CBS, on its Thursday Night at the Movies, will present "Advise and Consent," a 1962 adaptation of the Allen Drury novel about the President's fight to get a controversial politician appointed Secretary of State. Fran-chot Tone and Henry Fonda are featured.

--Saturday Night at the Movies, on NBC, will run "The Man Who Knew Too Much," a fairly entertaining Alfred Hitchcock suspense yarn. In this one Jimmy Stewart and Doris Day cavort around Merrie Olde England to prevent the death of a diplomat.

--Jay Witkin

SPORTS

Well, would you believe that Michigan is the best team in the nation with FOUR losses?

* * *

Special to the Res Gestae

WAVERLY--Here in the secluded meadows of northeast Iowa, the Wartburg Hurricanes, though losing today to Simpson, completed one of their most successful seasons in decades by dropping only 7 of their 8 games. Today's 56-7 defeat was actually closer than the score indicated as Wartburg led 7-0 going into the final quarter. Coach Hank Gilmore attributed the last period collapse to poor coaching. Coach Gilmore was fired immediately after the game.

* * *

The Sports Illustrated cover jinx appears to have reached its all-time peak over the last two-month period. The sordid details follow: Rudy Bukich (Sept. 12) has been simply terrible all year; Jim Perry (Sept. 26) and his San Francisco Giants immediately faltered and recovered only when it was too late; the Los Angeles Rams (Oct. 3) lost three games in a row; Joe Namath (Oct. 17) and the Jets dropped their next two games; and Elgin Baylor (Oct. 24) reinjured his knee and hasn't played since.

The reaction took longer in two other cases but UCLA appears to be out of the Rose Bowl picture (Gary Beban, Sept. 19) and Green Bay is no longer a runaway favorite in the NFL's Western Division (Bart Starr, Oct. 31).

FOOTBALL PICKS--The percentage is up to .681 with 14 1/2 out of 20 last week. This week:

| | |
|----------------------------|----------------------------|
| Michigan over Northwestern | Colorado over Kansas |
| Dartmouth over Cornell | Notre Dame over Duke |
| Princeton over Yale | Arkansas over SMU |
| Georgia over Auburn | Oklahoma over Missouri |
| Georgia Tech over Penn St. | TCU over Texas |
| Tennessee over Mississippi | Baylor over Texas Tech |
| Illinois over Wisconsin | Army over California |
| MSU over Indiana | Washington over Oregon St. |
| Ohio State over Iowa | UCLA over Stanford |
| Purdue over Minnesota | San Jose St. over Utah St. |

--Saul Schultz

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