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RES GESTAE

March 7, 1967
Vol. 21, No. 8
Ann Arbor, Michigan

CAMPBELL TOMORROW
ELECTIONS THURSDAY

The Weekly Newspaper of the U-M Lawyers Club

LAW CLUB ELECTIONS THURSDAY--STATEMENTS OF THE CANDIDATES ON P. 2

This early-bird edition of the RG is designed primarily to serve as an elections issue and submits for your consideration the statements of candidates vying for positions on the Board of Directors. The statements have not been edited and all candidates did not submit statements. Vote Thursday. (The next issue of the RG will appear on Thursday, March 23.)

SPECTATOR'S GUIDE TO TOMORROW'S CAMPBELL COMPETITION FINALS

The Res Gestae hopes this guide will add to your appreciation and understanding of the forensic fireworks in the forty-third final round of Campbell Competition.

History: In 1926, what is now the Detroit law firm of Dickinson, Wright offered to endow a moot court program at Michigan Law School in the memory of Henry M. Campbell. Campbell was the son of a Michigan Supreme Court Justice who, in 1859, was appointed the first Dean of our Law School. Competition prizes were first given in 1935.

Historic anomaly: This year's competition has been publicized as the 42nd Annual Campbell Competition. Actually, it's the 43rd. Due to a slip-up in the program printing department, there were two 40th competitions. (That's just to prove that the RG can match the Daily Sesquicentennial date exposé.)

Time and place: The final round will be held in room 100 shortly after 2:00 pm tomorrow, March 8. Show up early if you want a seat. If you can't, this year a sound system will pipe the contestants' and judges' voices into the hall.

The Judges: U.S. Supreme Court Justice Tom C. Clark, who received his LL.B. degree from the University of Texas and has been on the high court since 1949, heads the list of judges.

The second visiting judge, Wade H. McCree, was recently appointed to the U.S. Sixth Circuit Court of Appeals. He has served as a member of the ABA Committee on Fair Trial and A Free Press and will also speak at the Case Club Banquet tomorrow night on the impact of news releases on the right to a fair trial.

Philip Elman of the Federal Trade Commission will also be on the bench. Elman is amply qualified to deal with the competition's price-fixing problem, not only because of his experience in presiding over FTC hearings, but because of an extensive background in economics and because this year's problem is based on a case in which he is a nominal litigant, American Dairy v. Federal Trade Commission.

The Law School will be represented on the bench by Dean Francis A. Allen and Prof. Tom Kauper. The latter drafted this year's competition problem.

Final Round Competitors: Carl Von Ende and Steve Wood for petitioner corporation; Ed Carney and Bob Hurlbert for respondent FTC.

Summary of the Issues: The Commission is alleging illegal price-fixing practices under the Robinson-Patman Act by two locally incorporated branches of a national dairy company. The facts are disputed. 1) These practices would definitely be illegal if the company committing them were in interstate commerce. Are the nationally-affiliated locals in interstate commerce? 2) Do the defendant-petitioner's acts in response to a national

price war violate the Robinson-Patman Act (Section 2(a) of the Clayton Act)? 3) Is a difference in prices charged by two separate branches of the same seller an actionable discrimination under Section 2(a)? 4) The Commission is alleging violations in only two areas of the country, yet its order involves the national operations of the country. Legal? 5) Did the Commission apply proper standards with respect to proof of anti-competitive effect in the price discrimination portion of the proceedings?

For those now totally confused: An innovation this year, printed briefs for both parties are available in limited quantities.

--Glenn Litton

STATEMENTS OF THE CANDIDATES

PRESIDENT

The Presidency of the Lawyers Club is not a burden lightly assumed. Serving this year as Board of Governor's Representative and as Social Chairman, I have had an unequalled opportunity to assay the responsibilities of the position. I pledge my willingness to undertake the tasks necessary for the good government of our student body.

I propose to effectuate the following policies:

- 1) Publication of an open agenda to which all may refer in advance of meetings.
- 2) An automatic "one week tabling" of motions critical to students' immediate personal interests so that all parties may be heard.
- 3) Development of the recently formed communication channel between faculty and students for the discussion of problems and proposals vital to both groups.
- 4) Cooperation with the Dean and the Faculty in establishing needed rules and academic reforms.

--Allen D. Field, '68

I would propose as President:

- I. A more representative Board:
 - A. Open Board meetings--at announced times with advance notice of topics to be discussed
 - B. More equitable and imaginative utilization of Club monies to alleviate such abuses as:
 1. free meals and expensive parties for Board members only
 2. elimination of exorbitant profits on commercial enterprises (bookstore) making these services truly cooperative
 - C. Constitutional reform--including initiation of a meaningful referendum and exposed budget
- II. Student-Faculty interaction--offer student views on:
 - A. Establishing concrete disciplinary procedures
 - B. Renovation program--
 1. library facilities
 2. club rates and quality of services
 - C. Examination and course scheduling

The Board must become the students' voice!

--Douglas N. Jones, '69

VICE PRESIDENT

The Vice-President has two main functions. The first is to carry out the administrative jobs delegated to him by the President. Having served on the Board the past year, I have gained a great deal of experience which should enable me to successfully cope with the administrative routine. The second function is the formulation and implementation of Board policy. In this area I will seek to have action taken by the administration in regard to the lighting in the library and the conversion of the "brown bag" room into a real student lounge where the students could eat and converse

in a more suitable atmosphere. Furthermore, I will attempt to insure that the students have a voice in the administration's decisions on discipline and curriculum.

--Chuck Barnhill, '68

As a member of the Board of Directors and as Co-Social Chairman this past year, I worked hard to plan and execute a successful program of social functions for the law school. Were I elected to the Vice Presidency I would strive to do an equally acceptable job. I am concerned about increasing student faculty interaction, about lack of proper parking facilities, about the lighting in the library and current library practices and policies, etc. But most of all I am concerned that the Board be truly representative of its constituency and to this end would always be available to receive complaints or suggestions from all law students.

--Nancy Wichman, '68

TREASURER

I feel that I can represent the interests of all law students. I have lived in the Law Club for the past two years, but I am joining up with the ranks of the married men this July. I am currently serving on the Boards of Directors-Placement Office Committee. Of special interest to me, and to the Committee, is the expansion of the compass of the interviewing program to include areas of opportunity beyond the law firm career. As a member of the Board, I would be particularly interested in (1) clamping down on the petty thievery which goes on around the law school (2) upkeep of the grounds in the law quad, and the institution of rules necessary to keep it looking as I think it should (3) encouragement of smaller classes and seminars for the upperclassmen and maintenance of smaller sections for first year students.

--Jim Schwab, '68

SECRETARY

Having been a Law Club resident for the past two years, I feel I have become well aware of the law school's problems and needs. If elected Secretary, I will not only try to perpetuate the many good programs initiated by the present Board, but will actively seek to bring about further much-needed changes.

I am willing to devote as much time as necessary in order to carry out fully the duties of being Secretary and a Board member. Always I will try to represent your interests and voice your concerns.

--R. Michael Cole, '68

As a Campbell Competitor and a Law Review candidate, I feel I can easily handle the writing aspects of the office of Secretary. Beyond taking minutes, a Secretary's function is also to produce better student-Board communication. As Secretary, I would see that notice of Board meetings, the minutes of each previous meeting, a list of Board members, and any other matters germane to Board operations would be posted in both Hutchins Hall and the Law Club. I would try to establish and circulate more consistent sanctions for abuse of library rules, and establish better faculty-Board working arrangements.

--Mike Mason, '68

BOARD OF GOVERNORS REPRESENTATIVE

I have received a great deal from the University of Michigan--especially in the friendships I have been privileged to make. I would very much like to give something in return, and by serving on the Board of Governors, I think I can best do just that. I have had experience in student government, but, more importantly, an earnest interest and concern back my promise to work diligently and impartially if elected. I hope I may receive your consideration on March 8th.

--Tim Baetz, '69

The board should be more amenable to suggestions of the general membership. Although election of student members to the Board is the result of choice, often election is the last control the general membership exerts upon its representatives. It would seem important that a representative have his "ear to the ground," continually remaining alert to the desires of the members. He ought to be sensitive to a majority's wish for change and try to use his "good offices" to promote such change.

Two additional planks:

1. Abolish the \$2 per day room charge for those staying over during vacation periods (as unrepresentative of actual cost).
2. Prevail upon the kitchen to abolish "ham balls" as being deleterious to digestion and morale!

--Mike Schmier, '69

GRADUATE ASSEMBLY REPRESENTATIVE

The Graduate Assembly, representing 13,000 graduate students, has in the past exerted little influence on campus activities compared to the S.G.C. of the 26,000 undergraduates. I will work for reorganization of the representation system, currently in progress, and subsequent financial support by the Board of Regents which will make the Assembly a significant force within the University.

The influence of 1100 law students on the Assembly's activities is considerable. With the use of Res Gestae reports on the bi-weekly meetings and with the furnishing of opportunity for student comment on those meetings I hope to coordinate that influence with our interests.

--Bill Bavinger, '68

Briefly, I am a freshman from Brooklyn, New York. As qualifications, I offer an interest and previous experience in campus affairs. As an undergraduate at Cornell, I served actively both in student government and as a manager and director of the student newspaper.

The following are examples of proposals I would like to see innovated: 1) The placing of vending machines in residence areas of the Club, and 2) The use of bargaining power to have prices lowered in the Club laundry and cleaning service. As Representative to the Graduate Assembly, I promise an active involvement in any issues that affect us as law students and as members of the university community.

--Jeffrey Wohlstadter, '69

AT-LARGE BOARD OF DIRECTORS MEMBER

Realizing the important and essential role that an active and alert student government can and should play in contributing to the overall excellence of our law school, I propose to serve on the board of directors accordingly.

I mention the following considerations in support of my candidacy: Not living in the Law Club, should bring a needed perspective to issues. Qualifications: Extensive experience in student government, e.g., college class president 2 yrs. plus experience as class secretary, student council rep. etc.

If elected, will emphasize improvement of communications, comraderie, and old-fashioned friendliness, if you will, between students, faculty and students, etc. Solution: More active social program, discussions--yes, more parties.

--Mike Allen, '69

I feel that the Board of Directors should focus its attention on the following areas in the coming year:

1. Improvement in communication between the Board and the student body and the encouragement of student interest in the board and its actions.
2. Increased student voice in the operation of the Lawyers Club: its income and expenditures, its services, and its regulations.
3. Improvement of library conditions: new lighting; limited

open stacks; reasonable, publicized rules for the use of library materials.

4. Increase the Board's effectiveness as a vehicle for the presentation of law students' views on questions of University concern.

--Michael W. Cotter, '68

The first plank of my platform concerns GRADUATE SCHOOL WOMEN. I think we meet too few of them. I propose reaching these gals through their respective graduate school departments. Mixers, coffee hours, "inter-disciplinary discussions" or some other casual means of encounter surely can be worked out.

Second plank: I think one Friday afternoon of "Career Guidance" is insufficient. I propose outstanding representatives from numerous fields of the law address us either individually throughout the year or collectively at concentrated weekend sessions. Not just the old big-firm or little-firm choice should be presented to us.

--F. Clement Dinsmore, '68

The Board of Directors performs a necessary function, that of representing the interests of all law students, and in order to adequately perform this function its members must be willing and able to think and work progressively. I have seen too many Board members taking a passive rather than an active role and contributing nothing. Since there are so many problems to be faced, such as the student parking situation and improving existing facilities, members such as this cannot be tolerated. I believe I can serve in an active and contributory way and be more responsive to student needs and wishes than has been the policy in the past, thus narrowing the gap between the students and the Board.

--Kenneth Dresner, '68

If I am elected to the Board of Directors I will attempt to serve the student body as fully as possible. I will strive to determine the wishes of the students and do my best to act in a representative capacity. In this past year it appeared that a lack of communication existed between the students and the Board on a few vital matters. If elected I will work to close this gap next year. Thank you.

--Ralph Paul Fichtner, '69

I would actively work to solve problem-areas besetting the Law School. The rigid division between law club residents, outside boarders and the faculty must be reduced. Social functions common to all students and faculty must be planned (none is scheduled for this spring!) and alumni-student gatherings might be instituted after fall football games. Additionally the Board should plan more forums, involving student and faculty in campus and social issues.

In other areas, outside boarders should be able to eat lunch at the Club at a quantity discount rate without being obligated to eat dinner there.

New thinking in these and other areas is needed on the Board. I would like the opportunity to provide it!

--Charles Michod, '68

Why do Law Club rents run as high as \$65 and \$75 a month per person, and where does the fault lie for having ten empty rooms this semester? Why does a guy who's paid for thirteen meals a week have to pay for his guests if he's had less than his full quota of meals? For something like \$17 a week, why can't the Law Club serve breakfasts? Why can members of the Board who don't live in the Club determine policy that only affects people who do live in?

There may be some very good answers to these questions. There may not be. Either way--I'd like to find out. And if there aren't any good answers--I'd like to see what I can do to change the status quo!

--Chuck Platto, '69

What Kind of Person is Andy Price? Are We Alike?

IF 70,46,64; 30,21,24; 63,30,25; 31,45,63,25,51,25,62,63; 21,45,24;
63,46,46,42; 63,30,25; 63,31,44,25; 63,46; 63,51,31,45,62,43,21,63,25;
63,30,31,62; 44,25,62,62,21,27,25; THEN YOU ARE THE SAME TYPE OF PERSON THAT
ANDREW S. PRICE IS: HE 30,21,62,30,21,62; 63,30,25; 31,45,63,25,51,25,62,63;
21,45,24; 66,31,43,43; 63,30,25; 63,31,44,25; 63,46; 44,21,42,25; 63,30,25;
BOARD OF DIRECTORS YOUR SERVANT AND NOT YOUR MASTER.

A 21	G 27	N 45	T 63
B 22	H 30	O 46	U 64
C 23	I 31	P 47	V 65
D 24	J 41	Q 50	W 66
E 25	K 42	R 51	X 67
F 26	L 43	S 62	Y 70
	M 44		Z 71

--Andrew Price, '69

The Board can better represent the interests of married students, apartment dwellers and drivers. Specifically, it should seek to rescind last week's designation by the city for much of Monroe Street as "No Parking" and push for more liberalized parking rules by the University and city. The long suggested free telephone should be installed in the library basement now. If elected, I would also work to have better lighting in the library before the class of '69 graduates. The lighting and general appearance of the student lounge should be improved. We should seek to expand the exchange of ideas between students and faculty on a range of topics.

--Michael B. Staebler, '69

As editor of the Res Gestae this year, I have had the opportunity to become familiar with a wide range of student problems and desires. Many of these have been spelled out in statements of other candidates so I will not repeat them. I'd like to serve with the Board in order to effectuate student desires and help work toward the solution of student problems.

--Sam Tsoutsanis, '68

I am a freshman from Miami, Florida. As an undergraduate at Morehouse College I was a member of the student council and the Social and Cultural Affairs Committee.

I am looking forward to serving on a Board of Directors which is sensitive to student body opinion on issues affecting us as law students. On the other hand, it is necessary that all of us become more involved in Board activities, by expressing our opinions on matters vital to the law school and by attending meetings whenever possible.

As a member of the Board of Directors I promise to represent YOU.

--Milton L. Wright, Jr., '69

* * *

EIGHTEENTH ADVOCACY INSTITUTE MARCH 10-11

The ICLE's 18th Annual Advocacy Institute presents "Practical Trial Evidence" this weekend, a program of lectures and demonstrations designed to aid the practitioner.

Some of the outstanding lecturers and participants will include Dean Prosser, Prof. Harry Kalven, Prof. Robert Keeton, Justice Thomas Kavanagh, and Justice Theodore Souris as well as Profs. Alfred Conard and Alan Polasky.

The registration price for students is \$5 and can be paid at the ICLE offices, 4th floor, HH.

PHI ALPHA DELTA SPONSORS PANEL DISCUSSION SESSIONS MARCH 18

As part of its regional conclave, PAD will present two panel discussions this Saturday and invites all students to attend. The times, subjects and participants are:

1:30 pm--"Social Problems of the Judiciary"--Justices Michael O'Hara and Eugene Black of the Michigan Supreme Court and Judges Wade McCree and Anthony Celebreeze of the 6th Circuit Court of Appeals.

3:00 pm--"Union Power in the Sixties"--U.S. Representatives James G. O'Hara (D-Mich.) and William Ayers (R-Ohio) of the House Education and Labor Committee and Detroit labor lawyers Theodore Sachs and William Saxton.

STUDENT-FACULTY LIAISON COMMITTEE HAS FIRST MEETING

The first meeting of the joint student-faculty liaison committee proposed by the Board of Directors took place last week. Dean Proffitt and Prof. Harris discussed several issues with student members Chris Cohen, Dave Copi, Mike Staebler, Chuck Barnhill, and Howard Danzig. Danzig's idea for an additional law school program which would lead, at the end of 4 years, to a law degree and a masters degree from another college was discussed at length and past history of similar attempts was related by Dean Proffitt.

The latter noted that he currently approves as many as 6 or 8 hours outside the law school per semester, assuming the other graduate department allows such cross registration. But a split program may cause difficulties for men whose draft boards enforce the requirement that a student be making "satisfactory progress" towards "a" degree. Dean Proffitt further mentioned that this semester 30 social work students are enrolled in Prof. George's Family Law course and several conservation students are in Prof. Sax's Public Resources Management seminar. A substantial number of law students are carrying courses in other UM schools.

As a result of the meeting, Dean Proffitt will publish a more detailed statement on these possibilities in the Res Gestae next month.

--David Copi

LETTERS TO THE EDITOR

Last week's less than honest letter to the Res Gestae editor by 3 obviously outraged students might normally occasion little serious response. But it meets the dual test of being sufficiently violent and substantially inaccurate. We feel the students we represent deserve a response.

To those fortunate lawyers who do not have to deal daily with the sometimes Byzantine world of student politics, the first charge--that the Board of Directors "disregarded the opinions of members of the Club"--might seem worrisome. Translated, this means that after a long series of debates the Board finally last month devised uniform rules for selection of Law Club rooms, rules which in the eyes of the 8-3 majority greatly aided the large number of residents desiring their fair chance to pick the best rooms in the Club. Previously a few of the best rooms were held over by a handful of residents who got their rooms by various means other than the lottery everyone else must go through. Need we add that the 3 complaining students were in the forefront of a very vocal campaign to maintain this vested privilege.

Their next charge that the Board would not allow a referendum means, when translated, that they chose not to use the referendum procedure specifically set up by the Board at their suggestion.

The charge of "lack of communication" means that the Board only considered the room draw issue at 3 separate open meetings, each a week apart, and allowed residents from both sides of the question to speak for long periods of time during each meeting they attended. The charge by these 3 would-be reformers ignores the fact that this is the first Board ever to have a weekly report on its activities printed publicly in the Res Gestae and in the posted minutes. The charge of lack of communication apparently means that the report is written by a Board member (i.e. is managed news). This imperfect solution was arrived at only because no Res Gestae reporter nor any other non-Board member could be trapped into doing the thankless task. The charge also ignores the fact that this was the first Board ever to publish its complete budget in this newspaper (last fall) and to also put there the names, addresses, and phone numbers of the 13 Board members and the 11 non-members who head our various activities.

It has also been charged that the Law Club book store and supply store make large profits for their owners and instead should be taken over by the Board and made cooperative. As of last year, these previously private

enterprises were taken over and are now operated under rather conservative contracts written by Ed Bittle, who as our Treasurer this year has certainly been no Santa Claus, to put it mildly. In fact all of this year's "massive" \$700 profit from both stores, the Quad, the student directory, etc. went into student activities including Case Club, Legal Aid, and the Civil Rights Research Council. In the 29 Board meetings to date no one has ever challenged these worthwhile (and publicized) expenditures, but if he wishes to, every meeting is open and anyone may come speak on any topic.

Students who make gross inaccuracies, who never bother to make even a phoney attempt to check their facts, who don't attend Board meetings, and who never offer to help out have very little basis on which to complain. Frankly, we felt the Board's action which caused this dishonest attack was rather courageous, especially for a politically minded group in the face of a small but well organized and vocal minority fighting to hold on to an outmoded privilege.

--Chris Cohen, Pres.
Eric Reif, V.P.

The letter of "concern" over the Board of Directors authored by the Messrs. Schaal, Grant and McCann which appeared in last Thursday's Res Gestae is a surprisingly inept attempt to induce confusion under the guise of criticism.

The Board's action in changing the room assignment system is more a refusal to yield to the advocates of narrow self-interest than a disregard of the opinions of the majority of Club members. The writers of the letter did not, of course, bother to mention that they each stood to lose a piece of security by having to draw for their rooms along with everyone else. This omission is not surprising--in fact it illustrates the very reason why the Board remained unconvinced its original decision was wrong: the minority who stood to lose were the only ones whose voices rose in protest. The Board fully considered all sides of the dispute prior to passage, including the "heels to be tread upon." No new reasons were advanced by those of the writers who chose to appear before the Board. However, the Board did yield to pressure and amended the By-laws to include a referendum procedure which was, and now is, available to these dissenters. In short, they urged nothing beyond the acquisition of some prescriptive or vested right in a system unfair on its face to the greater number.

The analogy drawn between the Board's change of the residency requirements for President this year and the change made by last year's Board is a specious one at best. The requirement that the President be a resident was originally inserted by a Board, long since departed, in response to an intolerable state of affairs that existed with a nonresident President. Last year's Board deemed that requirement of no validity and changed it to accommodate one individual Board member living outside the Club, as the writers--correct for a change--charged. I assure the writers and the student body that no accommodation of any individual was even remotely in the minds of the members who voted to reinstate the residency requirement that experience has suggested is the best rule.

The Board does indeed suffer to a degree from a "lack of communication"--a lack in communicating the reasons behind its decisions. However, rather than feeling its sovereignty encroached upon by anyone who questions or suggests, the Board does feel its integrity encroached upon by those willing to sacrifice fairness to the majority upon the altar of the few. As we understand our positions, it is not to serve so narrowly.

Whatever real concern the writers may seriously entertain about the Board is curiously not manifested in any attempt to serve on such body. None of the three has chosen to run for office. This is unfortunate in Mr. Grant's case for he holds a high position in the Graduate Assembly. Apparently, the thought of being elected by the men whose interests he represents is of no particular concern to him.

Look closely at who has served on the Board this year. The names of the three Board members eligible to run again are among the candidates; the names of three who like to write letters--and little else--will not be found among the candidates. Really, how serious is their concern?

--Ed Bittle, Wm. H. Conner, Joel Strauss

WEEKENDER

A hurried deadline will make this week's listing necessarily abbreviated, but if you're still around this weekend and can resist "The Lovin' Spoonful," the schedule will be:

Cinema II--Tennessee Williams' "Night of the Iguana," directed by John Huston and starring Richard Burton, Deborah Kerr, and Sue Lyon.

Cinema Guild--The 5th Ann Arbor Film Festival

Michigan--"Monkeys Go Home" 'til Friday; uncertain as of press time about Saturday.

State--"Funeral in Berlin" also 'til Friday; uncertain about Saturday.

Campus--uncertain also, but if "Blow-Up" continues to do well expect it to stay through this weekend.

Vth Forum--James Joyce's "Ulysses" on March 14, 15 and 16. Prices are: \$5.50 for the 8:30 pm performances and \$4.00 for the 2:30 pm Wednesday matinee.

--Jay Witkin

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