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University of Michigan Law School

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DOCKET

stagecoach

John Wayne  John Carradine  Claire Trevor

This is a 1939 classic western—called by some the "definitive"—directed by the renowned American John Ford. Friday, Sep 19
100 Hutchins  7:00 & 9:00 PM
Law Students--free with law ID
Others-- $1.00

GENERAL MEETING OF THE NATIONAL LAWYERS GUILD

WEDNESDAY, SEPTEMBER 24th
7:30 p.m. at
717 ARBOR ST. (phone 995-5914)
DISCUSSION OF FUTURE PROJECTS & SIGN-UP SHEETS FOR PROJECTS
REFRESHMENTS & PLEASANT COMPANY

You do not have to come to this meeting in order to sign up or apply for a committee. (See the longer article explaining the selection process elsewhere in this edition of the RG.)

thurs

PHI ALPHA DELTA

Federal District Judge Philip Pratt will be the speaker at the Thursday luncheon meeting, Sep 25, in the Faculty Dining Room. Everyone is invited.

BISHOP SYMPOSIUM ON INTERNATIONAL LAW

Two outstanding internationists, Professors Richard Baxter of Harvard and Covey Oliver of the Univ. of Pennsylvania, will speak on Thursday, Sept. 25, at 7 pm in the Lawyers' Club Lounge, as part of the continuing series of lectures in the Bishop Symposium. (Professor Wm. W. Bishop Jr., of our Law Faculty, will retire from teaching here in December this year.) This lecture is the third in the series presented by the International Law Society and the Law School honoring Professor Bishop. The general theme of the Symposium is "International Law in the Year 2000".

Professor Baxter, a distinguished international law scholar, is currently president of the American Society of International Law, and editor-in-chief of the American Journal of International Law. He has served in the U.S. State Department and the U.N. Secretariat as a consultant. The title of his talk is "International Law and the Art of Computer Maintenance" (dealing with the place of State practice among sources of international law).

Professor Oliver, who will join Prof. Baxter on the panel, will speak on "Nation-States, Global Resources and World Order". Between various teaching assignments both in the U.S. and abroad, Prof. Oliver has also served as Ambassador to Colombia, Assistant Secretary of State for Inter-American Affairs, and as a Director of the International Bank for Reconstruction and Development. He is a noted scholar, and a member of the Board of Editors of the American Journal of International Law.
A recent U.S. Supreme Court decision makes it clear that defendants in criminal cases, who have a constitutional right to receive legal counsel, can waive such legal assistance if they so choose.

This raises a difficult problem for judges, who must make sure a defendant who chooses to represent himself has made his decision "voluntarily and intelligently," according to University of Michigan law Prof. Yale Kamisar.

Kamisar spoke here Thursday (Sept. 11) at the 20th annual Judicial Conference of Circuit Court, Court of Appeals and Recorder's Court Judges of the State of Michigan.

The U-M authority on criminal law noted that the U.S. Supreme Court ruling reversed an earlier decision of the California Supreme Court in a case where a defendant was denied the right to represent himself.

Kamisar suggested the California ruling stemmed, in part, from the fear of courtroom disruption in widely publicized cases, such as that of black activist Angela Davis. Another factor, according to the professor, was the feeling that self-representation was a "routine ploy used by cunning criminals to force reversals" of cases.

Under the U.S. Supreme Court decision (Faretta v. California), said Kamisar, a "defendant in a state criminal trial has a constitutional right to proceed without counsel when he voluntarily and intelligently elects to do so."

To comply with this, suggested Kamisar, judges should ensure that a defendant understands a defense lawyer can render important assistance. The professor also recommended that the court offer legal counsel on a "standby" basis when a defendant chooses to represent himself.

The function of standby counsel would be "to assist the defendant when called upon" and to "call the judge's attention to matters favorable to the accused upon which the judge should rule on his own motion," according to Kamisar.

In Tort Law, an actor is considered negligent if his conduct does not meet the idealized standard of the "reasonable man of ordinary prudence." This standard is primarily objective--one standard of reasonable behavior for everyone, yet reasonable conduct varies in different situations. In allowing for the particular circumstances of a given case, the courts have permitted certain subjective characteristics of the actor to be taken into account when determining if that actor behaved reasonably.

"It would appear that there is no standardize man; that there is only in part an objective test; that there is no such thing as reasonable conduct except as viewed with reference to certain qualities of the actor--his physical attributes, his intellectual powers, probably, if superior, his knowledge and the knowledge he would have acquired had he exercised standard moral and at least average mental qualities at the time of action or at some connected time."2

The courts have similarly established a standard of behavior for horses, sometimes referred to as the "horse of ordinary gentleness."3 Since no horse has ever been a party in a common law suit, this standard of equine behavior is established to determine the possible negligence of human actors in cases where a horse is an intervening cause of injury. If the horse behaved as a "horse of ordinary gentleness," then the human actor should have predicted the horse's reaction. He would be found negligent unless his behavior was reasonable in light of the risk. Highways may be obstructed for a reasonable period of time by objects which would frighten the ordinary horse.4 Automobile owners5 and railroads6 are not liable for frightening horses with normal operations. They may, however, be liable for frightening a horse accustomed to normal operations, if operating with unusual noise or appearance.7

Like the standard of the reasonable man, the courts take into account such subjective factors as physical attributes and childhood in determining the behavioral standard of the reasonable horse.
docket
con't

The International Law Society will host Professors Baxter and Oliver at a dinner preceding the lectures, at 5:45pm in the Faculty Dining Room. Anyone wishing to attend the dinner should sign up on the door of the ILS office (102B Legal Research) by Wednesday noon, September 24, 1975.

all week
AFRICA WEEK

Next week, Sep 21 - 27, is Africa Week at the U of M. The activities, sponsored by the African Students Association, include a dinner, reception, music, dance, panel discussions, lectures, films, etc. on such topics as river blindness, Idi Amin and the struggle in Southern Africa. A schedule, received too late to publish, is posted on the RG door, 102A HH.

MEMO

NEW REFERENCE DESK IN LAW LIBRARY

To increase the accessibility of the Law Library's reference service, there now is a reference desk in the reading room, located in alcove B, immediately to the right of the front door as you enter. This will serve as the primary Library reference source for information on U. S. law and will be open Monday through Friday.

During times when the desk is not staffed, please see a reference librarian in Room 362.

CLOSED CIRCUIT TV

Closed circuit TV to the county courts are now operable. Room 209 is open for general use from 9:00 AM to 5:00 PM Monday through Friday. Courtrooms 1 & 2 (Judge Agar & Judge Campbell) can be seen whenever they are in session. Dockets will be posted on Mondays and Fridays.

Anyone using Room 209 is asked to use only the volume dial and the switch to change courtrooms. Any other adjustments needed should be requested of Dean Borgsdorf in Room 318. Please do not touch any other controls! They make noise in the courtroom and unauthorize use may result in our viewing privileges being revoked.

Please do not use Room 209 as a meeting or study room. It is to be used to view court proceedings only.

THANKS

Special thanks are owed by the RG to the Dean (of all people) and Ms. LaVacque for interceding to insure that this fall's first issue was printed. The copy center was very busy with class materials. Special thanks are also due to Ralph Maten and all the people at the Copy Center for printing the RG on the weekend.
Dear "Cut and Paste" Crew:

I read with some amusement the note of protest posted by the NLG asking for the identity of the "Neo-fascist" who disposed of their propaganda. I am not he, but I am glad to know that someone else here objects to the mindless obscenities NLG has been allowed to plaster all over our walls.

My three-week experience here is, admittedly, limited. But no one here has tried to rape my mind except NLG. My law professors have been most courteous and helpful. They seem most anxious to help any interested student discover how the law develops and changes, how "the system" works--so that we may direct it toward whatever policy goals our personal conscience leads us to choose. My initial impression is that they are superbly capable instructors and scholars. And that they--with the Administration--are taking a bum rap from a bunch of overgrown crybabies with king-sized persecution complexes.

Yours very truly,
Greg Hill

Dear RG:

The report in the LSSS minutes inaccurately summarizes my letter which does not ask for a return of all LSSS fees but for a return of only that proportion of my fees that is equal to the ratio between LSSS net expenditures not shown to have been disbursed in accordance with the constitution and total LSSS expenditures.

I notice you're down to a skeleton crew of editors and contributors. I suppose that in a few weeks the RG will resume its powerful role in the law school community as first year people discover the pleasures in writing for it. [ed: Brian speaks the truth. All law school-connected articles are welcomed.]

s/ Brian Kennedy

To: Faculty, Staff, and Students
From: Dean Theodore J. St. Antoine
Re: Personal Plans for the Future

As many of you know, my five-year term as dean expires at the end of the current fiscal year. Today I informed the faculty that I do not wish to continue serving for another full five years. Since plans for a proposed major capital fund-raising campaign and certain other projects are in the midst of development, however, I would be willing to remain as dean for an additional two years beyond June 30, 1976. The central administration will be soliciting faculty and student views on this in the near future.

While I have found many satisfactions in my role as dean, I consider myself primarily a lawyer, and I do not want a long-term career in academic administration. I think the two-year extension I have suggested would strike a reasonable balance between the need to take care of some important unfinished business for the Law School, and my desire to get back to full-time teaching and research.

Dear Harry,

The Law Review received a letter from the Industrial Relations Law Journal, a new quarterly devoted to labor relations and social welfare law published by U Cal at Berkeley. They intend to be a national publication and will accept student pieces from law schools throughout the country. RG readers might be interested in this. -The letter is posted in the bulletin board in room 411 Hutchins Hall.

s/Brian Kennedy
The Law Spouse's Association is beginning its activities for this year. We would like to mail a monthly newsletter to any married Law Students, but we need mailing addresses. If you would like to receive our newsletter, please call Cyndy at 662-6345 or Debbie at 763-6221. Or if you wish, please fill out this form at the bottom and drop it in the box outside Room 100.

Name ________________________________
Address ________________________________
Phone ________________________________

The Student Senate Committees are to be distinguished from the STUDENT/FACULTY COMMITTEES. Student representatives to Student/Faculty Committees will be chosen by the Senate on the basis of applications and follow-up interviews. The applications for the positions on the various Student/Faculty Committees will be available on the table in front of Room 100, beginning today, Friday, September 19, and should be returned to the box on the table in front of Room 100 by Friday, September 26, at 5:00 p.m.

An information meeting regarding both the Student Senate Committees and the Student/Faculty Committees will be held Wednesday, September 24, in Room 100 at 4:00 p.m. If you are even mildly interested in any committee but want more information before you commit yourself, come to this meeting. If you cannot make the Wednesday meeting but want some information, contact me, Pam Hyde, in the halls or call me at 665-9230. NOTE: you do not have to attend this meeting to sign up or apply for a committee, and you may sign up or apply and change your mind later. Definite commitments to be on a committee will be requested for those signing up or applying after the complete process is finished.

The following are the Student/Faculty Committees, the Faculty Chairperson, and the number of student positions available:

- Curriculum Committee -- Cooper -- 3
- Academic Standards Committee -- ? -- 3
- Admissions Policy Committee -- Carrington -- 3
- Placement Committee -- Krieger -- ?
- Student Personnel Committee -- none -- ?

There may be other positions available on other committees at a later date.

FIRST YEAR PEOPLE are particularly urged to sign up or apply for these committees. We need your new ideas, proposals, and suggestions for improvement.

Pam Hyde

---for---

Law School Student Senate
FOREIGN

FOREIGN STUDY/RESEARCH FELLOWSHIPS

REMINDER FOR SENIORS: Those interested in applying for Fulbrights, Rhodes, Marshall, and other fellowships abroad for the academic year 1976-77 and beyond should immediately see Mrs. Gomes, Assistant to Prof. Bishop (Legal Research 973).

Applications are due in early October and campus interviews will follow shortly thereafter. Application forms can be obtained from the Rackham Graduate School (Fellowships Office: 1014), and the completed form should include recommendations, project outline, and language tests where applicable.

Information concerning other fellowships is also available (those for study or research in Scandinavia, Belgium, etc.) most of which require a sound, working knowledge of the host country's language.

GENERAL FELLOWSHIP INFORMATION - Your attention is drawn to the existence of the following fellowships:

Amer. Assn. of University Women: 70 doctoral dissertation fellowships

American Indian Students, Mexican American Students, Black American Students and Puerto Rican Students (Ford Foundation): graduate fellowships

Fellowships for qualified candidates in Numismatics.

Barbour Scholarships for Oriental Women in Graduate Schools

Luce Scholars Programs for those interested in one year of study in East or S.E. Asia (preference for those planning careers in Asian affairs or international relations).

Others cover various language areas (including French and German).

REQUIREMENTS - comprehensive outline of research project, etc., at least three recommendations (including comments on project), and language test results where applicable. Basis for the latter is either existing sound working knowledge of foreign language (to lecture level) or sufficient basis in it that intensive review will be sufficient to bring command to required level.

FIRST & SECOND-YEAR STUDENTS: later this semester an announcement will be made concerning a general talk to be given relating to foreign study/research fellowships.

exams

The faculty approved the following policy on May 9, 1975:

REGULATION OF SPECIAL EXAMINATIONS, INCOMPLETES AND DROPS

Examinations

1. Written final examinations normally will be given at the end of each regular term in courses completed during the regular term. A student who has enrolled in a course will be required to take the regularly scheduled examination in such course. Failure to take the examination or to hand in an examination paper will result in a failing grade for the course unless the student has made an explicit arrangement for a special examination in accordance with subsection 2, a drop, in accordance with section VIII, or an incomplete in accordance with Section IX.

2. A student may take the final examination in a course at other than the scheduled time only upon establishing to the satisfaction of the Assistant Dean or his or her delegate an incapacitating physical or mental illness.
the death or serious illness of an immediate family member, two examinations scheduled at the same time, three examinations in consecutive time periods, or similar exigency. Normally such a student shall take the next regularly scheduled final examination in that course. The student may, however, be given an examination at other than a regularly scheduled time

(a) as of right in the cases listed above if a regularly scheduled examination in that course will not be given by that instructor again before the student's scheduled graduation date;

(b) in the instructor's discretion in all other cases listed above.

If the special examination is given at a time other than the next regular offering of the examination, the instructor may elect to grade the examination on a pass/fail basis. This pass/fail grade shall not be charged against the student's optional 15 pass/fail hours, but it shall be charged against the limit of 20 pass/fail hours that may be counted in determining eligibility for a degree with honors.

A "special examination" refers to a final examination given at a time other than the regularly scheduled time for the examination in that course.

Dropping Courses

A student may drop any course within two weeks after the beginning of the regular term provided that a required course may be dropped only with the permission of the Assistant Dean, and a student may drop a seminar prior to the second school day following the first class session of that seminar. Thereafter and until two weeks before the end of classes in a regular term (and at a similar appropriate time to be established by the administration in the summer session), a student may drop a course only with the permission of the Assistant Dean in consultation with the instructor. A student may drop a seminar after the first school day following the first class session of that seminar only with the permission of the instructor and the Assistant Dean. No course or seminar may be dropped except as provided in this paragraph (or as provided in item 3 of Section III on incompletes) unless the student successfully petitions the Administrative Committee for permission to drop.

Incompletes

1. A student may receive an incomplete in a course if

(a) the student requests it of the Assistant Dean, and

(b) the Assistant Dean finds that for compelling and appropriate reasons (e.g., an incapacitating physical or mental illness, or the death or serious illness of an immediate family member), the student is unable to complete the work of the course or to take or complete the final examination.

The request in clause (a) must be made before the day of the final examination for such course except in the case of a verified medical emergency.

2. An incomplete must be removed by the end of the second following full regular term unless extended by the Assistant Dean for good cause, and then only from regular term to regular term.

3. When an incompleter course has been completed, the incomplete will be replaced by the grade for the course. If a course is not completed within the time indicated in subsection 2, the grade of E shall be entered, except that if the course is not given again before that student's graduation date, the course shall be dropped from the student's record.

Eligibility To Continue In Residence

No student will be permitted to enroll for any regular term in the law school if at the time of enrollment he has more than five incompletes. No person who has three to five incompletes may enroll except with the written approval of the Assistant Dean.
"As long as the standby counsel only provides the aforementioned limited assistance and is not permitted to examine and cross-examine witnesses or make arguments over defendant's objection, such counsel should not be viewed as interfering with the defendant's representing himself," the U-M professor observed.

Here are other recommendations by Kamisar:

---Before granting a waiver of counsel, the judge should make sure the defendant "comprehends the proceedings, the nature of the charge against him, and the range of possible penalties." The defendant should also be advised that "a defense lawyer can render important assistance in preparing and representing a defendant at trial...consulting with the prosecuting attorney as to possible reduced charges or lesser penalties, and in presenting to the court matters which might lead to a lesser penalty."

---No waiver of counsel should be accepted unless it is in writing and on record.

---If the waiver is accepted by the defendant, the offer of legal counsel should be renewed at each subsequent stage of the proceedings at which the defendant appears without counsel.

Kamisar also said that, in his view, violation of a defendant's right to self-representation could not be construed as causing an inadequate defense ("or harmless error") on his behalf.

"Rarely, if ever, could it be established that representation by counsel, as opposed to self-representation, affected the result adversely to the defendant," according to the professor.

There is a significant difference between the two doctrines. The reasonable man sets an objective standard of temperament but the reasonable horse sets a subjective standard for temperament if the actor should have reasonably been aware of a particular horse's temperament. An owner is not liable for his horse biting or kicking another, if he could not reasonably be expected to know of its viciousness. (A horse is allowed its first bite.) On the other hand, the owner has a duty to warn others of particular propensities of his horse, of which he is aware, and if he rides a horse which frightens more easily than the ordinary horse, he does so at his own risk.

It has been written of the reasonable man: "He is an ideal, a standard, the embodiment of all those qualities which we demand of the good citizen.... He is one who invariably looks where he is going, and is careful to examine the immediate foreground before he executes a leap or a bound; who neither star-gazes nor is lost in meditation when approaching trapdoors or the margin of a dock;...who never mounts a moving omnibus and does not alight from any car while the train is in motion...and will inform himself of the history and habits of a dog before administering a caress;...who never drives his ball until those in front of him have definitely vacated the putting-green which is his objective; who never swears, gambles, or loses his temper; who uses nothing except in moderation, and even while he flogs his child in meditating only on the golden mean."13

Likewise it may be written that the reasonable horse is a horse which if left unattended on the highway might be frightened and run away14 or if loose in a populated section of a city, may hurt children running playfully down the sidewalk;15 which might jump a forty inch fence16 or if frightened, would not be halted by a small fence;17 which may be frightened by an unusual car,18 a steam roller,19 a crossing flagman,20 a railroad car, derailed and on the street,21 or the carcass of a dead horse;22 which is not frightened by an elephant,23 or a bear24 on the highway under control of its master, but is frightened by the sudden appearance of a mere hog;25 which is only frightened by a dog running with it, if the dog is "attacking, or worrying, or biting it or intending to do so."26 Herbert might have been describing the reasonable horse, rather than the reasonable man when he wrote; "this excellent, but odious character stands like a monument in our Courts of Justice, vainly appealing to his fellow-citizens to order..."
their lives after his own example." In
indeed, imagine the shame and remorse of the crestfallen horse, upon learning that he was sub-
ordinary: "The injury which resulted
from his fright is more fairly attributed to a lack of ordinary courage and discipline in himself than to the fact that the object
which he saw was an elephant." 

1. Vaughan v. Menlove 3 Bing. N.C. 468,
132 Eng. Rep. 490 (1738)

2. Seavy, Negligence--Subjective or Ob-
jective, 1927, 41 Harvard Law Review 1, 27

Rep. 522 (1816); Bostock-Ferari Amusement
Co. v. Brocksmith 34 Ind. App. 566, 73
NE 281 (1895); Webster v. Chicago, B. & Q.
Ry. Co. 158 F 769, 86 CCA. 125; District
of Columbia v. Moulton 182 U.S. 576, 21
Sup. Ct. 840, 45 L.Ed. 1237 (1900)

4. District of Columbia v. Moulton 182 U.S.
576, 21 Sup. Ct. 840, 45 L. Ed. 1237
(1900); Webster v. Chicago, B. & Q. Ry.
Co. 158 F 79, 86 CCA. 125, 42 LRA, N
5568

5. Towle v. Morse 68 A 1044; Walls v.
Windsor 92 A 989

NW 707, 3 Neb. (unoff.) 425 (1902);
Williams v. Chicago, B. & Q. Ry. Co. 111
NW 596, 78 Neb. 695 (1907); Burnswick &
B. Ry. Co. v. Hoodenpyle 58 SE 705, 129
Ga. 174 (1907); Watson v. Chicago, B. & Q.
Ry. Co. 167 NW 773, 102 Neb. 546 (1918);
Hunt v. Southern Ry. Co. 235 F 157

7. Pease v. Cochran 173 NW 158, 42 S.D. 1
130 (1919); Buchanan v. Hurd Creamery
246 NW 41, 215 Iowa 415 (1933)

8. Liner v. McEnery 176 S02nd. 786 (1965)

61 (1893)

796 (1891); Reed v. Southern Exp. Co. 95
Ga. 108, 22 SE 133 (1894); Harvey v.
Buchanan 49 SE 281, 121 Ga. 384 (1904);
Finney v. Curtis 78 Cal. 498, 21 Pac 120

163

12. Scribner v. Kelly 38 Barb. 14 (1862);
Pals v. Jewett 32 N.J.Eq. 302; Huntington
363

13. A.P. Herbert, Misleading Cases in the
Common Law, 1930, 12-16

14. Griggs v. Fleckenstein 14 Minn. 81, 14
Gil. 62 (1869)

15. Weaver v. National Biscuit Co. 125 F.2nd
463

16. Liner v. McEnery 176 S02nd 786 (1965)

17. Sowles v. Moore 65 Wt. 322, 26 A 629 21
LRA 723 (1893)

18. Pease v. Cochran 173 NW 158, 42 S.D.
130 (1919); Buchanan v. Hurd Creamery
246 NW 41, 215 Iowa 415 (1933)

19. District of Columbia v. Moulton 182
US 576, 21 Sup. Ct. 840, 45 L. Ed. 1237

253 F 898, 165 CCA 378

158 F 769, 86 CCA 125, 42 LRA, N
5568

22. Great Northern Ry. Co. v. Ennics 236
F17, 149 CCA 227


24. Bostock-Ferari Amusement Co. v.
Brocksmith 34 Ind App 566, 73 NE 281
(1895)

615

79 (1905)

27. A.P. Herbert, Misleading Cases in the
Common Law, 1930, 12-16

"I NEED A DUMP TRUCK, BABY, TO UNLOAD MY HEAD." B. DYLAN

Larry Halperin

(Disclaimer of all Warranties-The following column is not related to the law or law school. It's probably not even too interesting, and it's certainly not well written. So if you don't want to waste your time, go on to the Senate minutes. If you do decide to read it, please direct all complaints to yourself, no one else will be willing to listen to them.)

Can you remember the first time you heard "A Day In The Life?" Did it get more fantastic each time you heard it, more real the further you got into the words? It's been a long time from the Beatles and 1967, but I think there's a song to match the finale of Sgt. Pepper. It's called "Jungleland" and it's on the new album by Bruce Springsteen.

Bruce who?

You know, it's kind of amazing. I did something last Friday I swore I would never do again. I stood in line for 2 hours to buy tickets to a rock and roll show. There were a couple hundred people in front of me when I got to the Union at 10:15 (tickets were going on sale at 10:30). Most people who weren't in line passed by and asked what it was for. When they were told what a couple hundred others were passionately interested in, said, "Bruce who?"

I'm not Springsteen's P.R. flak man. The fact is that, although I've been reading all kinds of hype over the past few years on him, I just recently heard his records. This new one called "Born to Run" is exactly what I have been waiting to hear. I don't know about the rest of you, but I haven't been into Rock since about 1972. It all got boring.

BLACK LETTER LIFE

By
R. Richard Livorine

A CASE OF FIRST IMPRESSION

Having noticed that in last week's RG 'staff' list, my new editors had 'kellhauled' me, I make an effort to surface now, hoping to escape any literary sharks lurking, 'long side the good ship RG. I was missing in Issues one and two for the simple reason that I was not aware they were being published.

I goofed.

At any rate, other than the not inconspicuous 'thinness' of the first RG issues, my absence was of no consequence. I heard no lamenting.

But the purpose of RG is not to give the readers what they want, but rather what they deserve. The law is much like that they tell me.

I propose to do this week, only what I've done before, namely, to explain this weekly space for all our new, fresh faces. Which leads me to a point- It must be true law school exacts a physical toll as in the eyes of some first year students to see it. They still are clear, smiling, and free sometimes. Even the summer starters are beginning to develop that haunting, hunted, bleary, 'whipped dog' look.

I point no finger at this law school in particular. It is simply law school qua law school. It is an important distinction worth remembering when criticism and objections fly. One cannot hold the Doctor responsible for the pain of the needle.

Getting back to my purpose this week, my column shall continue to indulge in the same miasma of ideas, comments, and whatever-you. What have you? Even at the risk of being termed, 'fit only for literary scatologists'.

Perhaps so. But it is still literary if only in its hope, and there is something to be said for that.

We need only find someone to say it.
Dump from ll.
The new groups were either ponderously heavy (Black Oak Arkansas) or pointlessly light (America) or just not up to late 60's par (Doobie Brothers). Since 1972 I've been getting into Jazz and Classical, occasionally flipping on the FM rock stations just to see if anything was happening. Patience has been rewarded.

In the title cut, "Born to Run," Springsteen has specifically resurrected the best of Dylan and Van Morrison (singing about the highway from "It's All Over Now Baby Blue," and humming a chorus straight out of "Here Comes the Night") and made something better out of it. The album according to Newsweek is "a brilliantly performed remembrance of many things past." Or as Rolling Stone puts it, "While he is comparable to all of the greats, that may only be because he is the living culmination of 20 years of rock and roll tradition."

Without becoming too tedious, let me just strongly suggest that you get over to the Union and get tickets if any are left. The concert is this Tuesday, and I know you all have a lot of work to do. But I can remember Teddy St. Antoine in his introductory remarks to my class telling us that we shouldn't spend all our time with

the law. He told us we should "get out, play ping-pong." So if you go and then have to pass on Wednesday, I give you permission to place all the blame on the Dean's shoulders.

Outside the street's on fire
In a real death waltz
Between what's flesh and what's fantasy
And the poets down here
Don't write nothing at all
They just stand back and let It all be
And in the quick of the night
They reach for their moment
And try to make an honest stand
But they wind up wounded
Not even dead
Tonight in Jungleland

B. Springsteen

LAW SCHOOL SERVICES FUND PROGRAM

The RG has received a long memo from the Law Student Division of the ABA announcing that they are in possession of $30,000 which they intend to dole out under the above captioned program. The purpose of the fund is to provide grants of from $100.00 to $1,000.00 to help supplement run-of-the-mill law school activities. A long list of previously funded activities includes minority and women's projects as well as prison visits, legal aid and so forth. An alternative Practice Conference does not seem to be out of line with the aim of the Program. The full description is available at the RG office.
- I need a dump truck, Ralph, to unload my mind, but it's gotta get 23 miles per gallon, have air-bags and seat-belt interlock with buzzer, be unable to exceed 55 mph and able to withstand a 15 mph fixed barrier crash with no damage and have no protrusions (except the tires) and have a price tag that the average consumer can afford.

The weekly personal foul

Yes hockey fans! It's football season and the penalty box takes on a new format (name) to be your ever-popular bastion of cynicism for another year. Although the hockey season is over, there will be no shortage of rough and tumble action or dirty in-fighting here at Michigan. So lock your casebooks and hang on to your notebooks 'cause we're already into the regular season and every game counts.

This week the personal(ly) foul staff takes a brief look at some of the more outstanding personnel we will be facing in upcoming games.

Of course the Faculty linebacker core will be the backbone of their team once again. The Fabulous Findmucking Foursome shows no sign of weakening as Kale Yamisar will continue on the left, J.J. (Col) White will carry on the rightsdie, Master Regan at the Wolfman spot, and that unstoppable, immovable, and incommutable middle linebacker, the ubiquitous J. Israel (a/k/a J. Ishereal), all returning.

The Administration has back for them the two best pulling guards in the league (in anyone's league). Ms. Betts (who goes both ways - also playing defensive end) and the still-improving Dorine Ristilcantspellherlastname are, of course, those guards. Playing behind them is Dean St. (I wear panty hose, too) Antoine, returning as the team's classic drop-back passer. Perhaps the only weak links on the Administration team will be (again) John - the sieve - Mason and Railroad Rivera whose insistence upon believing that students are human beings are certain to be their undoing someday soon.

Of course as we jump into this new season, we must do as all good coaches of teams who are hopelessly doomed to a shut-out season do, to wit: proclaim to the press that we are looking forward to a good year with a re-vitalized team and will suprise everyone. So here goes...

"Boy, I couldn't wait to get to Law School. Undergraduate was just something to pass the time 'til I could get into
law school where now I can really learn something. No more bullshit classes!"

and, "I'm not coming back this year. I've had it up to here with this place. No more bullshit classes!"
(hey! how'd that get in here?)

how about, "This year, I'm really going to keep right up in all my courses and learn something. I'm going to get every reading assignment done and no more pinball or basketball or Mary Tyler Moore on Sunday nights. Now I realize what a waste of time all that was!"

"I'm gonna take really good notes this year. Last year in finals I really wished I had kept up on my notes. I mean that's not too much work to ask for ... it's the least I can do!" or

"I'm gonna buy a hornbook and read it before finals!"

and that all-time freshman favorite, "What can stop me now? I'm bright, motivated and there's no way I'm gonna get anything but A's. In undergrad I got A's without too much work at all, but now, now that I've got some real motivation, shit, I'm unbeatable!"

(you said it chump, 'shit."

and of course, my own personal fantasy,

"I'm gonna go to class!"

Well good luck team. Get out there and hit 'em where it hurts ... their upper half. Keep those cards and letters coming, and use Ultra Ban 5000.

- G. Burgess Allison

post script: to last year's followers of the penalty box who are disappointed by the personal foul's obvious lack of real and worthy cynicism, I apologize. You must consider this as just a pre-season attempt.

(and it's no good! off to the left!)

- IDLE THOUGHTS

- or -

I didn't quite hear your answer, Mr. Allison!

Letter to the Dean,
Sir,

Do you think that for even one moment, I would believe that out of all the blacks, women, and persons from other oppressed groups in this world; that you can't find even two or three which meet your high standards of elitism, high-handedness, immateriality, irrelevance, and unresponsiveness required for a position on the Michigan Law School Faculty?

Why don't you offer wages?

Sincerely;

the weekly personal foul

-UNTITLED-

I think, while here, I'll never see us Zealots find our sanity

For looming sacrosanct's the goal of catbird seat on the totem pole.

Justice and what the law's about can wait... Till I beat my roommate out

Whose midnight oil greets morn'g dew Please God! Will make the Law Review.

The reading room's your chance to be Invaginated by a groupie

Yet those who aren't, Darwin insists, Will tote casebooks with Portnoy's wrists.

So vertically, we must crusade Or take a job in public aid ...

How entertainint we must be To students of scatology.

Doctor Warpfeasor
Class of 1978

(14)
FOOTBALL POLL

The ever-popular RG Football poll returns for another season this week. Rules are the same as last year. Just circle the winners and cross out the losers. Don't forget to put your name on the page. $2.00 for the weekly winner.

Clemson(20 1/2) at Alabama
Arizona St. at TCU(18 1/2)
Arkansas at Oklahoma St.(7 1/2)
Auburn at Baylor(13 1/2)
West Virginia(3 1/2) at California
Wyoming(15 1/2) at Colorado
Florida at NC State(11 1/2)
Mississippi St. at Georgia(3 1/2)
Miami(Fl)(12 1/2) at Georgia Tech
Missouri at Illinois(9 1/2)
Indiana(20 1/2) at Nebraska
Iowa(1/2) at Syracuse
Kansas(10 1/2) at Kentucky
Texas A&M at LSU(6 1/2)
Miami(0)(13 1/2) at Michigan St.
Stanford(18 1/2) at Michigan
Western Mich.(4 1/2) at Minnesota
Notre Dame at Purdue(13 1/2)
Northern Ill.(3 1/2) at Northwestern
Penn St.(10 1/2) at Ohio St.
Pittsburgh(20 1/2) at Oklahoma
Vanderbilt(1 1/2) at Rice
Oregon St.(28 1/2) at USC
Tennessee at UCLA(1 1/2)
Texas at Washington(23 1/2)
Maryland(1 1/2) at North Carolina
Mississippi at Tulane(2 1/2)
Pittsburgh at San Diego(12 1/2)
Cleveland(14 1/2) at Cincinnati
Houston(2 1/2) at Houston
New York Jets(2 1/2) at Buffalo
Baltimore(1/2) at Chicago
Kansas City(5 1/2) at Denver
San Francisco(5 1/2) at Minnesota
Detroit(1 1/2) at Green Bay
Los Angeles at Dallas(2 1/2)
New Orleans(6 1/2) at Washington
Atlanta(9 1/2) at St. Louis
New York Giants(5 1/2) at Phila.
Oakland at Miami(3 1/2)

RG RANKINGS

Also returning this week (by unpopular demand) is the most highly respected ranking in the business. A large panel of well-recognized experts (every time I see them, I know who they are) compile the poll each week.

1. Oklahoma (6)
2. Michigan (2)
3. Ohio State
4. Southern Cal
5. Nebraska
6. Texas
7. Missouri(tie)
8. Texas A&M
9. Penn State(tie)
10. Alabama
11. Notre Dame
12. UCLA
13. Arkansas(tie)
14. Tennessee
15. Pittsburgh
16. Arizona
17. Florida
18. Michigan St.(tie)
19. Auburn
20. Oklahoma St.

Others receiving votes: Arizona St., Colorado, Houston, Miami(0), Wisconsin, Boston College, Memphis St., Baylor, Texas Tech, California, Mississippi St., Kentucky

The Pollsters:
The Stillwater Cowboy
Princeton Prognosticator
The Oberlin Oracle
The BC Bettor
The Wittenberg Wonder
The Vassar Flash
The Golden Domer
The Michigan Maven

Poll Tiebreaker: How many yards rushing will Stanford get on Sat.

Howie Bernstein, Social Director