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QUOTE OF THE WEEK - "I haven't committed a crime. What I did was fail to comply with the law."

- David N. Dinkins, an attorney whose comment came after it was revealed he could not take the job of New York City deputy mayor because he hadn't filed federal, state or city income tax returns for the past four years.

ON THE ROAD...

SAMPLING LAW STUDENT ATTITUDES IN PALO ALTO

If you like blue skies, mild temperatures and red tile roofs, you'll love Stanford Law School. In fact, your contentment may be such that you won't care what the institution does for - or to - you, if the present student body's easy going attitude is any indication.

Harassment - There was almost complete agreement among both faculty and students that classroom intimidation was rare at Stanford. "The unadulterated Socratic method has undergone a lot of change, and even in the first year it isn't used in quite the way prior generation of students have experienced," said an associate dean. A second-year student agreed: "The Socratic method here is not alive and kicking. Only a few professors are really hot on it and I've never personally experienced it." Several other students also commented that they had never been harassed in class, but they had heard about it occasionally, one recalling an unusual incident. "One of the first-year professors was very dramatic if you weren't prepared; he'd walk up to his desk, pull out a little notebook and mark something down. One time he did this and on another question the previously embarrassed student volunteered - so the professor dramatically went back and erased the mark he'd made."

(continued next page)

A STORY

JONATHAN LIVINGSTON SQUASH

After the law students finished with their classes for the day, they would all go down to the IM to play squash. They played it because it was fun, and good exercise, and taught them good sportsmanship - but they played it mostly because Harvard lawyers all play squash, and most of all they wanted to be like Harvard lawyers. And when they finished playing squash for the day, they all went back to the library to look up cases. All of them, that is, except Jonathan.

After all the other law students had left the squash courts, Jonathan would still be there, all alone. He liked being there alone, because he could practice his shots. Over and over he would hit them, the cross-courts, the volleys, the half-volleys, until the building closed and he had to go home. Then he'd go back to his room and fall into an exhausted sleep, not waking until the next morning. He came into class late, and sometimes the professor in the class would look at him over the tip of his nose.

The professors weren't happy with Jonathan. He never had the right answer to their questions, never raised his hand, never stayed after class to answer questions, never visited the professors in their cells. And, sometimes, when they looked at him in class, he would have a far-away look in his eyes, and sometimes his right arm would move a little, as if he were making a shot. True, they agreed, he had good form, and always kept his elbow in close to his body and

(see SQUASH page 3)
A couple of young professors both thought students feel minimal concern about what might be termed harassment. One noted that "for one thing, there's been a great increase in the number of straight lecture courses recently," while the other suggested that "it's always been a problem in first year courses, but during the final two years students learn not to pay any attention to it." An older professor, while being unaware of any classroom intimidation, went on to say that "pettiness is not a necessary part of the Socratic method. My reaction is that most students realize that a teacher uses a variety of pedagogical methods; sometimes they work, sometimes they backfire. If a method comes to be viewed as harassment, then it has backfired."

Placement and Fieldwork - "We don't view the Placement Office as an arm of the law school as such," declared an associate dean, "it simply performs a kind of broker's function. We take the 'placement' of students very seriously, in the sense of helping them fulfill their career potential, but getting them jobs is not as central to the enterprise as some other things." This low level of placement duty professed by the administration brought forth a little reaction from students. "There's a certain amount of feeling among the students who aren't interested in going with the big firms that not enough effort has been put into interviews and lining up summer jobs in other areas," one student remarked. Another student echoed the sentiment, observing that the "focus is on the firms with large corporate practices from big cities" instead of the public sector and smaller firms. However, all students interviewed were otherwise satisfied with the good faith of placement office efforts, one saying that "the Office is trying to make unconventional positions available and respond to that need; so there's a time lag present, but that really isn't a problem."

On the other hand, there was substantial student bitterness directed at interviewers themselves or the job market in general. "You have this idiot who comes down here," said one student remembering an interview, "and he graduated from law school maybe ten years ago. Your law boards and grade point..."

"lording it over" the people who interview them at Stanford because everybody else seems to want to come to the Bay area, too.

One young professor was sensitive to student feeling on the question: "Students are very concerned, especially those in the middle and lower range, about ever getting a satisfactory job. Some in their third year now don't know what they're going to do since the OEO and other government programs are closing down rather than opening up."

As for fieldwork during law school, it was generally assumed that Stanford had a pretty good selection of so-called "practical" courses for credit in addition to legal aid, including several kinds of trial practice seminars, a clinical law program and 20-30 externships with judges and government agencies. Yet, according to one student, "the externships sometimes go begging," despite all the alleged interest, "but it's because they often don't coincide with one's interests. I didn't give much thought to them until a women's rights position became available."

With respect to availability of the various courses in other areas, "basically there are a lot of students who think three years of traditional law school is a complete waste," one student said. "There's a lot of feeling that there ought to be more clinical experience." An associate dean agreed: "We endeavor to present multiple options to our students after the first year. But I'm sure the clinical law programs are not reaching all the people who want them. Since they're all paying the same tuition, I think the lack of access is a serious problem." One second-year student had somewhat different thoughts: "Students are receptive to clinical programs in principle, but there's not that overwhelming a demand." He suggested in addition that "maybe the money would be better spent in minority admissions efforts and scholarships." The most far-reaching comment came from a young professor who stated that "law school should only be two years. The only reason for a third year is a heavy clinical component in one of the last two years, preferably the second year, so the student can step back and evaluate it the third year." Another young professor expressed the belief that virtually every student would take a clinical course if intensive and closely supervised ones were freely available.

Student Power - "The students obviously (see STANFORD next page)
want to know what's on," and there is some chance for input, one student said, yet while "various ad hoc efforts on certain issues come up, there's no generalized drive to increase student power." The Chicano and Indian students have been pressuring the school to double the present "quota," according to one student, and the women's group has been pushing, vainly so far, to get women admitted in those cases where male-female credentials are the same, but apparently, expressions of student power rarely rise to the level of "incidents," much less confrontations at Stanford.

All parties agreed that activism was low although the offering of reasons for the situation were varied. Lack of incentive seemed a significant factor as one young professor declared, "the students say they have no input into the governance of this school, and they're absolutely right." There are almost no students on committees, and as one student put it, "the faculty has a pretty intransigent attitude about letting students in on anything that means anything." In any case, "most students are indifferent about participating," said the same young professor. "I find the most significant problem in terms of student relations since I've been here for 6 years is trying to find any students who were interested in committees - the law student association has had to draft people" - though minority group members are exceptions. "Unfortunately, a lot of students are in the 'don't care' end of it," acknowledged one student, while another explained that Stanford's small size, and comparatively young, approachable and innovative faculty tended to smooth ruffled student feathers. Grading reform came up several times in response to inquiries about student power as an example of good student-faculty cooperation. Following a study and recommendation by the student committee, courses were made available for grades or pass/fail on an unlimited basis. In the words of one older professor, the faculty voted for the change because they thought it represented the majority student view, and in general he added, "I think students have a very substantial effect on policies if they reach a consensus and make it known to the faculty." However, the fact that the grading reform episode occurred five years ago itself is evidence of the complacency at Stanford; no one could remember any significant student

(continued next column)
he realized that there wasn't anything left in his life, nothing more for him to achieve. He sank into depression. Suddenly his life had no purpose, no goal. For weeks, he stayed on the courts, not bothering to go to classes. He just practiced his shots, over and over again. He never missed, never made a mistake, seemed never to get tired. People stopped to watch him as they went by, and they all agreed that he was the best, the very best. Jonathan didn't even realize they were there, nor did he know it when they had gone on, and left him alone.

One morning the people came by to watch him, and found him lying in the middle of the court, unconscious. At first they thought he was dead, but when the doctors came they said he was still alive, and took him to the hospital.

When Jonathan awoke in the hospital bed, he felt something was wrong. It was his right arm! His squash arm! Something was wrong with his right arm! He rang for the nurse, and when she came, he shouted at her, "What happened to my arm?" She was scared by his shout, and she went to get the doctor.

The doctor came into the room, and Jonathan shouted at him, "What happened to my arm?" And the doctor, in understanding tones, told him that he must have fallen on his right elbow when he collapsed, and had lain on top of it all night. He could never use his elbow again, would never be able to play squash again.

Jonathan didn't know what to say. Never to be able to play squash again! Squash was his whole life. He didn't want to go on living if he couldn't play squash again.

But Jonathan went on living. He went back to the law school, and for weeks a tragic figure shuffled through the halls, talking to nobody, looking at nobody. Poor Jonathan, they said.

Then Jonathan disappeared. Suddenly he no longer walked the hallowed halls, no longer attended his classes. Nobody knew where he was, or what had happened to him.

They found him in one of the study carrels in the library, pouring through casebooks like a man possessed, making volumes of notes. And whenever anyone came up to him, spoke to him, he would look up at them out of protruding eyes and smile, a horrible smile, and say, in a voice full of awe and mystery, a single word: "Malpractice."

Now Jonathan lives in a house high on a hill in Grosse Pointe, and once a year he comes back to the law school in his Ferrari, and looks at the students pouring over the books in the library, and just laughs.

- William Charles Hays

ENVIRONMENTAL REPORT

A recent U.S. Supreme Court decision blocking a citizen "class action" damage suit against an industrial polluter will have no effect on most environmental lawsuits in federal or state courts, according to Prof. Joseph L. Sax of The University of Michigan Law School. The only cases that would be affected, said the U-M authority, are damage suits in federal courts. "But the vast majority of citizen suits against polluters are non-damage cases designed to safeguard the environment rather than to collect compensation for property losses," Sax said. Sax, author of Michigan's Environmental Protection Act giving citizens the right to sue polluters, also said the Supreme Court decision involved a "unique element of federal law" which has no corollary at the state level.

In a 6-3 decision Dec. 17, the high court ruled each party complaining of damages must show proof of more than $10,000 in damage losses in order to file suit in federal court. The case involved a group of lakefront landowners in Vermont who alleged that property damages were caused by discharges at an International Paper Co. plant on the New York side of Lake Champlain. Prof. Sax pointed out that the only reason the case was heard at the federal level was that the dispute crossed state boundaries. And, based on a similar Supreme Court ruling in 1966 involving "aggregate" damage claims, said Sax, the ruling was not surprising.

In the Dec. 17 case, two lakefront property owners, both with damage claims of over $10,000, sought a "class action" suit on behalf of 200 lakefront property owners in addition to themselves. Writing for the majority, Justice Byron R. White said
the suit could not be considered a class 
action because the other landowners did 
not satisfy the $10,000 damage requirement. 
Prof. Sax acknowledged that, as a prac­
tical matter, the ruling could serve as an 
impediment to federal damage suits where 
class actions would allow plaintiffs to 
share costly legal fees. But he also noted 
that there is nothing stopping plaintiffs 
with less than $10,000 in damages from 
bringing a class action suit in the state 
courts, where there is generally no mini­
imum damage requirement. Since the recent 
ruling would have no bearing on the "vast 
majority" of environmental lawsuits, Sax 
added, there is little basis for concluding 
that the courts have suddenly "gone soft 
on industrial polluters.

Michigan's Environmental Protection Act, 
which was passed in 1970, has served as a 
model for citizen-suit legislation in six 
other states. Prof. Sax is also author 
of similar federal legislation which is 
still awaiting Congressional action.

- UM News

ABA MOVES ON WHITE COLLAR CRIME

The Public Contract Law Section of the Amer­
ican Bar Association is moving quickly with 
the development of a Model Procurement Code 
to plug the holes in current state and local 
procedures for the procurement of supplies, 
equipment, construction, and other good and 
services. The recent Agnew difficulties in 
Baltimore has dramatized the issue to the 
American Bar and work on a uniform code is 
proceeding apace. Law students will be 
needed to help.

F. Trowbridge vom Baur, chairman of the 
commission to create the Code, stated recent­
ly that "state and local procurement practices 
are 100 years behind the federal guidelines." 
The lower down the governmental totem pole 
the worse the problem becomes. The problem 
is compounded by the fact that 40% of the 
states still have sovereign immunity which 
forces a contractor with a claim to use his 
entire wherewithal to get a private bill 
passed through the state's legislature.

Assisting in the development of the Code are 
the Law Enforcement Assistance Administrtion 
(LEAA) of the Department of Justice, the 
National Association of State Purchasing 
Officials, the Council of State Governments 
Committee on Suggested Legislation, the 
National Conference of Commissioners on 
Uniform State Laws, the National Commission 
on Productivity, the National Science Foun­
dation, and Peat, Marwick & Mitchell.

The Public Contract Law Section does other 
work in the field of government contracts 
which includes public housing, road construc­
tion, environmental protection, equal oppor­
tunity, occupational health and safety, SEC 
disclosure, labor programs, and tax exemption 
problems.

- ABA news release

PAD PLACEMENT SEMINAR

Phi Alpha Delta Law Fraternity will pre­
sent a placement seminar at its luncheon 
meeting on Thursday, January 24, 1974. The 
meeting will be held in the Faculty Dining 
Room of the Lawyers Club, and will start at 
12 noon. The members of PAD will conduct 
a panel discussion concerning the various 
placement opportunities that are available 
to law students and graduates, and how to 
go about obtaining them. While the meeting 
is intended primarily as an aid for first 
year students, all students are of course 
invited to attend, and most likely will 
find the information to be of benefit. The 
items that will be discussed are:

1. First year interviewing and job 
opportunities.

2. Second year interviewing: opportu­
nities for summer employment after the 
second year of law school, including 
judicial clerkships for law students. 
Also information on the practices and 
procedures of interviewing.

3. Third year interviewing: prospects 
for graduates and the practices and 
procedures of interviewing. Also infor­
mation on obtaining judicial clerkships 
upon graduation.

Plan to have lunch with us on this Thursday, 
and on others. Brown baggers as well as 
Lawyers Club residents are welcome. There 
is no obligation to join, and the infor­
mation that will be provided at this place­
ment meeting will give you an idea as to 
what the entire interviewing process is all 
about.
BIG SISTER IS WATCHING YOU

We presume that the Law School finally found out that in fact Big Sister has been watching. And then people got embarrassed (or maybe just nervous) or paranoid. In any case, someone recently put up a screen between the now-closed, formerly Men's Locker Room, and the bathroom urinals in the basement of Hutchins Hall.

Well, that's OK with us. But we just want you to know that it was too late. We had already found out.

- Zena Zumper

FINAL GRID POLL RESULTS

The award for the picks sent the longest distance goes to one W. Lincoln Fang, Editor of the Virginia Law Weekly, with whom the RG exchanges panes and where the Turk is regarded as one of America's few remaining folk heroes. Unfortunately, Mr. Fang, who demonstrated remarkable insight in other areas (he even noted that the Wolverines deserved to "go to the roses"), turned in a lousy set of predictions.

All of our top scorers this week, and most everybody else but the Turk, picked Miami and Minnesota to go to the Super Bowl. Likewise, everyone picked Miami to win. Since I have been quick to proclaim my good scores, I must confess that in a rare moment of weakness (i.e., nicking by heart and not by head) the Turk chose all Super Bowl contestants - the Rams and the Steelers (with the Steelers to win).

At any rate, out of a possible score of 15, Ken Cobb, Chip Ahrens and Tess Scharf all got 13 correct. All 3 of them nicked USC to come within 5 of Ohio State; Ken and Chip also erred on the Notre Dame-Alabama game. Since the tie-breaker was decided by that game, and since Tess stayed with Notre Dame, she wins the final sub-

A final bit of interesting trivia is that out of 60 picks submitted every single one picked either Notre Dame or Alabama to be Number One. So take that, Woody Hays and Joe Paterno

- Tommy the Turk

AD HOC ADVOCATES INFORMATION PROGRAM
Sat. Jan. 19
1:00-3:00 PM
Women Law Students Office

Topics: Title VII, Equal Pay Act, University Grievance Procedure, Affirmative Action. Anyone interested in representing U-M employees alleging sex/race discrimination against the University is welcome; or call Helen Hudson 769-8581. Advocates who have handled one complaint should attend.

GFORGE PAGANO'S BASKETBALL POLL

Now that the football season is over it becomes a problem finding some activity to occupy one's time on Saturday and Sunday afternoons and Monday nights. While no suggestions can be made regarding how to keep busy during normal football hours, it is hoped that this exercise will ease any acute withdrawal symptoms.

Below are listed twenty of the more important basketball games this Saturday. One of the teams is given points in an attempt to equalize the odds. Half-points are used to avoid any confusion concerning ties. Cross out the losing team, leaving the suggested winner untouched for grading. All picks should be put in the box in front of Room 100 by 5:00 p.m. today.

Indiana at Iowa(10)
Illinois(12) at Wisconsin
Minnesota at Ohio State(4)
Michigan State(5) at Michigan
Oklahoma at Nebraska(12)
Clemson at Wake Forest(2)
North Carolina at Duke(10)
Florida(6) at Tennessee
Mississippi(6) at Kentucky
Alabama at LSU(9)
Providence at St. Joseph's(15)
St. Bonaventure(6) at Canisius
Temple(6) at Syracuse
San Francisco(10) at Nevada-Las Vegas
Stanford(10) at Utah
Pennsylvania(12) at South Carolina
Memphis State(5) at Louisville
West Virginia(11) at Davidson
Dayton(3) at Detroit
UCLA at Notre Dame(8)