The Docket

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Students Lack Hiring Input

by Lynn Alfasso

Whether a law student thinks of professors as "the Source" or "the Sadists," these teachers will play a crucial role in the student's initiation into the "learned profession." Nonetheless, the student is unlikely to have any say in who gets hired to make him think like a lawyer.

Hiring and promotion are handled by a Faculty Appointment Committee which solicits and interviews applicants and submits its final choices to the vote of the entire faculty.

"The Way Things Are"

Although students and faculty sit together as voting members on seven other Law School committees, students are excluded from the Appointment Committee.

When asked the reason for student exclusion, committee chairman William Klein responded, "Because that's just the way things are."

Klein added that he thinks it would be a poor idea for students to serve on the committee.

"The committee discusses very sensitive personnel actions which require a high degree of confidentiality," he explained.

"Also, committee membership requires a great deal of

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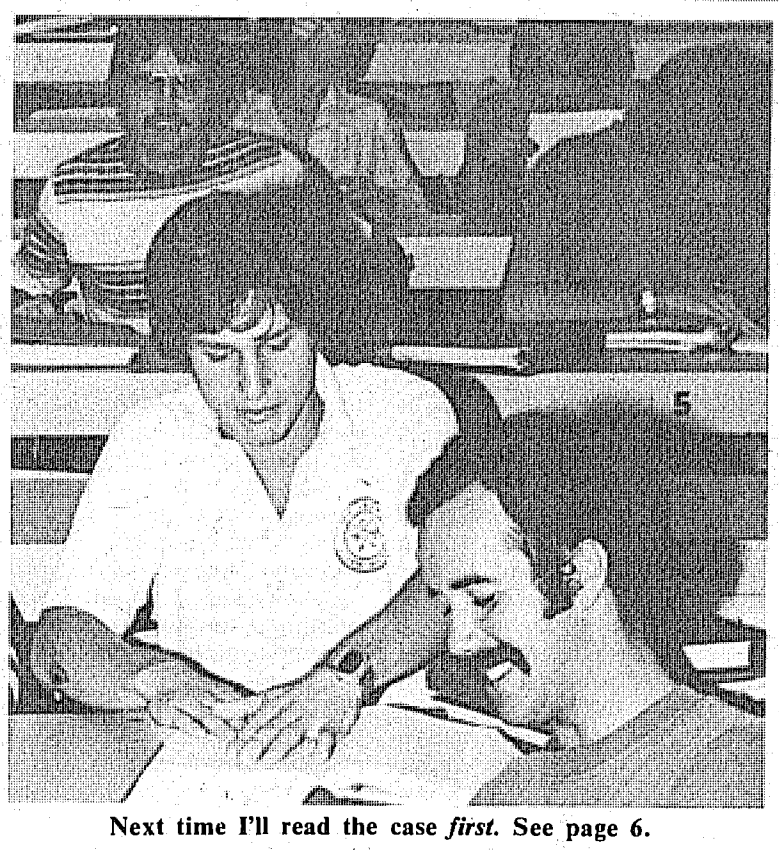

Next time I'll read the case *first.* See page 6.

Admissions Office Gropes With Bakke

by Diane Sherman

Calling the *Bakke* case now before the United States Supreme Court "my greatest nightmare," Michael Rappaport, assistant dean for admissions, said last week that UCLA is still operating its minority admissions program and will continue to do so unless ordered to make a change.

Rappaport said he feared "utter chaos" if a decision upholding *Bakke* came down in the middle of this year's admissions process.

"It's a frustrating way to plan," he said. "We can't hold up our admissions until we hear from the court, nor can we change our admissions system until we hear from the Court.

"It would be futile and a waste of time to plan a new admissions system now. We would plan for one contingency and the Court might adopt another.

"Applicants have a right to know what our admissions system is. The problem is that we don't know ourselves."

Rappaport meanwhile urged all minorities to apply and said he feared the publicity about *Bakke* would result in a decline in minority applications.

"We are afraid that minorities will be hesitant to apply now because they believe they are not wanted or that they won't get in," he said.

It is clear that UCLA's Legal Education Opportunity Program (LEOP), which admits minorities to the School of Law under special criteria, will be unconstitutional if the U.S. Supreme Court upholds the *Bakke* decision rendered by the California Supreme Court in October 1976.

The California court ruled that professional schools could not use race as a factor in determining admissions.

A token number of disadvantaged white students are admitted here each year under LEOP but not enough to save the program if *Bakke* is upheld, according to Rappaport.

"Racial and proud"

"LEOP is a racial program and we don't try to hide it. We're proud of it," he said.

Partially in response to *Bakke,* UCLA has moved up its admission deadline from March 1 to February 1. The School of

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First-year Elections Go to Third Runoff Wednesday

by Howard Posner

A third runoff election for Student Bar Association (SBA) first-year president has been scheduled for this Wednesday, even though one candidate was apparently certified the winner of a second runoff last Thursday, and the other candidate was constitutionally the winner of the first runoff last Wednesday.

Bob "BJ" Johnson of Section Three outpolled Laurence Berman of Section Four in the second runoff, 108 votes to 106, with one writein vote for John Quisenberry of Section Two.

But because the polls closed at 3 pm Thursday instead of the 3:30 closing time required by the SBA Election Code, SBA acting President Mike Norris, Election Commissioner Steve Rubenstein and election committee member Gabriel Vivas first decided to extend the voting for three hours on Monday and then nullified the second runoff altogether, instituting a third runoff Wednesday.

Johnson had already been told he was the winner, and his name had been posted as the winner. A revocation at that point may have been unconstitutional.

The second runoff, however, was held in express violation of the Election Code.

It was held because none of the three candidates in the first runoff polled a majority. Berman had 91 votes to 89 for Johnson and 63 for Quisen-

(Continued on Page 2)

Mail Slots and Murals

Lounge Undergoes Change of Life Style

by Alec Nedelman

"I want a way for students to communicate with each other. Right now they have to tackle each other coming out of classes."

Although a speech class might seem more appropriate to solving this problem, Law School Dean William Warren and the Student Bar Association (SBA) here feel the solution lies within the potentials of the Law School lounge.

Suggestions about the lounge emerged in a survey conducted last year by the SBA.

Although suggestions for a wet bar and cabaret have presumably been laid aside, Lisa Greer, the SBA representative in meetings with the Law School administration to implement those suggestions, said the proposed renovations "envision the lounge as a place for students to meet, have parties, and for the administation to host receptions."

Mail slots the Key

According to Warren, the new lounge is being designed by David Mackler, a graduate of UCLA School of Architecture and Urban Planning.

Mackler is putting into the lounge a "mailslot for every law student," Warren emphasized.

This will assist students trying to contact each other and professors trying to contact students, he said.

Warren pointed to the planned "attractive looking tile floor. . . and the graphics on the wall" as features of the renovated lounge.

The Dean expects the renovation "will all be done this fall unless the University holds us up more. The contractors are ready to start work, we're just waiting for the official approval from the University."

The approval, which was expected to take two weeks to get, has been "stuck in the University for two months," Warren said.

"I honestly don't know what the hold up is," he added.

According to Greer, "fire regulations have prevented implementation as soon as we had hoped." The original budget, financed by alumni donations, has had to be modified, Greer said, to reflect the $3-4,000 it will take to comply with the regulations. "Structural changes in the building were going to be made," she explained," so we had to comply with current fire regulations."

Once approval is given by the University, and work begins, all that is left to be decided is how to furnish the lounge, Warren concluded.

"I'll be glad to get that lounge done. We've been trying to get some use out of it for the last two years. No one is using it now."

What Price Glory

Refereeing Without a Whistle In The Integration Game

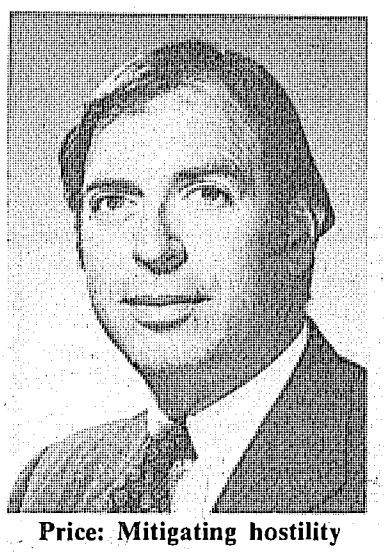
by Howard Posner

There's not much point in aspiring to be a court referee, no matter how good your resume looks.

There are just no openings in the field. Monroe Price managed to land a summer job as a court referee last July, but he was the only one — anywhere.

Price, who teaches administrative law here, was appointed to referee the Los Angeles school desegregation case after Superior Court Judge Paul Egly ruled that a plan submitted by the Board of Education did not go far enough toward integrating the massive L.A. Unified School District.

On July 5, Egly gave the Board of Education three months to form another plan, granted intervenor status to groups representing opposing views on busing, and appointed



Price: Mitigating hostility

Price as a mediator, overseer, watchdog, liason and reporter.

"There aren't a lot of precedents for the job I did," says Price. "Usually when a court appoints someone in a situation like this, it will be a master with authority to draft the plan. My position had some of the dignity of the court, but none of the authority."

Price kept an office in the Board's downtown building, from which he stayed in contact with Board members and staff, advising and writing weekly reports on progress in meeting standards established by the California Supreme Court in *Crawford v. Board of Education of the City of Los Angeles,* 17 Cal 3d 280 (1976).

In that decision last year, the court held that the school board must "achieve meaningful progress toward eliminating the segregation in the district." Justice Mathew Tobriner, writing for a unanimous court, said "A school board fulfills its constituional obligation . . . so long as it undertakes reasonably feasible steps to alleviate segregation and its accompanying harm."

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Moot Court Team Goes to Nationals

The Law School's Roscow Pound Team has advanced to the finals of the National Moot Competition after a regional competition involving virtually every accredited school in California.

Third-year students Kathy Rohwer and Gwen Whitson emerged with a team from Southwestern as winners of the regional in San Francisco last weekend. Whitson was named Outstanding Advocate of the tournament. About 25 teams will compete in the finals in New York City, December 24-14.

Faculty Hiring

(Continued from Page 1)

time to re-educate new student members each year about the workings of the committee would probably not be worth whatever benefits would result from having student members."

Committee members try to represent student interests, according to Klein. He pointed out that the committee gives great weight to student evaluations of professors when such evaluations are available.

How Are They Picked?

Applicants with prior teaching experience are judged primarily on the basis of their publications and their teaching evaluations. Those with no prior teaching experience are judged on recommendations, law school record, and publications.

Candidates may present a paper to the faculty, with some students occasionally invited to sit in. Student response to the quality of a presentation is usually similar to that of the faculty, Klein said.

The committee is making a concerned effort to hire more women and minorities, according to Klein.

UCLA currently has four female professors on a full-time staff of 45. Klein noted that the number is higher than at most law schools. Stanford Law School has none, he commented.

Stiff Competition

Despite the committee's "extra efforts" to recruit minorities, none have been hired in the last few years because of stiff competition for the few available positions, Klein said.

"Two hundred applications have so far been received for the three positions expected to be open next year," he added.

Any impetus for student representation on the appointment Committee would probably have the support of the Student Bar Association (SBA), acording to SBA Acting President Mike Norris.

Norris rejected Klein's argument that the confidential nature of the committee was a valid reason for barring student membership.

"Both the Admissions and the Standards Committees discuss highly confidential matters and both have student members," he commented.

Armando Duran, president of the Chicano Law Students Association (CLSA) also rejected Klein's argument about confidentiality.

"We're being trained to enter into a profession where confidentiality is important. This would be a perfect setting for students and faculty to learn what it's all about," he said.

Faculty "snobbism"

According to CLSA member Ben Campos, Klein's attitude is "representative of the intellectual snobbism of the faculty — an attitude that students are inferior that runs through the totality of the law school experience."

If the rule prohibiting student membership on the Appointment Committee is not changed, the SBA should at least appoint a committee to draft a set of guidelines that will suggest to the faculty what qualities students are seeking in professors, Campos said.

CLSA would like to see more minority professors hired. CLSA member Jaime Aguirre admitted, however, that qualified minority applicants may be hard to find. Aguirre said that CLSA conducted its own informal faculty recruitment drive last year and came up with just three possible candidates.

Phil Jiminez, hired as a visiting professor for this academic year, is the first Chicano full-time professor at the Law School.

The Docket

THE DOCKET is published twice quarterly, except this quarter and any other time we can't manage it, by UCLA Law School and the Docket Staff. Our office is in 2467B, phone 825-9437.

We encourage contributions of all sorts from members of the Law School community. Written submissions should be typed with 50-space margins. Letters to the editor should run under 50 lines, and THE DOCKET reserves the right to edit all submissions for length and style requirements.

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Election Foulups

(Continued from Page 1)

berry.

But a 1975 amendment to Section (d) (7) of the Election code explicitly states that a majority is not needed in a runoff election:

In the event of a run-off election between more than two candidates it shall take a plurality to elect.

That provision, printed on the fifth of the Election Code's five pages, would appear to make Berman the outright winner of the first-year presidency, had anyone actually read the Code. Apparently, no one did.

"The fact is, not every copy of the Code has all five pages in it," said Rubinstein Saturday, "and I just missed that amendment."

Rubenstein said that all his decisions were made in the interests of simple fairness. "I decided to allow John Quisenberry into the runoff because his name had been misprinted (inexplicably, as John Q. Berry) and it would have been unfair to exclude him in light of the confusion that must have caused for people who might have voted for him.

"When Laurence Berman found out there were three candidates in the runoff instead of two, he came and asked me what would be required to win, and I told him then a majority was required," said Rubenstein.

The Election Code states that a candidate must appeal a decision of the Election Commissioner "before the expiration of the day following the day that the Commissioner notified the interested parties of his/her decision(s)."

In other words, says Rubenstein, "the statute of limitations has tolled."

Norris, Johnson, and Berman were unavailable for comment Saturday.

With regard to nullifying the second runoff, Rubenstein admitted there had been an announcement that the polls would close at 3, "but because there were people who thought they could vote until 3:30 and did in fact try to vote after 3, we at first decided to extend the voting for three hours Monday.

"But that's not fair, because everyone knows who voted Thursday and it would give an inordinate amount of power to those who didn't vote."

For his part, Johnson isn't impressed with the fairness of what he thought was a valid election. "We were both dealing with the same conditions. I didn't derive any unfair advantage from the early closing.

"And there have been other irregularities," he said Friday, referring to other instances of the polls opening or closing at odd times (and not to the violation of the plurality rule, of which he, like Berman and Rubinstein, was unaware). "If you're going to nitpick on one thing, why not all the others?"

Friday, the Black American Law Students Association (BALSA) filed a protest with the SBA on Johnson's behalf. In true law student style, it asks, among other things, "What if the polls had closed at 3:29; same result?"

BALSA, however, has no standing to appeal an SBA decision. The Election Code states that only a candidate can appeal (however, the issue of the early closing of the polls was raised not by Berman, but by one of his supporters). Johnson could conceivably appeal the Friday decision today.

In other election results, Michael Walton, Maribeth Harper, Susan Block and Fred Corbit were elected as representatives from the four sections. In a preferential poll the voters favored inclusion of first- and second-year students in the yearbook, 155-62.

The Standard Modified FertigForm

Notice to Interviewees:

The management feels that the overall efficacy of our interviewer evaluation program will be enhanced by the utilization of this Standard Modified FertigForm. Developed by second-year student Ralph Fertig and subjected to the utmost in interviewee input, this form is designed to cover all aspects of the interviewer's performance. All comments which cannot be made in the context of the Standard Modified FertigForm are, of course, out of order.

EVALUATIONS OF INTERVIEWERS

Firm _____ Contact _____

POOR | AVERAGE | GOOD | OUTSTANDING

THEIR ATTITUDE — INCLINATIONS — FOCUS

(sets you at ease, nice, able to consider original approaches [e.g. try wearing your cutoffs]; more interested in the law & in the people and institutions served by the firm than their prestige; doesn't ask about your spouse)

PLASTIC | ALIVE | INTERESTING | COMPELLING

COMMUNICATIONS SKILLS — PERSONALITY

(spontaneous; doesn't pull the routine speech on how fast firm has grown or how stable they are; no canned jokes; waits to develop rapport before asking you about grades . . . and then not apologetic but shifts subject quickly)

UPTIGHT | STODGY | VAGUE | OPEN

HUMAN PRESENCE

(has read your resume and is interested in you as an individual and how your ideas and skills can be related to the firms; interviewer memorable as a person, neither a corporate eunuch nor self-centered blowhard; has eye contact)

COLD | UNINVOLVED | LAID BACK | A MENSCH

INTELLECTUAL ABILITIES

(asks challenging questions, relates inquiry to facts about you that (s)he could have picked up from clues you dropped; tells you what the *real* concerns [besides making money] of the firm are)

DULL | STANDARD | CAN AD LIB | INTELLIGENT

VALUES

(promises you close supervision but neglects to mention salary; encourages community interests — on your own time; asks if you'd be happy with their clients and pulls punches on describing them; notices your: a) sex, b) clothes, c) hair, d) campaign button, e) age, ethnicity or handicap, f) intent innocence, g) skills and experience, h) or the game you both know you are playing)

CORPORATION PERSON | PRIVATE INITIATIVE | HAS BELIEFS | ACTS ON THEM

LEADERSHIP

(tells you war stories of battles with: a) bureaucrats, b) environmentalists, c) urban guerillas, d) the courts, e) the bar, f) competitors, g) U.S.C.; tells of risks firm has taken in last year; may have turned away a client)

STATUS CONSCIOUS | PROUD OF PAST | HAS CONSCIENCE | USES IT

JUDGEMENT — ADMINISTRATIVE ABILITY

(runs schedules on time; reads your resume before you come in; able to tell you how you'd *really* be used and what the firm's standards are for assignment to different tasks, for retention, for inviting back; knows what they're seeking)

SLOPPY | INCONSISTENT | RUNS TIGHT SHIP | KNOWS IT WELL

INTEGRITY

(able to give you a straight line on how and when firm will make its selections, and then sticks to it [wait 2 weeks before finalizing this score])

SLICK | EVASIVE | PROMISES, PROMISES | CAME THROUGH

fertigform 10.5.77

Opinion

A Modest Proposal to Make the Law Bilingual

Henry W. McGee, Jr.

Le ha explicado a usted su abogado sus derechos constitucionales?

If the lawyer didn't speak Spanish as well as English, the answer to the question above would most likely have been in the negative, especially if the client was one of the tens of thousands of Spanish-speaking Californians who don't speak English.

This language barrier led a California Court of Appeal to hold recently that even in cases where the lawyer is bilingual in Spanish and English, an indigent defendant in a civil case has a right to an interpreter at public expense in order to guarantee access to the judicial system. The case, *Jara v. Municipal Court,* is now under review by the California Supreme Court. But whatever the outcome the growing demand for Spanish-speaking lawyers and court personnel, especially in Southern California, is increasingly apparent.

Census underestimation

Current official statistics bear out the need. Of 6,831,243 persons in Los Angeles County in 1974, at least 1,051,409 were of Hispanic origin (persons who indicate their origin or descent as Mexican, Puerto Rican, Cuban, Central American, or some other Spanish origin), and 505,512 were "non-English-speaking."

But partly due to fears of deportation, it is likely that the normal census underestimation of racial minority groups is especially pronounced among Latinos and that official statistics do not completely reflect the number of non-English-speaking persons in the state.

Indeed, President Carter's plan to grant amnesty to illegal aliens, whatever its final form, will undoubtedly produce a sudden and massive surge in the numbers of

By 1990 state licensing authorities should require proficiency in Spanish as a condition of the right to practice law.

Spanish-speaking persons who use the courts and other institutions as the thousands of "illegals" who are now trapped in a legal and social nether world emerge to take their rightful places in the American social order.

Professor McGee teaches criminal law and procedure, juvenile law, and urban housing and redevelopment here.

One strategy which deserves consideration, with significant collatoral benefits, to meet the needs of non-English-speaking citizens of Hispanic origin would be to require that lawyers speak Spanish as well as English as a condition of obtaining a license to practice law. After all, a client can hardly be adequately represented when the lawyer speaks in what is to the client a foreign and incomprehensible tongue.

Studies show that Latinos shun the use of courts and other justice agencies because of the language bar. And the chances of representing a client who doesn't speak English is hardly statistically insignificant, especially for practitioners in public and legal services offices.

Since it is not improbable that many lawyers will sometimes represent persons who are not Anglo and affluent and who speak Spanish as a primary means of communication, requiring these lawyers to speak Spanish should not be onerous.

Lawyers are supposed to be educated, and in most of the civilized world, an ability to speak two or more languages is the mark of, indeed taken for granted by, educated persons. Widespread bilingual education programs could remedy the American educational system's failure to develop a multilingual capacity in its students, one of its more notorious (and to educated foreigners, curious) failings.

California's proximity to the fastest growing Spanish-speaking nation on earth and the presence of Hispanics as the state's largest linguistic minority (83 per cent of non-English speaking persons speak Spanish), suggests that Spanish is a natural second language here.

Court Suggestion

Of course the growing number of Chicano and Hispanic professionals will partly meet the needs of the state's Spanish-speaking citizens, and efforts to increase their number must be given paramount priority. But not all of them speak Spanish, or speak it as well as they might wish. Moreover, many Hispanic professionals will also be serving non-Hispanic clients, thus reducing their availability for the non-English speaking.

Studies show that Latinos shun the use of the courts because of the language bar.

Requiring that lawyers speak Spanish as well as English would therefore go a long way toward meeting the California Supreme Court's suggestion in the *Bakke* case that the state may take into consideration the legal needs of minority groups in educating and preparation of professionals.

Though naturally there is no substitute for speaking Spanish from early childhood, and though growing up Hispanic undoubtedly instills special cultural and social insights and sensitivities, the training of professionals of Hispanic origin *alone* cannot meet the growing demand for professionals who speak Spanish.

1990 deadline

The burden of this requirement of teaching Spanish would of course fall on secondary and primary schools and colleges — where it properly belongs. Meanwhile, students presently in high school or above (and of course lawyers presently practicing) could be exempted from the requirement.

But by 1990 state licensing authorities should be permitted to require proficiency in Spanish along with a knowledge of torts, contracts and criminal law as a condition of the right to practice law. In the intervening period, bilingual education could be

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Copyright Law Change Costs Colleges

License Required for Campus Performances

by Alec Nedelman

Fraternity parties, campus discos, concerts and halftime shows are a part of campus life. Beginning January 1, 1978, the people responsible for these activities may have to go to jail for them.

The new federal copyright law (17 U.S. Code 101 et seq.) taking effect then provides criminal and civil penalties for playing copyrighted music without permission. Until now colleges and universities were exempt from paying royalties for music played on campus or by a campus group. That exemption has now been lifted, and all live musical performances on campus must be licensed.

The impact of the legislation is being felt on campuses across the nation, with the University of California gearing itself for action. Systemwide administration has told all nine UC campuses to appoint someone to handle the campus' compliance with the new federal law.

The order from the University concerns itself with the financial costs of obtaining a license to play copyrighted music.

Gary English, executive director of the National Entertainment and Campus Activities Association (NECAA), explained in a recent interview that "Permission to perform copyrighted music will be granted through a license from BMI, ASCAP, and SESAC." NECAA is currently negotiating a sample license colleges can use.

These three organizations — Broadcast Music, Inc.; the American Society of Composers, Authors and Publishers; and the Society of European Stage Authors and Composers — are the licensing agencies for almost all composers and publishers in the United States who own copyrights.

English explained, "Since schools are a new area for licensing, licenses will need to be developed for them." What this means is not yet clear, but campuses will apparently have to pay a two-level fee structure.

UCLA, for example, will have to pay a per student assessment to cover activities such as campus parties, dances, halftime or ballgame shows, coffeehouse concerts and wandering minstrels. A second fee will be added on for large concerts in Royce Hall or Pauley Pavilion. This graduated fee will probably be based on a combination of seating capacity and cost of act.

Who's to Pay?

Kenn Heller, student activities coordinator in the Campus Program and Activities Office, estimates that this will cost UCLA "between six and seven thousand dollars a year."

"There will be a cost involved," Heller concluded. "The major question is who's going to pay it — the University, ASUCLA, or split the cost 50-50."

This cost may not seem like much in comparison to the multi-million dollar UCLA budget, but for a programming unit it could mean the loss of a major concert or cancelling a film series.

The largest problem facing UCLA now is whether they will have the licenses to play the music before the Jan. 1 deadline. Heller, however, is not concerned. "We're not cancelling any shows," he said.

He added that he has "a great deal of faith that the University will take every step it can prior to the January deadline."

Business Services Administrator Paul Saben, who is involved with efforts to negotiate the licenses, said that the appointment of a campus compliance coordinator has been ordered by the University.

"Right now we are evaluating who the appropriate individual will be," Saben said. "We want to make sure that choice reflects the area that will be impacted on the campus. We want someone sensitive to that area's problems."

Although apologizing for speaking administrative double-talk, Saben explained that no one on campus is sure exactly what will be affected by the new legislation and they are waiting for a legal opinion from the University as to what the new act means. UCLA has until Nov. 15 to name the coordinator.

What if UCLA violates the new law? According to English, "The copyright owner is entitled to recover actual damages plus any profits that have been gained by the infringement. The copyright owner need only show gross revenues. UCLA will have to prove deductible expenses.

The Six Million Dollar Concert?

Also, English added, the copyright owner can sue for statutory damages of "not less than $250 or more than $10,000 as the court considers just" for *each infringement*. Infringement is defined as one musical work used once. Even if UCLA had no intent or knowledge of the infringement, the act provides a minimum penalty of $100 for each work.

If the court determines that the infringement was committed wilfully, "the penalty increases to $50,000 for each infringement. . . and imprisonment of one year." English cautioned that the act defines the whole institution as the infringer, not just the programming unit.

The best option open to UCLA is to negotiate licenses with BMI, ASCAP and SESAC. According to a letter sent by UC Academic Vice President Donald Swain to all UC chancellors, the University is "developing, in cooperation with the (University) General Counsel's office, a common University policy addressing this issue and a common licensing agreement, which can be used in your future negotiations" with the licensing agencies. The NECAA sample license may also be used.

By January, however, UCLA will be faced with the choice of paying for the licenses or infringing and risking the consequences.

Fear and Loathing at Harvard

To Speak or Not to Speak: First-year Trauma

Scott Turow's ONE L, *from which we excerpt the following, deals with the tribulations of a first-year Harvard law student. Published by G.P. Putnam's Sons, New York. Copyright by Scott Turow 1977. Reprinted with the permission of the publisher.*

During the second week of school, I began to volunteer in class.

My motives for speaking were complicated. One was a promise I'd made myself. While I was deciding whether to apply to law school, I had made it a point to sit in on a few law classes. When I did, I was bothered by the reticence of the students. One class had disturbed me especially. It was an upper-year Evidence course, and the day I saw it the professor was talking about lawyer-client privilege. The questions he was asking were ones to which even I, as a layman, could have tried an answer. Yet no more than two or three of the students in that room had responded, and by the end of the period I saw that class, stoical, frozen, as emblematic of the state — halfway between being alienated and being cowed — which seemed to have gripped so many of my friends while they were law students. I couldn't understand it and I'd sworn that I wouldn't let that happen to me.

I was shocked I was speaking. My heart was slamming in my chest.

For the most part, though, raising my hand was not the result of any well-thought-out scheme. I am something of a babbler, especially when I'm tense. Outside of class, I was on a kind of oral jet stream, cruising alone on my own talk, assailing anyone who would listen, like a drunk on a bus. In class, it was getting increasingly hard to keep my mouth shut. I was so engrossed in each session that I stifled myself only out of fear that I would not perform well.

On the Tuesday of the second week, I finally gave in; It was in Contracts, a course taught by Professor Rudolph Perini, a noted contracts scholar and an awesome domineering figure in class. We were studying *Hadley v. Buxendale,* a famous case which established a limit on the kinds of damages a winning plaintiff in a contract suit could collect. Perini asked us what the rule of Hadley was not designed to do. He said there was a one-word answer. People raised their hands offering responses ranging from "work" to "make sense," and Perini toured the room, quickly shooting them down: "No," "Never," "Silly," "You think that makes sense?"

When he saw my hand, he whirled and pointed.

"To punish," I said. I was shocked I was speaking. My heart was slamming in my chest.

Perini came closer, tilting his head. "How so?"

"The way the rule works, it doesn't act to punish somebody who breaches a contract."

"What difference does that make?"

"It means that damages aren't awarded to deter breach."

"What are they intended to do, then?" Perini asked.

"Just compensate the loss."

"Right!" said Perini. "Contract damages are merely intended to compensate plaintiff for his loss. You leave all that soul-splitting over punishment behind in Torts and Criminal Law — it's not for contract!"

That was the end. Perini was already on his way back to the podium. A trivial incident. Yet I ached with pride. People congratulated me all day.

In spite of the success of the first venture, I felt ambivalent about volunteering again. For one thing, it seemed a crazy feistiness, if I was scared of Perini and uncomfortable at the idea of being called on, to willingly expose myself to the same kind of interrogation. More important, I'd begun to realize how complicated the personal politics of speaking in class had become.

"Two classes out of every five . . .he'd worked out a formula to tell him how often it was appropriate to speak."

By the second week, a mood of disapproval had grown up in the section toward any sign of aggressiveness or competitive spirit displayed by a fellow student. Some of that is generational. To want to do better than others is out of keeping with the egalitarian ethic on which most of us who came of age after the 1960s cut our teeth. But part of it too, I thought, had to do with a widespread effort by classmates to suppress their own ambitions. We had all been extremely successful students in the past, but a desire to repeat that success here was not only an unrealistic hope amid so talented a group, but even a dangerous one when you considered the extent to which it could be frustrated. At the end of the term the professors would examine and then grade us. Given our present incompetence with the law, that was a frightening idea.

I remember a conversation I had with a classmate, Helen Kirchner, late in the second week. She told me she already hated law school.

When I asked her why, she said, "Because the people are so aggressive."

I knew she had been through Exeter and Princeton at the top of each class and I asked if she wasn't aggressive herself.

"I am," she answered, "but I try not to show it."

Trying not to show it became a dominant style of behavior in class. Some people seemed to withdraw almost from the initial sessions. I was surprised a number of times during those first weeks when I'd meet members of the section who proved outside the classroom to be sociable and outgoing. I'd never have guessed that from the look of stony remoteness they had while sitting in class.

The other means of containing competitive feelings was simply to deny them. Many people said they didn't care how they did, what their grades might be, how they were perceived. That was I often said. Like Helen, those people tended to blame others for the feeling of a competitive atmosphere.

But with the great majority of us, the competitiveness was simply part of our nature. It was what had gotten us through the door of the joint in the first place. There was something, some faith in distinction, which had led us to Harvard Law. We were all gladly training now for an intensely competitive profession in which there are winners and losers every time the jury returns, or the judge speaks. Nor was it unreasonable that we were competitive. Competitiveness had led to recognition and pleasure for many of us in the past; it was an old and rewarding habit.

"The regular talkers were treated with disdain"

But we carried those feelings with us at all times. In many ostensibly informal conversations with classmates — in the hallways, the gym, at lunch — I had the feeling that I was being sized up, that people were looking for an angle, an edge on me; I caught myself doing that to others now and then. And especially within the classroom, where the professors' questions acted to pit the 140 of us against each other, our aggressions were bound to be excited, whether they were acknowledged or not.

The only other option in dealing with those feelings was to give in to them — to seek openly to do well and win recognition and favor. Solely the professors had the authority to award those prizes, and right from the start of the year there was a crowd of students, usually the same ones, who rushed to the front of the room to consult with the teacher at the end of every class. But the most obvious way to score with the professor and your classmates was to be able to answer those befuddling questions that were always being asked. By the beginning of the second week there was a noticeable group who seemed to talk in every meeting, people who raised their hands, faced the professor, and proved themselves less fearful and perhaps more competent than the other members of the section. Clarissa Morgenstern had come to law school after the

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One L

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dissolution of a brief marriage. She was still only twenty-three or twenty-four but she was a commanding figure — tall, attractive. She spoke in a high-flown, elocutionary style and when called on she would hold the floor for a lengthy statement, not just a one-line answer. Wally Karlin, who had been the first student called on by Perini, spoke repeatedly; so did Sandy Stern, the MIT engineer, from my study group. Other regulars emerged in the next couple of weeks. And there were also a couple of students from large state universities, so accustomed to succeeding by driving through the masses, that when not recognized by the professor, they would, on occasion, shout out their answers anyway.

In general, those people heard from regularly were regarded with a kind of veiled animosity. Many people admired and envied their outspokenness, but for the most part, the regular talkers were treated with an amused disdain.

"I can't stand Clarrisa" someone told me one day during the second week. "I can't imagine how I'll live through all year listening to her. The way she carries on, you'd think it was opera."

Aubrey Drake, one of my friends, repeated to me someone else's remark that Clarissa was "a nice guy off the field, but a terror once she gets between those white lines."

Feelings seemed widespread that the people who spoke daily were hotdogging, showing off. They were being egotistical. They were displaying the ultimate bad taste of appearing competitive.

With that background, the idea of continuing to volunteer after my initial face-off with Perini left me feeling a strong conflict. There were advantages. I'd been told by 2Ls and 3Ls that you were less likely to be called on off the chart if you raised your hand. And I'd feel more involved in those large classes if I spoke now and then. But it still seemed childish greed to demand the attention of the professors and my classmates, and given the subtle hostility to everyone who talked regularly, the stakes on performing well were raised considerably. If you spoke too often, or frequently proved uninspired or wrong in what you said, you risked being thought a boor. I felt that way now and then about some of the daily speakers.

And I imagine some people felt that way about me, because in spite of reservations, I did begin to raise my hand often. I fell into a kind of second phalanx behind Clarissa and Wally and Sandy and a few others I was heard from frequently, but not every day. Yet I never reconciled my ambivalence. Whether I spoke or sat silent, whether I was right or wrong, from the time an idea entered my head until I or someone else had said it, I would sit in class in a state of discomfort.

It seemed a trivial preoccupation, but finally I tried talking to Aubrey about it, since he tended to volunteer as often as I did.

"Two classes out of every five," Aubrey told me at once. He'd worked out a formula, an emotional calculus, to tell him how often it was appropriate to speak.

I had trouble believing he was serious, but he nodded his head. I kidded him a little bit about it, but in the next few days I found myself keeping count.

Bilingual Law

(Continued from Page 3)

transformed from a political slogan to an educational reality. And everyone in the state would be the wiser for it. Our contacts with our neighbor to the south would no doubt be considerably improved, and the education of the state's own Spanish-speaking citizens would be enhanced.

Any fear that such a system would undercut the primacy of English in the courts is not borne out by systems in which lawyers are, generally speaking, bilingual. In Puerto Rico, for instance, English is the official language of the federal courts although the bar is pervasively bilingual and Spanish is nearly the only language used on an everyday basis outside the courts.

If English is imposed on the Puerto Rican courts, what reason is there not to use Spanish in order to facilitate the access of the Spanish-speaking in California to the English-speaking courts here?

It should also be mentioned, in passing, that the need for Spanish-speaking professionals is acute in other fields too, and a shift to a bi-lingual educational system would obviously be beneficial in other areas of endeavor and service. A recent Report to the Judicial Council on the language needs of non-English-speaking persons found a pervasive need for interpreters at every level of the criminal justice system. And anyone who has looked for a job in health care or education or social work can attest to the growing marketability of bilingual capacity coupled with professional skills.

Treaty Guarantee

Training a bilingual Bar could be a major step forward in a bicultural experience that would help fulfill the promise made by the 1848 Treaty of Guadalupe-Hidalgo that persons of Mexican ancestry "shall be maintained and protected in the free enjoyment of their liberty and property and secured in the free exercise of their religion without restriction."

This agreement gains substantial force in the light of the United Nations International Covenant on Civil and Political Rights, Article 27, which ordains that in "those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion or to use their own language."

Other Articles of the United Nations Covenant explicitly protect the use of indigenous languages. For instance, Article 14 declares that in connection with "any criminal charge," an accused is to be "informed promptly and in detail in a language which he understands, of the nature and cause of the charge against him," and is to "have the free assistance of an interpreter if he cannot understand or speak the language used in court."

Equal Access

But perhaps of more importance than international agreements is America's own constitutional guarantee of equal access to the courts. As the California Supreme Court said in *Payne v. Superior Court,* "Few liberties in America have been more zealously guarded than the right to protect one's property in a court of law. This nation has long realized that none of our freedoms would be secure if any person could be deprived of his possessions without an opportunity to defend them 'at a meaningful time and in a meaningful manner.' In a variety of contexts, the right of access to the courts has been reaffirmed and strengthened throughout our 200-year history."

Bilingual lawyers would be a significant step in the opening of the processes of law to thousands of citizens confronted by courthouse doors now effectively bearing signs that read: *Solamente se habla ingles aqui.*

The Referee's Gentle Art

(Continued from Page 1)

The meaning of "meaningful progress" in one of the most segregated districts in the country, or of "reasonbly feasible steps" in a district over half the size of Rhode Island was not defined by the Court, and devising a plan to meet the implications of those words is not easy.

Price was acceptable to everyone as referee because he was not identified with any of the sides in the controversy over busing. They might have been looking for an open mind, or, Price speculates with a smile, "they might each have suspected that I supported their side."

In any event, Price was inserted into the situation not to supply direction, but to keep the parties on speaking terms and help to keep the Board moving.

"My function was a lot like that of a tugboat to an ocean liner. The idea was to help the ship come to birth," Price muses.

Leaky Boat

The analogy may be apt, but it doesn't describe how leaky the ship was. The L.A. Board of Education has never been been famous for efficient and innovative problem solving, and in July the situation was only a little harder to decipher than a Restoration comedy and just a bit more emotionally charged than the Battle of Shiloh. Board members, keeping their ears to the political ground, tried to strike a middle course between the demands of pro-busing groups like BEST and anti-busing forces represented by BUSTOP.

"One of the functions of the referee was to mitigate hostility," Price says. "In a sense, one of the purposes was to break the adversary nature of the process. Everyone was seeking to develop a plan that was right and constitutional."

But Price won't discuss the politics of the situation. For that reason, he has avoided talking to the press. He also doesn't have much to say about the way the process worked: "I'm not an anecdotal person."

He did, however, supply the one human incident in the entire case when he showed up for a Sunday morning staff meeting at the Board dressed in white shorts, sneakers and a white-and-black-striped shirt, complete with whistle. These are troubled times, and apparently nobody at the meeting found it funny. The press, however, made a good deal more of the jest than would have been normal if the rest of the integration story hadn't been so colorless.

Price would just as soon forget about it. "I was dressed that way because it was the day of the faculty picnic. And after all, it wasn't a Board meeting."

Bustling and Bumbling

His comments about the planning processes are contained in the 146 pages of his weekly reports, which convey the picture of a bustling but bumbling Board working very hard to achieve goals that were never quite defined.

For example, in his sixth report Price points out that the District staff never determined just what they would call an integrated school, and never addressed the question of whether a multi-ethnic school without a significant percentage of "other white" students could be called "integrated" (an important question, as "other white" students make up only 35 per cent of the Los Angeles Unified School District, and that number is dwindling).

"The completed factor analysis, quite remarkably, deals with none of the difficult issues requiring a Board decision," Price wrote.

Critical Questions

It is the last two reports, however, that have drawn public attention. The eleventh report, filed after the completion of the Board's plan (to be ruled on soon by Egly) says that the plan may be too vague to evaluate: "Since the Board's plan does not present all the details for implementation," the report says, "ultimate judicial determination of the constitutionality of the plan, as written, may not be possible."

The twelfth and last report is an analysis on whether the Board is resolute in its desegregation efforts. Price's considered answer is . . . maybe.

The comments in Price's reports are clear, concise, and pull no punches. But when he isn't being an analytical superman, Price comes off a good deal more like Clark Kent. He is, in fact, a genuine, bona fide card-carrying Absent-minded Professor. Some parties win cases before the Supreme Court, others lose; colleagues say the year Price clerked for Justice Potter Stewart was the only year the U.S. Supreme Court ever lost a case.

There is also a legend that Price's wife once asked him to pick up one of the kids at school. He drove to school and came back again — forgetting to pick anyone up. The truth of such stories is problematic; the point is that people tell them.

Job Security?

It is possible, especially in light of Price's recent reports, that Egly will reject the new Board Plan and send the process right back to zero. He has already reappointed Price, ostensibly to monitor the voluntary busing program the Board is currently running.

The precise nature of his responsibilities and authority are not defined, but by this time Price doesn't even find that noteworthy. Perhaps much of his success is due to an ability to function well in vague situations.

For now, Price is reflecting on the benefits the job of court referee has brought him. For one thing, he notes, it's the sort of an experience that makes a lawyer a better law professor. For another, he adds, "It's increased attendence in my class."

Bakke Effect on Admission

(Continued from Page 1)

Law hopes to have made most of its admissions decisions before the Supreme Court rules on *Bakke*. Once made, admissions offers cannot be revoked.

Whether by design or by accident, the California court did not rule on *Bakke* until October, precisely at the end of one year's admissions process and at the start of another.

The School of Law hopes for similar timing from the U.S. Supreme Court in the event of a decision upholding *Bakke*.

Professor Kenneth Karst, chairman of the Student/Faculty Bakke Committee, said the best time for a decision from the Supreme Court would be late in June or July and "the absolute worst" would be March or April, right in the middle of this year's admissions process.

Rappaport said that in the event a decision upholding *Bakke* were released in early Spring, he at least hoped for a clause stating that the decision would not become effective until the following academic year.

"There's not a ray of light in the California Bakke decision"

However, both Rappaport and Karst acknowledged there is a possibility of unsuccessful white applicants suing UCLA next year and citing *Bakke* as a precedent if the case is affirmed in the Supreme Court.

"We could well be spending a lot of time in court next year," Rappaport said.

Clancey Case "Disturbing"

He added that he found the case of Rita Clancy, a white student admitted to the UC Davis Medical School last September under order from a Federal District Court "extremely disturbing," but cautioned that "we really can't speculate on what will happen."

In 1976, two unsuccessful white applicants filed suits against UCLA charging reverse discrimination. The suits asked for damages as well as injunctions ordering UCLA to admit the applicants. One of the applicants was later admitted off the waiting list and the other eventually dropped his suit.

Begun in 1967, LEOP is one of the largest special admissions programs in the country, according to Rappaport. About 20 percent of each entering class is admitted through LEOP. That number is a "fixed goal" but the actual number of LEOP students admitted and enrolled varies from year to year. The minority groups eligible for admission under LEOP are blacks, Chicanos, Asian-Americans and Native Americans. A fixed number of slots are reserved for each of the four minority groups.

For the class of 1980, 580 students applied under LEOP, 127 were accepted and 71 actually enrolled. Under the regular admissions program, 2,220 students applied, 585 were accepted and 275 enrolled.

Minorities with competitive test scores and grades are admitted under the regular admissions program and not through LEOP. However, according to Rappaport, very few minority students are actually admitted through the regular program.

Tough Challenge

If *Bakke* is affirmed, UCLA will face a tough challenge to maintain a significant minority presence at the School of Law, Rappaport predicted.

Regardless of the Supreme Court's *Bakke* decision, the admissions office will work to implement the faculty mandate for integration of the School of Law, Rappaport stated.

By a 22-6 vote the faculty resolved in September 1976 to "wholeheartedly support the goal of the integration of the Law School and of the legal profession, and . . . seek to promote that goal within the limits of the law."

Rappaport added that he felt the only public law school in Southern California, UCLA had a special responsibility to ensure that all segments of the population were represented in the student body.

The hope among administrators seems to be that even if the Supreme Court affirms *Bakke* and orders the admission of Allan Bakke to Davis Medical School, the language of the opinion will be less restrictive than that of the California Supreme Court which ruled absolutely that race cannot in any way be used as a factor in determining admissions.

"Not a Ray of Light"

"There's not a ray of light in California decision," Law School Dean William Warren said.

In response to the California decision, a Bakke committee was established last year to propose alternative admissions plans which would guarantee minority representation here while at the same time meeting the requirements set down in the California *Bakke* opinion. The Committee met a few times last year, but virtually suspended operations when the U.S. Supreme Court granted certiorari in February, according to Karst.

Currently, the Committee consists of six faculty members and three students. Assistant Deans Rappaport and Fred Slaughter serve on the Committee ex officio and visiting professor Phil Jiminez has been retained as a consultant. The Committee has not yet met this year and its major work will take place during Winter quarter, Karst said.

So far, the only concrete admission plan devised in response to *Bakke* has been a "striated" proposal submitted to the Bakke Committee by Rappaport last March.

"Striated" Plan

Under the " striated" plan, each applicant would be assigned an index number based on grade point average (GPA) and score on the Law School Admissions Test (LSAT). The exact formula used to determine index number would be 200 x GPA + LSAT. Almost all nonminority applicants are currently admitted on a similar index number system.

A pre-determined number of applicants would be automatically admitted from the top numbers in the pool. For instance, the faculty might determine that 70 per cent of the class should be admitted solely on index number. The index number for automatic acceptance might be set at 1400 (675 LSAT and 3.70 GPA). Concomitantly, all students

"It would be futile to plan a new admissions system now. We would plan for one contingency and the Court might adopt another."

falling below a certain index number would be automatically rejected. Such a number might be set at 1100 (500 LSAT and 3.0 GPA).

The applicant pool between 1100 and 1399 would then be divided into 25 point gradients (e.g. 1100-1125, 1125-1150) and a equal number of students would be admitted from each gradient to fill the remaining 30 per cent of the class. For example, if there were 12 gradients and 175 slots to be filled, an average of 14.5 applicants from each gradient could be admitted.

Subjective Factors

Applicants in each gradient would be judged solely on subjective factors including work history, unusual accomplishments, disadvantage, and service to communities needing more attorneys.

The striated admissions program would be a constitutionally admissible way of insuring that a significant number of minorities would be admitted each year, according to Rappaport. Minorities who would be largely in the lower end of the applicant pool would not have to compete against predominantly white applicants with higher LSAT scores and GPA's.

The striated plan would also enable the admissions committee to give serious consideration to outstanding and unusual non-minority applicants who under the present admissions system would not be considered, Rappaport said.

Finally, the striated proposal would remove the stigma of special admissions, according to Rappaport. All applicants would be treated alike and those applicants admitted would be admitted because they would be the best in their stratum. Since no one outside of the Admissions Committee would know an applicant's score or stratum, no one would be labeled "specially admitted."

No Guarantees

Rappaport admitted that the proposed striated system could not absolutely guarantee a significant minority presence at the School of Law. However, he pointed out, any system which guaranteed a specific number of slots to minorities would be constitutionally unacceptable if *Bakke* is affirmed.

He predicted that the striated plan would probably work well the first couple of years because relatively few whites would apply with low scores. Thus, many of the applicants admitted at the lower gradients would be minorities.

"However, as the word got out that every applicant with scores above the minimum level would be considered, we could expect the number of white applicants at the lower end of the pool to rise," Rappaport explained.

Any dramatic increase in white applicants, many of whom would come from interesting backgrounds, would complicate the striated admissions program, Rappaport said.

"If we were to be honest and truly not use race as a factor in our admissions process, we could not guarantee that minorities would be admitted."

A Tour de Farce of the UCLA Campus, Or:

by Howard Posner

The Law School is often described as insular, a characterization that acquires meaning when you realize there are first-year students who think Bunche Hall is an annex of the Law Library their Research and Writing teacher hasn't yet told them about.

In fact, all those funny buildings out there are a university, which may come as a surprise to newcomers from other parts. There are all sorts of academic communities interacting out there (a concept you may remember from undergraduate days).

Even if the joys of intellectual enrichment are no longer important, you may get lost on your way to your car some day, or you may want to find Ackerman Union the next time ASUCLA shows *Deep Throat*. So here is a quick self-guided tour of UCLA. Headphones are available at the front desk.

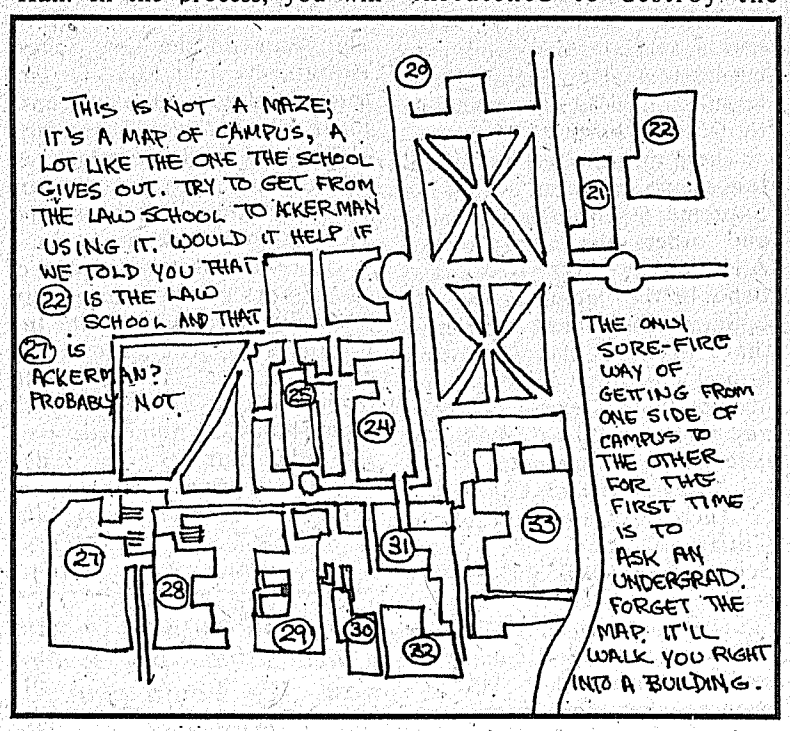
Exodus

To begin the tour, walk out the front door of the Law School. Yes, I realize it isn't time to go home yet. No, there are no monsters out there. I assure you it's safe. Fifty thousand people walk out there every day.

Good. Now proceed down the steps. Notice the long, squat building made of red brick in front of you. This is Murphy Hall, the administration building named after Chancellor Franklin D. Murphy, who in 1966 either retired or quit to take a real job. Most of the pictures you see of him these days show him talking to H.R. Haldeman, which is really not fair.

Be that as it may, there are many important things in Murphy Hall, like Reg packets and Financial Aids and about 400 light years of red tape. There are deans, vice-chancellors, and vice-chancellor's executive assistants in charge of executive assistance to other executive assistants. Nobody has yet figured out what they all do.

Now turn right. Your *other* right. Follow the service road around to the left until you come to the front of Murphy Hall. In the process, you will



have turned your back on about half the campus, but we'll be getting around to that. You will also have passed completely by Dodd Hall, but that's no great loss.

Schoenberg Hall

Directly across the service road from the front of Murphy is Schoenberg Hall, the music building. Arnold Schoenberg, who died in 1951, pioneered atonalism and the 12-tone row, the two principal reasons why nobody listens to modern music. Tuesdays and Thursdays at noon, the music department gives free concerts in the 500-seat auditorium, which are really a nice way to relax in the middle of the day.

There are also occasionally noon organ concerts on Friday, either here or on the massive Royce Hall organ (infra). Had you dropped in on the music library a week or two ago, you would have seen workmen prancing about on gangplanks trying to repair the leaky roof and retard the mold that threatened to destroy the collection. It was the best show on campus.

If you walk west from Schoenberg Hall, you will soon come to another service road. Service roads get pretty tedious after awhile. On this campus, they try to get around that by calling most of them Circle Drive, but it doesn't fool anyone. Turn left (south, if you're into that sort of thing) and walk past a building nobody knows the name of (and which may or may not have a cyclotron in it), and notice that the buildings begin to take on a more modern, and less hospitable, look. You are approaching South Campus.

Oh, East is East . . .

Now is as good a time as any to mention that UCLA is divided, unlike Gaul, into two separate but nonetheless indistinct parts. North Campus contains the humanities, the arts, the business, architecture, law, and the social sciences, as well as the major libraries. South contains The Sciences.

If you walk until you hit the white building (Franz Hall — psych) take a right until you hit another service road (sorry) and hang a left, you should find yourself staring south down a long corridor of boxy buildings ending in the giant red Medical Center. If not, ask someone with a calculator to point you to Young Hall.

Young Hall, the chemistry building, is named after William G. Young, and decidedly not after the current Chancellor Charles E. Young. That would be a bit much.

To your right is Math/Science and Boelter Hall. At some point, MS merges with Boelter, though a great many of us feel that they are in fact one and the same, and the whole thing is a subterfuge to divert us from the important issues facing students these days.

This sort of confusion is common in South Campus, and most noticeably in the Med Center.

The Med Center

The Med Center is the most fearsome building on campus; some even say it reminds them of New York. Many lives are saved there each year by the most advanced medical techniques; many others are lost when people lose their way in the halls and wander aimlessly until they perish, perhaps after meeting the Minotaur. The only building in the world with more corridor length is the Pentagon, which at least has a simple floor plan. And if you're more than five feet tall, watch out for the stairwells.

You may find it necessary to go to Student Health Service some day. Follow the tape on the floor. If you stray, it may be years before they find you.

Other structures of note in this area include the new Molecular Biology building (the one that looks like a mass of concrete piled as high as the builder could manage) and the Bomb Shelter.

The Bomb Shelter got its name because it's recessed into the ground and used to be a dismal little spot filled with concrete and vending machines. The only change in recent years has been the addition of a deli bar, where you can get chopped liver sandwich for 80 cents, which is important to some people. It does a thriving business, so don't go there between noon and one unless you have time on your hands.

There is a planetarium and observatory on the roof of MS. It isn't Griffith Park, but you can look at Jupiter or see a presentation explaining how the universe was formed and how it will end. It may change your perspective on the Rule against Perpetuities.

Enough of South Campus, except that you might be interested in the Botanical gardens, east of the Med Center and South of Hershey Hall (Hershey is the graduate dorm. If you live there, you know about it, and if you don't, you probably don't care).

Botanical Gardens

The Botanical Gardens are a surprisingly idyllic place for this city within a city, with abundant flora and fauna. It also used to be famous for a character called the Blue Hood, who would expose himself, if not worse, to women after dark. The Gardens are no longer open after dark.

While we're on this digression you should be heading north, and perhaps noticing that a good many plants, trees and shrubs on campus have little identifying plaques on them. They are there because someone had the idea that in an educational institution it might be nice to know whether you're sitting under a pepper tree or a eucalyptus.

In front and to the left of you should be three buildings: Moore Hall (see Dodd Hall, supra) another of those red brick buildings (for an explanation of which, see Royce Hall, infra); Kerckhoff Hall, a genuinely ugly affair with towers that may remind you of Disneyland, and Ackerman Union, the odd white building owned by the Associate Students of UCLA.

Kerckhoff Hall

It's worth a trip inside Kerckhoff to see that it looks the same inside as out. Unfortunately. It houses student

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From Here to There Without Getting Lost Much

(Continued from Page 10).
government on the upper floors and the *Daily Bruin,* check cashing and student ticket offices, Campus Studio and the yearbook; as well as Printing and Duplicating on the first floor.

You can get bus tickets and cut-rate student tickets at the ticket office (and the concert series at this place is one of the best around; see Royce Hall, infra). If you keep your eyes open, you can wind up paying $2 for seats that would cost $8 under any other circumstances.

Printing and Duplicating is a good place to have photocopying done at four cents a page, or have a resume done. It helps if you give them the information you want in the resume. If not, they make it up.

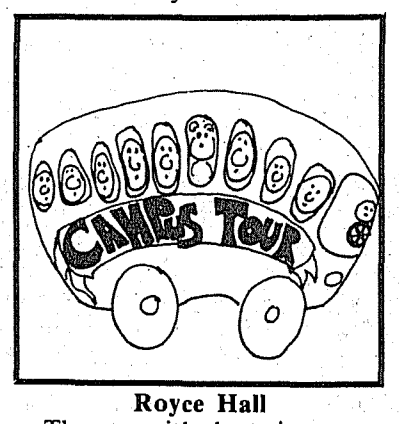
Then there's Rose, the woman in front of the *Daily Bruin* office, surrogate mother to about a dozen years of *Bruin* staffers and Kerckhoff hall fixture. She's very personable as long as you don't ask her for a *Bruin.*

On the second floor, there is the Kerckhoff Coffee House, opened with great hullaballoo (and free ice cream to invitees) a couple of years ago. It contains a Baskin Robbins franchise (which undersells the one in the Village because there's no overhead here) and a selection of snazzy coffees and crepes. On some weeknights there is entertainment.

You already bought your books — presumably — so you've seen the inside of Ackerman Union. It's named after the man who ran ASUCLA for about 300 years, and five dollars or so of your quarterly fees go to paying for it. That's why the Administration can't stop the showing of porno movies there.

Heading North from these buildings you come to the lawn in front of Kerckhoff, known as Meyerhoff Park. It's the local Hyde Park, and a haven for obscure political candidates and the noisier evangelists. It's also the home of Swami X, a crusty preacher of the merits of sexual liberation and quasi-radical philosophy who looks and sounds, let it be said for the umpteenth time, remarkably like Richard Wasserstrom. Their content, however, is different.

Walk northeast up the hill, noting the activity on Bruin Walk as you pass. You should eventually find yourself in a quad between four red brick buildings, two of which ought to be, objectively speaking, among the loveliest you've ever seen.



Royce Hall

The one with the twin towers is Royce Hall, and if you've read with any sort of critical perception, you've probably skipped down to this part (supra). It is the home of a number of departments, an 1800-seat concert hall and one of the bigger organs on the West Coast.

It's a copy of a church in San Ambroglio, Lombardy (yes, Italy) and would be called Romanesque by anyone who knows about such things. In addition to the wealth of detail and the pervading sense of roominess about the building, notice also that one of the towers has three windows to a side and the other has two: Renaissance asymmetry.

Across from Royce is Powell Library, another gorgeous building that is really much better from the outside than inside. This is where the "bells" sound (they're actually P.A. horns — the carillon is piped up from the basement of Schoenberg Hall).

The other two buildings on this quad are Haines and Kinsey Halls. Very few people know which is which, and nobody cares.

These four buildings are the original campus, begun in 1926. A look at Royce and Powell explains why so many of the later buildings were done in red brick, even the Med Center, which, viewed lengthwise, looks like one long optical illusion.

One Step at a Time

Now proceed directly west to the railings. You will find yourself at the top of Janss Steps. Notice the open area at the base of Janss Steps, where the ASUCLA Speakers Commission puts big attractions like Ralph Nader. The buildings on either side of that space are called the Men's and Women's Gyms, though the Women's Gym is pretty much taken up by the dance department.

The broader green further west is the intramural field. Thursdays, Fridays, and Saturday mornings, it is also the marching band practice field. Beyond that is Drake Stadium, one of the better track and field facilities in the world. It is named after Ducky Drake, once the track coach here and athletic trainer for nearly as long as Bill Ackerman ran ASUCLA. It is not, by the way, Drake Memorial Stadium. Ducky has no intention of being memorialized for awhile yet.

Beyond the stadium are the four undergraduate dorms: Groucho, Harpo, Chico and Zeppo. To the south of the IM field is Pauley Pavilion.

Pauley, an oil magnate on the UC Board of Regents, offered millions in matching funds because he thought it was a shame that national championship basketball teams with wonderful people like Fred Slaughter on them should have to play in the Sports Arena and share receipts with (horrors!) USC.

The Pavilion is also home to volleyball and occasional rock concerts and large-stage dance acts.

Walk north between Royce and Kinsey (or Haines), and then continue walking between Rolfe and Campbell Halls (see Dodd, supra). Rolfe houses the English and a few of the foreign language departments; Campbell contains the Housing Office.

Soon you should come to the North Campus Facility, which any old-timer will tell you replaced the Gypsy Wagon a few years back. It has much the same cuisine as the Treehouse in Ackerman Union, plus some interesting hamburger and hotdog variations. It is, however, usually crowded, and finding a seat can be tough.

URL

Behind the North Campus hangout is the University Research Library (URL). Unless you've seen a larger library, this is the largest library you've ever seen. Its checkout system is a flashier version of the readout most supermarkets use now. At night, it's said the building looks like a giant computer punch card.

Continue past URL and you come to Dickson Art Center. There are usually high-class exhibits here (at press time it's a very detailed "Art of Ghana" that any cultured person, and perhaps a few lawyers, ought to see).

The two buildings at the extreme north end of campus are Melnitz (movie and TV) and MacGowan (drama) Halls. You can get student tickets to drama department productions, if they aren't already sold out; and there are frequently free showings of old classic movies in Melnitz 1409, generally at times that no law student could go. Check the Campus Events column of the *Daily Bruin* for such things.

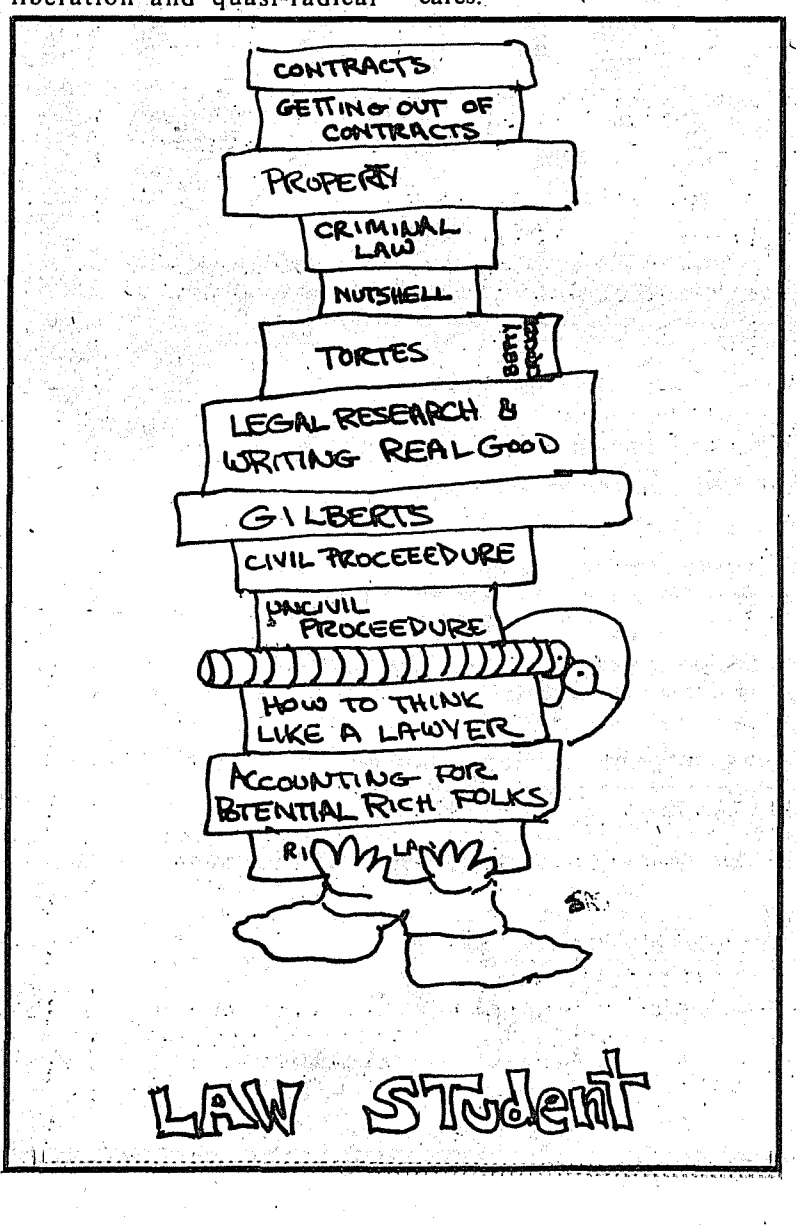
Now for the final leg of this tour, unless you stopped reading miles ago. Head back through the Franklin D. Murphy (we're very fond of him) Sculpture Garden, which shouldn't need much explaning.

The huge brown building that looks like a waffle is Bunche Hall. Ralph Bunche has two major distinctions: he played on the first UCLA basketball team, and was Undersecretary General of the United Nations. To alumni, the former is more noteworthy.

The roof of Bunche Hall has an observation platform from which you can see most of campus and West Los Angeles. On a clear day, the view extends to the ocean and past the airport. We last had a clear day in 1975.

We now return to the Law School, passing the Graduate School of Management — quickly.

There is much this tour has missed — the parking lots which occupy most of the space around here, the Chancellor's mansion, the University Elementary School, Harry the former Masked Marvel at the parking kiosk in front of Lot 4, Mount Saint Mary's College, the San Fernando Valley and the state of Nevada. We hope to cover these in our next issue.



Nader Report Blasts Lawyers, Bar Associations

by Rick Sinclair

A report released in July by Ralph Nader's Public Citizen's Litigation group says the power of lawyers and bar associations to regulate the legal system works against the public interest.

Bringing the Bar to Justice, a 200-page report based on 220 interviews in Eastern cities, noted among many "models of failure."

— The Baltimore Bar Association fought the advent of OEO legal services in that city in the 1960s, obtaining a veto over any expansion of the program.

— The Pennsylvania Bar Association warns clients that disciplinary proceedings must be kept secret to protect lawyer-client confidences. In a recent 29-month period, only six per cent of over 400 client complaints resulted in any disciplinary action against lawyers.

— When the Philadelphia Bar's referral service counseled women seeking advice about divorce to contact "Women in Transition," a well-regarded self-help group, a local bar committee voted 11-1 to prohibit such advice.

— An ABA committee created in 1972 to study no-fault auto insurance consisted of ten lawyers, all of whom had handled or were handling the types of cases they were to consider abolishing.

The report was written by Sharon Tisher and Lynn Berabei, two 1977 Harvard Law School graduates, and by Mark Green, the director of Public Citizen's Congress Watch.

Kinder words for D.C.

Although in general the report is critical, it has kinder words for the District of Columbia bar group than for those of the other cities examined. Green observes that the New York and D.C. bar associations "are attempting to devise new approaches for the delivery of legal services."

"Their record of accomplishment is at best mixed, but their leaders do appear sensitive to the profession's historical failures to deliver reasonably priced legal services to Americans of moderate means."

Some of the practices said to have kept legal fees high are minimum fee schedules ("price-fixing"); blocking the use of paralegal employees; setting up agreements with other professional groups (such as accountants, realtors or title insurance companies) to avoid treading on each other's turf; balking at attempts to advertise (until the recent Supreme Court ruling to the contrary); and opposing "closed panel" pre-paid legal plans.

Profit consciousness

Green concludes that "bar practices have proved to be the devices of a guild seeking to preserve its own profitable domain under a *Canon of Ethics* that operated more like a *Canon of Profits.*"

Bringing the Bar to Justice also suggests reforms that citizen groups should push for and bar associations should adopt. Among the several dozen recommendations are:

— Cases which lay people can handle on their own, such as uncontested divorces and title searches, should not require high-priced lawyers.

— Lawyers directories, listing services and fees of lawyers in each community, should be widely circulated.

— Bar associations should encourage the creation of "closed panel" pre-paid legal service programs.

— A majority of lay representatives should sit on boards of governors and disciplinary committees.

— Bar associations should "title" their members a small amount of money each year in order to fund a public interest law firm which would represent otherwise unrepresented interests.

Simultaneous with the release of the report, Public Citizen's Lawyers' Project distributed several thousand pamphlets, "10 Ways to Take on Your Local Association," to citizen action groups around the country. Green explained that "local consumers must organize . . . because bar groups and lawyers will apparently see the light only if they feel the heart . . . *Bringing the Bar to Justice,* then, should be not only a text but a spark, a spark that will ignite interested groups to organize for lawyer reform."

Robbins Speaks on Rape

By Diane Sherman

"It's not easy to move anti-rape legislation through an almost all-male legislature," State Senator Alan Robbins (D. Van Nuys) told a small group of law students and faculty early this month.

"In a male-dominated legislature, the immediate empathy is with the accused rapist and not with the victim," Robbins said.

Robbins is the author of a 1974 rape reform bill. When the bill was enacted only three of the California legislature's 120 members were female. Today the figure is six.

The bill, SB 1678, which has been copied in 34 states, prohibits asking a rape victim about her prior sex life except in a few narrow circumstances such as if the victim has previously had sexual intercourse with the accused.

Robbins explained that under English common law prior chastity was a necessary element to prove rape.

Before the adoption of his rape bill, it was a rule of thumb that if a rape victim had an active sex life, the prosecution of the accused would be extremely difficult, Robbins said.

Under present law, a husband cannot legally be guilty of raping his wife. The refusal to acknowledge rape within the bounds of marriage harks back to the days when wives were considered chattel, according to Robbins.

Robbins said that he supported legislation which would recognize that a husband could rape his wife, but said that it would be impossible to get such a measure through the legislature at this time.

In response to questions concerning his constitutional amendment which would ban forced busing, Robbins said he expected the measure to pass overwhelmingly on the floor of the Senate and to be placed on the June 1978 ballot for voter approval.

"In the absence of *de jure* segregation, busing is not appropriate," Robbins said.

"I favor integration by voluntary means."

"If the Board of Education had adopted magnet schools eight years ago, they wouldn't have gotten us in the problem we are in today."

Robbins is a 1966 graduate of UCLA Law School.