'Revenue-sharing' would benefit Law School

By Marc Lindsey Weber

To the extent that Kerckhoff Hall houses federal-style bureaucracies, the Law School is both literally and figuratively the neglected Northeast. Registration fees flow from the Law School at the rate of $100 per student per quarter. The volume of liquid funds from law students' fees filling the Registration Fees Committee vats thus amounts to approximately $300,000 a year. Unfortunately, the Law School seems to serve more as a conduit than as an area to be irrigated.

Because the budget of the University of California provides no money to the Law School for student activities, such monies must at this time be drawn from those registration fees. Activities funding, however, returns to the school from not one but several sources.

Program Task Force, an arm of Registration Fees Committee, funds innovative programs for as many as three years. These funds cease whenever the programs become established or continuous. Similarly, money for activities is voted by the Graduate Students Association (GSA) on an item-by-item basis, including a quarterly allowance to the Student Bar Association (SBA).

The practical effect of piece-meal allocation is that relatively minor sums return to the Law School, and only after considerable effort to justify the needs of any particular program. For example, GSA records show that the **Docket** was not funded from that organization in the 1975-76 academic year until January, 1976, and then only $470 was allowed. A similar sum was extended at the end of April, 1976. (In this academic year, the Docket was granted monies considerably earlier.) Had the **Docket** received more substantial GSA funds sooner in the 1975-76 year, the paper would have been able to provide greater service to the school.

Similarly, minutes retained by GSA state that SBA was granted $2486 by GSA in the last academic year. This amount was released in three allotments: Fall - $850, Winter - $810, Spring - $826. It is not surprising that on October 23, 1975, the SBA had to appropriate $295 to pay the accumulated debts of the previous summer.

Many students here at the Law School use the diverse facilities and other benefits of the undergraduate campus sparingly. Yet numerous activities and programs of immediate reward to law students are never begun, or operate on miniscule budgets, because of the byzantine system which chokes the supply of funds. Especially curtailed by this arrangement is the speakers program for the Law School. While $750 was provided for lectures regarding SBI, the money was not voted until February, 1976.

An alternative to the dribble theory of finance is a form of "revenue sharing." Under such a system, a single sum of money would be granted to the Law School before the beginning of the academic year. Discretion for Law School programs and activities would then shift from the organizations in Kerckhoff Hall to the students here in the Law School. Most of the time-consuming procedures of piecemeal allocation would be avoided.

Last year this direct-funding plan was proposed and ardently supported by former SBA President Steve Wade, who estimated that he spent up to 75% of his time at that post acting as a lobbyist and intermediary with the bureaucracies. Presently, Dean William D. Warren is emphasizing the revenue-sharing concept as a way to foster a special, more unique law school atmosphere.

The revenue-sharing proposal carries the beneficial feature of maintaining continuing programs, whose futures are threatened by the loss of funding from Program Task Force.

The UCLA Docket

Volume 25, Number 2 UCLA School of Law November 23, 1975

Students seek placement alternatives

by Mark Leach and Rick Sinclair

A group of UCLA law students has decided to challenge the interview process at the law school. Their decision came to the attention of students several weeks ago when a leaflet written by the group was distributed in the halls.

The leaflet was entitled "Interviewing at UCLA." An initial paragraph described the firm of Seyfarth, Shaw, Fairweather & Geraldson, then interviewing at UCLA, as entering " . . . the California farm labor picture on the side of the growers, helping them to prevent poor and predominantly minority farm workers from obtaining union representation . . . . "

"Many of the law firms that come to UCLA to interview students," the leaflet continued, "tend to represent the interests of the corporate powers in our society against the interests of low and middle income working people."

The leaflet concluded by suggesting that the Placement Office disseminate more complete information to students about the nature of the firms interviewing at UCLA and adopt methods by which the law school can encourage alternative legal and law-related employers to come on campus and inform students of other options available.

Marilyn Friedman and Diane Gough of the Placement Office, interviewed by the **Docket**, stated that there was little reaction to the leaflet. Thirty-one UCLA students interviewed with Seyfarth, Shaw, Fairweather and Geraldson. The firm was angry about the leaflet and a second firm contacted the school and stated that if the leaflet represented student opinion the firm would cease interviewing at UCLA. Several students dropped into the Placement Office to mention the leaflet.

The **Docket** was able to contact four of the members of the group responsible for the leaflet: Stan Wolf, Linda Rabin, David Schulman, and Mark Johnson. Wolf serves on the SBA Placement Committee. All are members of the National Lawyers Guild.

Johnson and Wolf, interviewed by the **Docket**, described Seyfarth, Shaw, Fairweather and Geraldson as typical of the firms appearing at UCLA. They commented that in order to maintain its prestige the University must cater to the "established legal community." "Also," said Johnson, "some students want what the giant firms offer and, in fact, agree politically with the goals of these firms."

Both students stressed that the members of the group were deeply committed to the belief that the University should not contribute to the political imbalances in our society by assisting large corporate firms in their recruitment efforts or subsidizing some students in their search for positions with such firms.

"Our leaflet was not meant to be a personal attack on the Placement Office," stated Johnson. Both Johnson and Wolf indicated that the Placement Office has attempted to bring alternative placements before students. However, both thought that its work in this area was minimal in comparison to its assistance of corporate-oriented firms. "We suggest they do more," Wolf emphasized.

Michael Rappaport, Assisant Dean of Admissions, told the **Docket** that the overwhelming number of students at the law school are interested in traditional law practice. In support of the Dean's statement, Friedman and Gough said they detect a lack of interest among

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UC to Appeal *Bakke*

By Stephen Owens

At their meeting here on campus last Friday the UC Regents announced their final decision to appeal the **Bakke** case to the U.S. Supreme Court. The Regents thus decided to override the recommendations of several civil rights groups that the appeal be dropped. These groups argued that an unsuccessful appeal at the present time might result in the elimination of special admissions programs at universities throughout the nation.

On Nov. 15, the Supreme Court granted a 30 day stay of the California Supreme Court ruling striking down UC's minority admissions programs. At that time, the Supreme Court indicated that if the Regents petitioned for certiorari within 30 days, it would extend the stay until it had resolved the issue.

The Regents had originally planned to appeal the state court decision from the time it was announced on Sept. 16. They agreed to reconsider, however, when they were confronted with the opposition of numerous civil rights organizations.

Groups that urged the Regents to drop the appeal included the NAACP Legal Defense and Education Fund, the National Conference of Black Lawyers, and the Mexican-American Legal Defense and Education Fund. These organizations charge that the University bungled the case badly at the original trial in Yolo County Superior Court. And given the reactionary propensities of the Burger court, civil rights activists fear that **Bakke** may ultimately be affirmed on appeal.

Peter Roos, a spokesperson for the Mexican-American Legal Defense and Education Fund, described to the Los Angeles Times how the attorneys for UC handled the case. "The only thing the university presented was a rather self-serving deposition by the director of admissions at the Davis medical school saying that these programs were good and without them there wouldn't be any minority students in professional schools."

"There wasn't even a statement about the minority population in the state of California or about the numbers of minority doctors or lawyers," Ross said.

UC General Counsel Donald L. Reidhaar refused to apologize for the weak trial record in the case. He urged the Regents to appeal the decision, saying "We have nothing to lose by taking this to the U.S. Supreme Court." He argued that since the University has

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Third World Coalition students demonstrate Thursday, Nov. 18, at UC Regents meeting. Photo by Marla Levine

A Day in the Life of a First-year Student

by Tom Mable and Jeff Masters

The following represents the thoughts of a first year student as he began his first week of law school:

Orientation. It all started with orientation. I showed up a little late so as not to appear too eager. Funny thing: nobody was there. Good thing: I found out I was a day early. The next day I came even later, and it was as bad as I had feared. Everyone was shaking hands and swapping LSAT scores like they were part of their name. This presented me with my first legal decision. I decided to lie. Did an 850 hurt my credibility?

The day passed in a whirl of greetings. Dean Warren welcomed us and told us that law school is not that bad. John Tate welcomed us and told us that it wasn't that bad. Later we broke down into small groups so that second-year students could tell me on a personal basis, "It's not that bad." I felt confident. It can't be that bad.

Monday. My first day of law school. Wow — I had fresh pens and notebooks, and a plastic pocket protector from BRC. Everybody has paper that is legal-ruled (margin in the middle of the page). I don't know what it's for, but I don't want to be different.

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Services

for you to use

Clinical Programs

The clinical education programs at UCLA allow students the opportunity to get unit-credit for doing legal work part-time. The programs are: Trial Advocacy; Immigration Law; Welfare Law; Securities Regulation Process; Pre-Trial Lawyering; Consumer Protection; Federal Criminal Justice; and Criminal Prosecution. The Clinical Programs office is located in Room 3149.

Quarter Away

Quarter away is another form of clinical education, in which second- and third-year students may obtain 12 units for working full-time in various legal jobs. Approximately 130 spots are available each year; some offer stipends. Currently-available openings are always posted on the quarter away bulletin board opposite the Records Office.

Questions should be addressed to Michi Yamamoto in Room 1106.

Financial Aid

In general, the law school is not involved in financial aid, although some scholarships are available through the Assistant Dean's Office. Inquiries about them should be addressed to Michi Yamamoto in Room 1106.

Otherwise, students interested in financial aid must consult the campus-wide office at Room A219, Murphy Hall. Applications for 1977-78 are available now, and the deadline for completed applications is December 4, 1976.

Academic Problems

Academic rules and standards are posted permanently outside the office of Assistant Dean for Student Affairs Fred Slaughter. Students all receive copies of the rules with their first-year registration materials.

The Records Office personnel can answer many questions about academic rules and standards.

Placement Office

The Placement Office offers numerous services to job seekers. These include the Martindale-Hubbell Law Directory, a five-volume publication listing the name and addresses of every lawyer and most larger law firms in the United States; the "Job Books," which carry names of firms which lack the resources to interview on-campus, but nevertheless are interested in UCLA law students (the books are categorized under headings such as "part-time and summer," "government," and "third-year only," "bar not required"); scores of various publications on kinds of jobs, how to get jobs, and so on; plus a faculty advisory program and a series of career forums.

Groups

for you to join

Advocates for the Arts

A program established in 1974, Advocates provides free legal assistance to artists and art organizations, promotes research into art-related legal issues and offers seminar courses. All students and faculty interested in either performing at a concert or doing art-related legal work are encouraged to contact the organization.

Director: Professor Monroe E. Price. Office: Room 2467C. Phone: 53309.

(See related article in this issue.)

Communications Law

The program was founded in 1972 as an effort to train law students to deal with problems involving the media, including FCC regulations, charges of monopoly control of the media, obscenity rules, and First Amendment issues. Activities include a basic course, seminars, quarter-away programs, and a speakers program.

Director: Professor Tracy A. Westen. Office: Room 2477C (See related article in this issue).

Moot Court

The Moot Court program presents an opportunity for students to sharpen public-speaking/advocacy skills through simulated appellate arguments before panels of lawyers and judges. As well-known and respected national program, Moot Court should rank high in the planning of resume freaks. Involvement also can establish valuable contacts for future jobs.

Activities include numerous competitions annually on the local, statewide, and national levels.

Chief Justice: Howard King. Office: Room 2138. Phone: 50028.

Law Women's Union

The LWU is an active and visible organization that has sprung up in recent years to serve the needs of the law school's rapidly-growing female population. Current activities include speakers, social gatherings, and recruitment of undergraduate applicants. Long-term projects include the Women's Law Journal and a drive to institute a part-time-student program at the law school.

The LWU office is Room 2467D. Phone: 55506.

Other Groups

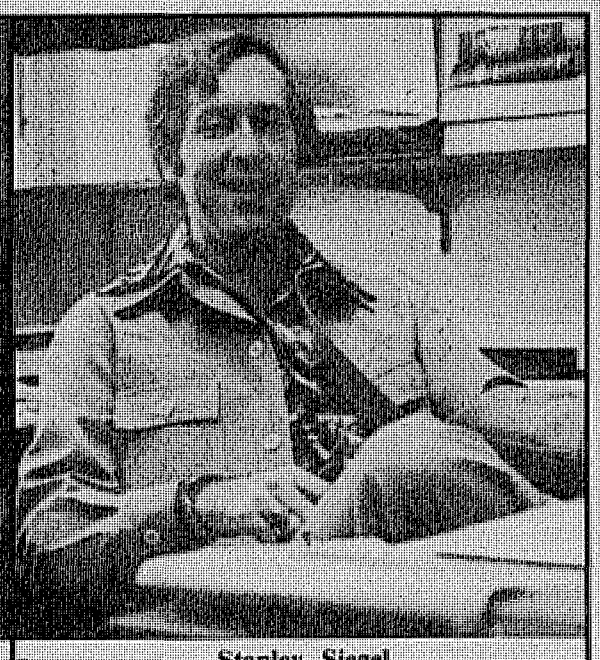
Other organizations in which students may participate include:

Alaska Law Review: The Alaska review offers an opportunity for students without top grades to obtain the academic benefits (and some of the status benefits) of being "law review." It is also a natural for students who plan to practice law in Alaska.

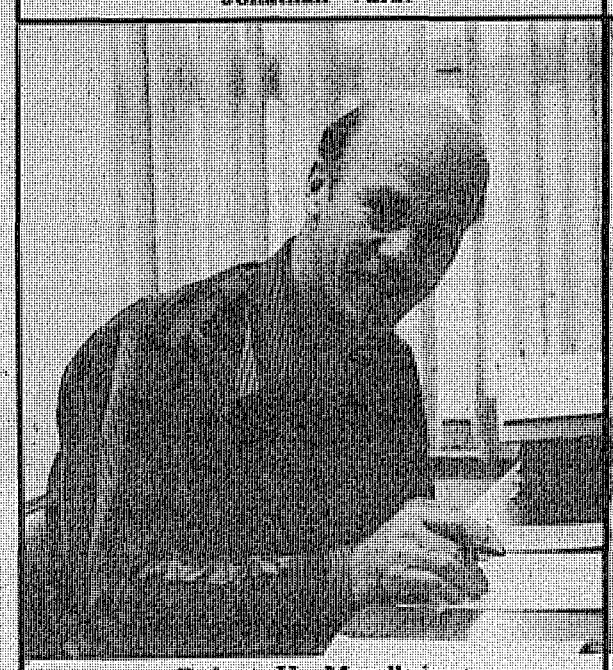
Corrections Program: A program similar in design and organization to Advocates for the Arts or the Communica-rections Program, the Correctionis Program focuses on the criminal law and prison systems.

Pi Alpha Delta: PAD is the national fraternity for law students. Various activities dealing with the legal profession are scheduled throughout the year.

Jonathan Varat



Stanley Siegel



Robert H. Mundheim

Kenney F. Hegland

New professors join faculty

Two new instructors, Stanley Siegel and Jonathan Varat, have joined the UCLA School of Law faculty commencing with the Fall Quarter, 1976. In addition, Professor Robert H. Mundheim, of the University of Pennsylvania School of Law, and Professor Kenney F. Hegland, of the University of Arizona School of Law, will be visiting Professors for the 1976-77 academic year.

Stanley Siegel is a graduate of New York University and Harvard Law School and was formerly on the faculty of the University of Michigan Law School. He is presently a partner in the law firm of Honigman, Miller, Schwartz & Cohn. Professor Siegel is the author of the Michigan Corporation Act and of numerous books and articles about corporate and business problems. He was the Reporter for Corporate Law Revision, Michigan Law Revision Commission and a Consultant on Postal Reorganization. Professor Siegel will teach Law and Accounting, Business Associations, Business Planning, and a Seminar in Government Enterprise.

Jonathan D. Varat earned both his B.A. (cum laude) and J.D. (magna cum laude) from the University of Pennsylvania. He was the Articles and Projects Editor of the Law Review and was elected to the Order of the Coif. Following graduation, Professor Varat clerked for Judge Mansfield, U.S. Court of Appeals, and Justice Byron R. White of the U.S. Supreme Court. He is presentlyassociafed with the law firm of O'Melveny & Myers. Professor Varat will teach Contracts and Constitutional Law.

Robert H. Mundheim is Fred Carr Professor of Law and Financial Institutions, University of Pennsylvania. He is a graduate of Harvard University, earning both his B.A. and LL.B. degrees from that institution. Following graduation, he entered private practice with Shearman and Sterling in New York. In 1962, he joined the S.E.C. as associate special counsel to study mutual funds. He began his academic career at Duke, joining the University of Pennsylvania Law School in 1965. Professor

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Corrections program aids prisoners

by Jeff Kelly

Can a mental patient released on parole from a California mental institution be returned to that institution without the protection of due process? Last year, when Professor Rowan Klein posed that question on the final exam in his Conviction and Commitment course, there were no cases directly on point. Soon after the exam a mental patient who had suffered just such a parole revocation wrote to the UCLA Corrections Program, asking for assistance. Students in the program took his case to the San Luis Obispo Superior court and won the case. The decision was the first on the issue in California and because of it all state mental hospitals are revising their parole revocation procedures. This case thus affected the rights of not just one person but of hundreds, and in that respect it typifies the cases the program prefers to handle.

Basically, the Corrections Program is made up of the course Conviction and Commitment, a seminar in Corrections Problems, and a clinical offering, Corrections Law.

Conviction and Commitment, a prerequisite to the rest of the program, focuses on two areas: sentencing law, which helps one understand how people got where they are, and prisoners' rights. The two halves of the course are related in that both deal primarily with due process-oriented issues.

The Corrections Problems seminar deals with the issues of prisoners' rights dealt with in Conviction and Commitment on a much more technical basis, emphasizing the California cases and specialized issues that would concern a lawyer in the California prison system.

The clinical in Corrections Law handles the many letters received from prisoners and other incarcerated persons. Some of those letters provide issues that will be litigated. Students can work on petitions for writs of habeas corpus. They may handle a parole revocation hearing before a parole board. Last year prisoners at the California Institute for Men at Chino were interviewed on a weekly or bi-monthly basis by students for advice, counseling and possible representation.

Other accomplishments of the Corrections Program last year included the production of a document, since published, on "contact parole," and a law suit filed by a student which reached the California Supreme Court. This case was dismissed as moot because such a good job had been done in finding mistakes committed by the Department of Corrections in giving the prisoner his disciplinary hearing that they agreed it was wrong and were going to give him a new hearing.

Another case handled by the

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Advocates for the Arts

Frustrated artistic types who inexplicably find themselves in law school have few outlets available to them. They can take a course in copyright law, or play the piano in the student lounge. Alternatively, they can get involved with Advocates for the Arts.

Advocates was formed in 1974 to provide a free legal referral system to artists and arts organizations who would otherwise not be able to afford counsel. Problems handled range from simple copyright questions to complicated non-profit incorporation advice.

In addition to operating the legal referral system, the organization has also been actively working to provide educational workshops and seminars for artists and attorneys alike.

This summer, Advocates for the Arts and the volunteer attorney staff, under the direction of Prof. Monroe E. Price, taught the Continuing Education of the Bar course "Representing the Creative Artist."

Recently, Bill Hornaday, a third-year law student, staged the First Annual UCLA Entertainment Law Symposium. Featuring eminent speakers from among the entertainment lawyers in Los Angeles, the program provided information about independent film production to attorneys, students, CPA's, and other interested individuals. The event was co-sponsored by Advocates for the Arts and largely organized and run by students.

Advocates is also co-sponsoring, along with Bay Area Lawyers for the Arts, a seminar on the impact of the newly signed A.B. 1391, providing for artist royalties on the resale of creative works.

1976-77 marks the continuation of the highly successful exchange program with the UCLA School of Music. An Advocates attorney will teach a lunchtime seminar to music students on arts law as it pertains to the performing arts, in exchange for which the Music School provides groups to perform on the law school patio.

This arrangement was responsible for the woodwind and jazz ensemble performances last year. In this year's first performance, on November 29 at noon, the Madrigal Singers performed their Christmas program on the patio, for the benefit of the Law School students, faculty, and staff.

Students who are interested in helping out with the development of an educational program, doing some research on a new and pressing issue of arts law or policy, or who have their own ideas as to events or activities towards which Advocates should direct its energy, should communicate that information to Audrey Greenberg, coordinator of the program. The office is located in 2467-C. Phone is 825-3309, or messages can be left at the information window.

Slasher strikes library

By Charles Solomon

As we go to press, thirty-six of the UCLA Law Library's permanent hard-bound residents remain on the disabled list following a wave of savage assaults with scissors and razor blades earlier this quarter. A person or persons still unknown carried the helpless victims to various secluded areas of the Law Library and removed a total of 808 vital organs from their contents.

It is still in doubt as to whether or not all the victims will live, since a number of them have lost so many pages that their spines may be irreparably broken. All will require transplant surgery and the future use of external life support systems. These will consist of inserted pages notifying library users that they must ask for the cases from the Call Desk, and permanent files containing photocopies of the missing cases. These will be checked for use in the Law Library on a two-hour basis.

While final figures are not yet available, Ms. Ann Mitchell of the Law Library staff indicated to the **Docket** that expenses for repair and replacement of books, photocopying, and related staff time will be considerable. There will be continuing costs to the Library because of the increased staff time required by the addition of many new files to the check-out system, which will have to be pulled and refiled everytime a researcher needs to read one of the slashed cases.

Students, faculty and other users of the Law Library will also suffer both current and permanent inconveniences as a result of the book mutilations. Until the damaged books are repaired and reshelved, few or no copies of some will be available for current needs. Once this process is completed, researchers will still be incon-

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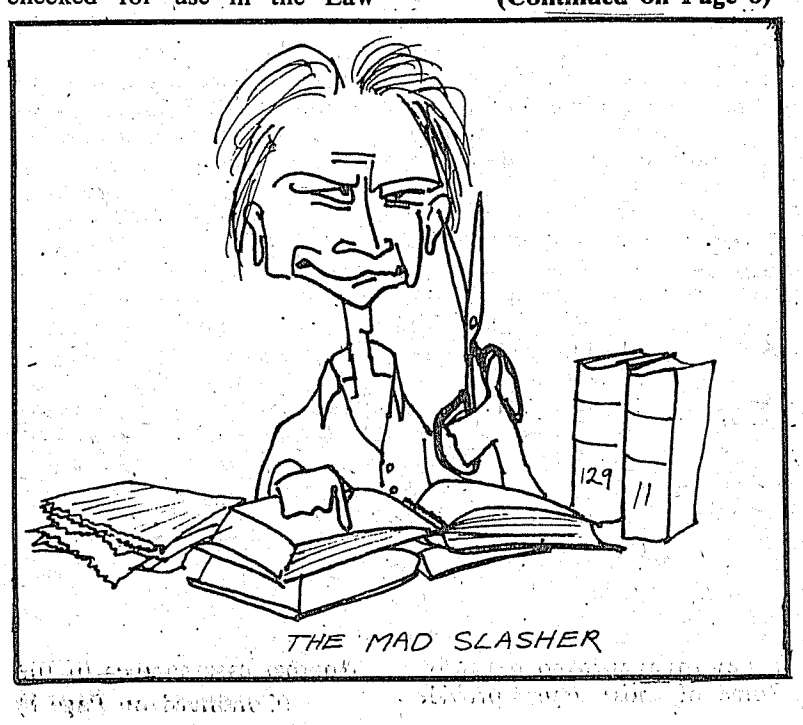


Communications law program

by Denise M. Beaudry

The law student at UCLA has a unique opportunity to participate in communications law — a subject which is largely ignored by most law schools despite its potential for significant societal and political impact.

For example, in the recent Presidential election, Eugene McCarthy's unsuccessful communications litigation may have determined the election outcome. McCarthy, a minority candidate, was excluded from the televised Presidential debates. In his complaint to the Federal Communications Commission, McCarthy argued that he was a major or serious candidate, and that the exclusion of such a candidate from the debates destroyed their exempt status for equal time purposes. Furthermore, he contended that the broadcasting of the debates violated the fairness doctrine because the networks had not provided a reasonable opportunity for the presentation of contrasting points of view, namely, McCarthy's. The FCC was unwilling to overrule the broadcasters' judgment that McCarthy did not represent a significant position on the issue of who should be elected President.

Although McCarthy had the option of purchasing broadcast time, his ability to do so was financially limited. His unsuccessful efforts before the FCC effectively foreclosed to him the legal means of securing the time.

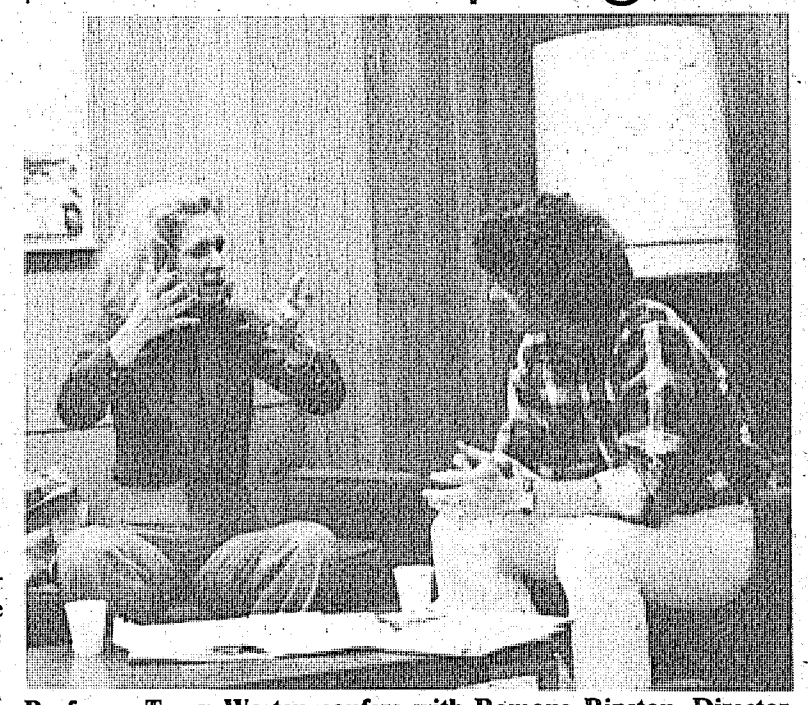
Rock and Hard Place

One probable reason for McCarthy's failure to attract more voters was this inability, both financially and legally, to acquire substantial media exposure. The candidate was caught between the proverbial rock and a hard place. He couldn't hope to garner a significant number of votes without substantial media exposure and the FCC would not make the exposure available to him without convincing evidence that he would attract a significant number of voters. Yet, in post-election commentary, it was noted that McCarthy had presented the most significant barrier to Carter's pursuit of "big-state electoral votes." Had he succeeded in attracting more support from presumably Democratic voters, "he might have thrown the election to Gerald Ford," according to **Newsweek**.

Therefore, it can be argued that the very nature of our democratic system, determined to a large degree by the mass media, is significantly affected by communications law. The role which that law plays in the application and extent of the media's power to inform, inhibit, excite and expose cannot be ignored.

Through UCLA's Communications Law Program, the student may participate in the academic *and* the practical application of this vital and dynamic body of law. The major components of the Program are: a fundamental course, a seminar, a Quarter-Away Program, and a Speakers Program. The student may also conduct intensive individual research and assist attorneys currently involved in communications litigation.

Communications Law. The fundamental course, Communications Law, currently focuses on the broadcast media and its regulation by the Federal Communications Commission. In the course, the student is confronted with issues of procedural, administrative, and constitutional law. Within the framework of communications law, each of these issues is woven into a new legal fabric. The power of the media to both enlighten and obscure and the role that the government and the private citizen play in expanding and restricting that power are discussed at length.



Professor Tracy Westen confers with Ramona Ripston, Director of the Southern California ACLU. Ripston was the most recent speaker in the popular Communications Law Speakers Program.

Professor Tracy Westen, Director of the Communications Law Program, hopes to expand the course in the future to include study and discussion of issues regarding free press versus fair trial, advertising regulation, and invasions of privacy by the press.

Communications Problems. Through intensive study, the seminar in Communications Problems further illuminates some of the issues raised in the fundamental course. The thrust of the seminar is the exposure and analysis of the procedural, substantive, and political complexities of communications law. The student is given an opportunity to expand legal writing and advocacy skills through either simulated litigation or participation in an FCC or FTC rulemaking proceeding or a federal court case.

Quarter-Away Program. Various public interest law firms and government agencies in San Francisco, Los Angeles, and Washington, D.C., seek student interns from UCLA to assist in the preparation and presentation of cases involving communications law.

One of the public interest law firms, Citizens Communications Center in Washington, D.C., seeks to insure that the FCC and the mass communications industries which it regulates are accountable to the public. In addition to legal analysis, case strategy, client consultation, and factual investigation, the internship includes the initiation of at least one major research or rule-making project. Eleven students from UCLA have interned at Citizens.

For the student interested in legal work **within** the government, the Office of Telecommunications Policy is one of the governmental agencies participating in the Program. The OTP, a department of the Executive Branch of the White House, focuses on developing communications policies for

(Continued on Page 7)

Docket Interview . . .

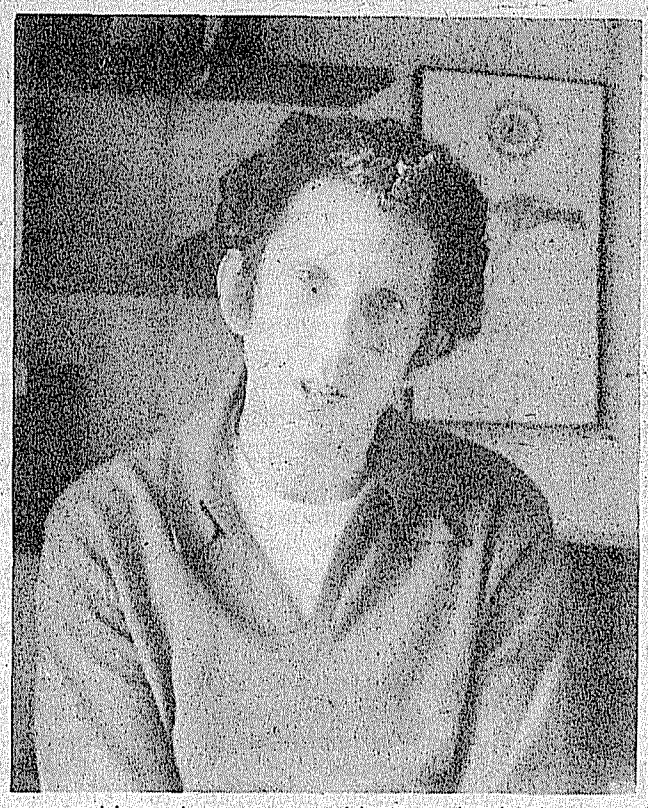
Ralph D. Fertig

One of the increasing number of people returning to school for career enhancement and renewal, Ralph Fertig brings a wealth of experience to his first year in law school, having worked in community and urban affairs for over 20 years.

Fertig studied sociology at the University of Chicago (B.A.) and Columbia University (M.A.) under eminent social scientists like C. Wright Mills, then returned to doctoral work at the Unviersity of Chicago. There he plunged into social work and community organizing with gangs and neighborhood groups, until his novel proposals for better funding met with the disapproval of the mayor.

For this and other reasons, Fertig moved to Washington to establish a settlement house. While working in the community in both Chicago and Washington, he developed proposals and models that helped form the basis of VISTA, Head Start and neighborhood development programs within the "War on Poverty." Though working with citizens organizations, Fertig was often consulted by government agencies like HEW and HUD. His continued advocacy of equality of opportunity for all citizens led the Washington **Post** *to call him the "conscience of Washington."*

In 1973, with the Nixon administration greatly curbing social programs, Fertig came to Los Angeles to run the Greater Los Angeles Community Action Agency, the largest such agency in the country. After three years, he has decided to come back to school here at UCLA. In this interview with **Docket** *Editor Rick Sinclair, Fertig shares his views on law, politics, and social change.*



Q: Ralph, you have quite a background in the organization and delivery of social services to those who need them working both in and out of government. What in that experience led you to come to law school?

A: Well, I think that it is possible through the exercise of law to bring about a greater recognition of the need for response to those who were historically denied due process and equal protection. Over the last 30 or 40 years, even with the more conservative (Supreme) Court we now have, there has tended to be more of a response to the appeals of conscience, fairness and equity in the courts, than there has been in the legislatures.

Let me take one example. Under current federal allocations to municipalities, whether through general revenue sharing, or under block grants for housing, law enforcement, or other needs, the local jurisdictions allocate those funds either to encourage the continued residency or the attraction back into the city of those who return most to the tax base of those jurisdictions. Therefore, they will use federal resources disproportionately for upper-income people and find an economic necessity for doing so. Even the most well-disposed mayors and city councilmembers will argue that they have to do it because that will generate more of a return to the city coffers to meet some of the needs of the lower-income residents.

That's a long-term, heavy responsibility, and they're doing it in competition with other jurisdictions in the metropolitan region, so there are never really enough funds in any one city or town. But you can see that out of good intent and out of economic necessity, that's where (officials) are forced to go. Now if you can get them beyond that, the best you can possibly achieve, using a political approach or a legislative formulation, is that they'll allocate those resources to each of the constituent districts equally. For example, in Los Angeles' 15 council districts, each will get an equal amount of resources, and that's the best you can achieve. That's still a long way from allocation of resources according to need.

Q: How did you concretely experience this problem of misallocation of resources in your work?

A: Well, my most recent experience was in Los Angeles. I'd come out here in 1973 to run the war against poverty. (The Los Angeles program) was one program left in America where there seemed to be some local commitment to maintaining a program, even though Nixon at the time was trying to take it apart. When I came out here to run the program, the federal funds were sustained through successful court action. We continued to run into a great many problems, such as inadequate funding and support from the federal government, but with all the energy we could muster we were able to maintain the same dollar level (which buys about 31% less because of the rise in the cost of living). We were able to allocate those funds on a fair-share (needs formula) basis to all communities in the Los Angeles metropolitan area, to get an affirmative action program going, and to have community board and community elections.

But we ended up miserably fighting **some** of the forces in city hall. From this I've concluded that what I really want to do in life I'm going to do through the use of law, because a program such as I ran ends up having to become a service, having to help people find adjustments and accommodations to systems that are inequitable in the manner in which resources are allocated. And the agency could never really address that, because the agency gets caught up with its own survival needs and its own efforts to make that which it receives meet the standards of the greatest possible equity and accountability. Well, you can't change that by running an agency; you can only change it by stepping outside of it, and that's why I decided to come to law school.

Q: What could one do about it as a lawyer?

A: It seems to me that you could make a very convincing case in the courts (which could never be upheld in a political setting) that would require an allocation of resources based upon equity and need. It couldn't be done on a political basis because no politician elected from any jurisdiction could possibly be reelected if he were to allow his constituents to receive fewer nickels than the jurisdiction next door. So we have to turn to the courts to invoke an intent in terms of the larger social commitment.

I think historically the courts have been able to do that. The courts did that, for example, when they required the state legislatures to be rebuilt through the one-person, one-vote process, or when they overrode states' rights considerations (which are similar to these city rights considerations) with respect to the civil rights of those who had been historically denied the right to vote.

So I think we find ourselves again with a need to return to the courts to moderate and mediate those kinds of disputes in the inequity and misallocation of resources.

Q: Is this then the reason you're turning to law? For a person with your experience in government, politics might appear a more natural step.

A: I don't think anyone who is elected can do more than represent his or her constituency and then get reelected. I think we have to reach for something in our system of a balance of powers which goes beyond the parochialism of a narrow constituency. That can only be through the courts.

Q: Haven't you worked with politicians in an attempt to achieve desired changes?

A: I've tried that. I've tried working with members of Congress; and some of the most enlightened, liberal, thoughtful, committed members of Congress wouldn't dare take the kinds of leadership which they will admit privately are justifiable, because each of them has to go back and get reelected.

Q: Do you think you can achieve what you want with the laws as they are presently? To get better laws, don't we need better politicians?

A: Oh yes. I think there's a recriprocal relationship, you've got to do both. We got a whole lot better politicians, for example, as a result of the reapportionment ruling of the Supreme Court; we got a lot better representatives in Congress as a result of the Civil Rights Act. You wouldn't have been able to get the Civil Rights Act had it not been for the court decisions immediately before that. I think there is a recriprocal: one leads to the other. I think if we got better court decisions with respect to the allocation of resources, then we'll have politicians able to say, "Look, I've got to do it; it's the court's decision." Now how many times have you heard people say that?

I remember the governors of Georgia running on a platform, "We will never allow blacks to vote," and two years later saying, "It's the law of the land, we have no choice." And now we have a guy from Georgia running for the presidency, who speaks to how he as well as blacks were liberated by the actions of the court.

Q: So you're optimistic about the achievements of the past decade or so, in contrast to those who've criticized the '60's as just a time of turmoil and disruption.

A: I think a whole lot happened due to the events of the '60's and '70's. I think there is more of a sense of individual rights and more of an affirmation of self in America today than probably at any time since the industrial revolution of the post-Lincoln era. I think that's clear from the right-to-die movement (and even the right-to-life movement), the abortion movement, the women's movement, the gay movement; these are things that were unthinkable five, six years ago. The notion that one could either secure an abortion legally or that one could argue for the right to die were concepts that were not even discussed publicly in the mid-'60's with all its turbulance.

But I think that the turbulence set the stage and made it possible for people to begin to be themselves and look inwardly and see what it was they wanted, and where they wanted to go. We went through a lot of discovery, a lot of trial and error in the democratic process to find out that some things don't work.

Q: For example?

A: We found out that you don't overcome poverty by setting up an agency to get the poor to do that for themselves which all the outside resources were unable to do for them. What you have to get around to ultimately is the reallocation of resources. We even had several presidential contenders talk about the redistribution of income. It lost when McGovern spoke of it in those terms, but I hear the echoes of that in the dialogue of even the Carter presidential campaign, and legislation like the Humphrey-Hawkins (full employment) bill will very likely become a reality — I don't think it could have a few years ago.

I think some very healthy things have happened. I think the disenchantment with the august majesty of the Presidency is a very important thing to happen. Congress is finally forced to assert some initiative in its budget-making capabilities; the sunshine mechanism enhances the openness of some of Congress' procses; and the seniority system has been modified. All this came about as a result of all the turbulence, all of which was very necessary. We've got a hell of a long way to go, but we've come quite a distance.

Q: You spoke of the stress on individual rights. Valuable as that might be, do you think that there's been perhaps too much of a withdrawal from social concern, with the emphasis on "doing one's own thing"? How do you square this with your hope for more involvement and a better shake for each person?

A: I think that's happened; I've seen it happen before. I remember being on picket lines in the late '40's in front of department stores in downtown Chicago and having black housewives pat me on the head and say, "You're doing a good job, Sonny," and then going and doing their shopping. I think that we go through cycles of this sort. Clearly that kind of act

sounds pretty farfetched; in today's context one would not do that sort of thing. But there just constantly has to be that sort of thing. I see this thing happening in cycles, so I'm not disappionted by the fact that there's a certain amount of withdrawal taking place.

Some of it's necessary, and some of it may be retrenchment. As Lenin said, "Two steps forward, one step backward is the constant stream of history," and to a certain extent that's true. While we're pausing (at this historical point), I'm a little disappointed in the conservatism of the dialogue of the national (presidential) contenders. And yet I think that they're reading the withdrawal that you've described as something to which they're going to have to address themselves, if they're going to get elected. If elected, Carter hopefully will be less conservative than he's projecting. At least I'm convinced he's got to be responsive to constituencies that will demand more of him than that which he's projecting on the basis of his present rhetoric.

Q: What is your perception of young professionals coming into government, law and social services in the past few years? Are they as involved as they were in the past?

A: I don't think they're as involved, because there haven't been the options available to them. I've lectured at a lot of colleges, and universities, and have met with trade union educational groups, and I've not yet discovered a group where there wasn't a lot more willingness to become involved than had been expressed by the participants.

I think that the options haven't been made available. Now when we had a Peace Corps that was viable, when we had a VISTA that would challenge the system, it was just absolutely overwhelming how many people were willing to leave very comfortable backgrounds and go into ghettoes, barrios, out on Indian reservations, or to foreign countries and give something of themselves. When we withdrew that option, then people themselves withdrew within the system. It seems to me that if we had that kind of option available to today's generation, there would be no difference from that of ten years ago. Today's forces would be better able to support efforts of people to help themselves, rather than going into other communities. One thing the war on poverty did prove was the capacity of people to share their own destinies in those few instances when they were given real support.

We need to have the kind of leadership to make those kinds of offerings in a different way than probably has been done before. I've noticed some people leave the enormous comfort of the hypocrisy of double lives, when they announce that they're gay. Now four or five years ago, that sacrifice must have been enormously difficult to make, but they went ahead and made it, and in that affirmation of themselves, the discomfort and sacrifice, they found something. And there's been a similar thing in the women's movement: women are saying that they want more than the quietness that comes with being a housewife, being taken care of by a man, sort of selling themselves for economic comfort.

Q: What was your experience like with lawyers you knew during your years in Washington?

A: It's amazing how many young lawyers helped us in Washington, coming in from real establishment law firms and contributing enormous amounts of time to us, helping to challenge the establishment of which they were a part! They were fighting with each other to get a place in our agency to do the kind of legal work they couldn't do in their firms, and they were willing to do that while receiving not one nickel in salary, because we simply didn't have the money to give them.

When Nixon came in and turned off the tap on Neighborhood Legal Services, they could no longer take up class actions — in effect, those programs were essentially emasculated. The Tax Reform Act scared a lot of foundations. If Legal Services were funded adequately, and if the mood of reprisal against those who contribute to private challenges were to shift, I have no reason to believe that we couldn't get numbers of people involved in such pursuits.

Q: What sort of legal action were you involved in during that period?

A: There was a really way-out suit that even ACLU wouldn't take, because they said there was no constitutional basis for it. But nevertheless we documented that the area where the government was leasing its office facilities, at the western end of town, was least accessible to the black and lower-income population. This had the effect of increasing unemployment among persons who were black who had formerly worked for those agencies, while at the same time they were advertising for white suburban housewives to replace them for part-time work.

We didn't win the case, but the publicity we were able to engender over it did cause the President to issue an executive order, and the next time the Government tried to move its facilities (without consideration for housing opportunities), we were able to haul them into court and they backed down. From that time to this, the Government has pretty nearly adhered to the relation of its employment facilities to the availability of housing.

This has had two effects: one, they put up more of their Government buildings in the downtown Washington area, where they're accessible to people of all incomes and races, and two, where they've moved out to the suburbs, such as in the case of a new town, Reston, (Va.) they've done it contingent on Reston's establishing some low- and moderate-income housing, which Reston did. So it's worked both ways, in a very beneficial manner.

Q: Now that you're actually in law school, what are your impressions?

A: Well, in talking with the faculty, I find for the most part that they're a good deal broader in their sense of equity and justice than is reflected in their discussion of the case materials or the dialogue of the class in which they engage the students. Of the students, I find several things: in an effort to become lawyers, there is a certain anxiety to understand the black letter law and not to quibble very much about the reasons why the law is the way it is. I think there's too much willingness to respond to that anxiety and less of an involvement with and understanding of the reasons for the law, the underlying basis for the rulings of the courts.

I wish there were more of a reflection on those underlying meanings — in the classroom people seem more preoccupied with the factors by which they'll be evaluated on an exam, rather than with understanding. Everybody's panicked with those indicators of evaluation: the curve, the Bar, the top ten, law review . . .

Q: Why do you think this attitude prevails?

A: It seems clear to me that all the rewards of law school require mastery by students of competitive, aggressive excellence; and the real reward will be the job offer with those forces of the Establishment most encrusted with the preservation of inequities. No reward is given for outreach to fellow student, for discovering relevance to a more humane or just society, for articulating a case for a cleaner environment or for the rights of the oppressed.

Students will not be rewarded with government employment if they question its lax enforcement of civil rights or challenge the conflicts of interest in its appointments of industry-biased leaders on regulatory agency boards. We won't endear ourselves to the top firms by championing the rights of consumer groups to participate in the shaping of programs that impact upon their lives, but which have been historically controlled by utilities, government, and corporations.

Q: Well, having sketched out some of your ideas of the needed roles for lawyers, contrasted with the present state of legal education, what suggestions for improvement would you offer?

A: There are many improvements that could be made. You know, the most important saving grace in the study of law is that it can give us some tools with which to build the changes we wish to make. For those of us who are bent on changing the structure, we've got to learn how that structure is put together, how it works and doesn't work.

Let me specify some broad ways in which I think changes can be brought about here and now through the study of law: first, we could dispense with the curve as a grading standard to push some students out at the expense of others; instead, we could work together to enrich our understanding of each other and the law, using alternative approaches to evaluation. We could work with the administration on this review and modification of present standards for admission and advancement.

Second, why couldn't we organize student-sponsored study workshops with students seeking to build excellence among each other, instead of competing with each other?

Third, we could convene seminars and workshops under student auspices, inviting faculty and those concerned with social problems, the rights of juveniles, tenants, the poor, and so on.

Fourth, we could publish a "Justice Review," a student journal focusing on concerns of the law and society in service of those historically excluded from the system because of structural discrimination.

Fifth, we should have a generally fuller involvement with community programs seeking to overcome injustice — in short, strengthen clinical programs to move beyond casework and to aid groups bringing class action suits, challenges to the system which can have real impact.

I have recommended to the SBA that they consider these proposals and report to the student body. It seems to me that for legal education to have any relevance, such reforms definitely deserve exploration and at least some experimental implementation.

Opinion

Ourselves, Sharing Ideas

With the arrival of this issue of the **Docket**, we initiate another year as a medium of communication within the UCLA Law School. As a prime mover of this journalistic endeavor, Dean Warren has called the paper "a forum for opinion and information."

In keeping with this mandate, we'll try to cover all bases in keeping you informed of newsworthy events, as well as those unimportant details like registration deadlines and examination times.

But beyond our information-imparting function, we wish to provide a ready vehicle for the expression of opinion on important questions that face us both as citizens and as students. As aspiring members of the legal profession, we hold a strategic vantage point from which to view the problems of our times. Each day we encounter cases dealing with different aspects of human relations, cases that must be resolved one way or another through the application of law and equity.

We can sometimes be fooled by those nice-sounding phrases like "law and equity"; cast into maxims or Latinized, they seem to furnish us with adequate tools with which to dissect problems and fashion solutions. Precedents and principles pile up, filling the books that fill the law libraries.

Yet despite the volume of this awesome agglomeration of tradition, it is painfully obvious that the hardest and most basic problems still stand unsolved. Consider just a few areas that come to mind:

Criminal justice: capital punishment; the correctional system in general; procedural dilemmas like free speech v. defendants' rights. **Health:** the mistreatment of mental patients; the squabbling of doctors and lawyers over malpractice while health costs soar. **Land use and environment**: questions of fair allocation of resources to an increasingly consuming public. **Constitutional problems:** in a complex and crowded society, individual rights come in conflict with each other, as with free speech v. privacy. **International law:** a fledgling field tries to find peaceful arrangements between nations that can hardly handle internal disputes.

These and similar problems demand our time and commitment. Faced with their difficulty, and confronted by a constricting job market, it is tempting for us to hew a narrow path, fitting into comfortable slots assigned by the system, as contract-drafting, tax-avoiding technicians.

But the mere production of good journeyman lawyers does not a great law school make. What will make UCLA a great law school is stimulating students to tackle the big problems, to think, debate, theorize, create. Important to this process is the fostering of a climate in which we feel free to be ourselves, sharing ideas freely. Too often the pressure of studies and schedules makes us forget that we are living, feeling human beings.

The **Docket** can be a valuable mode of communication. We hope you will use these pages to share your opinions on any subject.

The Docket

The **Docket** is the newspaper of the UCLA Law School. Three or four issues are planned for this year, the exact number depending on the availability of time and funding.

Our readers are urged to write letters-to-the-editor. Either bring them to the office (2467B) or deposit them in the **Docket** box at the information window. Letters should be limited to 200 words. Names should be included, but will be withheld on request.

Those who wish to hold forth at greater length are encouraged to write and submit their material — articles, commentary, poems, humor, whatever. Every effort at publication will be made, but due to space limitations, it cannot be guaranteed. The editors reserve the right to make necessary judgments of appropriateness and good taste.

If you'd like a hand in all this, feel free to join us — we can use all the help we can get.

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The Overflow List

Library policy

Due to space problems, use of the UCLA Law Library is now limited on weekends for the remainder of the fall quarter. Only University of California faculty, students and staff; faculty of other colleges; and CALINET patrons will be permitted unrestricted access to the library. The restricted days and times are Saturdays from 8 a.m. to 4 p.m. and Sundays from 9 a.m. to 4 p.m.

To use the library during the restricted periods, patrons must show a University of California Registration Card, a UCLA Student I.D. card or an appropriate library card.

Law Library hours are 8 a.m. to midnight Mondays through Saturdays; and 9 a.m. to midnight Sundays. the Law Library will be closed Thanksgiving Day, Nov. 25, and open Nov. 26 from 9 a.m. to midnight.

Chicano Law Students comment on *Bakke*

Presently, the segment of society that controls economic and political power in this country is a predominately white capitalist class. Historically, this class has controlled the legal, economic, and medical institutions as well as the educational resources of society in a manner that best serves and perpetrates its interests to the detriment of the goal of social equality.

We, as minority students, are not a part of this class and have had to struggle continually to insure that our interests are recognized and served. *The* **Bakke** *decision has legally rationalized racism against minority people!*

Bakke relies on the major premise that the University's use of MCAT (Medical College Admissions Test) scores and GPAs (Grade Point Averages) constitutes a valid indicator of medical practice success and therefore, minority students are less qualified than higher-scoring white applicants.

This premise has not been proven; in fact, numerous medical authorities have refuted it! Justice Tobriner refers to these studies in footnotes 12, 13, and 14 of his dissenting opinion. Because of its reliance on this false premise, as well as the false assumption that UC Davis has not discriminated against minorities in the past, the California Supreme Court concluded that the University's special admissions program did extend preferential treatment on the basis of race. The result, according to the majority's opinion, was the denial of benefits to white students.

But the record clearly shows that sole reliance on MCAT scores and GPAs operated to exclude minorities from medical schools in the past. *If the issue of past discrimination by virtue of the cultural bias of the MCAT had been placed before it,* the Court would have been hard pressed to conclude that the special admissions program violated the Equal Protection Clause of the 14th Amendment.

The defense counsel to the Regents committed a fundamental error by not presenting evidence of the past discrimination practiced by the University. Thus, the University abandoned well-established case law which specifically upholds programs of preferential treatment which are designed to cure the effects of past discrimination. As the Court pointed out, "Neither party contended in the trial court that the University had practiced discrimination and no evidence with regard to this question was presented below. Thus, on the basis of the record before us, we must presume that the University has not engaged in past discriminatory conduct."

Even more revealing of the skewed line under which this case was tried is the explanation of the Court in a footnote which states: "Admittedly, neither the University nor Bakke would have an interest in raising such a claim, but this fact alone would not justify us in making a finding on a factual matter not presented below." Incredible as it may seem, the Court was quick to condone this exclusion of the most significant facts from the trial, thereby leading to a decision that, for all practical purposes, serves as the death blow to all special admissions programs.

Having based its opinion on the faulty assumptions that the University has not discriminated against minorities in the past and that minority students are less qualified than their white counterparts merely because of lower scores on standard tests, the Court concludes with absurd findings and recommendations.

First, the Court states, "We do not compel the University to utilize only the highest objective academic credentials as the sole criterion for admission." Then the Court discusses some elements of what a permissible "flexible admission standard" might include. One of the most important non-academic criteria is entitled "needs of the profession." The Court then recognizes and approves such University practices as giving weight to factors like: (1) whether the applicant is a spouse of a former student; and, (2) whether the applicant is a resident of Northern California, a medically needy region.

The absurdity of these findings is demonstrated by the fact that the great need for increased medical services in minority communities, which the Court explicitly recognizes, obviously constitutes a more compelling state interest than do any of the practices alluded to above. Certainly the marital status of an applicant is irrelevant to any state interest under any standard of review under the 14th Amendment.

With respect to the residency preference, the Court assumes that just because an applicant is a resident of a rural community, he or she will return to it. *In his dissent, Justice Tobriner points out the fallacy: "I don't see how we can uphold the preferential admission of rural applicants but strike down such preference to applicants of urban minority communities."*

The majority enumerates what it calls "less detrimental alternatives" which would accomplish the same objectives as special admissions programs. Among these alternatives are: (1) aggressive recruitment programs and remedial schooling for those of all races who are interested in pursuing a professional career and have evidenced the talent to do so; and, (2) an increase in the number of spaces in professional schools either by allowing additional students to enroll or by enlarging the schools.

Justice Tobriner rejects these alternatives as being "on their face either disingenuous or impractical or both." The suggestion that integration of professional schools can be accomplished by simply expanding them is **unrealistic.** Indeed, as the dissent states, it is "a cruel hoax to deny minority participation in the medical profession on the basis of such fanciful speculation." If, as the majority points out, there were 40 applicants in 1974 for every place available in the UC Davis medical school, the state would presumably have to build a great number of new medical schools in order to accommodate more than a merely token number of minority students. We are living in an era of limits. This proposal is absurd in light of the prevailing political and economic atmosphere.

Bakke is not an isolated attack on the needs of minority communities, it is merely the latest. Our response to oppression has always been resistance. Today our brothers and sisters resist in strikes, boycotts, and mass protests; indeed,

(Continued on Page 8)

A day in the life . . .

(Continued from Page 1)

Law school starts on a serious note. People get asked tough questions on the first day and they run with them. (Which is not unlike letting a young puppy loose on a white shag carpet.) But the professor is very fair. I was expecting John Houseman with a pocket full of dimes. Instead he tells us that it's not that bad. Real Socratic.

I was disappointed later, however. After ten applications at 25 bucks a shot and another couple hundred for tuition, I still got a bottom locker. I complained to my second year group leader, but he told me it wasn't that bad.

Tuesday. Everybody is talking about Gilbert's. Who is Gilbert? And they're all asking about which hornbooks to buy — isn't my **Hustler** subscription enough? Some of my classmates are fanatics. They tell me they're studying 24 hours a day. They don't fool me. They're trying to get me psyched so I peak too early. I'll fool them; I won't study at all.

Something disturbing happened at lunch. I got some bad food from the vending machines. I had heard that law school would keep me running, but I had no idea. . .

I ran into a third-year friend and he told me it's really not that bad.

Wednesday. I was approached by several of my classmates who are running for office. I don't understand why they are running — it won't help them get into law school.

It was suggested today that we become acquainted with our law library. Those who took the headphone tour are just not cool. Don't they realize they look like refugee mousketeers?

There's a rumor that somebody from another section got excited and tried to sneak a set of **Cal. Jur.** out of the library. He was caught when the librarian insisted on checking his trunk as he left. Another guy is taking out **U.S. Reports** one page at a time. This is much safer, and by 1980 he should be up to **Marbury** v. **Madison.** I got a scare last night when the library was still full at 11:30. Good thing everyone there was from Loyola. The Library is not that bad.

Thursday. I am impressed with the maturity of this class. No one has yet been embarrassed to bring their briefs to class. Many students' briefs contain their holdings. One young man's briefs had the days of the week on them. This is a question of form and style and will, I assume, be treated in procedure. Another measure of maturity is our ability to say "sex" in Crim without tittering. Can this last?

During interview time the men's room is an exciting place for a first year student. Here is demonstrated the "superman syndrome" in reverse — guys come out looking like Clark Kent. This appeals to me. I have a fetish about taking off my clothes in public. Does this mean that if I come out of the men's room naked I will get a job?

Even some first-year students have been interviewed. This gives them a chance to show that they own a suit. Lacking any law school grades, these students put together a resume of their first days' performance, which is about as impressive as their first performance with the opposite sex: short and forgettable. Still, they weren't that bad.

Friday. I spent the day in the library trying to work with some new statutes. I got a tremendous headache. Perhaps you can understand them and apply them to your personal life. These statutes were somehow omitted from the casebooks:

Mosaic law: If a man lay with his neighbor's wife, he shall be made to lay with his neighbor's goat in the square at midday, and bas-reliefs of the scene shall be sold in the marketplace.

Common law: Where a freeman layeth with a woman, even if she be another man's wife, no action shall lie against him, unless he lieth about the lay.

California Penal Code: Defendant incurs absolute liability for acts or relationships with any woman who volunteered as a Nixonette in 1972. Mistake is no defense, but defendant may claim diminished capacity.

That afternoon, as part of my research class, I volunteered to be principal in a mock trial. Unfortunately, it was an incest trial and I was the victim. They say vice is nice but . . . on the whole it wasn't that bad.

Weekend work. All week the profs needle me with theory. During the weekend I take a stab at some hypos of my own and inject some original analysis. You get the point.

Problem #1) Query: A defrocked TV judge is hired by a major western law school. He teaches by anecdote and scripture. He accepts bow ties as partial payment for arbitration. Cause of action? (Hint: think multiple defendants and section 46.) Caution: accept only on contingent fee basis.

Problem #2) Consider the following fact situations: A.) Female attorney is upset over sexism in the law. She discovers that all criminal acts require a **mens** rea. Infuriated, she publicly excoriates her criminal law professor. B.) Straights protest the absence of a crime labeled "heterocide." Discuss the merits of the claims in these cases. Extra credit for bootstrapping.

You know, they were right — it's not that bad. It's really much worse.

In the News

Times is Tough

Newly certified lawyers looking for jobs face a buyers' market, an American Bar Association magazine reported on October 23.

"As with most professions, legal starting salaries are not keeping up with the cost of living," said James Kilmer of David J. White and Associates, a Chicago-based management firm, in an article written for "Student Lawyer," official publication of the ABA's law Student Division.

"Supply and demand is the culprit," Kilmer said. "The lawyer glut is even causing a *reduction* in the amount of money some firms are offering to new graduates."

He said even some of those who graduated in the top 10 per cent of their classes are having trouble finding jobs. In the best position, he said, is the Spanish-surnamed female who graduated in the top quarter of her class; in the worst position is the white male who graduated in the lower half of his class or who graduated from night-school.

This year's starting salaries at Los Angeles law firms ranged from a low of $12,500 to a high of $18,000; salaries with corporations in Los Angeles ranged from $12,000 to $20,000.

"The law has always been an elitist progession, but it is moving into a definite legal Darwinism phase regarding salaries," said Kilmer.

Oh well, you aren't *really* in it for the bucks anyway, right?

ABA Resolution

In a development related to the *Bakke* case, a resolution passed by the Assembly of the American Bar Association at its annual convention has sparked a controversy in the ABA's Law Student Division. The resolution, introduced by Richard Barrett of Jackson, Mississippi, is directed against the so-called "admissions quotas" allegedly used by some law schools.

The Barrett resolution exhorts the ABA, which discriminated against black attorneys until the mid-40's, to "strengthen legal education and uplift the legal profession by encouraging the training of law school applicants with high academic qualifications." The Section of Legal Education and Admissions to the Bar was directed to investigate law schools admissions policies for what Barrett calls "reverse discrimination" and submit a report on its findings.

The ABA's policy-making House of Delegates concurred in the resolution and plans to consider the proposed report at its midyear meeting in February.

Clerkships found valuable

More than one hundred 2nd and 3rd year law students have participated in the judicial clerkship program since it was launched in the spring of 1973. Student clerks are assigned for at least one academic quarter to serve as personal legal assistants to more than 50 well-known jurists. Students receive 12 credits toward graduation in place of a paycheck: their duties are the same as those of graduate clerks.

The Judical Clerkship Program is coordinated by UCLA's Clerkship Committee, headed by Professor Monroe Price. "Both our students and the judges have praised the program," said Price, pointing out that, "A clerkship gives a student the chance to see how judicial decisons are made and to understand the pressures and considerations that influence those decisions. Many of our student clerks have found the experience significant in shaping both their concepts of the legal process and their careers."

The Clerkship Committee researches the needs of each participating judge and tries to match him or her with a compatible student-applicant. The judge will then review the Committee's recommendation and make the final decision. "We try not to restrict our selections to the top students in the class," Prof. Price noted, stressing that the Committee uses the program to help bring out a student's best talents — talents that don't always show up in the classroom.

The Clerkship Program is unique in scope and in impact. At least 50 students are placed each year; no other school places more than five. And the Program actually improves the Law School's record in placing its graduates in regular-paying clerkships. Judges accept UCLA's student clerks in addition to the regular clerks, and appear to be sufficiently impressed to want to hire UCLA graduates as their regular clerks.

Students have been placed with Justices Wright, Mosk, Sullivan, Tobriner, Clark, and Richardson of the California Supreme Court; with Justice Connor of the Alaska Supreme Court and Justice Holohan of the Arizona Supreme Cou9rt.

Also participating in accepting UCLA law student clerks are Judges Skelly Wright, David Bazelon, Harold Leventhal, and Shirley Hufstedtler of the U.S. Court of Appeals.

Students serve their clerkships in many cities, from Boston to Honolulu, from Anchorage to New Orleans. Their experiences will range from culling salient facts from massive records through writing a memorandum to the court on the legal issues in a case, to serving as a sounding board for the Judge's thoughts on a decision.

UCLA law students holding judicial clerkships during the current fall quarter include: Eileen Anisgarten, Scott Canter, Donn DiMichele, Hal Fichandler, Peter Fiske, Sharon Falanagan, Ken Fransen, Cynthia Hanson, Suzanne Harris, Evaleon Hill, John Klein, Raoul McDuff, Andre Reiman, Carl Robinson, Kim Schoknecht, Russell Swartz, Richard Usher, and Ruth Weil.

Communications . . .

(Continued from Page 3)

the President, drafting legislation, and participating in FCC regulatory proceedings. To date, three UCLA students have interned at OTP.

In addition, students have worked for Senator John Tunney, FCC Commissioners Glen Robinson and Benjamin Hooks, and Hon. David Bazelon, Chief Judge of the U.S. Court of Appeals for the District of Columbia Circuit.

Professor Westen would like to see the Communications law Quarter-Away Program expanded to include the Senate and House Subcommittees on Communications, the Public Broadcasting Service, an additional FCC Commissioner, and one or more the Los Angeles talent guilds.

Speakers Program. Prominent figures in the print, broadcast, entertainment, and government fields express attitudes, encourage change, or simply relate personal experiences through the Communications Law Speakers Program. In an informal setting, students can participate in informative and often controversial discussions with individuals whose lives and careers are affected by one or more facets of communications law.

Among the government speakers have been: Richard Wiley, Chairman of the FCC; Elliot Richardson, former Attorney General; and, recently, Lieutenant Dan Cooke, Press Relations Officer, Los Angeles Police Department. Broadcast industry speakers have included: Tom Brokaw, host of NBC's **Today**; Will Lewis, General Manager, KPFK; William Stout, Investigative Reporter for KNBC; and, recently, Jim Ladd, KMET disc jockey, and Bill Ballance, KABC Talk Show Personality. Norman Lear, David Wolper, Sally Struthers, and Gene Reynolds are a few of the speakers who have come from the entertainment industry.

The Communications Law Program exposes the student to an exciting and vital area of the law. For further information, those interested should contact either Tracy Westen in 2144 or Molly Larsen in 2477C.

UC to appeal *Bakke* . . .

(Continued from Page 1)

already received an adverse decision from the state supreme court, he "could not imagine a more adverse decision" from a federal court.

Also speaking in favor of an appeal to the high court were William Warren, Dean of the UCLA School of Law, and David Feller, professor of law at Boalt Hall.

Apparently, the **Bakke** decision has already begun to take its toll at UCLA: At this time, no separate pool of minority applicants is being established for the next academic year (1977-78), according to Anne Limbaugh, Admissions Officer for the Law School.

"We're just telling everyone to get their applications in by March 1st," she said. She stressed that it is still too early to know what will happen with regard to the selection of minority members of next year's first-year class.

Placement . . .

(Continued from Page 1)

students in public interest firms and agencies. As an example, they cited the inability of California Rural Legal Assistance to fill all of its interview slots when it recently came to campus.

However, Friedman and Gough indicated that the Placement Office exists to serve all students and every effort is made to serve those interested in alternative legal careers. In support of their assertion, they cited Placement Office-sponsored panels on public interest organizations, lists of public interest agencies on file in the office, and the hiring last year of a student to contact public interest agencies and obtain information on them. They also urged that any student interested in job alternatives come to the office and speak with them personally.

Yet some students remain skeptical of these efforts. One student pointed out that the work-study aide hired last year only stayed eight or ten weeks, and was not replaced. Others term the lists of alternative opportunities on file as "a drop in the bucket" compared to the highly organized and computerized firm interviewing procedure. These students say big firms would come to campus in any case, so the smaller alternative firms and agencies are the ones that require more outreach.

Friedman and Gough wish to dispel the notion that the Placement Office is just an employment agency. They emphasized that no matter what a student's career aims are, the office can assist him or her on a one-to-one basis.

As for the leaflet's charges that the interview process aids vested interests, Gough remarked, "It is not our job to adopt negative or positive attitudes toward forms interviewing at UCLA." The Placement Office does distribute questionnaires to firms requesting information regarding clients and salaries. However, Gough and Friedman say the best way to find out about the firms is to ask questions during interviews.

Since distributing the leaflet, the group has received five calls from people interested in working on placement alternatives. One member of the group has suggested to the SBA that a referendum be held on the suggestions contained in the leaflet. (A similar idea was considered last year but never carried out.)

A meeting of the alternative group, open to students, is planned for the future.

New professors . . .

(Continued from Page 2)

Mundheim is an expert on securities regulation and serves on numerous boards and committees concerned with that subject. He is a Director of the Center for Study of Financial Institutions and Vice-Chairman of the Board of Investors Responsibility Research Center. Professor Mundheim will teach Business Associations and a Seminar in Corporations.

Kenney F. Hegland is a graduate of Stanford and the University of California, Berkeley, School of Law. He also earned an LL.M. degree in Law and Humanities from Harvard Law School. While at Berkeley he was a member of the editorial board of the California Law Review and was elected to the Order of the Coif. Following graduation, he was staff attorney for the California Rural Legal Assistance program and the Defenders Program of San Diego, and Director, Law Reform, San Diego Legal Aid. Professor Hegland joined the faculty of the School of Law, University of Arizona in 1970. He will teach and supervise the courses in our clinical curriculum ordinarily taught by David Binder, who will be on leave for the 1976-77 academic year.

Corrections . . .

(Continued from Page 2)

Program was the first case in the 9th Circuit requiring that due process be given before someone in the federal prison system can be classified as a special offender, which results in loss of privileges such as furloughs and opportunities for work and school release.

Professor Klein, the director of the Corrections Program, maintains a successful private practice which he established several years ago.

How has Klein managed to create a practice which allows him to make a living primarily through the representaion of prisoners and other incarcerated persons?

He explains that the interest and expertise in prison law he gained as legislative assistant to Assemblyman Alan Sieroty, a current Chairman of the Assembly Criminal Justice Committee, led him to do volunteer cases for prisoners, one of which he took to the California Supreme Court and won. Through these volunteer cases his name became known in the prison system and out of that evolved a private practice dealing primarily with prisoners, although he also does criminal defense work and some civil work.

Professor Klein might well be the only attorney in California making a living representing prisoners. He hopes students will learn about this area while in school, so they won't hesitate to do prisoners' rights cases when they get out in private practice.

Slasher . . .

(Continued from Page 3)

venienced by having to go to the desk for missing cases, by wasted effort in pulling books which will no longer contain the information they seek and by the two-hour limitation on the use of the individual case files.

While there are no direct leads to the identity of the Law Library Slasher, the nature and context of the crimes suggest that the culprit very likely may have been someone researching a question for fall quarter moot court briefs. The identical question was being examined by UCLA second-year students as well as those from two other local law schools.

Calendar

DECEMBER

3: Instruction ends.

4: DEADLINE for UCLA financial aids applications for 1977-78. Applications are available at Room A129 Murphy Hall.

8: DEADLINE for winter quarter tentative study lists.

13: DEADLINE for State Graduate Fellowship applications. Applications available from Michi Yamamoto, Room 1106.

23: DEADLINE for first-year Bar registration forms. Check at Records Office.

JANUARY

3: Winter quarter begins.

4-10: Add-drop week. During this period you may change your class schedule without a fee.

5-7: In-person registration for winter quarter. 8:00 a.m. to 3:30 p.m. in Dodd Hall.

10: Alumni Practice Series: Tax/Probate and Estate Planning. Room TBA.

24: DEADLINE for first-year permanent study lists.

25-26: 2nd- and 3rd-year students file permanent study list cards.

Bakke comment . . .

(Continued from Page 6)

our presence here today is a reaffirmation of our resistance and an example of our solidarity with the oppressed sectors of society.

We pledge that our struggle against the **Bakke** decision shall become an integral part of the many-sided struggle for social and political equality. Even a reversal of the decision by the United States Supreme Court will not quench our thirst for justice. We pledge ourselves to a continuing fight against all types of oppression, and we'll quit only with the elimination of social and political injustice.