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POCKET DOCKET

VOL. I NO. 1

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AN EXPERIMENT

This issue marks the introduction of a new format for the UCLA Law School DOCKET. While the formal "news-paper" look of the old DOCKET may have been aesthetically pleasing, it suffered from a lack of currentness and high production costs. It is hoped that this new, informal style will give the paper the flexibility to better meet student needs.

The new paper will be known as the POCKET DOCKET and will appear bimonthly. It will be the policy of the POCKET DOCKET to print any student material submitted to it, physical facilities and libel laws allowing. The paper will include a free classified section, announcements of upcoming meetings, publicity for any student programs, and student editorials. Any other contributions, or comments concerning the form, content, or relevancy of the POCKET DOCKET will be welcomed.

HONOR CODE TABLED; P/T WOMAN DENIED

On December 6, 1971 the Faculty voted to allow a reporter from the POCKET DOCKET to attend all Faculty meetings, excepting those where personnel matters are discussed.

Faculty meetings are held regularly on the first Monday of every month. The first PD following will contain a report of that meeting.

Due to the quarter-break, the following report will cover three meetings.

DECEMBER 6, 1971

The most important issue considered at the meeting was the treatment of 2 first-year students and 8 second-year students who refused to sign the Honor Code. The suggestion was made that the students be required to take proctored exams. Opposing forces pointed out that the Pledge was ineffective and a farce anyway, so no advantage would be gained by making an issue of it.

Finally, by a 16 - 2 vote, the Faculty decided to postpone any action until further consideration.

Upon recommendation of the Curriculum Committee, the Faculty approved of three new seminars. The new seminars, all 2 units, will be: Seminar on Corporations, Seminar on Communications, and Seminar on Corrections Problems.

Upon recommendation of the Clinical Committee, the Faculty approved three new Clinical Programs. Legal Problems in the Delivery of Health Care to the Poor will be a 3 unit course. Two 2-quarter courses will also be given: United States Attorney, and Federal Public Defender.

Mr. Bauman, chairman of the Clinical Committee, also moved for the approval of 2 quarter-away programs. One program involves working at the Citizens Communications Center in Wash. DC, and the other entails working for the National Housing and Economic Development Law Project at Berkeley.

Finally, the Faculty attempted a consideration of the grading sys-

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tem. Unfortunately, the discussion became entangled in a parliamentary maze that even Prof. Harst was unable to follow, and no decision was reached. Therefore, the 70% I decision will be in effect for the rest of the year, pending further review of course.

DECEMBER 9, 1971

The Faculty voted to delete the requirement that every student take the course, The Legal Profession, as a condition precedent to graduation. The course will continue to be offered on a voluntary basis and will be open to both second and third year students. For the rest of this year, third students will be given priority in case of over-enrollment.

FAST EDDIE'S COMMENTARY

Oh Muse, grant me the eloquence necessary to do justice to the Faculty debates - - - AMEN!!

The Faculty, comme il faut, are articulate, thoughtful, and ever mindful of the far-reaching ramifications of all the proposals presented for their consideration. As they preach, so they do, balancing all the countervailing considerations on each issue, then attempting to persuade their colleagues why the respective outcomes reached are the most reasonable and advantageous.

In fact, I was impressed by how much the Faculty Meetings resemble animated law student discussions -- with the quality of discourse and reasoning being on a higher level, of course. Though some small knots of special student interests might criticize my hasty omission of some of the recommendations voted upon above, Fast Eddie feels that two decisions coming down from on high bear "searching scrutiny."

DECISION #1: The Law School Student Body, for a few moments, almost had the 10% limit on I's restored. I believe the recommendation

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HELP WANTED FOR RESEARCH ON ENVIRONMENT

Members of the Faculty and student body at our law school are participating in an interesting project which is designed to bring pressure on certain electrical power plants which supply Los Angeles with power to upgrade their emission control facilities. The project takes the form of a motion which is being sponsored by City Councilman Thomas Bradley that would prohibit the City of Los Angeles from entering into any contracts in the future for the purchase of power which is produced by power plants that do not meet the emission control standards set by the APCD for plants operation within the Los Angeles area. The principle target of this motion is the Four Corners area which, with its projected six plants, may supply Los Angeles with up to 13% of its peak power needs in the near future. The motion may have a secondary impact upon the strip mining of coal from the Black Mesa area and upon the issue of Indian land use in general.

The proposal will be initially made before a meeting of the City Council Committee on Water and Power which is to be held on Tuesday, Jan. 25 at 2 pm in the City Council Chambers. A press conference to dramatize the motion will be held prior to the hearing at 1:30 pm in Councilman Bradley's office at City Hall. People testifying before the Committee will include Prof. Reid Chambers, Mr. Jonathan Adler who is Chief Environmental Attorney with the National Health and Environmental Law Program and UCLA law student Chet Horn. Any students who are interested in environmental law, Indian land rights, the Black Mesa project, etc. should plan to attend the press conference and the hearing.

This is only the first step in the enactment of the proposed motion. After the hearing, the motion will have to be presented before a general meeting of the City Council for their consideration. The date for this presentation has not yet been

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ANNOUNCEMENTS:

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1) THE MARKET PLACE:

The Pocket Docket will provide space for all student announcements. This includes a "Lost and Found" section for any books and/or materials that have been "ripped-off", as well as a "For Sale" section for those who wish to dispose of "ripped-off" books, cars, etc. Please submit any such announcements to the Docket office (Rm. 2467D - new wing) or to our mail box at the Information window by noon on the Thursday prior to the Monday on which the Pocket Docket will be distributed.

2) PLACEMENT OFFICE:

The Placement Office must obtain feedback from the students regarding their experiences in seeking out employment in the legal profession. This information will enable the Placement Office to adapt its services so that they will be more responsive to the current needs of the students and the current conditions of the job market. Therefore, if you have obtained a job in the law field whether or not it was through the Placement Office be sure to notify Ms. Diane Gough, Placement Director.

3) CHANGES IN THE FACULTY:

The Pocket Docket is pleased to welcome four new members to the law school faculty. They are Professors Evans, Greenberg, Kennedy and Robinson.

Professor Proehl, our International Law specialist, resigned from the faculty effective at the end of last quarter.

4) CALIFORNIA INDIAN LEGAL SERVICES:

California Indian Legal Services and Native American Rights Fund are providing opportunities for 2nd year students to spend the Spring quarter working for Native Americans throughout California and in Boulder, Colorado. The program gives 12 units of clinical credit, as well as a small stipend. For more information, contact Ms. Jackie Levitt in Rm. 2467C or Prof. Reid Chambers in Rm 3406.

5) LAW WIVES ASSOCIATION:

Applications for the UCLA Law Wives' Scholarships are now available in Rm. 1446. The three \$50 scholarships, awarded to one first, second and third year law student, are based on need and academic standing. Application is limited to husbands of paid members of UCLA Law Wives. Deadline for applications is February 11, with winners being announced at the Professors' Dinner on February 19.

6) PROFESSOR BRUDNO (FORMERLY RINTALA):

Prof. Rintala announced at the first of this year that she has decided to resume her maiden name, which is "Brudno".

7) PROFESSOR RICHARD MAXWELL HONROED:

"Kudos" to him upon his election to the Presidency of the Association of American Law Schools - Much congratulations!

FACULTY...

The Curriculum Committee is presently considering plans to teach the principles in a first-year course.

JANUARY 3, 1971

Earlier this year the Faculty voted to allow this school's first part-time student. The student was the mother of young children and it was felt that the home responsibilities justified departure from the traditional full-time requirements.

On Jan. 3, the Faculty considered the second such petition.

Prof. Fletcher, reporting for the Standards Committee, recommended approval of the petition of a second young mother who wished to study part-time. Prof. Fletcher stated that the two cases were factually indistinguishable, and that even minimal consistency required that the latest petition be approved. On the other hand it was argued that the original decision was hasty and ill-considered, so that no good would come from reinforcing a bad decision. The opposing forces also pointed out that it would be wiser to wait for the Admissions Committee to prepare a report on the guidelines for part-time study. As a result, even though the second petition was admittedly indistinguishable from the first, it was voted down 11-14.

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FAST EDDIE...

stated that at least a "strong presumption" would be that in any "normal" class, no more than 10% I's would be given. Though some might term this development as illusory, vis-à-vis the legal 70% limit now in force, such a proposal, while not a panacea, is an improvement.

But those who changed the former system again marshalled their various arguments and had the proposal and its attendant suggestions tabled for further discussion. Every person there added what he or she thought was relevant and cogent to the grading "can of worms"--a chronicle of the various pro and con considerations here would be futile, given the heated and thoroughly considered discussions that have already gone on down.

Fast Eddie feels that, given there was no majority -- much less unanimous analysis of the whole damn mess-- a continuance to better resolve the hassle is well-advised. (Let this not be construed as to suggest that the PD somehow endorses the 70% I limit. Maybe in the abstract logic of academic freedom, such a policy is arguable; however, in the reality of a school of such caliber, such a dismal showing by so many is inconceivable, and bespeaks more of the professor's teaching and/or grading than the quality (sic) of the student's exam.)

DECISION #2: Here is where Fast Eddie really takes issue with the Faculty. Given certain criteria, the Faculty allowed a woman to pursue part-time education here (a move with which PD is wholly in agreement), yet when presented with a second petition, equally meritorious, the Faculty reversed its position. Now what is pivotal here is that each and every Faculty member readily acknowledged that there was no factual difference between the two cases; hence, the decision was made as "a matter of law" (to abuse the legal parlance.)

ANONYMOUS GRADES?

The majority of the student body is unaware that the grading system in the law school is not totally anonymous. According to the regulations a professor can add or subtract as many as three points of his classroom performance. More leverage is allowed the professor in grading a student on a non-anonymous basis than such a rule suggests. The professor can manipulate the scale to provide as much weight to the "3 points" as he desires.

For instance, if all the scores on a particular exam were fitted within a 10 point range, the application of a 3 point factor will have a substantial impact upon the final grade. (In fact, it is still possible for a student to be failed on the basis of their race, political views or personality.) Another problem is that under the present system, a student can only be raised at the expense of another -- that is the H-HP-P grid is placed upon the scores after the 3 points have been added or subtracted. Consider two students whose initial scores are just under and just over the H/HP division line. If the one below has had the good fortune of obtaining 3 points on class participation he will

go into the H category, with the student just above being brought down to the HP category. It is also possible for a student in the P category to receive an I through the loss of 3 points. This last result occurs even though in theory the I grade is supposedly qualitative -- that is, of such a quality that a few points either way shouldn't make any difference. However, as Dean Bauman noted, in practice a few points do make the difference in those borderline cases. Of course a professor would be acting in bad faith by manipulating this rule as in the first example, but it was an act of bad faith that gave rise to the so called "anonymous" system.

The purported purpose of the rule is the promotion of classroom discussion. In fact, the rule has the opposite effect; it inhibits discussion. Many of the students who normally prefer to air their views before the class are now reluctant for fear the professor will "value" their statements and grade them accordingly. It is axiomatic that for the classroom experience to contribute to the learning process it must be free from inhibition and censorship.

The rule also has an impact upon the faculty as it leaves a professor open for such charges as racism, political oppression, and unfair treatment. It can only lead to further polarization of the student body and the faculty, and give rise to such controversies as occurred at the USC Law School this fall which resulted in a student strike.

The unilateral action by the Faculty last spring in increasing the "I" limit to 70% resulted in a deterioration of the relations between the student body and the faculty. Use of the 3 point rule can only lead to more doubts and a grading system that is a complete sham.

The PD strongly urges the Student Bar Association and the Faculty to take immediate action to rescind a rule that can do nothing more than destroy the academic process at the UCLA School of Law.

At the very least the 3 point variance should only be allowed to increase a student's score and then only after the scores have been allocated to the various categories. This may lead to a student being elevated into a higher category but it should not result in another student being displaced from that higher category. It is true that an additional student may be placed in a higher grade category than the current 10% parameters would allow but that exception should be allowed in order to provide for a positively reinforcing grading system.

HELP!

Additional help is needed to produce the POCKET DOCKET. Anyone interested in joining the staff please contact Dave Ferguson at Docket office (2467D), or at info window.

As was evident from the discussion around the second petition, no one knew the criteria upon which the first case was decided; yet (and here Fast Eddie agrees with Professor Fletcher, with no intent to besmirch his reputation by association) it appears that "minimal consistency" demanded acceptance of the second on whatever grounds the first case was based--the two being factually the same. Fast Eddie feels that whatever the fine points one would ascribe to the following concepts, the essence of "stare decisis" and/or "equal protection of the laws" was obviously denied. Alas Justice!

If the Faculty did think that the first case was improvidently granted, then they should reverse it directly, not sub silentio. Why should the first woman enjoy the benefit of "a mistake" and not the second (Unjust Enrichment)? Deny both, or grant both; but this granting one CASE while denying the other for no good reason is a travesty on the legal conscience.

Fast Eddie feels two proposals are evident, while not exhaustive, to resolve the problem: 1) The Faculty, sua sponte, should reconsider and reverse its decision re the second petition; Alternatively, the Student Body should circulate a petition to the same effect. Justice demands no less. Of course, a clear and concise presentation of policy guidelines concerning part-time admissions would be of no small assistance; pending such ultimate clarification, Fast Eddie feels every student ought to get the benefit of the doubt.

(Note - an "Honorable Mention" goes to the Faculty decision to allow those who, out of conscience refused to sign the loyalty oath, to take their exams. As was well noted at the meeting, they would be the last to cheat - their honesty in the matter being the original cause of trouble.) ... the Gadfly rests.

FACULTY...

The Standards Committee also recommended that a change be made in our residency requirement permitting a student to take his third year at another AALS approved school. This was designed to aid students who planned to practice in states other than California.

The motion was tabled before any decision was reached.

ENVIRONMENT...

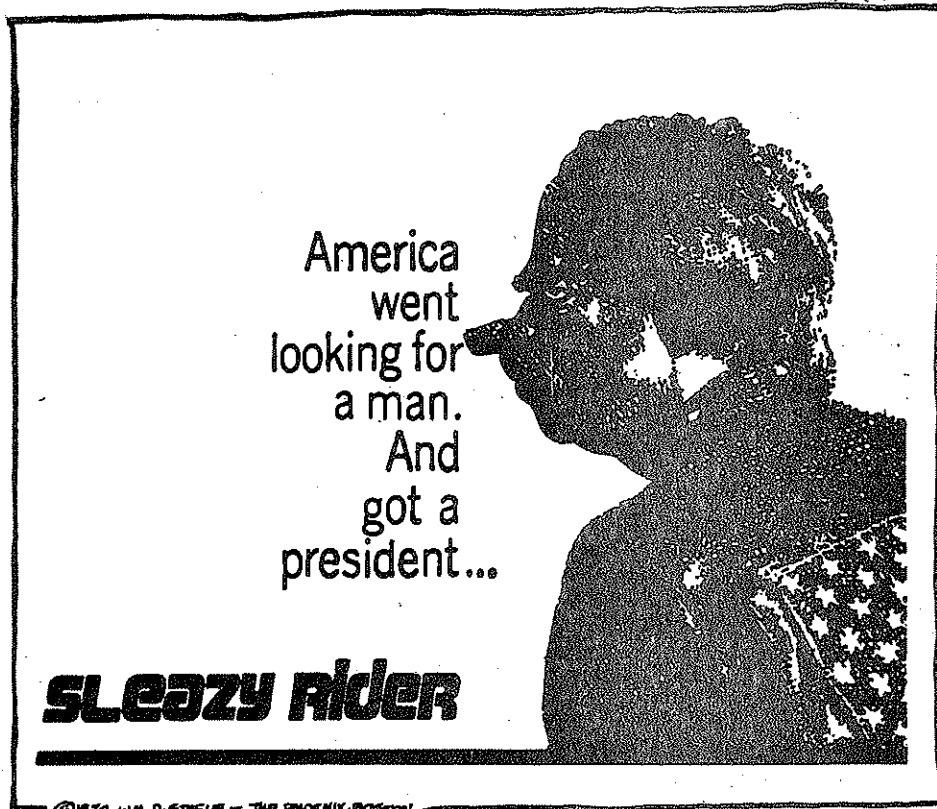
scheduled but it will probably be within a month. In preparation for the general meeting additional written testimony will have to be prepared, as well as research for the oral presentation. This presents a unique opportunity for interested students to contribute their talent and efforts to a project which will provide them with valuable experi-

ence in the roles and functions of the law in helping to resolve problems of national importance. There are specific issues which require thoughtful analysis and research. If any students wish to participate in this project please contact Mr. Adair of the National Health and Environmental Law Program which is located in Rm. 2477 of the new wing.

ANNOUNCEMENTS:

8) DEAN RAPPAPORT'S OFFICE:

- a. Legal Essay Contest on the subject of environmental law. The paper may be written on any aspect of environmental law. A \$100 prize will be awarded to the best essay received from a UCLA student. The winning essay will then be forwarded to the national competition where it will compete for one of the seven \$500 prizes. Entries must be turned into this office (Rm. 1446) by March 1.
- b. Financial Aid Applications for the '72-'73 academic year may still be turned in as the deadline has been extended. You may pick up your applications from the F.A.D. office in Murphy Hall, Rm. A-129.
- c. Rap Session on Micronesia will be held Tuesday night at 7:00 pm in Rm. 2435. Those interested in Micronesia are invited to attend and find out about the possibilities of going to Micronesia on a quarter-away program. There will be refreshments served at the meeting.



POCKET DOCKET staff:

Dave Ferguson, Roy Finkle, "Fast Eddie" Gauthier, Warren Putnam, Dan Dawes, Steve Cannon and Arnie Gross

with special thanks to

Marita ... Barbara ... Suzy