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The Advocate

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The Student Newspaper of Fordham Law School

Five Added to Faculty

by Jack Hughes

A total of five new professors have been added to the faculty at Fordham Law School this fall, including two associate professors, two visiting professors, and one adjunct professor in the evening division.

The two new full-time associates are Professors Maria L. Marcus, who will teach Criminal Law, Federal Courts and Advanced Procedure, and Andrew Sims, who will teach Constitutional Law and Remedies.

Marcus, a graduate of Yale Law School, comes to Fordham after having spent two years as an adjunct professor at NYU Law School.

She is also a former assistant attorney general for the state of New York, having run that office's litigation bureau.

According to Peter Altieri, SBA treasurer, the problem arose last fall when Blue Cross, without informing the SBA, changed its enrollment policy to require that all enrollment take place during the months of September and October.

Without knowledge of the new requirement, last year's SBA treasurer, Jim DeWindt, accepted applications and premiums, twelve of which did not conform to the new Blue Cross Policy.

Subsequently, the SBA, at one of its last meetings of last year and with knowledge of the student's identity, passed a resolution saying that the SBA would reimburse the student if Blue Cross failed to honor the policy.

According to both Altieri and the student involved, Blue Cross later relented and reimbursed the student for the claim.

The remaining students affected also received coverage after it was pointed out to Blue Cross that the SBA had not been notified of the change in procedures.

The result, according to Altieri, is that the SBA has decided to eliminate the plan, which offered a savings of approximately $35 per year to students, rather than face the risk of extensive liability should the problem again arise.

Fordham students will not be without insurance protection altogether, said Altieri, because the SBA will continue to offer applications for Blue Cross coverage on an individual and family basis. Fordham University's own medical plans are also available if added, but interested students must sign up for this plan by October 15.

Legal Aid Debut at Fordham

by Peter Altieri

In conjunction with the New York Legal Aid Society, a group of Fordham Law students have formed a new organization, the Fordham Legal Aid Society, to expose students to the practical aspects of a legal services program.

The Legal Aid Society has been operating its Community Law Offices in East Harlem for 10 years, but this is the first chance Fordham students will have to participate in the program.

Located at 106th Street and 3rd Avenue, the members of the group work with economically disadvantaged members of the community to help them resolve their legal problems.

Currently, the organization is staffed by six full-time lawyers and 16 support people, some of whom are social workers and community consultants. In addition, about 50 New York law firms supply and remunerate approximately 400 lawyers who spend part of their time doing legal work in Harlem.

But the full-time staff and volunteer part-timers are not enough to cover all of the organization's requirements, and law school students who are willing to volunteer their time are needed.

"The need for a larger staff has opened the doors for law students to work with and contribute to the community as well as gain practical experience," said Bruce Gitlin, the second-year Fordham student who initiated the program by contacting the organization.

Gitlin explained that he felt that students should have the opportunity to work with the Legal Aid Society while they are still in school.

"Providing free legal services to people who are unable to pay for lawyers is an inexcusable responsibility of the legal profession," said Gitlin. "The Legal Aid Society at Fordham and the Community Law Offices in East Harlem are committed to fulfilling that responsibility."

Last year, about 2000 clients, individuals and community organizations, used the law organization's services in matters ranging from uncontested divorces to criminal defense to complicated housing transactions to housing apartment houses that might have otherwise been lost to abandonment.

Since its beginning, over 1500 lawyers have participated in the program. One estimate of the value of the organization's private contribution is $1 million.

For students who would like to volunteer—any student may participate—there is an eight hour per week commitment for at least a semester.

Gitlin explained that the student is assigned an attorney and is taught to represent clients in one of a wide range of proceedings including welfare hearings and housing cases. Once trained, the student becomes the sole representative of the client at the hearings and works with the client until the case is settled.

In addition to the work in East Harlem, the Legal Aid Society at Fordham in conjunction with Professor Harper, who is the faculty liaison with the school's administration, is looking to become a forum for discussion of legal issues and speakers.

Special interest in participating in the program may contact Gitlin, a member of section 2A.
Babitt Cleared In Bankruptcy Case

Federal Bankruptcy Judge and Fordham Law Professor Roy Babitt has been cleared of any misconduct for his handling of the D.H. Overmyer Co. bankruptcy case.

A five-member Bankruptcy Committee, made up of judges from the Southern District, criticized Babitt for using "poor judgment" in approving the appointment of his brother's accounting firm to aid the receiver in the bankruptcy proceeding.

However, the judges, at one point expressing their "high regard" for Babitt, found no merit in charges made by the Daily News that Babitt had acted improperly in appointing attorney Robert Herzog as the receiver in the action and in failing to conduct a hearing on charges of impropriety by Herzog.

The committee found that in both instances Judge Babitt's actions had met with the approval of Daniel Overmyer, head of the bankrupt company, and his attorneys.

As to the appointment of his brother's firm, the committee said simply that "While Referee Babitt acted in good faith, he should have been aware that the appearance of influence was ever present and the situation should have been avoided."

The investigation by the committee was begun after the appearance of a story in the Daily News, displayed prominently on the paper's front page and covered extensively inside the paper, detailing and questioning Babitt's actions in the case.

Babitt said last week that he had no comment on the committee's report. As to the News coverage, Babitt said "All you need to be a reporter is a pencil and paper—anyone will buy your bullsh*t. I don't think reporters are anywhere near as regulated as doctors, lawyers, dentists and other professionals. They have no pretense to be professionals."

Alumni Plea Nets 176G

by Marshall Donat

The Fordham Law Fund—Campaign '78, the annual fundraising effort run by the Fordham Law Alumni Association, has raised a total of $176,000 for use by the school this year.

According to campaign chairman Paul Curran, '56, the money, raised over a twelve month period ending on June 30, represents a $75,000 increase over Campaign '77.

Curran also noted that the first campaign only netted $25,000 when it was held six years ago.

All of this year's gifts are unrestricted in nature and will be used to cover such expenses as financial aid, extraordinary library expenses, the Dean's Day program, salaries for students doing faculty research, and the Urban Law Journal budget. These items are not covered in the main law school budget.

According to Dean William Moore, the law school does not have the final say on how the money will be spent, but the school's recommendations have been followed in recent years.

"The goal of these campaigns," according to Professor Robert Byrn, "is to develop a habit of giving in our recent graduates so that, theoretically, as their income increases, contributions increase as well."

Campaign '79 is currently under way, according to Curran.

Presidential Corner

Frustrating, Isn't It?

by Florence M. Fass

I arrived two minutes late for Professor Quinn's first class in commercial paper. Not to worry. Professor Quinn, a master of the "comfortable" table slots had been filled by zealous second year students still vying for the best board-eye contact positions or lethargic third year students who now do scheduling around room assignments.

Somewhat to my surprise, even the plastic, rainbow-colored assortment of useless kindergarten craft desks placed at the blackboard line and along the two walls had also been filled.

In desperation, I looked to the new row of ceiling seating which had been inconspicuously installed over the summer months to accommodate the chronically late. Alas, all taken!

With stoic resignation (a comfortable posture for third year students), I found myself seated in the black and white rows of seats which had been inconspicuously installed over the summer months to accommodate the chronically late. Alas, all taken!

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Intramurals—The Pause That Refreshes

Are you experiencing the physiological phenomenon called body slippage? Are you having trouble focusing on the clock in the classroom? Are you finding it hard to distinguish between Tuesday and Wednesday, or 1 p.m. from 1 p.m.? Are you becoming paralyzed by the power of the pen? Are you next to you because you believe the only thing he or she can talk about are the facts of Roto-Lit? Are you unable to concentrate on the melodious voices of your professors as they instruct you in the art of legal linguistics... huh?

Don’t despair if you are experiencing any of these symptoms of law schoolitis because there is a cure. It’s intramurals. It’s amazing what a little exercise and good company can do for one’s mental attitude. This year the SBA is sponsoring an exciting slate of activities.

During the fall, there will be touch football for all those frustrated jocks and for all those who have wanted to play football and have never had the chance. The team that finishes in first place will represent Fordham in the first annual intra-city law school football tournament, which, by the way, is being organized by Fordham’s SBA.

Beginning in November and continuing through March (with the exception of the month of December) there will be basketball at Power Memorial High School every Tuesday night from 9:00 to 11:00 p.m., and volleyball, if the SBA can find a gymnasium. In March, an all-star basketball team will travel to Springfield, Mass., to defend Fordham’s title in the third annual law school basketball tournament. Last year, 16 law schools from all over the Northeast participated in the event.

In April, the SBA will organize an informal softball league for all the students who want a little exercise before the battle of Armageddon (otherwise known as finals).

The SBA encourages all students to participate in the intramural program either as a participant or as an enthusiast. An Assyrian operator, the value of the program is directly proportional to the number of people who become involved. If you have any suggestions or would like additional information about intramurals, please contact Florence Fass, or Dick Prentice, Commissioner of Intramural Sports.

FOOTBALL FEATS

3B v. 2B... The Cinderella team of the ‘77-’78 football season, 2B, now 3B, clearly and unequivocally demonstrated last week why they were the intramural champions last year and why they will be the champions again this year as they overpowered the young, but inspired 2B team. 3B’s dynamic, versatile and awesome offense, lead by quarterback Dick “Duck” Prentice, operated like a refined piece of machinery. 3B scored twice in the first half on a pass from Prentice to Wild Bill Spelman and on a long run by Prentice. They added two more touchdowns in the second half on passes from Prentice to John “the Juggler” Kilea and to Alex “to the Streak” Calabrese. Even “Sticky Fingers” Luobo contributed to the score by his magnificent one-handed catch of a pass on an extra-point play. 2B, however, refused to be shut out. They scored in the first half on a terrific kick-off return by John Kilea (which was 2B’s only score, by the way). The run was made possible because of the excellent blocking by teammates Polchinski, Ruane, Rosetti, and Saulitis, and by the rather poor running of 2B-6. However, the credit for 3B’s victory should go to their offensive line (Goldstein, McMahon and Bree) and to their tenacious defense (including Cypher, Cahill and Maloney). After the dust cleared, it was 3B-26 and 2B-6.

To the Editor:

In a great deal of time wondering whether or not to write this letter, weighing on the one hand the seeming growing spirit of enthusiasm in school against the certain damage to the spirit which the following in turn may cause. But by saying nothing the wrong people will be protected (their friends aged agents perhaps something constructive will come of this).

I represented the SBA when organizing the last week’s boat ride. My immediate impression at the end of it all was that the work I and the rest of the SBA did was well worth it. However, on Sept. 26 I was informed by Circle Line that all was not well—they claim 15 chairs, 2 life preservers and assorted maintenance tools were either tossed overboard or destroyed. The bill for damage amounted to $171.00.

Now since then, a number of questions have inquired of me that only 6 chairs were thrown off, or that only 10 were used, and that we aren’t really that bad off. What is the hell sort of attitude is that? Between the people who acted and the people who had to bear the cost, I stood idly by enough damage was done to our reputation to ensure we won’t be your charter, or if we do, it will be at an inflated price to cover the costs of a small police force to guard us.

For a while we had something going. I’m afraid a small shot. As usual, may have blown it.

Bob Patterson,

FOOTBALL STANDINGS

fter 3 weeks

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A joyful 2B football team, pictured last week after their first win in two years. This milestone occurred only one week after 2B scored its first points in two years. Persistance personified.

2A v. 1A... 2A, the team that everyone (especially people in 2A) thought would win the championship last year, apparently continues to experience trouble with their offense as they were unable to score a touchdown against an inexperienced first year team. In fact, 2A had to rely on the aggressive play of their defense in order to win the game as Mike “the Rifle” Murphy was unable to connect with ends Paul Shields, etc. Well, Sports Fans, 2A has a long way to go before they will be ready to play 3B.

Pigskin Predictions

There is only one team in this league that has the talent, the organization, the desire and the coaching to be the champions. (E.N.: Oh God, not again.) 3B, of course. 3B, the powerhouse of the ‘77-’78 season will successfully defend their title despite the improvement of 2B and the presence of the hungry and aggressive 2A squad. 3B’s defense is probably the most formidable in the league and their offense is one of the most potent, despite the improvement of 2B and the presence of their quarterback’s arm. The league has not seen a team as good as 3B in recent history.

2A: The only team to reach the finals in their first year of play, 2A will have to wait until 3B graduates before they will win their first title. They will have to be competitive for second place this year. 2A is a young squad that has the talent to be a championship team, but lacks poise and refinement.

3A: 3A will finish third. However, if they can get their act together to play some games, they will finish last. 3A has good size and plenty of ability but they lack the desire; Frank Munoz can’t play by himself. Unfortunately, as far as 3A is concerned there is only one legitimate sport—basketball.

2B: The most improved team in the league as a result of their off-season recruiting, 2B needs a few more games to refine their offense and to strengthen their defensive secondary. They might be able to secure fourth place, depending on their progress during the next few weeks. Hydro fans mostly being content to tenders next year if they maintain their high level of enthusiasm.

Good show, 2B!

1A and 1B: These two teams are unknown quantities. Their performance will depend on the respective leadership of the leaders of 1A and John Leo of 1B. A follow-up report on these two teams will be published in the next issue of the Advocate.

The International Law Society had scheduled to debut the Fordham International Law Forum last January. The club was unable to publish the Forum last year because of a "lack of school funding," according to Susan Etelman 2B, the Society’s secretary.

“We’ve never gotten school funding for several years and are prepared print our first issue early next semester,” Etelman said. The first issue is slated to concern mainly the subjects of human rights and international business transactions.

The club is having a meeting on October 12, at 12:30 in room 211, for any interested in joining the club and working on the publication.

Anyone with questions about the Fordham International Law Forum or articles they wish to submit should contact either Al Kostelnik, 4E, Etelman, or Professor Sweeney, the club’s moderator.

Poll Results

Continued from Page 1

In that poll, Fordham ranked sixth on the list of schools producing the alumni in private practice with the highest median salaries. With a median income of $36,250, Fordham ranked behind Stanford, Yale, Harvard, Columbia (the same four schools ahead of Fordham in the National Law Journal admission poll), and Georgetown.

Fordham was placed eighth on a similar income list for the poll respondents not engaged in private practice.
Five Added to Faculty
Continued from Page 1
peals and a stint as an associate
at Donovan Leisure Newton
and Irvine.
Sims said he accepted the
position here, his first teaching
position, because he enjoys
"talking as well as writing on
legal problems." Sims said he
hopes his new job will allow
him to explore the "intellec-
tual aspects and problems of
law as a discipline."
Fordham's two new visiting
professors are Hugh Hansen,
who will teach Federal Courts,
Constitutional Criminal Law
and Antitrust, and Walter P.
Laughlin, who will be teaching
Evidence and Civil Procedure.
Hansen, a graduate of
Georgetown Law School who
also holds an L.L.M from
Yale, is currently a law clerk to
Judge Murray I. Gurfein, of
the Second Circuit Court of
Appeals. Laughlin is also a Second
Circuit law clerk, working for
Judge Walter R. Mansfield.

2B Sweeps Mulligan
It was a 2B sweep this sum-
mer of the top awards in the
annual William Hughes
Mulligan Moot Court Com-
petition.
First place in the competi-
tion went to George Richard-
son, with Tom Carulli
finishing in the runner-up
spot. Both Richardson and
Carulli are members of section
2B, as are Peter Polchinski
and Bill Ruane, who took the
competition's Best Brief
Award, a new category this
year.
The two other finalists in
the competition, along with
Richardson and Carulli, were
Mark Gansell, 3B, and David
Glass, 4E.
Judges for the competition's
final round included Judge
William Hughes Mulligan of
the Second Circuit Court of
Appeals, the former dean of
Fordham Law after whom the
competition is named, and
Judges Henry Werker and
Pierre Leval of the Southern
District.

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