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The Advocate

The Advocate, Fordham Law School
FORDHAM WORKERS GO ON STRIKE

by Jeffrey Jackson ('96)

Members of Local 32B-32J, the Service Employees International Union, have been on strike here at Fordham Law School for the past 27 days. Approximately 35,000 members of this union are on strike, covering approximately 1,363 buildings throughout New York City. Many of the strikers, like Ememae Dincel, have worked for a number of years at the law school. She has worked as a porter for 22 years.

The dispute is partly based on a proposed wage and benefit progression system, in which new employees would be hired at 60 percent of the full contract rate, or approximately $230.00 per week below the full rate of pay, according to Gus Bevona, president of Local 32B-32J. Furthermore, employees would not reach the full rate of pay until they were employed for six years. Additionally, newly hired employees would receive no health benefits for the first six months of employment. This would lead to a gap in costs of $350.00 per week between newly hired employees and existing employees, which amount would rise as wage rates increase.

Bevona believes that this savings will encourage employers to replace old employees with new employees. At a recent press conference he stated, "They will look to fire employees on trumped-up charges and will engage in witch-hunt and harassment tactics to force people out. Cleaning contractors would be forced to engage in these tactics whether they wanted to or not because the building owners will not pay them for the higher-paid employees." Union members were steadfast in their support of the strike. According to Fernande Jean Gilles, the unofficial leader of the group and its most outspoken member, states "Fordham is our home and they want to take it away from us, and that's not fair. We've been working here 15, 16, 20 years, and that's a long time." She further stated, "The cold doesn't make us scared. We will strike as long as it takes. They treat us like garbage." Another striker stated, "I feel sad that we have to strike because we have spent a lot of time working in this building. We're just waiting to get more support from the other unions and we hope that it's gonna finish pretty soon." Law students are urged to call and write management if they are interested in helping the strikers.

Some have noted a difference in the cleaning service at the law school, citing dirty hallway floors and lack of garbage pickup as examples. However, according to Mary Godfrey, Fordham undergraduate student and employee of the Physical Plant handles the cleaning duties of the law library, the Physical Plant handles the cleaning duties of the law library as part of a contingency plan. In her opinion, the plant is doing a "pretty good job" at reducing any negative effects that the strike may cause. However, she did add that the main problem is that some law students are not abiding by the no food, no drinks policy. While this is not directly related to the strike, in her opinion, "it aggravates the situation."

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VALENTINE'S DAY IS WEDNESDAY, FEBRUARY 14
FORDHAM MOURNS SECOND-YEAR STUDENT'S DEATH

by Melba Feliberty ('97)

Corrado Inzucchi, a Fordham Law Student, class of 1997, died Friday, January 12th in St. Luke's-Roosevelt Hospital. Corrado, better known as Corey, was 22 years old and lived in the Lincoln Center Residence Hall. The cause of death was bacterial meningitis.

The source of the bacteria is unknown, but it is likely that Corey received it from someone who carried the bacteria and was not affected. While it is a pervasive bacteria, some people are immune. Bacterial meningitis differs from the viral form in that it is spread through the exchange of throat and respiratory secretions and not by casual contact. It is often the result of an infection with a virus or bacteria, and is often characterized by fever, headaches, rashes and a stiff neck.

Corey had been suffering from these flu-like symptoms for several days before his death. However, on the afternoon of January 11th, when Corey was unresponsive to his girlfriend's remarks, Corey's roommates called an ambulance. Corey was immediately taken to St. Luke's-Roosevelt Hospital where he was treated with antibiotics. Corey died the next day. While at Fordham, Corey was involved in many extracurricular activities including volunteer work at the Fairfield Food Bank. He was also a member of the Programming Committee for Pi Sigma Alpha, a national political science honor society. He participated in intramural sports and was also heard on the airwaves of a local radio station as a disc jockey.

Corey continued his educational career by entering Fordham Law School directly after graduating from Fairfield. While at Fordham, Corey was involved in many activities. Not only was Corey a member of the Intellectual Property, Media and Entertainment Law Journal; he was also a volunteer for the Fordham Student Sponsored Fellowship. He participated in the Mulligan Moot Court Competition last summer, and also had the opportunity to clerk for the Honorable Judge Howard E. Bell. Corey was well known as a representative of BAR/BRI and also for his involvement in intramural basketball. He also enjoyed other sports-oriented activities, including mountain biking and rollerblading.

Funeral services for Corey were held in Connecticut on January 16th. The law school plans to have a memorial service for Corey, although the date has not been set. Corrado's death is a tragic event in the lives of his many classmates and friends. The many prayers of the Fordham community are extended to his family. Reactions among members of the Fordham Community were numerous.

"Corey was a very bright individual and was one of the nicest people I've ever met in Law School."

--Kenneth Montgomery

"He was so young. It makes you realize what is important to you and how tenuous life is. I feel very sorry for his family."

--Kimberley Chin

"I met Corey on the first day of school. We instantly became friends. He was always happy and carried a smile everywhere he went. He truly was a good person--We will all miss him, and without a doubt, we will never forget him."

--Simona Dolmaian

"I grieve with Corey's family and classmates. His loss is a devastating one for our School. I was privileged to have met with him in December to discuss his career in the law. I will never forget him, that meeting, or his classmates who extended so much love to his family at this most difficult time. May this wonderful young man rest in peace and may his life be a source of inspiration to all of us."

--Dean John D. Feerick

"Corey was a conscientious and diligent student. He was a very good writer, very promising and so talented. He was very thoughtful, friendly and outgoing. It's devastating. It is a terrible misfortune for the family and to the school."

--Prof. Rachel Vorspan

"The one thing I will always remember about Corey is the sense of admiration I felt when I learned that he had done very well and earned a summer associate position with a prestigious firm even though the tragedy of his dad's death occurred during the heart of first year. I couldn't help but think about how I would have had his perseverance. I mean, my grades were... well let's just say that I didn't have anything, especially of that magnitude, interfering with my studies and had not done nearly as well as Corey.

Seeing his mom at his wake showed me where Corey got his strength. Again, I could not have imagined ever being in her position and I truly appreciate the grace and thankfulness that she was able to enjoy her son for 22 years. Knowing Corey and his mom has certainly put a lot of things, especially law school, in perspective."

--Joseph Campolo

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New Professor joins Fordham Litigation Clinic

by Kathi Denise Lang-Thors ('96)

Professor Elizabeth (Liz, to her friends) Cooper is the latest addition to the Litigation Clinic Faculty. She has the kind of enthusiasm that energizes everyone and everything around her. She communicates fevely with her hands, and the intensity she brings to her dominant legal cause, the legal concerns of HIV and AIDS patients, is reflected in her eyes as she ardently describes the ant legal cause, the legal concerns of public misconceptions, the intentional and unintentional prejudices, and the misinformation that permeates a disease that touches every living person.

Professor Cooper has always wanted to work for the betterment of people. Before the desire for a legal career became apparent, she considered attending rabbinical school. Instead, her religious aspirations took the form of a bachelor's degree, majoring in Hebrew and Judaic Studies, and minoring in Women's Studies. While studying for that degree, she received several honors at University of Pennsylvania for her leadership and contributions to social change.

Professor Cooper received her law degree from New York University in 1988. While in law school, Professor Cooper wrote an article entitled "AIDS Law: The Impact of AIDS on American Schools and Prisons", which was published in the 1987 Annual Survey of American Law. As she researched the article, she was perplexed to find that such an important health issue could meet with so much prejudice. At that time, there were very few cases on the subject, and she thought it would be interesting to see how the two institutions, schools and prisons, treated the issue.

She found that in cases involving schools, notably the ones involving Ryan White and the Ray boys in Florida, the child has to be allowed to attend school. Admission to school of HIV-infected children facilitated the notion of universal precautions; when there is blood, gloves should automatically be used. Her research showed that decisions involving prisons almost uniformly upheld prison policy, and that policy could vary from testing, to segregation, to no testing at all. Although federal prisons do test, there is a significant variance in the policies among states.

Professor Cooper worked as a law clerk for then U.S. District Judge, now Chief Judge Anne E. Thompson in New Jersey, and then worked as the Staff Counsel and Skadden Fellow for the ACLU AIDS Project. While working with the ACLU AIDS Project, Professor Cooper worked to expand the definition of AIDS, because many people affected by AIDS-related symptoms but were unable to get the medical and public benefits afforded by diagnosis of the actual disease, because of the limited qualification. Most of the people affected by the limited definition were women, people of color, and people living in poverty. Her work was successful, and, as of January 1993, women such as cervical cancer, recurrent bacterial pneumonia and pulmonary tuberculosis were added to the definition of AIDS. She also worked on the issue of mandatory testing of health care workers.

While working as the Gibbons Fellow in Public Interest and Constitutional Law for the Newark, New Jersey law firm of Crammy, Del Deo, Dolan, Griffinger & Vecchione, Professor Cooper also worked as an adjunct clinical professor in Rutgers Law School's Constitutional Litigation Clinic. Before coming to Fordham, her last position was as a clinical instructor at Brooklyn Law School.

During the past decade, Professor Cooper has written extensively on AIDS and HIV. Her published works include articles on women and the criminalization of HIV; custody, visitation and guardianship for HIV-infected parents; mandatory HIV-antibody testing of newborns and pregnant women; and the ethical, legal and policy considerations in the primary care of HIV-infected women and children.

Professor Cooper is presently involved in several organizations and committees that address the HIV and AIDS crisis. She is a member of the Association of the Bar of the City of New York Ad Hoc Committee on AIDS, and the Bar’s Subcommittee on Confidentiality. She is also the Co-Chair of the New York Task Force on Women and AIDS.

The City Bar Ad Hoc Committee works on a wide range of issues. Last year, the committee discussed mandatory testing of accused sex offenders and newborns, health care reform, and procuring stipends for peer counselors. The Bar Association opposes mandatory HIV testing and supports mandatory HIV-related counseling, to foster education and to facilitate access to care. According to Professor Cooper, an AIDS test is only a "snapshot" of the person’s health six months prior to when the test is taken. HIV antibodies may not be revealed by tests for several weeks or months, and therefore, testing sex offenders may theoretically offer psychological solace to victims, but does not give any real assurance that the virus was not transmitted during the incident. Additionally, as a result of the proposals to mandatorily test offenders, some offenders have begun requesting mandatory testing of victims to see if the offenders are at risk.

See New Professor continued on page 4
New Professor

continued from page 3

some victims' rights organizations have spoken against mandatory testing and in favor of education and access to voluntary testing.

The New York Task Force on Women and AIDS is an umbrella organization that works with women living with HIV, and consists of advocates, including lawyers, who work with these women. Professor Cooper clarifies the fine distinctions between what is being done, what is being advocated, and what should be done, for women living with AIDS and HIV.

Regarding the furor over mandatory AIDS-antibody testing of newborns, Professor Cooper advocates mandatory counseling, and voluntary testing means informing women about HIV. Professor Cooper advocates encouraging access to counseling, testing and care for the pregnant woman, as there are drug protocols which would help reduce transmission from the woman to the unborn child.

She also researches the related issue of informed consent. She noted that funding, as usual, is a considerable problem. Organizations and government seem very willing to provide funding for testing, but do not want to fund counseling and care, which would be less invasive and allow for informed actions.

Like most activists, Professor Cooper has very little recreational time. During those occasional moments, she likes to read, favoring novels by Gloria Naylor and Michael Cunningham, play tennis, visit museums, and relax with friends.

THE ADVOCATE

YOUR KEY TO THE FORDHAM LAW SCHOOL EXPERIENCE.
FINDING A SUMMER POSITION...

Without Driving Yourself Crazy

by Hillary Mantis, ESQ., Director, Career Planning Center

Are you feeling lost about what to do this summer?

For many first year students, the idea of finding a summer job, on top of everything else there is to do is overwhelming. The good news is that you do not really have to worry too much about this summer. What you do is, not nearly as important as concentrating on your studies this semester.

Ideally, you should get some kind of legal experience on your resume, but that should not be difficult to accomplish. The Career Planning Center, Clinical Office, and Public Interest Resource Center all offer assistance to you. You should stop by all three offices to find out what they offer in greater detail. The following list summarizes the major resources, programs and deadlines that you need to know to activate your first year summer job search.

1. CAREER PLANNING CENTER: The Career Planning Center (Room 07), has several resources and programs to assist first years. By now, you should have all attended the two first year career seminars and the first year career planning center's orientation. If you have not done so already, stop by our office and take a look at the career library, which include many new directories, books, and handouts. You should also look at the Summer Job Surveys, which give you an idea of what Fordham first year students have done during previous summers. In planning a first year job search, you should focus on the following:

   SUMMER JOB BINDER: The summer job binder contains listings which are phone, mailed or faxed directly to our office. They are similar to classified ads in that you respond to them directly. We receive listings nearly every day, so check often. If you have not seen too much that interests you in the binder yet, don't worry! Most employers that hire first year students do not advertise for the summer until February or March (we receive listings for summer in April, May, and June as well). The good news is that the Summer Job Binder offers paid employment.

   SPRING ON CAMPUS INTERVIEWS: A small number of employers (many more come to campus in the fall), interview students for summer jobs. Some of them do interview first years. Check our bulletin board, under the "Spring On Campus" section, and your mailbox, for resume submission deadlines.

   MYERS BRIGGS WORKSHOPS: If you have not already signed up for a seminar, come down to our office to R.S.V.P. At the seminar, we will give you the results and an interpretation of the inventory you took during orientation week. Myers Briggs can be very helpful in focusing on your strengths and preferences. It will also assist you in choosing an area or type of practice. Plus, the workshops are a lot of fun.

   CAREER DINNER SERIES: Career Dinners are a great way to meet Fordham alumni, find out about different practice areas, and polish your networking skills! The CPC will be holding four career dinners this semester, featuring Fordham alumni and other experts in different practice areas. The topics this semester will be: February 8th: Entertainment and Sports Law; February 14th: Corporate Law, Banking and Financial Services; March 19th: Criminal Law; April 2nd: Hot Topics in the Law.

2. CLINICAL EXTERNSHIP PROGRAM: As you may know, the Clinical Office (room 05) collected resumes for the Summer Judicial Externship Program last December. About half of the first year class in previous years has done a judicial or other non-profit externship during the summer, so this is a very important office for you to know about. If you have applied, but have not heard from any judges yet - do not worry! The federal district court judges contact students first. The state court and other judges will contact students later.

If you have not heard from any judges by mid-late February, go to the Clinical Office and they will assist you in finding an externship. Most first year students who would like to do a judicial externship will have the opportunity to participate. Clinical Externships are unpaid, but you can receive academic credit.

3. THE PUBLIC INTEREST RESOURCE CENTER: This office offers a multitude of programs, but first years looking for summer (pro bono) placements should contact this office (room 08) to find out about the Pro Bono Students America database, and the Fordham Student Sponsored Fellowship Program.

4. WESTLAW AND LEXIS: GENERATING EMPLOYER LISTS Finally, you can do computer assisted research to find potential employers. We recommend a narrowly targeted mailing rather than a mass mailing blitz!

Both Lexis and Westlaw offer different employer directories, so you should make sure to become familiar with both services. Westlaw will be offering job search workshops in February (sign up in the library). Westlaw is useful in particular for locating large law firms and other large legal employers on the N.A.L.P. Directory (NALP-DIR). However, you should know that most large law firms do not hire first year summer associates.

Lexis is especially useful for its computerized version of Martindale Hubbell (MAR HUB), which enables you to do "segment" searches for different employers. For example, do a search for firms located in New York, with at least one Fordham graduate, that specializes in environmental law. Aim for smaller firms, which are more likely to hire first year students. Both Westlaw and Lexis are constantly updating their employer resources, so check often.

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FROM

BAR/BRI BAR REVIEW

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All law students are invited to attend the finals.

DATE: FEBRUARY 3, 1996
TIME: 12:00 PM - 7:00 PM
PLACE: FORDHAM LAW SCHOOL MOOT COURT ROOM 140 WEST 62ND STREET NEW YORK CITY

Presented By

BAR/BRI BAR REVIEW
Dear Editor:

Like the rest of us, I was relieved and exhausted after exams ended last month. I worked hard to prepare for them, extensively reviewing and annotating the class materials that I was permitted to bring into one of my exams. However, I was extremely disturbed by the unethical and unfair behavior of my classmates during the exam. Despite explicit instructions from the professor and on the exam to the contrary, a number of students brought their notes with them.

I spoke to one of the deans over break about my concerns and he was very supportive. Unfortunately, since I didn’t know who was actually doing the cheating, and I couldn’t predict how others would feel or react in this situation - whether being respected for speaking out, or looked down upon for turning in a classmate. Law school is difficult and competitive enough, and I don’t know how willing I would have been to carry that additional burden.

I was extremely disturbed by the unethical and unfair behavior of my classmates during the exam
didn’t think that I could identify them, there wasn’t much that could be done. To be honest, as distressed and upset as I was, I would have had great personal difficulty in “turning someone in.” I couldn’t predict how others would feel or react in this situation - whether being respected for speaking out, or looked down upon for turning in a classmate.

Law school is difficult and competitive enough, and I don’t know how willing I would have been to carry that additional burden. As of yet, I have not received my grades. Under our exam grading system, where my grade is dependent not only on my own performance but also on how well my neighbor performs, I feel that my grade will be unfairly saddled with the potentially inflated results of others who took advantage of a lack of supervision, or who simply chose to flout the rules.

I imagine that some type of “low-grade” cheating goes on more frequently than I know - in this case, where notes are easily slipped in among course materials, or where students are told, for example, not to use commercial outlines in an open book exam, yet spend their time copying and stapling them into a notebook, or simply download them from a study outline disk.

As law students, we are taught to know, to understand and, most importantly, to respect the rules which govern us. We are taught that we have an inviolable duty to be honest and ethical to the clients we will represent. I am surprised, and appalled, that people who have committed themselves to this profession would choose to circumvent the rules, at the expense of their classmates and diminish their own standards of behavior and professionalism.

The public perception of lawyers is often a negative one. Perhaps the cynics among us would not be surprised to hear that law students cheat on exams. I see no reason to live up to that reputation by tolerating and perpetuating unethical activities.

Sincerely,
Anonymous Law Student

December 4, 1995

John Pieper, Esq.
c/o Pieper Bar Review
90 Willis Avenue
Mineola, New York 11501-2630

Dear John,

I am a 1995 graduate of Touro Law School who took your course and passed the New York State Bar Exam with an MBE score of 165. When you came to Touro’s BEAT program, I heard many students complain that you made them work too hard and they said that they were going to take Bar Bri because it was easier. Considering the fact that it was the New York State Bar Exam that we were facing, I did not see the wisdom of taking the easy way out. I found your course very difficult and despite all of my efforts, I seemed to be able to do only 60% of what you asked of us. However, I kept trying, and the hard work paid off.

Your course not only lasted more weeks than Bar Bri’s did, but as your students sat in class each day, we would see the Bar Bri students walk to their class which began later in the morning than us and we would see them leave earlier than us in the afternoon. They would look in at us in a relaxed manner, wondering why we were foolish enough to do so much writing. When we would see them later in the day, they would tell us that they were pleased with Bar Bri because their hands were not sore.

I could not understand what, if anything, they could possibly be learning. At times, I would wonder if Bar Bri’s method was better than your’s and if their students learned just as much with half the effort. Following the New York day of the bar exam, I understood that this was not so. All of the Bar Bri students whom I talked to were completely baffled because they had never before seen the supposedly “obscure” subject matter on which the essays tested. To the contrary, while I was concerned about the detail and accuracy of my recollection, there was nothing on the test which I had not at least seen before in your course.

Thank you for teaching a great bar review course.

Very truly yours,

Dominick J. Penzetta
A Call to Arms--The First Year Drama

By M. Pauline, Jr. (’98)

In the guise of two weeks, Fordham Law School recessed for what the registrar preferred to call a winter vacation. To most of us first years, the extent of that “vacation” lasted no more than a few days after Christmas. In no time, we were back on top of our Contracts and Civil Procedure books like vultures on the scaveng, heedlessly trying to catch up on a semester’s worth of reading and writing. The distinction between “vacation” and “break,” used so casually at our undergraduate schools, suddenly became apparent to us.

Fourteen days is not much of a pause in the one year of our lives that in most likelihood will determine the rest of our judicial careers. Moreover, a substantial amount of that time was probably spent refurbishing our diseveled lives: the piles of accumulated laundry, the stack of credit card and phone bills, the mess on the kitchen counter top, the onerous task of reaquainting ourselves with those two oddly shaped beings we call ‘parents.’ After that, I personally spent a good number of days away from sobriety. Blame me not. God.

Sadly, however, no matter how much you placate the appearance of a resume, a good interviewer will extract the truth like an angry dentist plunging in on a rotted tooth. And no matter how well your resume gloats your position on the grade curve, they will want more.

Also high on our priority list, most likely, was the task of refining resumes. If you haven’t done it by now, you’re way behind in the game and neck deep in things that stink. Get it to the Career Planning Center pronto. Although it may seem like all they do is mark up the page with obvious comments, they do do an excellent job at marking down the page with strategic tips like ‘where to put what’ and ‘what not to put where.’ A stroll through the ‘Resume Section’ at Barnes and Nobles might help a bit too. Bring pen, paper and patience and find a couch if you feel lucky. But in all regards, spit shine that thing until you can see yourself in it.

Sadly, however, no matter how much you placate the appearance of a resume, a good interviewer will extract the truth like an angry dentist plunging in on a rotted tooth. And no matter how well your resume gloats your position on the grade curve, they will want more. Historically, interviewers have tended to be drawn to the ‘employment history’ and ‘extracurricular activities’ sections. And since your employment history is circumspectly correlated to your resume (your resume gets you the jobs which you later get to add to your resume) it follows naturally that the most important part of your resume will be the ‘extracurricular activities’ section, at least initially.

We, first years, frown at knowing this. The last thing on our minds is when the next Summation (The Law School Yearbook) meeting is. We have briefs due in four weeks. We have last semester’s Property test still to take. Dreadfully, we have Civil Procedure to read. We committed ourselves not to participate in extracurricular activities a long time ago, and this may have been our most fatal mistake. When the time comes, our resumes will be screaming superficially of the effort we put into the first year at Fordham. And the interviewers will most likely cover their ears. Activity signs are posted encouragingly on all four floors of the law school, so obviously it is not too late to turn over a new leaf. Think long term and how important it is to have something enthusiastic to tell that interviewer other than what you did as the mediocre intern. And if you snook around the Law Review office long enough, one of the editors will snatch you up for assistorial work. A dollar and a dream.

I have always been a proponent of volunteering, so I will encourage that field here as well. Not only do I think that volunteering provides more flexibility, but it is also a more unselfish and virtuous way to expend limited efforts. A stronger character may be the only result. The Career Planning Center can help find the volunteer service most workable with the constraints of a first year. Moreover, there are a number of legally related services, such as the NYC Legal Services and the Legal Aid Society, that would compassionately look interesting on a bold resume.

Finally, I would like to note that I am not encouraging first years to drop all things carried for the sake of decorating a resume. ‘Time’ is critically restrained and what we do and how well we do it are both invariably important. But procrastination is not anomalous in a student’s career and it is with procrastination that the trade off is well worth making. Additionally, a more balanced week – classes, reading, studying, exercising, volunteering, leisure, and not to forget, sleeping – exudes a healthier lifestyle and better outlook. Perfect grades, I promise you, will come naturally afterwards.

That’s a big promise to keep.
ATTENTION 1996 GRADS

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