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The Advocate, Fordham Law School

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# The Advocate

The Student Newspaper of Fordham University School of Law

Vol. I — No. 1

LINCOLN SQUARE, N. Y.

Wednesday, November 6, 1968

## Cold Draft Winds Hit Law Students

by Anthony M. Bentley

Due to recent legislation, Federal Aid to Education will be felt at Fordham Law School during the next few months in three ways. The student-faculty ratio will inevitably continue to improve. Socially minded scholars will be pleased to learn that by May, 1969 there could be a girl in class for every boy and those first-year students finishing exams seven months hence, may find a close-to-even chance of making Law Review.

These happy projections stem from the fact that for many of us, "look to the right, look to the left" will soon be magically transformed into "left, right, left," and "dress-right, dress." Dean Hanlon estimates draft attrition in the first year class to reach 40% by May. All students, albeit not equally, are seriously threatened by Selective Service.

### II-S to I-A

Although third year students will not have their legal education interrupted by the draft, they will become prime military targets upon graduation due to their age. First- and second-year students are already primarily I-A, their II-S classifications having expired June 30, 1968. Many of us have either had our physicals, or have had notice of an impending one and have initiated a desperate delaying action by means of appeals. The future does not look promising, if the past is any indication.

The entering class of 1967, the present second-year students, came to Fordham (day) 228 strong, and as we go to press that class has dwindled to a scant 100. Academic attrition accounts for a minute percentage of those who are no longer with us.

The present freshman (day) class put down 287 deposits before registration. Currently the

number per section in attendance is less than 90. This represents a loss of nearly 40% in about 5 weeks. If this rate continues, by January we may see our professors reactivated.

It is perhaps not surprising that the culprit is not the draft itself, but its spectre. Of those law student draft casualties mentioned, perhaps only 10% are actually on active duty. The vast majority of those who have dropped out will have withdrawn rather than bear the pressures of law school — realizing it all may be for naught. Many have joined the reserves or the Guard, marking time until the expected call is sounded. Others still have applied for that ever-shrinking profession — the draft deferred job. Again some have become fatalistic and are sitting home watching alternately the mail and the tube in an advanced stage of catatonia.

## Orientation at Fordham

This year's freshman class was again subjected to the annual orientation program. The agenda carried some elements of every orientation program but it also introduced some ideas new to Fordham.

Marc Grossman and John Costantino, second year students, were the co-chairmen of the activity. They were assisted by Arthur Del Colliano, John Camillo and Martha Coleman.

The program began with a talk by S.B.A. President John LaSalle. LaSalle welcomed the class of '71 by speaking generally of life at Fordham Law and pointing out the need for first year students to participate in the needs of a developing law school.

Thomas Godfrey, editor-in-chief of the Law Review, followed with a short talk that emphasized the history, admission standards, work load and rewards of the prestigious Law Review.

### Dean Speaks

Dean William Hughes Mulligan then approached the lectern. The Dean, who in past years has been criticized for placing too much emphasis on the need for all new students to "fess up" to any past crimes in order to avoid later running afoul of the sacrosanct Character Committee of the New York bar, again appraised the students of this eventuality. However, the Dean did depart from previous orientation speeches when he pointed out that he recognized that not all law students are interested in working for large, law firms, but rather that many might want to use the law for less lucrative but more noble purposes. In either case, Dean Mulligan pointed out, hard work in law school is the best preparation for Forty Wall or Community Action.

Professor Joseph Crowley, who besides being on the faculty is a member of the Governor's Committee on Labor, followed with a stirring keynote address that was as well received as it was well delivered. He focused on the failure of the law profession to responsibly meet the constantly changing

## Student Bar Meeting Stirs Controversy Over Change

The first Student Bar Association meeting of the year opened with the announcement by president John LaSalle that a student-faculty committee has been formed to advise the Law School on administrative and academic problems. The exact scope and power of the committee is undetermined, but theoretically they will examine areas as varied as curriculum changes and attendance regulations.

## Law Forum Makes Plans

This year the Law Forum plans to continue the tradition that was firmly established for the first time last year of providing the law school community with as broad a spectrum of lectures and debates as is possible with the limited finances available.

Special events which drew high student interest last year that are rescheduled this year include a top S.B.A. Banquet speaker (Justice Potter Stewart spoke last year), the Law Day program, the Dean's Address to the school, the draft and military opportunities lectures and coffee hours and a series of programs planned in conjunction with the International Law Society.

The first program of the year

was an October 3rd debate on the urban crisis by representatives for Richard Nixon and Vice-President Hubert Humphrey. An address by Conservative Party Senatorial candidate James Buckley was postponed on October 10th and hopefully will be rescheduled. Invitations have also gone out to Paul O'Dwyer and Senator Jacob K. Javits to speak here. It is hoped that this year some of the foremost individuals in the area will appear before the school. Theodore Kheel, Roy Cohn, Albert Shanker and others are among those who will be invited. Students interested in working on the Forum should leave their names in the S.B.A. office or speak to one of the members at a regular Law Forum program.

President LaSalle picked seven students to serve on the committee (one first-year student will be added after the election) and they were approved by the S.B.A. Mike Richman, President of 2-A, and John Costantino, President of 2-B, both strongly objected to this procedure. They wanted equal representation of each individual section and popular elections of the representatives.

### Students Selected

As the committee presently stands there are three third-year students, two second-year students, one first-year student, and two night students on it. The question of representation of each section arose because both second-year students are from 2-B. The objection to equal representation was that the committee would then be too large and unwieldy.

The students on the committee are Tom Schwarz, 3-B; Elliot Evans, 3-B; John Sills, 4-E; Jay Wilker, 3-B; Liz Clancy, 2-B; Dan Carson, 2-B; and Pat Corrigan, 3-E.

The four faculty members of the committee are Professor Crowley, chairman, Fr. Quinn, Professor Byrn, and Fr. McLaughlin.

### Jackets Gone

The S.B.A. also announced that the Law School has dropped the requirement of jackets and ties in the library, and in class it's up to the discretion of the individual teacher. This move, along with the formation of the student-faculty committee, were recommendations made last Spring by the S.B.A. Academic Planning Committee. The official policy on dress has now finally come into line with the actual practice of students and professors.

### Constitutional Revision

A proposal to revise the S.B.A. Constitution so as to have its four officers elected by the entire student body was tabled until the class officers have a chance to find out how their individual classes feel about it. At present any student can run for office, but the voting is done by the S.B.A. Board of Governors. Many students have expressed discontent with this procedure and have labeled it undemocratic. Let your class officers know how you feel!



DEAN MULLIGAN  
Addresses Freshman at  
Orientation

## Editorials

### Ideas Wanted

The new student-faculty committee offers some welcome changes at Fordham. For the first time students and faculty will be discussing the future of the law school together. But the question arises whether the Committee will be effective and find solutions to the problems of the school, or whether they will just talk. Even if they do decide on effective measures, will they be implemented?

The Committee right now has an unlimited scope, but undefined power. Probably the Committee will just be able to make recommendations to the Dean, with no obligation on his part to do anything. Realistically there wouldn't even be any pressure on the Dean unless the faculty stands behind the recommendations that are made. Thus the Committee will be making recommendations to the faculty and hoping that they will apply the pressure needed.

Regardless of these bureaucratic hang-ups, two immediate changes are needed:

1. The Committee should be limited to four or five students instead of the present trend toward at least one student from every section. This will undoubtedly raise cries of "unequal representation," but if you take into consideration the purposes of the committee it becomes apparent that representation of each section is unimportant and will only hamper the Committee by making it too large and cumbersome.

The Committee was formed not as a governmental body to voice the opinions of students, but as a combined group of faculty and students to look into the problems of the law school and hopefully to find solutions to them. The key to this is not "representation." We need an intelligent appraisal of the law school by a few of the more capable members of the law school community, and having eleven students instead of four will make it more difficult to have this dialogue with the four faculty members, without necessarily increasing the quality or intelligence of the discussion.

2. The students on the Committee should be elected by the entire student body instead of being chosen by either the President or Board of Governors of the S.B.A. When the President or the Board of Governors choose students they pick those who have been active in and have done a good job for the S.B.A. This is their basis for picking conscientious members for the Committee. But the Committee should not be limited in this way. There are many conscientious students who are unknown to the S.B.A., and the only chance they have of getting on this Committee is by a general election.

These two recommendations, plus any others you may have, will only come about if enough students show their interest by coming to the S.B.A. meetings.

### Get Involved

The complaint is frequently heard around the Law School, especially from first-year students, that Fordham's curriculum is too "Wall Street" or bar exam oriented, and should be expanded to offer more electives in the area of poverty law. The theory is that this is where the responsibility of the future attorney lies, and we should be prepared in the classroom for this responsibility.

The real opportunity for knowledge and experience in this area, however, is already available to Fordham students through student organizations such as the Legal Intern Services Association and the Consumer Fraud Protection Unit. Here a student not only finds out what problems exist, does research, and argues cases, but gets the satisfaction of helping people who desperately need the help now.

The question is therefore how many students are actually willing to do something. It's very easy to ask for new courses and a change in curriculum, but when the opportunities for practical knowledge and service to the community do present themselves the number of students willing to put in time and effort is abysmally small. First-year students who want some experience as a lawyer before they graduate, and at the same time help some New Yorkers who can't afford to hire their own lawyers should exert a little effort and join one of the extra-curricular organizations at the Law School. Do something about the way you feel!

### Bottoms Up!

The idea of a student-faculty sherry party every week or two is a good one, but you need students and faculty to make it successful.

Even a momentary glance at the class schedules shows there are almost no classes Thursday afternoon, and when there are no classes there are no students and no faculty members. It would therefore seem prudent to change the date of these extravaganzas to a day when most people can attend, like Wednesday at 3:00 P.M.

## Comment

### Change and the S.B.A.

by Marc Grossman

There have been many changes at Fordham Law School as this new school year begins. They range from the temporary addition of 300 Fordham In-town undergraduates in the law school to the mood of quiet resignation which pervades the depleted troops of the day school as General Hershey makes ready to attack.

Our student newspaper has also changed. To those of us who remember last year's NEWSLETTER one change is apparent — this year's newspaper looks like a newspaper. Another change, less obvious, is to be one in emphasis. The editors of THE ADVOCATE want this to be a student newspaper, representative of all student opinion, which will objectively report on the changing scene at Fordham.

This column, which will be a regular feature, has a different aim. The objective of this column is the advocacy of ideas that will improve the quality of our educational experience at law school. To state it differently, this space will be used to complain about those changes not in the law students' best interests and advocate those changes that are. I will not pretend to be objective. I am a law student at Fordham writing about Fordham for other law students. My concern is for the interests of the students and my point of view is that of a student. If this partisanship precludes complete objectivity I expect it will not preclude complete fairness. This is essential otherwise the goal of securing greater responsibility for the student would be a sham.

\* \* \*

Last year this writer wrote a letter to the editor of the then NEWSLETTER calling for the direct election of Student Bar Association executive officers. Presently S.B.A. executive officers are chosen by the class representatives the students have elected. This policy of indirect election has created a situation where the student has lost all faith in the ability of the S.B.A. to represent him. Such alienation is

the inevitable result of a system that denies to the student the most rudimentary right of participation — the right to vote.

In response to that letter the S.B.A. at its last meeting proposed an amendment of its Constitution so as to require the direct election of executive officers. The debate on this question at that meeting revealed the depth of the problem. While those in favor of direct elections argued that the S.B.A. cannot really become effective until it truly becomes representative those who oppose student participation felt that elections would be too difficult to conduct and the students don't care anyway.

But the students do care. The real problem is that those who resist this change don't care. They don't care enough to seek out student opinion and they don't care enough to let the students know their views. This failure of communications would be virtually eliminated if there were direct elections.

An election is a time of communication, a time when issues are put into focus and solutions to them suggested through the medium of public debate and discussion. To contrast this with our present system we have only to look at last semester's election which elected our present Executive Board and ask ourselves two questions. What were the issues of that election? What were the proposed solutions? If these questions have answers the students don't know them because any discussion of issues took place behind the closed doors of the S.B.A.

This amendment requiring direct elections will open up those doors to fresh air and fresh ideas that will revive and revitalize the S.B.A. This amendment must be approved if the S.B.A. hopes to remain a credible student organization. Surely they must realize that they can hardly seek reform from the Administration if they themselves resist reform. The time has come for us to test the willingness of the S.B.A. to prove itself to the students.

## Appellate Moot Court Competition Begins

The I. Maurice Wormser Appellate Moot Court Competition officially begins on Wednesday night, November 13, when twenty-four contestants present their cases. These arguments will be the culmination of the six weeks' work that went into preparing the briefs and oral arguments on the assigned topic: the legality of the war in Vietnam, and the rights of a member of the Armed Forces to refuse to go to Vietnam.

The twenty-four contestants have divided into twelve teams for the purpose of writing briefs and arguing in the first round which consists of six arguments with two teams competing in each. After the first round, the twelve highest scoring individuals proceed into three semi-final rounds which are to be held at various times in late November and perhaps early December. The four highest scoring individuals in the semi-final round move into the final round which is to be held in the middle of December. The scores in the first round and the semi-final round are based on both the brief score and the oral score. The scores in the Final Round are based solely on the contestant's oral score.

The two winners of the Final Round are deemed the winners of the I. Maurice Wormser Prize and as such comprise two of the three members of the team that represents Fordham in the Sutherland, and the National Inter-School Moot Court Competition to be held in the spring and fall of 1968 respectively. The third member of that team is selected by a faculty committee. In addition, all four finalists and the team receiving the highest score for its brief receive a prize, usually a book dealing with New York Practice.

The briefs are judged by an impartial committee of law school alumni. The first round arguments are each judged by a three man bench consisting of a member of the faculty, an alumnus of the Law School, and an editor of the Law Review. The semi-final rounds are each judged by a three-man bench consisting of an actual judge, and two alumni of the Law School. The final round is judged by three actual judges, usually from the Southern District of New York, or the Court of Appeals for the Second Circuit.

All students and members of the faculty are invited to attend any of the various arguments that are to be held during the course of the competition. The experience of viewing these arguments is of considerable value to all First Year Students since they will be participating in the Freshman Moot Court Program next semester.

## Girls Mob Mixer

The first Student Bar Association Mixer of the 1968-1969 school season was held Friday evening, October 4th, and was an unqualified success. The crowd of about 250 was turned on to the sounds of the Electric Soul.

John La Salle, the president of the SBA, commented that he was very well pleased with the turnout and hopes that the forthcoming social events planned by the SBA are as successful.

The admission was reasonable at \$1.00 for men and 50¢ for women. Free beer, as advertised, was 25¢ each.

The one shortcoming of the evening was the conspicuous absence of the Freshman class, thus causing an excess of girls, if there can be such a thing.

## The Advocate



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## Consumer Frauds Unit Formed by Students

In a move keeping pace with the growing trend toward student participation in actual legal activity, twelve second year law students, under the direction of Fr. Thomas Quinn and Prof. Ernest Phillips, announced the creation of the Fordham Consumer Protection Unit.

At a meeting Fr. Quinn introduced the students to Mr. Richard Givens, an Assistant United States Attorney who handles much of the consumer frauds litigation in the Southern District of New York. Mr. Givens explained to the students some of the problems faced by New York's consumers and the problems he has in trying to eliminate these abuses. The students will be working with Mr. Givens and his office.

This program, which was conceived by Fr. Quinn and Prof. Phillips, gives the students who are participating the opportunity to fulfill their second year writing requirement by submitting to Prof. Phillips original research done in connection with the ac-

tivities of the Fordham Consumer Protection Unit.

On Wednesday, October 16th, the unit met with Mr. Givens at the United States Courthouse in Foley Square. There the students met Mr. Robert A. Morgenthau, the United States Attorney and former Democratic candidate for governor of New York. Mr. Morgenthau thanked the students for their interest and expressed his hope that more can be done to protect the consumer in the future.

The students have divided themselves into two groups so as to handle the problem in greater depth. One group will go out into the community and speak to community leaders and groups in order to uncover any frauds that can be brought to the attention of Mr. Givens. The other group will be doing research. Some of this research is being prepared for cases now pending in the federal courts while other students will be working on memoranda suggesting legislative action as a means to protect consumer rights.

## LISA Gives Students Valuable Experience

In recognition of the fact that law students are eminently qualified to render public service as legal interns, The Legal Aid Society proposed a bill which became law in this state in July of 1965. This bill enables law students to provide legal services under the supervision of various agencies.

In the Spring of 1967, Legal Intern Services Association (LISA) was formed at Fordham to coordinate the activities of all Fordham students providing legal assistance to the socio-economically deprived people in the metropolitan area. Currently, over twenty senior law students and ten second year students are participants in the various local poverty programs. Any second or third year law student who is concerned about the near desperate situation facing the poor should contact either the LISA's officers (Joe Fusco, Michael Diamond, Amelia Ingoglia) or Professor Quinn, LISA's faculty moderator.

Generally, the student programs require a minimum of four consecutive office hours weekly on a regular basis. Second year students are trained in a clerkship phase which includes interviewing clients, researching points of law, and the supervised drawing of legal documents. Senior students who have completed seventy (70) hours of clerkship act as interns; they service their clients from the initial interview to the final disposition of the case. This often includes representing their clients at administrative hearings and in Small Claims Court. Obviously, the student gains invaluable experience while performing a public service.

The areas of law practiced cover a wide range of civil and criminal matters including commitment of narcotics offenders, juvenile and domestic problems, Landlord tenant disputes, bankruptcy, consumer fraud, and the entire gamut of criminal offenses.

The most ambitious student poverty program is found in The Legal Aid Society under the tutelage of John A. Robertson, attorney-in-charge. The Society is an independent agency pledged to

counsel New York City's indigents. Two hundred thirty-three attorneys handle the more than 200,000 cases which annually pass through its twenty local offices.

Fordham students have also been associated with programs run by the Community Action Legal Services, Inc. (CALS), Mobilization for Youth (MFY), Nassau County Legal Services, The Legal Aid Society of Westchester, Pas-saic Legal Aid, the Scholarship Education and Defense Fund (SEDF), the New York Probation Department, and others.

Since law students cannot ignore the self-perpetuating inequities facing the urban disadvantaged, more law students are urged to get involved.

## Faculty Profile

### Prof. Robert A. Byrn

by Jon Hutner

Friday, October 18th was quite unusual for this reporter. Instead of returning directly home after classes, to contemplate the imponderable complexities and involvements of the coming week-end, I had the rare opportunity to interview Professor Byrn, the Criminal Justice instructor.

Having heard the typical grapevine rumors concerning the allegedly rigid Professor Byrn, I was a bit apprehensive.

However, after spending the thirty some odd minutes with him that I did, I realized to my satisfaction that Professor Byrn's views are completely rational, based on both vast experience and a great deal of thought and were indeed thought provoking.



Prof. Byrn

Professor Byrn is on the New York City Youth Board. The goal of this organization is the prevention of juvenile delinquency and the coordination of public and private means of dealing with this problem. Also, he is a member of the Legal Intern Committee of the Mayor's Coordinating Council on Criminal Justice. This committee purports to discover what law students can contribute to the field of criminal justice.

However, Professor Byrn has been devoting his most substantial efforts in the past four years to the study of the problem of abortion. He served on the Governor's Committee on Abortion of New York State and authored the minority report (which rejected a wider liberalization of abortion practices). He has read and written widely on abortion and speaks from an eminently qualified position on the subject. He bases his opinions on purely secular standards, and states the powerful arguments that "abortion destroys human life." Professor Byrn's position is humanistic in that he cites "the rights of the unborn child and the primacy of human life. Innocent human life is inalienable." He submits to us the findings of the new science of fetology: "life is continuous from conception to death. There is no distinguishing at any time. Abortion, by these standards, then, is murder." He rejects liberal arguments in that they cannot put forth a justification for the fact that "abortion is the removing of a human life."

It denies equal protection of the laws to the yet unborn infant."

He qualifies his rejection of the proliferation of abortion practices in the case when the birth of the child endangers its life or the life of the mother. But, even in the case of rape, he rejects abortion. He says that this situation "gives society two alternatives: killing the child, which I reject, or mobilizing the resources of society to help both the mother and child live."

Another controversial issue that Professor Byrn commented on was the legalization of marijuana. He rejects legalization based on the present facts available. "Recent study is totally insufficient. We need more research on the correlation between the use of marijuana and its role in leading to the use of hard drugs. Herein the danger lies. Marijuana may well lead to a widespread use of dangerous hallucinogenic drugs. Although this is not fact today, future study will answer the question. I will reserve final judgment on marijuana, then, until this information is available."

Professor Byrn's answer to the question "are certain recent Supreme Court decisions destroying the criminal process," was especially interesting. "I don't see any destruction at all, even though I don't agree with all the decisions. Generally speaking, the Supreme Court is providing important safeguards which are designed to protect the innocent from being convicted. However, absolute protection of these rights is no good. The Supreme Court must remain within reasonable grounds. I really don't think a trend exists, though. As in the evolution of all law, criminal law, too, will some day find a stopping point, and may see a complete about-face."

The last question put to Professor Byrn was "Does obscenity really exist, and if so, do legislatures have a right to legislate morality?" "Yes, there is a real problem of proliferation of pornographic material. Pornography's effects tend to demoralize the community at large. However, there is a severe problem in the definition of pornography. Something must be done in this area if the law is to maintain its relevance to society. Ultimately there will evolve a definition of pornography."

"As to your question about legislating morality: every criminal law is a legislation on morality — that is, if it is a good law. We should learn our lesson from the criminal law which existed in Nazi Germany, which contained no moral foundations. The Nazi experiment teaches us that every criminal law must have a moral value to the community. However, we will be making a mistake if we attempted to make every moral offense criminal. The test should be harm done to the community."

## HELP!

All students interested in joining THE ADVOCATE staff should contact Bernie Talmes, editor-in-chief at the S.B.A. office. All letters to the editor should be left in THE ADVOCATE mailbox in the S.B.A. office.

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## Sock It To Schrafft's

Wednesday's S.B.A. meeting uncovered some interesting facts about our notorious mechanical restaurant (neo Horn and Hardart):

1. The cafeteria loses about \$3,000 a year, and the difference is



paid to Schrafft's by the University.

2. The contract with Schrafft's does not require the vending machine attendants to clean up the tables. Students have to clean up their own mess.

3. At 5:00 P.M. the machines are stocked with all available non-spoilable food for the benefit of the night students. That means they get candy for supper.

4. When one of the evening division delegates (Marty Lieberman)

thought the cafeteria wasn't kept open for night students only because nobody would clean up the garbage on the tables, he suggested, with all due seriousness, that if necessary he could get ten volunteers from the night school to stand guard duty in the cafeteria and slap hands if so much as a cup is left on a table.

## Students Needed for Trial Court Program

The Trial Moot Court Program for third and fourth year students will be conducted in both the fall and spring semesters this year to accommodate those interested in getting trial experience. Judges, witnesses, parties, and court officers are being lined up now and the first trial will be held in late November.

In the spring semester the Trial Moot Court Committee will coordinate its efforts with the Legal Intern Services Association here at Fordham to provide trial work for second year participants.

Students interested in working on the committee or participating in the programs should contact John Pellegrin, 3-B, or leave their names in the S.B.A. office. All are invited to attend the trials.

## Q. and A.

**What can Fordham Law School do to improve conditions for night students?**

**Francesco DeLuca 2E** — There is really nothing that Fordham Law School can do for night students. The reason for this is that the second year students are already adjusted to the status quo. Realistically speaking, night students cannot participate fully in Law School activities due to other interests as family and profession. Would night students attend an evening Law Forum program or a sherry party? My impression is that they would not. This is not evening student apathy but rather night student interests being so diversified as to make it difficult for meaningful participation.

**Arthur Del Colliano 2E** — Being a transfer student from day to evening school, I can appreciate the different feeling in the respective divisions. The evening students are placed in a paradoxical position. We do not want to be considered second class law students. On the other hand, pragmatically speaking, it is difficult for us to participate from the vantage point of time. From a realistic point of view, evening students have studies and employment to fill their days.

It cannot be denied that evening students do want some changes. The Student Bar Associations meetings on Wednesday is a real hardship for night students since Wednesday is the only free night. The cafeteria certainly should be refilled for evening students and left open beyond the 8:00 p.m. closing time. A night bookstore should be open at least once a week for supplementary legal texts as evening students are unable to use the local bookstore due to its hours. Some effort should be exerted to permit evening students to participate in the Law Forum and Library hours should be extended beyond 11:00 p.m. at least once a week for the benefit of the evening students.

In general it is my impression that night students want to have their needs met, realizing all the while that because of time and money it is a difficult problem. However, only good can come to Fordham Law by more participation from the evening students by an attempt to incorporate them more fully into the Fordham life.

## Election Results

John LaSalle, President of the S.B.A. announced Wednesday, Oct. 30th, the names of the new first year class officers. They are:

1A—President: John Fath; Vice Pres.: Alan Gerson; Sec./Treas.: Lynne Gertner.

1B — President: Donald Robinson, Jr.; Vice Pres.: Lawrence R. Jerz; Sec./Treas.: Mark F. O'Brien.

1E — President: Robert Muir, Jr.; Vice Pres.: Stewart Fleischman; Sec./Treas.: Barbara Welch.

These students were elected by their respective sections to represent the first year on the Student Bar Association Board of Governors.

## J.D. Not Doctorate

The State Board of Regents at its November meeting will decide whether the J.D. degree will be considered a doctorate or a master's degree.

After Dean Mulligan's recent trip to Albany to plead for doctoral status, his opinion was that there is almost no chance of the J.D. being anything more than a master's degree. The reason is not in any way connected with academic training or qualification; it is solely financial. A new state law will give \$400 to a school for every bachelor's and master's degree it awards, and \$2,400 for every doctorate degree. So it will cost the state an extra \$4½ million if the J.D. is rated as a doctorate, and the Board of Regents is under much pressure not to give away the extra money.

## EXTRA

Dean Robert McGrath has offered a reward to any one who can locate last Friday's fire.

## Barristers Ball Set for Nov. 15; Tickets Limited to 200 Couples

This year the Barristers Ball will again be held at the Waldorf Astoria at 50th St. and Park Ave. Two hundred tickets will be available for the black tie affair which is to be held Friday, Nov. 15 beginning at 9 o'clock in the evening.

Tuxedo rentals are available from Jack Silvers located on 61st St. off Central Park West next to Henry Stamper's and one flight up. Fittings have been held in the Student Lounge on Friday, Nov. 1 and Monday, Nov. 4. Stragglers can go over to Jack's place on their own. The rental price is \$12.50.

Tickets are again priced at \$5 per couple. Unfortunately this year costs have gone up and Souvenir Journal advertisements, which make the affair economically feasible, have dropped. The result is that the financially ailing S.B.A. will be unable to give free tickets to professors because it is very uncertain at this time whether the affair will break even. Hopefully, the minimal ticket charge will not deter those professors who would have come under past conditions from coming anyway. It has been reported by reliable sources, however, that one tall Corporation's professor immediately vetoed the possibility of his attendance when advised of these new conditions.

The Barristers Ball co-chairmen, Joseph Fusco and Keith Herbert, have announced that anyone selling \$40 or more worth of advertisements will not be charged for their tickets. Advertisements sell at \$40 for a full page, \$25 a half page and \$15 a quarter page. They must be submitted to either of the co-chairmen by Wednesday, Nov. 5th.

Ticket sales are being conducted through the class presidents and tables of 5 and 6 couples are available for reservations through the class officer.

The selling policy, as determined by the S.B.A. by vote of the Board of Governors at last week's meeting, is as follows:

Each of the ten sections is allotted 19 tickets which they have until Tuesday night, Nov. 5th, to sell. At that time any unsold tickets will be returned to the Barristers Ball committee to be sold by them. Many students, senior and underclassman alike, voiced the opinion that this system seemed unfair because of the possibility of some seniors being unable to attend while underclassman, with up to three more years at Fordham, do attend. However the voting body of the S.B.A. felt that keeping the affair as representative as possible of all elements of the law school was a more important consideration.

Corkage fees have confused many. The hotel, which will serve drinks at their regular prices, will allow bottles to be brought in at \$5.50 per bottle charge, plus 15% gratuity charge based on the Waldorf's selling price. This means that whether you bring in a pint, quart, or larger bottle the base charge remains \$5.50. It is therefore suggested that two or more couples share a large bottle so their cost would be proportionally reduced. Chips and pretzels will be available, also soda for set ups at \$1.50 per bottle. The Waldorf has thrown in the ice gratis. Of course, for those not planning on generous libations, economic considerations would seem to dictate purchasing individual drinks from the hotel.

To one and all, literally, have a Ball!

Best Wishes to the 'Advocate'

**GERALD L. GOLDFISCHER**  
**PAUL V. AVENIUS**

**Insurance Consultants for the S.B.A.**

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## Law Student Finds Draft Law Downgrades Legal Profession

by Jon Hutner

It is difficult to reconcile the fact that the law student devotes the substantial part of his life to the study of law with the reality that at any moment he can be removed from this endeavor on the premise that his chosen field is non-essential to the national interest. As incomprehensible as this may seem, it is the case, since it has adjudged the study of law as such. Although any effort to trace the logic or consistency of values behind this would be frustrating, a study of its origins can offer us important information.

We all began to discover our worth on June 30, 1967, when the present Military Selective Service Act was passed; Section 456 K2, of that act, states, "Except as otherwise provided in this sub-section the President is authorized under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces of any or all categories of persons whose employment in industry, agriculture or other occupations or employment, or whose continued service in an Office under the United States or any state, territory or possession, or the District of Columbia, or whose activity in graduate study, re-

search or medical, dental, veterinary, optometric, osteopathic, scientific, pharmaceutical, chiropractic, chiropodial, or other endeavors, is found to be necessary to the maintenance of the national health, safety and interest . . ."

This provision obviously gave the President a great degree of latitude. However, Section 4G of the Act makes a complete about-face and greatly limits the apparently enlightened section quoted above. Section 4G states: "The National Security Council shall periodically advise the Director of the Selective Service System and coordinate with him the work of such state and local volunteer advisory committees which the Director of Selective Service may establish, with respect to the identification, selection and deferment of needed professional and scientific personnel and those engaged in, and preparing for, critical skills and other essential occupations. In the performance of its duties, under this sub-section, the National Security Council shall consider the needs of both the Armed Forces and the civilian segment of the population."

The end product of all this double talk, which is inherent in bureaucratic pronouncements, was

the statement made by the Selective Service System on February 17th of this year that draft deferments for graduate students would be discontinued. Albeit ambiguous, this general category of graduate schools is construed to include all professional schools with the exception of medicine, dental, veterinary and osteopathic sciences.

This announcement was based on a statement from the National Security Council declaring the unspecified professional school as not essential to the national interest. It is important to note that this action was a determination of the National Security Council and not the Selective Service System.

What we in the study of law are left with is an offensive demeaning of our future profession and a woeful blemish on the individual ego. Perhaps when this extremely dubious finding of the NSC is questioned as to its legality by members of the legal profession, the Courts will awaken and see this despicable travesty for what it is; for to condemn us, and it is a condemnation, as not essential, is the blackest wrong ever leveled against us, the new generation-to-be of lawyers and judges.

### PROPOSED SBA BUDGET

ACTIVITY	1967-68 Budget	Expenditures 1967-68	Prop. Budget 1968-69
Academic Planning	\$ 50.00	\$ 100.00	\$ 0.00
American Bar Association (Law Student Division)	50.00	93.00	50.00
Executive Committee	100.00	128.35	100.00
Law Forum	1,200.00	808.59	700.00
Moot Court (Trial and Appellate)	300.00	91.50	100.00
Newspaper	350.00	680.25	600.00
Secretarial & Supplies	100.00	217.85	100.00
Section Allotments	500.00	450.00	550.00
Summer Moot Court	90.00	90.00	90.00
Legal Research Council	50.00	50.00	50.00
International Law Society	75.00	75.00	50.00
Directory (Coordinating Committee)	25.00	61.55	25.00
Placement Committee	25.00	0.00	0.00
Miscellaneous	224.68	661.79	110.48
<b>TOTAL</b>	<b>\$3,139.68</b>	<b>\$3,548.88</b>	<b>\$2,525.48</b>
<b>CASH ON HAND 10/30/68</b>			
Savings		\$ 374.28	
Checking		2,151.20	
<b>TOTAL</b>		<b>\$2,525.48</b>	

**DON'T LET THE**  
*Barristers Ball*  
**PASS YOU BY**  
**FRIDAY, NOVEMBER 15, FROM 9 TO 1**  
**Waldorf Astoria — Black Tie**

- **TICKETS (\$5.00)**  
go on sale Thursday, October 31
- **SEE YOUR CLASS PRESIDENT**  
for details concerning table reservations, tux rentals, corkage charge