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The Advocate

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By John Mastandrea

Student organizations seeking funding through this year’s Student Bar Association may find their plans somewhat pinched as the SBA’s normal budget of approximately $35,000 gets docked $15,000 to cover deficit spending incurred during the 1992-1993 school year.

The SBA’s $35,000 budget represents the sum of the $70 Bar Association fee paid by first year students. The funds are ordinarily divided among school-wide activities and the various student organizations. Budget proposals for student organizations, now being finalized by SBA officers, were submitted in the middle of September. Twenty-one groups made funding requests totalling approximately $55,000.

Steve Katz, SBA president, said budgeting for student organizations is always difficult because there is never a way to give everyone they funding they want or need.

The current budgeting process will be significantly tougher given that so much of this year’s funds must be applied to last year’s spending.

While SBA deficits are not entirely unprecedented (there have even been surpluses) neither Assistant Dean Robert Reilly nor Director of Finance and Administration Judith O’Sullivan could recall any recent deficits in the $15,000 range.

Katz, last year’s SBA Treasurer, conceded that the 1992-1993 SBA probably did authorize expenditures in excess of funds available. He pointed out, however, that much of the deficit accrued through expenditures that were not approved by SBA but were nonetheless billed to SBA. For example, he said some groups utilized the school’s food service and photocopy facility without prior SBA authorization. The invoices for these events were eventually sent to SBA, sometimes months later, throwing the group’s records into constant disarray.

Marriott, which operates the food service, has attempted to cooperate with SBA attempts to maintain spending controls. However, Marriott has no facility for keeping track of SBA’s financial accounts.

Dawn Hackett, director of the food service, described a stringent authorization system that had been in place until spring 1992 when SBA relaxed those controls. Since then, the food service has tried to accommodate student groups to the best of its ability, Hackett said, admitting that this can be difficult without guidance from the SBA.

“We don’t know a law journal from the finalized budgets,” Hackett said, adding that Fordham’s under­graduate student government has an expense authorization system that Marriott adheres to and that seems to have kept invoice misunderstandings to a minimum. In the interest of preventing a similar occurrence, SBA has this week revised the Official Request Form that had been utilized prior to spring 1992. Accordingly, any organization planning an event though Marriott will first obtain a cost estimate from the food service. SBA will then review the estimate, authorize it, and book the anticipated expense. SBA is also requesting that copies of invoices be sent to them immediately.

Michael Emanuel, SBA Treasurer, said he would inform the heads of student groups of the new authorization requirements when he announces finalized budgets which are expected to be completed soon.

“We believe these procedures will enable us to prevent any budget problems,” Emanuel said, adding that he still hopes to fulfill student groups at the same levels as last year. “Priority is still given to law-related events that benefit the most members of the Fordham community.”

Helping SBA in its attempt to meet the needs of this year’s students is the fact that both the Environmental Law and the Entertainment, Media and Intellectual Property journals, once partially funded by the SBA are now funded through the law school.

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California Sparkling Wines, Varietals and Such — p. 6

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Sonnett Lecture
Postponed;
Burger to speak
December 7

The annual Sonnett Lecture, scheduled to feature the Honorable Warren E. Burger on October 6, has been rescheduled for December 7 due to illness.

Burger, diagnosed with pneumonia, has been ordered by doctors to take a two-month hiatus from his schedule. Burger, who served as Chief Justice of the United States Supreme Court from June 1969 to September 1986, now serves full time as chair of the Commission on the Bicentennial of the United States Constitution.

Klausner
Gets Answers

Commentary

by Jeremy Klausner

For those of you who haven’t noticed, I’ve had some things to say about how the Law School is being run.

Well, things being what they are, people have had things to say to me. Happy to report, most of them have been positive. I’d like to hear some more opinions though, so, if you find me, my ear is on permanent loan. If not, drop a note in my mailbox – no death threats, please. (What I really want is a stack of ideas for this column.)

Deana Rivera and Feitck have already availed themselves of my open door policy, and I have promised them a little equal time in this issue. First, I would like to say that my comments are in no way meant personally. My criticism is not of anyone’s dedication to Fordham, but of how the law school is being run. We all have one goal – a better school.

My meeting with Dean Rivera was at length. Far too much took place for a transcript here. Suffice it too say that the Registrar’s office is working on many of its annoying deficiencies. Note the new computer- ers – definitely a step into the information age. Their largest problem remains unsolved, however. I ex-

Continued on Page 2
Letters

To The Editor:

Property, Torts, and Tolerance? Haven’t we learned by now to play nice and to have respect for other people’s things. I am responding to your cover story of September 21st regarding the vandalism to the GALLA bulletin board. I thought when I was accepted to Fordham Law School that my classmates would somewhere in their academic past have learned “respect and tolerance.” How terribly naive and idealistic of me to think that four years of “higher” education and a good LSAT score would weed out those so incredibly ignorant as to be intolerant.

The Advocate was correct in calling these incidents an attack on the whole Fordham Community. Every Fordham student is harmed by these infringements on GALLA’s rights to speak freely, to organize and most importantly to be visible. By allowing the vandal(s) to “drive GALLA underground” we would deprive ourselves of the valuable contributions this group has to offer Fordham. We are a community not just because we study together, but because we each have a vested interest in the success and security enjoyed by our fellow students. If one single student feels afraid to join GALLA because of the actions of one cowardly vandal, our “community” has failed to serve its purpose.

I commend The Advocate for giving this matter the attention it deserves, and thank Fred Bimbler and my suitemate, Andrew Richards, not only for their tireless dedication and courage, but also for their commitment to the enrichment of the entire Fordham family.

J. Christopher Biondo ’97
September 29, 1993

Hearsay

Important Schedule Note: Classes on Tuesday, October 12 will follow a Monday schedule.

The International Law Journal gathered at Kennedy’s over on West 57th Street. Law Review spies were spotted (they know a good time when they see one, we presume.)

SBA held its annual booze cruise on the appropriately wet night of September 23rd. The luxury steamer (diesel?) departed on time from South Street Seaport and circled the city with over 200 rowdy passengers on board. Steve Katz, SBA president, called the evening “a complete success.” The Baja is said to have been “still going strong” at 4 a.m. No arrests were reported.

“Love was in the air,” commented one unnammed reveller who made it to all the night’s whirlwind events.

The SBA wishes to alert all law students to two upcoming events: a comedy night at Caroline’s, and a beer and bowling night at Times Square (presumably in an alley).

Upcoming:

Fordham Law Women and the I.A.L.S.A. present former Congresswoman and Vice-Presidential candidate Geraldine Ferraro Tuesday, October 5, 6:15 pm at McNally Amphitheatre.

Fordham Law Democrats will hold a meeting on Tuesday, October 5 at 4 pm in the Student Lounge. New members are welcome.

LALSA Law Day will be held on Saturday, Oct. 9, at 9 am in the Platt Atrium.

The Advocate will hold a staff meeting on Wednesday, October 6 at 4 pm. in the Cafeteria to discuss editorial viewpoints, community service and possible social events. New members are welcome.

DEADLINE FOR SUBMISSIONS FOR THE NEXT ISSUE OF THE ADVOCATE: WEDNESDAY, OCTOBER 13, 5 PM

CORRECTION

In the Sept. 7 issue, we misidentified the Intellectual Property, Media and Entertainment Law Journal as the Entertainment, Media and Intellectual Property Law Journal. We apologize for this oversight.

SERVICE ANNOUNCEMENT: It’s no great secret that professors are required to post grades three (3) weeks after their final exams, but there are certain professors out there who don’t. Sad as it might seem, those grades are important to the students, especially in this job market. Some of us just don’t need the stress of waiting.

Moving right along, I also met with Dean Feerick. He assured me that he had taken no vacation this year. Instead he’s been busy raising funds, tending to his duties at the Bar, forging contacts, dealing with alumni, and hounding professors for late grades. I explained that my vacation analogy was only intended to tell Dean Feerick that he’s too busy doing other things to actually run the Law School. It’s difficult for him to make the trade-off because his outside activities are also very important to the Law School. But, at a time when the school is pressed for resources, I think Dean Feerick is one we can ill afford to give up.

As that guy who does the TV editorial says, “what’s your opinion? We’d like to know.”

THE ADVOCATE
Fordham University School of Law

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The Advocate is the official newspaper of Fordham Law School, published by the students of this school. The purpose of The Advocate is to report the news concerning the Fordham Law School community and developments on the legal profession, and to provide the law school community with a medium for communication. The Advocate does not necessarily concur with opinions expressed herein, and is not responsible for the opinions of individual authors or for factual errors in contributions received. Contributions are tax deductible. Address all letters, manuscripts, and blank checks to: The Advocate, 140 W. 62nd St., Fordham University School of Law, New York, NY 10023. Submissions should be made on disk in Macintosh Microsoft Word 5.0 or WordPerfect 5.1, accompanied by a hard copy. We reserve the right to edit for length.

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Commentary

Klausner Gets Answers

Continued from Page 1

plain. The current registration system works in such a way as to randomly discriminate against students at registration. All course preference sheets are placed into a box (believe it or not) and drawn out one at a time. Your courses will depend upon when your sheet is drawn. Dean Rivera has proposed a new system, but it has the same inequity. Instead of the preference sheet, you would be given a random time to register in person — again, those fortunate enough to get the early times would have a full selection of courses, while others would have foreclosed options. The Registrar is committed to change and we’ve got a new Associate Registrar in Ken Pokrowski. My sense is that he can revolutionize that office, if given the chance. But not alone. He needs to hear what problems students have with the Registrar in order to fix it. I’m doing my part...

I did promise Dean Rivera that I’d stop complaining about late grades and try to help him do something about it. Late grades are a pain in the ass for him too. (Please excuse my first amendment privilege.) So: PUBLIC
Professor Terry Smith

Professor Terry Smith - The Man, The Moment, but — not the Student

by Earl Wilson

"Sometimes when I dress casually like this," stated Professor Terry Smith, wearing casual pants with a blue jean jacket, "I am mistaken for a [Fordham Law] student." One of the newest and youngest Professors at our Law School has been, in fact, mistaken for a law student whether in or out of casual attire. Indeed, this Professor of Civil Procedure has a short yet distinguished legal career prior to coming to Fordham. After graduating from Brown Univ in 1986 & New York University in 1989, Professor Smith clerked for Nathaniel Jones, former general counsel to the NAACP, on the US Court of Appeals for the 6th Circuit. He then went to Washington, DC to work for Kirkland & Ellis for 3 years, practicing Commercial Litigation & Labor & Employment Law (Kirkland & Ellis is a Chicago firm with an office in Washington, DC). The above resume sums up to a total of 4 years in practice.

Before getting this desirable position here at Fordham, Smith had to overcome some standard hurdles in the interview process. First, he went to an initial screening by the hiring committee and then a callback. "The key point of the callback was a presentation that simulates a classroom setting," claimed Smith. "This is done in order to feel out the applicant’s scholarly interests as well as to determine how the applicant will fare in a classroom setting." After clearing those hurdles, the Cincinnati, Ohio native was offered the position.

"This is my first venture into teaching" the professor said, in describing his endeavor into the Law School arena. A member of the Annual Survey of American Law at NYU, Smith maintains that he knew all along that he wanted to be a teacher of law. "I made the decision to teach Civil Procedure because it dovetails my experience with the works, such as the production of a Yearbook of Women at Fordham, study breaks and brown-bag panel discussions, as well as "decades" panels, bringing together alumnae from different periods in Fordham’s history. "We want to focus on having women in the legal profession come and speak to students," said Donzis, and a Yearbook of Women at Fordham is in the works.

In addition, board members Susan Romero and Min Hee Park have revived Fordham Law Women’s mentor-mentee program, which has proven to be quite popular with both first-year mentees and mentors alike. The other board members are Elizabeth Puller, Kathleen Murken, and Karla Sanchez.

Although the group’s members are all women, Donzis emphasized that meetings are open to all. "Men can be involved in any committee, may become mentors ... We welcome help from any corner."
Do you support the North American Free Trade Agreement?

Compiled and photographed by Tracy J. Murphy

KEVIN CURRIN, second-year day - "I support it actually. Overall the impact is not going to be too great one way or the other. The people who are up in arms about it, like Ross Perot, are blowing a lot of smoke and don't have a lot of statistics to back up what they say."

KYRA FISHBECK, second-year evening - "That's a good question. I think I oppose it but I haven't heard too many arguments on the favorable side. I think it will take jobs out of the United States."

RICHARD MARRIN JR., first year evening - "I think we should have pushed the manifest destiny down to Panama to start with so this is something that's a long time coming."

JOON HUH, second year day, and YOUNG LEE, third year day - HUH: "I generally have a positive view about it. It seems like it will go through and I generally support it."

LEE: "I think its a good idea. Most economists think that it will probably be a good boost for the economy, or at least it wont hurt it."

HUH: "It wont hurt it but it wont be as big a boost as some people make it out to be. But it probably will overall help our economy. I don't think its going to be a solution for anything."

How to lie with statistics and other sucking sounds

A quick quiz for NAFTA critics. After the state oil company, PEMEX, name Mexico's largest exporters. This is an open book exam so feel free to consult your new hardcover from the diminutive economic jingoist Ross Perot - How to Lie with Statistics and other Sucking Sounds. Maybe the AFL-CIO's latest offering - Competition and Nine other Evils of Free Trade - might help. Give up? Ford and GM. Other important "Mexican" exporters include IBM, Motorola, Hewlett-Packard and DuPont.

NAFTA, a long way from ratification, didn't suck these companies South. The economics of trade barriers did. U.S. firms wishing to serve the explosive Mexican market moved to Mexico in order to avoid tariffs which, on average, are more than double what a Mexican exporting to the U.S. market pays. Additionally, U.S. sales - worth $40.6 billion in 1992, the third largest market for U.S. goods - to Mexico are restricted by such non-tariff barriers as import licenses, arcane product standards, poor patent protection and vari-
cartery showing the winners and the losers (Jamie Bernard 0 for 4). Everyone body wins with free trade.

The United States legislature used to know this. American Governors still de 41 of them support the NAFTA, including every single border state Governor. Being held directly account-

able for the fortunes of their States, these leaders know all to well the benefits of open markets.

For most of the postwar period America led a global liberalization of trade. This made us and those we traded with, rich. Those on the Bronx side of the North/South divide shel tered their economies into competition and choked foreign investment.

The same zero-sum notions which led many developing countries to national isation, are currently vogue in our capital and have never left our labor unions. Doesn't the UAW appreciate the benefits it's members are poised to gain when Mexico - ranked as the world's fastest growing car market - eliminates its 13% tariff against auto parts?

Peter Mortici, professor of econom ics and director of the Canadian-Am e rican Center at the University of Maine is dumbfounded. Writing to Foreign Policy, he says: "For decades, Americans have been preaching, nagging, and cajoling Latin Americans to open their markets to U.S. goods and investment and let market capitalism and entrepreneur ship transform their societies. More than any other figure, [Mexican Presi dent] Salinas personifies the new pro资本主义 economy. The same zero-sum notions which led many developing countries to national isation, are currently vogue in our capital and have never left our labor unions. Doesn't the UAW appr eciate the benefits it's members are poised to gain when Mexico - ranked as the world's fastest growing car market - eliminates its 13% tariff against auto parts?

How to lie with statistics and other sucking sounds

vented money and let's see some of your firepower and let's see some of your electronic town hall, Mr. Presi dent, for a while.

Allied against this reality are the hysterical (often union) fears of U.S. manufacturing being lured away by cheap Mexican wages. For now, their anxieties are already longstanding. Even back in 1984 one researcher estimated that the world's fastest growing car ma rket - eliminates its 13% tariff against auto parts?

However, the Smoot-Hawley Geaphardt Congress, running scared to avoid losing protectionist PAC money, hastened the collapse of the GATT. NAFTA doesn't make it easier for U.S. producers to set up shop in Mexico; it's already easy to move there. Indeed, NAFTA allows U.S. companies to stay home and export more products South. The Big Three auto makers, for instance, estimate that their exports of vehicles will jump from 1,000 to 60,000 in the first year of NAFTA. This is because the current 20% tariff Mexico levies on autos is to be halved immediately, the remaining phase-out a few years later. This means a $10,000 U.S. made car would gain an immediate $1,000 price advantage over a comparable Japanese car sold in Mexico.

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American productivity (output per worker) is around five times that in Mexico, according to The Economist. So the American worker gets paid five times as much as his Mexican counterpart because he produces five times as much.

Yet many continue to fulminate against the agreement. Their arguments are pathetically zero-sum: The more Mexico produces, the less the U.S. will produce; the more foreign investment for them, the less for us. Here is where the \"best\" economists present their numbers to engage in this statistical a\' la

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Keeping A Positive Attitude in a Changing Job Market: Dean Feerick Discusses the Challenges of the '90s

by Kathleen Murren

At this time of year when it is more likely to see students running around with briefcases and anxious looks than with the usual ripped jeans and T-shirts, the foremost question on the minds of the unemployed is no longer what area of the law do I want to practice in, but is anyone out there still hiring?

It isn't comforting in the least to recognize that the downsizings and layoffs which have taken place in the private sector over the last few years may have long-term, restorative effects for the profession. Nor is it helpful to hear that "don't-worry-honey-everything-will-work-out-for-the-best" speech that parents love to give.

What law students want to know is whether there are any job opportunities left, and if there are, how we may take advantage of them.

The Advocate spoke with Dean Feerick on the subject to get a more prescient perspective.

What job opportunities are available to Fordham law students upon graduation?

The profession is at a crossroads. On the positive side, it is a great profession with many opportunities to serve the public locally, nationally and internationally. New opportunities are opening for lawyers of language facility in the international arena and for lawyers of technical facility in the intellectual property, environmental, and health fields.

There will more opportunities for lawyers in such areas as mediation and arbitration since courts are overloaded and clients want other means of resolving disputes. Similarly, other disciplines are accepting members of the Bar into their ranks for the added dimension lawyers can bring to their organizations.

How do you reconcile the layoffs and downsizings that have been taking place in the large firms with the plethora of new opportunities that you describe?

There has been a great deal of concern expressed by the public about lawyers their ethics, their commitment to serving the public, their trial and negotiating practices, their civility, their litigiousness, their professionalism. It is not surprising that the legal profession is being called to task for its behavior.

What should we learn from this reaction by the public and what can we do to improve the current negative perception of lawyers?

Lawyers who choose to represent fee-paying clients will need to be far more conscientious about the cost-effectiveness of the services rendered. Clients are no longer willing to pay high legal fees and have greater expectations that their lawyers will be extremely cost efficient. Lawyers who fail to heed the criticisms of recent years will find themselves losing clients and job opportunities as well as being admonished by courts and disciplinary bodies.

Is there anything we can do as young lawyers to help ensure a rich and satisfying career?

Cutting through all of this is the need for lawyers to care about their profession: competence, commitment and conscience are at the cornerstone of the caring to which I make reference. For lawyers who possess these three "Cs" in large doses there will be opportunities in every field of law and, for that matter, in government, business, and academia.

Despite all the problems, and except for tuition, there continues to be every reason to study law and become a lawyer. A legal education illustrates to society a person's commitment, persistence, intelligence and strong analytical abilities; it is a degree that commands respect throughout society. It is important to remember that with that respect comes a duty to adhere to an even higher standard of professionalism. The challenge for all of us is to not lose sight of the fact that we are part of a very important calling. What that means to me is that the law and the practice of the lawyer will continue to have a significant role in our society despite the failures of some lawyers and despite the difficult job market.

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The Advocate • Views • October 4, 1993
neither noticed the vast range in quality that appears in different French

**Sparkling Wines**

California is now making some very nice sparkling wines. To name just a few of these wines, California vintners usually em-

**Red Varietals**

California primarily produces four major red wine varietals and also pro-

**White Varietals**

There is nothing like a good glass of

**Merlot**

Merlot is the second most common red grape in Bordeaux. Like the Cabernet, it has a strong fla-

**Sauvignon Blanc**

Last year I said that I

**Chardonnay**

Chardonnay is the

**Reisling**

There is a flood of Chardonnay on

**Zinfandel**

I sometimes need a quarter cen­

**Chardonnay**

The problem is that you
can never find more of it. I have

**Cabernet Franc**

Merlot is the second most common red grape in Bordeaux. Like the Cabernet, it has a strong fla-

**Cabernet Sauvignon**

California Cabernet Sauvignon:

**Gamay**

The Gamay is the main grape used to make red Beaujolais. I gener-

**Cabernet**

The Cabernet is not only the principal red grape in Bordeaux of the region, but it also is the most common red varietal in California. Cabernets are usually

**Pinto Noir**

This is another varietal to look

**Pinot Noir**

I have been disappointed with the Merlot options from California. At the low end of the market, I have never

**Chardonnay**

There is a flood of Chardonnay on

**Sipid**

There is nothing like a good glass of

**Gamay**

The Gamay is the main grape used to make red Beaujolais. I generally find that red Beaujolais is a

**Pinot Noir**

This wine is at its best when it is

**Pinot Noir**

Pinot Noir at the end of the rainbow. I used

**Zinfandel**

Zinfandel: My last column dis-

**Chardonnay**

Chardonnay is the principal grape of white Burgundy, the

**Sauvignon Blanc**

The Sauvignon Blanc is the main white grape from

**Cabernet**

The Cabernet is not only the principal red grape in Bordeaux of the region, but it also is the most common red varietal in California. Cabernets are usually

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Pinot Noir at the end of the rainbow. I used
Musical Notes

Tunes to Party By

by Lisa H. Greene

Six weeks into the semester and you're starting to lose steam already? Haven't you heard? It's a marathon, not a sprint so pace yourselves people, we've got a long, strange trip ahead of us.

Speaking of trips... there's nothing better than some great music to make it all go just a little bit better. Remember, we're still in New York, the original Fun City, so let's have some! That Short Memo will still be there when you get back.

For those who already have a life (not to mention a job), here's some music you can really party by... Enjoy!

Donald Fagen's latest release, KAMAKIRIAD (Reprise Records, 1993) is simply a great album. "Instant classic" are two words music lovers seldom string together but these are the kind of songs that will make even the most lethargic law stud get up and move to the music.

Fagen uses his opening track, Trans-Atlantic Skysway, to set up his story but it also works to lure the listener into staying with the album for the entire journey with a great beat and a funky sound. Every song on this album is worth a listen, but Springtime may be the best of the lot. It's upbeat, easy to follow and the lyrics are witty yet still breezy. Also check out On the Dunes and Tomorrow's Girls for more awesome music. Fagen's new-found energy will truly take your breath away.

Teahouse on the Tracks is a killer song that wraps up Fagen's rock version of the Odyssey. It's over you're left wanting more.

This is one album you'll want to keep playing until you've either blown out your eardrums or until your roommate smashes your CD player, whichever comes first. Consider yourself warned!

If you're a Sting fan and you haven't given his latest album, Ten Summoner's Tales, a try, think about it. Many Sting fans have been turned off by his recently manifested weirdness but his efforts to recapture his mainstream listeners (he opened for The Dead last summer, remember?) seem to have paid off with this release.

These are good, rocking songs that happen to be great party tunes. If I Ever Lose My Faith In You has certainly been overplayed on New York radio but it's still a good listen. Even better is Heavy Cloud No Rain, an upbeat, musically diverse song that mixes Sting's strangely romantic voice with various tempos. Don't overlook She's Too Good For Me, a song with great lyrics and perhaps a trace of the artist's modesty absent from his other work.

Sting always had a gift for the ballad and Fields of Gold reinforces his command of the genre.

Ten Summoner's Tales is a good, solid album that goes far to putting Sting and his music back into the hearts and souls of music lovers.
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