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Ward Wins SBA Presidency in Close Race

by Michael C.H. Barnas and Nick Karambelas

Laura Ward, captured 33% of the ballots; and expected Valdespino to carry the election. Nevertheless, when the campaign, which some observers had termed too close to call, ended, Ward had won by more than a 60 vote margin.

Global Graduation at Damrosch First Choice But Arrangements Weather Site

In addition, her ticket's candidate for Treasurer, Jim deWindt, was also elected by the widest margin in this year's contests. deWindt captured 303 votes, or 50.5% of the ballots voted for his office. deWindt thus became the only new Executive Board office to take office with a clear majority at the polls. deWindt's closest competition was Alice O'Rourke, who drew 188 votes for 31.33% of the total. B.J. Douek placed third with 109 ballots, or 18.17%. In the Vice-Presidential race, Jack Hicks re-

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EXTRA

The Student Newspaper of Fordham Law School

Laura Ward

"Orals-Only" Moot Contest Held by ABA

The American Bar Association, Law Student Division, is sponsoring a national moot court competition known as the National Appellate Advocacy Competition. This is an orals only competition. There is no brief required. Regional competition will be held during the third week of March. This competition is designed for those who want to have the experience of oral advocacy competition but who cannot afford the time and expense of a detailed brief. There will be a sign-up sheet outside the Moot Court Board office. Those interested should sign up before Tuesday, February 8.

Separate Graduation Planned Despite University Edict

Despite a mandate from Rose Hill, the Class of 1977 will hold a separate Law School graduation at Damrosch Park on Monday, March 30. The bad weather site is St. Paul's Church.

The New York Hilton was the first choice but arrangements were not confirmed in time.

The decision to hold a separate Law School graduation was made despite a memo sent to Dean Joseph MacLaughlin from Dr. Paul Reis, Executive Vice President, stating that the Law School graduation would be held at Rose Hill along with the rest of the University.

According to Brian Sullivan, SBA President, the Law School will definitely have its own graduation ceremony. A speaker has not yet been chosen.

Rose Hill Overrides Law Profs, Vetoes Tenure for Humbach

by Peter Shawhan

Professor John A. Humbach has withdrawn his application for tenure after being told that Rose Hill would probably veto the application. The Law School faculty had already voted to grant Humbach tenure. According to Dean Joseph McLaughlin, the University administration decided that the Law School had too high a proportion of tenured faculty. Humbach's appointment became terminal upon the withdrawal of his application. He will be leaving Fordham, at the latest, by the end of the next academic year. He has not yet accepted another position.

"If feel that Rose Hill's tenure policy, rather than my personal qualifications, was the main issue," Humbach said. McLaughlin said that while the Law School exceeded the University's general guidelines for proportion of tenured faculty, the School had been implicitly exempted from these guidelines in the past. "We have been arguing the tenure issue in the abstract for two or three years," the dean added.

Associate Vice President for Academic Affairs Rev. William C. Bier, S.J., said that the need to preserve flexibility in faculty appointments was the principal factor behind Rose Hill's action. "We have to be able to keep some positions open so that we can meet the rapidly changing requirements of education," he said.

"The Law School is well above the percentage of tenure in the University as a whole. While only 60% of the University faculty has tenure, 74% of the Law School faculty has tenure. Most of the other schools in the University have several faculty ranks, including instructorships. The Law School is the only division of the University with only two faculty ranks."

"It's true that denying tenure to a qualified professor may deter some talented people from coming to Fordham," Bier continued. "This is one of the implications of a highly tenured faculty that can't be avoided. But, you have to hold thine somewhere."

In an interview, Humbach expressed regret at leaving Fordham. "There are a number of people who have made Fordham Law a very attractive place to be," he said. Humbach has been popular with the student body, as is reflected by the unusually favorable ratings given him in the 1975-76 student evaluation of the Law School faculty. "I'm very disappointed in the turn events have taken," said McLaughlin. "We're just starting to look for someone to replace him."

Humbach received his law degree from Ohio State University, and did graduate work in the law at the Parker School of Foreign and Comparative Law at Columbia University. He has taught courses in property law and landlord-tenant law at Fordham since 1971. He has also assisted the Committee on Housing and Urban Development of the New York State Senate in drafting legislation.

Humbach is the author of numerous articles, including one recently published in the Fordham Law Review. He is also working on a case book on Landlord and Tenant Law.

Law Women Announce Spring Events

by Nick Karambelas

The Fordham Law Women has announced its schedule of events for the Spring Term. The F LW is a service organization which focuses on problems confronting women and the law.

The Metropolitan Law Women is sponsoring a one-day seminar on women practition- ers in government, labor law, criminal law and other major areas of law, at Fordham Law School on March 5 from 9:30 to 5:30. The keynote speaker will be Sheila Birnbaum, Professor of Law at Fordham. A wine and cheese reception will be at 4:00.

The Regional Conference on "Women and the Law" will be Continued on page 4
Absentee Landlords

Through its financial crisis, New York City learned a bitter truth—that municipal home rule is largely a politician’s fiction. Similarly, through the ostensible fiscal crunch at Fordham University, the Law School is learning that self-determination is a fiction here, too.

The faculty of this law school voted to give Professor John Humbach tenure. The absentee administration at Rose Hill decided that the Law School had enough tenured professors. Seeing his cause lost, Humbach withdrew his application.

It is not enough to say that law schools generally have a higher proportion of tenured faculty than other units of most universities, and that Fordham should not apply its tenure guidelines to the Law School. For this year has also been the first time that a tuition increase was unilaterally imposed by Rose Hill, without the traditional consultation with the dean.

Whether by design or by coincidence, the University administration is exercising an ever-increasing amount of control over the affairs of this Law School. This overextension has reached absurd proportions when the University tells its most profitable branch that it cannot afford another tenured professor.

Yet thus far, the faculty has shown remarkable indifference to this arrogation of its prerogatives. We do not entirely support the mechanism by which the Law School decided that Humbach should have tenure. The vote was one of the assembled faculty. While the faculty should rightfully possess the dominant voice in such decisions, the process should have included student input. Who but the students can accurately assess a candidate’s performance in the classroom? And classroom performance is a vital factor in determining whether to guarantee someone a lifetime position in a teaching position.

Happily, though perhaps coincidentally, the faculty vote this time agreed with student reaction; Humbach’s ratings in the last faculty and course evaluation were unusually high. Moreover, the decision was made in the right place—within the Law School itself.

So now, both the largest constituencies in this school should feel offended—the faculty and the students. For once, these two groups should make common cause to see that the University restore to the Law School the control of its future. The faculty should seek the restoration of its traditional powers, the students to stem the outward flow of bright young professors.

But will they? Fordham University imposes far too high a tax on this school for the use of its facilities. And at this point, there must be some question as to who basks in whose reflected glory. Now they seek to extend their control even further.

We hope the faculty realizes the imposition that the Administration is making upon them. We know the students already have.

A New Year

With last night’s announcement of the winners of the Executive Board elections, a new year has begun for the Student Bar Association. This year, The Advocate made no endorsements. Instead, we devoted the space such an endorsement would take to extensive interviews with the presidential candidates.

We hope that in making their choice the students who voted considered the statements by the candidates in these pages. We are sure that those who did review the statements found, as we did, that all three presidential candidates presented roughly equivalent plans and qualifications.

Their platforms, unfortunately, spoke only in terms of measurable accomplishments, not in terms of principle.

None of the candidates—particularly those for the presidency—had chosen to define the role they intended to play in dealing with Rose Hill or the Law School administrations. Rather, they chose to ignore this political function, or to talk of it only in general terms, while stressing the practical service-organization aspects of the SBA.

The SBA must, of course, function on a practical level as well as a political one. The nuts-and-bolts work of providing student services, however, can and often must be delegated to class officers and SBA committees. But Executive Board officers—particularly the President—have a mandate other officials do not. They are elected representatives of the entire student body, and as such must go before the deans, the vice presidents, the keepers of money and power and exert what influence they can to affect the policies of the School and of the University.

The very name “Executive Board” implies a policymaking function. But the policies with which they must be concerned are not only those of the SBA, but of the School.

The day is past when students—especially professional and graduate students—can allow their future to be placed solely in the hands of teachers and administrators. We are intelligent, rational men and women, no more and no less than those who teach us or run our school.

We come here to learn from them, to draw on their knowledge and experience. But we come by our choice, to seek what we need from them; in fact, we literally hire them to teach it to us.

The proper relationship between a school’s faculty and its students or their representatives is not one that can be based on hostility and arrogance by students. But neither is it one that can be based on arrogance and aloofness by its staff—or by the administration of a parent university. It must be one based on communication and mutual respect, between consumers and providers. In establishing such a relationship, perceptive and politically astute student representatives are absolutely essential.

We wish the victors in this election well, and hope that their administration will be a successful one. But we remind them that they have a mandate from the students, from those whom they are elected to represent. They must carry the message that this or any school exists for one thing—to serve the students.

While they must administer continuation of the services that the SBA provides directly, they must not forget that they and only they can serve a function which no committee can.
Discro Lounge: One of America's Top Discothecues

by Bob DiGiacomo

Now forewarned, several days may go by before the dancers decide to get up and get down. There is no one to boogie with, so the bleak fever hits, it is the ultimate vicarious kick to sit there and observe, maybe even pick up a few disco pointers along the way.

A word about the dancers. These folks are the best at what they do. No improvising, no unnecessary contortions, no wasted energy. Every move is perfectly choreographed to every song on that box. While I admit to having a terminal case of uncoordinatedness, I can practically emulate their physical and musical perfection. There is still only one rationalization I can conjure for them to be able to dance so well. It seems obvious to me after a few numbers that these boogie bands actually must have spent away for that record.

Being a Fourth Grade dancing school flunk-out myself, by suggestion that these dancers develop a new dance which will probably go unheeded. But I would still like to see them attempt, not the Bump or the Hustle, but the Anjou Two-Step (cf. 94. N.E. 36). All this would entail would be to buy a banana, eat it (optional), mash the peel up a little bit, and throw it down on the dance floor. Then they'd step on it, slip, fall down (all in time with the music of course), get up and repeat the process over and over again.

Then when the music stops, and they've all slipped their discs, all of us law types come away for that record.

In a recent unreported Supreme Court case: Job Opportunities Limited v. Fordham Freddie, the trial judge delivered the following opinion:

It is the law of our state that while the burden of proof is always on the plaintiff, the defendant may be proving a prima facie case that provision has been made for an individual to get up and get down. We cannot agree.

We congratulate the new members of the Executive Committee and wish them success in their efforts. I regard it as an honor to have served as SBA President. I have enjoyed the job very much and I thank the entire student body for giving me the opportunity to hold it.

There are many people whom I wish to thank for their help during the past year. I will thank each of them personally in the next few days. I would like to especially express my gratitude to Karen Luppé, who has served as SBA Vice-President this year. Karen has given many, many hours to the concerns of the student body and has been particularly effective.

I congratulate the new members of the Executive Committee and wish them success in their efforts. I regard it as an honor to have served as SBA President. I have enjoyed the job very much and I thank the entire student body for giving me the opportunity to hold it.

If you've never seen this television commercial before, I'll try to describe it to you. People who appear to be American Bandstand students are dancing effortlessly across a parquet dance floor. A semi-psychodelic light show punctuates an anonymous disco beat playing in the background. Everyone is having a terrific time.

Suddenly, a husky male voice interrupts. "You're just entered one of America's top discotecues. Go ahead! Do the cha-cha!" The camera pans to two people, one of each gender, neither of whom are dancing. They both look positively miserable. The husky voice rises incredulously, "What? You mean you can't do the hustle?"

Well, okay, you get the picture. The gimmick (the real hustle) is to push a learn-by-recipe disco dancing course, the idea being that if you can't boogie properly, you might as well become a Trappist monk. Before you take your celibacy vows though, you might consider a less drastic alternative.

Dozens of law students have already heard the way. Every lunch hour, they are gravitating over to the cafeteria in the Lowenstein Building, affectionately known by its denizens as Disco Lounge.

If the faculty and administration at this law school in the past. But students must be willing to put some time and thought into the areas that concern them. This will require them personally in the next few days. I would like to 2048A, 140
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The annual student phonthon will be held on three separate evenings beginning tonight. On February 3, 7, and 8, between 6:00 and 9:00 P.M., volunteers will be calling Law School alumni to raise money for the Law School.

Former SBA Secretary Peter Fallon is coordinating this effort, which will be held in the Development Office at Lowenstein. Students are still needed to man the phones for all three nights. Any student wishing to volunteer should contact his class officer or Peter Fallon.

As in the past, sandwiches and liquor will be served to the volunteers, so both money and spirits will hopefully be raised.

Last year's efforts raised over $16,000, which was applied directly to Law School rather than University needs. Proceeds are used to fund the Law Review and the Urban Law Journal, among other activities.

Members of the staffs of those reviews will man the phones themselves on several additional nights.

Meet exciting people! Go exciting places! See your name in print! You can have this, and much more as a staff member of THE ADVOCATE!

JOIN THE ADVOCATE NOW by stopping into our office any Wednesday from 9:00-11:20 A.M., or leaving a note in our box in the SBA office.

Continued from page 1

held at the University of Connecticut School of Law, New Hartford Campus on February 5 and 6.

Linda Fairfax, Head of the Sex Crimes Unit in the Manhattan's D.A. office, will speak on "Prosecuting Rape Cases" in the Student Lounge at 5:30 on either February 7 or 14.

The National Conference on "Women and the Law" will be held on March 25 through 27 at Madison, Wisconsin. The FLW is hoping to send one or two delegates to the conference.

A Women's Rights Clinical has been instituted this semester at the New York State Human Rights Commission. Students will be working on the Pregnancy Task Force which was created as a result of new New York court rulings. The FLW has sponsored a pamphlet entitled "Self-Defense for Women."

For further information, contact Pamela Kelley (2B) at 857-4389.

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