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Southern Methodist University School of Law

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THE ADVERSARY

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

Vol. 4, No. 2

DALLAS, TEXAS

October, 1971

So Your Child Wants To Be A Lawyer!

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Dear Parent,

How smart of you to write for this instructive pamphlet, compliments of your local bar association. It is full of information on the world that awaits your child when he (or even she) chooses law.

First, we should tell you that the world has changed during the last half century--indeed it has. Today there are many--count them: one, two, three, four, many--ways to be a lawyer. Today, lawyers look and sound like everyone else--well, almost. We find them in all sorts of interesting places and doing all sorts of interesting things. For example, your little boy (or even girl) can some day become an:

ESTABLISHMENT LAWYER. Sound impressive? It is. The establishment lawyer works in a beautiful office where he helps beautiful people get and keep beautiful money to make themselves even more beautiful. To help him, the establishment lawyer has a beautiful secretary (often called a "girl" but not to be confused with your little girl, dear parent). The beautiful secretary brings her lawyer coffee every morning, Alka Seltzer after every lunch, and Excedrin at exactly 4:00 each afternoon. The establishment lawyer gets very rich whether he likes it or not, but usually he likes it.

Or your child can be a:

POVERTY LAWYER. The poverty lawyer has all the headaches of the establishment lawyer and none of the benefits. He even has to get his own coffee, and he can't afford Alka Seltzer, Excedrin or a secretary. But in exchange for his sacrifices, the poverty lawyer feels relevant. Secretly, he believes there should be a redistribution of goods and services in America, but not if he has to give up his MG and his rent-controlled apartment.

Or your child can be a:

CRIMINAL LAWYER. You hardly need to know any law to be a criminal lawyer. You just have to know two words--due process--and be able to convince a judge that for some complicated reason your client didn't get it this time around. That's been real easy to do lately.

Or your child can be a:

THEATRICAL LAWYER. A theatrical lawyer is an establishment lawyer with charm. The main difference is that the theatrical lawyer's clients make their beautiful money by writing beautiful movies and plays about sex and revolution and the evils of selling-out to beautiful money (except by writing beautiful movies and plays--that's OK).

Or your child can be a:

RADICAL LAWYER. The radical lawyer must know how to be convincing when he complains to the TV cameras that the government is unfairly persecuting his clients--the Weehawken 11--simply because they capsized the State of New Jersey into the Atlantic. The radical lawyer must also have good contacts among theatrical lawyers when it comes time for his clients to make some beautiful money by writing books about revolution in America and the dangers of selling out.

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Are You Running With Me Dean??

The Deanship of any law school is a unique and prestigious position. Such a position requires consummate skills in education, administration, and public relations. The SMU Law School is indeed fortunate to have a man of recognized competency in all these fields. Dean Galvin has received much prestige as a result of the academic and professional growth of this law school, and has returned such prestige by being appointed a member of the President's Commission on Marijuana and Committee to Revise the Tax Structure. The relationship between this man and the law school is indeed an enviable and workable one. As most 2nd year students know, the Dean is also a teacher of no little merit in a field in which he is a recognized authority. That a man with such great responsibilities would keep up connections with the student body by applying himself in an academic endeavor is admirable. However, there has arisen a conflict in roles.

Due to his commission responsibilities, the Dean will not be able to carry on his Tax Class for three consecutive weeks. After his return, these classes will be made up in 2 1/2 hour sessions on successive Saturdays. This in itself is not an oppressive hardship and a minimum of foresight by the student should enable him to keep up. However, Tax Law is not the legal discipline that lends itself to this kind of studying. The statutory interpretation that is essential to this field of study needs direction to achieve some sort of workable knowledge of the code. This direction has been hampered by the size of the class the Dean teaches (only one section offered of this required course). It may be lost altogether by the end of the next three weeks.

Provisions to alleviate this situation, such as attempting a second early evening class period and narrowing the scope of the problems to be covered, have already been implemented; but more are needed. Special tutoring and extra expanded sessions may be necessary to prevent a potentially disastrous situation for students unable to cope with this brand of self-induced education. It hardly seems possible that the Dean would expect to cover the large amount of intricate material in the small amount of time allotted, even in his schedule allowed him to teach full time. To cast a student adrift in the statutory mire that is Tax Law without any instruments of navigation may be a trip from which many will be unable to return.



MANAGING EDITOR'S NOTE:

The Adversary is a non-profit publication receiving its supporting funds from the SBA. The SBA has allotted \$750 to the Adversary for the year. In order to maintain publication twice each full month of school the Adversary must seek additional funds from the sale of advertising space. Advertisements must be submitted before each copy deadline, in the form preferred for printing, and will cost \$2.00 per column inch.

Dear Sirs:

I would like to thank Mr. Stuart I. Anderson for making me face the reality that such reactionary and anachronistic ideas as his still exist (see Anderson, "Minority Recruitment," The Adversary, Sept., 1971). It is disheartening merely to know that such is the case; however, to accept the idea that such thinking (READ: lack of thinking) flourishes within the confines of a law school approaches depression.

When Mr. Anderson calls the law school's decision to award scholarships to minorities "our charge into the brave new world," he portrays himself as somewhat of an antiquary. Where was Mr. Anderson when most educated people finally realized that for years they had forced the Blacks into totally inadequate and altogether inferior schools, then tested them and exclaimed, "Aha, you scored 15 points below the White mean!" Along with this academic need for testing, there has sprung up a psychometric obsession in our society that classifies minorities as inferior and inhibits their accessibility to higher education. With less than 3% non-Whites studying for the JD degree, if one desires to criticize our law school's admission policy, it certainly shouldn't be for its

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THE ADVERSARY SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

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Letters from readers are encouraged. Each must not exceed 250 typewritten words. The Adversary is published biweekly on Wednesday and copy deadline is the Wednesday noon preceding each printing. Views offered are not necessarily those of the paper.

Contd. from page 1--DEAR PARENT



Or, finally, your child can be a:
LAW PROFESSOR. The law professor is very erudite and has lots of free time to write scholarly 12-volume treatises on theories of incest in seventeenth century Vermont. He also writes law review articles with two footnotes for every single word. At the end of the year, his salary is paid at the rate of \$1.98 per footnote. Although he doesn't have to do much teaching, he absolutely must be able to ask a lot of questions--to which he need know no answers, only other questions. He can't understand how anyone can be any other kind of lawyer, which is fine because no one else can understand how anyone could be a law professor.

Finally, dear parent, feel free to write for any of the other pamphlets in the "So Your Child" series, including So Your Child Wants To Be A Butcher, So Your Child Wants To Be A Fire Engine, and the new one, just out this week, So Your Child Doesn't Want To Grow Up.

(Written by Stephen Gillers, Assistant Editor of Juris Doctor, and taken from April, 1971 issue of Juris Doctor.)

★ ★ ★ ★ Number Four Makes The Journal ★ ★ ★ ★

Got a letter today from the Dean; got one yesterday from both law journals--saying congratulations on your outasight grades. One month earlier I, too, was a snivelling, grovelling, paranoid, neurotic, first-year law student. But today I am a legal scholar. Says so right in the letters. I have so exhibited the expertise and the ability to apply that expertise, that I am a prime, Grade A, U.S. inspected candidate for law review. And, hot damn, I'm invited to the Dean's house! Yessir. Not only that, but we get free beer for refreshment on a school night. Good god a' mighty, I'm a success. I'm puttin' this on my resume right now. Let's see, "... starting salary, of course, is expected to be commensurate with my legal skill, acumen, and instinct for the jugular vein as exhibited by my position and participation on Law Review...."

- Later That Evening
at The Dean's House -
Holy, kiss my locus in quo, I have never seen such an assemblage of analytical reasoners. We got deans, sub-deans, quasi-deans, full professors, sergeant major professors, not to mention editors-in-chief, notes and comments editors, leading

articles, research, managing, associates, maybe a couple of ambassadors and the Pope. And, good Lord, me and the other invitees. I can't stand it! Here comes the Dean.

"Hello, I'm the Dean."
Guy's awright. A regular fellow. Here comes the Pope.

"Dominoes nabiscos and congrats on your far out grades."

"Thank you Pope." Here comes a covey of editors.

"Hello, we're editors."
"Nice to meet you editors; I'm number four in the class."

"What's your average, son?"

"87, but that's without cans."

"Ah, yes, 87, that rings a bell. I'm terrible with faces, but I never forget a grade point average."

Next on the itinerary is a pitch from each journal to get volunteers, delivered primarily by a couple of genuine full bird, scramble edged professors and assorted editors. Decisions, decisions--do I want a journal that's long on international readers or one that satisfies. Everyone knows the Fifth Circuit dockets its cases around the accessibility of the latest is-

sues of Southwestern.

"Hi, I'm number four in the class. Which journal are you choosing?"

"Any one I want. I'm number two."

"Really!? What's your average?"

"104.69051."

This guy must've used cans. I can't believe....

"What'd you get from the Colonel?"

"51, but I've got an appointment to discuss it with him May 1, 1974."

"Good, well hang in there number two."

Whooo-ie! That guy must've really burned on his other exams....

I hate to see this night end. I feel like I've developed some relevant and meaningful relationships here. What's this...?

"Haw, haw, g'night Deanie; yee haw, les go get some "Ripple" an' celebrate this awspishus occasion."

My goodness, some of these invitees are getting quite rambunctious. I guess I'd better go. I had no idea legal scholars could be so boisterous.

"G'night number four/87 g.p.a.; glad to have you aboard."

"Thank you, g'night."
"G'night number four/87 g.p.a.; good going on your

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Summer Internship:

by Dick Grisham

Curriculum reform is much talked about these days. Articles are written, conferences are held, reports are issued. And increasingly frequently something is done about it. Harvard has no required courses beyond the first year now. Yale allows selected students to spend the entire third year away from New Haven in approved legal work. Stanford is developing a two-year curriculum. SMU's thinking in this regard has been at best skeptical and hesitant. But there has been some movement in the right direction, and it deserves notice and approval.

This past summer, as part of a criminal law internship set up by Professor Bogomolny, I worked in the office of the Public Defender Service in Washington, D.C. The position was largely unstructured, and I was allowed a great deal of freedom in defining my role. Consequently, I was able to observe the criminal law from a number of vantage points. For example, I sat through oral arguments in two cases before the U.S. Court of Appeals for the D.C. Circuit --one an appeal of a contempt conviction of Phil Hirschkop, an activist Washington lawyer whose defense work did not square with the lower court's view of courtroom decorum; the second case involved the government's appeal of a lower court's refusal to permanently enjoin publication of the Pentagon papers in the Washington Post. As my time allowed, I sat in on the jury trial of some people who had been arrested during the Mayday protests.

The greatest part of my time was spent doing research on the juvenile courts. I sat through numerous detention, trial, and disposition hearings. I talked with judges, defense lawyers, prosecutors, social workers, and policemen as well as a number of people working in social welfare agencies. In short, I got a fairly good view of what justice means for juveniles in D.C. It isn't a pretty picture, but that isn't the point here. The point is that I learned how the law operates on one class of real live people. I saw it function smoothly sometimes, but more often wrenchingly. I got some idea of what a defense lawyer's work is really like. And lest the traditionalists be concerned, I learned a lot of black letter law.

Classroom and library work is one way to study law. But it is not the only way. That seems a simple enough proposition, but SMU's resistance to it is substantial. My own experience leads me to believe that clinical work and field work are more valuable educationally than much of the classroom work law students endure for 3 years. Should SMU continue its resistance to this kind of thinking, the likely result will be an inferior and inadequate education for the student. And for \$6,000, perhaps he deserves something better.

Contd. from page 2--LETTERS

courageous attempts to attract minority students. How does it come about that the one institution that is supposed to be the gateway to opportunity, the university, is the very one that is most effective in perpetuating inequality?

I can only take hope in the fact that Life's inevitable Plan calls for the passing on of the Old to make room for the New. Bon Voyage, Mr. Anderson!

Vincent L. DeBiase

FORUM:

ANDERSON ON WELFARE

Like most programs that evoke the enthusiasm of my liberal friends, welfare in the United States is both unproductive and terribly expensive--a truly heady combination. For those who complain about welfare, liberals do suggest a reform. Or should I say THE quintessential liberal reform; federalization and, of course, more money. On the other hand, conservatives are quite dubious about the ability or the desire of the "welfare corps" to husband taxpayers' money, so they have long been clamoring for stricter controls along with thorough investigations to both deter and extirpate corruption. So the issue is joined.

New York State, due in no small part to its increasingly successful Conservative Party, is having the most uncharacteristic flirtation with sane government. Governor Rockefeller, who has always felt that you certainly don't need a weatherman to know which way the wind blows, has encouraged a more than willing state legislature to pass a welfare package that Dr. George A. Wiley of the National Welfare Rights Organization (\$6,500 for four or fight!) has termed "brutalizing." Two requirements of this package are especially praiseworthy; first, a new office of Welfare Inspector General has been established to root out fraud, and second, instead of receiving their welfare checks automatically by mail, those welfare recipients deemed employable must personally call for them at state employment centers where a clear and present danger of referral to gain employment exists.

Well, no sooner had this new program gone into effect last July 1st when word was received that a full 18% of those recipients deemed

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employable failed to pick up their checks. How to explain it? Starting-up confusion? Mobility? "Brutalization?" When in succeeding semi-monthly pay periods the number of nonappearances hovered around the 20% level, and rising to as much as 22.1%, these explanations were clearly untenable. An investigation has recently been launched which has already revealed that at least half of the no-shows should not have been receiving welfare at all! These investigations are continuing and the feeling is that the best is yet to come.

Not to be outdone by his liberal Republican Governor, Mr. Abraham Beame, the liberal Democratic Controller of New York City, reported that close to 100,000 welfare checks amounting to almost \$9 million were forged in the past five years. Upping the ante still further was yet another liberal Democrat, State Controller Arthur Levitt, who announced that in the last year alone about 45,000 duplicate checks were fraudulently cashed for \$4 million and the rate of fraud has been running even higher in the early months of this year. Revelations of falsified welfare applications, recipients secretly holding jobs and/or receiving checks from more than one state or from the same state under several names have lately been common occurrences. While taxpayers are beginning to come out of the shelters their places are being quickly occupied by a number of liberal fundamentalists. One of them, Congressman Herman Badillo (D.--N.Y.), a man who has been a leading spokesman for the welfare trust in Washington, summed up the situation beautifully when he sadly admitted:

The welfare rights groups have been totally discredited in claiming so few on welfare were employable and so little cheating by recipients. Debate on welfare reform

in Congress has ended. How can you argue with those figures--20% failing to pick up checks, the number of checks fraudulently cashed?... Welfare reform is dead.

FALL OFFICE HOURS
 Supply Room
 Daily 11:15--12:15
 Print Shop
 Morning 10:00--11:30
 Afternoon 2:00--3:30

From the SBA Desk...

Participation was the subject matter of my last article. I asked at that time for more student participation in the activities of the Student Bar Association. I restate this request today. As an aid to you, I am including a list of the committee chairmen and the Student Bar representatives who are the Directors of the areas. Please contact the representative or the committee chairman if you are interested in any particular committee.

Mac McDermott--522-0890--Mac is the Director for all Social functions. These include dances, TGIFs, block seating at football games, Esquire Week, Law Week, and sports events. Mac needs students to aid in all of these committees.

Kurt Phillipus--351-6063--Kurt is the Director for Placement and Recruitment. This area includes placement, interviewing, recruitment, minority recruitment, and alumni relations. His committee chairman is:
 Interviewing Fred Shiver 522-0967

Jim Pitts--369-5619--Jim is the Director for Student-Faculty Relations. Under this area all of the faculty committees plus orientation, tenure and elections function. His committee chairmen are:

Admissions and Scholarship	Al Ellis	369-1543
	Mike Chitty	691-7709
Curriculum	Van Carter	521-4728
	Drew Bagot	528-4430
Library	Fred Shiver	522-0967
	Larry Love	823-1186
Discipline	Jerry Goodrich	361-5800
	Jim Pitts	369-5619
Tenure	Bob Lea	526-4997
Elections	Jim Pitts	369-5619
Orientation	Duke DeWare	369-2632

Drew Bagot--528-4430--Drew is the Director for the Student Relations area. Under his direction the following committees and their chairmen function:

Publicity	Gary Arey	278-5080
Grievance	Scott Campbell	691-1458
Parking	Dale Gross	361-1840
Governance Study & Honor Court	Russ Kruse	352-3894
Library Grievances	Mike McManus	368-6957
Fraternities	Floyd McSpadden	526-1495
Practicing Law Institute	Jay Garrett	823-7629

Mike Minogue--368-2007--Mike is the Director of the Publications and Special Projects area. Included in this area is the Student Caucus and a Student Bar Symposium. His committee chairmen are:

Adversary	Burns Vick	691-1497
Yearbook	Brad Day	528-8839

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Contd. from page 5--SBA DESK

Calendar	Don Wetzig	298-0385
Bleak House	Bob Murrill	352-3408
Student Caucus	Linda Thomas	691-2684
	Chris Jameson	691-8405

Bill Ruhe--231-6775--Bill is the Director of the Student Community Involvement area. This area includes all clinical programs. His committee chairmen are:

High School Speakers	Jay Carmichael	691-8056
Dallas Bar Assoc. Committees	Chris Jameson	691-8405
Big Brothers	-	-
Dallas Legal Services/ACLU	Jamie Replogle	526-2583
Pre Trial Release	Sam Pfaff	522-4759
Tuatara	-	-
Judicial Internship	Don Snell	522-1056

Please feel free to call on any of these people. Without your help and support, there can be no Student Bar Association. Also, anyone is invited to attend the Student Bar meetings. The meeting time and place will be posted at least two days prior to the meeting. An agenda will also be posted.

John Pitts

SBA COMMITTEE REPORT

The first party of the year filled the Royal Room at the Dallas Athletic Club. Those unfortunate souls who couldn't make it missed the following highlights: Rick Wilhelm doing his famous impersonations of Dick Nixon, Hubert Humphrey, Daffy Duck, etc., for an enthralled-inebriated crowd in the lobby (Rick says he is available for parties); your second year representative Drew Bagot amazing everyone with his alcoholic consumptive capacity; the Biff Murphy Band that wowed the group with their sizzling Latin rhythms plus an added treat in the Bunny-Hop(!); and finally, the rousing after-hours party at the Busy Bee Lounge where the law students rubbed elbows with their future clientele (the only casualty of the evening was Burns Vick, who was struck in the eye by a flying pastie!). Everyone there said that it was a night to remember....

The next scheduled event is the SBA Fall Golf Tournament. Due to the popularity of last year's golf tournament, two golf bouts were scheduled for this year. As usual, food and beer will be provided for all the athletes. Hangers-on who merely come to gorge will be charged a nominal fee for the food and drink. Due to time problems, this will be held after Esquire Week. Watch the bulletin boards for further details.

Mac McDermott

Contd. from page 3--NUMBER FOUR

far farking out grades."
 "Thank you, g'night."
 "Are you leaving number four? I didn't get a chance to talk to you. You know, I'm the one who pulled the 99 in Torts!"
 "NO! Is that right? Whajewget from the Colonel?"
 ...

Turn in next week when Number Four squares off against lighthearted Bob Burnsting in a no-holds-barred, grudge match of "flies and grounders" in "Number Four Recites Palsgraf."

Calendar of Events

OCTOBER

- 4-9 Esquire Week
- 6 Law Wives Meeting
- 9 SMU vs. Air Force at Colorado Springs
- 11 Howard Cosell at Lawyers Inn
- 11-15 SBA Fall Golf Tournament
- 16 SMU vs. Rice at Houston
- 23 SMU vs. Texas Tech at Dallas
- 26 Wes Wise at Lawyers Inn
- 28-29 18th Annual Institute on Labor Law
- 29 Homecoming Events
- 30 SMU vs. Texas at Dallas (Homecoming)



DECEMBER GRADUATES!

-- see Mrs. Jury

FIRST-YEAR REPRESENTATIVES:

Vincent L. DeBiase	225 Lawyers Inn Dallas, 75222	691-5668
J. Frank Kinsel	214 Lawyers Inn Dallas, 75222	368-6209
Reed W. Prospere	323 Lawyers Inn Dallas, 75222	361-7510

The first meeting of the Library Committee was held on September 23, 1971. The committee discussed the use of carrels by students, and in particular whether any or all of the carrels should be assigned to law students. It is the tentative position of the committee that no carrels be assigned to students. The reasons for this position are twofold:

(1) Based upon the experience of last year, the majority of students used the facilities only for book lockers and not for study.

(2) It is not reasonable to assign carrels to 50 or 75 students.

The library committee has requested that the S. B. A. conduct a survey of how many students desire library carrels for the fall semester and for what reasons.

Please fill out the form below and put the completed form in the "survey box" outside Mrs. Jury's office no later than October 10.

.....

LIBRARY CARRELS SURVEY

NAME: _____

YEAR IN LAW SCHOOL: _____

DO YOU WANT A LIBRARY CARREL FOR FALL SEMESTER, 1971? _____

REASON: PAPER? HOW MANY? WHAT COURSE? _____

SIGNATURE: _____

(THIS IS A SURVEY - NOT AN APPLICATION)