

2-1972

The Adversary (Vol. 4, No. 6, February 1972)

Southern Methodist University School of Law

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Southern Methodist University School of Law, "The Adversary (Vol. 4, No. 6, February 1972)" (1972). *The Adversary*. 19.

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THE ADVERSARY

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

Vol. 4, No. 6

DALLAS, TEXAS

February, 1972

Number 4 Learns to Play the Game

Flash back: the previous adventures of Number 4 dealt with a time that was comparatively happy. Thanks to the Law Journal and various study aids, his confidence had grown to such proportions that only his ego was capable of outdistancing it. However, there was a time (If you can believe it) that this paragon of legal virtue was but a mere 1st semester law student, and like many of his kind was about to have his 1st experience with real live lawyers.

The declaration of intent to study law is a moral confrontation second only to finding one's name posted to see Mrs. Jury immediately (and discovering a second sign admonishing that no law students will be permitted in that office today). After reading the ethics code that was so thoughtfully supplied to him by the Dallas Bar, No. 4 looked forward to an informal session in which legal philosophy would be thoroughly discussed and his true character would be brought out thru the Socratic probing for which the downtown lawyers were so famous. A babe in the woods was about to be tested . . .

Finally, the big day arrived. After donning my special funeral and/or wedding suit, I headed for the city, confident of my ability to impress these individuals with my forthrightfulness and truthful responses to their questions. I arrived at the law offices and was immediately impressed. Jesus, they had their very own floor overlooking the expressway and the building's air conditioning unit. Surely these were important people that were taking their valuable time to determine my character. In the center of the reception room sat what was undoubtedly the queen of legal secretaries. She sat on an elevated chair in front of a consol with so many buttons that Madam Sin and Dragon Lady would blush with their comparative insignificance.

Turning on the charm, I approached the throne.

"Good afternoon, I am Mr. Four, an SMU Law Student, who has come to declare my intent to study law."

She paused momentarily to wipe the drool from her chin, the result of an instantaneous loss of control over her chewing gum, and looked down at me.

"BFD, honey. You want to pick a number and take a seat?"

I took a chair underneath an old war bond poster and surveyed the situation. I was surprised to find several of my 1st year colleagues busily thumbing through issues of Liberty magazine, which were placed at strategic points around the room for the client's pleasure. Although I saw these students everyday in class, there was something distinctly different about their appearance today. Everyone's hair was slicked down like in a 1956 teen-age horror flick. One guy I recognized was sitting in a corner, nattily attired in a varsity football jersey and a string tie, held together by a longhorn cow head with ruby eyes. One of the older students was tastefully outfitted in a coat made from an American flag and an electric bow tie that flashed on and off "I am a Veteran."

(Cont'd. page 7)



SANTA MAKES IT BIG!

SOMEONE CARES

In order to spread some Christmas cheer and to evidence a new sense of cooperation, the Law Wives and the Student Bar Association hosted a Christmas Party for 45 West Dallas children. The party was held on December 19, 1971 at the Dallas County Community Action Center in Oak Cliff.

Members of the organizations showed two films to the children concerning the story of Christmas and then played games and sang Christmas carols with the children. Near the end of the party the children were visited by Santa Claus, played by Van Carter, and each child sat on Santa's knee to tell him what he wanted for Christmas. Santa then gave each child two gifts plus items of clothing and canned foods.

The joy that this project gave to the children can be best expressed by what one boy said after he received a football as a gift: "I am so happy, I think I am going to cry."

The students and wives involved in the party were: Wayne and Susan Johnson, (Continued page 4)

New \$\$ Aid Policy

A new financial aid policy has been adopted by the Admissions and Financial Assistance Committee, effective August, 1972 but applicable only to students entering law school beginning with the 1972-1973 academic year. First year financial aid will be based primarily on merit, but second and third year aid will be based solely on need -- to the extent that funds are available--with a requirement that any recipient be a student in good standing (not on probation). It is emphasized that the new policy is not applicable to students presently enrolled. Financial aid to these students will continue to be based partially on law school record and partially on need.

H. Wingo

(Ed. Note: The ramifications of this policy will remain to be seen but the Admissions and Financial Assistance Committee deserves praise for taking the initiative to solve the problems of finances that plague so many of our classmates. Good show!)

CONSIDERATION: We recently heard about an editor who explained away the mistakes that crept into his publication with the following notice: "If you find errors, please consider that they appear for the benefit of those readers who always look for them. We try to print something for everybody."

JOIN WITH US

Al Ellis' graduation has left a vacancy in the third year position on the Adversary editorial board which will be filled through interview by the board on Wednesday, Feb. 9, at 1:00 in the Adversary offices. Any interested third year student is invited to appear at that time for an interview.

Anyone interested in joining the Adversary staff as a reporter or contributor is encouraged to do so by requesting a member of the board to add their name to the staff rolls and submitting material for publication.

EDITORIAL...

The Doctor is IN, but the Office is Closed

The new year raises that question of questions: Is this law school being operated for its students, or to continue to mindlessly follow THE RULES, or "the way things have always been done before -- because the students want it that way".

Three such examples come immediately to mind. The Records and Admissions office, or The Source From Which All Good Things Flow, has as its hours of operation 10 AM until 1 PM. Any problem arising after 1 PM by definition is nonsuited and bound over until 10 the next morning, with no appeal on the merits of an individual problem, (with exceptions from the rule only possible for friends of the court.) For what reason need Mrs. Jury's office be frustratingly closed the majority of the student day? It is difficult to see the student benefit from such a policy of inaccessibility to such a vital domain. Of course, you, the student, want it that way.

Part of the congestion in Jean Jury's office resulted recently from a real service to the students -- that of posting of student grades by professors. Like a veritable Martin Luther and his 95 Tenets, Mrs. Jury dutifully posts the grades whenever the professors turn them in. Unfortunately, in this case the heretic has already been burned at the stake, because by the time that grades have been posted, the date for dropping and adding courses had passed, for incomprehensible reasons. Since this is the way it has always been done, students are locked into courses that they may very well not want to take in consideration of the fall's grades. For what reason is the date for drop/add before that of posting grades? Where is the concern for the students and their courses?

A third point of frustration for the student is the lack of any kind of counseling service provided by the law school -- in terms of course and schedule counseling, job and career counseling, and just individualized counseling for the incredible maze of problems facing every student. The student, who may have been lured to SMU because of the low faculty/student ratio, is without any specific faculty member with whom he can discuss individual problems beyond the scope of one course. Students have no idea of their directions, their careers, or what a 67 average for their first semester means. The problems facing the students are so great that the available time of individual faculty and administrators cannot be effectively utilized by (Cont'd. page 3)

THE ADVERSARY

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

Editor-in-Chief

F. Burns Vick

Editorial Board...Richard Anderson, Carol Barger, Jay Carmichael, Dudley Murrey

Managing Editor. Jay Carmichael

Staff: Richard Grisham, J.C. Labowitz, John Pitts

Published by the students of the Southern Methodist University School of Law, funded by the Student Bar Association, and printed at Williams and Graham Lithographic Service and the School of Law Print Shop.

Letters from readers are encouraged but must not exceed 250 words. The Adversary is published on the first and third Wednesday of each month and copy deadline is the second and fourth Wednesday of each month at noon. Views offered are not necessarily those of the paper.

Advertisements may be placed in the Adversary for \$2.00 per column inch and should be submitted to the managing editor in the form desired for publication.

The Adversary, SMU School of Law, Dallas, Texas 75222

themselves and the students in need of help. There are students in need of counseling of all kinds, and no effort is being expended to provide help that may keep capable students in school -- in other words, is the school meeting the responsibility it has to the students? If not, is it because that is the way things have always been?

The Editorial Board

Dissenting Opinion: With all due respect to my fellow members of the editorial board, I cannot fully agree with the opinions above. The Records and Admissions Office acts for many as a buffer zone between students and administration. Unfortunately, therefore, the office is continuously bombarded by students (past, present, and future) with problems large and small. Since Mrs. Jury has duties of her own, involved enough as they are, it is surprising that the office is not closed more often -- most of the semester the posted "open" hours are not enforced.

As to the lack of counseling, I would deign to point out that Dean Pelletier, as associate dean for academic affairs, and Dean Anderson, as assistant dean, keep open doors to all students. As well, most, if not all, faculty members are willing to be of help if possible, providing the student will make the effort to seek them out rather than automatically assuming they will be of no assistance.

Despite my non-concurrences, I must agree that there are inequities in the system which are not easily and quickly ironed out. It is lamentable that oftentimes faculty, staff, and students are too busy to take the initiative to seek out solutions . . . but that is the way things are and obviously have been before.

Jay Carmichael



PHI ALPHA DELTA ADDS 19

Phi Alpha Delta recently added 19 new members to its ranks. Following is a list of those initiated on January 21st:

Second year

- Tim Finnical
- Burt Gilbert
- Richard Harrison
- Brent Harshman
- Steve Metzger
- Charles Miller
- Tom Nichols
- Mike Parham
- Hank Paup
- Fred Shiver

Third year

- Steve Buholz
- John Chapman
- James Erck
- Ben Leitch
- Jim Pitts
- Glenn Turner
- Nathan White

MAN OF THE HOUR

Of the recent December graduates, the law school will particularly miss Al Ellis. In his two and one-half years, he served on the law journal, the Law School Admissions Committee, the Adversary Staff, as LSD representative, and in various SBA activities. As Chief Counsel of the Legal Aid Clinic, he made not only a contribution to the law school but also to the community at large. Al kept himself informed of activities that law students might be interested in and worked diligently to share this information with the students through conversation, notices on the bulletin board, and articles in the Adversary. When volunteers were needed for worthwhile projects, one could count on Al's assistance. He was always pleasant and helpful. He is now associated with the firm of Woodruff, Kendall, and Smith. In addition he will work part time for SMU as a legal adviser to the student body. We wish him the best of luck in his future endeavors.

The Editorial Board

ON BENDED KNEE

Again this semester, the Adversary pleads for material to be submitted by students and faculty for publication. We will gladly accept articles, letters to the editor, questions for Auntie, cartoons, photographs, and any other material suitable for publication. Material may be placed in the Adversary box in the SBA office or handed to any member of the editorial board. We must have your material no later than the second or fourth Wednesday of each month for publication in the next issue (deadlines will be noted on the SBA calendar outside the SBA office).
Please HELP!

From the SBA Desk...

Welcome to a new semester. It is always good to start a new semester and make promises of studying harder this time. Spirits are high at registration because each student knows that maybe he or she could have done better last semester but surely the professors won't realize that. and I will have come through another semester with flying colors. Registration is over and the facts of the cruel world are now upon us. The first year class, accepted by all to be the smartest class ever to set foot on these hallowed grounds, has succeeded in making the lowest grades in the history of the Law School. Some sort of recognition is in order. Would a bottle of Gelusil be sufficient.

The deadline for grading has passed and the faculty and students have again gone through a Law School ritual. The question is now posed - Is this ritual a necessity? Arguments are that this ritual will make men out of the students or it will separate the men from the boys. Sorry ladies, apparently you do not enter in this argument. What the ritual is producing is a bunch of neurotic freaks. First year students are now taking bets on who will make the lowest grades. Life now revolves around the almighty grade. Why take Oil and Gas and make a 65 when you can take Workmen's Compensation and make an 85 with little effort. Why take 15 hours of courses that you will have to take exams in when you can take 15 hours of seminar courses and write 5 papers and come out of the semester with an 83 average? Why take something that could do you some good when you can take something to get a good grade?

The answer to all of these questions is simple - to get a good job, you must have good grades. Who looks at what courses you took while in Law School? If you have the grades, the firms are waiting in line to put your name in lights. The statement, "The end justifies the means" becomes a truism in Law School. If I can remember correctly, my dear sweet Mother always told me that the end did not justify the means. Such is life.

It should not be, however, a way of life. I am not here suggesting all high grades nor am I suggesting all mediocre grades. The directive has already been given. Hasn't a letter been given to all faculty members telling them that only Oliver Wendell Holmes deserves a 90? Hasn't a letter been sent to all visiting faculty members reminding them that this is a Law School and the grades must not be too high? Can some professors deny that they look at class rank and grade averages before giving a grade? Can some professors deny that they sometimes look up a name from the social security number before giving a grade?

What is the solution to this? The SBA attempted to get more pass-fail hours and succeeded. You must, however, make a 70 or above in an elected pass-fail course to receive a pass. If I knew that I would receive a 70 or above in a course, I doubt if I would elect pass-fail. This is a first step, however, in aiding an intolerable situation. What other steps need to be taken? The SBA's Grievance Committee is sponsoring a Town Meeting to discuss the grading system and alternatives to it. If you are interested, please attend and have constructive suggestions. Let us end this ritual - once and for all.

John Pitts.

Cont'd. from page 1 SOMEONE CARES

Tom and Linda Mann, Jim and Evelyn Pitts, Jeff Rice (Mrs. Darrel Rice) Steve and Donna Jenkins, Jim and Sandy Massie, Joe and Janet Parnell, Rene and Ann Gonzalez, Scott and Vickie Campbell, Jan Henrie, Van Carter, and John Pitts. Dean and Mrs. Galvin were also present at the party.

John Pitts

FORUM:

Separate and Equal?

It is with some trepidation that I step outside law school affairs to comment on the law and its implications on the society at large. I do not wish to be subjected to the withering criticism that I use The Adversary to propagate personal viewpoints. However, there are several legal and social issues which the courts are presently dealing with and which merit comment.

After nearly eighteen years, Brown v. Board of Education remains a dilemma whose resolution seems to elude almost everyone. I do not claim to have the answer. However, it may be that continuing analysis of Brown reveals the wisdom and the danger of using social theories and perspectives as a basis for constitutional pronouncements. It is undoubtedly true that there never was such an animal as a separate but equal school. Even if there ever was one, it is undoubtedly true that in 1954 separate but equal schools were inherently unequal. The reason for their separateness was racism, and that was clear to white and black alike. Such inequality is a violation of the equal protection clause, and that clause has no life unless it operates on real people in real situations. The Supreme Court would have denied the then-existing reality had it re-affirmed Plessy v. Ferguson and its progeny.

However can it be said with equal force in 1972 that separate but equal schools are inherently unequal? Experiments with community control of schools in Berkeley, New York City, and other places seem to show that there is some vitality to the concept and that in some instances it is educationally sound. There are some black leadership arguing that predominantly black community schools under community direction need not be unequal and are indeed preferable to predominantly white schools where to survive the black student must try to become white. The Chinese community in San Francisco has maintained a (Cont'd. page 5)

Dear Auntie Adversary:

similar position, as have some Mexican Americans in South Texas. The community awareness and self-confidence necessary to support such a position was perhaps not as prevalent in 1954 as it is now. And that position is just as deserving of attention as the one the Court embraced in Brown.

The equal protection clause prohibits enforced separation with the inevitably consequent inequality, whether it take the form of de jure segregation or supposed freedom of choice as it has operated in the past. But true freedom of choice is what we should be working toward, a freedom of choice that protects diversity, protects the free operation of the individual's will, but prevents enforced diversity. It can be argued that all persons should be integrated into society's mainstream, but if so that is not a decision to be made by the state. It should be made by the individual. The state's function, the function of equal protection, is to preserve his real ability to make it

I advance this argument cautiously. It takes no imagination to figure out what the school boards of Dallas, Pontiac, Richmond, ad infinitum would do with it. However if it is offered by minority leadership with broad community support and if it is tied with other measures offering opportunities for entrance into the social mainstream such as open housing laws, equal employment opportunities, non-restrictive zoning, and mass transportation, it may present an answer to part of the problem.

Richard Grisham

FROM DEAN GALVIN'S CLASS?

Civilization is a condition where one generation pays the debts of the last generation by issuing bonds to be paid for by the next generation.

Someone has said, "It takes more brains to make out income tax reports than it does to make the income."

Dear Auntie,

Is there any truth to the rumor that there is a "Battle of the Cadillacs" among the administrative staff?

Outclassed

Dear Outclassed,

I tried to get an answer to your question by calling the Basement Battalion Commander (in Room 20) but the mobile operator said her radiophone number is unlisted; and when I called the Inner Sanctum Squad Leader (in Room 153) the mobile operator said his radiophone was disconnected in the interests of national security and peace of mind. Sorry about that.

Auntie

Dear Auntie,

What happened to the SBA's program of bringing prominent speakers to the law school? Last year, as I recall, at least there was correspondence posted on the bulletin board evidencing an effort to bring speakers. Have I missed something or has the program been abandoned?

Disgruntled

Dear Disgruntled,

The SBA vice-president is in charge of the speaker's program but it seems he has not lived up to his election promise to liven the program (politics?). Perhaps the v.p. is too busy to expand the program but at least he could see that it is continued at its previous level or relinquish his duty to someone who can do it for him. Ted Kennedy is due in Dallas soon and hopefully our illustrious and outspoken v.p. can find the time to write him a letter.

Auntie

Dear Auntie,

I think I've discovered the whereabouts of Howard Hughes. I believe that he's wearing a false goatee and teaching contracts right here at SMU. How can I be sure?

Undercover

Dear Undercover,

You might pull his goatee to see if it's real, but be careful. . . he sports an Army surplus .45 caliber cane.

Auntie

Dear Auntie,

Does the law school have a suicide prevention center for law students to call after their grades are posted? If not, do you have any suggestions for our relief?

Borderline

Dear Borderline,

To my knowledge there is no such center here, but if present grading practices continue there certainly will be a need for one. When you really get distraught why not call RI 1-6611 and listen to that reassuring voice repeat the time and temperature. It's the most encouraging thing I've heard in a long time.

Auntie

Dear Auntie,

What's this I hear about a merger between the two law journals?

Skeptic

Dear Skeptic,

The rumors are nothing new . . . it's just a rehash of the same old thing! If it ever happens, according to the comments I've heard it will be over about everyone's dead body.

Auntie

LEGAL CLINIC SCORES AGAIN

The SMU Legal Clinic, under the able direction of Maxine McConnell and Walter Steele, has staged another first in legal education at SMU and in Texas. At the end of the fall semester Alan Haywood, a second year "B" student in the clinic, was allowed to present the oral argument in an adoption case before the Beaumont Court of Civil Appeals sitting in Dallas. Mrs. McConnell was present, of course, but Mr. Haywood did the total argument and fielded the questions posed by the Justices.

The case involved a question of law not previously litigated in the Texas appellate courts. One method by which a child may be adopted without a natural parent's consent is through the voluntary abandonment of the child by said parent for two years. The Legal Clinic represented an imprisoned father whose child had been adopted. The primary contention of the Clinic was that imprisonment for more than two years did not constitute voluntary abandonment.

Mr. Haywood had worked on his research and presentation throughout the fall semester. The Civil Appeals Court initially turned down the Clinic's request to allow Mr. Haywood to present the argument, but was later persuaded to hear Mr. Haywood. The Court was most pleased with the way Mr. Haywood had presented and prepared himself and was very complimentary at the hearing. Unfortunately, the decision went against the Clinic, but the Court was so impressed with the work done that it included the following footnote in its opinion:

Appellant has been ably represented by the Director, Legal Clinic, SMU School of Law, and Alan Haywood, a student participating in the Clinic's activities. We commend Director McConnell and Mr. Haywood upon the quality of the research going into the brief, the scholarly approach to a novel problem, and their assistance to the court.

For such an outstanding contribution to practical legal education the Clinic is to be congratulated.

Al Ellis



"Compliments of the defendant."

LIBRARY HOURS EXTENDED

In a major policy change, the faculty Library Committee has approved a proposal to keep the library open until midnight Sunday thru Thursday and until 11 P.M. on Friday, with the library to be operated on such a trial basis for a month. Student use of the library during the trial will determine continuation of the policy.

The change was effected following a poll conducted by the first year SBA representatives. Meetings between Reed Prospere, J.C. Labowitz, and head law librarian Hibernia Turbeville, produced the proposal approved by the Library Committee. The committee discussed such objections to the policy as costs, strangulations and exposures, and janitorial interference. The conclusion was that there were few added costs beyond that of student help at the desk, and that there was no basis for believing that strangulations and exposures would increase between 11 and midnight.

The policy is currently in effect and will be as long as students make use of it.

J.C. Labowitz

A SIGN OF OUR TIMES??

A taxpayer was complaining to his accountant about the length of the tax reports getting more complicated and more complicated. He was told, "I believe that sooner or later a new real short form of tax report will come out. In fact, I think it will have only four lines:

- A. How much did you make?
- B. What were your expenses?
- C. What did you have left?
- D. Mail "C".

\$ \$ \$

Cont'd. from Page 1 - NUMBER FOUR

The student next to me, whom I had previously identified as one of the more liberal of my classmates, was practicing lines he had memorized from Andy Hardy movies and reacting painfully as he tried to drop the word "heavy" from his vocabulary. ("heavy" being the single response that could get you through almost any conversation in certain social circles.)

The room gradually emptied as each student was taken down the hall to his conference. The football player was in and out in about 40 seconds. His acceptance was immediately ascertainable by the smile on his face, the strut in his walk, and the giant "O.K." stamped on his forehead. He slapped me on the ass, slipped an "Excitement 68" button in my hand, and told me to go get 'em. My turn came, and clutching my recommendations to my heaving bosom, I proceeded to The Room. Upon arrival I was greeted by 3 real live downtown attorneys. Two of them enthusiastically grabbed my hands to shake them, the third performed a similar ceremony on my pants pockets to see if I had brought any tokens of my great esteem to this gathering.

The formalities (and much of my spare change) out of the way, they proceeded to peruse my recommendations, which I obtained from a professor, an associate dean, a federal judge, Henry Kissinger, Will Rogers Jr., and the Boy Scouts of America.

"Hum" said the head honcho of the committee, "Is there any particular reason why you didn't include your family lawyer in this list?" My first mistake. I cursed my parents for never being felons or at the very least, never getting a divorce. I reacted comparatively fast, with the glibness of tongue for which I was to become so famous, to explain that my parents' humble, but honest, existence had kept me from having my own personal lawyer.

Obviously impressed with this soliloquy, they continued the interview.

"Now we're just going to ask you a few questions and we want your honest response. Just relax, we're very informal here and nothing you say will go past this room."

The room bustled with activity. One attorney busily focused the videotape machine while the other tested the microphone volume. The head honcho rose to adjust the giant reflector that sat behind his desk, deftly catching the rays of the afternoon sun at such an angle so as to penetrate my eyeballs. The liquid that was once my contact lens streamed down my face and, being mistaken for tears of happiness, prompted the first question from this friendly atmosphere.

"Have you ever smoked marijuana?"

The deathly silence that followed was broken only by the sound of an occasional cricket (crickets being indigenous to this particular building). My mind raced to find a solution. The Weed. My God, they don't talk about things like that in law school. That's criminal.

A playful slap that dislocated my right shoulder brought me to my senses.

"Come on" urged the jovial one, "After all, you are among friends and future fellow lawyers. There's no need to be timid about answering a single question like this. The only thing you have to lose is a somewhat questionable legal career. Don't you trust us to make an intelligent evaluation of your (Cont'd. next Column)

answer before we condemn your character?"

The answer was now as apparent as the pain in my shoulder. I was in complete control of the situation. I dazzled them with verbal footwork demeaning the habits of liberal, poverty-law students. My witty innuendos covering the dim future of environmental law brought resounding applause. "Me? Smoke marijuana? Please! I'm a Baptist. . . I don't even play cards!!"

The soundness of my character assured, I received hearty congratulations and an "I Like Ike" bumper sticker as a parting gift. As I rode down the elevator and reflected on the meeting, I perceived that a change had taken place. I had learned an important lesson about truthfulness, and armed with this knowledge I was ready to take my place in the legal ranks.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

BAR EXAM INFO.

Correspondence Address
Texas State Bar Association
201 W. 15th Street
Austin, Texas 78701

Secretary, Board of Law Examiners
Office of Clerk of Supreme Court
Supreme Court Building
Capital Station Box 12248
Austin, Texas 78711

Dates of Examination
Late January or early February;
Third Monday in June; First
Monday in October.

Fee
Examination fee: \$40.00

Applications
Registration as a law student;
within 60 days prior to beginning
such law study, but no later than
120 days after beginning such law
study.
Examination application; no later
than 30 days prior to the beginning
(Continued page 8)

SAD BUT TRUE?

Outside of an ethics class, little is ever said or heard of professional ethics except in connection with a malpractice suit downtown or some other evidence of an attorney's misconduct in or out of the courtroom. It seems strange indeed that so little is said in our academic atmosphere about a subject which is probably more important than any other. A law student may be the best in his class scholastically and yet if his ethical standards are low he will likely wreak havoc on the legal profession when he enters practice. Unfortunately, when one attorney is guilty of misconduct or malpractice the average citizen is quick to point an accusing finger at the profession as a whole or may simply be self-satisfied with the thought that he was right all along because he "always knew something fishy was going on" since he "never could figure out what those lawyers were talking about."

Because of the possible ramifications upon the profession's reputation that may result when a law school passes an unethical student along to the bar, perhaps professional ethics should be given more stress in and out of class as early as the first year of school.

The 1968 Honor Code has as its Preamble the following:

We, the students of Southern Methodist University School of Law, realizing the necessity for the preservation of a high degree of honor within the legal profession and among students preparing to enter the profession, and further realizing that a prime responsibility of those within the profession and those seeking to enter the profession is to ensure the highest standard of honor, affirm our belief in the following precepts:

1. It is essential to the welfare of the legal profession and to the public which it serves that the integrity of all its members is at all times beyond reproach.
2. There is a compelling moral obligation for ethical conduct in legal education.
3. This Honor Code, to be effective, must depend upon recognition of individual responsibility by those functioning under it.

Recent events at this school and others lend weight to the argument that many professional students have no great respect for the honor code or its principals. Another uncomfortably large number of cadets have left the Air Force Academy for breaches of the honor code. They are to be commended for having the personal integrity to leave without having to be asked, but it is a shame that their departure ever became necessary. Even at this institution unethical conduct (and downright dishonesty) comes to public attention through judiciary hearings and posted notices such as the following which appeared last week:

Would the person who stole the "Hornet" from my table in the faculty library please return it?
Your consideration for your fellow man is a credit to yourself, this school, and the legal profession.

More often students become aware of unethical conduct when they discover that pages are torn from reference books or that the whole book has been appropriated to someone's use at home. Although these may seem trivial incidents, they are indicative of a disregard by a few for the rights of the many, and a disrespect for the principles

(Continued next column)

of the honor code and the canons of ethics.

Since lawyers are placed in a position of trust by their clients, it is essential that they guard their professional ethics closely. Paragraph three of the Canons of Ethics of the State Bar of Texas reads in part as follows:

Upholding the Honor of the Profession. Members shall expose without fear or favor before the proper tribunal or Grievance Committee corrupt or dishonest conduct in the profession... A member should aid in guarding the bar against admission to the profession of candidates unfit because deficient in moral character.

And so the duty to instill professional ethics falls back upon the law school and its individual students. If ethical conduct is not possible here it will never be possible in the legal profession. If our close community at SMU cannot instill the principles of honor and ethical conduct in its members then we cannot expect the legal profession to do it for us. Each student must answer to his own Conscience and develop the personal integrity necessary to uphold the honor code, the canons of ethics, and the reputation of the legal profession.

Jay Carmichael

Cont'd. from Page 7 -BAR EXAM.

date of the examination.

Residency Requirements

Must be a resident of Texas for at least three months prior to examination.

Subjects Tested

Constitutional Law; Criminal Law; Evidence; Real Property; Contracts; Torts; Practice; Corporation; Personal Property; Equity; Wills; Trusts; Agency; Conflict of Laws; Partnership; Ethics; Domestic Relations; Sales Estates; Administrative Law; Remedies.