

3-1972

The Adversary (Vol. 4, No. 9, March 1972)

Southern Methodist University School of Law

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Recommended Citation

Southern Methodist University School of Law, "The Adversary (Vol. 4, No. 9, March 1972)" (1972). *The Adversary*. 21.

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THE ADVERSARY

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

Vol. 4, No. 9

DALLAS, TEXAS

March, 1972

Up With the System

Over the past decade, students on campuses across the nation have worked to become part of the decision-making process in higher education and to establish formal channels for the expression of student opinion to faculty members and administrators. As at many schools, part of this movement at SMU Law School has taken the form of student membership on faculty committees and other joint student-faculty-administration bodies.

In an attempt to gauge how the system is working here, *Adversary* staff members interviewed Dean Galvin, several faculty members, and a number of student committee members to get their comments on and perceptions of the working of this basic governance idea. By all accounts, it is working quite well.

At present, two students sit on the faculty committees on Admissions and Financial Assistance, Curriculum, the Legal Clinic, and the Library, as well as on the Participating Credit Program. The SBA Constitutional Revision Committee, whose product is now working its way through the ratification process, also included faculty and student members, as well as Dean Galvin. Student participation was authorized by the Dean some four years ago, and each committee decides the scope of student responsibility and power. The SBA President and Vice-President also sit in on faculty meetings.

Almost without exception, the student-faculty relationships have been harmonious, and students have been allowed all the rights of committee memberships, including voting power. Both students and faculty members agreed that the system was functioning smoothly and the latter generally felt that the student inputs and initiatives were valuable. As examples of this year's work, they cited the Participating Credit Program and especially the work of Van Carter, the student recruiting program largely run by Al Ellis and Mike Chitty, the pass-fail option, the proposed constitution, and assistance with the Hatton Sumner scholarship program and minority recruiting.

The complaints expressed are not really complaints against the system. Some concern was voiced about having first year students on the committees, who because they have not been on campus long enough may not have the understanding of school problems necessary for the proper functioning of joint governance. Also, few members of the student body bother to express their opinions to the student committeemen, a situation which tends to negate their usefulness as input channels for student views.

Certain actions would promote the effectiveness of the program. The proposed constitution establishes student committee memberships on these committees with full rights and duties. This provision should be approved as it will avoid the potential friction inherent in the present system where the student positions are only informally defined and subject to arbitrary restriction. As it is supposed to do with its minutes, the SBA should post the names of the student members as well as periodic (perhaps twice a semester) reports of committee actions and issues under consideration. And hopefully the student body will avail itself of these channels of communication. For if a basically good system wastes away because of lack of student concern, students cannot later be heard to complain when they do wish their views listened to but the channels of communication no longer exist.

J.C. Labowitz and Richard Grisham

A STEP AHEAD

With foresight and enthusiastic initiative an ad hoc committee of the Dallas Bar Association has been commissioned to form a Dallas International Lawyers Association. The distinguished speaker for the first general meeting on Tuesday, March 21 at 8:00 P.M. in Library North at the S.M.U. School of Law, is Mr. Walter Brudno of the Dallas firm of Kilgore and Kilgore. Mr. Brudno, who has maintained a reputation as an international and tax lawyer, will address himself to the issue of the relatively new business entity -- the Domestic International Sales Corp (DISC).

Last month at a party sponsored by the S.M.U. International Law Students Society for fifty practitioners of international law in Dallas, the need for such an association was recognized. These attorneys and students expressed the conviction that with the growth of the Dallas-Fort Worth area and the building of the new international airport, the quantity of legal work in the field of international law "has no place to go but up."

Statistics warrant the conclusion. In 1969, Texas exported over \$2 billion in goods to foreign nations. Of the \$80 billion in American investments abroad, a substantial portion comes from Texas. A quarter-million aliens now reside in Texas. In 1970, more than 83 million persons crossed the Texas-Mexico border.

The S.M.U. legal community should welcome expansion in this field. Any interested law student is urged to attend the DISC meeting. Questions concerning activities of the DISC or the S.M.U. International Law Students Society may be directed to Professor Beverly Carl.

Letter to the Editor

To the editor:

The other day, I received an invitation in the mail to attend Friday nite's P.A.D. rush party. Some of my "minority" friends didn't. Was that a mistake, or was mine a mistake? Surely that august group isn't worried about miscegenation.

Disappointedly,
George M. Mood

Dear Mr. Mood:

It is unfortunate that your friends didn't get invitations but there are several possible reasons: (1) PAD sent an invitation to every person in the first year class whose average was 70 or better--possibly your friends were not included because their average fell below 70. (2) letters were sent only to those listed in the PAD directory--possibly your friends were not listed in the directory at all.

PAD was probably wrong in not making out invitations according to the address sheets in the records office, but that is not intentional omission on their part of your friends. No one was required to attend the party in order to be able to pledge. If your average is above 70 you may pledge by making your decision known to any PAD officer. It is a shame that your friends did not get an invitation to the party, but don't worry about miscegenation.

Editor

★ ★ ★ ★ ★

The SMU Law Wives are sponsoring a review by Mrs. Stanley Schermerhorn of "Butterflies Are Free" -- a comedy play about a law student. The review will be held in Lawyers Inn on Sunday, April 9, at 2:00. All money raised will go toward bringing a prominent speaker to the law school. Tickets are \$2.00 each and may be purchased from any law wife, Vicki Campbell (691-1458), Linda Mann (526-4491), or at the door. Refreshments will be served and everyone is invited to attend. Bring your friends and relatives.

★ ★ ★ ★ ★

From the SBA Desk...

Elsewhere in this issue you have read statements written by candidates for SBA officers, class representatives, LSD representatives, and University Assembly representative. Each of these statements is thoughtful and is worthy of your time to read.

Next year the Law School will experience a new type of governance. A Constitution for the Law School has been written which would have a division of specific powers but also a co-mingling of other powers with faculty and student participation. The Student Bar Association and the Faculty will be separate arms of a new governance body - the Law School Assembly. The Assembly will present a forum for the merging of faculty and student viewpoints.

Because of this new governance structure, next year will be an all-important year for the SBA. The President of the SBA will be the Vice Chairman of the Assembly. With a strong and unified Student Bar, the views of the students will have a greater arena. The forum will be available. You can elect this week a new SBA that will work together and be an effective voice for student concerns.

In voting for the various positions, you must have an idea of what each position requires. The President has the power, granted to him by the SBA Constitution, to call special meetings, appoint members of SBA committees, and appoint members of the two levels of the Honor Court. The President also serves as the Chairman of the Student Co-Ordinating Committee, a committee made up of all organization leaders of the Law School. Other duties of the President are to serve as Vice Chairman of the Law School Assembly and to work closely with the Dean and faculty in attempting to voice student views.

The Constitutional duties of the Vice President are to succeed to the office of the President if a vacancy occurs in that position, supervise all SBA committees, and serve as Chairman of the Law Week and the Professional Responsibility Committees. This last duty is the committee responsible for the speakers program of the SBA.

Duties of the Secretary are to maintain files and minutes of all SBA business and to serve as Parliamentarian of the SBA.

The Constitutional duties of the Treasurer are the traditional duties of a treasurer of any organization. The Treasurer of the SBA also has the duty of making requests of the University Assembly's Finance Board for the Law School's share of student fees.

For the first time the LSD Representative will be elected by the student body. The representative has the duty to promote activities of the LSD-ABA and serves as a liaison between the LSD Circuit Governor and the SBA. Also for the first time, the University (Cont'd. page 3)

THE ADVERSARY

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

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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

EDITORIAL...

One of the essential features of a democracy is free elections. When responsibly participated in, these elections establish the working elements of representative government. Frequently, however, few people participate and consequently the policies of the governing body represent only a few of the governed. Those of you who have preferred to criticize and bemoan the present state of governmental affairs - whether it be the SBA, local, state, or national - hold the key to improving the situation, the vote. The governing must eventually return to the governed and be held accountable for their activities while in office. The time for accountability is now. We urge you to exercise your right to vote to make responsive, representative government a reality.

The Editors

Here's Your Chance!

During the next week, at least, the faculty evaluations will be conducted in courses held during the spring semester. It appears that the most worthwhile results of these evaluations are the comments made by the students. Hopefully, the faculty members being evaluated will be willing to give ample time (maybe as much as 15 minutes) to allow the students to make thoughtful comments -- comments which benefit faculty members. If the faculty members at all believe that critical student comment can help them to improve their classroom presentations, then there should be no objection to allowing the time necessary to make such comments. Naturally not all students will feel it necessary to make comments, but certainly some will have thoughtful suggestions to make. Every student should give some thought to improving his education and the evaluations provide one avenue of expression.

BE SURE & VOTE ON TUESDAY,
MARCH 21 IN THE SBA ELECTIONS.

Cont'd from page 2 -- SBA desk

Assembly representative will be elected with the SBA officers and representatives. This individual represents the students of the Law School to the governance of the University. The new Constitution of the SBA, which is now being drafted, will allow for both of these positions to have full membership on the SBA Executive Council.

The representatives are the workers of the Student Bar. They serve in capacities from committee chairmen to soft shoulders for fellow classmates. Representatives must be willing to be available to all students when a need arises. The effectiveness of the representatives makes the difference in a great SBA or a mediocre one.

The duties outlined above for each position are either those stated in the SBA Constitution or the duties of the position as viewed by me. Each new President has a different idea of how to best put an organization together. Because of this, the duties of the positions vary from year to year.

Help create a great SBA. Vote for those candidates you feel would best carry out the duties he or she desires.

John Pitts

FACULTY EVALUATION RESULTS COMPILED

Recently Dean Galvin distributed a memorandum to the faculty, part time instructors, and legal writing instructors concerning the results of last fall's student evaluations of the faculty. Accompanying each memo were the student evaluation forms turned in on each particular instructor's course for the fall semester of 1971. Following are excerpts from the Dean's memorandum:

"The forms were collected by the students, sealed in envelopes marked for each course, and the envelopes were then entrusted to Mr. John Pitts, President of the SBA, to be kept by him until all grades had been turned in. There were 2062 forms in 49 classes conducted by 31 professors, lecturers, and legal writing instructors. Percentage response varied from a high of 100% in Inter-American Regional Law to a low of 21% in one of the legal writing sections."

"A summary sheet was prepared on each instructor showing the number of grades 1,2,3, and 4 on each question and listing all the comments EXACTLY as they were written (misspellings, 4-letter words, etc.)."

"No forms were received on Criminal Internship (Bogomolny), Advanced Criminal Law (Bogomolny), Corporate Planning 2 (Bromberg), Comparative Private International Law (Carl), Ethics and Law (Garrett), Legal Clinic A and B (McConnell), Legal History (McKnight), Family Law (Smith), Legal Writing 3 and 5 (Solender), Legal Clinic B (Steele), Problems of Urban Society (Steele)."

"All data were then delivered to Dean Galvin who made the following dispositions:

1. With regard to tenured professors, the forms and summaries are being delivered to the particular professors concerned.
2. With regard to non-tenured professors, the faculty tenure committees for review, discussion, and delivery to the particular professor for whom the committee has responsibility.
3. With regard to part time lecturers, the forms and summaries have been delivered to the Dean's Executive Committee for review, discussion, and delivery to the particular lecturer.
4. With regard to legal writing instructors, the forms and summaries have been delivered to Professor Bromberg for review, discussion, and delivery to the particular instructor."

"The comments in general were thoughtful, constructive, and intended to assist in improving the total instructional enterprise. The most often repeated comments indicate that students appreciate (1) a fairly strict discipline, (2) as nearly as possible an even pacing of work through the semester, (3) a no-nonsense, professional attitude from the instructor with a minimum of cute stories, old jokes, (Cont'd. page 4)

My Kingdom for a Space

It all started on Oct. 5, 1970, when an obscure Law Student spoke to the University Park City Commission on some serious parking proposals. On Oct. 7th, the city's Traffic Advisory Committee met to discuss the ideas, without taking meaningful action. And the parking problems went on....

Today, there is a different atmosphere at U.P. City Hall. The reason a vigilant group of 4 students has been attending every City Commission meeting and the one meeting of the Traffic Advisory Committee. They lobby; they talk in and out of public; they petition; and they collect copies of every ordinance passed and all minutes written. In this way, the City Commission became convinced that the students were diligent, responsible, and serious.

(These 4 are John Pitts, SBA Pres.; Dan Flanagan, Student Body Pres.; Gary Ritzky, Theology Student; and Dale Gross, S.B.A. Parking Chairman.)

Most recently, the City Commission unanimously passed an ordinance, proposed by John Pitts, to raise the limits from 2 to 4 hours on the east side of Hillcrest from McFarlin to Daniels. This measure represents a major concession on the part of the City.... a very important first step.

The very next night on March 7th, the "dirty 4" were back at City Hall, meeting with the City Traffic Advisory Committee to propose ten more items for future implementation. The city planners listened to the voice of the students. Following are some of the ideas that were discussed:

1. In the future, the U.P. committee will meet every 2 or 3 months, with student representatives.

2. Efforts will be made to re-zone the two lots on the corner of Hillcrest and Daniels (a) to allow parking in a multi-family zoned area (b) to allow Law school to sell places on a semester basis and set up a control gate at the entrance.

3. Efforts will be made to encourage the City Commission and the Zoning Commission to make a

(Cont'd p. 5)

Cont'd from page 3 - EVALUATION

etc., and (4) an opportunity to seek from the instructor answers in class or after class in discussion of points of law."

"The importance of the evaluation forms is not so much the grades on the questions but the comments. Next time, the students should be given much more time to write lengthier comments than the few words or phrases which appeared on this latest set of forms. Indeed, most students make no comment at all, and this is regrettable, for the comments afford an opportunity for a personal expression from student to instructor that is helpful."

(Ed. Note: The evaluation forms contained four questions which follow, to be graded either 4-exceptional, 3-above average, 2-average, 1-below average. The questions were:

1. Is the professor interested in the student and willing to help him both in and out of class?
2. Is the class time used effectively by the professor to promote learning of the subject matter?
3. Does the professor demonstrate a knowledge of the subject matter?
4. Does the professor's conduct of the class reflect adequate preparation for the class?

"The average grades on each of the four questions and the average of the averages for professors, lecturers, and instructors are as follows:

<u>All instructional staff</u>	
Question 1	3.07
2	2.75
3	3.30
4	3.14
Average	3.07
<u>Full time faculty only</u>	
Question 1	3.07
2	2.75
3	3.30
4	3.16
Average	3.08
<u>Part time instructional staff</u>	
Question 1	3.04
2	2.70
3	3.35
4	3.00
Average	3.02
<u>Legal writing instructors</u>	
Question 1	3.29
2	2.84
3	3.14
4	3.13
Average	3.10

Jay Carmichael



Number 4 Battles the Brain

general change in policy to allow exclusion of the public from lots to be built by merchants. (At present, every lot in U.P. is an "open" lot. This policy discourages merchants from spending their money to build additional lots.)

4. John Pitts reported on the Law School's plans to build a two-level, underground lot, which should hold 600 cars. The architectural plans have been drawn, and financing is presently being arranged. It would be located between Lawyers' Inn and Heroy Bldg. and should be operational in 1973 or '74. Dean Pelletier is project officer.

5. All present agreed that SMU should begin plans to build some multi-level parking garages on campus. These would be in keeping with the architectural design of SMU, (red-brick, etc.) and would be aesthetically pleasing.

6. The possibility of some students parking in unused faculty space in lots around the campus will have to be explored further.

7. As a temporary measure, it may be possible to raise the 1 limits to 4 hours on McFarlin, University Blvd., and Haynie near the Univ. This idea attracts a great deal of opposition from residents in those blocks. The effort will be to talk with them face to face asking for their cooperation and understanding, so that they won't oppose the action.

8. The "way-out" idea of U.P. selling a "parking permit" (similar to SMU's) which would allow the student to double the parking limits on a city street (e.g. 2-hr limit & stay 4 hours) was rejected as illegal. The city planners said that would be an "illegal renting of public property."

9. Dale Gross and John Pitts put forth the idea to the Chief that we would appreciate the Equal Protection Enforcement of the laws throughout the city of U.P. and not just on Hillcrest. This point may be moot in the future.

10. Then, in a desperate attempt to alleviate the present level of tension that had existed between the students and the police, (Cont'd p.6)

Prologue: Having learned early in his legal career that true jurisprudential scholars are not deterred from studying simply because Underwood closes, No. 4 waivers on the threshold of a dream at 1 A.M. in the faculty library in Storey Hall. He begins to talk to himself to forestall those dreams:

"Gosh it's awful lonely in this building when no one else is around. Nothing but creaks and groans and wind and rain. Heh, heh why am I talking to myself?"

Just as No. 4 had reassured himself that he was indeed alone, he was startled to hear the eery calm broken by a low-pitched electrical whir; and then intermittent high-pitched signals seeming to come from all directions. The entire building began to vibrate and in the faint distance he heard what seemed to be the background teletype clatter from the CBS newsroom. The low-pitched whir increased in volume and frequency, sapping the electricity from the lights until No. 4 was in total darkness. As a shiver ran up our hero's back, he was aware of one nagging question...Why was a building this size constructed with only one men's room? (and three flights down at that!).

Mustering all the courage required to attend one of Bromberg's classes unprepared, No. 4 began to feel his way through the darkness. In the distance he saw faint blue rays coming from what he judged to be "the secret staircase" of Storey Hall. No. 4 was mystically drawn by the colored lights and strange electronic sounds. He ascended into the attic of Storey Hall (as yet uncharted by any law student); into the brains and yet the bowels of law school.

There in the dim haze of ozone sat a computer of overwhelming dimension. The room was strangely alive with assorted blinking lights and the ever-present whir and beeps and clatter. Then the activity somewhat quietened and No. 4's mouth hung in amazement as the machine actually spoke to him.

In a monotone resembling a cross between the Wizard of Oz and the robot on "Lost in Space" the brain said, "ZZZZZ - Come-forward-and-identify-yourself - ZZZ"

"I'm No. 4/ 87 grade point average."

"ZZZZ - I-am-the-brains-of law-school-I-control-all-things."

Just then a print-out sheet started coming out of the computer's side. No. 4 could not resist reading it.... "No. 97: no haircut for 3 months: reduce to No. 99."

"My God!" cried No. 4, "Is this how things are run at law school?"

"ZZZZ - too-difficult-to-program- ZZZZZ" "What's-your-bitch-bucko-I-done-all-right-by-you-ZZZZZ"

And then the print-out began clacking again:

Jupiter is aligned with the moon in the seventh house:
raise all Scorpios 5 points in Air Law.

Light and variable winds today, with a chance of showers:
make corporate Planning a 2 hour course

Dow-Jones down 2 points: pass-Fail courses require 70 to pass.

This is leap year: Permit Interscholastic Moot Court Team members to give themselves 95's.

Blackstone's birthday falls on a Tuesday this year: Business tax will continue to be taught on a strict Socratic basis despite severe student frustration.

"Stop it" shrieked No. 4 "What does astrology or the weather have to do with Law School? I always knew legal education was a somewhat subjective process, but I thought there was at least a rational nexus!"

"ZZZZ - " "you-better-save-your-own-nexus-as-well-as-your-axis-ZZZZ" - don't-interfere-or-you'll-be-selling- (Cont'd p. 6)

Cont'd. from page 5 - SPACE

the proposal was made to Chief Forrest Keene, that we have a "Cooling-off" period from March 10 - 24, with the corresponding reduction of fines, etc. The rest is history..... This air of cooperation is the most refreshing element in the long story.

11. Plans are now being made for the whole committee to approach SMU on the feasibility of adding another "tram" train which would swing by the Law School every 10 minutes and would deliver the students to their cars, parked at Ownby Stadium or Moody Coliseum.

There are long-range and short-range plans in the works... your interests can be made known to the city "fathers" of University Park, and they are listening. It should be noted that the Committee which met on March 7th had the cooperation of Cully Culwell of the Varsity Shop, several key residents of the area, Mr. Daniels of Daniels' Cleaners, and other public-spirited citizens of U.P.

If everyone works together, Who knows? maybe even an "evil" as great as PARKING can be cut down to size.....

Cont'd from page 10 (LSD REPRESENTATIVE)

force as is necessary to realize the materialization of these shared interests. I feel that the LSD should be neither conservative or liberal, but by necessity progressive.

SMU is in the process of striving to become more than just a "good ole law school." We are headed toward excellence in the field of legal education. As an active and effective representative of the law school to the LSD, I will be eager in my pursuit to seize every opportunity the LSD offers to enhance our prestige among the nation's law schools.

The LSD has a substantial funding program to aid law schools in the implementation of various worthwhile clinical programs. The organization also sponsors workshops in the areas of curriculum, clinical programs and (continued next column)

Cont'd. from page 5 - NO. 4

encyclopedias-door-to-door- ZZZZZ"

"You couldn't do that!" screamed No. 4 "I've got an 87 average and besides I'm on the Journal."

"ZZZZ - you-didn't-get-there-by-reading-zionitz-and-cans-jocko-ZZZZ - All-prearranged- ZZZZ"

"Christ, how did "it" know about the study-aids?" wondered No. 4.

At that moment examination blue books began feeding into the computer on conveyor belts. They would go in ungraded and come out with assorted simulated pencil scribbles and a grade.

No. 4 was stupified. "You mean you grade the exams?"

"ZZZZ - affirmative - ZZZZ"

Then in a flurry of sparks and with a small puff of smoke the computer sputtered and began rejecting some of the blue books. No. 4 picked one up and thumbed through it. He found that these had already been graded by some naive and conscientious professor who had objectively written small explanations for every point taken off.

"What's wrong with these?" asked No. 4

"ZZZZZ - blue-books-should-not-have-marks-on-them-ZZZZ - these-professors-will-be-condemned-to-teaching-in-library-north-at 3-degrees-above-zero- ZZZZ"

No 4 went berserk, "I'll expose you! There is no justice. There is no reason!" With that he ripped the print-out sheet from the computer's side. "ZZZZ - ouch - ZZZZ" But the computer shot tentacles of ticker tape entwining No. 4's body and slowly constricting around his neck

No 4 awoke in a cold sweat to find only a volume of Am Jur at his throat. "A dream" he thought "only a dream" With that, he packed his books and hustled over to the Inn, never pausing to look back at the faint blue light. "ZZZZ - clack, clack: tighten-security-in-Storey-Hall- ZZZZZ"

(LSD REPRESENTATIVE)

community relations.

As the SMU representative, I will endeavor to utilize all of these opportunities in an effort to guarantee our students a first-rate legal education.

Vincent L. DeBiase

List of SBA Candidates

PRESIDENT:

Carol Barger
Bill Ruhe

VICE-PRESIDENT:

Joe Kral
Fred Shiver

SECRETARY:

Linda B. Thomas

(Continued next column)

TREASURER:

Louise Everett
Charles Florsheim
Jeff Kinsel

2nd YEAR REPRESENTATIVE:

Mark B. Bader
Ben Best
Tom Cox
Glenn Gonzalez
Pete Pierce
Reed Prospere
Roger Thomson

3rd YEAR REPRESENTATIVE:

Drew Bagot
James Burtch
Jay Carmichael
Sam Pfaff

LSD REPRESENTATIVE:

Vin DeBiase
Mike Minogue

ASSEMBLY REPRESENTATIVE:

Max R. Drazen
Terry Means

OVERPOPULATION?

Overpopulation - Continued

Professor Millard H. Rudd, Consultant on Legal Education to the ABA, wrote an article entitled "Too Many Law Students?" in the fall of 1971. The following article uses much of the data Prof. Rudd accumulated, paraphrases some of his conclusions, and adds data on the SMU School of Law and my own thoughts.

According to Prof. Rudd, "The past decade has witnessed a remarkable growth in law school enrollments in the U.S. The enrollment in accredited law schools has more than doubled, growing from 40,381 in 1960 to 82,041 in 1970. It is noteworthy that one-half of this growth occurred in the last two years." The attached table reveals the increases in total enrollment (in U.S. and at SMU), total women students (in U.S. and at SMU), total first year enrollment (in U.S. and at SMU), LSAT candidates, J.D./LLB's awarded, and new admissions to the Bar. It is significant to note that the greatest increases occurred in 1969 and 1970.

Prof. Rudd states that "while there is no precise data to explain this remarkable increase in the number of law students and the even greater increase in applicants for admission, several factors are apparent. The increased number of college graduates is one factor. Women are finding the law to be a more attractive and more viable professional opportunity. Many young people have come to believe that law is where the action is; they want to express in the practice of their profession their social concern. They want to work within the system for orderly change. The shortage of employment opportunities for holders of other graduate and professional degrees is certainly another factor. Some engineers and other scientifically trained persons who have become unemployed in the aerospace industries are changing professions.

The Professor suggests that there will be 24,800 J.D. degrees awarded in 1973 -- 8% of the total number of lawyers in the U.S. in 1970. Moreover he suggests that "before 1985 the number of lawyers in the U.S. will be twice that in 1970. Further, experience indicates that there will be 26,000 to 27,000 new admissions to the bar in 1973 -- an increase of about 50% over 1970."

Prof. Rudd concludes that "Problems for both the profession and the public are generated by an over-supply of lawyers. Studies suggest that the lawyers having most difficulty in obtaining a satisfactory professional income are those most likely to appear before the bar grievance committee. An oversupply of lawyers may aggravate this problem."

Undoubtedly these figures are frightening and the conclusions disappointing. If the job market for budding young attorneys is

(Cont'd. next column.)

as tight as it seems, there will be a lot of lawyers chasing ambulances in the next few years. Some authorities have suggested that the ABA restrict the number of students entering law practice so as to stress quality and not quantity, but such an approach seems to be against the whole idea of freedom of expression and the right to choose one's own profession. Legal change of the "system" or the "establishment" is preferable over revolutionary or violent change, and if students see the practice of law as a means to make changes, then they should not be denied the chance to try at the very gates of the law school or the Bar Association. This may, of course, mean that we in law school now will be caught in the flood of the job market and many may flounder and drown. Hopefully our ethical standards will not be lowered by competition and the survival instinct. Such a result would severely hurt the honor of the profession and would benefit no one in the long run.

Jay Carmichael

ANNOUNCEMENT: ASSOCIATE DEAN
GEORGE PELLETIER HAS TENDERED
HIS RESIGNATION AS ASSOCIATE
DEAN EFFECTIVE JUNE 30, 1972.

LEGAL EDUCATION STATISTICS

Year	Total		Women		1st year		LSAT	J.D./LLB Awarded	New Admissions to the Bar
	U.S.	SMU	U.S.	SMU	U.S.	SMU	Candidates		
1960	40,381	***	1,429	**	15,607	***	20,186	N.A.*	10,505
*****1961 to 1967 omitted*****									
1968	62,779	502	3,704	32	23,652	163	49,756	16,077	17,764
1969	68,386	469	4,715	33	29,128	173	59,050	16,733	19,123
1970	82,041	491	6,937	37	34,528	179	74,092	17,085	17,922
1971	***	549	***	40	***	224	***	***	***
.....									
Increase 1960-1970:									
Total	41,660	***	5,508	**	18,921	***	53,906	7,650	7,417
%	103.1	***	385.4	**	121.2	***	267.0	81.0	70.6

*Note: Although figures were not available as to how many J. D-/LLB's were awarded in 1960, 9,435 were awarded in 1961.

FORUM:

For some time, I seriously debated whether or not to respond to Stuart Anderson's most recent contribution to recent contribution to reasoned legal philosophy in the issue before last of the Adversary. After responding to his point of view seemingly countless times, one simply tires of hoping that persons of his persuasion will ever even understand what you are trying to say, much less see any value in it. However, Mr. Anderson's article is a more than adequate example of what is wrong with much of modern political-legal discourse.

First, Mr. Anderson seems "philosophically incapable of resisting" the urge to label a person or position as liberal or conservative and then let loose the invective or praise as is appropriate. The point I wrote about in January, while not original, is not one that is easily labeled, is not much discussed, and consequently deserves some serious attention. Mr. Anderson, though, in his inimical, Buckleyesque style proceeded to talk of hemophiliacs, Newspeak, Zulus, and the C.S. of A. While I concede that such rhetoric is often enjoyable and that I would love to descend to his level and fight on his terms, I cannot see that it would be or ever is anything but a useless and counter-productive exercise.

Consequently, Mr. Anderson simply did not understand what I was trying to say. I did not say that Brown was "bad sociology and worse law." In 1954 it was good sociology and if the law had refused to recognize it then, the equal protection clause would have been on its way to the sterile wasteland that the privileges and immunities clause now occupies. What I did say was that in 1972 the Brown perspective may be in need of updating to fit existing conditions, that in 1972 separate but equal schools need not necessarily be unequal. I tried to say that the function of equal protection is to let everyone do his own thing and to prevent anyone from interfering with someone else's exercise of that right. ". . . why can't other members of society look and behave like Jefferson Davis of the C.S. of A....?" Because Jefferson Davis had a hang-up about owning human beings, about refusing to allow blacks the right and the ability to live their own lives.

Mr. Anderson talks about resisting "assertions of the police power of the federal government." Ignoring the fact that the federal government has no police power, the question of course is the proper application of the equal protection clause, not resistance of its force. He talks of "those holy open housing, equal employment, etc., etc., laws which, of course, are the statutory basis for" suppressing individual choice. My goodness-- "a dialectical dilemma." Could it not be that such laws foster and preserve individual choice?

I am of course humbly grateful that Mr. Anderson found my analysis "fundamentally cogent" and hoped I would keep "those articles coming." Alas, I am unable to extend him similar regards. However, I do hope his fellow true believers do not learn he has been reading Reich's The Greening of America, lest he be tossed out of the inner kingdom of freedom fighters into the outer darkness.

Richard Grisham



LAW SCHOOL CAUCUS

If you haven't heard, the Law School Caucus is a Student Bar sponsored forum for the exchange of thoughts and ideas between SMU Law School students and prominent Dallas businessmen and lawyers. Last year the caucus was attended by some 500 students and community leaders. This year the Caucus will be held on Thursday, April 13th, from 7:00 P.M. to 9:30 P.M. in the SMU Student Center Grand Ballroom.

The topics for discussion will center around legal education including grades, curriculum, and the value of accredited practical experience. Further, this is an excellent chance to bring up any questions you may have to be posed to the people who may be your future employers.

Everyone is encouraged to come and reap the benefits of lively conversation and thought.



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SBA Election Platform Statements

★ ★ ★ ★ ★

Following are platform statements of those SBA candidates who chose to submit them. The Adversary editorial board asked the candidates to address themselves to a particular question to give you, the voter, a point of reference for comparison. We had hoped by so doing to give you something more concrete, written by each candidate, than the general b.s. you have heard in and out of class. Whether we succeeded or not is for you to decide. In reading the following, remember the question asked of each candidate -- "Specifically (meaning without superfluous b.s.) what do you believe to be the function of the SBA?" We suggested that each candidate include one or more of the following in the answer:

- (1) Your view of how the office you are seeking fits into this function;
- (2) What do you realistically believe to be the limitations of the SBA?;
- (3) What problems do you foresee as being the major issues in the next year?; and
- (4) What proposals are necessary to effectuate your position on these problems?

SBA President

The SBA should actively represent the students in all areas of law school life. With the other members of the Bar, the President should communicate the interests and problems of law students to the faculty and administration, and work for the appropriate changes. At the same time, the Bar should direct the response to and results of their efforts back to the students. As president of the SBA, I would work for a responsive and responsible student government.

Carol Barger

Secretary

The function of any organization of this type varies from year to year depending upon the problems facing the student body and those facing the administration.

In the academic year of 1972-73, I see the primary function as developing a better communication between the students and the faculty administration as well as more communication between the students and the outside community.

As keeper of the records and minutes, the Secretary plays a vital role in improving communications. I can guarantee each student and faculty member easy access to the records and timely posted minutes, which would enable everyone to see what is being done. This would not be limited to the Student Bar meetings, but would be extended to (Cont'd next Col.)

each Committee meeting. In carrying out this duty I would, if necessary, take the committee minutes or would make sure minutes were submitted from each meeting.

As chairman of the publicity committee I would carry forward the function of developing a stronger communication between students and the outside community enabling these people to know of the goals and accomplishments of the law school. At the same time the opportunities and events of the community would be communicated to the students.

Linda B. Thomas

Treasurer

I believe the function of the SBA is to undertake projects relative to the needs and wishes of the student body. An officer of the SBA should not be a mere titleholder.

First, I propose that the SBA work with the administration to actively recruit capable minority students and women, following the LSD resolution adopted at the ABA Midyear Meeting Recruitment of minority students is being done to some extent, but few efforts have been made specifically to recruit women to SMU Law School.

Second, a counseling program such as that proposed by the Adversary staff should be implemented. To effectuate this a SBA committee should study the feasibility of such a proposal.

Louise Everett

2d. Yr. Rep.

Basically, the student bar association has two functions. The first is to act as the representative body of the SMU Law School to the world outside --the national A.B.A./L.S.D., downtown lawyers and businessmen (i.e. Student Caucus), and others. In this capacity it is an effective organization. However, its second and most important function is that of representative of the students relating to problems and functions internally--between student and faculty, student and student, student and committees, etc. In this function it has failed to serve its purpose. It is not enough for students' legitimate problems, questions, and suggestions merely to go on record. We need more representation, communication, and effective action. I will honor and fight for the needs of SMU law students both in and out of this professional community. Effective student government cannot be had until effective representation is supplied.

Mark B. Bader

2d year rep.

It would seem from the action taken this year that the most meaningful, useful capacity in which the SBA can serve is that of being a liason between the students on the one hand and the faculty and administration on the other. It is only in this manner of functioning that the SBA can further both the aims of the students (Cont'd. page 10)

Cont'd from page 9 - PROSPERE

and the school. Proposals from the students which are acted upon by the SBA serve as an indication to the faculty and administration of the concerns and needs of the students; and this input from the students is indeed necessary if the law school is to remain progressive and enjoy the reputation from which the students are supposed to draw such a benefit.

The very issues themselves should come from the students. Bar members should make it their primary concern and business to be available, willing and able to do all that is possible to see that an attempted implementation of these issues are put forth to the faculty and administration for approval. The limitations of the SBA are those placed on it by its members and the jobs they are doing, indeed one of the chief concerns of next year's bar should be to conduct an intensive orientation program designed to acquaint next year's class with the policies and programs of the school and incorporate them into the law school body so that they too can be enlightened and not have to go through the first semester in a cloud constantly probing the maze of notices on the numerous bulletin boards for such enlightenment.

Hopefully, next year's bar will listen outwardly to and act on the concerns of the students and not involve themselves so much with inner conflicts.

I would appreciate your support in implementing this policy.

Reed Prospero

2nd Yr. Rep.

A candidate for a spot as class representative who claims to hold the solutions to all--or even most--of the troublesome situations confronting the School of Law and the S.B.A. is either deluded or extremely outstanding. I fall neither in the former or the latter category.

The primary things that an S.B.A. representative can do is listen to (Cont'd next column)

Cont'd from Column 1

fellow students, discover what they wish to be done, and work hard--even to the point of harrasing higher-ups--to see that these wishes are put into effect. By working in concert with other class representatives and the officers of the S.B.A. and the faculty, the ideas that come from the student body -- from parking lots to longer library hours to greater promotion of the School-- can be actualized.

I can simply promise that if you elect me, I will pay attention to you, I will encourage your criticism of the jobs that both the S.B.A. and I am doing for you, and I shall work as hard as anyone to make this School community a better place for all of us.

Pete Pierce

2d Yr. Rep.

Very briefly stated, the role I see for the SBA is to listen better to the complaints and suggestions of the students, consider the merits and possible solutions, act meaningfully once the best course has been determined, and perhaps most importantly, give meaningful feedback to the students. Too often good suggestions get ignored or get acted upon. It would also help to get all of the conflicting stories on just what is going on around here co-ordinated so people do know what is going on. As 2nd year rep. I would strive to fulfill this role I foresee for the SBA, by involving as many people as practicable in the decision-making process. The appointment of non-SBA members to Faculty committees would be one way to accomplish this. Maximum input and involvement should garner maximum results.

Roger Thomson

3rd Year
Representative

The SBA ideally functions as the voice of the student body, representing the grievances, suggestions, thoughts, and ideas of the students (Cont'd next column)

Cont'd from Column 2

to the school administration, legal community, and local citizenry. Realistically the SBA council of officers and representatives frequently succumbs to trivialities, petty arguments, and plain old laziness. Like any other governmental body there are necessary differences of opinion and results come slowly. Fortunately, however, good things do get done!

The SBA is in the unique position in the law school of having at least some authority in persuading the administration and others. The potential is there but it requires the unified efforts of the council and the support of all law students to realize it. The SBA can function as a force in the law school and community but it is necessarily limited by the effectiveness and diligence of its members. It is, of course, also limited in its efforts by the degree of credibility given to it by those it seeks to influence as well as the latter's willingness to cooperate. Only through unified, concerted, and continued effort can the SBA increase its credibility and gain the cooperation of others. Indeed it is hard, but it is not impossible!

The class reps must provide channels of communication between the students and the SBA so that the students' voices can and will be heard. I believe that I can serve as an effective sounding board as 3rd year rep. and I would encourage your questions, suggestions, and opinions.

Jay Carmichael

LSD Representative

Law students are a unique group of people. We tend to have interests and ambitions all our own. The Law Student Division of the ABA is a potentially viable organization for the expression and implementation of these common goals. It is estimated that within the next two years the LSD will have an active lobby in Washington. It is evident that the grounds are being laid for an effective body to vocalize our ideas in such a manner and with such (Cont'd page 6)