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The Adversary (Vol. 5, No. 7, January 1973)

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Recommended Citation
Southern Methodist University School of Law, "The Adversary (Vol. 5, No. 7, January 1973)" (1973). *The Adversary*. 30.
https://scholar.smu.edu/lawadversary/30

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THE ADVERSARY

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

Vol. 5, No. 7 DALLAS, TEXAS January, 1973

View from the Bar

Do you yearn for the legal atmosphere? Do you hunger for the company of learned counsel? Do you thirst for knowledge? Then may we suggest that you attend one of the Dallas Bar Association's regular Friday luncheon meetings. For the small price of a buffet-style meal you get all of the above and more. Each Friday at noon the local Bar Association meets for lunch and hears a speaker on some current topic of concern to lawyers. Every student is invited to join with the members of the Bar Association each Friday at Bar Headquarters in the Adolphus Tower downtown. Speakers are announced in advance on weekly flyers which your SBA representatives receive. Consult one of them for further information.

Louis J. Weber has been elected President-Elect of the 2200-member Dallas Bar Association, to assume office in 1974. A graduate of Highland Park High School, SMU and SMU School of Law, Weber previously served the Dallas Bar as Vice-President and as chairman of the Board of Directors. Weber is also Vice-Chairman of the State Bar Grievance Committee and Past President of the Dallas Association of Defense Counsel.

Vice-Presidents-Elect of the Dallas Bar are Charles Porter Storey and Phil Burleson. Storey received his law degree from the University of Texas and Master of Law degree from SMU. Burleson earned his degree from South Texas College of Law, Houston.

FYI: This is the 100th anniversary of the founding of the Dallas Bar Association (1873-1973).

The Dallas Bar Association has more members than 19 state bar associations, according to the DBA's weekly bulletin. Listed below are the metropolitan bar associations in the country whose memberships exceed 2,000:

Los Angeles	10,600	Pittsburg	2,806
Chicago	10,200	Newark	2,500
New York	10,000	Dallas	2,400
Philadelphia	5,000	St. Louis	2,390
Boston	4,200	Minneapolis	2,300
San Francisco	4,100	Denver	2,300
Detroit	4,000	Baltimore	2,100
Cleveland	3,515	Seattle	2,000
Houston	3,100		

Legal Logic?

If the employee has promised his prospective employer to report to work at a definite time and place and then fails to report to work, such circumstances shall be considered prima facie evidence that the employee has accepted the employment offered. -- From Illinois Revised Statutes, 1969, Chapter 48, Section 197e.

Comment from the New Yorker Magazine: "It's just simple logic, with a little Latin thrown in."

Almost One

The neighbor's lights had vanished two hours ago and I was still trying to remember the street number of a house I had lived in eight years past. And what was the name of my supervisor during that summer job anyhow? All for a good cause--the Texas Preliminary Bar Application--I assured myself.

"Twenty minutes" I told my wife as she accelerated to drive around the block and wait for me to complete my interview. Sixteen floors up and an hour and several magazines later I was asked into a room and confronted by three attorneys.

The questioning began: "Have you ever committed a felony?" "What?" I thought, "Don't they believe my application?" "No," I admitted. There was a pause so I asked quickly, "Is that the purpose of the application--to screen out felons?" "Well, yes," came the reply, "but there's no way we can tell if the candidate's telling the truth." He shook my application in the air. "You know," he continued, "we almost screened out one candidate three years ago. But he was finally approved. Arrested for possessing marijuana, I think." A few minutes later the interview ended.

Almost one applicant screened out.

Almost one. Suddenly questions burst into my thinking. For this we spent hours completing our Preliminary Bar Application and secured three letters of recommendation? For this three high-powered attorneys expended days of their legal time?

But I was through. And besides my wife was waiting.

Lamar Smith.

heroes anyone

"The Gallop Poll has identified the 10 most admired men in America and what is worse, has published the list," wrote a New York Times columnist several years ago. It may be no different this year. The top 10 consists of eight politicians and two men of the church.

President Nixon and the Rev. Billy Graham led the list, understandably. To become President is part of the American Dream. And the nation's chief evangelist has stirred the hearts and consciences of millions. But here the list loses its credibility. Are our heroes, after President Nixon and Billy Graham really Harry Truman, Henry Kissinger, Edward Kennedy, George Wallace, Spiro Agnew, Pope Paul VI, George McGovern and Willy Brandt?

Excluding the two men of the church, what do we have? Two presidents -- one a "president" of a foreign country. One past president. One president's assistant. Three men who want to be president, one now a vice-president. And one man who lost his bid to be president in '72. Is the Presidency that much of a touchstone?

How does one balance the make-up of the top 10 list with the results of another Gallop Poll showing that a majority of Americans distrust politicians? Is it admiration for the office itself? Is it the press coverage politicians get? Or is it that we opt for the easy choice? A don't-buck-the-system-keep-things-smooth attitude. Surely Americans admire more than the two careers of politics and the church.

What happened to the athletes? Jack Dempsey and Babe Ruth were more admired than Presidents Wilson or Hoover. Where are Hank Aaron, Arnold Palmer, Joe Namath, or Mark Spitz?

Or writers? How about Norman Mailer, Jack Anderson, or Alexander Solzhenitsyn? Or actors: for years they have provided us with life styles. Robert Redford, Flip Wilson, Carroll O'Connor?

The law didn't make the list despite such possible heroes as

(Cont'd. Page 3)

EDITORIAL...

Breach of faith. Breach of honor. Breach of trust. Those are harsh allegations in any environment, least of all a law school dedicated to high principles of honor. Yet, late last semester, these were terms used in reference to actions of student bar officers by faculty members of this law school. The circumstances and the repercussions of this situation cry for public scrutiny and explanation, in light of principles of trust and honor brought forth.

The situation arose during first semester, when the SBA sought to implement a faculty evaluation in an effort to contribute to improving student information on their own education. An SBA emissary approached the faculty with a replacement for the traditional evaluation format, a format that did not offer much information in any circumstance and even less when its results were always withheld from the students except for breakdowns for categories by faculty rank. The faculty failed to act on a revision of the format, although it was recognized that the students were fully capable of conducting their own evaluation any way they saw fit. The faculty expressed their desire that the SBA officers convey to the SBA as a whole that the faculty preferred that no action be taken by the SBA as to a separate, student evaluation.

Such was conveyed to the Student Bar by its officers, and the SBA, fully cognizant of the faculty's wishes, voted to proceed with their own evaluation while at the same time conducting the faculty's format of evaluation in the traditional manner. The SBA was aware of the faculty's desires and chose, with that awareness, to go against those wishes.

At this juncture, the SBA was guilty of a colossal case of poor judgment. A student, not well advised as to the procedures for running the parallel evaluations, used class time devoted to the faculty's evaluation form to distribute the student's form without informing the professor. Clearly, this was wrong. The students have every right to make any evaluation they see fit, but only have the right to do so on their own time.

Here, however, the Dean and members of the Faculty became aware of the parallel evaluations. In a highly emotional confrontation, the Dean and members of the faculty laid the blame for the entire affair on the SBA President and Vice-president,

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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 School of Law, and printed at Williams-Graham Lithographic Service and in the School of Law Print Shop by Howard Rife.

Letters from readers are encouraged and solicited. The Adversary is distributed 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 and should be submitted to the Managing Editor in the form desired for publication.

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

Cont'd from Page 2 - HEROES

F. Lee Bailey, Chief Justice Warren Burger, and Ralph Nader.

No athletes, no writers, no actors, no lawyers or businessmen. No prodigies, no militants, no idealists.

Maybe it's time for some new heroes.

Lamar Smith

NEW FACULTY ON THE WAY?

During the winter vacation, ten members of the SMU Law School faculty attended the 1972 Association of American Law Schools (AALS) Convention in New York City.

[The AALS is the accrediting organization for law schools, thus its meetings are quite important.]

According to Dean Steve Dycus, there were two purposes for this meeting: 1. To discuss problems of legal education; 2. To interview people who seek positions on law school faculties.

This latter purpose took up most of the time of the SMU faculty members. The AALS publishes resumes' of people seeking positions and at the convention these people have appointments with various schools. SMU spent 2 1/2 days interviewing between 50 and 60 people for possible openings. Dycus described the interviews as "private, but informal." He stated that some very good people were interviewed and some of them would be making trips to Dallas for further consultations.

As to student input in this procedure, Dycus said that there is no direct input since the hiring of faculty members is solely a faculty job. However, students who sit at the faculty meetings may be able to see the credentials of prospective faculty members if they wish. There is no formal policy on this matter.

The people that were interviewed for positions will not be taking the place of faculty members going on temporary leave next year. Although the number of people to be hired has not been decided yet, the people who are hired may become regular members of the faculty.

Howard Rubin

Cont'd from Page 2 - EDITORIAL

accusing them of a breach of trust in failing to convey accurately the faculty's wishes on the matter to the SBA as a whole, and thereby misleading that body into a policy that would (under the assumption) not have been made by the SBA otherwise. No defense was permitted the SBA President and Vice President, no witnesses permitted on their behalf, no true finding of fact achieved or sought. And there the matter sits, as this is written.

The implications of this event are vast. The Student Bar Association officers are degraded, accused of dishonor, without benefit of rights that are the foundation of the jurisprudential system we seek to teach here. They are accused of a breach of trust, denied a chance to defend themselves, and no finding is attempted as to what the events actually were.

The questions are there -- Where is the trust that the Dean and the faculty have for the SBA officers and the Students? Why are students subjected to this kind of treatment? Why are students denied the right to participate in their own educational decisions, yet subjected to this? Is it that no trust passes from the faculty to the students? Instead of an open environment with a faculty open to criticism and change, we deal with suspicion and deviousness.

But this is not an attempt to parry accusation with accusation. Rather, it is an abomination, antithetical to everything being taught here as Law, for Faculty to subject students, soon to be colleagues, to Star Chamber proceedings. It is abominable that this is allowed to happen over any matter, much less yellow evaluations forms.

What is most invidious in all this is the possibility, however remote, that from these accusations could come a recommendation from the Dean to the Texas Bar, that consideration be given to denying these individuals the right to take the Texas bar exam. Under the rules governing the State Bar, the Dean must file a recommendation as to every graduate's moral character in order for the Bar to determine their fitness to enter the Bar. The Dean's recommendation weighs most heavily in their decision.

It is horrifying that without benefit of hearing that a negative recommendation could possibly be forthcoming, for this situation or for any other, and individuals denied the right to take the bar. It is intolerable that writers for this newspaper, anyone speaking out, anyone doing an action that provokes accusations, be subject to such a threat.

The time is now to end this threat. The time is now to state clearly that no one will suffer such a negative recommendation without knowledge of it and chance to defend. And the time is now for the Dean and faculty to stop accusations against individuals they choose to single out. If honor is breached, there is a stated honor code procedure that in theory embodies judicial principles. And now is the time for a new spirit of trust here, and a realization that all of us -- faculty and students -- are interested in the highest quality education, not personal vendettas.

FEBRUARY CALENDAR OF EVENTS

2-3	PLI-Land Use Regulation	17	Law Wives' Las Vegas Party (Watch for further details)
6	SMU vs. A&M (Moody)	19	Washington's Birthday
7	SwLF-Oil and Gas Law and Taxation Institute	19-20	SwLF-Police Institute
10	SMU vs. Texas Tech (Moody)	20	SMU vs. Baylor (Moody)
12	Lincoln's Birthday	27	SMU Connoisseur Series: Josef Suk, violin, and Joerg Demus, piano, Caruth Auditorium, 8:15 p. m.
14	St. Valentine's Day		

GOING ON LEAVE

As an aid (?) for students planning their schedules for next year already, the ADVERSARY has attempted to compile a list of professors who will be going on leave for all or part of next year. According to a reliable source in the Administration, here is that list to date:

Professor Thomas will be gone Fall Semester 1973.
Professors Charles Morris and Bernstein will be gone for the full academic year.

As of now no statement has been made concerning who will replace these people. However, it has been decided that downtown Dallas attorneys will teach some of the more specialized courses that these faculty members usually teach.

Howard Rubin

Law Wives Corner

Did Santa bring you a wife for Christmas? Send her to Law Wives. Call Vicki Campbell at 691-1458.

Law Wives and their spouses are invited to a wine-tasting party on Friday, February 2, at 7:30 p.m. at the Brook Apartments (behind Sterlings).

Congratulations to Bob Maris who was awarded the Law Wives Scholarship this year. The recipient of the award is determined by his scholastic achievement during his first year as well as his financial need.

Should you need helpful hints and advice regarding apartments and/or houses in the Dallas/SMU area, contact Marylou (Mrs. Tony) Patterson or Lucy (Mrs. Guy) Harrison at the following number: 363-5461.

Apologists for the profession contend that Lawyers are as honest as other men, but this is not very encouraging.

- Ferdinand Lundberg

HANG IN, SBA

How effective will the SBA be this semester? It will probably be agreed that the fall semester is the most active semester with newly-elected, industrious SBA representatives and officers hell-bent on solving long-standing law school problems and "changing the system." By the spring semester most of the "glamour?" of the offices has worn off, if it was ever there, and the blahs have become firmly entrenched. Do representatives and officers from the 3rd year class, who are on their final leg out of the 3-year race, begin to have thoughts of resigning or just getting by with the least amount of effort necessary? Are second year reps and officers, disappointed with SBA ineffectiveness and bureaucratic methodology, inclined to gripe more and do less? And now that the enthusiasm of the battle for a place as 1st year rep has worn off, do the new reps look forward to an active semester? Answer these questions from your own observations.

Remember the accomplishments of the SBA during the fall semester? If that semester was the best, what is yet to come? One thing is likely to be on the way -- removal of an indeterminate number of members of the SBA Executive Council. Article IX, Section I of the SBA Constitution provides for removal of a member of the Council for "failure to adequately represent his constituents as evidenced by lack of attendance at meetings of the Executive Council. If a member misses. . . four (4) meetings of the Council during his term of office, it will be presumed that he no longer properly represents those who elected him to his position." As of the Jan. 15 SBA meeting two members had reached the 4 level and others are closing in. Now it remains to be seen whether or not the Council will do its duty and remove those who no longer represent their electors and allow others who can and will do the jobs to fill the positions made vacant. It may not be a pleasant task to remove one's compatriots but the situation and rules by which the SBA operates so requires.

As for those Council members who remain active, it is hoped that they will remain just that -- active. The effectiveness of the SBA Council should not be hampered, as it has been in the fall, by the prevalent attitude among Council members that their positions only require a one-hour-per-week meeting. Quorums have a definite tendency to disappear from SBA meetings after one hour (at the most). Maybe this semester the SBA Executive Council members can confront their duties full face and not shy away from the work required by the positions for which they so earnestly competed.

DIRECT FACTORY OUTLET STORES

SPECIALS:

Knit Flare Ski Pants $12
Wrangler Jeans $ 5
and many others!!!!

COME BY AND SAVE!!!

5545 W. Lovers Lane,
Across from Inwood Theater

Bar Associations are notoriously reluctant to disbar or even suspend a member unless he has murdered a judge downtown at high noon, in the presence of the entire Committee on Ethical Practices.

- Sydney J. Harris

Lawyer: the only man in whom ignorance of the law is not punished.

- Elbert Hubbard

May you have a Lawsuit in which you know you are in the right.

- Gypsy Curse

FORUM:

TUITION INCREASE

To advance the educational aims of the University, students along with faculty and administrators must be involved in the decision-making process. Why then was there essentially no input by the law students regarding the tuition increase? The President's Committee on Tuition and Fees had a student liason who is a law student. Despite this, the law school student body was uninformed as to what transpired in the committee meetings.

A November meeting was held to gain input from the students in the entire university. No notification of the meeting was posted in the Law School. According to the Law School student liason, the meeting was by invitation only. Another meeting scheduled for January 25, primarily for law students, with Dr. LeVan Griffis, Vice Provost and a member of the President's Committee, fell through. There was no meeting due to a mixup and no subsequent meetings are possible because the final decision regarding the form of the tuition increase must be made forthwith.

Thus, there have been no meetings for law student participation in the decision-making process nor have they been able to quiz the administration as to the details of the increase. The whole handling of the tuition increase points out the problem: there was a breakdown in communication and it wasn't realized until too late. Considering the importance of the student role in the decision-making process this kind of snafu is inexcusable.

Dee West

ANNOUNCEMENTS

The Adversary is pleased to announce the addition of Lamar Smith, a first year student, to the ranks of the editorial board of The Adversary.

* * *

The SMU Legal Clinic is pleased to announce the addition of Ken Ford as Chief Counsel, and Linda Thomas and Jim Sprott as Deputy Chief Counsels for the Spring Semester, 1973.

(see next column)

Opinion & Analysis

MOOT COURT: ONE STEP BACKWARD

The Moot Court program at SMU, thought to be one of the most innovative organizations in the Law School, found itself floundering in a morass of disorganization and a dwindling number of first year students during the initial weeks of the Spring semester. The number of people participating in the classes is slightly less than the number participating last year. However, the large increase in the size of this year's freshman class meant that the program should have expanded. As a matter of fact, last semester, the governing body of the program, the Moot Court Board, created five new positions in order to accommodate the expected increase in the size of the enrollment -- an increase which never came.

No easy description can be made nor one factor account for the loss of momentum and direction in the program. However, some general propositions can be set forth:

Last December the Moot Court Board held an orientation and pre-registration for interested students. It was the opinion of many in the filled-to-capacity meeting room that the Board members gave an inept presentation of the program. The first year students came to the presentation knowing very little about Moot Court and not knowing much more when they left. The Board failed, in the opinion of observers at this meeting to "sell" the program to the students. They merely described the program and discussed the scheduling procedure. They mentioned the value of the program in a general way by telling the audience how Moot Court would help them in their future legal practice. One student said: "They told us it was a valuable course in that it would help us in our future law practice; however, they failed to show us any immediate benefit given the amount of time we were told it would take." Several students left the meeting without bothering to fill out preregistration forms. They felt that the Board's presentation assumed their great interest in the program. They were not that interested.

Student reaction to the program remained cautious. A more noticeable group of students this year, than in the past, have expressed little or no desire to practice law. Thus, they have no need to take a course which is predicated on the lawyer's adversary process which they do not wish to become a part of. In its presentation, the Moot Court Board did not anticipate the presence of these students. This does not explain the whole situation, though. A substantial number of students are quite concerned about their grades and feel that they cannot spare any more time to a one hour pass-fail course that contains as much work as other courses. Also, recent faculty concern over students with relatively low average taking more than 15 hours has caused many students who are not in dire straits grade-wise to reconsider their status with Moot Court. The emphasis on grades among the first year class (whether founded or unfounded) has caused part of the decline. Arguments that the upperclassmen survived while taking Moot Court have not been convincing.

Finally, there are some first year students who feel that they need more time to adjust to the process of legal education before they undertake a task like Moot Court. Still, the fact remains that the Board was not able to reach people in these several situations. An extreme lack of planning was apparent.

The immediate effect of the drop in numbers on Moot Court was a reduction of the class sizes. About one or two students, on the average, dropped out of each section as the semester got underway. Some classes ended up with three or four members with two instructors not assigned any students. On the other hand, some instructors had classes of eight to twelve people which is considered too many. These people with overcrowded

(Cont'd. Page 6)

SWEDISH SABBATICAL

Once every seven years a great thing happens to an accredited law professor: he takes a sabbatical. Last fall Professor Lennart Larson turned the key to his Storey Hall office, unhesitatingly walked down two flights of stairs, and proceeded with his wife to Stockholm, Sweden, no liens attached. The Larsons stayed at the Wenner--Gren Center for foreign scholars and researchers.

During his three months' Sabbatical leave--from October until the second week in January--Prof. Larson studied the legal problems of U.S. Army deserters in Sweden. He also took time to analyze the Swedish concept of real property law.

With a cease-fire in Viet Nam, the questions of the legal rights of Army deserters and of how the United States should deal with them are especially timely. One problem, Mr. Larson says, is that deserters are not classified by the Swedish Government as persons who have been given political asylum and so cannot stay in the country indefinitely. Rather, they are "political fugitives for special reasons" -- a description which makes the deserters uneasy since they aren't sure whether or not they will be returned to the U.S.

According to Mr. Larson, the remedy depends on an appraisal of the U.S.'s role in Viet Nam and on whether an American soldier has an absolute duty to serve in the Armed Forces. As to what he personally thinks is the solution, Mr. Larson says only that he is "a man of compassion."

But a Sabbatical leave is for more than pursuing interesting aspects of law. Mr. Larson considers that he had three high points on his trip. First, he attended the Nobel Prize presentations. At another time he watched Jane Fonda lead 10,000 Swedes in a peace march. The third high point was visiting with nearly 60 relatives in southern Sweden at Christmas.

(Cont'd. Page 7)

Cont'd. from Page 5 - MOOT COURT

classes were not too successful in getting students to transfer. Thus two weeks were spent marking time as people dropped and transferred. Valuable instruction time was lost.

Also, the Board failed to order the proper number of textbooks, causing people to go for three weeks without being able to read suggested assignments. The Board had included the Streamlined Briefing Technique by Clyde Emery as a required text, but these books were never even ordered from the ABA.

Finally, the communication among the members of the Board has been less than desirable. The Chairman of the Board, Henry Simpson, apparently feels that organizational problems can be worked out in separate conversations among the twenty-four members of the Board. Thus, only one meeting was called during the organizational period. At this meeting, Simpson and several Board members wanted to leave as soon as possible to attend to private business. At least seven members of the Board did not even attend. Thus the 35 minute meeting managed to bypass problems such as the drop in enrollment, and scheduling problems. No agenda was devised by Simpson. It made the worst of meetings look good.

The Moot Court program at SMU will continue to survive, but the Board must begin to face the fact that it must analyze the lack of interest in the program and take its administrative coordination seriously.

Howard Rubin - Tom Cipolla

opinion: Share? Not Us!

An interesting document exists for SMU, and an equally-interesting one doesn't exist for SMU Law School. The first is contained in the Enchiridion (SMU Student Handbook): the University Trustees' (Shared Governance Plan, which directs each school in SMU to formulate a constitution such that "...all three major constituencies of the university-students, faculty, and administrators-must be invoked in decision-making." (Enchiridion, at p. 8)

The interesting non-document is a Governance Constitution for the Law School. Despite the explicit charge to the University by its trustees, the Law School has not seen fit to put itself under the plan. The Law School is alone in its recalcitrance, as every other school has not only written an acceptable constitution, but is now operating under a system of Shared Governance--students, faculty, and administrators involved in decision-making. Some, such as Theology, have been operating successfully under such conditions for four years.

Yet the Law School remains basically unmoved by such edicts from the University existing down below us. The faculty did send a hastily-prepared document to the Provost for approval as our Governance Constitution, but that gentleman returned said document for reworking. A draft constitution was prepared in May by a faculty committee, but as yet no faculty action has been taken to further the development of law school compliance to University directives.

A student committee, chaired by Bob Roeder, prepared a draft constitution of their own, in light of the faculty's efforts and as a means for providing a constructive input to the faculty's considerations on this matter. This document, prepared with a strong awareness of what other graduate schools have done under Shared Governance and of the Trustees' charge in their plan, remains as dormant as the draft constitution the faculty's committee prepared.

Thus it stands -- The Law School without a shared governance structure and no action being taken to achieve one. The Trustees state (Enchiridion, p. 9) that each school will have such a constitution by the end of the 1970-1 school year. In 1973, the time for awaiting faculty action may be long gone for the students.

J. C. Labowitz

Cont'd. from P. 6 - SABBATICAL
Born in Sweden, Mr. Larson speaks the native language although he actually lived in the country for only a brief time before emigrating to America.

So, if you see a law professor who looks as if he's gazing at the Baltic Sea and if you hear a certain professor lapse into a soft, tonal language, you'll understand that it takes awhile to adjust to reading casebooks and teaching classes.

Lamar Smith

Lawyer Morality - a Fable?

Once upon a time in the beginning there were only people, and they were important. And wise men came and taught the people about love and loyalty and the people were happy but they were not efficient. So lawyers came and technology came but the people still were not efficient. And the lawyers created artificial people and said to them, "You are more important than real people because you are more efficient." And the artificial people were fruitful and multiplied and the lawyers marvelled at what they had done, but the people were not happy. So the lawyers embraced the King and the King sent soldiers to protect the creatures of the lawyers. And many soldiers died and multitudes of real people were killed and struck down but the artificial people were saved and the lawyers were happy. But a time came when the lawyers were sore afraid because the people said, "You are not good." So the lawyers went to the wise men and beseeched them, "Teach us to be good." And the wise men taught that real people were more important than artificial people and that each person was more important than groups of people and that each problem was important unto itself. But the lawyers knew that such teachings were not the way of technology and efficiency. So the lawyers wrote their own rules about how to be good and called them codes. And the rules were written in black letters (Cont'd. Page 8)

ILS MOVES ON

The International Law Society is now officially taking members for this academic year. The major programs planned under the auspices of the society will occur this spring semester, and a renewed emphasis upon the academic responsibility of this organization is occurring through the development and introduction of The Fasces, a newsletter. The newsletter will be distributed to students and local attorneys. It will strive to develop comprehensive awareness throughout the international law community -- through announcements and publication of contributed articles of interest.

The first event of the spring semester was held Friday, Feb. 2 at the party room of the Four Seasons Apartments. Sangria was served to visitors and the first canvassing for membership was held. Dues for the spring semester are $2.00 to be paid upon application for membership, and all funds acquired are applied to defray costs of the Society's activities. Those interested in joining the ILS may leave a check and name, address, phone, etc. in the ILS mailbox in the faculty reception area of Storey Hall. Or you may send above to Tom Melton, 2937 Daniels, 75205. All checks payable to the ILS, please.

Coming events:

Mao's China - A 77 min. documentary filmed by a Yugoslav film company during visitation throughout mainland China. It is a comprehensive presentation of how the Maoist doctrine has affected all areas of Chinese society. (1971)

To be shown: Friday, Feb. 23 7:30 p.m.
Underwood Law Library

Price: 75¢ at the door (50¢ for members)

Prison trip - A bus trip to a local prison. To be held in March. Specific date will be announced.

Cocktail Party with attorneys: To be held in March or early May. Professor Thomas has consented to be guest speaker.

Join the ILS. We have several closed programs planned with attorneys who are well known for their expertise in their particular fields of work. These sessions will be closed to all except ILS members.

Believe It or Not!

Chancellor James Chesnutt of Hot Springs, Arkansas, ruled recently against a 14-year-old girl who wanted custody of her child, born while the girl was a ward of the State Social Securities Division. The baby is now in a foster home.

The judge said it would not be in the best interest of the infant to be raised in a family consisting of "an unstable grandmother with marital problems, an immature 14-year-old mother, a 13-year-old uncle subject to epileptic seizures, an 11-year-old aunt who is failing in school, and a 9-year-old aunt with cerebral palsy, all living in a mobile (Cont'd. Page 8)

Las Vegas Night

The SMU Law Wives Club, with the assistance of the Student Bar Association, will present their annual Las Vegas Night Party on Saturday, Feb. 17, at the Studio Club on Preston Road -- starts at 8:00 p.m. and runs til 12:00. Bring your wives, husbands, dates, friends for an evening of fun, food, door prizes galore, gambling, and dancing. Highlight of the evening will be your favorite D.J. from TGI Fridays, Bud Bushardt. Dress is semi-formal. Price is just $2.00 per person - $2.25 at the door.

Cont'd from P. 7 - FABLE?

and the lawyers became powerful and rich.

And a time came when the lawyers looked at what they had wrought and were ashamed. And they went back to the wise men and said, "Teach us more about real people and about each problem being unto itself." So the wise men again did teach and this time the lawyers listened to the words. And the lawyers knew that the rules they had written to make themselves good had not done so and they were ashamed. And the lawyers went to the King and said, "Take your soldiers away for we have learned that real people are more important than artificial people." And the King did call back his soldiers because he feared the lawyers, and the people were grateful. And the lawyers changed their rules and there were more lawyers and they strove with each other according to their abilities. And each problem was unto itself so the lawyers became less efficient. And the lawyers worked for the good of the people and made the King obey the people. But the way was hard like it was in the beginning and the lawyers were no longer rich. And the people loved the lawyers.
(Written by Paul A. Teschner, attorney, and appearing in Vol. 38, No. 5, George Washington Law Review, July, 1970.)

(Cont'd. from Page 7 - BELIEVE IT)

home supported primarily by the State Welfare Department." The judge based his ruling on psychiatric and psychological examinations held at the University of Arkansas Medical Center.

Unnecessary laws are not good laws, but traps for money.
- Thomas Hobbes, Leviathan

The natural enemy of any subject is the professor thereof.
- William James

More lawyers live on politics than flies on a dead camel.
- Old Tammany Hall saying.

The Devil Made Him Do It

(Ed. Note: The following case actually appears in 54 Federal Rules Decisions 282 (1971) and is reprinted for your edification.)

U.S. ex rel MAYO v. SATAN AND HIS STAFF
United States District Court,
W. D. Pennsylvania

WEBER, District Judge.

Plaintiff, alleging jurisdiction under 18 USC 241, 28 USC 1343 and 42 USC 1983 prays for leave to file a complaint for violations of his civil rights and asks leave to proceed in forma pauperis. He alleges that Satan has on numerous occasions caused plaintiff misery and unwarranted threats, against the will of plaintiff, that Satan has placed deliberate obstacles in his path and has caused plaintiff's downfall.

Plaintiff alleges that by reason of these acts Satan has deprived him of his constitutional rights.

We feel that the application to file and proceed in formal pauperis must be denied. Even if plaintiff's complaint reveals a prima facie recital of the infringement of the civil rights of a citizen of the United States, the Court has serious doubts that the complaint reveals a cause of action upon which relief can be granted by the court. We question whether plaintiff may obtain personal jurisdiction over the defendant in this judicial district. The complaint contains no allegation of residence in this district. While the official reports disclose no case where this defendant has appeared as defendant there is an unofficial account of a trial in New Hampshire where this defend- and filed an action of mortgage foreclosure as plaintiff. The defendant in that action was represented by the preeminent advocate of that day, and raised the defense that the plaintiff was a foreign prince with no standing to sue in an American Court. This defense was overcome by overwhelming evidence to the contrary. Whether or not this would raise an estoppel in the present case we are unable to determine at this time.

If such action were to be allowed we would face the question of whether it may be maintained as a class action. It appears to meet the requirements of F.R.C.P.23 that the class is so numerous that joinder of all members is impracticable, there are questions of law and fact common to the class, and the claims of the representative party is typical of the claims of the class. We cannot now determine if the representative party will fairly protect the interests of the class.

We note that plaintiff has failed to include with the complaint the required form of instructions for the United States Marshall for directions as to service of process.

For the foregoing reasons we must exercise our discretion to refuse the prayer of plaintiff to proceed in forma pauperis.

It is ordered that the complaint be given a miscellaneous docket number and leave to proceed in forma pauperis be denied.

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