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UCLA SCHOOL OF LAW

VOLUME 38, #2

DOCKET

OCTOBER 1989



Moot court starts anew.

SBA -- Back From The Grave?

By Tom Hudson, 1L
Staff Writer

With a new crop of dedicated officers and an impressive list of projects on the drawing board, the Student Bar Association is ready to stage a comeback. By virtual consensus, the SBA failed to accomplish anything noteworthy last year. As SBA President Joe Freschi (3L) put it, "The SBA has been in decline for years, but last year was hopefully its lowest point" in terms of activity and enthusiasm. Other officers referred to last year's SBA as "essentially defunct" and "pretty impotent."

The Student Bar Association functions as the law school's student government and every student is a member. It has the potential to coordinate student projects and social activities, represent students in the formulation of school policies, communicate student concerns to the administration, and provide a forum for airing student complaints. Of course, the SBA suffers from the problems inherent in all student government. SBA offices serve as vehicles for resume-padding and ego-boosting, so some officers have little ongoing incentive to perform. Other officers simply can't find the time to devote to the SBA once the elections are over. This may explain why some students complain that they only hear about the SBA during elections.

Although they agree that the SBA needs improvement, current officers have differing ideas as to how to improve the SBA and get more students involved. Most of their suggestions fall into three categories: hold more social activities, raise more money, and improve communication.

Of the social activities mentioned, the most common was a "Happy Hour." Parthiv Sangani, 1L President, pointed out that "the business school has a Happy Hour on campus every week.

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NATIONAL LAW FIRM BOYCOTTED BY STUDENT GROUPS

By James Harrison, 1L
Staff Writer

Three UCLAW student groups shunned the world's largest law firm during recent on-campus interviews. The Black Law Students Association (BALSA), the Asian, Pacific Island Law Students Association (APILSA), and La Raza boycotted Baker & McKenzie's recruiting efforts at UCLA. The firm, which has 1,500 attorneys in 44 offices worldwide, lost nearly fifty percent of their interviews at UCLA due to a controversy provoked by a partner's derogatory comments to a black law student last December.

A partner in the firm's Chicago office asked pointedly sexist and racist questions of Linda Golden, a third-year law student at the University of Chicago. Golden wrote a letter of complaint to Baker & McKenzie, charging that the partner, Harry O'Kane, had insulted blacks, women, and Jews during the interview. Baker & McKenzie responded to public outrage by retiring Kane, establishing a minority scholarship fund, and adopting an equal employment opportunity program aimed at recruiting "qualified minority students." These efforts have failed to convince some students that Baker & McKenzie

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The Inevitable Fall Job Search Madness

The On-Campus Interview Program and Alternatives

By Bill McGeary
Director of Career Planning

UCLAW students should be advised that the On Campus Interview Program, or OCIP, is convenient but may not be the most efficient or effective method to get the job they want. The Office of Career Planning encourages all students to investigate other methods of generating opportunities, so there will be a variety of options from which to choose.

Employer participants in the OCIP are primarily composed of that part of the legal employment community which can predict hiring needs well in advance, and which desire to budget attorney time for on-campus visits. The majority of legal employers choose

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View Points

From the Dungeon...

It happened again last month. The Administration decided to move two student organizations, Balsa and La Raza, to new quarters in the "rabbit warren." If you don't know where that is — you've got the point. Why the move? Reportedly to store video equipment for the new clinical facilities in the old offices.

Likewise, when construction on the clinical facility began, several student organizations were relocated to the Dodd Hall basement, aka "The Dungeon." Organizational leaders, now long since graduated, were promised the move was a temporary one, necessary to compensate for the displacement of faculty offices until new ones were completed. Now these organizations are being informed that the move is, and always was presented as, permanent.

The offices in Dodd Hall are a disgrace to a national law school. They are small, dirty and poorly ventilated. The floors have not been washed and waxed in months; the walls are scuffed and stained; and large chunks of the acoustical ceiling tile are missing altogether. Student offices are "not a priority," hence, no money for even a fresh coat of paint.

These unilateral moves which adversely affect UCLA student organizations are indicative of the Administration's often cavalier attitude toward student organizations in general. Students are the life-blood of the law school; student organizations are the voice of the student body and bring its concerns forward to the Administration and outside legal community. These organizations need and deserve to be visible and accessible to UCLA students, not hidden away like an after-thought. They need offices with privacy for their members.

In Dodd Hall, several offices are separated only by partitions; thus, denying organizations the ability to assure confidentiality for their members. This is of particular concern to APILSA, who recruits for Diversity positions in the Spring semester. Other organizations are required to share tiny Dodd offices; specifically, the Women's Law Union and the American Indian Law Society. More organizations are being singled out to share space. Meanwhile, the Dean's suite will be newly carpeted and the median strip in front of the law school is re-landscaped every two months. §

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Submissions Needed by the Docket.

The Docket is dedicated to becoming a vital voice in the UCLA community. We invite all interested students, faculty and staff to submit articles and letters for publication. Please limit your submissions to 1000 words.

It is the Docket's policy not to edit or editorialize about submissions from the UCLA community. The Docket does reserve the right to refuse to publish submissions which are particularly offensive or libelous. Nonetheless, the Docket is dedicated to covering all sides of issues of importance to everyone in the UCLA community.

Please write to or for the Docket. Staff positions are available for writers, editors and photographers. Contact Sherry Lear, 3L, by leaving a note in her box or at the Docket mailbox at the Information Desk.

The Docket

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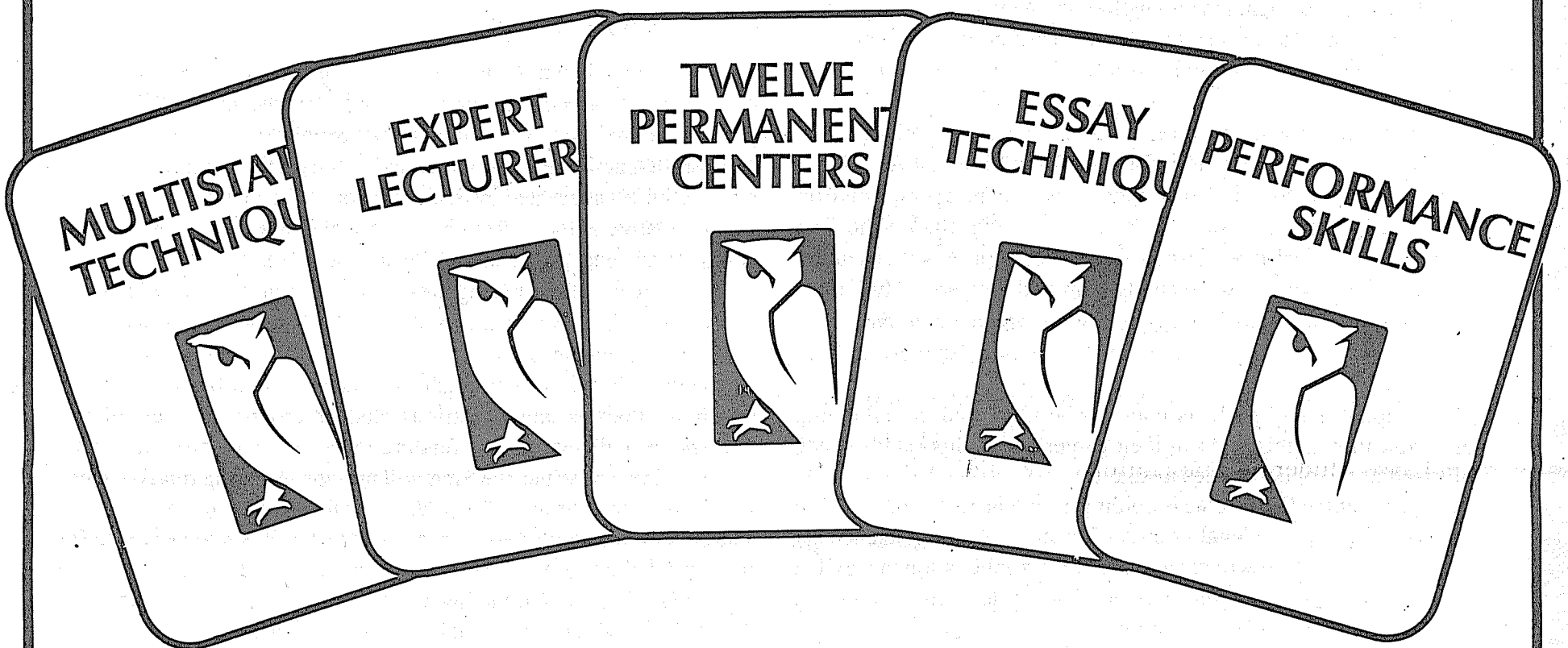
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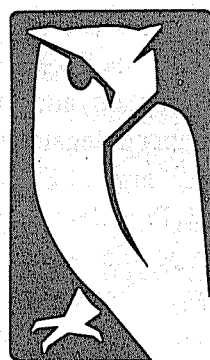
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UCLAW Student Appointed to ABA Committee

By Steven Stokdyk, 2L
ABA Representative

Last summer, I was appointed to be the student liaison to the American Law Institute/American Bar Association Committee on Continuing Professional Education. The Committee consists of twenty-six members, including the president of the ABA, the president of the ALI, and Professor Geoffrey Hazard of Yale. Its goal is to provide standards and opportunities for continuing legal education.

The Committee conducts hundreds of courses each year, and publishes a number of magazines including *The Practical Lawyer* and *The Practical Litigator*. It also supervises the American Law Network, which broadcasts programs to legal education centers throughout the country.

The Committee meets twice a year in Chicago and Philadelphia. My role at the meetings is to inform the Committee on ABA/LSD activities and concerns, and to provide a law student's perspective on the education programs. I also serve on the Bridge-the-Gap Subcommittee, which is responsible for developing a model curriculum for education programs for recently admitted lawyers. My liaison position offers a fantastic opportunity to become involved in a specific area of the legal profession and to meet with leading attorneys in the field.

Although many students may not be interested in continuing legal education at this point in their careers, it is important to keep informed of the opportunities available.

This year the Committee is holding a student essay contest. The topic is "What are the legal criteria of professional competence for lawyers?" The winner will receive \$1,000 and publication in the *CLE Journal and Register*, a bimonthly publication devoted to emerging issues in continuing legal education.

Students Urged to Join the American Bar Association

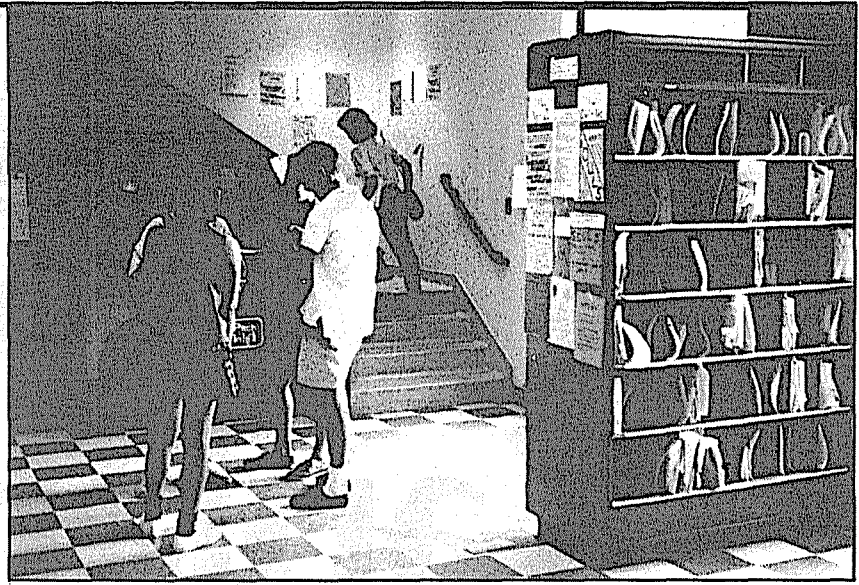
By Steven Stokdyk, 2L and Sung Hwang, 2L
ABA Representatives

The American Bar Association, or ABA, is an organization representing over 350,000 lawyers and 35,000 law students. The ABA is unrelated to the Student Bar Association.

Students can become involved with this organization by becoming a member of the ABA's Law Student Division. Membership includes subscriptions to the *Student Lawyer* and the *ABA Journal*. These magazines update students monthly on current developments in law and the legal profession.

ABA members have the opportunity to join a section, such as Litigation, Labor, International, or Individual Rights, and receive the additional publications of that section. These publications provide excellent opportunities to learn about substantive areas of the law as well as the practice of law itself.

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This year, the Student Bar Association plans to renovate the student lounge. photo by John Kirkland

SBA

(Continued from page 1)

We should do something like that." 2L President Sung Hwang felt that sponsoring a Happy Hour would "show people that the SBA can get things done" and that it might attract people to become involved in other SBA activities. Barbecues and beach parties were among the other activities suggested by SBA officers. "My objective," said 1L Representative Kara Anderson, "is to make sure that people stop being serious every once in a while and have fun."

Increased fund-raising is considered essential to any plan to improve the SBA. According to Joe Freschi, "We need to raise funds in order to become more active." The SBA receives about six thousand dollars from the Graduate Student Assembly each year, which it allocates among various student groups and activities. Student groups must submit funding requests for specific projects and, whenever possible, the SBA will provide matching funds or pay for the project entirely. The SBA also raises funds independently. The goal of this year's major fund-raising project is to raise \$32,000 for the refurbishment of the student lounge. SBA Treasurer Alan Unterman (2L) is coordinating a direct-mail solicitation campaign directed at local law firms and bar review organizers. The money is to be used primarily for new lounge furniture. This drive dwarfs previous efforts and illustrates the ambitiousness that characterizes the new SBA Board.

Students and SBA officers alike have argued that the SBA's poor communication with students has led to its ineffectiveness. "The SBA could certainly be more communicative as to its role, goals, objectives, and activities," according to Glenn Smith, 1L Representative. Kara Anderson said, "If you have goals that are worthwhile, and you let people about them, then people will want to get involved." Another 1L Rep., Rick Villasenor, feels that "People need to know what the organization can do for them before they can utilize its services and its influence." As part of an overall effort to improve communications, the SBA will include an article on its upcoming activities in each issue of *The Docket*.

Other suggestions for improving the SBA include increasing the number of officers (e.g. one per 1L section) and adjusting officers' duties. "Responsibilities need to be better delegated so that more than a few people are doing all the work," argued SBA Vice President Victor Ho (2L). Tom Cavanaugh, 3L President, suggested that "the SBA set up more programs in which people can get involved," such as issue forums and group discussions. Cavanaugh also argued that most students aren't interested in student government as such, but if you show them particular projects which appeal to them, then they'll help out."

The prospects for better leadership and increased activity in the SBA are encouraging. As Sung Hwang pointed out, "This year's Board is a lot more motivated and responsive to student needs—many of us ran on substantive platforms for change." Of course, previous SBA Boards have been ambitious at the beginning of the year as well, so don't hold your breath and wait for change just yet. This year, however, it is crucial for the SBA to emerge as a viable student organization if it is to survive as anything but a line on a few resumes.

UCLAW STUDENT PROFILE: STEVE SOSA

The Story of a Real Social Climber



the climber must make it to the peak and then hike back down the mountain. "You never go back down the way you came up. It is an unnecessary risk," Sosa explained.

**By: Sherry Lear, 3L
Editor-in-Chief**

As part of its regular features, the Docket has added "Student Profile". The purpose of this column is to acquaint the UCLA community with students who have unusual backgrounds or interests, have worked to overcome great disabilities, or have had extraordinary success. This month's column features Steve Sosa, 3L and rock climber. Thank you much to Steve and Professor John Wiley, who suggested the story.

One of Steve Sosa's fondest childhood memories is of Disneyland. He recalls watching the Matterhorn climbers and thinking to himself: "Wow. That would be the coolest job in the world."

Years later, Sosa was featured in the Disneyland calendar as a Matterhorn climber, a feat which promptly earned him the nickname "Mr. March."

Sosa's rock climbing hobby began at the age of 13 when he and his best friend, Byron, walked past a backpacking shop and saw a flyer advertising rock climbing lessons. They managed to convince their parents to pay for the lessons, and Sosa has been rock climbing ever since. At 16, Sosa climbed the northwest face of Half Dome at Yosemite. At the time, he was the youngest to have made the climb. His hobby has led him to deserts, mountains, and as far away as Arco, in northern Italy.

Sosa enjoys the comradeship of rock climbing as "routes" are typically traversed with a partner. One climber begins the ascent while the other feeds a safety rope from down below for all but the simplest of climbs. A harness fits around the climber's legs and waist. The first climber advances by finding a "hold," typically a crack or ledge. Sometimes the holds are very small, only one- or two-fingers wide.

Every 20 feet or so, the climber places a piece of "protection" into the rock. The protection can be a nut or wedge-shaped piece of metal fit snugly into a crack. A carabiner is then clipped into the nut and operates like a large safety pin to hold the safety rope in place; thus, the climber will not fall more than 20 feet back down the mountain. Protection can be quite high-tech; Sosa uses a high-tech camming device known as a "friend" which can expand to fit the width of

the crack.

After completing a "pitch," the 165 feet length of safety rope, the climber anchors by either getting on a ledge or securing the harness. The second climber will follow up the route, removing the pieces of protection along the way. The climbers "leap frog" up the route; the second climber is the first to perform the second pitch, having gathered all the equipment while the first climber was anchored.

A climb can last several days. On big climbs, a duffel bag filled with enough food, water and sleeping equipment for the duration of the climb, also must be pulled up the

mountain. The bag itself is made of strong, ballistics nylon so it does not tear when dragged along the rocks. If a ledge is not available, the climbers will hang folding cots, called

porta-ledges, from the side of the rock and actually sleep suspended. "It seems so much safer than climbing because you can lie down and eat something," Sosa said.

Sosa aptly describes rock climbing as a "physical game of chess." Strength and endurance are required to perform the necessary moves. However, "the bigger barrier is mental, knowing that if you do the move improperly you can fall 20 feet," Sosa explained.

Most rock climbers are men. Nonetheless, Sosa stresses that anyone can rock climb. "I climbed with a 14-year-old kid

"I thought the rock was going to give and I would fall 1000 feet to my death."

in Italy," Sosa said. He partnered for a number of years with a female rock climber. "Women will compensate for upper body strength by using their legs and feet more in making a climb. Men, on the other hand, utilize brute force in climbing." This

technique can have some disadvantages, as Sosa explains: "Some routes require more grace and technique than pure physical upper body strength."

The steeper the route, the more difficult the climb. So long as the route goes straight up the mountain and is not too overhanging, the climber can retreat by rappelling back down. If the route traverses outward; the climber may have to backclimb to retreat. At times, a route may turn around a corner to expose the climber to a 1000 foot drop; at this point, no retreat is available, and

only interest. To stay in shape, Sosa runs and bikes and occasionally participates in biathlons. He speaks French and German, and once translated an entire play from German for a friend. He also enjoys reading; one of his favorite books is Moby Dick.

Sosa received a degree in English from UCLA and enjoys a varied sampling of authors: Joyce, Faulkner, Dostoyevski, Chaucer and Gabriel Garcia Marquez. He came to law school because "I was someone with an English degree who didn't want to go to Grad School." He still contemplates getting a Masters in English "so I can go back

R o c k climbing is not Sosa's ultimate goal is to become a fiction novelist. Sosa describes good writing as "intuitive" and fears that education makes one too analytical

to be a good writer. He is bothered by the competitiveness and conformity the legal education system creates. "There are lots of interesting people with diverse backgrounds and talents who have come here. The law school pours them into the same mold and they all come out wearing gray pin stripe suits." Sosa himself views law school as something to fall back on.

Nevertheless, Sosa is sympathetic to the pressures his fellow students face: "After working so hard for 3 years, the money is surely tempting, especially for someone in a lot of debt." Sosa spent part of last summer clerking in an insurance defense firm. "I didn't like it." He hopes to find a public interest position during the Fall Interview season, but is concerned because many public interest firms are unable to make offers until the Spring. Sosa describes the 3 weeks spent as a volunteer with the ACLU this summer as "the most rewarding work I've ever done." He drafted a Title VII action for employment discrimination which was filed at the end of the summer on behalf of a Filipino woman prohibited from speaking her native language on the job.

There have been moments when Sosa regretted his hobby. Ironically, he suffered a severe injury while making a Matterhorn climb. "We would climb up and wave, wink and blow kisses at the the people in line for the Matterhorn. One day, I slipped and landed with my leg extended. I blew out my knee from the side. I could hear the ligament tearing." His knee had to be reconstructed in December of 1986; nonetheless, it does not prevent him from climbing. "You climb very slowly and precisely," Sosa explained. "There are not any jerky movements. I can

See Sosa, Page 13

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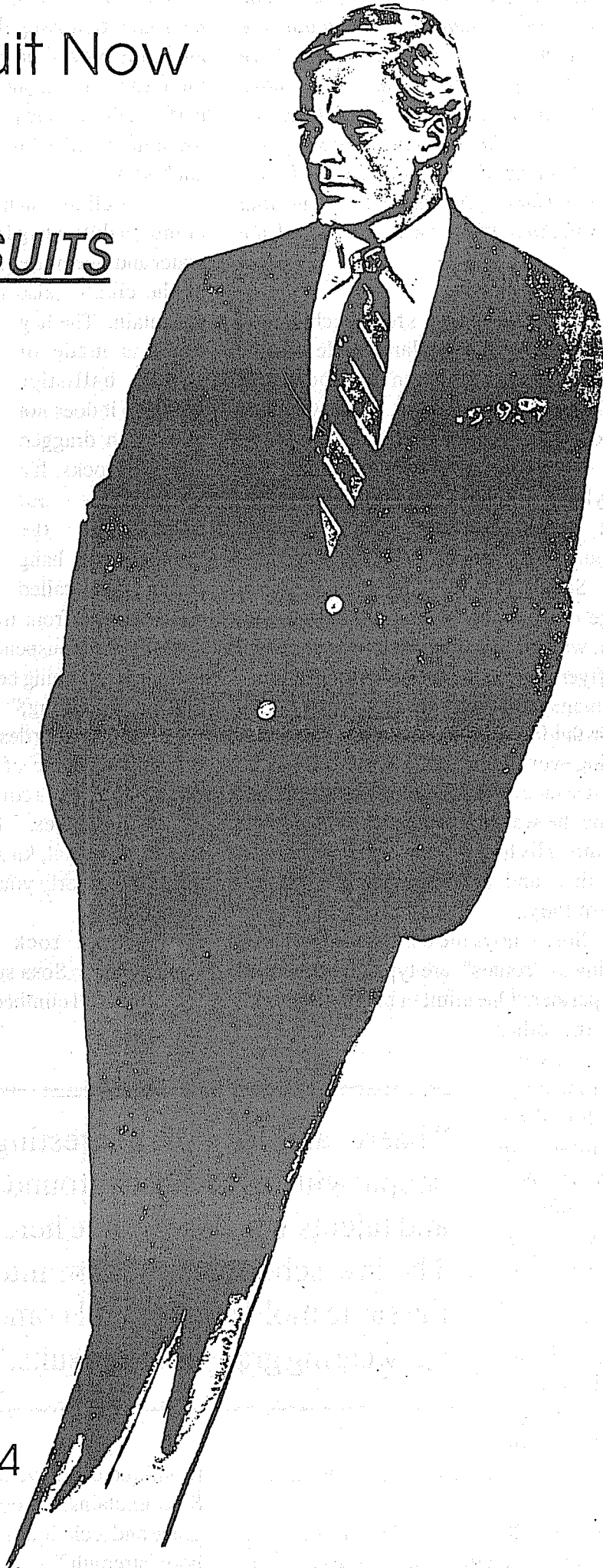
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The Dissent: A column by Helen Glogovac

Roe, Webster and Women's Rights

The Supreme Court has agreed to hear three new abortion cases this term. The most insidious of these involves an Illinois law requiring facilities where abortions are performed to meet costly hospital-level licensing standards. The only practical purpose of these incredibly cynical "health regulations" is to shut down already financially strapped family planning clinics. Of course, denying women access to these medical services only harms women's health. Since the Court upheld an equally offensive Missouri law in Webster v. Reproductive Health Services, it will probably allow the Illinois legislature to get away with this—precedent be damned.

Even if the Court followed precedent, there would be no guarantees of a decision respecting the fundamental right of reproductive freedom. Roe v. Wade, which "legalized" abortion, was itself a compromise between a woman's autonomy and state control of reproduction. The goal of most of the organizations in the pro-choice movement in the 1960s and early 1970s was to get the government out of reproductive decision-making by repealing special abortion and contraception laws. Though Roe v. Wade is often presented as a pro-choice triumph, the Supreme Court's compromise solution was to reform, not repeal. Despite Roe v. Wade, laws can govern abortion in a way no other medical or surgical procedure is legislated.

Reproductive freedom clearly was not taken as seriously as freedom of speech, assembly and other basic individual rights. As a result, poor women who depend on Medicaid can be deprived of abortion; teenage women can remain the childbearing chattel of families or courts; and pregnant women can be held responsible for damage to the fetus.

Roe v. Wade enshrined the idea of a state interest in the fetus and designated viability—the time when the fetus can survive independently outside the woman—as the point from which the state can prohibit abortion, except to save the health or life of the woman. Viability is not so much a logical line as it is a compromise between the feminist view that the law cannot treat the fetus as separate until it is born and the anti-choice view that the fetus is a "person" at conception. An increasingly anti-choice Supreme Court has used the idea of viability and state interest in the fetus to erode the right of reproductive freedom enunciated in Roe v. Wade by, as Professor Laurence Tribe put it, a "tyranny of small decisions."

But to value life from conception as actual human life is a matter of religious belief. Indeed, if potential human life is what the state wants to protect, why wait until conception? Each sperm is "alive" and can create a unique individual. Why not label as murderous the various chemical and latex contraptions that prevent sperm from reaching their manifest destiny? Maybe adopting the biblical "seed spilling" ban would be a bit much for the Court to stomach. And yet, the only one on the Court in Webster that seemed to be bothered by the Establishment Clause

implications of the Missouri law's "life begins at conception" preamble was Justice John Paul Stevens.

The most harmful aspect of the Court's allowing the state interest in fetal life to override a woman's right to choose is what it does to the equality of women. If women can't take charge of the most personal aspect of their lives, how could they possibly be on a level playing field with men? Women would not be able to achieve educational goals or make career plans—or any plans—if forced to carry every unwanted pregnancy to term. It is cruelly ironic that the state cannot compel even the parent of a child to donate an organ or even blood to save that child's life, yet the Court is willing to allow the state to force a woman to "donate" her whole body to save a fetal life, even when it places her health at great risk. The double standard is alive and well.

The whole anti-choice argument is fundamentally anti-woman. It wants to punish with pregnancy women who dare to be sexual—why else have the inevitable exception for rape and incest? In order for women to have equal rights and opportunities, the right to choose, like all fundamental rights, must be free of government interference. To respect a woman's dignity and autonomy means to view pregnancy not as a woman's duty or punishment, but as the truly voluntary gift of life to another. No woman should be forced to bring an unwanted pregnancy to term. §

Helen Glogovac, 3L, is a regular Docket columnist.

OCIP Alternatives

(continued from page 1)

not to recruit on campus, but may be receptive to students' individual outreach. Career Planning has assembled letters from employers soliciting résumés from UCLAW students, and a wide variety of directories and lists are available for targeting potential employers.

Students should not allow the high profile of the OCIP to dictate their future summer, or permanent, employment decisions. The individual job search process may be facilitated by a more complete analysis of the education, experience and skills the student has to market, and where his or her employment goals would best be fulfilled. Professional counseling services are available for individual career planning and job search strategies.

Some students are not interested in the corporate practice of law so widely represented in the Fall OCIP. Government, Public Interest, and smaller private practitioners typically do not hire through the OCIP, but rather as their respective needs arise. Career Planning will be coordinating Career Day/Job Fair programs for these employers in the Spring, but the most effective method of approaching these employers is through direct application. The reference materials for public sector employers have been updated and the Career Planning Public Interest/Government Employment Coordinator, Yoon Chang, is available to assist students in these areas.

To those students concerned about lack of results so far in the OCIP, Career Planning offers the following words of advice: Be realistic in your choice of employers. Broaden your scope. Create more possibilities for success. Many OCIP employers use a rolling

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call back/offer system, so be patient the next news you hear may be good. Over 500 employers are on campus during these six weeks and many have openings on their schedules. Your original schedule was only the initial distribution of interviews and you may supplement it through open slot sign ups according to your needs.

Students should also be aware that some employers will not meet their hiring needs through initial interviews and offers. This occurs because few employers get 100% return on offers extended. Therefore, employers who have not yet interviewed a student may be interested in seeing him or her at their offices. Students should send a cover letter and résumé to any employer of interest who they were not able to see you on campus.

Between the Fall and Spring OCIPs and students' individual outreach, the entire second year class obtains employment every summer and 90% of the third year class accepts permanent offers before final exams. Do not panic! The job search process can be frustrating for students, yet most are ultimately rewarded by patience

Public Service Challenge:

Students and Law Firms Working Together

By: Sherry Lear, 3L
Editor-in-Chief

Monica Tait, PILF President, will be representing UCLA at the upcoming National Public Interest Law Conference this October.

Tait, a second year, at UCLA School of Law, will attend three NAPIL board meetings and speak on a panel, Hot Law School Topics, about efforts to integrate public interest law into the law school curriculum. At last year's conference, NAPIL challenged law firms to support law students who want to do public interest work by providing funding for public interest grants and fellowships.

Law students on 53 campuses joined forces for the first time last year to solicit contributions from law firms to fund public interest grants. The student groups, which annually raise over \$800,000 from classmates, faculty and recent graduates, decided to try to build on their efforts with the support of the law firm community. They asked law firms to contribute \$1,000 for every five summer associates employed, to a fund drive the students call the Public Service Challenge. Already, 26 law firms have accepted the student challenge and contributed funds totalling \$120,000.

"We're glad to have this opportunity to express our support for law students and their public interest aspirations," said Robert MacCrate former ABA President and partner of Sullivan & Cromwell. "It's encouraging to learn of young attorneys coming out of law schools today, who will lead our profession in its future public service."

The law firm contributions were collected by the students' national office, the National Association for Public Interest Law (NAPIL), and were distributed in May to the campus organizations to be awarded to students and recent graduates. When combined with contributions raised on all 53 campuses, they were able to fund over 550 fellowships to law students for work with legal services offices, civil rights organizations, consumer and environmental advocacy groups, and international human rights organizations, and to recent law school graduates who have developed innovative public service projects serving these traditionally underrepresented constituencies.

By pitting law students against firms in a fundraising competition, the Challenge is designed to increase student tithing, as well as raise funds from law firms. "Each year, regardless of the strain of financing an expensive education, students manage to chip in nearly a million dollars of public interest work. Despite students' generosity, our member programs have to turn away hundreds of grant applicants," explained Michael Caudell-Feagan, Executive Director of NAPIL. "In order to meet the increasing demand for funding, a half dozen student groups started new on-campus fundraising drives, while other established groups doubled and tripled last year's fundraising. As a result, students beat the law firm community 8-1 in the Challenge. We expect tougher competition next year, but we are ready to go dollar for dollar with law firms to make public interest fellowships available," Caudell-Feagan declared.

NAPIL, which announced the Challenge at its annual national student conference last October, marketed the campaign as an innovative program by which law firms could support the public interest field and improve their on-campus recruitment efforts. Jamiene Studley, Executive Director of the National Association for Law Placement and member of the Public Service Challenge Board of Advisors, has helped NAPIL reach the firm recruitment community. "In many ways, the Challenge is a 'United Way' among student public interest fundraising projects," commented Studley, "With a single contribution law firms can assist students on over 50 campuses and in turn aid more than 550 public interest organizations."

The student funded fellowships, public interest law foundations and other student funded public interest grant programs that compose

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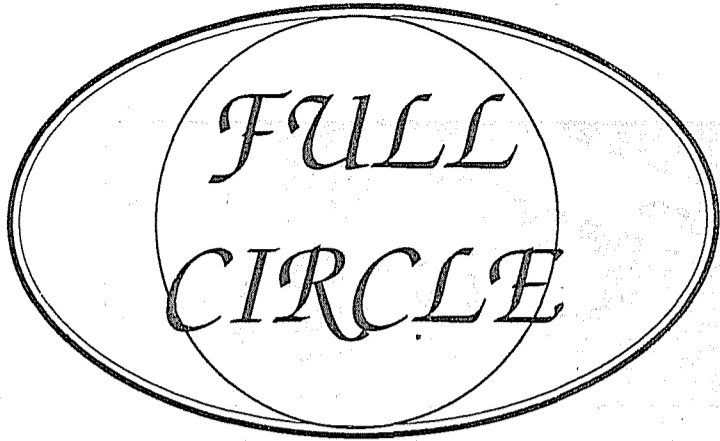
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NAPIL's membership plan to redouble their efforts at the upcoming National Public Interest Law Career Fair and Public Interest Law Conference NAPIL is sponsoring in Washington, DC on October 27-29. The conference promises to bring together over 700 students from 100 law schools with public interest practitioners, faculty and bar leaders.

To publicize the Challenge this fall, posters and brochures are already being distributed on campuses and a letter from the Dean's at participating schools is being sent to managing partners at major law firms encouraging their involvement in the Challenge. For further information on the Challenge or the upcoming conference, contact NAPIL at 1666 Connecticut Avenue Suite 424, Washington, DC 20009 or at (202) 462-0120. §



The following is an editorial which ran in the November 14, 1977 issue of the Docket under the title "Admissions Office Gropes With Bakke." The author was Diane Sherman. From time to time, the Docket will run old articles, columns and editorials from previous issues. We hope you enjoy these "blasts" from the past. The times are always a' changing!

Calling the Bakke case now before the United States Supreme Court "my greatest nightmare," Michael Rappaport, assistant dean for admissions, said last week that UCLA is still operating its minority admissions program and will continue to do so unless ordered to make a change.

Rappaport said he feared "utter chaos" if a decision upholding Bakke came down in the middle of this year's admissions process.

"It's a frustrating way to plan," he said. "We can't hold up our admissions until we hear from the Court, nor can we change our admissions system until we hear from the Court.

"It would be futile and a waste of time to plan a new admissions system now. We would plan for one contingency and the Court might adopt another.

"Applicants have a right to know what our admissions system is. The problem is that we don't know ourselves."

Rappaport meanwhile urged all minorities to apply and said he feared the publicity about Bakke would result in a decline in minority applications.

"We are afraid that minorities will be hesitant to apply now because they believe they are not wanted or that they won't get in," he said.

It is clear that UCLA's Legal Education Opportunity Program (LEOP), which admits minorities to the School of Law under special criteria, will be unconstitutional if the U.S. Supreme Court upholds the Bakke decision rendered by the California Supreme Court in October 1976.

The California court ruled that professional schools could not use race as a factor in determining admissions.

A token number of disadvantaged white students are admitted here each year under LEOP, but not enough to save the program if Bakke is upheld, according to Rappaport.

"Racial and proud"

"LEOP is a racial program and we don't try to hide it. We're proud of it," he said.

Partially in response to Bakke, UCLA has moved up its admission deadline from March 1 to February 1. The School of Law hopes to have made most of its admissions decisions before the Supreme Court rules on Bakke. Once made, admissions offers cannot be revoked.

Whether by design or by accident, the California court did not rule on Bakke until October, precisely at the end of one year's admissions process and the start of another.

The School of Law hopes for similar timing from the U.S. Supreme Court in the event of a decision upholding Bakke.

Professor Kenneth Karst, chairman of the Student/Faculty Bakke Committee, said the best time for a decision from the Supreme Court would be late in June or July and "the absolute worst" would be March or April, right in the middle of this year's admissions process.

Rappaport said that in the event a decision upholding Bakke were released in early Spring, he at least hoped for a clause stating that the decision would not become effective until the following academic

year.

However, both Rappaport and Karst acknowledged that there is a possibility of unsuccessful white applicants suing UCLA next year and citing Bakke as a precedent if the case is affirmed in the Supreme Court.

"We could well be spending a lot of time in court next year," Rappaport said.

Clancey Case "Disturbing"

He added that he found the case of Rita Clancey, a white student admitted to the UC Davis Medical School last September under order from a Federal District Court "extremely disturbing," but cautioned that "we really can't speculate on what will happen."

In 1976, two unsuccessful white applicants filed suits against UCLA charging reverse discrimination. The suits asked for damages as well as injunctions ordering UCLA to admit the applicants. One of the applicants was later admitted off the waiting list and the other eventually dropped his suit.

Begun in 1967, LEOP is one of the largest special admissions programs in the country, according to Rappaport. About 20 percent of each entering class is admitted through LEOP. That number is a "fixed goal," but the actual number of LEOP students admitted and enrolled varies from year to year. The minority groups eligible for admission under LEOP are blacks, Chicanos, Asian-Americans and Native Americans. A fixed number of slots are reserved for each of the four minority groups.

For the class of 1980, 580 students applied under LEOP, 127 were accepted and 71 actually enrolled. Under the regular admissions program, 2,220 students applied, 585 were accepted and 275 enrolled.

Minorities with competitive test scores and grades are admitted under the regular admissions program and not through LEOP. However, according to Rappaport, very few minority students are actually admitted through the regular program.

Tough Challenge

If Bakke is affirmed, UCLA will face a tough challenge to maintain a significant minority presence at the School of Law, Rappaport predicted.

Regardless of the Supreme Court's Bakke decision, the admissions office will work to implement the faculty mandate for integration of the School of Law, Rappaport stated.

By a 22-6 vote, the faculty resolved in September 1976 to "wholeheartedly support the goal of the integration of the Law School and of the legal profession, and . . . seek to promote that goal within the limits of the law."

Rappaport added that he felt the only public law school in Southern California, UCLA had a special responsibility to ensure that all segments of the population were represented in the student body.

The hope among administrators seems to be that even if the Supreme Court affirms Bakke and orders the admission of Allan Bakke to Davis Medical School, the language of the opinion will be less restrictive than that of the California Supreme Court which ruled absolutely that race cannot in any way be used as a factor in determining admissions.

"Not a Ray of Light"

"There's not a ray of light in the California decision," Law School Dean William Warren said.

In response to the California decision, a Bakke committee was established last year to propose alternative admissions plans which would guarantee minority representation here while at the same time meeting the requirements set down in the California Bakke opinion. The Committee met a few times last year, but virtually suspended operations when the U.S. Supreme Court granted certiorari in February, according to Karst.

Currently, the Committee consists of six faculty members and three students. Assistant Deans Rappaport and Fred Slaughter serve on the Committee ex officio and visiting professor Phil Jiminez has

"We could well be spending a lot of time in court next year," Rappaport said.

The Bear Facts



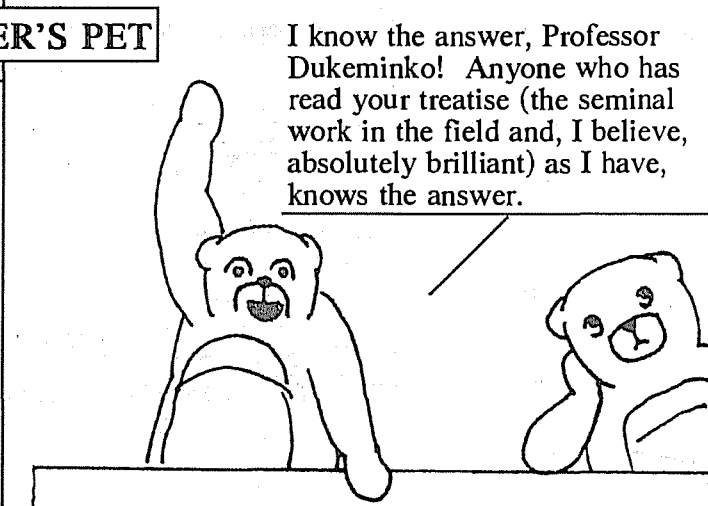
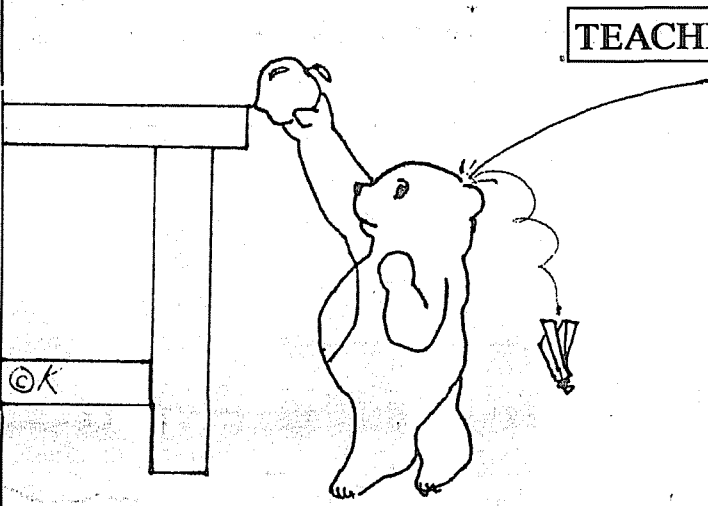
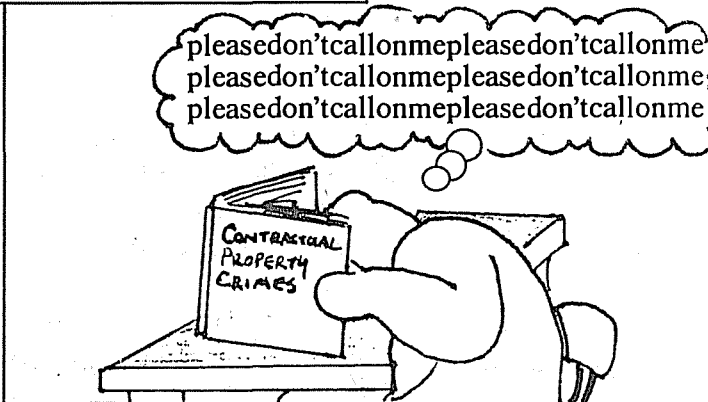
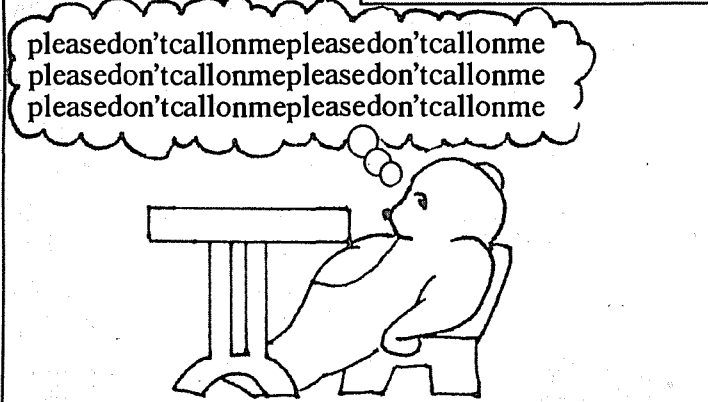
HEY KIDS!
This is Stogie the Bear's Activity Page! Match the captions with the cartoons. We know you can do it.

3rd Graders

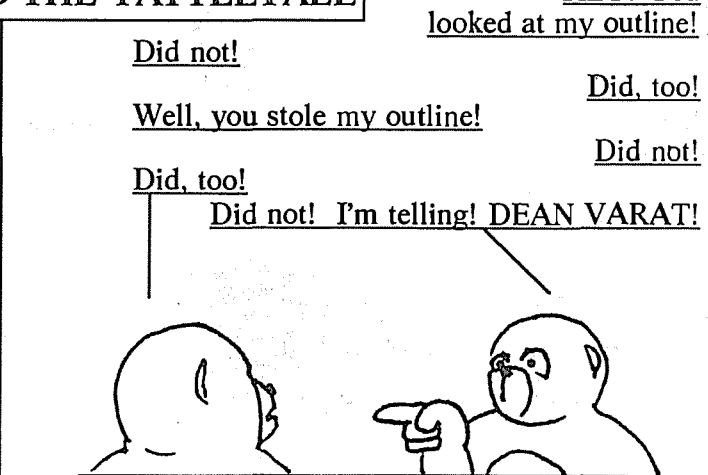
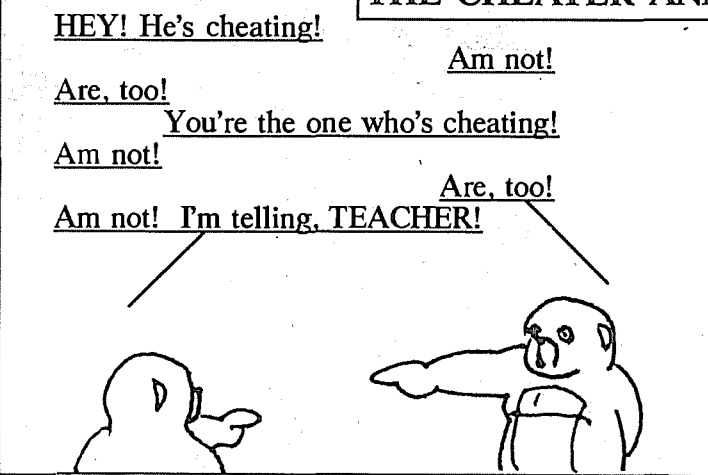
Law Students

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FEAR OF BEING CALLED ON IN CLASS



THE CHEATER AND THE TATTLETALE



ABA

(continued from page 4)

Although membership requires no time commitment, there are many opportunities to become involved on the regional and national level. Such involvement is a great way to meet students and attorneys from other law schools and areas of the country.

Third year students have added incentives to join the ABA. They receive an \$80 discount on PMBR, and are automatically enrolled in the ABA for free for the year after graduation.

Students should consider joining the

ABA as a matter of pride in UCLA as an ABA-accredited law school. Currently, UCLAW is near last place in terms of ABA enrollment of all the law schools in the country.

Last summer, I was appointed to be the student liaison to the ALI-ABA Committee on Continuing Professional Education. This committee consists of twenty-six members, including the President of the ABA, the President of the ALI, and Professor Geoffrey Hazard of Yale. Its goal is to provide standards and opportunities for continuing legal education in the United States.

The Committee conducts hundreds of courses a year and publishes a number of magazines including the Practical Lawyer

and the Practical Litigator. It also supervises the American Law Network, which broadcasts programs to legal education centers all over the country.

The Committee meets twice a year in Chicago and Philadelphia. My role at the meetings is to inform the Committee on ABA/LSD activities and concerns and to provide a law student's perspective on the education programs. I also serve on the Bridge-the-Gap subcommittee, which is responsible for developing a model curriculum for education programs for recently admitted lawyers. My liaison position offers a fantastic opportunity to become involved in a specific area of the

See ABA, page 11

UCLAW Professors Lead Consortium to Assess Advocacy for Homeless

by Ted Hulbert

Scholars, students and professionals from many fields concerned about homelessness will meet regularly in a workshop at UCLA School of Law this year to assess the effectiveness of recent litigation on behalf of the homeless and to seek new strategies for advocacy.

The project will be funded through a \$100,000 grant awarded recently by the Ford Foundation to the Interuniversity Consortium on Poverty Law. The consortium includes the law schools of UCLA, Harvard and Wisconsin.

In the coming months, Professors Joel Handler and Lucie White of UCLA will lead a team effort as academics from many

disciplines join with legal service lawyers, shelter providers, health care workers, community organizers and other advocates for the homeless. They will critique recent legal actions while they also seek to develop effective strategies for the future.

As the project unfolds, the researchers will work with local service providers to draft strategy and action plans. All of the services devised will be developed with the specific needs of the homeless families as a major factor. This information will be collected during open-ended interviews with families.

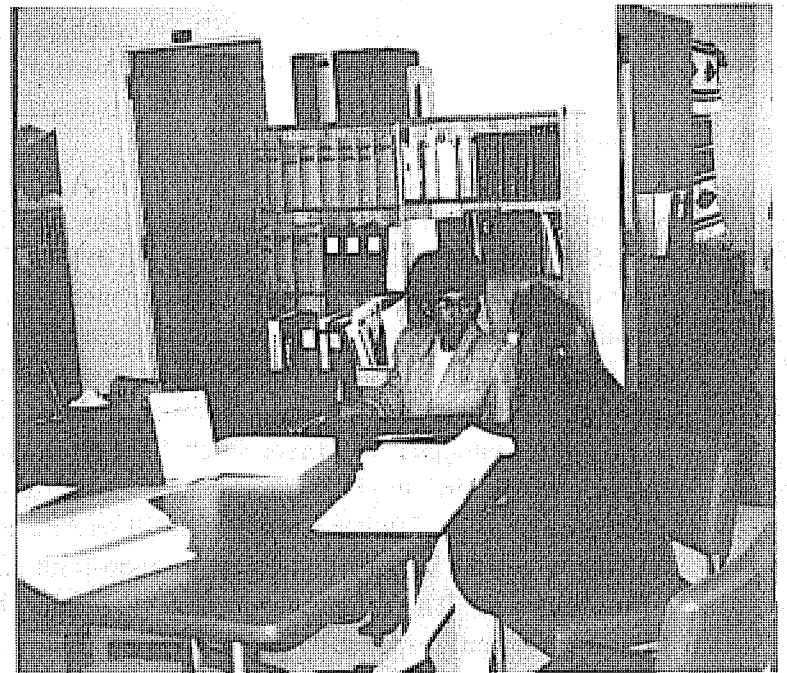
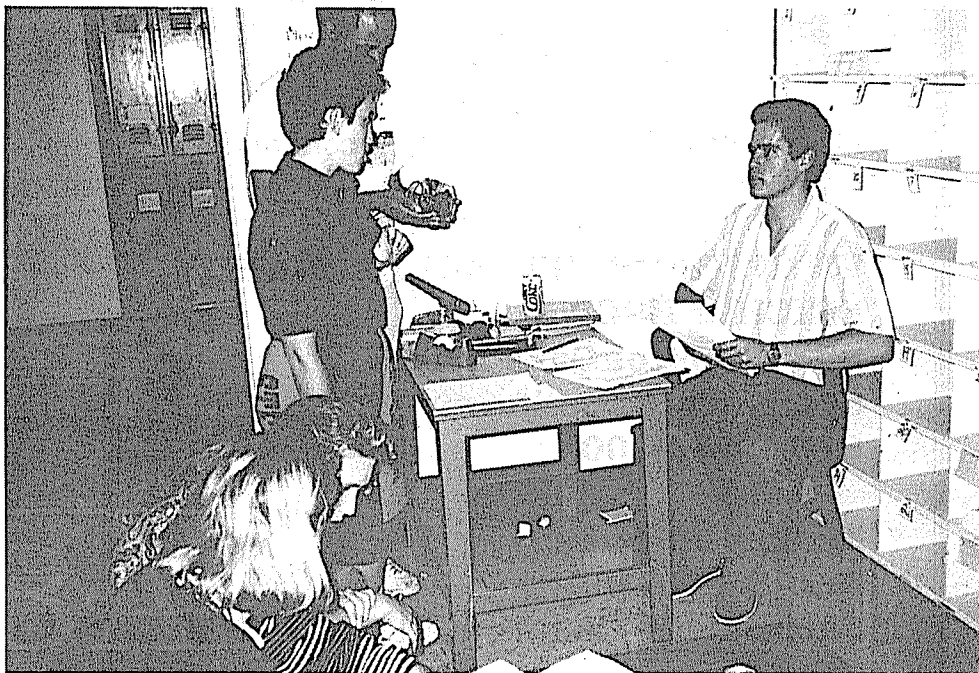
The project will focus specifically on the 1985 decision in the class action lawsuit

Hansen v. McMahon, which halted California's practice of removing homeless children from their parents under child neglect statutes. While the suit is acknowledged as a significant legal victory, it resulted in a very limited response to the underlying problem, observe Professors Handler and White. It made an additional \$40 million available for assisting homeless families, but at payment levels too low to cover rents in many urban counties.

Could an interdisciplinary team, not bound by the "professional myopia" of lawyers, have designed a more effective strategy? In asking themselves that question, the working group at UCLA will attempt to develop a range of strategies and policies for homeless families in the particular context of Los Angeles and California and in the wake of the Hansen case.

When the yearlong project concludes, the advocacy team will prepare a written report on its findings, will conduct a local workshop, and will present its findings to national scholarly and advocacy organizations so that others can learn ways to use non-traditional means to advocate for the homeless.

Top right: On-Campus interviews keep 2Ls and 3Ls busy throughout the fall. Top left: Wannabe advocates turn in briefs at the Moot Court office on Friday the 13th. Bottom left: The student offices at Dodd Hall are a haven for this couple, see p.2 for editorial "From the Dungeon."



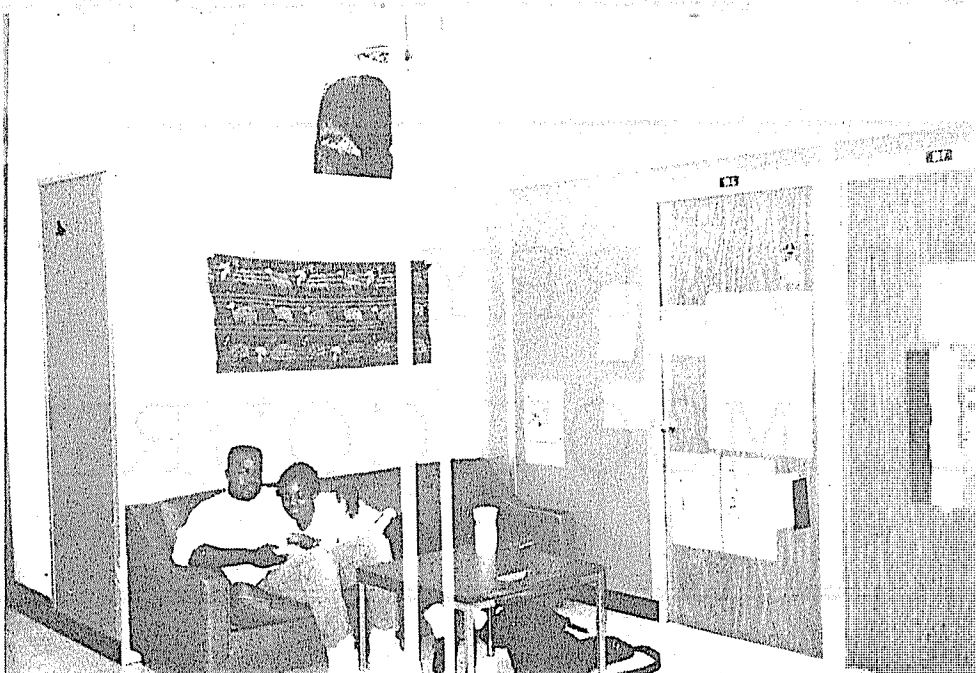
ABA

(continued from page 10)

legal profession and to meet with the leading attorneys in the field.

Although, as students, you probably are not interested in continuing legal education at this point in your careers, it is important that you keep informed of the opportunities available. More directly, this year the Committee is holding a student essay contest. The topic is "What are the legal criteria of professional competence for lawyers?" The winner will receive \$1,000 and publication in the CLE Journal and Register, and bimonthly publication devoted to emerging issues in continuing legal education.

If you have any further questions about the ABA/LSD liaison program in general or the ALI-ABA Committee and the contest in particular, please contact me - Steven Stokdyk (2L).



BAKER BOYCOTT

(continued from page 1)

is truly committed to achieving equality in the workplace.

Although several law schools, including the University of Chicago and Stanford, chose to ban Baker & McKenzie from recruiting on their campuses this year, the UCLAW Placement Committee, citing the positive steps the firm has taken since the incident, determined that on-campus interviews should be permitted. Said Bill McGear, director of Career Planning, "The Committee decided to let Baker & McKenzie put their money where their mouth is."

The Placement Committee recommended against a ban last spring, but many students were apparently unaware of these deliberations until this fall. Christine Littleton, chair of the Committee, responded to the confusion by writing a memo to UCLAW students explaining the committee's actions. Some students felt that the committee had underestimated the indignation of minority law students.

The National Black Law Students Association barred Baker & McKenzie from their nine annual job fairs and directed member groups

"The Committee decided to let Baker & McKenzie put their money where their mouth is."

to boycott the firm for at least a year. APILSA and La Raza joined the boycott in solidarity with BALSAs after an informal meeting with representatives from the firm. In a letter to Baker & McKenzie's Executive Committee, Susan Roe, APILSA co-chair, said "our boycott communicates to Baker & McKenzie and all law firms that we will not tolerate discrimination. Derogatory statements made against members of one race affect all minorities."

In an effort to preempt a boycott at UCLA, Baker & McKenzie sent two minority associates to meet with concerned students from BALSAs, APILSA, and La Raza. According to Irene Daniel, a third-year student and La Raza representative, the meeting was cordial and positive, but minority students remained dissatisfied with Baker & McKenzie's efforts. Although the firm was responsive, it did not send a hiring partner to the meeting. Similarly, the firm produced an employment manual for partners which they presented as evidence of their determination to end discrimination in hiring practices. The managing partner of Baker & McKenzie's Los Angeles office, Tony Vienna, characterized the manual as "a good-faith effort to educate hiring partners." This effort has not, however, been wholly effective: "It is an awkward response by people who aren't sure what to do, and in doing so, much of the material was condescending," said Irene Daniel.

There has been some discussion between Baker & McKenzie and student representatives about convening a forum to discuss diversity issues, including the need to educate hiring partners about cultural differences in the background of minority candidates, but so far, no date has been set. "It is not just one law firm, or one partner, it is an attitude that needs to be changed," said Daniel.

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DON'T WORRY,
IT'S ONLY MOOT COURT

FULL CIRCLE

(Continued from page 9)

been retained as a consultant. The Committee has not met yet this year, and its major work will take place during Winter quarter, Karst said.

So far, the only concrete admission plan devised in response to Bakke has been a "striated" proposal submitted to the Bakke Committee by Rappaport last March.

"Striated" Plan

Under the "striated" plan, each applicant would be assigned an index number based on grade point average (GPA) and score on the Law School Admissions Test (LSAT). The exact formula used to determine the index number would be $200 \times \text{GPA} + \text{LSAT}$. Almost all nonminority applicants are currently admitted on a similar index number system.

A pre-determined number of applicants would be automatically admitted from the top numbers in the pool. For instance, the faculty might determine that 70 percent of the class should be admitted solely on index number. The index number for automatic acceptance might be set at 1400 (675 LSAT and 3.70 GPA). Concomitantly, all students falling below a certain index number would be automatically rejected. Such a number might be set at 1100 (500 LSAT and 3.0 GPA).

The applicant pool between 1100 and 1399 would then be divided into 25 point gradients (e.g. 1100-1125, 1125-1150) and an equal number of students would be admitted from each gradient to fill the remaining 30 percent of the class. For example, if there were 12 gradients and 175 slots to be filled, an average of 14.5 applicants from each gradient could be admitted.

Subjective Factors

Applicants in each gradient would be judged solely on subjective factors including work history, unusual accomplishments, disadvantage, and service to communities needing more attorneys.

The striated admissions program would be a constitutionally admissible way of insuring that a significant number of minorities would be admitted each year, according to Rappaport. Minorities who would be largely in the lower end of the applicant pool would not have to compete against predominantly white applicants with higher LSAT scores and GPA's.

The striated plan would also enable the admissions committee to give serious consideration to outstanding and unusual non-minority applicants who under the present admissions system would not be considered, Rappaport said.

Finally, the striated proposal would remove the stigma of special admissions, according to Rappaport. All applicants would be treated alike, and those applicants admitted would be admitted because they would be the best in their stratum. Since no one outside of the Admissions Committee would know an applicant's score or stratum, no one would be labeled "specially admitted."

No Guarantees

Rappaport admitted that the proposed striated system could not absolutely guarantee a significant minority presence at the School of Law. However, he pointed out, any system which guaranteed a specific number of slots to minorities would be constitutionally unacceptable if Bakke is affirmed.

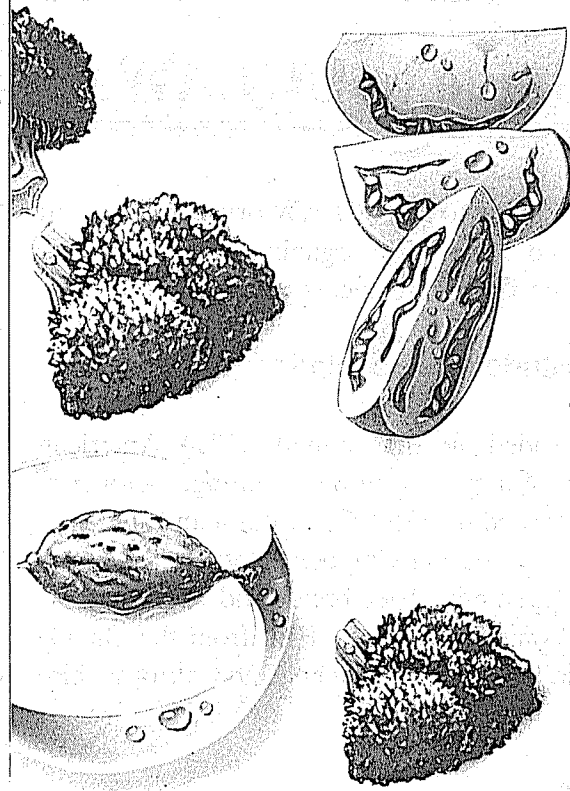
He predicted that the striated plan would probably work well the first couple of years because relatively few whites would apply with low scores. Thus, many of the applicants admitted at the lower gradients would be minorities.

"However, as the word got out that every applicant with scores above the minimum level would be considered, we could expect the number of white applicants at the lower end of the pool to rise," Rappaport explained.

Any dramatic increase in white applicants, many of whom would come from interesting backgrounds, would complicate the striated admissions program, Rappaport said.

"If we were to be honest and truly not use race as a factor in our admissions process, we could not guarantee that minorities would be admitted."§

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3. Include cabbage, broccoli, brussels sprouts, kohlrabi and cauliflower.
4. Be moderate in consumption of salt-cured, smoked, and nitrite-cured foods.
5. Cut down on total fat intake from animal sources and fats and oils.
6. Avoid obesity.
7. Be moderate in consumption of alcoholic beverages.

No one faces cancer alone. **AMERICAN CANCER SOCIETY**

SOSA

(Continued from page 5)

just reposition my leg if the knee feels bad."

In fact, last year Sosa "soloed" Mount Whitney in the Sierras. The mountain's face was "very exposed and remote, out in the middle of nowhere." At one point, Sosa turned a corner and discovered he was now exposed to a 1000 foot drop. He attempted different routes, found the holds too small and retreated several times. Finally, he found a "chimney," a crack wide enough to crawl into. Sosa climbed up the chimney until he came upon a rock which blocked his path. He grabbed the rock, and it started to wobble as Sosa dangled in the air: "I thought the rock was going to give and I would fall 1000 feet to my death." The rock held, Sosa climbed up and over it, and found the rest of the route much easier. He described the surprise of a hiker who saw Sosa arrive at the peak: "He looked at me and then looked around. He didn't know where I had come from. I didn't have the heart to tell him."

Rock climbing is an expensive hobby; it costs about \$1000 to "get set-up." Sosa acquired the necessary equipment as birthday and

Sosa describes the three weeks spent as a volunteer with the ACLU this summer as "the most rewarding work I've ever done."

Christmas gifts. Besides having a rope, harness and friends, climbers wear special shoes which are "tight fitting and almost slipper-like with high friction rubber soles." Climbers must always carry a chalk bag because their hands get very sweaty, "especially if you're scared."

Since coming to law school, Sosa has had little time for rock climbing. He has made a few climbs with Professor John Wiley who describes Sosa as "an expert rock climber." Sosa occasionally visits Stony Point in Chatsworth to go "bouldering," which does not require a rope because the boulders are only a few feet high. Sosa uses these opportunities to try short, difficult rock climbing moves, as well as work on strength and technique. He admits rock climbing can be intimidating as "everyone has a built-in, instinctual fear of heights. But," Sosa adds, "you can learn to control it." §

The Back Page

Guide to UCLAW Organizations and Events

The Back Page is a quick guide to the UCLAW organizations and their upcoming activities and events. All organizations are encouraged to submit announcements of future events for publication.

American Indian Law Students Association (AILSAs)

Contact: Toni Goodin, 3L

Members of AILSA attended the first annual UCLA American Indian Alumni Association Banquet on Friday evening, October 6, 1989. The banquet was attended by 125 UCLA alumni and students.

Authentic food from the Minnesota Chippewa Indian Tribe was served. Fare included walleyed pike, fried bread, and wild rice.

Entertainment included comedian Charley Hill, from the Oneida Indian Tribe, native Navajo Indian Tribe dancers, and California bird singers.

Career Planning Office

Contact: Bill McGearry, Dodd 77

The Career Planning Office encourages second and third year UCLAW students to utilize its resources in seeking employment through all available alternatives, after the end of the fall OCIP.

Date	Time	Room	Event Description
11/3			Fall On-Campus Interview Program ends

Chicano Law Review (CLR)

Contact: Mabell Aguilar, 3L

Child Care Coalition (CCC)

Contact: Sara Feldman, 3L

Christian Legal Society

Contact: Joseph Wu, 3L

The Docket

Contact: Sherry Lear, 3L

Environmental Law Journal (ELJ)

Contact: Harriet Pearson, 3L

Date	Time	Room	Event Description
10/25	5:00	1337	Panel Discussion: What It's Like to Practice Environmental Law, perspectives from government, public interest, and private firms.
10/31	8:00 - 2:00	Lobby	Halloween Bake Sale and Candy Sale! Enjoy great tasting treats and do your part to help the environment.

Moot Court Board

Contact: Darcy Calkins, 3L

The fall Moot Court Competition is now underway. Oral advocacy rounds will be taking place during the evening, in various classrooms at the Law School. The official schedule will be posted.

First year students are encouraged to participate as official Timers, giving them the opportunity for a first hand look at moot court.

National Association of Students Against Homelessness (NASAH)

Contact: Mark Neustadt, 3L

NASAH's "Firm Commitment" is underway. Even if you did not sign up, you can still participate. All you have to do is tell participating firms, when they offer you a callback, that you would like to go to a less expensive meal or hotel, and the money saved will be donated to help the homeless.

National Black Law Journal (NBLJ)

Contact: Stephanie Jackson

Date	Time	Room	Event Description
11/1			Deadline to submit a written notice of intention compete in the NBLJ/Broad, Schulz, Larson & Weinberg Commercial Writing Competition

National Lawyers Guild

The Guild encourages students to boycott the following law firms, which the Guild considers to engage in unfair labor practices against unions: Littler, Mendelson, Fastiff & Tichy; Morgan, Lewis & Bockius; Seyfarth, Shaw, Fairweather & Gerson.

Date	Time	Room	Event Description
10/23	12:00	1327	Informational meeting. Speaker Margo Feinberg, union labor attorney, on anti-union practices of law firms.

Pacific Basin Law Journal (PBLJ)

Contact: Nargis Choudry, 3L

Public Interest Law Foundation (PILF)

Contact: Lisa McLeod, 3L

Date	Time	Room	Event Description
10/16 - 10/20		Foyer	Honor your contribution pledge now at the PILF table.
10/25		Foyer	Halloween BakeSale.
11/9		TBA	Speaker Bryan Stevenson, from the Alabama Capital Representation Resource Center, on the nature of death penalty defense work.

Student Bar Association (SBA)

Contact: Mathew Metz, 2L

The SBA's major project this year is redecorating the student lounge. It is also hosting wine and cheese parties every Wednesday and Thursday afternoon.

First year students elected Parthiv Sangani to be class president. Glenn Smith, Rick Villasenor, Mark Twain, Paul Luehr, and Kim Anderson were elected as section representatives. The SBA appointed 25 students to serve on student/faculty committees.

The SBA will soon be receiving its money from the Graduate Student Association. Treasurers of student groups which desire funding should see SBA treasurer Alan Unterman, 2L.

Date	Time	Room	Event Description
Thursdays		Patio	Happy Hour. All students, faculty, and staff are invited. Food, soft drinks, and alcohol will be served.
11/?		Hall	School Party. All students, faculty, staff, and dates are invited. There will be a D.J., dancing, food, and drinks. Nominal door charge.

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University of San Francisco

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★ Steven Palmer, Esq.
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Loyola University

★ Jared Gross, Esq.
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★ Professor Herbert Krimmel
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