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SUMMER ASSOCIATE SURVEY CHART  
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# THE DOCKET

## UCLA SCHOOL OF LAW

VOLUME 36, #2

OCTOBER 1987

### VILLA

by John Melissinos

After more demolition and excavation, the long-anticipated law school addition will begin to take shape late next semester. And the noisiest, heaviest, and most disruptive work on the \$8.7 million project, scheduled tentatively for completion in March 1989, should be over by the beginning of next fall, according to Mark Edwards, UCLA Project Coordinator.

Years of planning, designing and lobbying will bear fruit as a three-story wing is attached to the northwest side of the

school and a two-story "link" is built above the main hallway. The exterior of the addition will match the exterior of the present structure.

The new "west" wing will project out toward Lu Valle patio, on the sight of what used to be the vending machine area and cooling tower. It will nearly meet the steps leading down to the bookstore, and there will be a new entrance, foyer and stairwell on the northwest corner of the new wing. The north side of the wing will be 15 feet away from the south edge of the Lu

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### BRENNER SPEAKS OUT

By Douglas M. Lee

(Daniel Brenner is the new director of UCLA's Communications Law Program. He was the FCC's Legal

Advisor for four years, serving as the Senior Advisor to the Chairman for two years. He has written extensively in the communications law field, and was recently appoint-

ed to the Board of Directors of the Corporation for Public Broadcasting.)

*Professor Brenner, what made you decide to take on the position as the*



PROFESSOR BRENNER

*new Communications director at UCLAW?*

Well, UCLA has a very good program which was, for a while, the only program in communications law. UCLA also has had a long reputation in entertainment law because Professor Melville Nimmer was here for so many years. I also knew Char-

lie Firestone, my predecessor, who asked the school to contact me. I decided to try something else besides government. Also, I grew up in L.A., so it was like coming back to my hometown.

*Did you ever have the opportunity to meet Professor Nimmer?*

I met Nimmer when I was 13, because one of his sons and I were bar mitzvahed together. Because of his prominence, UCLA's library has good research material. And there is a lot of interest in the L.A. community about what we

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### FIRST YEARS ARE DIVERSE

Welcome to the Class of 1990. Some years ago, the school decided to publish a First Year Pictorial edition of the Docket, to help the faculty to get to know you better and to assist you in getting to know each other.

The Class of '90 is the 39th entering class of the UCLA School of Law. The first year class members were chosen from a pool of over 4400 applicants, up over 10% from last year's applications.

The abundance of attorneys in the nation influences many students in deciding the type of graduate school to attend; many are now turning to business school instead. However, UCLA's growing prominence and low tuition combine to offer students an excellent legal education. The Class of '90 has approximately 368 students from a pool of 1006 applicants who were admitted. Twenty eight students deferred attendance at UCLAW until next year. The policy giving students this option was instituted by the law school in order to be cope with the unusually large first year class.

The Class of '90 is statistically older than classes of past years. The average age is 24.8, which appears to reflect the practice of taking off a few years after undergraduate school.

The law school strives for a diverse student body, and this year is no exception. Diverse characteristics such as age, interesting experiences and background, work history, race, outstanding achievements and disadvantages overcome are part of the admissions criteria. Women constitute 45 percent of the enrolled first year class. About 33 percent of the students are minority. Asians students are the largest minority group of the Class of '90. Black and Hispanic students make up the second and third largest minority groups, respectively. Three Native American students constitute less than one percent of

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### SUMMER ASSOCIATE SURVEY

By Henry Tovmassian

For a law student about to make an important decision as to which law firm he or she will become associated with for the summer or as a permanent associate it is essential to find out as much about the employer as is possible. Not surprisingly opinions of law students who have

already clerked at various law firms are often the best source of information about the prospective employers.

Few months ago the Docket conducted its first survey of second and third year summer associates at prominent Los Angeles law firms. App-

roximately, 80 employers were asked to participate in the survey. Fifteen responded affirmatively. The compiled information is presented in a large chart. Certain interesting comments have been separately printed.

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# EDITORIAL PAGE

## EDITORIAL

by the Committee on Gay and Lesbian Issues

In October and November the Judge Advocate General (JAG) Corps of the United States military services are using UCLA Law School facilities to interview students for positions in the Corps. The JAG Corps openly discriminate on the basis of sexual orientation, age, national origin, and physical limitation.

Since the 1970s, the Law School has maintained an anti-discrimination policy which forbids employers who discriminate from using law school facilities for recruitment purposes. Recently, buckling to threats of reduced Defense Department funding, UC President David Gardner ordered all UC campus units to ignore their internal policies and allow any employer who does not "illegally" discriminate to use UC placement services. In effect, the Gardner regulation enables a homophobic, ageist, xenophobic, and "disabling" organization to dictate policy over the vigorous objections of the Law School faculty, students, and Dean.

In the last two and a half decades, this country has codified legal barriers to certain types of discrimination. To this end, Congress has enacted the Age Discrimination in Employment Act (age), the Rehabilitation Act (handicap), and Title VII (national origin). Los Angeles has expanded such protections by prohibiting discrimination on the basis of sexual orientation, through Los Angeles Municipal Code Ch. IV, Art. 12 (7/8/79). Despite the military's overt rejection of these

local and national standards, David Gardner has forced our community to facilitate their discriminatory employment practices.

We are outraged. David Gardner's blanket order binds all of us, regardless of our individual beliefs. We find this result offensive on three levels. First, his edict undermines our abilities to reason carefully, analyze problems, and stand firm in our legal and social conclusions--skills our community has encouraged us to develop and act on. Second, Gardner's policy sends a message nation-wide that our silenced community supports these discrimination practices that are so stigmatizing and so oppressive to so many of us. Finally, as gay and lesbian students, we feel violated by the University's mixed message. What good does the so-called "equality" we enjoy in the classroom do when we are arbitrarily excluded from certain employment opportunities?

We cannot stop the military from interviewing on our campus this semester. There are few things, however, we can do. We can applaud our Dean and faculty in their continued resistance to the Gardner imposition. We can write letters to David Gardner to inform him of the reasons why this community objects to the decision he made on our behalf. And, most of all, for those of you who are interested in employment with the JAG Corps, please demonstrate respect for our community by arranging for an interview off-campus. §

## DECODING YOUR MAILBOX

by Alissa Revness

The next time you go to your mailbox, look and see if the label is simply the basic white strip of your name. It probably is; only a select few are color coded. Now look around at other boxes. You will notice dot-shaped stickers adorning some name labels. A black dot appears to denote a black student, a red dot an Hispanic, while the large, green florescent dot has me baffled. Although it is primarily affixed to the boxes of Asian students, I keep wondering if the size is also significant.

The only possible purpose I can imagine behind this color coding is selective mailings. Perhaps there are flyers a black student gets which are denied an Asian, or a student who is considered "non-diversity." Far be it from me to criticize this race-at-a-glance policy, rather I urge the University to expand it. For example, some students may resent being white by default. I suggest adding little white dots to the color code.

But why stop with race? There must be mailings which are directed at women only. Why not sex-at-a-glance? I propose a system of little blue and pink dots.

And certainly there are mailings which a conservative student would be more receptive to than a liberal. I suggest tiny donkey-shaped stickers for the democrats, elephants for the republicans. What about religious events? We aren't all interested in Christmas, so why not stickers shaped like crosses, Stars of David, or any other recognizable religious symbols?

The advantages to my scheme are evident. To begin with, it would greatly reduce the quantity of junk mail inflicted on each of us. Furthermore, imagine how convenient it would be to glance at a mailbox and know immediately where a person stands in the categories society sets. After all, isn't the whole idea of living together to be constantly aware of color?

I leave you with a brief quiz. Who would have a mailbox with half a white dot, half a red dot, a cross, a blue dot, and a donkey? Why a Christian male, half white, half Hispanic, who votes democratic.

© Alissa Revness

## LETTER TO THE EDITOR

Dear Editor:

Prof. Robert W. Benson, in his two August contributions to the *Docket*, has treated us to a heaping helping of political gab and to little else. We readers of a law school newspaper featuring a law professor's prose would expect reasoned argument or documented research. We got neither. Instead, we got doublethink in the key of JD.

Whether you believe the current Nicaraguan government is the only truly enlightened and humane democratic system in the Western Hemisphere, or you believe that Nicaragua is following the Cuban path of domestic economic stagnation with military mini-imperialism abroad, Prof. Benson's works miss the mark. But don't take my word for it. Review the two articles and consider these criticisms.

### CON LAW TRIVIA

Prof. Benson's larger article was entitled "Some Interesting Facts About the Constitutions of Nicaragua and United States." A nice comfortable title, one which draws the attention of the partisan and the innocent alike. The "Some" indicates that much factual material was left out. "Interesting" smugly suggests that Benson has the inside dope. The "Facts" Benson presents are without citation or reference. We might be as certifiably informed by a trading card in a cereal box: "Some Interesting Facts about Penguins." Collect them all.

Typical of modern American trivia, Benson's article attracts the hurried readers with the promise that in a few short paragraphs they will become educated about comparative constitutional law. Benson barks at the political carnival, beckoning the young and innocent to come inside, and in a twinkling to emerge with beaming understanding. You, too, can become a constitutional whiz kid.

### CONSTITUTIONAL CON

Any slightly-jaded second year law student, after two class sessions in Constitutional Law I, knows that a nation's constitution is not just words on paper. Indeed, U.S. Constitutional Law combines the written words, the common philosophical notions prevalent at the time of the drafting, understandings of English Common Law, the political culture of the American People, and the changes of interpretations with changes in language and culture.

Volumes have been written dissecting single phrases in the U.S. Constitution, trying to alternatively isolate meanings or generalize legal principles. The work of constitutional analysis has proceeded for two hundred years, so that today we understand what some of the clauses and phrases in that document express and imply. But many are still in dispute. And, as the second year student will discover just a few weeks into Con Law classes, small semantic differences can amplify into radically different policies.

Did Prof. Benson forget

these elementary notions? No. Clear analysis is not part of Con Law Trivia. There isn't enough room for discussion on the back of the game card.

Yet Prof. Benson can calmly, certainly, and briefly identify the provisions of the Nicaraguan Constitution, and tell us what they mean in practice? He cites no authorities, no cases, no examples of implementation. He doesn't even provide us with the Spanish language version, with or without translations. A careful legal scholar would hesitate to conclude anything about the practical effects of any constitutional provisions until

a) the native language provisions had been interpreted in context,

b) the country's political culture were examined,

c) the country's judicial system had applied the provision to a significant case, and

d) Legal, political, and popular reaction to the decision had been reviewed.

For example, Benson gives us no sense of what "Freedom of the Press" in Nicaragua means to Nicaraguans. Lacking insight into the political culture of Nicaragua, and the freedoms which Nicaraguans naturally expect, what can that guarantee of freedom really mean?

Benson notes that the Sandinista government suspended nearly all rights of free speech, movement, assembly, speedy trial, etc., just after the new constitution was adopted. There is little reported public outrage in Nicaragua, which tells us one of two things: Either the Nicaraguans have lesser expectations about their freedoms than do Americans, or all expression of dissent has been effectively quashed. In either case, the guaranteed freedoms in the Nicaraguan Constitution may be taken far less seriously than Americans take theirs.

But no such insight emanates from Prof. Benson's article. He apparently is satisfied with the outright intellectual dishonesty of one-line comparisons of vastly different constitutions. Benson dispenses the palpable half-truths

and unexplained language, leaving the hurried reader to conclude that Nicaragua's constitutional provisions convey the same meaning as would similar provisions if they would not employ such method of communication; a propagandist makes it his stock-in-trade.

### DOUBLESPOKEN DUPLICITY

In his other *Docket* article, entitled "Bork, The Senate, and Lawyers' Fairy Tales," Prof. Benson illuminates us:

*Every barber and taxi driver in the country knows that the lawyers' tales are nonsense. ...Lawyers, if you get beyond their professional nostalgia for the*

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LETTER  
CONT FROM PAGE 2

tales, will admit all this. ... The words of the Constitution, intentions of the framers, case precedents, underlying principles, and even the facts of any case are always vague and protean enough to support any result the judge wants to reach. ...it will be (the judge's) values and nothing else that will produce his decisions on the major issues of our time.

Let us apply Benson's reasoning to the content of his "Constitutions" article in the same issue of the *Docket*. If the Nicaraguan constitution promises Freedom of the Press, but the Nicaraguan judge doesn't like the Contra-sympathetic newspaper, what will be the outcome of the newspaper's challenge of censorship? Will the Nicaraguan judge follow words, principles, precedents - and overturn the censorship?

Benson must answer NO. Benson must argue that the Nicaraguan judge, like all "lawyers," will employ his or her personal values. "It will be (the Judge's) values and nothing else..." The Sandinista judge will rule against the Contra-sympathetic newspaper. So much for freedom of the press as guaranteed by the Nicaraguan constitution. Will any of the "freedoms" in that constitution mean anything in practice?

So what is Benson's argument? He offers none. He showers us with snippet summaries of the Nicaraguan constitution and bits of his view of history, then tells us that none of it matters because judicial decisions are partisan gut reactions. He snickers at the legal system under the U.S. Constitution, but fails to apply any analysis or criticism to the Nicaraguan government or constitution. He fails to employ the careful reasoning which is the method of legal thinking. He fails to document his case.

The propaganda technique called "The Big Lie" was perfected during the Third Reich. Its major thesis was that if you repeated something often enough with enough authority, it would eventually be believed to be true. You need cite no sources, you need offer no reasoning and no proof.

Prof. Benson has mastered the technique. But we are not convinced. §

(Richard M. Stevens is a third year law student at UCLAW)

VILLA  
CONT FROM PAGE 1

Valle seating area.

The link will connect the second and third floors of the North and South wings, and it will extend about 20 feet over the glass along the main hallway. An arcade will be created by the overhang and the eleven pillars which will support the addition.

The west wing will contain two large lecture halls, classrooms, hearing rooms, individual teaching rooms, and a "law office" for the clinical program. The link will contain 14 new faculty offices, a new suite of offices for the dean and associate dean, and a new faculty library.

Dean Susan Westerberg Prager praised the addition and said, it "underscores our commitment to clinical education--to really provide facilities designed for that purpose."

Prager added that the addition represented a "major achievement" because it will make the building "function better." The existing building was built in two stages, and the floor plan of the resulting structure makes it difficult to move back and forth between the upper floors of the two wings.

The two-story law office, while connected to the second and third floors of the west wing, is designed to be an independent unit. Projecting out from the end of the west wing, the law office will have its own entrance, own stairwell, and separate support facilities. The design is meant to give a more realistic atmosphere to the clinical program, and will also make it easier for the program to take on real-life cases.

A third phase of the construction project is the installation of a new airconditioning system in the South wing, which was finished in 1951. That work, which includes modifications to the electrical system, is slated to be done during next summer and will be completed by the time school resumes in the fall.

## THE WEST WING

On the first floor, the main hallway will make a sharp left turn and continue along the north side of the law school courtyard. There will be a new lobby where this new hallway meets the existing one, and a new elevator will be installed in what was the vestibule between the main hallway and the old vending machine area.

Also on the first floor of the west wing will be two large classrooms, one seating 85 students and the other 97. The

rooms will have seating on three sides in a horse-shoe shape, with the podium projecting into the middle of the room. There are new large men's and women's bathrooms on all three floors.

The second and third floors of the west wing will contain a wide variety of rooms for the clinical education program. On the second floor will be two hearing rooms and two "multipurpose" rooms, some about the size of 2137 and some smaller. All of these rooms will be video-equipped, with the monitors and controls stashed away in control rooms between the hallway and the classrooms.

Running along the patio will be eight smaller rooms for teaching and individual research. Some, termed "microteaching labs," are designed to give the clinical program greater flexibility than the present facilities provide because of the smaller size and greater number of the new rooms.

The third floor will have two more hearing rooms, two more multi-purpose rooms, and three video-equipped microteaching labs.

## THE LINK

The second floor of the link will contain a large faculty reference room and three team research rooms. A hallway running along the back of the link will connect the north and south wings. The new research space will be slightly larger than the two existing faculty libraries.

The third floor of the link will have a hallway running down the middle instead of along the back. Along the back or east wall will be a conference room, two administrative offices and nine faculty offices. The Deans' four-room suite and five more faculty offices will face the courtyard.

The construction of the link will destroy part of the current Deans' offices on the second floor of the north wing and 2137 in the south wing. On the third floor, the connection between the link and the existing building will mean the elimination of one office in the south wing and two in the north wing.

## THE LAW OFFICE

The two-story law office at the end of the west wing is designed to be a discrete unit, set up like a law office and providing a focal point for the clinical program. The first floor will contain a lobby, space for clerical and data-processing support, and rooms where students can meet with clients. On the second floor there will be a conference room and more client-consulting rooms.

The office will also house

the witness program coordinator, the externship coordinator, and the office of the assistant dean for clinical programs. There will also be a control room for the video recording equipment that will be installed in some of the client-consulting rooms.

## PHASING OF THE PROJECT

The first phase of the project is the replacement of the cooling tower with a new one to be built on the northeast side of the building along Circle Drive East. The current cooling tower is between the vending machines and Lu Valle patio.

With the present cooling tower in place, excavation for the foundation of the west wing cannot begin, but without the cooling tower the school's air-conditioning system cannot operate. Thus the existing tower will not be demolished until the new one is in place.

After the bid was signed on the 22nd of September, the process of getting a new cooling tower and purchasing it began, according to the Project Coordinator Mark Edwards. Presently, the new tower is scheduled to be installed and operating by about the middle of January, Edwards said. Excavation of the west wing's basement will begin about the first of February.

At about the same time that the digging for the west wing foundation begins, the contractor will also begin drilling for the concrete pylons that will hold the link in place. Once the foundation work is finished, the steel skeletons of the additions can be erected. According to Edwards, that work is slated to begin in the middle of May.

Edwards said that original plans called for partial demolition of the law school building early on in the project. But the idea was scrapped because the builder decided that since the additions were structurally free-standing, it was not necessary to connect them to the existing building until much later on in the project.

## AIR CONDITIONING SNAFU

The air conditioning system was shut down in the third week of October when the power line for the cooling tower was inadvertently severed by the construction crew, Edwards said. Although unindicated on the site plan, the line had been imbedded in a concrete "footing" that was ripped out as part of the demolition work. The problem was compounded when workers later cut a cold water line, Edwards added. §

## THE DEBATE

By Jesse Cardenas

"Extra! Extra! Read all about it! Law Profs debating," the newspaper boy shouted and waved the black and white transformers while cars honked and their owners grabbed their steering wheels and cursed at the brake pruned vehicle in front of them. "Extra! Extra! Read all about it."

The noise from the morning procession echoed in the valley of the skyline. Designer suits, dresses and jeans blanketed people as they walked, ran and dragged themselves to work. The news-

paper boy paced his streetcorner and tried to recognize his paying customers as they approached in shiny cars with cups of coffee on their laps.

Across the street, "Old Man Ink" sat in his chair with his newspapers at his side and his change belt in his hands. He sat there and smiled as the newspaper boy hurried to a car window while its owner stared straight ahead. Old Man Ink handed another paper to another customer, and people in cars stared straight ahead.

"Hey kid! What's with this debate stuff?" Old Man Ink

asked.

The newspaper boy stopped and looked. This was the first time Old Man Ink had ever spoken to him. Over the processional of horns, carburetors and mufflers, the kid yelled back, "It's a debate at the City Law School, ya' know, it's like boxing, but instead of punches they use sentences, and instead of Everlast trunks they wear weird suits."

"Is that so. So who cares! People don't want to hear about that. They want to hear about the Slasher, or the Strangler, or the Stalker, or the Satanic Singer, or any other form of alliteration."

The newspaper boy waved his newspapers at a passing car. "Maybe so, but this debate stuff is

big news at City Law. This one girl with a patch on her backpack that read 'Landlords have no umph!' told me that they cancelled classes so students could attend the debate, and they never did that before."

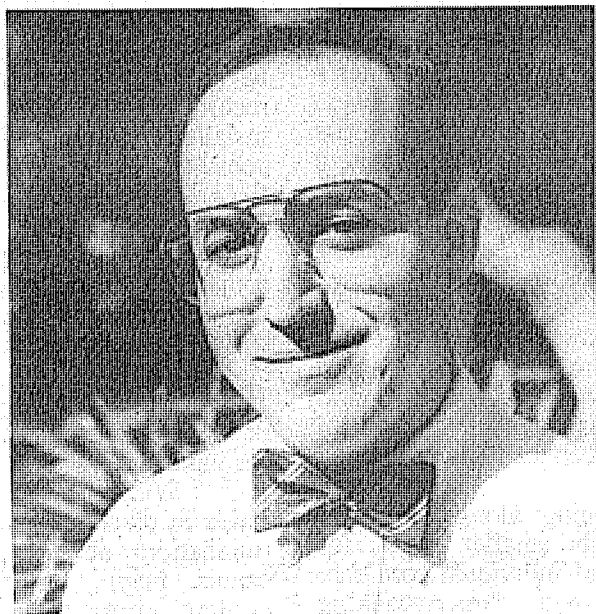
"That's funny, because I talked to this student this morning, and he had a sticker on his notebook that said, 'Tenants have umph, they just can't pay!' and he told me that they be lucky to have any type of audience."

"Well it's a pretty important debate and I think it will be crowded."

"I think it won't."

"I think you think it won't,

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## ADEQUATE CONSIDERATION

by David Portnoy

### "The Cycle Game"

With all their ostensible differences, the three years of law school are frighteningly the same.

Phase 1L: Even if you've only been in law school for a few weeks, you no doubt have recognized the plethora of opportunities for good, high-powered anxiety—even at UCLA. From keeping up with the nerd who's already read—and briefed—all the cases for the whole semester, to developing your own, fool-proof study techniques, to getting wound up over law review (yes, a few of you have already asked about "getting on"), the average 1L is confronted with a battery of choices for laying the foundation for a strong, lasting ulcer.

Phase 2L: The ridiculous worries over first-year exams have been supplanted by more sublime angst over summer jobs. On second-year students' minds (and bodies): Resumes; Cover Letters; Pin Stripes; Free Meals; Big Bucks; Success. The equation is almost Pythagorean in its simplicity, is it not? Your bid sheet is your bible, your dry cleaner your savior. If you are the least bit apprehensive about your resume, change it! Maybe the records office won't notice the new GPA, or the fact that you've been elected to law review, moot court and Order of the Coif in September of your second year. After all, the worst they can say is "no."

Phase 3L: Get ready for some serious schizophrenia. Tossing baseballs and frisbees is punctuated by tossing prior meals. This is the year of the elective, of twelve unit semesters, of strengthening the tan—which will have to endure several months of fluorescent cold turkey right after graduation. For this is also the year of the biggest challenge of them all: Le Bar. To listen to some third years talk, it's as if they were getting ready for the Summer Olympics, the LSATs and an expedition with Outward Bound, all at the same time. Can you blame them? If you don't pass this one, you might as well forget about the last couple of items listed in Phase 2, *supra*. It's three years down the drain—and another two in therapy. Cancel the new business cards. Take your name off the firm letterhead. Tell the guy who's leasing you the Porche that you've "decided to modify your lifestyle ... for purely personal reasons, of course."

Yes, Virginia, there really is a cycle. Trouble is, all the phases feel a lot like second-year employment angst; if first-year examaphobia doesn't feel a lot like waiting for law school acceptances, consult your physician.

## THE DOCKET

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## SIDEBAR

by John Melissinos

The planning for an addition to the law school began in late 1978 and early 1979 under the law school's fourth Dean, Professor William D. Warren.

Dean Susan Westerberg Prager, who became associate dean in January 1979, said Warren saw that added space, especially space designed specifically to meet the needs of the clinical program, was "one of the essential pieces in having a great law school." He "recognized how severe our needs were," she said.

Originally, plans for an addition included more library space. But the State Legislature is hostile to funding library space, and the planned construction package was split in half in 1983 at the request of the University-wide administration, Prager said.

"It looked like if we left them together it would kill the whole thing," said Assistant Dean for Administration Idarmis Villareal. An addition to the library is at least five or six years away, Villareal said. She added that one of the administration's goals is to be able to house all law school related offices and organizations—like the Placement Office and the Admissions Office—in one building.

After six years of planning, money was approved for the two-part addition that will be built over the next 18 months. But having money budgeted and actually beginning work have proved to be two different things. Over the last two years, funding problems have prevented the beginning of construction.

Originally, \$6,231,000 was approved in the University's 1986-87 budget for the work on the addition. Another \$609,000 was allocated in the 1987-88 budget for the equipment and furniture needed to complete the interior of the building once work on the structure was complete.

The money was to come from Tidelands oil revenue, historically a source of funding for construction at California's universities and colleges. However, when oil prices dipped, this source of funding dried up.

The \$400 million Proposition 56 ("The Higher Education Bond Initiative"), approved in November, 1986, provided a new source of funding for the law school project. With the money available, bids were called on March 23, 1987.

When the bids came back on May 28, the University discovered that the lowest—at \$7,077,000—was \$1,140,000 over the \$5,937,000 that had been allocated for purely building expense within the overall project budget, Villareal said. In July the University asked the State Department of Finance for more money, which it approved along with an extra \$40,000 for cost inflation and other incidental expenses, she said. After review by the State Legislature's Budget Committee, on August 28 the State Public Works Board approved the extra money for the project.

Finally, on September 22, the bid was signed by the contractor, M.H. Golden of San Diego. The fences started going up later that day. §

## HAVE YOU GOT A CASE OF THE "I - OUGHTTA'S"?

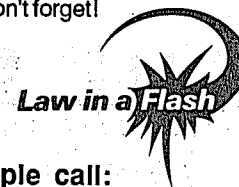
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**DEBATE  
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but it will."

"I think you think it will, but it won't."

"You may think so, but I believe I'm right, therefore it will."

"Well you're entitled to think it will, but since I'm right and your wrong, then it won't."

"But--"

"Enough of this argu--"

"Debate."

"Whatever."

Old Man Ink resumed selling his papers. The newspaper boy locked up his stand and walked toward City Law.

City Law was one of a few law schools located in City. Its reputation was better than the others. Its rival was called Tennis, Polo and Law, which was located across town. The newspaper boy approached the school slowly. There were people mingling in the foyer. Some of them drank coffee, while others sat on the floor wearing sweats and torn shirts. The newspaper boy walked to a table which had been placed at the entrance of the Debate Room. Behind the table sat two women with corsages and name tags that read Carol and Claudette, next to them a short man with glasses talked about the ramifications of the *Curvessier* decision while he nibbled on a croissant.

The newspaper boy looked down at the sign-in sheet and noticed all the different schools that were represented. Country Law was there, and Metropolitan, along with Supreme Court Law, all the local schools had representatives, including Biff from Tennis, Polo and Law. In among the schools were sprinkles of Correspondence Law and You Pay, You Play Law.

Inside, there were students in the back and professors in the front with note pads. At the podium, Arthur Hillerberg spoke as the newspaper boy seated himself in the rear.

"There is no debate. It is clear and convincing, no, beyond a reasonable doubt, our position is correct. There is no need to mention how our discussions at Supreme Court Law have been cited as authority. For as many years as we can remember, the 'i' has been long as in bite, and the 'a' as in car." Professor Hillerberg pointed his nose in the air. "Furthermore, our institution has been the nucleus for the evolution of law. It is evident that as a standard setter, our discussion of this issue should reign as King. I am afraid to add that it seems as though some of you are letting your ambitions warp your analytical skills."

Professor Hillerberg then brought his nose down and sat between the two professors from City Law. Biff Barrington III from Tennis, Polo and Law stood up and began to speak.

"Professor Hillerberg makes a valid argument, and I wish to thank him. His influence in law directed my own path as a law professor. In my dealings, I have come across many things. Whether it be playing golf with my friend The Whale, who is a pro golfer, or having lunch with one of my movie star friends..."

There was a loud hiss from the audience.

"Well, as I was saying. If we were to use the analogy of a master musician, who for many years was the best at what he did,

and nobody questioned his authority. Then one day our master musician discovers a young prodigy. And this prodigy learns from the master musician. And after many years the prodigy develops his..."

Hiss!

"Her own personal notes. And then instills her own influence in the archives of music, eventually becoming a master herself. It is clear that our definition of the issue is correct. The 'i' is long as in bite, however, the 'e' is long as in even, and the 'a' as in car is incorrect as suggested by Professor Hillerberg. Thank you."

Professor Hillerberg raised his hand and said, "If that is correct, then it can be inferred that there is no fallacy in the master musician's work. What the prodigy did was to discount years of masterful work for a concept rooted in a radical movement to abolish musical history."

"Professor Hillerberg, you have distorted my analogy. There is no attempt by the prodigy to destroy music. The prodigy is merely improving the path of music and making it compatible to 20th century technology. Would Mozart be able to jam with Bon Jovi? I think not."

"And you are correct Biff. For Mozart to lower his standards and perform with Bon Jovi would disgrace the high standard of music he created. There is no need to change the beauty of his tunes because an adolescent following demands it."

In the audience, a Black Robe Law professor stood up and proclaimed, "We hold the answer 'ab initio,' it is 'lata culpa' to disregard what we have given to your profession. We hold the truth 'inter vivos,' 'intra vires,' 'in transitu,' and 'in toto.' As the knower of all I command--"

Hiss!

Both professors from City Law stood up and began to speak.

"We we feel--"

"After you."

"Thank you. We feel that this issue must be looked at in a larger time frame. Historically, the courts in order to promote--"

"Thank you colleague--"

"But--"

"Under a regime that has a 50% following, with 30% following regime #2, 15% for another regime and 5% undecided, we see how important it is to strive for a regime with an 80% following. There is no need to have such a dichotomy in the end. If we follow our analysis of having a long 'e' in both cases, then it is apparent that a consistent standard has been developed, which allows for the community to follow a system which is not confusing."

"The courts, historically, promoted--"

A buzzard went off signaling the end of the debate. A person seated in the front stood and addressed the audience.

"Thank you for attending..."

"But--"

"Thank you for your participation in our discussion regarding the correct pronunciation of PRIMA FACIE."

As the newspaper boy walked out he noticed a tee shirt with the words RES IPSA LOQUITUR on the front. Later at his streetcorner, the newspaper boy shouted, "Extra! Extra! Res Ipsa Loquitur! The Slasher escapes from prison! §

# HOW I SPENT MY SUMMER VACATION

By Douglas M. Lee

Friends. Fun. Flexible hours. Free food. It was almost too good to be true. Yet that was exactly what McDonald's was offering. How could any sane person resist? I know I couldn't. However, I did do some on-campus interviewing with law firms just in case I got rejected by McDonald's. But I prayed hard that night, and my prayers got answered.

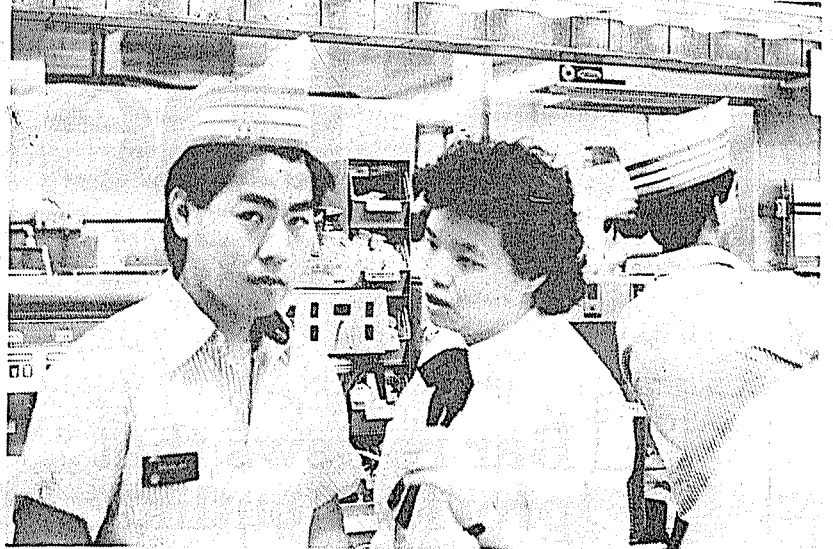
During the interview, the manager gave me a hard time about the two "B+'s" I got in college. I got him to accept me only after I promised to name my next two pimples after his mother. And that's the whole story behind how I made the team. Despite those rampant rumours, I didn't have to

service the manager's Big Mac in order to get a job.

## The Uniform

The infamous McDonald's uniform. Often imitated, but never duplicated. Women love a man in a uniform, and the McDonald's uniform is no exception. When I put on that uniform, I feel lust in the air. With its sleek post-punk, high-tech look, everybody wants it, but you can't buy it. You have to earn the right to wear it.

It wasn't merely the look of the uniform. Just wearing it somehow magically transformed a person. You weren't Joe Blow anymore (although I was never Joe Blow), you were part of that McDonald's team. It was just one big happy family. The others



## "ANOTHER DAY IN PARADIZE"

working with you were your brothers and sisters (in an incestuous way) and the manager became your father (the one you wish you never had).

As soon as I got my uniform, I wore it proudly everywhere I went. The theater. The opera. The ballet. Nightclubs. I noticed people staring at my uniform, and I knew exactly what they were thinking: "That lucky devil!"

I still remember the very first time that I wore that uniform. It ranks up there as one of those special moments that I will cherish for the rest of my life. I had pictures taken so that one day I would be able to show my grandchildren. Those Burgers

McDonald's is world renowned for their burgers, so when they told me that my very first assignment was grilling those babies, I was ecstatic! Yet getting that glamorous position was no picnic. Flipping burgers is both an art and a science, and I had to undergo weeks of intensive training in order to be good enough to wear the McDonald's cap. It is a skill one highlights on his resume. Even after passing the numerous grill drills, only the top 10% will be called up. It's sort of like "Top Gun", only different. Those who fail normally go on to become attorneys, fantasizing about what could have been.

The climb to the top is difficult, but the rewards are plentiful. After surviving 8 weeks of supervised grilling, you get the prestigious McBA (Macsters in Burger Administration). When employers get wind of the fact that you have a McBA, doors fly open.

Everybody wants you because they know that McDonald's is no fry-by-night operation. However, most grillers stay on, becoming hooked on that adrenalin high you get from dodging splattering grease.

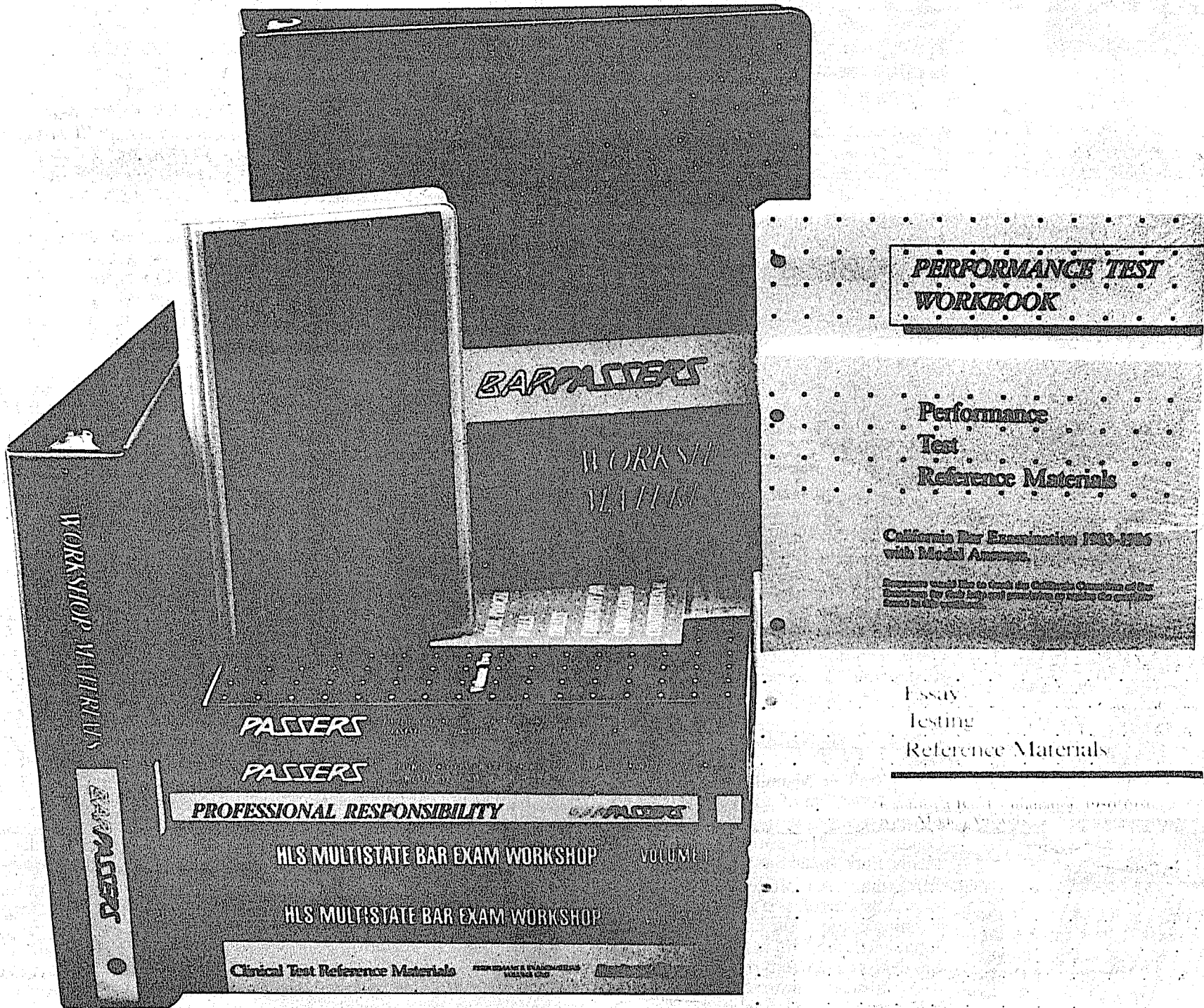
Once, for a week, I had to fill in for a vacationing cashier. It wasn't bad. I got to meet a lot of fat people, and say such wonderful lines like "Do you want any french fries with that?" When people took me up on my offer and ordered large fries, I would always innocently reply, "How big do you want them?" The manager wasn't so keen on us fraternizing with the customers, however, and so I wasn't really able to get into any long intellectually stimulating conversations with people who would order 10 big Macs. Sometimes, life can be so unfair.

Unlike the art of grilling burgers, it was easy learning to operate the cash register. You didn't have to memorize any prices, you merely had to press the "fillet'o'fish" button or the "apple pie" button. When you made an error, you just had to press the "Oh, stupid me!" button. If only law school were so easy. Pictures would be even better, however, as some words have more than 3 syllables (i.e. Mc-Nug-gets).

## Cleaning Up My Act

At the end of each glorious day, I had the responsibility of cleaning up the bathroom. I think I got this honor because I once deep-fried the manager's tie, mistaking it for a giant french fry. Anyway, by the end of the summer, I knew every square inch of that bathroom (and I'm not shitting you either). §

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# PARTICIPATING LAW FIRMS

## ALLEN, MATKINS, LECK, GAMBLE & MALLORY

ALLEN, MATKINS, LECK, GAMBLE & MALLORY, founded in 1977, has grown from six attorneys to more than fifty attorneys. The firm has offices in Los Angeles (downtown and Westwood) and in Orange County (having recently moved its Newport Beach offices to the City of Irvine). The Los Angeles and Orange County offices are fully integrated with each other, having been established simultaneously upon the formation of the firm in 1977. Attorneys from the Los Angeles and Orange County offices regularly work together, and the management and administration of the firm is shared by both offices. The firm has long enjoyed a national reputation for real estate practice. In the last five years the firm has established a business practice centered on its commercial litigation, tax and corporate departments. These departments now account for about one-half of the firm's annual billings.

## FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG, MANLEY, MYERSON & CASEY

FINLEY, KUMBLE is the second largest law firm in the United States, consisting of over 675 attorneys. Among the firm's attorneys are former United States Senators, a former Governor of New York, a former Mayor of New York, a former congressman and United States Attorneys, retired judges, and former high-level government officials. Each of the firm's offices-located in New York, Beverly Hills/Los Angeles, Washington, D.C., Baltimore, Baton Rouge, Miami, Ft. Lauderdale, Palm Beach, Chicago, Dallas, London, England, Newport Beach and San Diego, California is in itself a full-service firm, providing clients with a broad range of corporate and legal services. Since the Los Angeles office was established in 1978, it has grown to in excess of 170 lawyers. The office is presently located in Beverly Hills, with satellite offices in downtown Los Angeles, Newport Beach and San Diego.

## GENDEL, RASKOFF, SHAPIRO & QUITTNER

The law firm of Gendel, Raskoff, Shapiro & Quittner enjoys a rich tradition in the Los Angeles legal community. Martin Gendel, the firm's founder, commenced practicing law in Los Angeles in 1932 upon graduation from Boalt Hall at the University of California at Berkeley. Miles Raskoff, Brenard Shapiro, and Arnold Quittner joined Mr. Gendel's practice during the 1940's and 1950's, giving rise to the

present firm name. The firm today comprises approximately 50 attorneys who practice in the specialty areas of corporate reorganization and business insolvency, banking, finance and commercial law, business litigation, and commercial real estate law.

## HILL, FARRER & BURRILL

Hill, Farrer & Burrill, formed over 50 years ago, is presently composed of 47 attorneys, 18 of whom are partners, and is divided into four primary departments specializing in litigation, labor, business, and taxation matters, respectively. In addition to the four primary departments, our firm has partners and associates specializing in real estate development, financing, construction and condemnation; government contracts; estate planning, probate, and trust administration; as well as unfair trade practices law.

## IRELL & MANELLA

Irell & Manella is a commercial law firm of approximately 150 lawyers with offices in Century City, Newport Beach, and Menlo Park (near San Francisco), California. An office in downtown Los Angeles is now in the planning stage. On an organizational level, the firm is not divided into departments with rigid boundaries. Instead, attorneys practice in variety of substantive areas. As of March 31, 1987 the Century City office had 54 Partners, 73 Associates, and 10 of Counsel.

## MCKENNA, CONNER & CUNEO

McKenn, Conner & Cuneo is a national law firm with offices in Los Angeles, San Francisco and Orange County, California and Washington, D.C. As of the spring of 1987, it had 102 attorneys in Los Angeles, 22 in San Francisco, 22 in Orange County and 75 in Washington, D.C. The firm practice includes work in the following areas of the law: litigation; general corporate; financial institutions; securities; real estate; government and commercial contracts; oil and gas financing; secured creditor bankruptcy proceedings; environmental; tax; probate and estate planning; labor; administrative; product liability; food and drug; health care; international trade; white collar crime; and unfair competition.

## MUNGER, TOLLES & OLSON

Munger, Tolles & Olson was founded in 1962 by seven lawyers. The firm's practice is based in commercial litigation, corporate securities, general corporate matters, antitrust, and labor relations. The firm also has a growing criminal defense practice.

As of February, 1987, the firm had 68 lawyers, of whom 42 are partners and 26 are associates. Of the 42 partners, 25 are still in their 30's, and the average age of the partners is 40.

## O'MELVENY & MYERS

In 1986 O'Melveny & Myers celebrated its centennial year. Since its inception the firm has grown to more than 400 attorneys and, besides its home base in Los Angeles, has offices in New York, Washington, D.C., Newport Beach and Century City, California, and London, England. The firm is also likely to open an office in Tokyo, Japan in 1987. The firm was the first major law firm in the country to build its own office building, a 26 story architectural showpiece in downtown Los Angeles built in 1982. The firm has a compensation system by which both associates and partners share each year in the firm's profits.

## PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN

PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN is a downtown Los Angeles law firm of approximately 50 lawyers which was founded over half a century ago. The firm's practice includes litigation, corporate and securities, tax, labor and employment, real estate, estate planning and probate, and health care law. The firm represents a national clientele that includes such corporations as Anheuser-Busch, Borg-Warner, Disneyland Hotel, First Interstate Bank, General Host, International Telephone & Telegraph and Sheraton Hotel.

## PARKINSON, WOLF, LAZAR & LEO

For more than 35 years, Parkinson, Wolf, Lazar & Leo was the Los Angeles office of San Francisco-based law firm of Long & Levitt, well-known and respected in insurance and other types of litigation. The firm now is comprised of over 75 attorneys and approximately 20 paralegals. The firm specializes in litigation and counsels and represents clients in a broad range of general civil disputes, including products liability, negligence, securities fraud, bad faith, and realty title disputes. The practice includes suits involving insurance carriers, brokers and agents, excess insurers and reinsurers and state insurance regulation. The firm also emphasizes litigation of insurance coverage disputes, declaratory relief and rescission actions and claims surrounding major fires, floods and other disasters. For many years the firm has specialized in professional liability litigation, representing attorneys, accountants, engineers, architects, realtors and brokers.

## PROSKAUER, ROSE, GOETZ & MENDELSON

The Los Angeles office of Proskauer, Rose, Goetz & Mendelsohn is part of a multi office, 250+ lawyer, national law firm. The office opened in June 1979 and grew from one lawyer to seven by the end of 1982. Now, the office associates 30 lawyers. The firm will be moving in August 1987 to larger quarters in the Fox Plaza building in Century City. The current practice of the Los Angeles office encompasses the following areas of law: Labor, Employee relations and compensation, ERISA, Litigation, Real estate/real estate lending and syndication, Securities, Mergers and acquisitions, Corporate finance, Taxation and Estate planning and probate.

## SIDLEY & AUSTIN

Sidley & Austin, founded in 1866, is one of the largest law firms in the country, with over 450 lawyers practicing in nine offices in the United States, Europe, the Middle East and the Far East. The firm is engaged in a diversified general practice that covers nearly all areas of financial, commercial, corporate and litigation law. Sidley & Austin's Los Angeles office, as of the fall of 1986, had over 80 attorneys engaged in a variety of local, regional, national and international legal practices. Lawyers on the Los Angeles office work both on their own, and in conjunction with lawyers from the firm's other offices.

## SKADDEN, ARPS, SLATE, MEAGHER & FLOM

The Los Angeles office of New York-based Skadden, Arps opened in February 1983, and now has almost 80 lawyers. In February, 1987, the firm moved into new offices located in the California Plaza Building. The office is engaged in Corporate and Tax, Real Estate, and Litigation practice in such diverse fields as arbitration, antitrust, commercial contracts, commodities, entertainment, first amendment, franchising, products liability, RICO and securities law. The office employed 12 second-year and 15 third year students this summer.

## TUTTLE & TAYLOR

Tuttle & Taylor is a firm of 69 lawyers located in downtown Los Angeles at the Crocker Center on Bunker hill plus a small Washington, D.C. office. The firm's practice is generally divided into business and litigation components, but the firm is not otherwise formally departmentalized. Individual attorneys may work in several areas or may specialize in a narrower field.



# THE DIVERSITY STRUGGLE: BRIEF CHRONOLOGY OF EVENTS

by Jane Newman

**Feb. 10:** APLSA students question Dean Prager regarding rumors of administrative change of admissions policy. Prager replies that there may be changes in retention policy, but none in admissions.

**March 6:** Prager meets with representatives of BLSA and APLSA. Claims there will be no discussion by the faculty of admissions policy this **March 6: Faculty meeting.** SBA President Royanne Kashiwaha attended on behalf of the student body. Professor Asimow proposes change in the admissions standard—an index cut-off.

**March 9:** Minority group representatives meet with Assistant Dean Carole Goldberg-Ambrose. She denies that any discussion of admissions policy occurred at the March 6 Faculty meeting.

**March 18: SBA Forum** (Event where deans and SBA officers answer questions from interested students). When asked whether there would be changes in the diversity program, Dean Prager said, "I don't see big changes coming out of our admissions policies."

**April 3: Faculty Meeting.** Prof. M. Schwartz and Prof. Yeazell propose changes in the admissions system to deal with bar passage. Prof. Yeazell, following the Dean's lead, proposes formation of two committees, one of which should make an admissions proposal to the entire faculty of April 17.



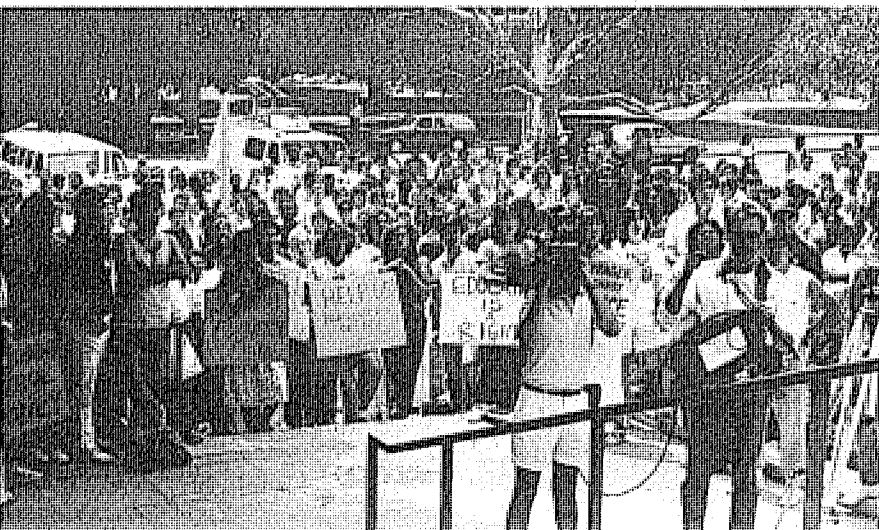
APRIL 10

Dean Prager and Appointments Committee select Varat, Warren, Zolt, and Goldberg-Ambrose to sit on the "short-term" committee. Theresse Terlaje is chosen by minority groups as the student representative.



APRIL 16

Administrative office, marching and chanting in a loud, disruptive, but non-violent protest during the meeting of the short-term committee.



APRIL 16

**Armbands--Diversity Coalition** begins distribution of green armbands. Hundreds of students and some faculty wear armbands, showing support for diversity, daily throughout April.

**April 12: Committee Meeting.** The short-term committee holds a special Sunday meeting in order to paste up a proposal in time for the April 17th faculty meeting.

**April 15: Diversity Coalition Silent Protest.** Approximately 150 students engage in a silent, respectful protest outside the Roscoe Pound Moot Court Competition, hoping to alert the outside legal community of the covert attempts by the Administration to abandon the school's past commitment to diversity.

**April 16: Diversity Coalition Rally.** Approximately 500 students gather on front steps of law school to protest the Administration's streamrolling attempt to change the admissions process. Event receives widespread media coverage.

Dean meets with Diversity Coalition after rally. She maintains her unwillingness to abandon the faculty's crusade to change the admissions



APRIL 21

process.

**April 17:** Faculty meeting postponed until May 1. Dean asks students and faculty to submit written proposals—two weeks before students are to begin finals.

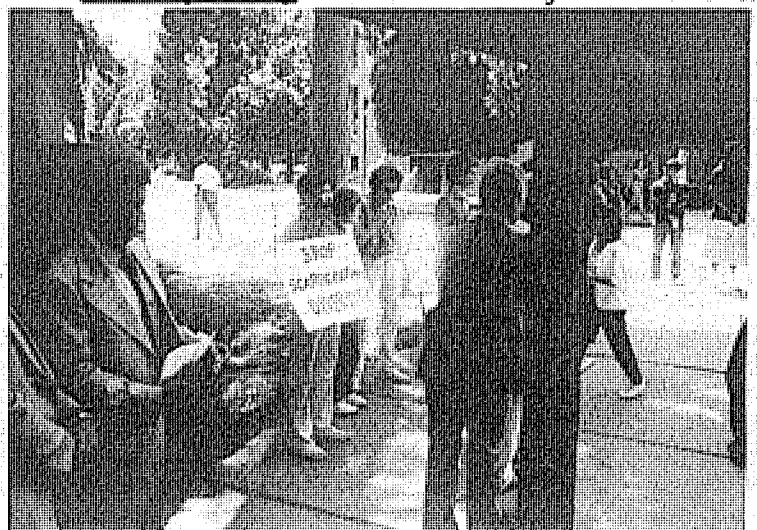
**April 21: Sit-in.** Approximately 20 students occupy the records office to protest the Administration's refusal to include students in a meaningful evaluation of admissions and bar passage. Administration has police



APRIL 21

arrest approximately 15 students.

**April 30: All Campus Rally.** UCLAW students join with other campus



MAY 1

CONT ON PAGE 19

QUESTIONS	ALLEN	FINLEY	GENDEL	HILL	IRELL	McKENNA
(1) Social functions attended during summer?	10+	5-10	5-10+	5-10	10+	10+
(2) Hours worked during week? Hours billed?	40-50/20-25	40-50/30-40	40-50/25-35	45/35-40	40/25-30	30-50/30-35
(3) Percentage of time spent on library research?	50-65%	50%	85%	38%-85%	50%-85%	30%-60%
(4) How many contacts with clients?	3	0	3-5	3	0-5	0
(5) Quality of feedback from attorneys?	moderate	moderate	poor-good	good-excellent	moderate	good
(6) How many times did you work outside of the office?	1	3	2-3	0	0-3	1-4
(7) Did you work primarily with partners or associates?	both	both	both	both	both	both
(8) Required number of billable hours? How many?	no	no	no	no	no	no
(9) Rate your summer work assignments?	interesting	interesting	dull	interesting	interesting	interesting
(10) Overall, how would you rate the firm?	great	good, busy, great people	high	excellent	good-excellent	excellent
(11) How meaningful were your work assignments?	important	somewhat important	somewhat important	somewhat-very important	somewhat-very important	very important
(12) Did your summer experience reflect the life of a young associate at the firm?	less hours & less stress	yes	not much	very well	not very well	good indication
(13) The atmosphere of the firm?	informal	business-like	business-like	loose/business-like	loose	informal
(14) How often taken out to lunch by firm attorneys?	everyday	3/week	1-5	1-10	often	1-5
(15) Focus on one type of law, or on a variety?	both	50% said "one", 50% said "variety"	variety	variety	variety	variety
(16) Would you accept an offer of permanent employment?	yes & undecided	yes	yes	yes	yes & undecided	yes
(17) Year in law school as of '87?	2nd	3rd	2nd	3rd	2nd & 3d	2nd & 3rd
(18) Quality of training received this summer?	excellent	good/satisfactory	excellent/poor	good/excellent	good	good/excellent

## SPECIAL COMMENTS

### FINLEY

"very little guidance; do it yourself approach"  
 "not a summer camp"  
 "definitely not stuffy"

### IRELL

"exciting place, especially for litigators"

"it was summer camp"

"Irell is relatively comfortable place to be openly gay. It won't cost you anything here, period."

"summer associates are so busy at the social functions that their work tends to be non-rush and therefore non interesting."

"As a litigation summer associate, I mostly researched and wrote memos. Associates, even first years, are all in the thick of things and have much responsibility."

### McKENNA

"Business trip to San Francisco at a client's operation, going to court, interviewing witnesses, meeting with other attorneys."

"regular training sessions and two day training seminar."

"I got to travel to Dallas, Texas to see a deposition."

"A memo I wrote will probably be published in a trade journal."

"wrote an appellate brief"

### MORRISON

"the firm made a special effort to treat us as associates (i.e., we worked hard, no days off to go to Disneyland."

### O'MELVENY

"the firm was too protective-we were 'babied'"

"like being paid to learn about the law"

"summer associates are treated with respect"

"firm seems very interested in training young associates."

### PARKER

"very conservative Republican firm-to be a Democrat is to be a radical here"

"Dukemedjian's Headquarters"

### PARKINSON

"many people have very nice personalities-a few are real assholes."

"the firm offers very little in the way of training for new associates. As a result it may not be a good place to begin as a new associate."

"very disorganized."

"given too much work and not enough supervision"

"problems in bureaucracy, communication, hierarchy"

"summer associate program needs to be improved"

"substantial amount of responsibility"

"more contact with partners is needed"

"we are expected to work all day and be efficient in our use of

time"

### SKADDEN

did work primarily with "the librarian"

"very high quality, in-

tellectually challenging work"

"'cutting edge' work"

"most summer associates kept regular associate hours"§





MORRISON	MUNGER	O'MELVENY	PARKINSON	PARKER	PROSKAUER	SIDLEY	SKADDEN	TUTTLE
10+	10+	10+	7	10+	10+	5-10	10+	10+
35-50/ 20-40	36-40/ 25-30	40/25-35	45-55/ 30-35	35-45/ 30-35	40-50/ 30-40	35-45/ 20-35	50-55/ 35-45	35-45/ 25-30
50%	40-90%	50-70%	35%	65-80%	50-60%	50%	20-70%	50%
3-5	1	5	0	2-10	many	2-4	0	3
good	good	good to excellent	moderate	poor to good	good	moderate	moderate to poor	moderate
3	6-7	2	0-2	2-4	8	3	1-10	2
both	both	both	associates	both	both	associates	associates	both
no	no	no	no	yes	no & yes	no	no	no
interesting	interesting	interesting	interesting	midly interesting	interesting	interesting	dull to interesting	mildly interesting
excellent	very good	excellent	satisfactory	very good	good	very good	excellent	excellent
somewhat important	important	very important	somewhat important	somewhat important	important	somewhat important	very important	somewhat important
fairly well	pretty well	less hours	very well	fair	realistic	not very well	fair	fair
informal, business like	informal	business like	informal, business like	informal	informal	business like	business like	informal
2-3 per week	1 per week	3 per week	2 per week	1-5	1-2	2-3 per week	3-4 per week	10
variety	variety	50% said "variety"; 50% said "one type"	variety	variety	variety	variety	50% said "variety"; 50% said "one type"	variety
yes	yes	yes	50% "yes"; 50% "undecided"	yes	yes	undecided	yes	yes
2nd & 3rd	2nd & 3rd	3rd	3rd	3rd	2nd & 3rd	3rd	3rd	3rd
excellent	good	good/ excellent	satisfactory	good/ excellent	good/ excellent	good	good	satisfactory

# BOOK REVIEW

by Eve Lichtgarn

## Legal Frontiers of Death and Dying

by Norman L. Cantor

Indiana University Press 1987, 208 pp., \$ 24.95

Although there are more cheerful topics to contemplate than death and dying, few are more important. Death is of fundamental interest for the simple fact that no one is exempt.

Norman Cantor's book is an excellent study of a patient's "right to die," a very new area of medical ethics. It has become a legal issue only recently, since modern medical technology has made it possible to prolong life by artificial means.

Cantor, a faculty member at Rutgers University School of Law, is a champion of the "death with dignity" principle which respects a patient's autonomy and self-determination over the professional ethical duty to preserve life. He writes, "If a particular patient, while still competent, fixes a point beyond which resistance (to an irreversible disease) is too torturous

... that patient ought to be able to dictate cessation of life-preserving medical interventions."

No issue worth discussion is that easy, and Cantor addresses many complicating factors. For instance, what if a patient with a long-term fatal illness, such as AIDS, is stricken with a potentially fatal but curable second illness, such as pneumonia, long before the underlying disease would be fatal? Does the patient have the right to refuse treatment for the pneumonia? Should the doctor be allowed to withhold treatment for the curable second illness? Although the courts have yet to decide conclusively on such issues, Cantor says, "I have no trouble concluding that the patient should be allowed to reject treatment to avoid prospective suffering...."

Cantor analyzes

the fluctuating legal decisions to be made in the face of variable conditions--whether patients are competent, incompetent or never-competent to make significant decisions for themselves; whether medical treatment is intended to be life-preserving or life-saving; whether death is imminent or non-imminent (but it is never avoidable). There is a special legal dilemma posed by prisoners and handicapped persons who refuse medical treatment, engage in hunger strikes or attempt suicide.

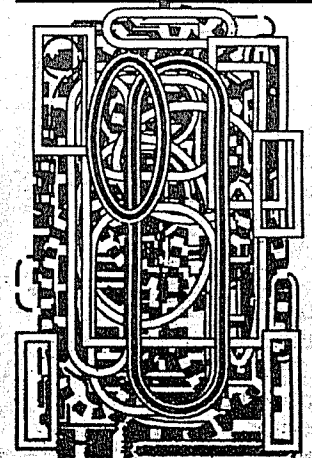
One of the most intriguing chapters is "Survivors' Interests, Economic Costs, and Patients' Altruism" where Cantor points out, "Some courts have indicated that concern for survivors' interests is part of the reason why removal of a permanently comatose patient's life-preserving equipment is

deemed to be in that patient's interests. Not everyone is willing to say that such altruism is an innate human characteristic."

Not all doctors, family members or courts agree with the right to die philosophy but Cantor asserts his thesis in measured, legal arguments. Case law is carefully cited in an extensive note section, making this a valuable source book for further research. Two preeminent right to death cases--*In re Quinlan* 355 A.2d 647 (1967) ( a permanently comatose patient) and *In re Contoy* 486 A.2d 1209 (1985) ( a patient whose life expectancy was one year or less)--receive detailed attention throughout this treatise.

Cantor's style is undeniably academic, and yet he conveys the sense that he is not emotionless about this most sensitive of sub-

jects: "To my mind, deference accorded to individual autonomy in such instances (of refusing medical intervention) does not undermine traditional societal concern for life as a sacrosanct value-- any more than the conduct of just wars does. In the latter instance, respect for life is tempered by values of justice and patriotism. In the former case, respect for life is tempered by value of self-determination, autonomy, and bodily integrity."§



**BRENNER  
CONT FROM PAGE 1**

do in entertainment and communications.

*What do you think about UCLA Law School in general?*

Well, no one is going to put any part of UCLA Law School in Architectural Digest, particularly with our unwavering commitment to vinyl chairs and the lack of carpeting. Hey, it's not like I walk around barefooted, but I am hoping that Carpeteria creates a foundation at the law school. I find the University to be even more bureaucratic than the federal government was, making it hard on everybody. But I also find my colleagues here to be very friendly and progressive.

*How did you get interested in Communications Law?*

I got interested in broadcast regulation in a group called Committee for Open Media as an undergraduate at Stanford, working on a broadcast reform project with stations in San Francisco. We were negotiating with the stations for the right to air controversial public service announcements for anti-war groups and others. Over television stations was not a very effective way of changing policy. I saw it was more important to look at the larger scheme of how the government interacted with broadcasting.

*Could you tell us about your latest book "Law of Cable TV and Other Broadcast Media"?*

I wrote the book during my spare time while I was working at the FCC, over a period of 3 years. One of the difficulties was that Monroe Price, my co-author, and I had done a draft of it before Congress passed the 1984 Cable Law. When Congress passed that law, we had to go back and revise the book substantially. The book is organized around the Act, and it is the first book out to comprehensively review the Act.

*What aspect of Entertainment Law interests you the most?*

The right of publicity, and copyright in general. Unlike most laws regarding property which have been around for centuries, intellectual property is a new field and we have to keep coming up with new definitions and new laws. For example, until 1981 it wasn't clear that computer programs were covered by the

Copyright Act. Congress had to pass a specific statute to make that clear. Until 1972, sound recordings weren't protected by copyright. Or take publicity rights in which great value can attach in a relatively short period of time; protection of those rights are still being formulated. Some states don't even recognize the right of publicity at all.

*Recently there has been a lot of controversy about the standard of renewal for the electronic media. Why is this so?*

There is great difficulty in coming up with a useful renewal standard. Broadcasters have been subject to a renewal standard which no one in

50 years has been able to articulate, one which the FCC has great difficulty applying. Behavior which we punish through state criminal or civil laws for the print media become the basis for seizing and revoking licenses in the electronic media. For example, it used to be, before some of the deregulation under Chairman Fowler, that if you were involved advertising (where a station charges a national advertiser twice his share for the cost of cooperative ads with a local retailer, and then splits the difference with the retailer), you could lose your broadcasting license. It's wrong, of course, but what's the right penalty? If the same thing happened in the print media, you'd be sued under fraud but you wouldn't lose your printing press. Certainly, the listening public wasn't affected as to quality of broadcast by double-billing.

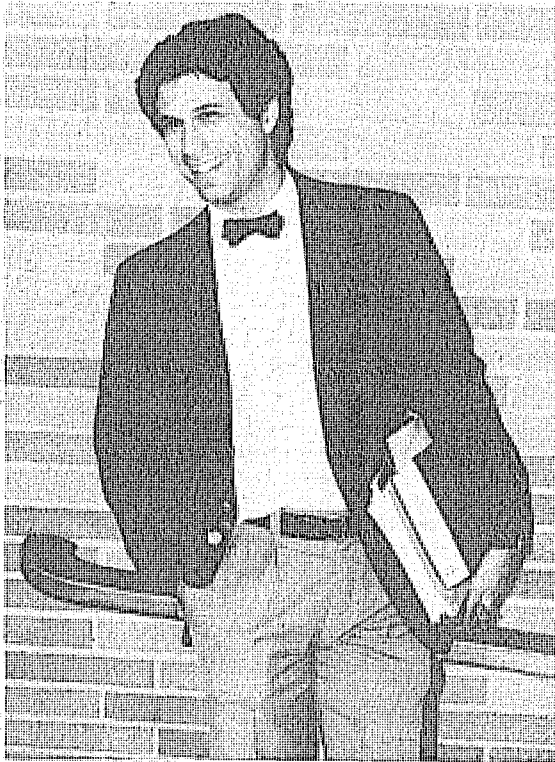
*But isn't it rare for the FCC to take someone's license away?*

It has been rare, but it has happened. And let's suppose you wanted to pursue a regulatory approach with lots of content regulation. I think that no one has managed to find a very effective or legal way to do it. So there is a lot of huffing and puffing that goes on. But Congress has never imposed any mandatory guidelines for children's programming, which is in short supply weekdays on network stations. If Congress is serious about regulating the airwaves, they should, and then we could test that to see

whether it is constitutional. I doubt most content regulation is.

*What are your responsibilities as a member of the Board of the Corporation of Public Broadcasting?*

Well, CPB is the government agency that gets money from Congress to give to public radio and t.v. stations. The appropriation is close to \$200 million a year, and the function is often to protect public broadcasting from government intrusion. We act like a heat shield, preventing individual Senators and Congressmen from punishing stations who



don't satisfy their political agenda. In addition, we have a program fund, which tries to explore innovative programs. Minority programming and independent producer programming are funded by CPB money. I am the head of the Audit Committee which means that I also have to make sure that when we do give money to stations, it's spent properly.

*Does the Board*

*"Well, no one is going to put any part of UCLA Law School in Architectural Digest, particularly with our unwavering commitment to vinyl chairs and the lack of carpeting."*

*also dictate the contents of the programs?*

No, we don't, but it's a fine line. Right now, there's a controversy about whether the CPB should fund a content analysis of public broadcasting. Certain Congressmen have asked us to do that. After some study of it, I concluded we shouldn't be in the content-analysis business. First of all, we don't learn a great deal with content-analysis of programming that is two to three years old. It doesn't really tell you what's going on today and it doesn't tell

you what people actually come away thinking about a program. Second, it sends the wrong signal, that somehow we're on the hunt for certain types of programming.

*How does the CPB decide how to allocate its funding for programming?*

We match the amount of money which local stations raise in what are called community service grants, and they buy programs. That's done at a program fair held annually.

*So the CPB has no say in the content of the programs which are bought?*

Right. However, sometimes we do fund some programs directly through advisory panels which a Program Director heads. Now if I think the whole program stinks or is tilted in a certain ideological direction, then we can fire the Program Director. In that way, we can be responsive to people who say that CPB has to know what's on the air and has to be able to respond.

*Now you're also a Trustee at Stanford University, is that right?*

Yes, I'm completing my fifth year as a Trustee. I'm on the Committee looking into the South Africa investments question, so I spend a fair amount of my spare time reading about the developments there.

*People also tell me you've done some work in comedy.*

Yes,

I've done stand-up comedy. It started because a friend of mine who is now the head writer for the Cosby Show was very

interested in being a comedy writer, so we used to hang around the Comedy Store when I was clerking for Judge Matt Byrne in Los Angeles. And in Washington, I did some ghostwriting for some well-known political figures. I also did some stand-up comedy at clubs on the East Coast and a bit here. But with all the other stuff going on in my life, I don't have the time to do comedy as much.

*Has your comedy background helped you in teaching?*

Well, at some level, teaching is performing. Especially in trying to motivate upper division students, you have to engage them in interesting dialogue and questions. Good teachers are good performers.

*Besides comedy, what are some of your other non-legal interests?*

Well, I devise ways to pay my mortgage every month. No, my chief hobby is composing music on my piano. My fellow professor Eric Zolt and I have become the Ferrante and Teicher of inadequate piano playing. Eric is taking lessons now and will soon vault out from this pit of ineptitude. My game plan is to continue to play louder and louder -- it's not as common a technique as you'd think. Right now, Eric can play "Green Dolphin Street" and I can't.

*Are you in awe of Eric now?*

No, I'm not in awe of Eric, but I do covet many of the neckties that he wears to school. §

**FIRST YEARS  
CONT FROM PAGE 1**

the class. There are nine foreign students enrolled in the J.D. program.

Four students have earned Ph.D. degrees. Many students have masters degrees; in fact, it is so common that statistics are not kept by the Department of Admissions.

The law school gathers students from a diverse group of universities throughout the nation. Applications were received from graduates of 420 different undergraduate institutions. Of those enrolled, UCLA is the most represented, with 47 students, Berkeley is second with 42, Stanford is third with 35, and Penn is fourth with 14.



# LAW AND COMPUTING

By Andy Yamamoto

## Starflight

The game of the month is called Starflight (for the IBM PC and true compatibles; 256K RAM and color graphics card required).

In Starflight, you take on the role of captain of a space-going vessel. As captain, you start out by equipping your no-frills ship and crew to explore the planets and stars near the space station. Even in these early expeditions, you can encounter strange aliens and a variety of animal and plant life. Eventually, by earning money mining mineral rich planets and trading with alien races, you can afford to upgrade your ship for exploring the outer reaches of the galaxy. This includes buying weapons (lasers and missile launchers) and defensive systems which you can use to fight hostile aliens. If you are really clever (or if you get the optional clue book like I did), you can save the galaxy from a

variety of alien threats. I played the game over several evenings last summer, and I strongly recommend it for any-body who likes strategy-type games.

One warning: As a strategy-type game, Starflight takes a while to learn. While I think that the time spent is well worth the effort, I have to admit that Starflight lacks the quick pace of arcade-type video games some people prefer. Also, the game does not appear to work with the EGA (extend graphics adapter) card. But other than those two minor drawbacks, Starflight is an outstanding piece of work by some very clever game designers.

## PC TOOLS

PC Tools (for the IBM PC and compatibles) is the one utility program which I have become dependent on. It helps me organize

the files on my numerous floppy disks (I imagine it would be even more helpful for someone with a hard disk). PC Tools graphically represents the various directories and subdirectories created on a given disk as a tree structure allowing me to move quickly from one directory to another and to move files from one place to another. The onscreen menus make it very easy to use and are fairly self-explanatory. Beyond providing a convenient way to handle file directories, PC Tools offers a grab-bag of disk management functions including: disk-formatting, disk-mapping (shows you how your files are physically placed on the disk), disk-copying, and error finding (searches your disk for errors and imperfections).

I run PC Tools as a ram-resident program which means that I can call on the program while I

use other application programs (e.g., sometimes when I am editing a WordStar or WordPerfect file, I use PC Tools to help me search other directories and subdirectories for any old files I might need to cut and paste into my current document). I recommend PC Tools for general PC users and highly recommend it for those who can afford hard disks.

## Items Discussed:

**Starflight**  
Electronic Arts  
1820 Gateway Drive  
San Mateo, CA 94404

**PC Tools 1.10**  
Central Point Software  
9700 Southwest Capitol Hwy  
Portland, OR 97219

# CHEST PUFFERS

by Alissa Revness

When was the last time you saw "Humboldt State" stretched across the chest of a first year student? How about U.C. Santa Cruz? Long Beach State? Ah, but how many proudly displayed Stanford shirts did you count today? Harvard? It seems to me that if we're going to have people flaunting status symbols, each of us should look deep into our lives and find what we can hold forth. I envision a day when everyone is reading each other's chest.

To your left might be a classmate wearing a shirt which reads "I got a 44 on my LSAT." In front of you, "I turned down Yale Law." To your right, "I worked in the White House last year." Across the room: "I already have a summer internship." Or even: "I have a parking space in Lot 3," "I understand every case I read," and "All my teachers know who I am."

Possibly these are immature, playground one-upmanship responses. The trouble is, most of the shirts we do see give the erroneous and intimidating impression that everyone at UCLA Law went to an elite undergraduate school. This, of course, is nonsense. <sup>b</sup>

I'd like to take a few moments here to examine what might inspire students from Stanford to wear their school shirts, and why students from Santa Cruz

aren't similarly inspired. It may be useful to look at these questions in terms of high school football.

Perhaps what we have beneath the school shirts is the equivalent of the high school football hero in his first year of college. He tells stories about past glory because his confidence is rooted in the time he caught that pass, made that run, the touchdown, the winning play. The memories insulate him from the frightening anonymity of starting over at the bottom where no one knows who you are, and what you've been before is irrelevant.

On the other hand, most of us didn't play football. Some weren't interested, but for some it was a goal out of reach. To those people, wearing a shirt with "Humboldt State" is the equivalent of saying "I wasn't a football hero."

This is certainly nothing to be ashamed of. Most accomplishments are quiet ones anyway, unrecognized because they are achieved away from the spotlight. Besides, being on a team is no guarantee of anything; the "where are they now?" columns are filled with ex-heroes. It doesn't really matter -- especially not here -- because for better or worse, the first year of law school is a guaranteed equalizer.

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## CHRONOLOGY CONT FROM PAGE 11

groups, each facing battles where UCLA has barred student input.

Diversity Coalition meets with Chancellor Young, asking for his intervention. Young refuses.

May 1: Faculty Meeting. After 6 hours, the deed is done. Faculty streamrolls through their master plan. Students engage in silent vigil outside the meeting room.

May 4: Students mourn the abolition of meaningful diversity,

adorn lobby with Diversity Tombstone as well as quotes from Faculty Meeting.

May 24: Graduation. Students and some faculty protest the Administration's abandonment of meaningful diversity by wearing green sashes over their graduation gowns.

August 24: The final Diverse Class begins study of law at UCLA.

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# The Public Interest Law Foundation: A Ray of Light in a Sea of Grey

by Kat Kozik

Despite the flurry of grey and navy suits about to descend on campus and dim even the brightest California sun during OCIP, many UCLA students are seeking employment alternatives to corporate practice. Although they forego the enormous salaries offered by private firms, those working in the public interest find their work unmeasurably rewarding.

As law students, we are being trained in a profession that recognizes an ethical responsibility to provide services for the traditionally underrepresented. However, this ethos remains more an idea than a reality due partially to funding cutbacks by the Reagan Administration and to the private bar's inability to reconcile turning a profit with providing services to the needy. Groups such as the poor, minorities and women lack a voice in the system directly affecting their lives. For those already on the edge, the stakes are enormous. Access to the legal representation may determine whether a homeless person sleeps on the street tonight, whether a poor person eats, or whether a battered woman retains custody of her child.

The UCLA Public Interest Law Foundation (PILF) is a non-profit, student-run organization dedicated to the belief that everyone should have access to legal representation. We channel student enthusiasm for public interest work into a variety of projects and events throughout the year designed to heighten awareness about current issues and to make it easier for students to obtain jobs and pursue public interest careers.

Primarily because money rather than need determines who has a voice in the legal system, PILF's main function is to raise money to fund UCLA students in working in the public interest over the summer. Last spring, our first annual Student Funded Fellowship (SFF) drive was a phenomenal success! Over 300 students and faculty pledged \$33,500 -- more than twice what any other law school has raised in its first year. This will enable at least ten UCLA students to take public interest jobs this summer. (Pledges are still being collected from 2nd and 3rd years. You may drop off your contribution at the PILF box in the information window.)

This year promises to be PILF's most exciting and productive yet as we strengthen existing programs and establish new ones. In addition to holding another SFF pledge drive next spring, PILF will also sponsor the 3rd-annual Public Interest Career Day during which numerous employers and attorneys

come to campus to discuss their work, answer questions, and accept resumes. Also, PILF will once again sponsor the law school play written by Prof. Ken Graham and performed by the entire UCLAW community.

As for new projects, we will be soliciting private firms to match the Student Funded Fellow-

ship contributions of their summer associates, holding an alumni drive for those who would prefer their donations to be earmarked for public interest work, and we will be establishing post-graduate fellowship and loan-forgiveness programs.

PILF needs your help in making public interest work a reality for

UCLAW students and for those who need their voice heard in our legal system. Get involved. Your time commitment is entirely up to you. Not only is the work PILF does rewarding, but it also gives you the opportunity to meet other students who share similar concerns. Please contact Kat Kozik (2L) with questions, ideas, and concerns. §

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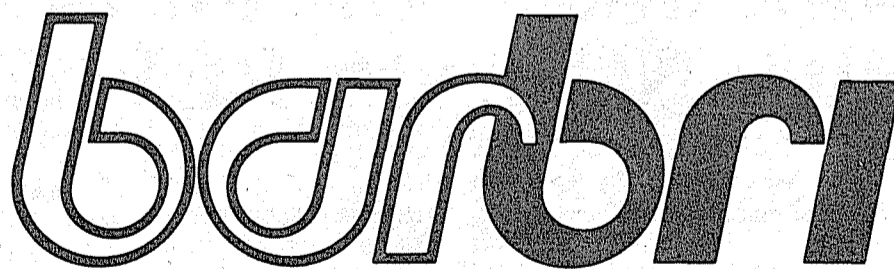
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