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Olympic Traffic To Force Bar Examinees Out of L.A.

by Raquelle de la Rocha

"Start saving your pennies now and go to San Diego," says Suzanne M. Tenfelder, Director of Operations and Management of the Committee of Bar Examiners. That advice is directed at everyone in Los Angeles who will be taking the July 1984 General Bar Exam.

There is no mistaking the seriousness of the situation. "We've been dreading this for about a year" says Tenfelder. The Los Angeles dates for the Bar exam are July 24-26; the Olympic games begin just three days later. With an additional five million people in the L.A. areas for the games, it clear that the traffic impact on the city will be immense. Although UCLAW Dean of Students Barbara Koskela says "we have no idea what to expect" she does recommend that students be prepared to deal with the situation, preferably by leaving town and travelling to San Diego, Riverside, San Francisco or Sacramento to take the exam.

Because many state statutes require the multi-state part of the exam be given to all writers across the country on the same day, the California Committee of Bar Examiners was unable to have the dates changed for L.A. That's why the Committee is willing to spend more money than usual to give the exam at more sites than usual: two in Los Angeles, six in San Diego, one in Riverside, and locations in Santa Clara, San Francisco and Sacramento. Tenfelder made it clear that the Committee will acommodate the needs of the examinees, even if it means adding a new site one week before the exam. The Committee is willing to take a financial loss, Tenfelder says, and will not cancel a location simply because attendance is too low.

For many students, renting a motel room for three or four days may be a financial hardship. Recognizing this, Dean Koskela says Financial Aid will allow students to amend their student loan budget in order to help them afford the additional exam expenses taking by into account airfare, gas money, motel expenses and the other costs of taking the exam out of town.

For the greatest convenience, test tajers should get lodging within walking distance of the exam. For example, the test will be administered to 500 writers at the Kona Kai Club in San Diego, which rents rooms for $65.00 per night. The Holiday Inn Embarcadero has space for 200 typists and their double occupancy rooms rent for $71.00 per night. There are many low cost motels in the Old Towne area of San Diego, which is within a ten minute driving distance of the Western State Law School test location.

The Riverside Convention Center is probably the most affordable alternative to taking the exam in L.A.; the drive is shorter (so gas costs are lower) and motel rates are generally cheaper than those in San Diego.

For those who must stay in the L.A. area, the exam will be administered at the Pasadena Civic Auditorium and the Glendale Civic Auditorium. Commuting to these locations on a daily basis will be stressful and risky; examinees must be at the test by 8:30 a.m. Getting caught in massive traffic congestion will only heighten the anxiety of taking the exam and Committee Director Tenfelder says that no extra time or any other consideration will be given due to traffic. For this reason, Dean Koskela suggests staying within walking distance of the test, if it can be arranged.

The Pasadena Civic Center has space for 1500 writers. However, lodging in Pasadena may be difficult to come by because of a number of Olympic events in the area. The Glendale Civic Auditorium test location is also near the Olympic epicenter and lodging there may also prove difficult to find.

For those who can afford to fly to Northern California, the exam will be given in San Fransisco, Santa Clara and Sacramento.

There is no easy way to do it this Summer. The Committee of Bar Examiners is sympathetic, but offers no simple solutions. If you stay in L.A., you must contend with the crowded freeways and crowded accomadations. If you leave town, there's the stress of disorientation nd unfamiliar surroundings. Still, the experts agree: your best bet is to leave town.

Susoeff Elected to ACLU Gay Rights Post

UCLAW Student Steve Susoeff has been elected to the Board of Directors of the Southern California ACLU Lesbian and Gay Rights Chapter.

Susoeff, chairperson of the Gay and Lesbian Law Students of UCLA, was installed to his new post January 30th. As a member of the Board, he'll plan budgets, write grant proposals and assist attorneys with gay rights litigation and criminal defense.

Currently, Susoeff is developing a summer program to help teens at the L.A. Gay and Lesbian Community Services Center. "L.A. is a Mecca for teenagers," Susoeff says, "and there's a large number of gay kids who have come here and found themselves in personal and legal trouble."

"One of the goals (of the program) will be to help the young gay refugees reconnect with their families and loved ones, wherever in the country they may be.

"The program will also help teenagers with such things as achieving emancipated minor status, finding employment, dealing with juvenile court runaway and unmanageability charges, dealing witrh sexually and physically abusive parents...and getting appropriate referrals to gay-suportive program."

Susoeff remembers the pain he felt when his own father told him not to come home again. "I was 19 and already independent, or I wouldn't have had the nerve to tell him and my mother that Gary, my best friend of the past four years, was more than my friend."

Now he'll be assisting teens who find themselves in the same sort of predicament. "I knew kids whose parents threw them out, with the ultimatum that they 'stop being gay' or never come back," Susoeff says. "That shows a deep, tragic misunderstanding of what it is to be gay. I feel very fortunate that before my father died, we had the chance to reconcile and to affirm our love for each other."

In addition to his work with the teen project, Susoeff will participate in the National Sodomy Project, an ACLU "grassroots effort to decriminalize gay and lesbian sexual activity across the country."

As Susoeff points out, "as long as sexual acts between consenting adults are illegal, 'gay rights' are going to be tenuous at best. (O)nly eleven states have decriminalized sexual acts between consenting adults."

So the ACLU, along with other organizations and individuals, is involved in litigation to protect gay rights. Susoeff says such litigation serves two purposes. "Primarily, it deals with the parties and their individual rights, and when it's successful it creates helpful legal and social precedent." Additionally, it "helps to educate the public and the judiciary."

Susoeff sees education as an important goal of the gay right movement. He notes that stereotyping gays and lesbians has its roots in "science." Before 1960, he says most psychological and sociological research on gays had been conducted in mental hospitals and prisons. "Based on that research," he says, "those sciences and society maintained largely moralistic opinions and judgments about us."

But after 1961, Susoeff says the research focused on gays and lesbians in the general population. It showed that most gays and lesbians, who make up about 10 percent of the total population, were "normal in all significant ways." One of Susoeff's goals is to inform the public of the new research.

His new position as a director of the Southern California ACLU Lesbian and Gay Rights Chapter is another opportunity for him to do just that.

Supreme Court Cuts Back Title IX Protection

WASHINGTON, D.C. (CPS) — Student and women's rights advocates say they are "dismayed but not necessarily surprised" by the controversial U.S. Supreme Court decision to limit enforcement of laws insuring that colleges can't discriminate on the basis of gender.

The high court ruled that Grove City College — a small, independent liberal arts college in Pennsylvania — doesn't have to prove all its department comply with anti-discrimination laws just because some Grove City students receive federal financial aid.

The ruling is expected to affect all colleges.

Under the law — Title IX of the Higher Education Amendments of 1972 — schools that receive any federal funds are forbidden to discriminate on the basis of gender.

In the past, schools that did not comply with the law stood to lose all their federal funding.

Women, of course, have used Title IX to force colleges to promote and pay women on merit, to let women in medical and law schools, to draw up sexual harassment grievance procedures, and even to provide women with equal athletic opportunities, among many other uses.

And while sources are unclear how the new decision will affect those new programs, all concur women have lost their most effective legal weapon in fighting sex discrimination.

"It leaves women really dependent on good will rather than on law," says Bernice Sandler, director of the Project on the Status and Education of Women in Washington, D.C.

At issue is whether an entire college or just the college program that directly receives federal funding must conply with Title IX.

The Carter administration, when it sued Grove City in order to pose a significant test case, claimed that if any part of a college — including the students receiving federal aid — benefited from federal money, the whole school must comply with Title IX.

In 1982, however, the Reagan administration announced it supported a "program-specific" interpretation of Title IX, pending the Supreme Court's decision in the Grove City case.

It stopped supporting several other lawsuits, begun under prior administrations, against colleges accused of discriminating against women.

The long-awaited decision was released last week.

In a 6-2 vote, the justices said that because 300 Grove City students get federal aid, Grove City's financial aid office will have to prove it complies with Title IX. None of the school's other departments must comply unless they directly receive federal aid.

It was "a matter of principle," explains Grove City spokesman Robert Smith, who calls the decision "a partial defeat" because the high court didn't accept the college's arguments that student aid doesn't make even the aid department a recipient of federal funds.

In response, Grove City will lend its own money to students who receive federal aid, thus relieving its aid office of having to swear it complies with anti-discriminatin laws, Smith says.

Nationally, some observers worry the decision may leave some new women's programs vulnerable to administrators' apathy, and make it harder to overturn programs that continue to discriminate.

"Only about four percent of federal money that comes to schools is in the form of direct aid (to specific departments or programs)," Sandler says. "The rest comes indirectly through student financial aid."

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A Few Parting Shots at 'Notes & Questions'

By PETER THOMAS

It is 11:37 p.m. Your hair is a bit greasy, your eyes tired (from all that rubbing), and your head pounding. You've been reading the same sentence for twenty minutes. Chances are that you are not stuck on the penultimate paragraph of *Miranda v. Arizona* or even *International Shoe*. No, Professor Graham, not even *Pennoyer v. Neff*. Chances are that your brain has been done in by a phenomenon that has sent countless numbers of law students into catatonic fits. "Notes and Questions."

Lest you be confused, sometimes casebook editors entitle these little gems (that go on for pages and pages) just "Notes" or just "Questions" or sometimes, in sneaky fashion, "Note On such and such." But it's all the same and it's all, frankly, awful.

Have you ever wondered why law professors — especially the ones you like — assign work calculated to send you into complete paralysis? Take the kind and generous Professor Karst, for example. A choice selection from the "Federal Courts" casebook reads as follows: "Does the holding in *Miller's Executors v. Swann* survive this line of cases? Is it distinguishable from them? Is *Fluornoy* distinguishable from them? Should it be distinguished?" Should your brother marry a cow? I don't know, but it's about as relevant, isn't it?

You can learn to organize these "notes and questions" into categories (and thereby disregard whole paragraphs at a time). But it takes some concentration. There's the "parade of horrors" category. Such notes usually begin with "how far does Brennan, J.'s reasoning carry?" This will be followed by a bizarre series of hypotheticals (only some of which may be discussed in class), most of them bearing about as much relation to reality as a spayed cat in heat. Another could be called "Re--read the Casebook." Consider this friendly suggestion from a widely-used constitutional law textbook: "Reconsider *Cowgill*, note 9 following *Street supra*." When you reach *Cowgill* and note 9, you will find one lousy declaratory statement in the whole paragraph, most of which asks you to reconsider *Street*. And so forth.

If "notes and questions" aren't invaluable teaching tool, why — you might ask — are they included in every casebook? Why are they inflicted on our punch-drunk minds? There is an explanation, but it is not kind, nor generous. Casebook opinions are not normally authored by casebook editors, though you will note that some casebook opinions cite extensively to articles written by the editors.

They are skits between acts which justify the entire effort. They are the raison d'etre of the casebook. Without them, the casebook is merely a portable library and the editor a simple librarian.

Perhaps I am being too unkind. "Notes and questions" can, after all be a boon to legal study-aids. It's not just classroom confusion which sends students running into *Gilberts* or *Emmanuels'* arms. Perhaps, too, I have been foolish. I have learned too late what many other conscientious law students have known forever. Skip the "notes and questions."

Editorial

'Federalist Society' Chapter Formed

by Avery Goodman

For several years now, UCLA School of Law, as well as other law schools throughout the nation, has been dominated by a virulent sort of leftist/liberalism which tolerates little dissent, and ridicules those who hold different points of view. In many cases, liberalism is now taught *as if it were the law!* Thankfully, however, *liberalism is not the law*. There should be room to express *all* points of view, not just the leftist/liberal orthodoxy accepted and endorsed by many students and faculty.

The Federalist Society is a national association of lawyers, legal scholars, and students which seeks to change the status quo and win the war of ideas. Our goal is to return bipartisan debate to the law school arena. It is an unfortunate circumstance that many groups on campus, sponsored by taxpayer money, do not even attempt to show both sides in their presentations. The recent "Nuclear Disarmament Conference", sponsored by the Nat'l Lawyers Guild, and other leftwing organizations, is only one example of a program, paid for by University funds, in which no attempt was made to present the alternative viewpoint. Although such an abuse of University funding is forbidden by the campus bylaws, at the UCLA School of Law it has become commonplece, and seemingly sanctioned by the administration.

The Federalist Society is a group of concerned individuals, most of whom would be classed as "conservative", or "libertarian" in the parlance of the day. It is open to all who seek bipartisan debate at this University and others. Currently, we have several very active chapters at Harvard, Yale, U. Chicago, U. Texas, U.S.C., U. Mich., Berkeley, and other law schools. New chapters are being formed at a very rapid pace.

Our goal is to sponsor debates, in which all points of view will be heard and encouraged. We will present nationally known legal and political authorities to the campus and to the community. Unlike many of the leftist/liberal organizations, we will always present both alternatives. The Federalist Society will achieve the esteem of others, not through clever fabrications or hypocritical deeds. Rather, it will gain the respect and admiration of the community through a steadfast adherence to the principles of free speech and democratic action. In this, we will be assisted at all times by other chapters and by the national organization.

The national society sponsors many activities, year round, including an annual conference (sponsored by the Harvard chapter this year) and a current job bank. We urge those who share our beliefs to seek us out, join us, and enjoy the comradery of those who share common goals. We will be holding a meeting in the near future. The time, day and room number will be posted. We look forward to seeing you and sharing ideas!

Title IX Protection . . .

(Continued from Page 1)

She expects that, apart from campus aid offices themselves, very few college programs will remain covered by Title IX.

"What we may see is a very spotty picture," she speculates. "In some schools, you'll have the commitment of the president, but maybe not the support of the faculty members (to fight sex discrimination). And some schools might vigorously enforce policies against sexual harassment while letting their women's sports programs go."

"I don't think that tomorrow we'll see women's programs slashed at colleges across the country," says Tina Trunzo, civil rights field organizer for the United States Student Association, "but in the development of new programs, administrators won't be as compelled to implement them in the future."

Moreover, "when it comes to making cuts, you can be sure existing women's programs will be cut before they cut men's revenue-producing sports," she asserts.

But "it's really too early to make those kinds of predictions," says Ruth Burkey, director of women's sports for the National Collegiate Athletic Association (NCAA) in Shawnee Mission, Kan.

"My first reaction is that (the Supreme Court decision) won't have that much effect," she says, "especially at institutions within the NCAA that are committed to women's sports."

Yet the new program-specific ruling could let some discriminatory programs go unmolested.

Sen. Robert Dole (R-Kan) and Rep. Don Edwards (D-Cal) say they plan to introduce bills soon to specify that an entire college, not just single programs, must prove it complies with Title IX if any part of it receives federal monies.

The House of Representatives approved a non-binding resolution by a 418-8 margin last year saying it had intended whole colleges to be covered by Title IX when it approved the law in 1972.

A Short History of Title IX Cases

+ 1972: Title IX of the Higher Education Amendments of 1972 is passed, declaring that schools that receive federal funds must agree not to discriminate on the basis of gender, or they face losing those federal funds.

+ 1975: The government requires all institutions receiving federal funds to sign a pledge they comply with Title IX.

+ 1977: Hillsdale College in Michigan refuses to sign compliance statement, but government's efforts to cut off its federal funds are stopped by the courts. A long legal fight ensues.

+ 1978: Grove City College refuses to sign the compliance statement, too, and the Carter administration sues to force it to sign or give up its federal monies.

+ May, 1982: The Supreme Court rules Title IX applies to college programs receiving federal money, but fails to say if a "program" can encompass an entire institution.

+ July, 1982: A federal district court says the University of Richmond's athletic department can't be investigated for sex bias because the department itself receives no federal funds directly.

+ Dec., 1982: The U.S. Circuit Court of Appeals says Title IX applies only to Hillsdale College's financial aid office, not to the whole campus, and the U.S. Justice Department refuses to appeal the decision to a higher court.

+ Feb., 1984: The U.S. Supreme Court agrees in the Grove City case that Title IX applies only to the campus office that directly receives federal aid, including federal student aid money.

The Docket
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Professor Josephson is a dynamic speaker you will want to hear. A graduate of UCLA School of Law in 1967 (where he was selected Valedictorian of all graduate departments and also coauthored the Handbook of Appellate Advocacy), Professor Josephson is noted for his excellence in the art of communication as a lecturer and author. In addition, he is an active leader in legal education and is recent Chairperson of the Teaching Methods Section of the Association of American Law Schools (AALS). He has taught at the University of Michigan, Wayne State, UCLA, and is a full-time professor in Los Angeles. He is also founder and Director of both the Center for Creative Educational Services (CES) — the publishers of Sum & Substance, and the Bar Review Center of America, Inc. (BRC).

LOCATIONS	TIMES *(all locations)*	DATES
Culver City	Morning Session — 9:00 a.m. — 12:30 p.m.	April 1 & April 8
Davis	Lunch Break	March 11 & March 18
Sacramento	Afternoon Session: 1:30 p.m. — 5:00 p.m.	April 1 & April 8
San Diego		April 1 & April 8
San Francisco		April 1 & April 8

TUITION: $25, BRC students
$75, non-BRC (if student later enrolls with BRC, $50 becomes BRC bar review course down payment).

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