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UCLA School of Law
"The World's Best Law School in the World"

Volume 33 Number 2

Friday, May 1, 1981

Crime in the Law School

by Steve Garcia

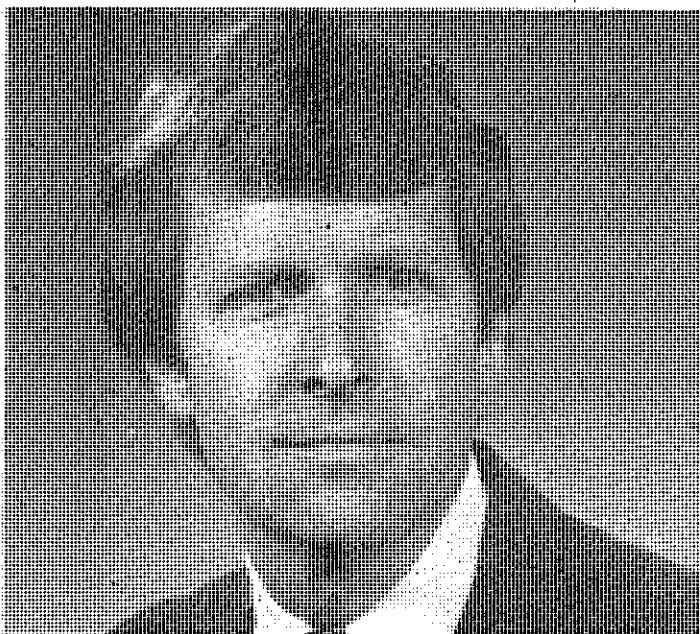
As future lawyers, law students are supposed to represent a high standard to society, and indeed, most do. Some, however, abandon this standard in the face of the extreme pressures of law school admissions, exams, and job competition. The following article describes some cases of admissions fraud, exam cheating and resume falsification and the steps the Law School is taking to combat such illegal and unethical practices. The author wishes to thank Deans Barbara Koskela and Michael Rappaport for their help in preparing this article.

UCLA receives about 3,200 applications for admission annually. Most are from hard-working, intelligent undergrads who give a frank representation of their academic and personal lives. Fraudulent applications are rarely found, but when they are there, they result not only in the applicant's being rejected from this school, but also in his or her general rejection from other schools. The Law School Admissions Council, a national organization, investigates allegations of fraud against various applicants, hears the applicant's story, and notifies member law schools of each suspected applicant's status. Dean Rappaport said that he punishes admissions fraud without exception.

"When you see how difficult it is to go here, to get in, it makes me very angry. I'd turn somebody in, even if it was the day before graduation and it was a top 10 student who was Law Review Editor, if I found out they had defrauded their application," he explained.

Rappaport said often it is difficult to detect fraud. "Since we depend so heavily upon the personal statement, especially with

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Professor Paul Boland, Associate Dean of the law school, will vacate his faculty position at the end of the semester to join the Los Angeles County Superior Court Bench. Appointed by Governor Edmund G. Brown, Jr., Boland leaves UCLA's trial advocacy/clinical program after ushering it to the top spot in the nation. Boland, who joined the UCLA faculty in 1970, has served since 1976 as a judge pro tem in the juvenile departments of the Superior Court. Dean William Warren, in commenting on the appointment, said that Boland is the "most extraordinary combination of talent as both a teacher and administrator that I've ever encountered in a person." Boland's successor has not yet been selected.

Pacific Basin

by Peter Klika

A new law review, the *UCLA Pacific Basin Law Journal* (PBLJ), has been established at the Law School. The new journal was formally created last fall when the *UCLA Journal of International Law* voted to sever its relationship with the ABA (under which it edited *The International Lawyer*) in favor of an entirely student-run publication that would focus on legal issues relevant to the Pacific Basin.

PBLJ's primary editorial objective is to provide in-depth analysis of legal developments significantly affecting trade and investment within the Pacific Basin region. The Journal's Board of Editors is currently in the process of inviting practitioners and academicians throughout the Pacific Basin to

contribute articles on timely subjects in international law (both private and public), international transactions, and comparative law.

In addition, PBLJ actively encourages interested students to contribute publishable work, particularly casenotes, book reviews, and short comments on recent developments. Several editorial positions are as yet unfilled; students may apply for these spots by submitting such material.

In selecting material for publication, the Board of Editors aims for a practical emphasis while at the same time promotes academic research with the view that these two goals need not be mutually exclusive.

The regional scope of PBLJ includes the nations of Western Latin America, Canada, Russia, Australia and New Zealand, as well as those which one normally associates with East and Southeast Asia, such as China and Japan.

For its first issue, which is scheduled to appear in December of this year, the Board is considering articles on such topics as direct investment to Japan under the new foreign exchange laws, the new tax code of China (PRC), recent legislative proposals for stock disclosure in Taiwan and Hong Kong, developments in Hong Kong banking laws, the "Canadianization" of the Canadian oil industry, and the current status of the Law of the Sea Conference. The PBLJ will be published twice a year, once in the summer and once in the winter.

PBLJ's establishment comes in the wake of considerable recent discussion regarding proposals to form a "Pacific Community" including the U.S.,

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Maxwell to Leave

by John Williams

Professor Richard C. Maxwell is leaving UCLA to become a Chadwick Professor at Duke University Law School on July 1, 1981. The tall, gray-haired former dean of UCLA greatly contributed to the development of the Minority Recruitment Program, which increased minority enrollment here from one percent in 1966 to around 20 percent a year since 1970.

"Maxwell's decision to recruit minorities was very important to our present stature as a leading law school in recruiting minorities," said Assistant Dean Michael Rappaport. He added that UCLA, under Maxwell's direction, became one of a handful of state-supported law schools that have made an effort to serve, in a palpable way, the diverse population of the state.

In a recent interview, in his second-floor office, the 61-year-old professor leaned back in his big leather chair and puffed on his pipe. When asked about the impact of his policies on other law schools across the nation, he responded, "I'm proud of this law school because it led the way for the diversification of law schools across the nation." The turbulent 60s and the sight of Watts burning on the nation's television screens served as a backdrop for Maxwell's decision to increase minority representation at UCLA.

Current Dean William D. Warren praised Maxwell as having been the driving force in gaining national status for UCLA during his tenure as dean (1959-1969). "Dick Maxwell put this Law School on the map," stated Warren, "by attracting quality students and faculty to UCLA. He has always been famous for being a good teacher and leader."

Maxwell served as a law professor from 1951 until 1953 and as acting dean from 1958 until 1959; he has been on the faculty for 28 of the 31 years of the law school's existence.

Maxwell asserts that he is leaving UCLA in favor of a more rural atmosphere in North Carolina (where Duke is located). His wife Frances is also anxious to abandon to the smog and rush of Los Angeles for the quiet of North Carolina.

Maxwell is acknowledged as a prominent expert in the increasingly significant field of oil and gas law. He first taught oil and gas at the University of Texas in the late 40s. "You get into a field like this and years go by and you become an expert," Maxwell said. With two Stanford law professors, he co-authored *Cases and Materials on the Law of Oil and Gas*, a leading text on the subject. He is also an authority in real estate mortgages and, of course, property.



Professor Richard Maxwell

News Briefs

Protest now . . . there's still time to protest the proposed graduate tuition increase. Write now (before it's too late) to Senator Walter Stiern, State Capitol, Sacramento, CA 95814. Further info from GSA's Louis Armmand, 825-4584.

Travel Tip . . . attack with your finest cross-examination technique and nail the bottom line before purchasing your airline ticket for the summer. One UCLA traveller saved nearly 50 per cent on her ticket just by asking for cheaper and cheaper rates.

First Woman on the ABA Board . . . Jane H. Barrett of Los Angeles, chairperson of the ABA Young Lawyers Division, became the first woman in ABA

history to be nominated to the Board. Ms. Barrett will represent the association's 135,000 young lawyers.

Congratulations . . . to Van Ajemian (Class of '81) on being selected one of twelve California Assembly Fellows for 1981-82.

More protest . . . contact Barbara Koskela or the Law Women's Union to protest cut-backs by the Reagan Administration on the Guaranteed Student Loan program.

Super Snooper . . . Westlaw (the competition to Lexis) "is said to have the capability to watch anyone over a period of time to decide if the system is being used for commercial purposes."

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Also in this Issue

Willie Banks sets new American records . . . see story on page 12.

Playboy, Penthouse, and Hustler taking a licking . . . see "Back on the Rack" page 3.

The Politics of Rape. See page 3.

Professors at University of Wisconsin take qualification exams. See page 5.

Law Revue, where you're the star. See page 6.

Editorial

Consideration

In view of the fact that we are now entering the Twilight Zone of finals, we at *The Docket* thought it would be appropriate to editorialize on Consideration. That's right — Consideration. Not Consideration in the contractual sense, though, but Consideration in the humanistic, moralistic sense of the word.

Consideration really seems to be lacking around here these days. One first-year student, preoccupied with the imminent black hole, left his backpack on a ledge in the main hallway one recent evening. Unfortunately, the backpack contained two commercial outlines, one text, and up-to-date outlines for all four courses. According to a janitor, the backpack disappeared within an hour. Fortunately, the student has kind, generous friends.

Books have also been stolen in recent days from restrooms, the patio area, and even right off tables in the library. Now, we aren't accusing anyone of taking these items for their own use; for all we know, the local vagrants could be picking them up and reselling them. But the key word is Consideration (with Caution ranking right up there).

If you see books outside of the library that appear abandoned, why not take a few minutes and turn them in to the Information Window? If you're sitting in the library, why not keep alert for possible theft going on around you? And, if the library seems a bit overcrowded with non-law types, why not ask the "security guard" to do his job? A little Consideration will go a long way.

Opinion

Student Aid to Drop

by Raj Seshu

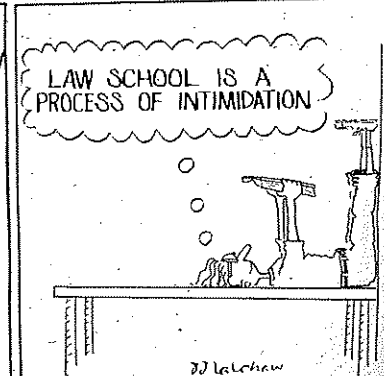
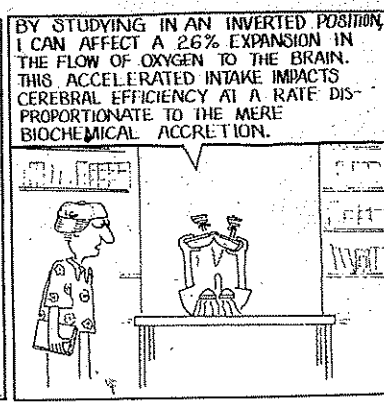
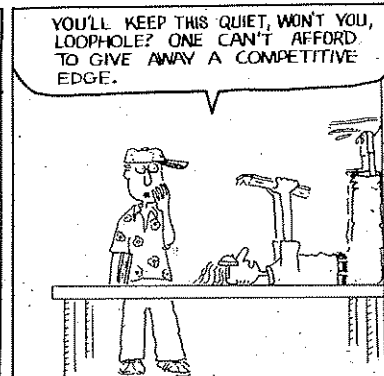
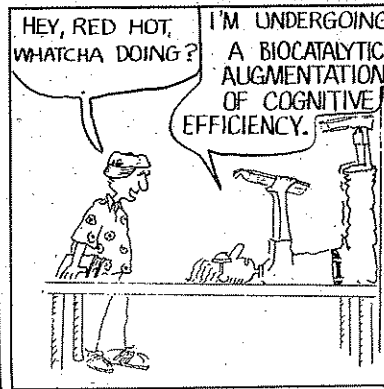
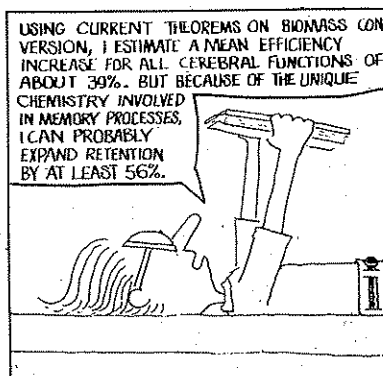
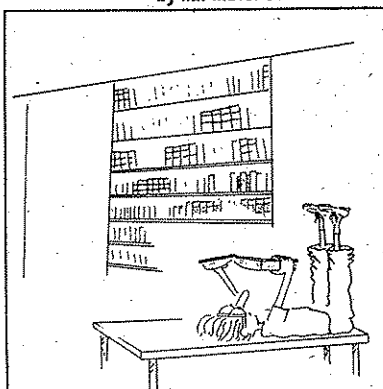
Since most of us here at this highly renowned citadel of legal and social erudition will shortly be miraculously transformed (in the twinkling of a bar exam) into brilliant, successful, prosperous, (and greedy) attorneys, we'd be fools to worry about our student loans when we could be snidely snubbing one job offer after another. Unfortunately, someone's gotta be at the bottom, and we flunkies have been the unwilling receptacles for vast quantities of innuendo surrounding the 1980 Higher Education Amendments. In reality, the changes are neither as significant nor as definite as rumor would have it.

There are two major federal loan programs, and both are affected. The Guaranteed Student Loan Program (GSL), which was available to all students (regardless of financial need), is funded completely by the feds (banks are bribed with interest amounting usually to about three and one half percent less than the treasury rate to lend no-risk money to deadbeats like you and me). When the payback period starts the banks sell the loan rights to a secondary mortgage company.

The National Direct Student Loan Program (NDSL) is funded with 10% of state money and administered by the universities themselves. NDSL has both a lower interest rate (3% as opposed to 9%) and a theoretically higher ceiling. Furthermore, NDSL has a ten year "grace" period, while GSL currently has only a nine month one.

Basically, two broad categories of characteristics were changed in each program: GSL has now has higher borrowing limits (from a \$15,000 overall maximum for graduate students; to a \$25,000 ceiling) and a shorter grace period. NDSL's changes are much more complex: first, a significantly broadened deferment system would allow up to ten extra years (beyond the existing ten-year limit) for such activities as working in a "charitable organization" — with the proviso that the organization be non-religious (try that one for

(Continued on Page 5)

Loopole[®]
by hal malchow

Letters

Takin' it to the Limit

Editor:

This is the time I take advantage of you and our special friendship to dump on you, to rant and rave at great length about how awful my life is, how shitty I feel, how I wanna get out of this impossible situation I find myself in, etc. I have to say at the outset that it is a great comfort just to have you to put this out to, and you don't have to do anything but listen. I have the feeling it'll be a little incoherent, but at least I'm getting it on paper, so supposedly it's good for me.

I am really having trouble with all the pressure I find I have placed on myself. I have all this incredibly important reviewing and studying to do before the end of the semester, and I just can't make myself do it as I feel I ought. I can manage to do the daily reading, which is both important and urgent, but I can't do the reviewing and outlining, which is just as important, but not urgent. I had hoped to review last semester's stuff, as well as summarizing things as we go along in class, and I can't even keep up with the latter. My list of things to review gets two or three things added on every week, and I'm lucky to finish reviewing just one of them. I'm just getting all depressed and discouraged, and one of the consequences is that I'm doing even less studying the past week or 10 days. Certainly less than the beginning of the semester, as I really started off with a bang, but also less than I was doing last semester, when I had less to do.

Last December, I worked harder than I ever knew I could, preparing myself for finals. I frankly didn't think I could stand the pace, but I did, for as long as it took. Now in May I am faced with a more difficult challenge, and I just can't imagine how I'm gonna cope with that. I freak out at the prospect of driving myself harder, and I panic at the thought of getting worse grades.

On a logical/rational level, it doesn't make any sense. I know I'm as smart as these people, and I know I'm working harder than most of them, so why be so uptight? Everyone else gets through it, and lots of them don't go to class or read the

book.

I guess I just suffer from this obsession with doing my best, and now I have to figure out what my best is. Do I have to study every waking hour, so I'll know regardless of my grades that I did the best I could? Or do I recognize my human limitations, and understand that I have to take time for myself, and I can't push myself all the time, and my best is something less than 16 hours a day? But what is the limit — 10 hours? 8? 3?

I've heard it said that law is insatiable — it'll swallow you alive if you let it. But I'm reminded of one of our orientation comments—It's an insurmountable opportunity, and no matter how hard I work, I'll never get all there is here. This is a once-in-a-lifetime chance to learn what this place can teach me, and I want to put everything into it, so I can get everything out of it. I feel like no matter how hard I work it's not enough — it's never as much as I should do. If I have to compromise, I want to find as favorable (read: Hardworking) a compromise as possible. Where do I draw the line?

Thanks for listening. I'll call you next week to tell you I've survived this crisis.

Love,
C

Reject

Who among us hasn't received a rejection notice from a law firm? O.K., if you look like Doris Day or Rock Hudson, maintained a perfect 100 G.P.A., made Law Review, and have a voice that makes George Putnam's sound like a hawker at a Dodger game, maybe you never received a rejection. But for us other people we have to face a problem of social etiquette: what and how do you tell a law firm that it just doesn't meet your standards of excellence? The letter below has solved the problem for us:

To Whom It May Concern:

Thank you for your interest in my legal talents. Unfortunately, at this time, I do not have the need for a law firm. Your credentials look impressive and I am sure you will be able to retain an associate in the near future. I will keep the name of your firm on file. If I should ever get the urge to work, I will contact you. Best of luck in your legal endeavors.

Very truly yours,
Mark Michals, Esq.
Graduate

University of New Mexico

UCLA
The Unknown UCLA
Law Student

Opinion

Legal Aid Cut

We are astonished and appalled at the Administration's decision to seek abolition of the Legal Services Corporation. The provision of legal services to the poor is critical to our system of justice. Without it the poor are locked out of the courthouse. Denied lawyers, they become easy victims for fraud, government neglect, and exploitation. In a nation of laws, those without lawyers don't count.

The human impact of the elimination of the Legal Services Corporation on Los Angeles County cannot be overstated. In the past year thousands of low-income homeowners would have lost their homes to fraud, tens of thousands of children would not have received food, clothing, or shelter to which they were entitled, and thousands of tenants would have been exploited by irresponsible landlords. In each of these instances, and many more, our legal aid organizations gave individual clients the ability to assert their rights and achieve a just result.

There is a need for economy in government. But the Legal Services Corporation is among the most cost-effective government programs in operation. Only 3% of its budget is devoted to overhead costs. The total budget of \$321 million provides legal services to the poor in every state, the District of Columbia, Puerto Rico, and our possessions abroad.

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Around the Nation

Porno Back on the Rack

Obiter Dictum, Franklin Pierce Law Center, Concord, N.H., March 17, 1981 reported in stunned disbelief that the student body, by a 55-47 count, voted to ban *Playboy*, *Penthouse*, and *Hustler* from the law school bookstore.

According to Editor David Krassner, the "Moral Majority" (led by the Women's Caucus and the New Hampshire Chapter of the National Lawyers Guild) attempted to effect the same ban last year but failed. This year, "The supporters of the ban cut out 'obscene' pictures from *Playboy*, *Penthouse*, and *Hustler* and put them onto cardboard, and put them all over the Law Center — a little vibrator over here . . ." Krassner explained to *The Docket*. These posters were placed near the student cafeteria, and visitors unaware of the controversy were "mortified."

Krassner continued, "There's a big overlay between the Women's Caucus and the National Lawyers Guild here; the same top three are in both. They opposed *Playboy*, *Penthouse*, and *Hustler* because they felt the magazines 'abuse and degrade women.'"

The ban brought a storm of protest to *Obiter Dictum*, and both New York and Boston press to FPLC. Swift motions brought back the magazines the week after the ban went into effect, at a meeting attended by over 180 people (students, faculty, visitors, press).

Swift broken-field scrambling with Roberts' Rules of Order ended when the sponsors of the motion to ban the magazines withdrew their motion of the previous week. Quickly from the floor came a motion to adjourn, which quickly passed. The ban was over.

—Writslinger Sue

The Docket (Villanova), Feb. '81 . . . In his final exam for a legal professions course, a professor used 25 multiple

choice questions for part I of the exam and three essays for part II. The professor received the multiple choice questions from the company which prepares the Multi-State Examination and used them to give students practice in bar exam-type questions.

Unbeknownst to the professor, a national bar review company had reproduced the same questions, complete with answers, for students taking its course. About half a dozen students came to the professor after the exam and said they had had an "unfair academic advantage." The result? Part I of the exam was disregarded and only the essays of part II were graded.

Law Forum (Delaware Law School of Widener University), Feb. 10, '81 . . . Professor Esther F. Clark was named "Man of the Year" by the Lawyers Club of the Delaware County Bar Association . . . 'nough said.

Arete (Univ. of Akron Law School), Jan/Feb/Mar. '81 . . . Interim Dean Albert Rakas comments that the UALS Legal Profession course increases from a one-hour to a two hour required course. Curricula at UALS will be set up in "tracks" (litigation, business, tax, bar course) for easier class scheduling.

Phoenix, Univ. of Chicago, Feb. 18, '81 . . . Gretchen Winter reports in "Insanity defense highlights bank robbery trial" that a bank robber was tried and convicted by a federal court at the law school Feb. 9 and 10, before the entire first year class. Trial was conducted by U.S. District Court Judge James B. Moran of the Northern District of Illinois. After trial, opposing attorneys and the prosecution's expert witness answered audience questions.

The Commentator, New York University School of Law, Oct. 9,

'80 . . . A special program, free to students and funded by the law school, teaches "Spanish for Lawyers" in beginning, intermediate, and advanced levels. No grade, no credit, organized and promoted by students, the program enrolled nearly 100 this year. Classes meet two times a week for 90 minutes and instructors are native speakers from Latin America and Spain.

ABA Study on Female Profs...

While women appear to be making great strides towards integration into law school faculties, a number of barriers must be removed if they are to become full members of the law school community.

That is the conclusion of a report released by the American Bar Association's Section of In-

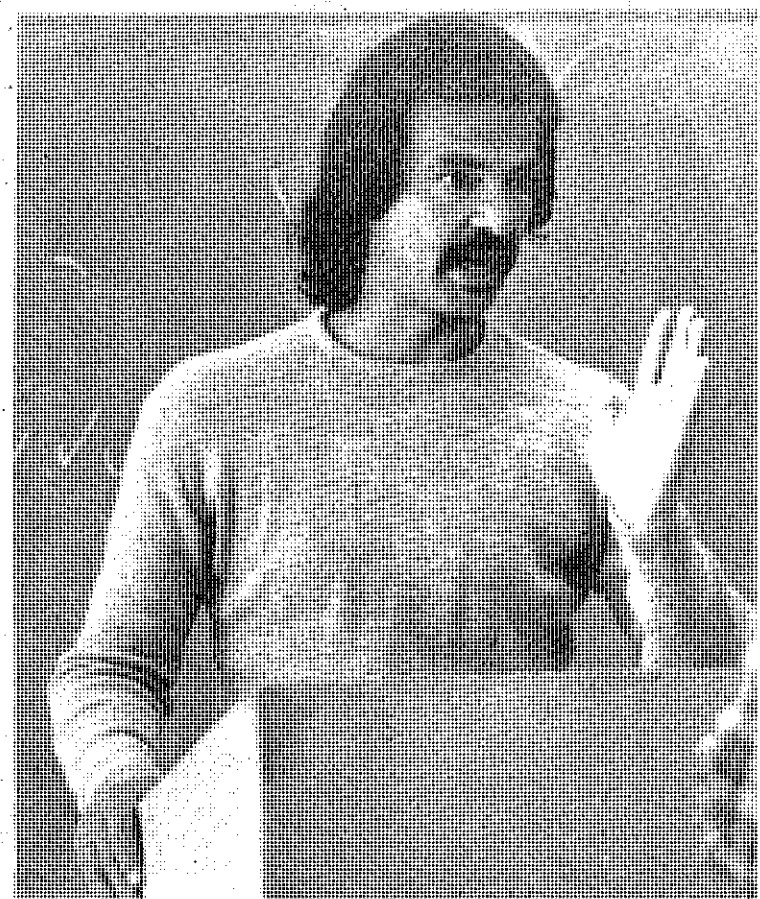
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Mueller

Professor Emeritus Addison Mueller passed away April 7, 1981, at the age of 73. Professor Mueller was a distinguished member of the UCLA law school faculty from 1959 until his retirement in 1975, active in academic senate affairs and chairman of the systemwide Academic Council in 1970-71.

A national authority on contract law, Professor Mueller was acclaimed for his trail-blazing book, *Contract in Context*, and co-authored *Contract Law & Its Application* with Arthur Rosett.

Professor Mueller is survived by his widow, Margaret; a daughter, Nancy Holtzapfel of Vancouver, Washington; a son Phillips, a Los Angeles county deputy district attorney; and several grandchildren. Memorial services were held April 20 at the Faculty Center.



DISTINGUISHED — The faculty of UCLA has announced that Professor Gerald P. Lopez is the recipient of one of five Distinguished Professor Awards given to deserving members among the entire university faculty. Lopez, a graduate of Harvard Law School, has been on the UCLAW faculty since 1979. Currently, he teaches Contracts, Civil Rights and the Civil Rights Litigation Seminar. The award, which consists of a medal and \$1,000, was presented to Lopez on April 22 by Dean William Warren.

New Profs to Grace UCLAW

Next year Phillip Trimble, former Ambassador to Nepal, will teach International Law at UCLAW. In addition to leading a group of *Americans in climbing Mt. Everest* in 1976, Trimble has been Deputy Mayor of New York City; with the U.S. State Department; a staff member of the Senate Foreign Relations Committee; and in private practice with Cravath, Swaine, and Moore of New York City. He attended Harvard Law School, Class of '63.

From the University of Texas comes Joseph M. Dodge to teach Tax for a year. Formerly in private practice in Washington, D.C. Dodge will also teach Estate and Gift Tax. He too attended Harvard, graduating in 1967.

Theodore E. Guth, on a one year sabbatical from the law firm of Irell and Manella in Century City, will teach Civil Procedure. He went to Yale, graduating in 1977.

These are just three of the new professors to be at UCLAW next year; more information will be available during summer registration.

The Politics of Rape: The Survivors

by Mimi Strauss

"I am a woman and if I live I fight and if I fight I contribute to the liberation of all women, and so victory is born even in the darkest hour." (Early 70's poster)

Julian Bond, President Emeritus of the Southern Poverty Law Center, has advocated that black people should take the law into their own hands and inflict physical punishment, if necessary, on drug dealers who sell dope to black youngsters. "I'm not advocating community action. Drug dealers act outside the law and the police seem unwilling or incapable of dealing with them. The pusher needs to know that it's dangerous for him not just in terms of sanctions of the law, but in terms of sanctions by the community. If they catch the pusher in action, they should inflict immediate discipline." (*San Francisco Chronicle*, February 4, 1972).

With the same arguments in mind, some women activists have suggested that women organize and treat rapists similarly. "The issue at hand seems to be that if the institu-

tions we rely on don't protect us, we must protect ourselves. Since the system of justice does not begin to deal with the problem of rape adequately, and since women are relatively powerless in this society, and therefore in a poor position to change laws, it seems justifiable to deal with the problem in extralegal fashion. Those who see such a statement as condoning violence should remember that violence against women is already condoned without stirring much concern." (*The Politics of Rape: The Victim's Perspective*, Diana E.M. Russell, 1974).

Whether you find such strategy too militant to suit you or whether you find it quite reasonable is not at issue here. What is crucial is the understanding that such sentiment is born of women's rage. The extent of violence against women in this society is reflected in these tragic statistics:

* One out of every three women over the age of 14 in Los Angeles County will be raped at least once in her lifetime. (L.A. County Human Relations Commission, 1971).

* Nationally, according to FBI estimates, one rape occurs

every ten minutes, with 80 per cent of all rapes going unreported.

* During the first three months of 1980, rape in California increased 24.2 per cent, compared to the first three months

of 1979 (State Attorney General).

* The family — the unit to which most people look for love and gentleness — is also the most violent civilian group or institution in our society. In

California almost one third of all female homicide victims were murdered by their husbands. (California Homicides, 1971).

* The American Humane Association estimates there are 200,000 to 300,000 cases of female child molestation in the U.S. per year, with at least 5,000 cases of father-daughter incest. (National Symposium on Child Abuse, 1972).

* Almost 9 per cent of reported child sexual abuse is committed by adult males against female children. (San Jose Child Sexual Abuse Task Force).

* Seventy per cent of all young prostitutes and 80 per cent of all female drug users have been incest victims as children.

Out of women's rage, out of the understanding that all women and all girls in this society are potential victims of violence, a network of rape crisis centers, hotlines and shelters has emerged across the country in recent years. Typically, the purpose of a rape crisis service is 1) to offer emotional support and sensitive services to victims of sexual assault and battering; 2) to provide referrals to informed

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UCLA Student Health Service Rape Card Advice

1. Get to a safe place and call the police, a friend, or family member for transportation to the hospital.
2. Call a hotline for support and information.
3. Don't shower, bathe, douche, change or destroy clothes, or straighten up the area. As hard as it may be not to clean up, if you do you will destroy important evidence you may need.
4. Reporting is your choice. If you decide not to go to the police immediately, write down all the details of the assault and save them in case you change your mind.
5. Whether you report or not, it is important to go to the hospital for treatment of external and/or internal injuries, tests for VD and pregnancy, gathering of medico-legal evidence, counseling and/or referral for emotional upset.

UCLA Hotlines

UCLA Police (24 hours)	825-1491
UCLA Emergency Medical Center (24 hours)	825-2111
UCLA Escort Service (free; dusk to 1 am)	825-1493
Women's Resource Center	825-3945
UCLA Rape Prevention Education Program	206-6915

Crime Wave...

(Continued from Page 1)

the diversity group, there is no way we can check out all of the stories. We do check out some, though." He pointed out that it is not uncommon for an applicant to claim to be a minority by virtue of a distant relative. In such cases, minority status is usually discounted. But not all cases of fraud are as easy to detect.

Last year, for example, an excellent application was received from a Columbia student. The student's record showed good grades, high LSAT scores, and strong letters of recommendation. Accompanying the application were two letters, one from the applicant's father who

claimed to be a faithful alumnus of the school, and one from the grandfather, who claimed to be the president of a small southern college. Rappaport said that the application struck him as being a little too good, so he investigated it. It turned out that not only were the father's and grandfather's letters untrue, but the applicant also had falsified his Columbia transcripts. Moreover, the father, a member of the Tennessee State Bar, had written the same letter claiming to be a faithful alumnus of every law school to which his son had applied. Columbia turned the case over to the New York State Attorney General and subsequently discovered that the ap-

plicant's brother had also falsified his transcripts the year before.

In another case, a male applicant submitted a strong personal statement describing his arrival in the U.S. a few years before and his struggle to succeed in spite of a severe language problem. The applicant had taken the LSAT three times, scoring 750 and 800 on his first two attempts. He requested that his third score go unreported, a service provided by the Educational Testing Service if it receives notification within three days of the exam date. This applicant would probably have been admitted were it not for two things. First, an almost identical personal statement was received at the same time from a female applicant. The female applicant had taken the LSAT twice, receiving scores of 550 and 750. A comparison of the two applications revealed that the applicants were married and each had taken the final LSAT on the same day. This is where the second inconsistency arises. It appears a little suspicious that anyone would take the LSAT after receiving an 800, and then have his or her score go unreported while his or her spouse would take the test on the same day at the same location and report a 200 point jump in scores. Subsequent investigation showed that not only had the couple switched papers on the day in question, but they planned to do so twice more to erase the 550 from the woman's record. (Some law schools average the three most recent scores received and disregard any prior scores.) Rappaport noted that this couple was caught by sheer chance and probably would not have been caught at all had their applications not been received so close together.

He cited two other noteworthy



Michael Rappaport

situations. In one, a third year student on University of Wisconsin's Law Review had worked his way through law school by taking the LSAT for undergrads and charging a high fee for a guaranteed high score. In the other, an applicant's father sent a form letter to several schools indicating that even though his son had flunked out of a lesser known law school, it was all the fault of his son's illicit relationship with an older woman. Since the son was no longer in the relationship, he was again applying to various top-ranked schools. The father's form letter had a sentence offering "a donation of \$_____ to the recipient" if it accepted his son. The amount, filled in by hand, varied according to the reputation of the school. Rappaport proudly noted that a comparison with other schools put UCLA among the leaders.

Barbara Koskela, former

registrar and current Dean of Student Affairs, spoke only generally about exam cheating, noting that she did not wish to highlight a sensitive subject. She talked of the honor code (signed by each student) which existed until the mid-70s when student protests brought an end to it. She noted that when cheating occurs, it is usually by a desperate individual and not an organized ring.

In the years immediately after the demise of the honor code, exam proctors were nonexistent. Abuses of the honor system subsequently compelled students to demand proctors in examination rooms. Along with proctors came the sign-out procedure and limited access areas outside of the exam rooms (i.e. designated restrooms, the vending machine area, etc.). Even so, Koskela said that some students have brought her class notes found

(Continued on Page 5)



Barbara Koskela

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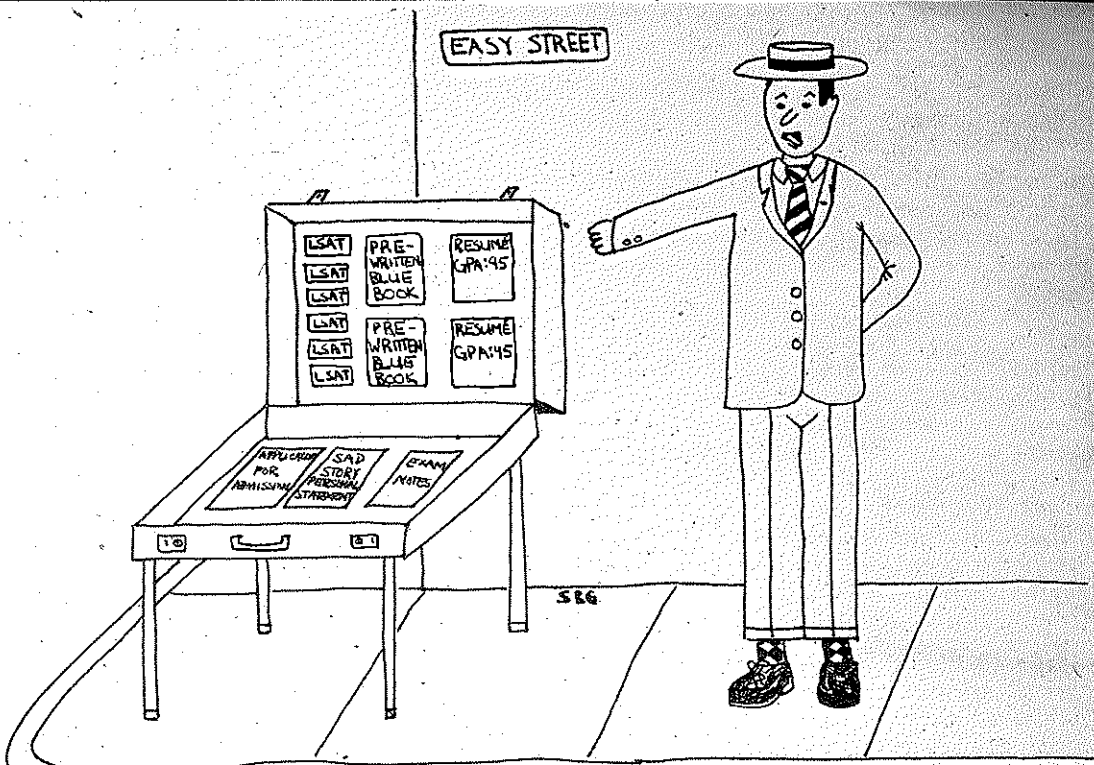
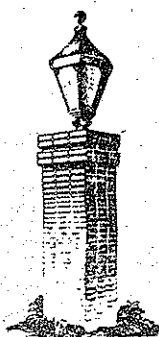
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More Crime...

(Continued from Page 4)

stashed in the restrooms at exam time.

"When cheating does occur, it's usually outside of the exam room. If somebody wants to cheat, they'll find a way. Obviously we try to stop it, but I don't want to turn this (law school) into a Gestapo. I guess I have to admit that there is evidence that cheating has been on the rise in the past few years. I try to instruct my proctors very carefully on the way to look out for and how to handle various situations. We really want to avoid confrontations," Koskela said.

Besides exam cheating, Koskela pointed to two other prominent areas of cheating. The first is in the area of written assignments. In the past, some students tried to use papers written for one class for an assignment in a later class. Aside from the obvious topical drawbacks,

Koskela noted that the administration strongly reprimands students for the practice. The second area is resume fraud. Some students falsify their GPAs on their resume to enhance their chances of getting jobs. Because of privacy laws, the Law School cannot give out students' GPAs. It will, however, verify the accuracy of GPA claims made on resumes.

Koskela spoke of one student with a C average who claimed an A average on the resume. A major law firm offered the student a job, and the student accepted. Subsequently, the firm called the Law School to verify the GPA and discovered the fraud. Koskela said that such situations are not only embarrassing for the student but for the Law School in that the conduct of each student reflects upon the ethics of all students in the Law School. She said that, because of the rise in cheating and fraud at UCLAW, the administration

might feel compelled to report future violations to the state bar, which would result in the disqualification of the student from taking the bar exam.

As all phases of law school get more competitive, incidents of fraud and cheating rise. The real question, as Koskela pointed out, is whether that slight push that comes from application fraud, exam cheating or resume falsification is worth the risk of the long term effects associated with being caught. As a practical matter, would you want a lawyer who had cheated, lied, and defrauded his or her way through law school to represent you?

Work in the Law

The Centro Legal de Santa Monica needs volunteers to aid in providing free legal services to disadvantaged members of the Westside community. Lucinda Moreno, Centro's director, urges all students to volunteer a few hours this summer, even if you already have a summer job. She stresses that even if you can only handle a few cases, you can be of help. You will be able to work at your own rate, and you need not speak Spanish, although it is helpful.

During the school year, the Centro is open Tuesdays and Thursdays from 6:30 to 8:30. In the summer months, the Centro plans to expand its hours to Monday through Thursday. If you are interested, contact Lucinda Moreno or call the Centro at 392-4188. Moreno urges anyone wishing to see the facility to drop by the Centro at 235 Hill Street, Santa Monica.

Prof Exam Scores Points

First the LSAT, then finals, and finally the bar exam. Is that the end of the legal testing grind? Apparently not. The University of Wisconsin Law School recently revealed that it gives exams to its potential professors to see if they are qualified for the posts to which they aspire. *The Docket*, in a rare exclusive, was recently able to obtain a copy of a sample exam, which we are reprinting in its entirety. Try it yourself, if you are so inclined. Exam numbers are available from the Records Office. Results will be posted in February of 1986. Relax and good luck.

EXAMINATION FOR PROFESSORS

INSTRUCTIONS: Read each question carefully. Answer all questions. Time limit: 4 hours. Begin immediately.

SOCIOLOGY — Estimate the sociological problems which might accompany the end of the world. Construct an experiment to test your theory.

POLITICAL SCIENCE — There is a red telephone on the desk beside you. Start World War III. Report at length on its sociopolitical effects, if any.

MEDICINE — You have been provided with a razor blade, a piece of gauze, and a bottle of Scotch. Remove your appendix. Do not suture until your work has been inspected. You have fifteen minutes.

PUBLIC SPEAKING — 2,500 riot-crazed aborigines are storming your classroom. Calm them. You may use any ancient language except Latin or Greek.

MUSIC — Write a piano concerto. Orchestrate and perform it with flute and drum. (You will find a piano under your seat.)

BIOLOGY — Create life. Estimate the difference in subsequent human culture if this form of life had developed 500 million years earlier, with special attention to the probable effect on the English parliamentary system. Prove your thesis.

EPISTEMOLOGY — Take a position for or against truth. Prove the validity of your position.

PHYSICS — Explain the nature of matter. Include in your answer an evaluation of the impact of the development of mathematics on science.

PHILOSOPHY — Sketch the development of human thought. Estimate its significance. Compare with the development of any other kind of thought.

GENERAL KNOWLEDGE — Describe in detail. Be specific. **LAW** — Explain the nature and origins of law as an instrument of social control. Draft a statute that will operationalize your explanation.

****EXTRA CREDIT** — Define the Universe. Give three examples.

Loans Down...

(Continued from Page 2)

litigation, folks!), and an increase (under certain complex circumstances) in the loan rate from 3 to 4 percent.

The 1980 Act also established a new series of classifications for undergraduates as well as an extended repayment option for all students — the details of which are not, apparently, final as yet.

The actual treatment of the 1980 Amendments by all parties directly involved has been ambiguous at best. Since the amendments were drafted to take effect this year, the difficulty administrative agencies experienced in re-tooling procedures and processes (e.g., the existence of changed interest rates seems to require that the agencies administering the NDSL must keep TWO separate accounts for each recipient who remains in the program after 1981), forced Congress to pass a series of so-called "technical amendments" which essentially postponed the effect of the Act until 1982.

Even before Congress passed the "technical amendments," the U.C. System had made an administrative decision to put off conforming with the new system until next year. An official of the loan system in Berkeley (harrassed apparently equally by the 1980 amendments as well as by yours truly), explained to me that more "technical amendments" are expected by the end of the year, and that no one in the University of California System seems to be quite certain just what Congress will do next.

Both loan systems (GSL and NDSL) have been much-maligned by critics for high default rates and administration costs. Yet the picture may not be as clear as all that. The administrator I talked to rates would have to be set about 6% to cover costs of administration. (Because both the banks and the feds are involved in the GSL program, he could give me no similar figures.)

However, if the figure for the default rate is accurate (out of \$37, 900,000 loaned to 32,000 students since 1959, only about 400 have irrevocably defaulted — although this figure has its problems as well), the system doesn't appear to be doing as badly as the critics claim. Finally, a 1979 change in the Bankruptcy Act prohibits students from declaring bankruptcy until 5 years after repayment must begin (so you can stop studying that class so intensely — it won't get you out of your student loans for a while).

What do the changes mean for the loan programs? According to the administrator I talked with, the modest increase in NDSL interest rates would not cover the significantly higher administrative costs of the deferment and repayment systems. He indicated that the quality of service provided to students under both the university-administered NDSL program and the federally-administered GSL program would drop significantly, since administrative costs are already crippling enough.

Of course, from my point of view, the system will be fairer, more valuable to us, and considerably more flexible. The debate is probably the usual one surrounding the treatment of individuals by larger economic entities. However, since Congress may significantly amend the programs in the future, and since Reagan is making ugly noises about the programs, only time will tell. As usual, we recipients will be the last to know.

The administrator warned me to "hang onto my hat" for significant increases in the GSL rate for 1982-3, which may be necessary to cover the larger borrowing limits.

Sentenced to Die

The number of prisoners on death rows across the country is growing and so are the problems that face lawyers who specialize in capital defense.

"No matter how you look at it, capital defense is not a cozy corner of the legal profession. The clients are from the wrong side of the tracks. The money is poor. The emotional toll is great. And, with an even more conser-

vative public becoming increasingly fearful of crime and violence, the stance is no longer popular," writes Faye Hamby Goolrick in "Counsel for the Condemned," the cover article of the February *Student Lawyer*.

Capital defense lawyers hope and expect public opinion to run against capital punishment, someday. Until then, they litigate both backwards and forwards.

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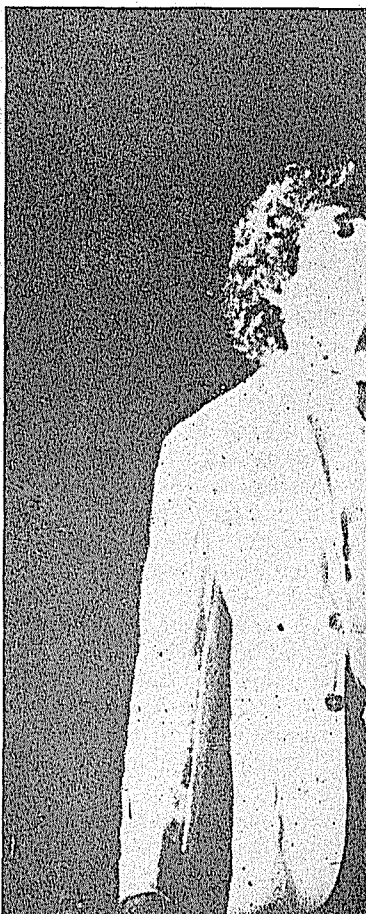
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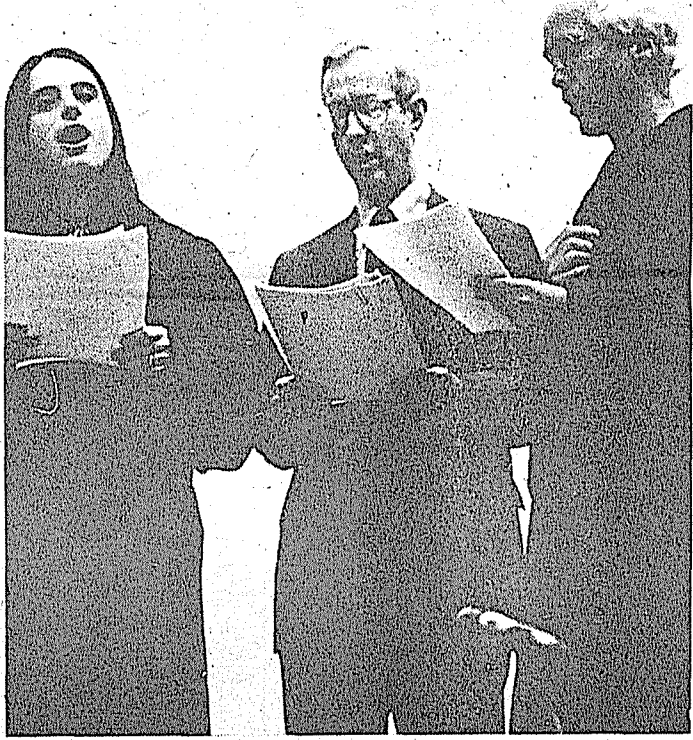
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KORT in Los Angeles presents its hit game show, The Hollywood Squires. The plaintiff and defendant queried the nine justices of the Supreme Court for decisions and prizes. (No one guessed the Secret Squire.) Rehnquist cast the deciding vote.



Emcee David Hirsch takes a little



Composer Gary Schwartz, himself a member of the Faculty/Staff Glee Club, is serenaded by the chorus and the audience to mark his birthday.

UC LA REV '8

PHOTOS BY S



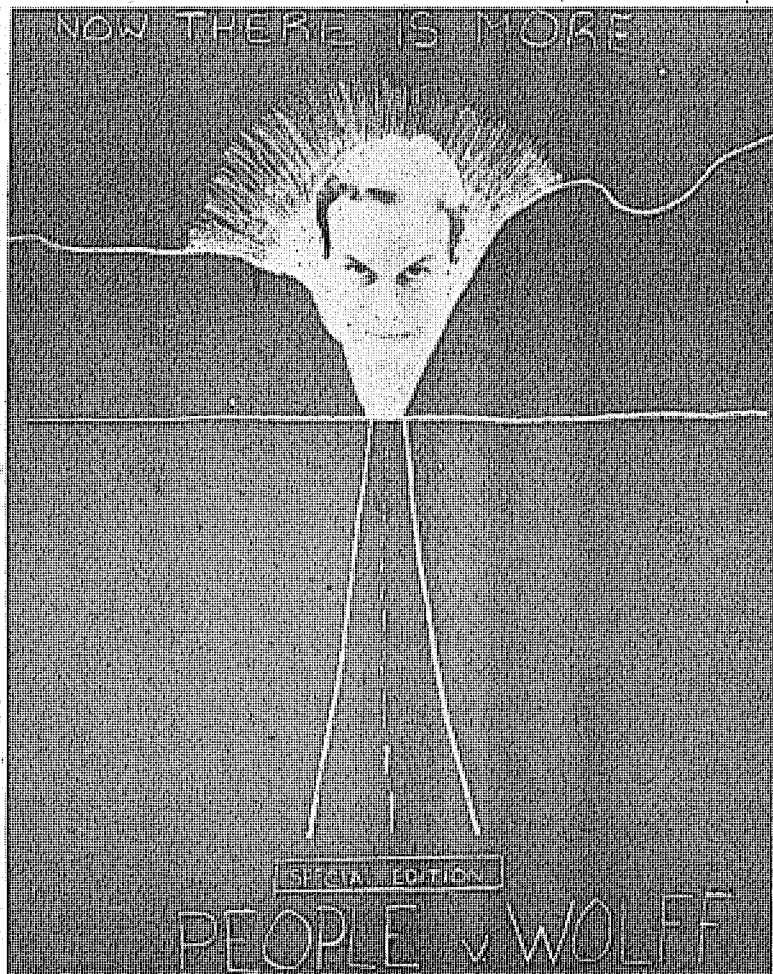
In re Tonedead, featuring Larry Chew, Neil Nagano, and Jason Baba, opens the show with a special law school version of "Wasting Away in Margueritaville."



Gerry Klein tells of being slapped with a temporary restraining order for a sex problem.



Something for opening night jitters.



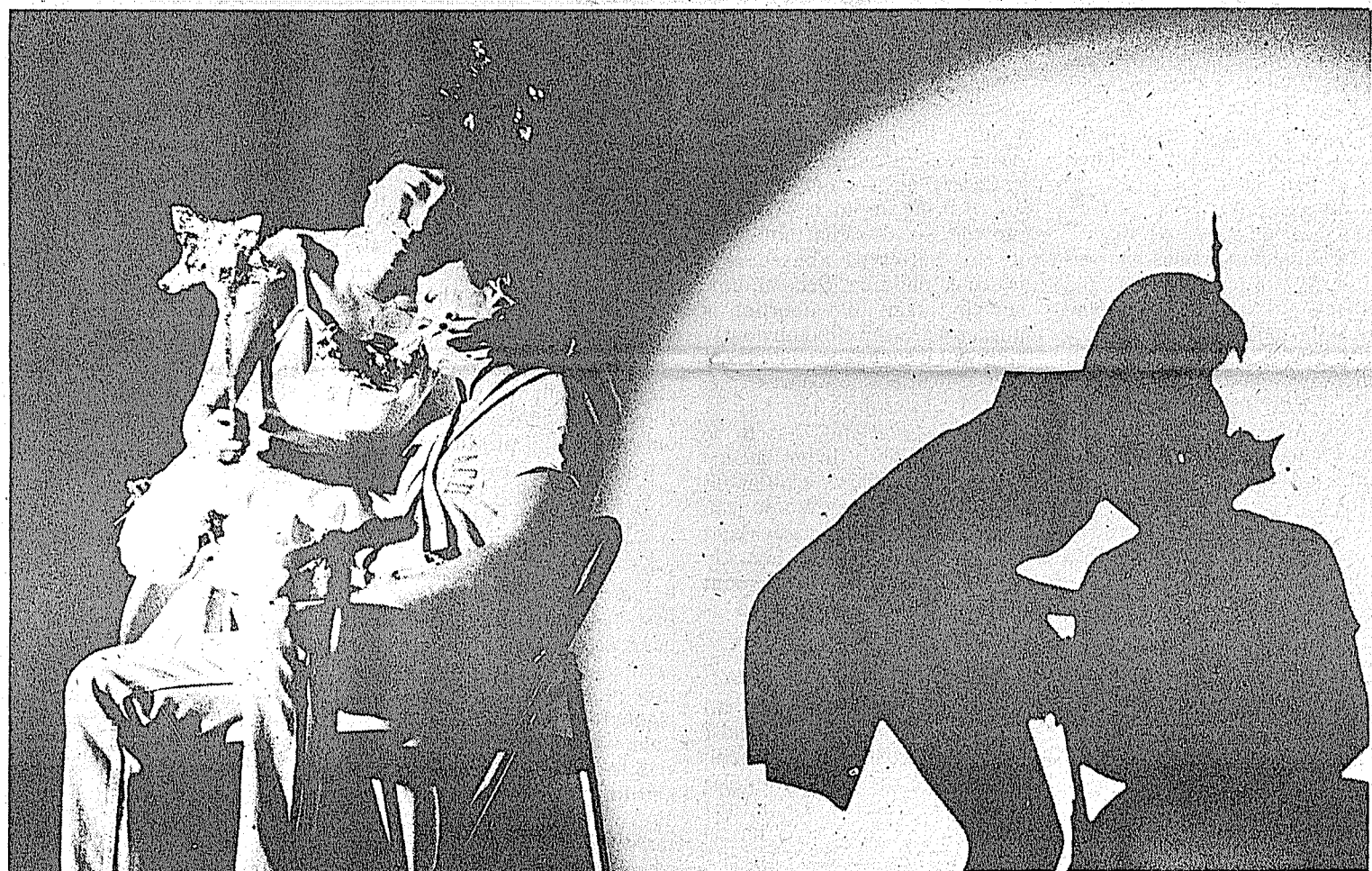
People v. Wolff — runs advance publicity. Now playing at a theatre or drive-in near you . . .



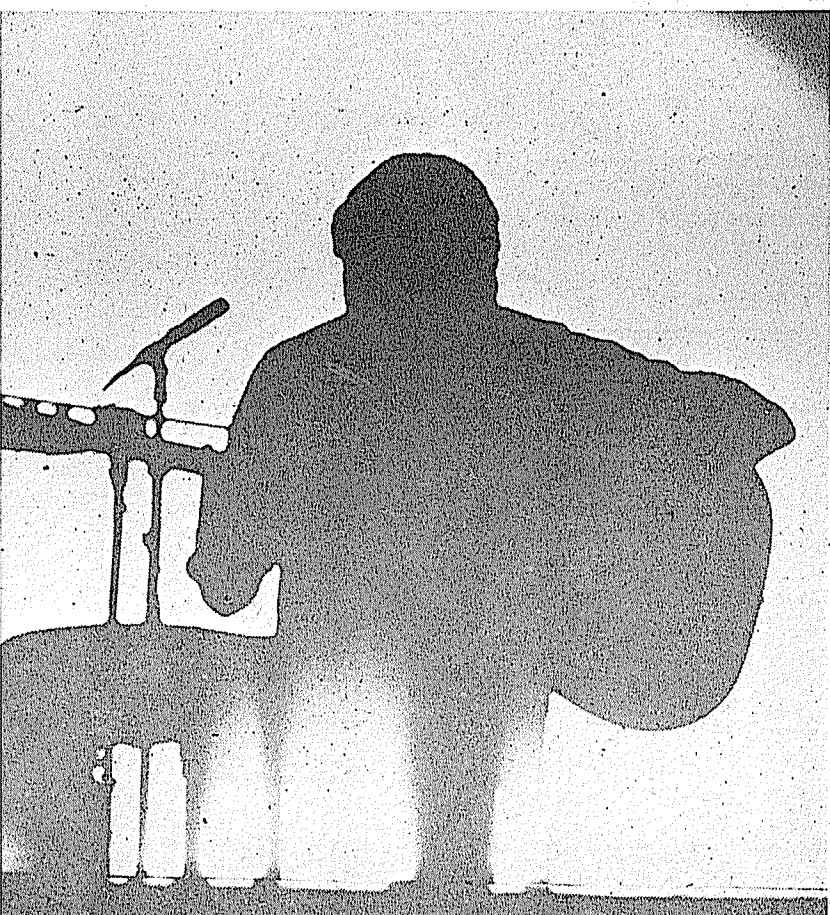
Nora Quinn describes the fine art of eating live lizards. Do you know how much protein is in those little buggers?

LA W VUE 1

STEVE GARCIA



Wolff gets a visit from his Fairy Godmother.



Frank Salazar casts an eerie shadow as he performs a Jackson Browne tune.



Joe Law, Prudence Juris, and their kids and superegos watch proceedings on "Commence-ment Day, 1981," in a skit by the Paper Chaste Players.

Opinion

The Pragmatic Christian

Caught in the middle on the Abortion issue

by Steve Garcia

As a born-again Christian law student, I have recently been involved in some confrontation politics with pro- and anti-abortion forces. Admittedly, the plethora of issues that comes under the umbrella of abortion politics has never really concerned me as much as it should, but I suppose the reason for this is, in part, that I have never before been associated with anyone who was more than on the fringes of the pro- and anti-abortion movement. It is interesting to note that at the mention of my religious beliefs, individuals from both sides immediately assign a set of values to me to which I do not necessarily subscribe.

For instance, over spring break, my girlfriend's mother, a staunchly Christian woman, pressed me for my views on abortion. To her dismay, my immediate reaction was that I was against it in principle, but that if I were in the situation of becoming an unwed father, I might renege. I ended up, though, falling back on the position I have held for the last few years, that it is best to abstain from sexual activity until ready to assume the responsibility for any children that might result.

I discussed this point of view with a group of pro-choice/Humanist friends and was promptly called prudish and anti-sex. After all, how could any adult male of 23 years deny his sexuality? I answered that mine was not a denial, but rather what I felt was an intelligent method of coping with my sexuality. I feel that everyone's sexuality has its place; for me, it

just happens to be in marriage. Listeners to the conversation labeled my point of view alternately admirable or insane.

"What you all seem to ignore is that there's more to sex, more to making love, than just the act and the expression," I said. "I mean, what if a baby comes along?"

Most of the males in the group brought up adoption or abortion while the females stressed abortion with a few mentioning marriage. My response was that personally, I find adoption to be the only acceptable alternative. Marriage is a good solution only if the couple planned on it anyway. I feel that the worst thing two people can do to themselves and to a child is to get married and then vent any subtle or overt hostilities on each other and on the child; that is just not fair to anyone. Well, came the reply, what about abortion?

Here I was confronted in a manner that was entirely different from that of my girlfriend's mother. Suddenly, I could not take the easy way out. I was the defender of the faith.

Abortion, to me, is entirely unacceptable in this situation. It is murder, plain and simple, I said. I was, of course, challenged on several grounds. First, is it fair to bring an unwanted child into the world? What about all of the battered, abused and neglected children? Second, how can you claim that abortion is murder when the child obviously could not live outside its mother? Even the Supreme Court of the United States held, in *Roe v. Wade*, that the child has to be viable (capable of living outside of the womb). Third, what about deformed children? Would you like to go through life without any arms or legs or mentally retarded? Fourth, what about children who are conceived as the result of rape or incest, or where the mother's life is threatened?

Admittedly, these are all strong areas of contention, and I felt compelled to address them. First, there are many families who are waiting to adopt children, so a child never has to

be unwanted. As to battered or neglected children, the contention that abortion would solve the problem is quite plainly wrong. Ninety percent of all battered children in the U.S. are planned. They are born into intact families of mothers who wore maternity clothes on an average of three weeks sooner than is usual, and they are quite often named after one of their parents. The problem of battered children usually arises in families where at least one parent was battered. Humans are creatures of habit, and we

Abortion . . . is murder, plain and simple.

usually parent as we have been parented. Thus, the rising rate of battered children today in largely the result of geometric progression; a parent who battered his or her three children in the 60s taught those three children to batter their children in the 80s. Abortion does not approach this problem.

As to the second contention, that the Supreme Court's notion of viability should be applied and thus fetuses do not become children until around the 24th week, I point out the birth of Louise Brown and others. The *Roe v. Wade* opinion was handed down in 1973 when the viability argument was still largely available to the pro-choice crowd. At the time, the only thing that pro-lifers had to rely on were some isolated cases of 21 week babies who survived premature birth. Louise Brown changed all that. The world was shocked at the announcement of her birth. She was the world's first test tube baby. She had been conceived outside of her mother's womb, nurtured for a time in a test tube, and then implanted in her mother to continue to grow. If that's not viability at the outset, I would like to know what is. Scientists now claim that technology is rapidly developing to the point where there would be no medical reason to implant a Louise Brown in her mother's womb at all. It is conceded, however, that an unborn child benefits psychologically by being in the mother's womb. That is why the sound of mother's voice and being held to mother's breast can calm a child when all else fails; the child has been hearing those sounds (the voice and the heartbeat) for nine months. Could a non-viable entity hear?

It was my reply to the deformed child argument that aroused the most protest, but I stand by it. I am personally repulsed at the idea of killing a less than perfect child. What standard of perfection should be used? Should a normal child but with only nine toes be aborted? Just where does one draw the line? Max Cleland, a Vietnam veteran who lost both legs and an arm to a hand grenade, became the head of the Veteran's Administration under President Carter, yet some would kill an equally situated unborn child. In my high school days, I worked with a school for mentally retarded children. I found them to be generally very

happy people who shared joy and love with their parents. They were less of a liability to society than many of the criminals and welfare defrauders today, and yet some would kill unborn children like these. Is the end achieved by aborting a less than perfect child all that different from what Adolf Hitler sought to achieve?

As to children who are conceived as a result of rape or incest, here again, I would resort to adoption. This is obviously a very sensitive area, and I am just not certain what the psychological effect would be of compelling a woman to bear a child that she was forced to conceive. To some it might be devastating; to others it might be minimal. A few women might even decide to keep such a child, but the method of conception does not make abortion any less

murder, and two wrongs never make a right. Where the mother's life is threatened, I think the choice is clear and uncontested; the child should be aborted.

I had just finished talking when someone in the group branded me a "typical Christian" insofar as the abortion issue is concerned. Not so, I protested. In most of the situations discussed, the abortion was more for convenience than necessity. One and a half million unborn children died last year, largely due to such abortions of convenience. It is at this point that I take issue with the traditional Christian, or more accurately, pro-life view.

The current pro-life view is that we should enact a Constitutional amendment to ban abortions of convenience. Personally, I feel that this would be like re-enacting prohibition. Prior to the *Roe v. Wade* decision, when abortions were not yet legal, an estimated 750,000 of them were still performed each year in the United States. Outlawing them again would not do away with them, it would only drive them back underground where they would be less safe than they are now. My opinion in this matter is obviously affected by the death of a longtime friend, aged 15, from a coat-hanger abortion prior to *Roe v. Wade*. I still think today, if only she had had a safer alternative.

Furthermore, I think that, in these more conservative times, the value of abstinence should be stressed once again in our country. The humanist view which is so prevalent today, that sex is a necessity which must be satisfied, is greatly misguided, and indeed, at the root of the

problem. Many of my Christian friends, both male and female, have told me that they wished they had waited until marriage, and others have admitted to being glad they did.

Many of my confronters contended that with so many birth control methods so readily available, the need to abstain was no longer present. To this, I answered that even the best birth control method was only 95 per cent effective, and it is not widely used, as evidenced by 1.5 million abortions last year. Even so, I granted that in this day and age, birth control must act as the foundation to any anti-abortion move. Furthermore, I support a more complete information system with mandatory counseling for those who think they might want an abortion. Such counseling should include the dangers of abortion (i.e., 10 per cent of women who have abortions can never conceive again), the wide range of psychological effects, and the alternatives. It is in the area of alternatives that I feel pro-lifers in general and Christians in particular should play a larger role, by providing homes for unwed mothers, complete counseling, more accessible adoption services, and so on.

Finally, if a woman should decide, after complete and frank counseling, thoughtful consideration and a realistic weighing of the alternatives, that she wishes to go ahead with the abortion, I concede that she should be allowed to do so. Someone in the group pointed out that this was quite a sharp turnaround from the position I had formerly argued. I agree, but I think that Christians and all pro-lifers should only go so far in pushing their beliefs. The Bible teaches that, from the beginning, God made all of us to be free to make up our own minds and that each individual will be held accountable to Him for his or her actions. What I propose is a more open alternative without deciding for someone else.

Briefs

(Continued from Page 1)

(South Texas College of Law, *Annotations*, p. 1, Jan. '81).

* * * *

Professor Michael Asimow has been selected Professor of the Year by the graduating class of '81. Asimow was selected in a general election and runoff procedure.

* * * *

John ('82) and Karen MacKay are pleased to announce the arrival of William James MacKay on Saturday, April 18, 1981. Master William weighed 7 lbs. 4 1/2 ozs. Congratulations, John and Karen.

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Legal High Days

April 23	Defunis v. Odegaard 1974	May 30	Memorial Day
April 25	Erie v. Tompkins 1938	AND FOR THE SUMMER...	
May 1	Law Day	June 13	Miranda v. Arizona 1966
May 14	Mother's Day	June 18	Father's Day
May 14	Frontiero v. Richardson 1973	June 21	U.S. Constitution ratified 1788
May 15	In Re Gault 1967	July 4	Independence Day
May 22	Brown v. Board of Education 1954	July 10	William Blackstone b. 1723
May 24	Benjamin Cardozo b. 1870	July 24	U.S. v. Nixon 1974
May 29	Palsgraf v. Long Island RR 1928	July 28	14th Amendment 1868

Art Imitates Life

It's Not Just a Painting

The north wall of the Law Library reading room boasts a unique mural, given to the law school by artist Douglas Riseborough. The 9 by 50 foot creation, unveiled on September 23, 1969, was painted on linen canvas with acrylic paint. The paint is believed able to resist smog.

According to Riseborough, the mural was painted "to convey something of our society. There is more, but when you're a flea on an elephant's back it is difficult to be objective about the elephant."

"When I started on this project," the artist continues, "I took to the woods in British Columbia for four months and tried working objectively. I wanted to be that flea jumping off the back of the elephant."

The mural is divided into three panels, each dealing with an aspect of what the artist considered to be contemporary.

"The Journey," the panel on the left, deals with the Civil Rights movement and portrays the Black Man breaking out of the heritage of slavery to demand equality.

"The Ceremony," the panel on the right, deals with violence in contemporary society and the rebellion of the young.

Professor Jesse Dukeminier, who secured the mural for the Law School, explained in the Feb. 20, 1979 issue of *The Docket* that these two panels "depict the tensions, anguish, and contradictory messages both of the established order and those demanding change."

The central panel, "Regeneration," includes symbols of modern technology and departing cultures in addition to three large figures who bring a unifying force to the mural. "Through them Riseborough reaffirms the need of each generation to reevaluate the past and bring to its times justice through law," Dukeminier said.

In 1969, *Los Angeles Times* art critic William Wilson interpreted the mural somewhat differently:

"Artistically the work is a gravy-brown stew of past styles. The figures, drawn with extreme competence, closely resemble works by Luca Signorelli, Michelangelo, and the Mexican muralists Orozco and Siqueiros. Their symbolic postures are stiff, stony. Part of the time they look like amateurs playing the nude scene from 'Hair,' part of the time like the ponderous, self-consciously noble heroes of Ayn Rand, and just as fictional."

"Composition is almost psy-

chedelic in complexity. Parts keep popping off the surface. The total picture fails in visual coherence, tempo or conclusion."

"That, however, doesn't seem to be the point. If this mural has a style at all it might be labeled Heroic Adolescent Idealism style."

"Riseborough's mural does what adolescents often do. It speculates fuzzily about the future while holding firmly to a safe, conservative past."

Riseborough has done murals for the Hilton Hotel in San Francisco, the Chateau Champlain in Toronto, and murals four stories high in the Kahala Beach Apartments in Honolulu. His most famous mural is a 125-foot-long depiction of the impact of modern civilization upon the primitive peoples of the Amazon River country, executed for the Pavilion of 2000 Tribes at the 1963 New York World's Fair.

Riseborough first met Dukeminier at a dinner party, during which Dukeminier said jokingly, "We have a wall that is just crying for a Riseborough mural. But, of course, we can't afford you."

To Dukeminier's amazement the artist replied, "I'll do it. It will be my gift to UCLA."

—Partially reprinted from an article by Alec Nedelman, *The Docket*, Feb. 20, 1979, p. 9.

Rack...

(Continued from Page 3)

dividual Rights and Responsibilities. The study entitled "The Integration of Women Into Law Faculties" was funded by the National Institute of Education and New York Law School. Project members spent a year gathering information from the faculty, administration and students of selected schools.

The attitude of students towards women faculty members is one serious problem facing women law professors. Dr. Elizabeth Ashburn, director of the project, said, "Women tend to be viewed as less competent than their male counterparts."

For example, Ashburn said, "We found women spent on the average five hours more a week in class preparation and five hours less per week on research and writing despite similar teaching loads." This becomes important, she said, when we recognize the increasing importance of publishing to the advancement of a law faculty member.

The study also found that presently most of the women are junior faculty members. According to Ashburn, "We don't know the attrition rate of women — how many are leaving teaching as a result of this performance pressure. But we do know that the integration of women in law school faculties is not a foregone conclusion."

Statistics, Legal Aid Foundation of Los Angeles

(Continued from Page 2)

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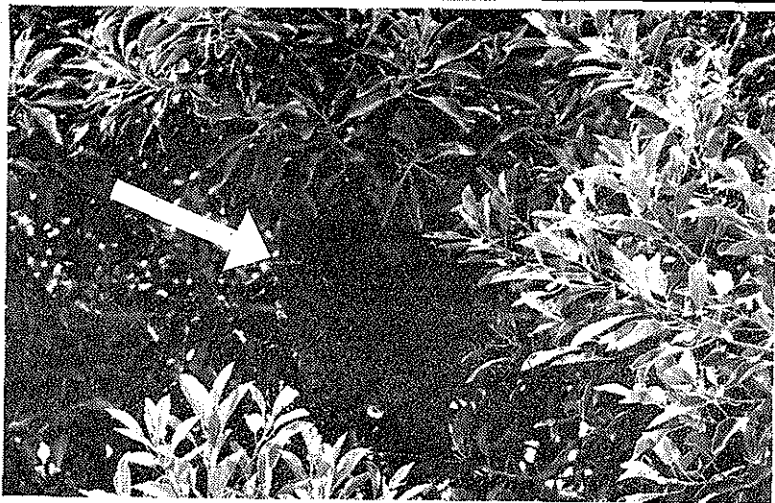
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Served 24,886 clients in 1980.

Client breakdown by substantive law area:

Housing Law	12,804
Family law	4,305
Income maintenance	2,914
Consumer law	1,403
Employment law	295
Health law	212
Individual rights	503
Miscellaneous	2,450

In serving roughly 50% of the poor people of Los Angeles County, the Legal Aid Foundation of Los Angeles provides only one lawyer for every 10,000 poor people. The statewide ratio of lawyers to population is 1 to 320.



A HONEY OF A PROBLEM — Many law students noticed the growth of the beehive in the tree between Dodd Hall and the Law School. The hive, which is suspended high in the branches, posed no real threat to the human population, so the question is: Why did UCLA DDT the bees?

Pacific Basin Journal...

(Continued from Page 1)

Japan, Canada, Australia, New Zealand, the ASEAN nations and other East Asian countries. The "Pacific Community" idea was first articulated in 1978 by the late Prime Minister of Japan, Masayoshi Ohira. Since then, a joint government-private commission in Japan has studied the concept and its implications. In its May, 1980 report, the commission recommended the drafting of a "Pacific Declaration on Trade and International Investment" to promote trade and to stimulate adjustment of

industrial structure in the Basin's nations.

Other tasks envisioned for a Pacific Community include the establishment of international financial markets; reduction of barriers to investment; and an increase in North-South dialogue and development assistance efforts. PBLJ's members hope that the Journal will serve as an appropriate forum for discussion of these and other similar issues.

PBLJ has already received a grant to fund its activities. The Journal expects to use this finan-

cial base to launch its first few issues, after which time subscriptions and contributions should allow PBLJ to become self-sustaining.

The 1981-82 Board of Editors is Nicholas Benes, Editor-in-Chief; Peter Klika, Managing Editor; Matthew Kavanaugh, Chief Articles Editor; Linda Elerath, Chief Comments Editor; Betty Chain, Business Editor. As indicated above, several editorial positions are still open. Interested students are urged to contact one of the Editors by putting a note in his or her mailbox.

Law Wit in Brief

By Ambrose Bierce

A Man in a Hurry, whose watch was at his jeweler's shop, asked a Grave Person the time of day.

"I heard you ask that Party Over There the same question," said the Grave Person. "What answer did he give you?"

"He said it was about three o'clock," replied the Man in a Hurry, "but he did not look at his watch, and as the sun is nearly down, I think it is later."

"The fact that the sun is nearly down," the Grave Person said, "is immaterial, but the fact that he did not consult his timepiece and make answer after due deliberation is fatal. The answer given," continued the Grave Person, "is of no effect, invalid, and void."

"What, then," said the Man in a Hurry, eagerly, "is the time of day?"

"The question is remanded to the Party Over There for a new answer," replied the Grave Person, returning his watch to his pocket and moving away with great dignity.

He was a judge of an appellate court.

Lay It On

Then there was the lady who was leaving her husband. One afternoon, she told him, "I'm leaving you, get out!"

A retort to an irrelevant point: "If my grandmother was a bicycle she'd have spokes."

"It's usually time to get divorced right after the Bar exam."

"Bankruptcy: Remaining assets are taken and divided up among the lawyers."

In a discussion of a lease provision which gives the Landlord a four month expiration right to show the apartment: "You can look anywhere, in the closet, under the bed, in the jar on the coffee table..."

"A lawyer decided to become a law professor. Later, when his marriage was on the rocks, his wife's lawyer asked for an amount slightly more than his salary as a law professor because he had deliberately impoverished himself."

"The worst thing that ever happened to the United States was the invention of air conditioning. Now Congress can work all year 'round."

Contracts

Professor Rosett's answer to a question asking what can be done about judges' abuse of promissory estoppel: "Repeal all laws, give the judge half a lid and a comfortable room to sit in, and let him puff away and decide."

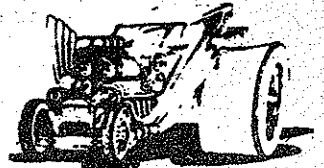
Conversation

Me: "I work weekends as a ski instructor."
Trust Fund/Government/Parent Supported Naive one: "Oh, that must be nice to have a little extra pocket money."

— compiled by Tim Bliss

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Klika Travels: South Sea Atoll Rescue

by Peter Klika

It felt good to be at sea again. Less than 24 hours earlier I had been burning out on my last first-year law school exam. Now, Colin and I were setting the staysail as our 75 foot ketch *Benedict* slipped silently from the quai in Tahiti.

Dus, our captain, took the helm to clear Papeete Harbor as we settled down with a couple of cold Hinano beers. Soon, we were clipping along at nine knots in strong southeast tradewinds, east by north, bound for Moorea, Bora Bora, Raiatea, Maupiti, and Mopelia. After obligatory stops at these earthly paradises, we set sail for Samoa. We had sailed together on the *Benedict* before. I'd sailed with Dus on a previous transpacific voyage, with Atea in the Marquesas, and with Colin from Greece to Australia. *We weathered many a gale and a near hurricane on that leg.*

Our course to Samoa would take us close to Suvarov, an uninhabited coral atoll. Both Colin and I had long wanted to visit there.

Almost 20 years before, I had read Edward Dean Frisbie's *Island of Desire*, describing his experiences with his small children on Suvarov in the 1930's. I still remember his description of the hurricane that inundated the island. The Frisbies survived only by tying themselves to the upper branches of a stout tamanu tree.

Colin had read Tom Neil's *An Island to Oneself*, describing Neil's twenty-odd years as a hermit on Suvarov. Neil, a coastwatcher there during World War II, returned shortly after the war and remained until his death in 1973.

It wasn't difficult to talk Dus into a side excursion to the island of our desire. Several days later, under a flawless tropical

sky, the *Benedict* threaded her way among jagged coral heads into the lagoon at Suvarov.

The Renegade

Atea spied a sailboat to the East. Since we knew the only safe anchorage lay to the west, we altered course to investigate.

Nearing the sailboat, we realized that the boat was resting upright on the reef. What had appeared a boat at anchor was in fact a 50 foot trimaran, badly holed and awash on the outer reef of a desert atoll.

Dus stood the *Benedict* off in deep water while Atea and Colin jumped overboard and swam to the wreck. I followed in our dinghy.

We scrambled topside and descended the companionway to an eerie scene. Not a soul was on board, but the remains of two half-eaten meals lay upon the galley table. The ship's half-eaten meals lay upon the galley table. The ship's chronometer was still running and the batteries aboard showed a full charge. The wreck could be only hours old!

The transom of the wreck read *Renegade* with a home port of Vancouver. The *Renegade's* dinghy was missing, and we hightailed it back to the *Benedict* to tell Dus the news.

We sailed five miles across the lagoon and dropped anchor in the lee of Anchorage Island, Tom Neil's old haunt. The four of us jumped in the dinghy. On the beach we found the dinghy of the *Renegade*. We ran up the overgrown trail to Neil's old hut; there we found an elderly couple, dazed but, aside from some nasty coral cuts, generally okay.

Over the next several hours Richard and Marty's story unfolded. They were bound from Bora Bora to Samoa and thought they were passing 50

miles south of Suvarov. The previous evening, Richard had put the boat on self-steering and joined Marty below decks for a bit of tucker. The rest was all too obvious — a navigational error, a wrecked boat, and two sad but very lucky people.

Easy Salvage

I tried to talk to Richard about salvaging his boat, but he was still not focussing on the situation. Dus agreed to stay with Richard and Marty while Colin, Atea, and I returned to the *Renegade* to begin a salvage operation.

We took Richard's dinghy with us, and in a matter of hours had salvaged enough to fill both dinghies with electronic gear, tools, sails, winches, etc. We took the most valuable stuff first, unsure of how long the gods of wind and tide would allow us to work on the wreck.

The next day our second salvage effort was at high tide. Water sloshed through the holes ground in the hull by razor sharp coral. The main hull gave an occasional angry groan as we worked feverishly to unbolt, unscrew, and dismantle everything of value. I still thought the entire boat could be salvaged by moving it into deep water and repairing it later at Anchorage Island, but my ideas fell on deaf ears. That evening we motored back across the lagoon, looking like a nautical gypsy caravan with two dinghy loads of pots, pans, books, mattresses, clothes, etc.

Later we gathered for dinner on the *Benedict*. Richard and Marty were well enough to join us and we dined on fresh spiny lobster acquired from a special "hole" described in Tom Neil's book. Richard thought that we should continue to salvage anything of value to sell in Samoa. I still felt that the hull it-

self, one half the value of the boat, was worth saving, and got Richard's permission to go ahead and try.

Hard Salvage

The next day I was up before dawn. The lagoon was like a piece of smooth gray slate as I motored across with two six-ton hydraulic jacks, some sections cut from the trunk of a dead coconut palm, and a cooler full of Hinano beer.

The reef where the *Renegade* lay was about 75 yards wide. I had only to move the 12-ton behemoth 50 yards to get her into the deep water of the lagoon. I jacked up the bow of the main hull, slid a coconut log roller under the hull, and released the jack to lower the hull onto the roller. I repeated the process several times and soon had the boat resting on the log rollers.

Next I lead the anchor chain out to a coral head in the lagoon. Then I wrapped the chain around the *Renegade's* anchor winch, crossed my fingers, and began cranking the winch. The chain became taut. Nothing happened, so I cranked a bit more. Then a lurch. The boat had moved an inch! I stopped, repositioned the logs and continued to move the boat inch-by-inch toward deep water.

By late afternoon I'd moved the boat 25 yards. One more day and a high tide would do the trick. As the setting sun cast its magical glow over the atoll, I salvaged a bottle of "Negrita" rum from the *Renegade* and began the journey across the lagoon. It had been a profitable day, indeed.

It was easy to recruit all hands to help next day. The process was still the same. Colin and Dus worked the winch, Atea and I worked the jacks, and Richard and Marty moved the log rollers. By early afternoon we had moved the *Renegade* to the inner lip of the reef. Now, we had to wait for high tide. In the meantime, we went spear fishing.

At about half-past four, barely a nudge sent the *Renegade* into deeper water. She

listed badly as the main hull and starboard float were badly holed, but port float provided enough buoyancy to keep the hulk afloat. With our two dinghies straining, we slowly towed the *Renegade* across the lagoon and ran her onto the soft sand beach of Anchorage Island for the night.

Miller Time

Next morning, a quick underwater inspection revealed that the boat was beyond repair with the meager materials at hand. Rather than wait weeks or months to ship repair materials, Richard made the painful decision to dismantle what was left of value on board, mainly the aluminum masts and stainless steel fittings. Once the boat was completely stripped, we used a block and tackle to haul it across the beach into a grove of palm trees. Colin painted "Suvarov Island Inn" on the side. We took turns taking photos of each other with our heads popping out of the hatches, portholes, and companionway.

We feasted that night with a special toast to the memory of the *Renegade*. Now she was another chapter in the colorful history of Suvarov along with Tom Neil, Frisbie, and tales of pirate gold and Peruvian slave traders.

ED. NOTE — Advertising consideration and a promotional fee paid by Hinano beer. Boats are by Spiegel, Chicago 60611.

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IS MAY 10.**

A Postive Bar Review Experience

I am 50 years old; I have a BA and an MA in English Literature (Honor student) at UC Davis School of Law — I was an average student. Because of that, I was filled with misgivings about the possibility of my passing the California Bar Exam. Also, the past history of a 50 percent flunk-rate didn't help. Basically, I figured that I'd never be able to do it.

I knew I needed help, especially close supervision on my essay writing. (I was pretty muddy, especially in Corporations.) I went to hear Josephson's intro lecture and knew right away that I was in good hands. (I was a teacher for ten years and I know a good teacher when I see one. He's absolutely great. . . .)

Throughout the BRC Review Course, everyone, lecturers, graders, proctors, et al, showed a personal interest in my work/problems. They reinforced good work and boosted my confidence in my innate ability — they continually told me *I could do it*.

The lecturers in Corporations, Civil Procedure, Property, Evidence and others were fabulous. The Josephson Issue Graphs (JIGs) were great. . . . During the last few days I went home and proceeded to take 125 past Bar Exam questions and answers supplied by BRC. Taking past Bar Exams was the best thing I did on my own. I can't stress its

importance too much. The next best thing I did was *make flash cards* — another study tip BRC gave me.

The individual feedback from the graders was fabulous. (Grader #243 has got to be one of the most wonderful people on earth.). . . . The continual prodding to stay with the program and get stuff in on time was great. . . .

The year 1980 was the first year BRC sign-ups outnumbered BAR at UC Davis. The enrollment went from something like 30 percent to 80 percent. We were a tightly knit class, always working to help the other guy. Our pass rate was 89+ percent. That's pretty phenomenal considering what our performance had been during law school.

I can only thank Josephson and BRC for the miracle of my passing. When I found out I'd passed, the first thing I did was scream, then I cried (momentarily), and then got very drunk. The next thing I did was call BRC.

God love you. You are truly miracle workers.

Betty C. Wicklund

Softball...

(Continued from Page 12)
ticipate, before the game has even started.

The forming of two divisions, competitive and fun, is the other alternative. Under this plan, if a coed team wants to be competitive, or if an all-male team wants to maximize the number of games it plays, it would have that option. There were enough teams this year to do so, and at this point the making of two

divisions seems to be favored.

Whatever the result, it should be noted that the Law School (in other words, the students) pays for the umpires and expenses of the league. Therefore, the question raised is whether the discrimination shown this year should be condoned by allowing funds from the entire student body to support the desires of a small group.

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Rape and Survivors . . .

(Continued from Page 3)

resources available to meet the needs of victims; and 3) to increase community awareness and knowledge about the realities of sexual abuse.

The overall goal of these programs is to prevent these crimes and to eliminate insensitive treatment of the victims. The services of many such organizations include telephone crisis counseling, information and referral to medical, legal, and other counseling sources; self-help support groups; advocacy (accompanying women to hospital, police and court appointments); and community education and outreach programs.

Ideological Framework: Feminism

I spoke with representatives of several such services. They describe their organizations as having a strong pro-woman commitment and an understanding that terror is an integral part of the oppression of women by men in a sexist society.

Ellen Friedman, Project Coordinator for Sojourn Shelter for battered women: "We are a feminist organization. It's important for the women who come here to understand why women are battered in this society, and that there are other alternatives to being victimized. Our stand is that women are battered because they live in a sexist society; the wide-spread abuse of women is a reflection and an extension of the patriarchal power structure in this society."

Nili, Rape and Battering Hotline Counselor, Los Angeles Commission On Assaults Against Women: "Dangerous myths and misconceptions surround the crime of rape. For example, the myth that rape is a non-violent crime. Rape is violence; it is not mutually consenting sexual relations. The purpose of rape is to control, dominate, degrade, and humiliate the victim. Eighty-seven per cent of rapists either carry a weapon or threaten the victim with violence or death."

"According to another myth, the rapist is a sexually unfulfilled man swept away by a sudden uncontrollable surge of desire. The reality is that most rapes are not spontaneous, compulsive acts. The Queen's Bench Foundation study showed that 91.8 per cent of the rapes studied were planned by the assailants. Also, according to a 1972 study by the noted criminologist Menachem Amir, all the rapists he had studied had available sexual relationships."

Carol Nelson, Coordinator of the San Fernando Valley Rape Crisis Service: "We define rape as a social-political problem; an act of terrorism against women that is committed world-wide. The problem can never be solved as long as males are socialized to be violent."

Philosophy of Survival

Ellen: We refer to women who have lived through abuse and terror as survivors. The tragic thing is that many women don't make it; they get killed, or kill themselves, or remain in the marriage until they die. It's important to view women who make it as survivors if you view the systematic abuse as war."

Carol: "We don't use the word victim. Rape victims are victims at the time of the assault, but they survive, and women who survive are strong women."

You don't ever forget, and your life does change forever, but we stress that your life will not be destroyed or ruined forever. We give the woman the support she needs, we encourage her to place the experience in perspective; it was a violent, tragic life-threatening situation, but with the right kind of support she will survive it and emerge stronger than ever."

Nili agrees with that assessment. "Rape violates the woman in the most intimate way and she will usually experience what is known as post-trauma shock syndrome. She will need warmth, support and love; she needs to be validated as a human being after being degraded as an object by the assailant. Instead she will often encounter a host of harmful reactions from her family, friends and the social institutions: denial, blame, ridicule. We are here to give that understanding, that validation."

"Suicidal thoughts are common reactions following rape; they are part of the internalized anger. We try to encourage the woman to express the fury, the rage she feels. She will call us on a regular basis until she feels better, and with the right kind of understanding — the kind that can come from one woman to another — she can ultimately go back to a normal, productive life. She is not a victim forever."

Lori Brown, executive director of Victims Anonymous, is a living and inspiring affirmation that a victim can become a survivor. Lori talks openly about the birth of Victims Anonymous: "Many programs develop out of someone's personal experience and pain. Alcoholics Anonymous was started by a stockbroker and a doctor as a last resort for problem drinkers like themselves. Parents Anonymous began when an abusing parent and her doctor formed the first program for abusing parents. Victims Anonymous had a similar start in the events of my life."

Lori took her personal experiences as a victim of child abuse, rape and an abusing marriage; her anger toward the system for the way in which it further victimizes the victim; and her sensitivity and empathy toward the survivors of violent crimes, and made a decision to devote her energy toward research, treatment and prevention of these crimes. It is Lori's own pain which became the driving force behind this program, and it is her hope that through Victims Anonymous many lives will be enhanced.

In order to effectively deal with victims of violence, Lori believes it is important to understand the nature of sexual assault and abuse: "First, we start with the assumption that no person has the right to physically or sexually violate another person. Next we stress that physical and sexual assault, abuse, and violence are unexpected, traumatic, life-threatening experiences for the victims. These are violent acts which intrude on the person's psychological and physical being."

"Sexual assault includes rape, attempted rape, incest, child sexual abuse, indecent exposure, verbal and physical harassment, and any other sexual activity which is forced upon a person against her will whether overtly or in a subtle manner. Physical and sexual assault and abuse are

acts of power and aggression; the victim suffers loss of control over body and life situation for the duration of the assault or abuse, and the assailant gains control and satisfaction through the assertion of his power and aggression."

"I use the anger inside me to become more committed"

The women I talked to and many others in similar roles have translated their deeply felt commitments into vitally important areas of action and organization. To gain an insight into the meaning of sisterly love, that special feeling of care and concern shared between women, one need look no further than these counselors and advocates.

Sitting with Nili during a Saturday morning hotline shift, I wondered how this woman is affected by her work, by the constant contact with agony and horror. "The hotline counselors experience a great deal of pain and anger," Nili says. "At times a counselor can't take it any longer and she quits. She simply gets burnt out."

"When you work on the hotline you give a lot of yourself; you empathize totally with another woman, and when the shift is over you are drained. The most trying experience for me was when a twelve year old girl called in after she had been raped by a group of men."

"And there was also the time I received a call from a sixteen year old girl; after that call I didn't know for a while whether I could find the strength to continue with my work. She was a very bright and insightful girl. She told me that her stepfather, who was a well-respected physician in an affluent neighborhood, had repeatedly beaten her. This was done as 'punishment' for what were trumped-up charges of misbehaving."

"One day he proposed that if she didn't want to be 'punished' anymore, she would have to comply with his sexual wishes in any way and at any time he desired. The girl was living in a state of daily terror. Her mother was of no help; she pretended not to know what was happening to her child." Nili is silent for a moment. I see the deepest sense of loss, of agony, color her expressive eyes. "She suddenly hung up on me. I think I heard someone come into the room. I had urged her to call me back

but she never has."

"But there are many rewarding moments. For example, a woman who had been raped called me. She was very suicidal for a long time following the assault. We did follow-up work with her and she is now back to a normal, productive life. Also, I worked with a woman who was a victim of her husband's repeated sadistic beatings. She decided to leave the marriage. We worked out every single detail over the phone, and she carried out the plan successfully."

"And what about your pain, do you think it will burn you out?" I ask.

"I use it inside me to become stronger. Working on the hotline has increased my love and respect for other women and has strengthened my resolve to defend women's rights. I talk with women from all walks of life, at all stages of depression and pain, and I am constantly moved by their warmth and intelligence. I use it inside me to become more committed."

* * *

For the benefit of those women and men who may be interested in getting involved in these projects, I have prepared a short profile of several organizations. There are many more in the Los Angeles area which are worthwhile and are also in need of committed people.

* Los Angeles Commission on Assaults Against Women, Rape and Battering Hotline (213) 392-8381.

The L.A. Commission on Assaults Against Women operates a 24 hour rape and battering hotline servicing L.A. County. They offer support, counseling, referrals and information to an estimated 600 crisis callers per month. All volunteers must participate in an eight-week training program, after which they may specialize in any of the following areas: community education and outreach, research, fundraising, administration, and hotline counseling. Male counselors work with male callers only.

* San Fernando Valley Rape Crisis Service (213) 708-1700.

All advocates must participate in an eight week training program (which is not open to men), after which they are

evaluated and some may go on to work on the hotline (which receives an estimated 125-150 calls per month). The role of the advocate is multi-dimensional and includes crisis intervention, follow-up work, and providing emotional support for the victim in her contacts with medical institutions and law enforcement agencies.

* Sojourn Shelter (213) 399-9228.

Shelter for battered women and their children which can house five families at a time (stay is limited to 30 days). All advocates must participate in a six week training program. Male advocates do not work with women, but are important in providing non-violent male role models for the children at the shelter. Advocates provide emotional support, crisis intervention and assistance to women who are in the process of reorganizing and re-evaluating their lives.

* Victims Anonymous (213) 993-1139.

VA welcomes male and female volunteers (they must complete a ten week orientation program), and provides a wide variety of services for victims and their significant others, including a 24 hour hotline; advocacy (police, courts, medical); crisis intervention; support groups; and community education.

* Pasadena YWCA Rape Hotline (213) 793-5171.

The 24 hour hotline is operated by trained volunteer advocates for the benefit of survivors of rape and assault and their significant others. All advocates participate in an eight week training program. Male advocates work only with male callers who have been assaulted (not many callers) and male significant others of victims.

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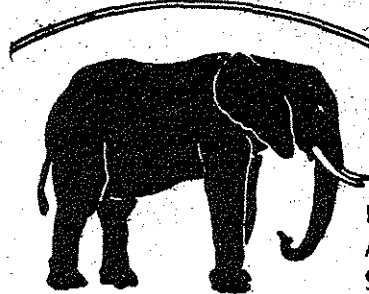
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Gals Shut Out of Softball

by Cyndi Richardson

As the Law School Softball League playoffs began, ambiguities and bitterness marred what should have been a culmination of the season. The reason is that some teams were not allowed to participate in the playoffs, although the rule was that all teams would make it. The liason between the Law School and the Intramural office, Dave Hirsch, put every all-male team into the playoffs, and gave any team with at least one woman on the roster two "fun" games instead.

This decision was justified by Hirsch for several reasons. First, he said that the coed teams preferred having two assured games to being knocked out in the first round of playoffs. However, he neglected to find

out just what the teams did want — at least two male teams I asked would have preferred to have two games, and at least two coed teams would have preferred the option. Since the understanding was that all teams made the playoffs, many teams are as yet unaware that this new rule is in effect, and coed teams think that they are still in the competition.

Second, Hirsch says that the coed teams were at the bottom of the league anyway, and did not have a chance at winning. Hirsch said it would be an unfair advantage to let a male team draw an "easy" coed team. However, the fact is that at least one male team went 0-3 (Sec. 2) and made the playoffs, while at least one coed team went 1-2 (Sec. 3) and did not make it.

Standings didn't matter, though, as Hirsch "weeded out" all teams with at least one female name on their roster.

Finally, the comments made by members of some male teams "forced" the decision. Hirsch said he received a lot of complaints after games, by men who did not have a good game because of the poor quality of coed teams. "Apparently these players find that they must cut classes to play in the league, and they object to doing so if their opponent is coed." But this ignores the fact that, as Hirsch says, the league is only an extracurricular event, open to the whole school. The argument is that if these players want to compete only with "A" type teams, then they should be in the "A" intramural league. The object is not to cater to a small faction of the school, but to allow everyone to play who wants to.

Given the problems that this last-minute decision has produced, two solutions have been advanced for next year: there should be two divisions, "A" and "B", or the league should be coed. Hirsch says the latter alternative is unfeasible because the "serious" men players will not play if they have to have women on their team. But there is one additional problem that will not be solved unless coed teams are the rule — some men will not give the women a chance to prove they are not liabilities. As a member of a coed team, this reporter has personally been questioned as to the right of women to par-

(Continued on Page 10)



Willie Banks

Broken Records

First year student Willie Banks, UCLAW's world class triple jumper, has again distinguished himself in track and field competition. On March 14, Banks set a new outdoor American record for the triple jump with a leap of 56' 7 3/4" on his final attempt as a non-scoring guest competitor in the UCLA-Cal State Long Beach track meet at Drake Stadium. The jump qualified Banks for the American contingent to an international indoor meet in Japan the following weekend. In that meet, Banks added the American indoor record to his outdoor mark with a leap of 56' 5 3/4". When asked if he thought he was peaking early this year, Banks replied, "No way! That was my first outdoor meet of the year." As if to prove his point, Banks broke his own outdoor record on April 11 with a jump of 56' 9 3/4" at the Bruce Jenner Invitational in San Jose.

Banks, who has the best jump in the world so far this year, said he expects to be jumping in the 58-foot range within a few weeks. Once there, he will begin his assault on the world record of 58' 8 1/4" set in 1975 by Brazil's Joao Oliveira in Mexico City, where the high altitude benefits sprinters and jumpers.

—Steve Garcia

Women's B-ball

BALSA Is Tops

The Black American Law Student's Association women's basketball team, "Silk," captured the championship of the Women's Intramural Basketball B-League on March 10 in Pauley Pavilion by defeating the previously unbeaten undergraduate team "Penthouse" by a score of 39-17. BALSA finished the season as the only undefeated team in the league, with a perfect 7-0 mark.

Silk's offense, led by Vernell Armstrong and Karen Gilyard, averaged 30 points a game, and its tenacious defense provided another key to success by holding opponents to less than 10 points per game. The team outrebounded the opposition by a 5-1 margin and its zone defense proved impervious, forcing opponents into multiple turnovers.

Congratulations to Silk's Champions Vernell Armstrong, Clydine Crowder, Karen Gilyard, Alma Howard, Joscelyn Jones, Victoria Lewis, Lora Livingston, Diane Marshall, Beverly Moses, and Courtney Sheen; and to Silk's staff, Coach Alma Howard and assistants Darryl Piggee and Ron Whitaker.



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