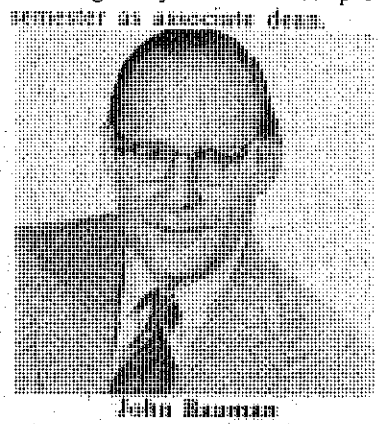
Prager Succeeds Bauman As Associate Dean

Faces of the Class of '82 — page 5

by Dawn Caselle

John Bauman has stepped down after ten years as associate Dean of the Law School, to be replaced by Professor Susan Westerberg Prager.

Prager, who has taught Family Wealth Transactions, Family Law, and Property, as well as a seminar in Historic Preservation Law, will be teaching only one course per semester as associate dean.



John Bauman

"One of the disadvantages of an administrative position," she says, "is having to give up full-time teaching.

"I think the job of Associate Dean is whatever the Dean wants me to be doing, and I'm delighted to be working with Dean Warren.

"John Bauman had a perspective that's hard to come by. He helped to develop many new and innovative programs at UCLA. I doubt that I will make any changes in these areas" opined Prager.

Bauman's tenure as associate dean has seen massive expansion of clinical and externship programs, and the development of the Communications and Corrections programs. He was instrumental in developing the joint degree programs here. While Prager must leave full-time teaching, Bauman is eager to get back to it.

"I never intended to stay that long" reflected Bauman, who manned the post since 1968. Currently teaching Remedies, Bauman, who co-authored the *Case Book and Materials on Remedies* with Kenneth York, plans to begin a sabbatical at the end of this semester. When he returns he will also teach Civil Procedure.

Reminiscing on some of the changes in the flavor and composition of the faculty as new programs were implemented, Bauman remembered that the Law School hired its first woman professor, Barbara Brudno, only one year before he accepted his position as Associate Dean in the 1969/1970 academic year.

Prager, a UCLA Law School graduate, was a member of the class of '71. She was Editor-in-Chief of the Law Review; a member of the Order of the Coif; recipient of the coveted "Graduate Woman of the Year" Award; and was nominated to clerk in 1970 for U.S. Supreme Court Justice William O. Douglas.

Susan Prager

(Continued on Page 19)

Alumni Begin New Advisory Program

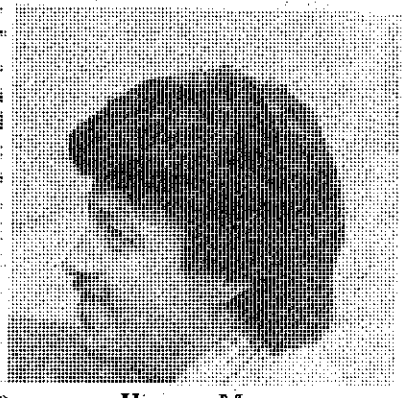
by Howard Posner

The Law School's Alumni Association is initiating an advisory program, designed to put students who have questions about the practice of law into contact with practitioners who may have answers.

The program, established by an ad hoc committee of students, faculty, and alumni, has established lists of UCLA alumni willing to meet with a student and discuss areas of practice or problems likely to be faced in certain fields.

The committee has categorized the alumni volunteers by geographic areas of practice, type of work, and even age. If a student wants to talk with a practitioner of a particular ethnic group or sex, that information is available.

"We try to get as many different categories as we can," noted committee member Charlie English, a late-sixties graduate who does criminal defense work. "If a student wants to know what it's like to be a Black woman doing corporate work in Long Beach, we'll see if we don't have a Black woman doing corporate work in Long Beach. If a student wants to get the perspective of someone who's been in practice 40



Hermez Moreno

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The Docket

Volume IV Number 1 Boalt Hall School of Law September 21, 1979

"H-Bomb" case

Secrecy Protects Secrecy, Editor Says

by Howard Posner

"We didn't set out to create a test case, and we didn't think we had one. I was convinced that the government would be seized by a spasm of sanity and drop the case," Erwin Knoll told a group of law students who came to the Faculty Conference Room on the first day of classes to hear him talk about the most important—and most misunderstood—first-amendment case since the Pentagon Papers.

Knoll is the editor of a magazine called *The Progressive*, which last March set about publishing an article about the veil of secrecy surrounding the nuclear weapons industry. The federal government has succeeded in enjoining publication of the article on the ground that it countained classified information—although nobody is denying that the article was compiled entirely from information that was freely available to the public.

"We are the first and only journalists censored on the grounds of national security," lamented Knoll. He said the article's author, anti-nuclear activist and former Air Force pilot Howard Morland, compiled the story "entirely from materials in any library, tours arranged by the Department of Energy, and interviews on the record. It could be replicated by any competent reporter."

"What the government calls secret, I could tell you in a simple sentence of 20 words, none of them technical."

The government maintains that although all of the information in Morland's article was freely available, it is synthesized in such a way that it could make it easier for "irresponsible" governments to build a hydrogen bomb. Knoll—and physicists who have filed affidavits on *The Progressive's* behalf—find the proposition ridiculous.

"What the government calls secret in the Morland article, I could tell you in a simple sentence of 20 words, none of them technical," said Knoll, who is under court order not to talk about the article's contents. "But it would take train-carloads of computer printout to give enough information to actually build one."

Physicist Theodore Postol of the Argonne National Laboratory wrote in an affidavit that Morland's article contained "no ideas or information which could not be readily concluded or obtained by any competent physicist after seeing the diagram prepared by Dr. Edward Teller for his article on the hydrogen bomb in the *Encyclopedia Americana*."

Nonetheless, on March 9, Federal District Judge Robert Warren, who had not read the article, issued a temporary restraining order against publication, saying "I want to think a long, hard time before I'd give a hydrogen bomb to Idi Amin."

By March 26, Judge Warren realized that "One does not build a hydrogen bomb in a basement," but granted an injunction anyway. *The Progressive* is appealing to the Seventh Circuit.

Morland never looked at a classified document while researching his article, but the government argues that it contains "data restricted at birth," a concept that stems from the Atomic Energy Act of 1946.

"The only real secret in the article is that there are no secrets."

The Act defines restricted data as ". . . all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the Restricted Data category . . ."

In other words, the government need not stamp such information "classified," because it is classified the moment it is conceived, whether the government knows about it or not, and remains so until it is specifically declassified, which it may never be (the Pentagon Papers were still "classified" upstairs at the Pentagon when the paperback version of them was being sold to employees in the Pentagon basement).

"We could be sitting around here brainstorming and come up with some ideas that would be automatically classified," Knoll said, "even if we didn't know whether they were correct or not."

Knoll complains that the application of the statute is unconstitutionally broad: "It could be used to hush up the details of the Three Mile Island accident, for example.

"In Honolulu, the Navy is building an underground storage area for 1,200 nuclear warheads a mile and half from the main runway of Honolulu airport. When some residents wanted to know what would happen if,

"We could be brainstorming and come up with ideas that would be classified, even if we didn't know whether they were correct."

say, a DC-10 were to hit that storehouse, and asked that the Navy submit an Environmental Impact report, the Navy flew in an expert to testify that they couldn't do the report without violating security," Knoll said.

In the *Progressive* case secrecy has given events a generous touch of the bizarre. The defendants have been excluded from some hearings because they didn't have security clearance. Judge Warren, in granting the injunction, wrote a *secret* opinion, because in order to make the necessary arguments, he had to use restricted data.

In April, four scientists sent a letter to Senator John Glenn of Ohio, saying that the government had revealed more secrets in its pleadings in the case than could have been revealed in the Morland article.

"That letter is now classified," said Knoll, "even though it was printed in the *Daily Cal* and several other college newspapers before it was classified. I don't know whether all the copies of those newspapers are classified or not, but I'm under court order not to disclose what's in them."

Knoll said the *Milwaukee Sentinel* assigned a reporter to do library research on the hydrogen bomb to find out just what was available and, "the reporter, Joe Manning, produced two articles that I can't discuss under the court order."

In collecting affidavits from physicists for use before the court, Samuel Day, managing editor of *The Progressive*, was told that he wasn't authorized to carry classified information.

A researcher for the American Civil Liberties Union went to the library at Los Alamos, New Mexico (which, Knoll stressed, is run by the University of California) on a project similar to the *Sentinel's*. He came in one morning to find that one of the documents

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The Practice of Law: A Fairy Tale

by Kenneth W. Graham

In deference to the policies of the Federal Trade Commission, I think that I should announce to you at the outset that what I shall say in the next few minutes, though well-intended, is totally false. Any resemblance to persons living or dead, or each of them, is entirely coincidental.

Once upon a time in a faraway land there was a country which, if you looked rather quickly, you might mistake for ours. It, too, claimed to be a land of equal justice with a democratic government. But in this fictitious country, that claim was false. There 4% of the people controlled 80% of the wealth. Now, since they pretended to be a democracy, it was necessary to convince the other 96% of the population that this unequal distribution of wealth, and the power that went with it, was (a) just, (b) inevitable, or (c) all of the above. So it was that they had a large army of very talented people whose job it was to persuade others that the existing system was the best of all possible worlds. They called these people "lawyers."

American lawyers will probably find it outrageous to hear the name "lawyer" applied to these masters of deceit. For while our own attorneys are ready to serve anyone who has been unjustly treated, 80% of these

It is traditional for the Law School's Professor of the Year to speak at commencement. The following is excerpted from Professor Graham's 1979 commencement address.

"so-called lawyers" were in the pay of the 4% of the people who owned their country. And whereas lawyers in the United States are the great intellectual generalists of our time, these psuedo-lawyers were interested in ideas only as clubs that they could use to beat down the enemies of the existing order.

Although this is a fairy tale, I do not want you to think that these so-called lawyers were moral monsters. Far from it. They firmly believed in the justice of the existing system---as well they might, since they were among those who benefited most from the great inequalities of wealth. But they did not see themselves as rich, nor did anyone else. For one of the great myths of the society was that it had no classes---everyone from factory workers to lawyers earning six figure incomes considered themselves to be members of the Great Middle Class. Everybody, that is, except those who were too rich to care and those so poor they had no right to.

But wait, you ask, how could they possibly claim to be a land of equal opportunity if well-paying jobs, like those of these phoney lawyers, were reserved for members of the privileged classes? The answer lies in their rather curious educational system. In that country, while everyone had a right to drive in the diamond land on the freeway, no one had a right to a legal education. Their system of rationing education was not the odd-even plan, but a pretended meritocracy. By that I mean, education was provided only to those who it was believed would make the best use of it.

In order to determine who was "qualified" to enter their law schools, all of the candidates were required to take a test. But unlike our own Law School Admission Test, this one did not measure those qualities that might be useful in an advocate---qualities such as a sense of social justice and the courage to pursue it. Instead, their test was cleverly designed so that the highest scores invariably went to students from families with the highest incomes.

The results of the test, as you might expect, were highly pleasing to the privileged classes, not only because it favored their own children but also because it confirmed their belief that education was wasted on common people. It was one of the Great Truths of the society that if the workers had more money, they would simply waste it on beer and cigarettes instead of spending it for more useful items---such as golf clubs and cocaine.

Working class people, not being as stupid as the rich liked to believe, wondered about the results of these tests. But when they questioned the testers, they were given statistics which showed that people who got high scores on the test, got the best grades in law school. Moreover, they were told that the students with the best grades in law school got the highest paying jobs. And since lawyers with the highest paying jobs are obviously the best lawyers, it follows, does it not, that the test must measure what it takes to be a good lawyer.

Whatever we may think of this logic, it did have one element of truth. Sons and daughters of working people, when they were admitted to law schools of that country, did not often get high grades. To understand why this was so, we must pause to consider the bizarre kind of law that was taught there. For example, it was the law in this sham utopia, that every person had the right to speak. It was also the law that no one had a right to eat. This pair of laws seemed quite natural, perhaps even just, to the privileged classes. But the workers understood that while man does not live by bread alone, neither can he or she survive by chewing on the air---however enriched that air may be by the pollutants of an industrialized society. And so it was necessary for those in the working class to give up this right to speak in order that they might eat.

But this fact was seldom mentioned in the law schools of this strange country. Perhaps this was because the teachers were members of the privileged class, though you would not know that if you could hear them moaning and groaning about how poorly they were paid. Consider, however, what these laws meant for a working class student who managed to sneak into law school. Each day in class she was faced with a teacher who believed that the right of free speech was so important that he had devoted his entire life to studying it. The teacher was not inclined to undervalue speech--not when he had hundreds of eager students gobbling up the crumbs of every half-baked thought that passed his lips and a hundred or more law reviews panting to publish anything he cared to write.

The working class student was likely to have a less exalted opinion of the value of free speech. Perhaps her mother or father had been fired because of something they said that the boss did not like. Or maybe her family had been evicted because a landlord did not like the way they talked. In any event, working class students were constantly warned that if they did not learn to speak like members of the privileged classes, they would soon flunk out of school. So these students found it difficult to exhibit the proper reverence for the laws they were being taught and when writing examinations, it took a great deal of effort just to conceal their contempt for this so-called justice. I need hardly add that their papers were seldom pleasing to their instructors.

But I digress. Our subject is not the workers and

These so-called lawyers firmly believed in the justice of the system--as well they might, since they were among those who benefited most from its great inequalities of wealth.

their children---who counted for nothing in that society. We may leave them doing the dirty and dangerous work and focus instead upon the lawyers--who did another sort of dirty work but were better paid for it. I was explaining, you will recall, that these so-called lawyers were not moral monsters. I had said that they believed in the justice of the system---and most of them did. But a few who did not had become lawyers because they honestly thought that lawyers were people who would be paid for fighting the injustice they saw in their society.

When these renegades entered law school they did not suppose that they were enrolling in an institution for the training of subversives, but they at least expected that they would learn skills that might be turned to different ends than the simple perpetuation of existing injustice. But they were surprised to discover that the law schools of their native land were primarily engaged in indoctrinating students in the peculiar ideology that supported the existing order.

The techniques used for this purpose are familiar to psychologists who study forced attitudinal change or, as it is sometimes called, "brainwashing." The subject is placed in a situation of great stress and his isolation from others about him is emphasized; then models of appropriate behavior are placed before him. In most cases, the subject soon identifies with the values of these role models.

This was the method employed in the law schools of this benighted land. The students were threatened with a loss of status and self-esteem---if they did not do as was expected they would no longer be in the top 10% of the class. The competition for these coveted spots soon isolated them from their peers. Their own ideals---even the very concept of justice---were made the subject of sarcastic ridicule, dismissed as "watery sentiment." Finally, they were given models of great lawyers and judges---usually men who had devised brilliant justifications for some monstrous injustice.

But if this system worked, it did so imperfectly. True, a great many of the would-be idealists adopted the "if-you-can't-beat-'em" tactic and became more vociferous defendants of the existing system than those who had never questioned it. But a significant number of students emerged from the law schools of this fictitious country with their own values bent but not broken. This, however, was only the beginning. They were now faced with the task of maintaining their ideals while engaged in the practice of a profession that was notoriously hostile to notions of justice---except on ceremonial occasions.

Finding a suitable job was more difficult than you might imagine for while these students were busily engaged in fending off some of the values of the privileged classes, they sometimes succumbed to the appeal of the upperclass lifestyle. This was especially ironic in the case of working class students. Many of them entered law school content with a six pack on the weekend and left it with a need for wine with every meal.

The search for appropriate work was often complicated by the expectations of their parents---none of whom had raised their children to be a member of the working class and all of whom found it difficult to conceal their disappointment if "my son,

It was one of the Great Truths of that society that if the workers had more money, they would simply waste it on beer and cigarettes intead of spending it for more useful items--such as golf clubs and cocaine.

the lawyer" was working out of a storefront office at pay not much beyond what Uncle Al, the plumber was taking home. And so, some students from working class families found it impossible to represent members of their own class because this would have required them to live on an income no more than twice what their parents had ever earned.

Despite this, a fair number of students took jobs with organizations attempting to do something for working people. They were regarded as the lucky ones by some of their peers, but their work had drawbacks not always visible to outsiders. In addition to comparatively low pay and high caseloads, there was the nagging feeling that if those who owned the country were willing to tolerate what these lawyers were doing, they were probably not doing much good. Students from wealthier families who took such jobs were sometimes shocked to discover that membership in the working class did qualify one for sainthood. The suspicion that the client was the villain in the piece was hard on morale, particularly when the person on the other side of the lawsuit was only a step or two higher on the socio-economic ladder. Nonetheless, a few lawyers persevered in this struggle, comforting themselves with the knowledge that for many of their clients just getting what they were supposed to get under an unjust legal system was a progress of sorts.

However, most of the lawyers in this mythical country ended up working for the small group of people who owned their nation's wealth. Those who had managed to maintain their passion for justice adopted various strategems to justify their professional lives. Some of them foolishly believed that if they worked their way up to the top of their profession by diligently laboring in the interests of the ruling elite, they could, when they reached the pinnacle, suddenly strip off their three-piece suits and reveal their secret identity as moral supermen. It did not occur to them that those who ran the system were not fools and they were not likely to let anyone approach the lever of power who could not be either trusted or eliminated if he proved untrustworthy.

Another group adopted what we might call the "concentration camp guard's defense." They said to themselves that if someone had to oppress the workers, better it was them than someone who might enjoy such

(Continued on Page 18)

Editorial

One More Time

Every year, it seems, we drag out editorial 3A about how *The Docket* needs your help, how two or three people can't put out a worthwhile newspaper by themselves, how a paper like this must thrive on contributions from the whole law school community, and particularly its students. We often mention that law school newspapers may, and often do, fold for lack of interest.

The response we usually get is underwhelming, leaving us with the choice of scraping to get out another issue or, as has happened a few times, cancelling an issue or two.

We don't suggest (although we do believe) that it is the responsibility of every law student to write a story or letter or draw a cartoon, but we will point out once again that there are plenty of people with something to say in this school, and we can't see any point in preferring silence when a forum for communication is available. Support your local *Docket*.

The Docket

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EDITOR IN CHIEF..... Howard Posner
CONTRIBUTORS. Gary Craig, Alec Nedelman, Dawn Casselle, Ana Lopez, Bob Braun, Sandra Steinberg.

Punctuation for Communication's Sake

by Van Ajemian

As I was glancing through the *L.A. Times* "Opinion" section, seeking those surrealistic visual delights which entice readers to strain through some erudite essays, I noticed an article by a teacher, Louis Hill, entitled "On Writing a Wrong". Hill pointed out that proper spelling is beneficial, but not necessary for success. You know, the man is right. And because he's right, I see ominous clouds on the horizon.

It is not only in orthography that we have a liberal attitude. Grammar, punctuation, syntax and vocabulary have seen the floodgates opened, and the water has overflowed the banks of the canals. There is so much change going on in our language, that it's a wonder why English is taught at all in school.

Let's take the comma, for example. The comma should ge "the pause that refreshes." But this has been lost on law professors who write casebooks. Thought after thought is strung on in an endless procession, with no pause for the unfortunate reader to absorb one thought before another one is hurtled at him. Our criminal law casebook, written by Kadish and Paulsen (ah, that long-winded Germanic trait!), was especially notorious in this way. But be not content with the thought that written monstrosities are created only in the law laboratory. There is a trend away from the comma. Students must more and more swallow many thoughts without taking another breath. Of course, the honest student, once confused, will go back and reread, trying to decipher the mess. Bravo for him! Too bad he loses time doing so.

Commas also create useful nuances in a language. The more nuances, the more shades of meaning. The more shades of meaning, the richer a language. In refusing to use the comma, we are impoverishing English. (Cultural anthropologists argue that limiting language can limit one's scope of thought.) Take this simple example: "Yesterday I visited the offices of Karns and Karabian. After speaking with Mssrs. Karns and Karabian, I chatted with a third person, whom I hadn't recognized." Now, let's change the second sentence: "After speaking with Mssrs. Karns and Karabian, I chatted with a third person whom I hadn't recognized." Catch the difference?

Not convinced? How about a true story from May, 1978? Two Los Angeles-based groups, wishing to oppose the lifting of the arms embargo against Turkey, contacted the marketing department of Washington, D.C.'s Metrobus, asking whether a message could be put on the side of the buses. The message was to read: "President Carter, let's talk turkey: no human rights, no arms deal." It was a brilliant piece, playing on the word "turkey". But Metrobus would not accept the message, because the word "turkey" in slang was derogatory. I got on the phone and pointed out that for the word "turkey" to be derogatory, a comma would have to appear between "talk" and "turkey". Metrobus was unmoved, and the reason, given me by telephone, was that the people who would read the message were semiliterate.

Because law school is a three-year cram course in forgetting how to talk like a human being, The Docket, *from time to time, likes to remind its readers that the English language still exists. Ajemian is a second-year.*

The comma must be really unpopular, as we try our hardest to replace it with other symbols. The dash and ellipsis are common replacements. The dash, in all fairness, serves sometimes as a comma, but is used usually when special emphasis is desired for the phrase or sentence which follows it. We tend to use the dash whenever a comma is needed. What happens? Either everything becomes emphasized, which dulls our senses, or the nuance between a dash and a comma is lost. (Once the dash totally becomes a comma in a few years, what new symbol will replace the dash? Will old and young know of the change, so as to be able to communicate accurately? Will our British, Australian and Canadian cousins know? How about my cousin in Soviet Armemia who is learning British Engilish and hopes to read American scientific journals?) (What if I had put a comma between "Armenia" and "who"? Quite a difference!)

Oh, the ellipsis. How misused! The ellipsis, symbolized by three successive dots, is used normally for an omission or an incomplete thought. But this is lost on the federal government. While I was in Washington, D.C., I saw numerous examples of bureaucratic messages to the public substituting an ellipsis for a comma. (Why, if the ellipsis had replaced the comma in 1973, we might not have even batted an eyelash at the ellipses sprinkled throughout the Watergate transcripts.) Or could it be that the bureaucrats never complete their thoughts?

The ellipsis, as the symbol of incomplete thought, is found many times in suspenseful stories: "She looked up in horror at the flashing red panels in the control room. 'My God, the core is melting down! What do we do? What . . .'" Again, we would be dulling the impact of the symbol if we misused or overused it.

Let's look at another abused symbol, the apostrophe. The apostrophe is used for contractions and for showing possession. We tend to forget the apostrophe. When this happens, we tend to forget about contractions. The result is fascinating: "could of" instead of "could've". Pray tell, how can even the most liberal grammarian accomodate such a mutation?

Apostrophes showing possession are used improperly, which, once again, blurs nuances. Do you know the difference between "the doctors directory" and "the doctor's directory"? The former is not necessarily incorrect; it refers to a directory which is for or about doctors. The latter refers to a directory in the possession of a group of doctors. (For consistency, nonpossessory references to specific decades should not have apostrophes: "1970s", not "1970's".)

Grammar, ah grammar! I can reconcile myself to our grammar evolving, but I wonder whether English is, thereby, becoming simpler or more difficult to learn. "Gotta" and "gonna" and "wanna" will become new words shortly. "Kind of" will replace "somewhat" in the grammar books. "Have" will be limited to compound verbs ("have gone", "have worked"), losing completely its possessory significance. (Just as in Spanish "tener" has replaced "haber".)

But there's a limit to this evolution. When sentences like "If someone commits a crime — they are going to pay for it" appear, then the line has to be drawn.

Recognize the sentence? It was the theme of the election campaign of our Attorney General, George Deukmejian. Besides the obvious grammatical error, there is a problem: the dash should never separate a subordinate clause ("If . . .") from a main clause ("they . . .") which follows the subordinate. Emphasis should be made by italicizing the main clause. As to the obvious error (let's hope that no legal briefs are written that way), I can imagine egalitarians who are our in left field (what if I put a comma before "who"?) advocating such a construction so as to desex English. All I can say is that clarity, the distinction between the singular and plural, cannot be sacrificed on the egalitarian altar. If you had a good guy, a bad guy, and a large crowd of townspeople standing in front of the saloon, would you know what the good guy should do if he heard the bad guy say, "If anyone makes a move, they're going to get it"? Would the good guy be jeapordizing his own life or the townpeople's if he were to draw his gun?

Once I saw a billboard advertisement for a supermarket chain. The advertisement read: "Thrifty's is the big family store." Does this mean that Thrifty's has big stores catering to families or that Thrifty's has stores catering to big families? Do you think that the corporate marketing department wanted to make the message ambiguous? As to a solution to such problems of consecutive adjectives, either the hyphen or the comma should be used, depending on the meaning which you wish to get across.

The issue is facility of communication, which comes through having and enforcing standards in a language, versus communication based on an individual's interpretation of the standards of a language. Of course, I opt for facility of communication. I don't want to see created an American language. (Can you imagine taking English as a foreign language?)

Announcements, Old News

A symposium on careers in international law will be presented by the Placement Office and International and Comparative Law Society Tuesday, September 18 at 4 pm in the Faculty Conference Room. Nancy Haines of Security Pacific Bank, (speaking on corporate practice), Paul Hannon of O'Melveny and Myers and Vincent Narcisi of Gibson, Dunn and Crutcher (representing large-firm practice) and Dan Evans will be guests. There will be traditional, and by now obligatory, wine, cheese, and other goodies.

* * *

In case it has managed to escape the attention of anyone who cares, the Committee of Bar Examiners has eliminated optional questions from the July Bar Exam. In a brief but tedious letter to law school deans, the Committee wrote "It is anticipated that the essay section of that and succeeding examinations will consist of three three-hour sessions during each of which three questions will be presented with instructions to the applicants to answer all of them."

And each of them.

* * *

Catherine Campbell, now a second-year student, was the winner of first prize in the Classical Vocal category of the Music Department's Frank Sinatra Competition last spring. Campbell, a soprano, pocketed $2,000 of Mr. Sinatra's money after the Awards concert in Royce Hall. Earlier last year, Campbell had taken the $500 grand prize in the Music Department's Atwater Kent Performance Awards competition. It pays for a lot of casebooks. Winners can't repeat in either of those contests.

* * *

While Campbell was shattering goblets, Professor Steven Yeazell was winning UCLA Law School's first Michael A. Rutter Distinguished teaching award, pocketing $5,000 of Rutter's money, which should buy a lot of shoe resolings. Rutter, formerly the author of the Gilbert's Outline series, teaches at USC and presumably put up the award so he could get to visit a real law school now and then. Yeazell has previously won a Distinguished teaching Award from the UCLA Faculty Senate.

* * *

There are still a few 1979 Law School Yearbooks available at the Docket office, 2467D, for the low, low, price of $6.50. An opportunity you won't want to miss, especially since it's recommended by nine out of ten doctors.

Welcome From Dean Warren

by William D. Warren

Welcome to the Class of 1982.

You have some 350 people in your class, and we decided some years ago that we needed a picture issue of the Docket to help the faculty to get to know you better and to assist you in getting to know each other.

The UCLA School of Law has much to offer you: a strong faculty, a good library, and a willing and helpful staff. I'm not dispensing the usual decanal public relations talk when I say that I don't know of another law school that has a more varied and innovative educational program.

Our curriculum is broad, and our faculty takes pride in the quality of its teaching. Our clinical program could well be the strongest in the nation. Without a doubt we have the outstanding communications program in legal education.

I know of no law school with a more extensive externship program. We pioneered judicial externships and they have been of great value to many of our students.

We now edit six law reviews: The Black Law Journal, The Chicano Law Review, The Federal Communications Law Journal, The International Lawyer, The UCLA-Alaska Law Review, and the UCLA Law Review. We are planning to publish the Environmental Law Review in the near future. Our moot court honors program is one of the largest and most active in the country.

Our student organizations are flourishing. Among these are the Asian-American Law Student Association, the Black American Law Student Association, the Chicano Law Student Association, the Student Bar Association, the Law Women's Union, the National Lawyers' Guild, the International and Comparative Law Society, the Environmental Law Society, Phi Alpha Delta, the Christian Law Student Association, the Jewish Law Student Association, and the Docket and Yearbook staffs.

Had we chosen to do so, we could have filled your class with 22-year-old Phi Beta Kappas from famous colleges with 700-plus LSAT scores. Indeed we admitted many of these, but we have long striven for diversity in our admissions at UCLA, and your class is no exception to this policy.

In your class you have a Maine potato farmer, a retired Air Force colonel, a woman who has had a long career in civil service in which she ran major projects in foreign countries, a mother of two grown children who lived in Africa and had 25 years of work experience, a blind student, a woman who served in the Israeli army, a Jewish "refusenik" from the USSR, a former professor of English at Cal Tech. and a former producer and writer for public TV who came to UCLA for its communications program.

Along with its many opportunities, law school seems to offer students a high level of anxiety. This has always been so, but never before have we been quite so concerned about "stress management" around law schools as we are today. As law schools go, UCLA has always been regarded as a rather humane place. During your first semester we will try to acquaint you with the various advisory and counseling services the Law School and the University make available.

One of the more stress-producing areas is job placement. We are justly proud of the fact that a large and growing number of prestigious law firms from all over the nation interview at the school each fall and offer many jobs to second and third year students. However, many of you will not find jobs with large firms during the interview season; some of you don't want them. Our experience is that nearly all of the rest of you will find jobs with smaller law firms, legal services agencies, corporations, government agencies, and other legal employers by the time you have become a member of the bar. With UCLA's record in placement, there is no justification for your spending the next three years worrying about a job.

It is a pleasant part of my job to attend many alumni meetings and class reunions. Over the years, two facts have become clear about alumni. First, their degree of affection for the School varies in direct proportion to the number of years they have been out. By a tenth-year class reunion, I can confidently count on having several people tell me that their law school days at UCLA were "the best three years" of their lives.

Second, each law graduate believes that he or she attended law school during the "golden age" of the law school. I am smugly confident that this was true in the case of the law school from which I graduated.

Two years ago I introduced a prominent legislator to a group of our students, and he began, predictably, by stating: "I graduated from the UCLA Law School in the best year of its existence — 1955!"

Maybe the Class of 1982 is attending UCLA during one of its golden ages. I hope so. But with the parking problem, the Socratic method, and the quality of vending machine food, some of you may need at least 15 or 20 years before concluding that the next three years were your best.

Library's Same Problems: Budget Cuts, Book-slashing

by Bob Braun

In what seems to be an annual occurrence, budget cuts have forced the Law School Library to reduce many of its services. While the full effects of the cutbaeks have not yet been felt, the reduction in service may become apparent as library use becomes heavier throughout the year.

According to librarian Frederick Smith, there will be little or no harm to the essential services of the library, but "we could be doing things of benefit to the public which we can't do." Smith would like to have faster shelving, additional reference librarians, more preparation on library information materials, and a greater emphasis on staff involvement in campus-wide library activities.

Instead, several major services have been cut. Included are a discontinuation of evening shelving, reduction of reference and paging services, cuts in reserve room personnel, and the elimination of certain procedures such as a change in the charging of books to users.

Most of the cuts have been limited to the area of staffing. The book budget, for example, has been increased this year (it is under a separate budget). The irony of this is that the library may not have the personnel to cope with the new books.

Librarian Ann Mitchell stated that "we have more looseleaf services than last year, but we don't have the staff to update them properly." The equipment budget, which is part of the main library fund, has also not been reduced.

Library officials are also concerned with the destruction of library property, particularly books. Smith said that xerox prices have been held at 5¢ per copy, and another machine has been added to the existing facilities, to help control the problem. He hopes that users will make use of these machines, rather than tear pages from books. Last year alone, over one million copies were made on Law Library machines.

While the destruction in general has been a problem, some of the occurrences have had humorous qualities. On July 9, Smith distributed a bulletin asking for the return of a carrel from the Faculty library, which had "disappeared." According to Smith, the carrel has not yet been returned.

The librarians hope users can help alleviate overcrowding in the library, and help keep the library clean and orderly by reshelving books and not bringing in food or drink. The latter is extremely important in keeping down the vermin population.

All in all, Smith feels confident that with the aid of library users, the staff will be able to preserve the most useful services for its clientele. And, as always, comments are appreciated.

...alumni program

(Continued from Page 1)

years, we'll try to accomodate that. And if the student just wants to talk to someone without being too specific, that's fine, too."

"The details of the program are still being worked out," said Committee Chairman Hermez Moreno, an alumnus with experience in public interest work who this year is teaching Research and Writing and Trial Advocacy here.

"Students who want to talk to someone in practice will go to the Placement Office, where they can fill out a card telling what sort of practitioner they would want to meet with. The placement office can then find someone in the volunteer file who seems to fit. The student can then make the contact," Moreno said.

If the advisory program gets students into contact with the professional world, it also has the benefit, from the Alumni Association's point of view, of getting alumni involved again with their school.

"It's been a big problem getting most of the alumni active," said Prentice O'Leary, president of the Alumni Association and vice-chairman of the ad hoc committee. "This program is something to do, and ought to knit the alumni closer together."

Moreno, and Diane Gough of the Placement Office, emphasize that although the advisory program is run out of the placement office, it is not intended as a job-hunting shortcut. Most of the attorneys who have volunteered for the program have done so on the understanding that the individualized sessions would not be used as de facto job interviews.

Moreno noted also that the program is flexible. He and other committee members suggest that the program might easily change, or even evolve into something else, if changes would make it more useful to students. Both he and Placement Office are always open to suggestions, Moreno noted.

Docket Double-Crostic

Puzzle by Gary Craig

The Double-Crostic is solved by first filling in the blanks on the bottom, then transferring the letters from the bottom blanks to the correspondingly numbered blanks on the top part, which, when completed, will form a quote or epigram or clever something-or-other, which, as anyone who ever does double-crostics will tell, is likely to be not worth reading. The puzzle's the thing. The solution is on page 19.

—	—	—	—	—	—	—	—		—	—	—
1	2	3	4	5	6	7	8		9	10	11
—	—	—	—	—	—	—		—	—	—	
12	13	14	15	16	17	18		19	20	21	
—	—	—	—	—	—		—	—			
21	22	23	24	25	26		27	28			
—	—	—	—	—	—	—	—				
29	30	31	32	33	34	34	35				

His honor — — — — —
29 2 18 3 13

Litigator's forum — — — — —
34 27 4 15 6

Render invalid — — — — —
14 16 10 7 12

Legal standing — — — — — —
8 19 23 32 30 26

___ and abet — — —
9 33 25

Accused's argument — — — — — — —
11 17 28 35 24 5 21

Typical contraband — — — —
22 1 31 20

...a view of law you may have mythed

(Continued from Page 2)

work. They hoped that they could counsel their clients to adopt a just method of conducting their business rather than pursuing every mean advantage the law allowed. This, too, was a difficult strategy to carry off for in that society there were a number of words used to describe people who attempted to follow precepts of morality in their professional lives. "Fool" and "fanatic" were the kindest.

Then there were those best described as "moral werewolves." All day long they would labor in the interests of injustice but when the moon came out so did the fangs of idealism. Such people tried to compensate for the evil they did professionally by moonlighting in political activities or other reformist games. This was not an ideal solution either. Many of them found that their employers did not allow them much free time or frowned on political involvement. They were handicapped by the fact that their law school training did not include useful political skills. Those who followed this path very far soon found themselves taking money from the same people who supported their careers when they were still practicing law.

Finally, there was a group of people known as "The Dorrs." Some thought that they took their name from a once-popular musical organization. Others were sure that the title signified that they hid behind doors or wanted to open doors. In truth, the name was that of a not very brave lawyer who a long time before had led a comic opera revolution in one of the smaller provinces of the country.

They said to themselves that if someone had to oppress the workers, better it was them than someone who would enjoy such work: the "concentration camp guard's defense."

The Dorrs were a unique organization. We might call it an anti-conspiracy. The members never met, indeed, they did not know each other. No one knew who were members because it was possible to join simply by making the decision to do so and it was essential that no one else know that the decision had been made. The members were scattered throughtout the centers of power of that country, close enough to see what was being done though without the power to influence decisions.

When a Dorr saw some injustice about to be perpetrated, his or her task was to sabotage the effort. Sometimes it was a simple matter of losing the papers. In other cases it meant the deliberate insertion of misinformation into the machinery of injustice. Sometimes it was possible to derail some planned injustice by secretly revealing it to the newspapers or to someone in government who might be in a position to stop it.

I need hardly point out the drawbacks of this perverse heroism. Since its success depended on secrecy, Dorrs were rarely able to enjoy acclamation for their deeds. If caught, the penalty was professional ruin because their profession did not permit of any loyalty that was higher than loyalty ot the client and his unjust schemes. As the ironic title of their group suggests, the psychic rewards were few because their efforts were in a real sense cowardly. And it was difficult to draw any sustenance from other like-minded souls since none dared reveal themselves.

But once in a while when they saw graffiti on the walls of the courthouse restrooms or learned of the exposure of some nefarious plot, the Dorrs enjoyed the pleasure of knowing that there were other like-minded souls who had kept the faith even while lacking the courage to pursue it openly. And the more timid among them would be inspired to go back to the office and write the word on the washroom walls where it would serve to puzzle those who did not know its meaning, terrify those senior partners who did, and encourage any other members of the anti-conspiracy who might be lurking within the firm.

Those who were braver would dare to omit from their research memorandum the case they had just found that might have served to justify some corporate rip-off of the citizenry. And all of them would swear that someday when the time was right, they too would strike some blow for social justice.

There were a number of words used to describe people who attempted to follow precepts of morality in their professional lives. "Fool" and "fanatic" were the kindest.

Now if we look at the various paths taken by these young people in their pursuit of justice in a fundamentally unjust society, we can see in each certain elements of self-deception. But it is not for us, living in a more perfect society, to criticize the moral choices of those who were forced to survive under far different circumstances. It is difficult for us to comprehend the biggest handicap they had to overcome. That is, the fear that perhaps they were wrong and that those thousands of voices that were constantly raised in praise of the institutions of injustice were right. They were also haunted by the possibility that if the hoped-for revolution came, they would be marched to the wall while more villainous lawyers would escape to live in exile on the proceeds of their Swiss bank accounts. But some of them, at least, perserved.

To what end, I cannot say, for at this point the manuscript fades. The fate of the imaginary society must be left to another day. If there is a moral to be drawn from this incomplete tale, the author did not record it. Why these people persisted in the quest for justice is difficult to determine. Their scientists thought that their courage was a disease passed along in the blood from one generation to the next. If so, perhaps some of you on this stage will find a similar courage among your gifts on this graduation day. Those who have are indeed fortunate. It is an inheritance that can be wasted but one that does not diminish through use. I hope that each one of you that has received such a gift will use it well. If these ceremonies serve any useful purpose, it is an occasion to remind each of us of just where our gratitude may be appropriately bestowed.

...what price secrecy?

(Continued from Page 1)

he had been using had been removed, and its listing taken out of the card catalog. The document (labeled UCRL 4725) and one other (UCRL 5280) had been "declassified by mistake" the researcher was told.

The documents had been out in the open stacks for years—and the government in its case against *The Progessive* has stipulated that a competent scientist who read UCRL 5280 would derive no benefit from the Morland article, Knoll said. Still, they refuse to dissolve the injunction.

The most sobering aspect of the Los Alamos incident is that the researcher was told by library workers that he was recognizable among all the other users of the library "because he wasn't a foreigner," Knoll said. "It's reminiscent of the U.S. bombings of Cambodia, which were secret to Americans, but not to the Cambodians being bombed, the Vietnamese, the Russians or the Chinese."

Perhaps because the government characterized the Morland article as a piece on how to build an H-bomb, reactions from the press establishment were uniformly negative at first. The *Washington Post* called it "John Mitchell's Dream Case" and "the one the Nixon administration was never lucky enough to get: a real First Amendment loser."

The *Post* has since reconsidered and now, like most of the press, supports *The Progressive*. The *New York Times* has submitted an amicus brief.

***Progessive* Editor Erwin Knoll**

The lawyers in the case have argued over what the standard for prior restraint is. Potter Stewart's opinion in the *Pentagon Papers* case would prohibit enjoining publication unless "publication will surely result in direct, immediate, and irreparable damage to our nation or its people." In the *Progressive* case, Judge Warren opted for "possibility" of harm as a result of publication.

Knoll, being an editor and not a lawyer, believes prior restraint is intolerable under any circumstances.

"When government succeeds in prior restraint it automatically deprives the public of an opportunity to judge its conduct," he said.

"Contempt for the press is all through the federal bureaucracy. A bureaucracy loves secrecy." Ten years ago, said Knoll, when he was doing a series of stories on a Navy project for the *Washington Post*, he was shown a file by an aide to Senator Gaylord Nelson. In it were Knoll's own published stories, clipped out of the *Post* and labeled "secret" by the Navy.

As long ago as 1958, the House Select Committee on Astronautics and Space Exploration called the Atomic Energy Act "a latent danger to the life of this democracy."

"A while ago," said Knoll, "Congressman Ron Dellums sent some questions about increases in plutonium production to the Energy Department. Secretary Schlesinger wrote back and told him that his questions were classified—not the answers—the *questions*."

As far as Knoll is concerned, the government attempt to suppress the Morland article is a perfect example of the very evil it describes—the use of specious "national security" threats to prevent any scrutiny of the nuclear industry.

"We are convinced," said Knoll, "that the only real secret in Howard Morland's article is that there are no secrets."

Nevermore — Hereinafter Referred to Attached Hereto Whereof

Once upon a weekend weary,
As I wandered through the dreary
Tomes of legal opinions
Written by all those minions
Called "Your Honor"
As they ponder
Questions that perplex,
Confuse and Vex,

I came upon a singular work
Written by a man with a quirk
For translating legalese
Into English that pleased
My mind
As I tried to find
Answers to my research problems,
One of them or all of thems.

His analysis of cases explained
Away inconsistencies as I gained
A greater appreciation for
A case that was on all its fours.

And when the hiring partner saw
How I had applied the law,
He lauded me with the virtue
Of knowing who and when and what to sue.

When the job offer came that season
I alone knew the reason
Was that Man who made me smile
With the clarity of his writing style.

And Martindale-Hubbell confirmed what I knew:
That this man had not been on a law review.

—Alec Nedelman

Things They Didn't Tell You at Orientation

by Howard Posner

The first few weeks of law school are rather like losing your virginity: there's a great deal of groping and exploring, a lot of confusion, enormous anxiety, a desperate fear of failure, and a strong hunch that the experience is not all it's cracked up to be.

The law school attempts ease your entry into this new environment by means of an "orientation" day, but since nobody ever tells you the things you need to know, orientation is often more diversionary than instructional.

In order to fill some of the gaps in your pre-education, I offer a few random observations.

The mode of instruction here, expecially in first-year courses, is called "Socratic" because professors are constantly asking silly questions. When small children do this, it's called "annoying." This is the only difference anyone has yet detected between law professors and small children.

It might be pointed out that while Socrates asked his students pointed questions to get them to evaluate their beliefs and arrive at the truth, law professors ask pointless questions (First-year contracts student: "What's a sight draft?" Professor: "Well, what do *you* think?") in order to get students to arrive at proximate cause.

It might also be pointed out that Socrates was a lawyer once in his life, acting in his own defense, and we know how that one turned out.

* * *

First-year students are often chagrined because they can't always pin down the precise meanings of terms of art. Don't worry: by the time you're a third-year you'll have discovered that nobody else can.

* * *

Much time and effort will be spent during your first year in learning proper citation forms. For most of us, the next two years are spent forgetting them. Knowledge of the bluebook is considered a bit anal, if it's considered at all, by most practitioners. It is used only on law reviews, which is why law review members have to take a year off after law school to forget the bluebook. They euphemistically term this drying-out period "judicial clerkship" but it doesn't fool anyone: we all know judges do their own work.

* * *

It is absolutely necessary to check the bulletin boards near the records office. Horrible things happen to you if you don't. It's a favorite game, for example, to slip schedule changes onto the Immediate Board after everyone has taken printed schedules of classes and departed for parts unknown. Many a hapless law student has returned after summer to find the classes here divided into two mutually exclusive categories — those he's enrolled in, and those he thought he was enrolled in.

* * *

You should also be aware of the rules governing standards, residency, and procedure, which are posted, somewhat ominously, outside the admissions office. Of course, nobody expects you to actually understand the rules, since they are written with a clarity and simplicity that makes the Tax Code look like McGuffey's Reader, but you should be aware of them. If you should fall afoul of the rules, God help you: Slaughter isn't likely to.

* * *

The only decent bagels available aorund here are the ones sold at BALSA bake sales.

* * *

If you happen to come unprepared to class, you really can pass if you want to. But keep in mind that winging it is a very valuable skill, especially if you plan to do litigation, and snowing your Torts professor is certainly better training in that regard than Moot Court.

Solution to Double-Crostic:

Augustus and Learned: "The Hands of Justice"

Besides, if you do make an ass of yourself, but can amuse your classmates in the process, they will be exceedingly grateful to you for brightening up their day.

* * *

Professors who keep telling you "I'm not hiding the ball" are usually telling the truth. *They* don't know where the ball is. If you want to find out, best ask a second-year student, who has found it by now.

* * *

Law school really can be a rewarding, fulfilling, enjoyable experience. The marvel is that it never is — but we're working on it.

...Prager

(Continued from Page 1)

Prager is married and her husband Jim is an attorney with the firm of Taylor and Tuttle. The Pragers have a one-year-old daughter named McKinley. While Mr. Prager is more active in the Preservation of the Urban Environment Movement in Los Angeles, they share their mutual interest in restoration by jointly participating in the renovation of a Victorian Home that has the honor of being labeled Historical Cultural Monument #88-1889.

In Los Angeles, states Prager, "newness has precluded people focusing on preservation." There is a lot of public interest work in historic preservation and litigating the issues, which are branches of environmental law and urban planning. Several key legal controversies being contested include the dispute regarding the Los Angeles Central Library building in downtown LA, and problems with Environmental Impact Reports.

Prager feels that she will continue in the traditional delegated responsibilities from the Dean. Some of these responsibilities include assigning faculty to teach core courses and sitting with the Appointments and Curriculum Committee. She says "the strength of the Law School depends on the faculty we can attract and keep. So keeping the faculty happy is important. A good faculty doesn't want to teach without a good student body and vice versa."