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Advocates strive to aid kid victims

by Jamie Sternberg

A lifelong dream of Robert Fellmeth has come true recently upon the creation of the California Children's Advocacy Institute (CalCAI). The Institute is designed to represent California children in their battle for health and safety.

Fellmeth, a law professor and the director of USD's Center for Public Interest Law, has long been known as an advocate. He states that "each week 250,000 children die worldwide...we have the resources, the knowledge and the power to relieve these children’s suffering. And yet we do nothing. Or act marginally. "Every other group in society is organized to represent itself. Lawyers have their own interest groups. So do doctors, accountants and hospital administrators. Even nonprofit groups - the elderly and minorities...[are] repre

Fellmeth believes that CalCAI will be the group to represent the children, first in California and later, hopefully, internationally. The goal of the Institute is to represent the children so that their voice is heard when public policy is being shaped and implemented.

The first three projects slated for the Institute are a study of state government organization in the areas of homicide, major fraud, and retain minority teachers and students, could easily make USD a leader among law schools in promoting minorities. An article from the Los Angeles Daily Journal on January 23, 1989, entitled "Women Face Bar to Tenure At Law Schools" reported that the ABA commission cited law schools as "the breeding ground for many of the discriminatory practices and attitudes and acceptance of traditional notions about women's capabilities and roles." Strachan's appointment, in conjunction with a genuine effort on the school's part to attract and retain minority teachers and students, has been...
Censorship alive at USD
Dear Editor,
I have news for Peter Allen, not only is censorship alive and well at USD School of Law, but it appears that sexism is also.

As a member of the Women's Law Caucus, I was not surprised by the reaction that we got from the "Official University" when we invited Sarah Weddington to speak at an USD on an exhortation as to how a Catholic church would react. Although I completely disapprove of the actions of the students who were shocked at the use of the action and reactions from certain members of the student body to the WLC.

These actions began at an SBA budgetary hearing where WLC members were "censored" for creating a budget for International Women's Week. As an organization whose most active members are first-year students, we were undoubtedly ill-prepared for this meeting and perhaps for future dealings with the SBA generally, but that does not explain the sexism we encountered.

At this hearing we were asked how many men were in our group. This question suggests that the number of men in our organization is relevant to the question of receiving funds. They could not have been asking "for their own edification" as they had a list of our membership before them at the meeting. This is clearly an ill-informed question. When BALSA comes before them, you can be sure that they do not ask how many non-black students are members of that organization. It appears that sexism is more acceptable in our student government than racism. I want to suggest that that both are equally unacceptable.

The sexism at this school is not confined to the student government level. Last month the WLC was again attacked. This time from a person who held himself out to our group as the ACLU representative, Peter Allen. Peter came to one of our meetings before the Weddington event to ask us to explain the basis for our decision to comply with theWLC's request to move the event off campus. They would probably have preferred that we take it away and out of their hair, but our decision to keep the event on campus was a triumph for women at this law school. I have news for Peter Allen, not only is censorship alive at USD, but after a couple of meetings the members (of which there are ten women) decided to actually be an active and positive organization.

We went on for about five minutes, and even had going for a second, before another member of the Women's Law Caucus, Prof. Conaghan, and a couple of women from the Black Americans Law Student Association (BLSA) broke in and took turns thoroughly discrediting everything he had tried to say. Their point was that students involved in the More Hall Law Caucus want to truly combat discrimination (I'm paraphrasing), then why don't any of them just shut up and at least attend the meetings that have been fighting it and who really have something to fight against.

Great argument, I thought. But just about when everyone thought that the More Hall Law Caucus was dead wrong and doomed for failure, a guy from the side shouted, "Wait a minute, this is the discussion today (I'm paraphrasing again) was about how about people do things that they think are funny, natural, when in fact they're discriminatory and part of the student body that started the More Hall Law Caucus were informed that their actions were upsetting people, they realized it, and tried to do better. No group should have come to the other. We should meet in the middle."

From there, a full-on battle royale broke out, and 70 people proceeded to mercilessly beat one another with absolutely no regard for human life...Well, that may be stretching it a bit, but the point is that nobody was necessarily right or wrong. The fact was that people had something to say, and this was the first time that anyone was giving them a chance to do so. Students here at the law school have absolutely no forum to air their grievances. Many of us are not afforded the opportunity to openly express our opinions and say, "Hey, what you're doing is pissing me off, and you need to stop doing it now.

I was encouraged with what I saw last week. I thought it may be useful, and I think that our student government will set an example. I think that students need a forum to speak their minds and voice their concerns. Thank you for the space to sound off.

Name Withheld

Career Planning releases survey of '88 grads locale, salary
The Career Planning and Placement Office recently released the results of their survey of the '88 graduates. The median salary of graduates working at firms with two to ten lawyers was $35,375 and the medians increased according to the number of lawyers in the firms. The graduates who went into government work received a median of $30,824. The graduates who went into law schools received a median of $28,121.

Other Areas:
- Government
- Judicial Clerkship
- Corporate

Accounting Firm
- Self-employed
- Other

Salaries at Private Law Firms (California only)

<table>
<thead>
<tr>
<th>Firm Size Reporting</th>
<th># Graduates Reporting</th>
<th>Median</th>
<th>Range</th>
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</thead>
<tbody>
<tr>
<td>2-10</td>
<td>29</td>
<td>$35,375</td>
<td>$15,000-50,000</td>
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<tr>
<td>11-25</td>
<td>12</td>
<td>$40,071</td>
<td>$25,000-62,000</td>
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<tr>
<td>26-50</td>
<td>19</td>
<td>$44,357</td>
<td>$30,000-64,000</td>
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<tr>
<td>51-100</td>
<td>18</td>
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<tr>
<td>101+</td>
<td>29</td>
<td>$55,637</td>
<td>$35,000-74,000</td>
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</tbody>
</table>

Note: One graduate who went to a patent law firm outside of California reported the highest starting salary of $79,000. No, she wasn't in the top 10% and no, she was not on Law Review.
**Correlation seen between LSAT, school/bar success**  
by Matthew M. Pribyl

UDS Law School, like many other law schools around the country, receives information from the LSAC - Law School Admissions Committee, the people who administer and oversee the LSAT - regarding first year student's LSAT scores and GPA's, and their performance during the first year of law school. The LSAC also compiles figures which correlate student's scores on the LSAT with certain grades given to students on the bar examination. Not surprisingly, the LSAC is a relatively good indicator of both succeeding in law school and success on the bar examination.

A formula using the LSAT score and the grade in the first-year's courses is devised by the LSAC to assign a 'raw' score to each student entering law school. This score is responsive to the grades given to students at law schools, including USD. Thus, a student who attains a median score on the LSAT and has a C+ in the middle section of all those taking the LSAT could have a 'raw' score of 81, the median grade given to students at USD. No specific data indicating the exact correlation of LSAT scores and grades with performance in the first year of law school and success on the bar examination was available to Motions. However, this can be said to other law schools around the country, strive to admit candidates that the schools believe will have the best possible opportunity for success on the bar examination. When figures are compiled indicating that LSAT scores do indicate with some substantial degree of confidence success on the bar examination, law schools are hardpressed to admit students with lower LSAT scores despite outside activities or interests that may indicate those students are more diversely experienced. While it is not doubted that students who have diverse interests and experiences will be successful in the admissions process, it is evident that as many more students apply for admission to law schools, rigid criteria such as LSAT scores will play a bigger part in determining eligibility for admission to law school.
Fried: Talk sheds light on affirmative action

While Fried explained the history of the law regarding discrimination I admit I felt that I was attending my Constitutional Law class on affirmative action. Starting with Strauder, which stated that the equal protection clause is meant to protect against invidious discrimination, Fried related the significant cases in history which have affected race discrimination; Fullilove, which allowed Congress to mandate a percentage by an employer who admitted past discrimination; Bakke, which stated that racial quotas at state colleges were unconstitutional. Civil Rights in the Reagan Years

The more recent cases during the Re-agan Administration included the Bob Jones University case which held that the IRS cannot deny tax deductions to institutions that practice race discrimination. Fried believed this case to be disastrous because it was born out of the vehement unrest at the thought of the IRS making discrimination policy decisions.

Fried, after summarizing this extensive list of cases, asked if he had made a difference. I thought, he's well educated (to say the least). He had a kindness about him, but his demeanor was stiff and formal. (Probably the sun, which he liked to read, but actual works that he had written, I began to feel slight rapport at the thought of questioning a man like as an individual. I read through his resume. Page three nearly knocked me out of breath. The problem lies in determining the presence of all that he encompassed. Tall, probably 6'4", I estimated, his demeanor was stiff and formal. (Probably too many Washington functions, I mused.) He had a kindness about him, but it was laced through with a definite toughness, and I almost would say, a certain arrogance that comes with accomplish- ment and stature. He had a warming smile and kind eyes which glinted behind a thick set of glasses.

"Let's do the interview outside; I want to take in the San Diego sun," he offered. I smiled widely, agreeing with his choice. "I love the sun," I informed him hoping that I would be able to discover some commonality with him to ease the tension of the interview. He merely nodded, and we marched outside into the warm San Diego afternoon. We chatted snuffily on the way to the U.C. He told me that he had no recollection of the city where he wasborn.

Fried calendar not limited to lectures

Writing, Harvard professorship round out rest of schedule

by Carrie Blum

When I agreed to interview the Nathan-son Guest Lecturer, I really had no idea whose speech I would be reviewing. I discovered, one day before I met Charles Fried, that I would have the opportunity and the privilege of meeting the Solicitor General, appointed under the Re-agan Administration.

Fried has to admit that a wide range of topics popped into my head as I pre-pared my questions for "The Interview" with Fried. First, I thought, I hope my ques-tions sound halfway intelligent -- af-ter all, this man has probably been inter-viewed by everyone and his mother. Sec-ondly, I began to wonder what he would be like as an individual. I read through his biography (six pages), and after realizing that three pages of publications were not articles and books that he liked to read, but actual works that he had written, I began to feel slight rapport at the thought of questioning a man such of exceptional knowledge and suc-cess.

I glanced over his curriculum vitae. Born in Prague, in 1939, Fried became a U.S. citizen in 1948. He received an A.B. from Oxford University in 1958, followed by a two years later by both an M.A. from Oxford and a J.D. from Columbia Univer-sity Law School, in the same year. Okay, I thought, he's well educated (to say the least).

I swallowed hard as I continued to glance over his accomplishments; I knew I was getting pretty nervous. I looked at his list of Professional Experiences: Solicitor General, 1985-88; Acting Solicitor Gen-eral, June-October 1985; Special Assistant to the Attorney General, 1984-85; Profes-sor of Law, Harvard University Law School, the present (I realized that this made him a professor at age 26; he initially taught criminal law); and law clerk for Justice John Harlan (yes, The Justice Harlan), 1960-61 (under the Warren Court), just to name a few accomplishments. In addition, Fried's honors include the Guggenheim Fellow award, 1971-72, the Harris Lec-turer, University of Indiana, 1980; the Tanner Fellow award, 1981 and the Orgain Fellow award, 1971-72.

Fried has kept himself busy, I thought, slightly overwhelmed on page two of the resume. Page three nearly knocked me out of breath.

In 1962, at the age of 27, Fried was a Consultant to the U.S. Treasury, in 1976, he was also a Consultant to the U.S. De-partment of State and Agency for Interna-tional Development. He speaks French and Czech fluently, and his German and Italian are "good." He has, in addition, taught nine different legal subjects: Appellate Advocacy, Commercial Law, Constitutional Law, Contract, Criminal Law, Labor, Torts, Legal Philosophy and Medical Ethics. He has, in addition, taught nine different legal subjects: Appellate Advocacy, Commercial Law, Constitutional Law, Contract, Criminal Law, Labor, Torts, Legal Philosophy and Medical Ethics. He has, in addition, taught nine different legal subjects: Appellate Advocacy, Commercial Law, Constitutional Law, Contract, Criminal Law, Labor, Torts, Legal Philosophy and Medical Ethics. He later informed me that he did not teach a favorite subject, but that he enjoyed them all equally, and that he likes to alternate each year the subjects he teaches. Finally, after inhaling all that he has achieved, I read his list of publications, the three pages worth I have mentioned, and I decided that I had my interview work cut out for me.

The vitae gave me a slight indication of Fried's personality, but when I met him, the following day, I was not at all prepared for the presence of all that he encompassed. Tall, probably 6'4", I estimated, his demeanor was stiff and formal. (Probably too many Washington functions, I mused.) He had a kindness about him, but it was laced through with a definite toughness, and I almost would say, a certain arrogance that comes with accomplish-ment and stature. He had a warming smile and kind eyes which glinted behind a thick set of glasses.

"Let's do the interview outside; I want to take in the San Diego sun," he offered. I smiled widely, agreeing with his choice. "I love the sun," I informed him hoping that I would be able to discover some commonality with him to ease the tension of the interview. He merely nodded, and we marched outside into the warm San Diego afternoon. We chatted snuffily on the way to the U.C. He told me that he had no recollection of the city where he was born. The problem lies in determining the presence of all that he encompassed. Tall, probably 6'4", I estimated, his demeanor was stiff and formal. (Probably too many Washington functions, I mused.) He had a kindness about him, but it was laced through with a definite toughness, and I almost would say, a certain arrogance that comes with accomplish-ment and stature. He had a warming smile and kind eyes which glinted behind a thick set of glasses.

Celebrating the end of school by attend-ing a special event at SDSU Padres Skybox party. Padres Skybox party slated as next Alum Office special event

Celebrate the end of school by attend-ing a special event at SDSU Padres Skybox party. Padres Skybox party slated as next Alum Office special event

Nathanson Lecture Series guest speaker, former Solicitor General Charles Fried, awaits his introduction as he stands outside and in Justice O'Connor's opinion the Court stated that in order to uphold affir-mative action plans there must be com-pelling evidence of prior discrimination by the group proposing the plan; otherwise, the plan will be upheld unconstitutional.

Fried stated that he believed past, and even present, societal discrimination could not be remedied by affirmative action plans where the promoter of the plan had not discriminated in the past. "Societal discrimination is too amor-rous a basis for race-specific preferences," Fried said. "In Richmond, the building indus-try, I believe, was a euphemism for society."

Fried's theory leaves many loopholes. While Fried explained the history of the law regarding discrimination I admit I felt that I was attending my Constitutional Law class on affirmative action. Starting with Strauder, which stated that the equal protection clause is meant to protect against invidious discrimination, Fried related the significant cases in history which have affected race discrimination; Fullilove, which allowed Congress to mandate a percentage by an employer who admitted past discrimination; Bakke, which stated that racial quotas at state colleges were unconstitutional.
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"When I first argued in front of the Supreme Court, I thought I was the professor with nine students...now I realize that I am the student with nine professors."

Professor Charles Fried

Born. He explained that he had lived most of his life in the Northeast, in Boston and New York. I thought I detected a slight Eastern accent, but it was traced with a touch of Czech, which made his voice intriguing and somewhat mysterious. I asked him what he had seen of San Diego, and he explained that he had only seen its beauty through the windows of a car, but that he loved its atmosphere. I thought that was an appropriate surmise, and, I explained that he had had so little time, that, in a way, I was grateful for his shorter responses, although, I did wish at times, that he would have elaborated.

He told me that working for Harlan was a very powerful experience. "It was a smaller world in those days," he stated whimsically, "There were only two law clerks for each justice, and, of course, Harlan was one of the great Justices. Harlan wanted everyone to agree; he felt that if we all sat down logically, we would be able to come up with one solution to the problem. Of course, you know, this didn't always happen, and, when he had to, he would go his own way. I think his dissent in Poe v. Ullman, concerning an anti-birth control law, was the beginning of right to privacy." Fried also revealed that the Warren Court personalities were strong, that Warren and Douglas were somewhat aloof, and that he liked Frankfurter. I thought it interesting that some of these same justices remained on the Court while he was Solicitor General.

I next inquired into strengths and weaknesses of the administration under which he had been appointed Solicitor General. He did not elaborate, but stated that he felt the important growths had been in encouraging judicial restraint and in the separation of powers arena, while the negative aspects of the Reagan government lay in the polarization of opposing parties who could not agree on the issues. "People get nasty, of course, when things don't go their way," he stated. He didn't expand on the subject, although I wish he had.

Fried felt, personally, that his greatest successes as Solicitor General lay in winning the Gramm-Rudman case and in convincing the Court to accept its view of Affirmative Action in the City of Richmond case. Warming on the thought of his accomplishments, he added, with a touch of dry humor, "You know, when I first argued in front of the Supreme Court, I thought that I was the professor with nine students. That made me a little stiff. Now, I realize that I am the student with nine professors. After I discovered this, my arguments went a lot better. I did win my first case before the Court, however," he added with a touch of pride. He explained that each of the justices has their own style of asking questions--some ask none, and others, like Scalia and Stevens ask many. "Stevens has a gentler manner than Scalia, though," he revealed. I asked him if he felt Scalia's manner would mellow with time on the Court, and he informed me that he did not believe it would. "That's just Scalia, you know..."

Fried felt that his experience as Solicitor General, inquired into the beginning roots of his career. He was surprised to learn that he had never really known about the Gramm-Rudman case, and in the convincing the Court to accept its view of Affirmative Action in the City of Richmond. He did not elaborate, but stated that he felt the important growths had been in encouraging judicial restraint and in the separation of powers arena, while the negative aspects of the Reagan government lay in the polarization of opposing parties who could not agree on the issues. "People get nasty, of course, when things don't go their way," he stated. He didn't expand on the subject, although I wish he had.

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Want to graduate? Beware of missed credits

by James Sherwood

Although graduating for some students still seems to be lurking in the far distant future, it is important find out if you have met all the University’s requirements before it is too late. There are always a handful of students, who two weeks before graduation, discover numerous miscalculations in their plans for graduation; they come up short on either units or residence credits, they did not meet their writing requirement, they fail to take a required course or they just missed taking courses that will be tested in the jurisdiction where they plan on taking the Bar Exam. Keep these requirements in mind as graduation approaches, so you don’t end up staying a semester longer than you have to.

Residence Units

Residence credits is one of those nebulous concepts that many students never get a handle on. Most students just skim past the idea when reading the student manual, so you don’t end up staying a semester longer than you have to.

Advocates strive to aid child victims

(Continued from Page 1)

by Matthew M. Pribyl

Archibald Cox, the Harvard educated lawyer appointed to be the Watergate Special Prosecutor in May of 1973, will be the keynote speaker at USD Law School’s commencement ceremonies on May 20.

Cox is currently a visiting professor at Boston University School of Law and a professor emeritus at Harvard University. He received his bachelors degree in 1934 and his law degree in 1937, both from Harvard University. From 1937-38, Cox was a law clerk to Judge Learned Hand of the United States Circuit Court of Appeals. He then entered private practice for a number of years in the Boston area before turning his professional interest to government service. During World War II, Cox worked for the office of the Solicitor General and later as associate solicitor for the Labor Department.

In 1945, Cox began teaching at Harvard University’s Law School and one year later was named a professor. From 1951-52, he served as co-chairman of the Construction Industry Stabilization Commission and as a member of the Wage Stabilization Board under President Truman.

From 1961-65, Cox served as Solicitor General of the United States under Presidents Kennedy and Johnson. In 1965, Cox became a professor and continued teaching Constitutional law and labor law, areas in which Cox is considered an expert. In 1968, as a result of a commission investigation of the causes of student disorders at Columbia University and published a book titled, "The Causes of the Disturbances," which was widely reviewed by the media.

In 1974-75, Professor Cox spent his sabbatical at the University of California at Berkeley, studying the history of the American military and the role of the military in American society.

Watergate special prosecutor to address Class of ’89

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Dear USD Graduating Class:

Congratulations on 3 or 4 years of hard work and effort. If you've used any of our outlines, free lectures, cassettes, offices, staff attorneys, Gilbert series, or attended any of our Beer Bashes, we thank you for letting us be a part of your law school career.

Now let's talk immediate future -- The Bar Exam.

If you've already signed up with BAR/BRI (as more than 80% of your class has), be confident in your choice. BAR/BRI is recognized by your peers and practicing attorneys as the finest Bar Review program in California. You will be prepared for the challenge of the California Bar Exam.

If you are undecided, compare our course with the many other BAR/BRI lookalike courses. You will find a distinct difference in the quality of our material, lecturers, track record, and professionalism.

**Material:** BAR/BRI's nationally acclaimed outlines are written by experts in their field. We also provide you with every California Bar Exam essay and performance test with their accompanying model answers/outlines from 1983 - present.

*Our outlines cover all the possible issues that might appear on the California Bar Exam. Ask the other course if their outlines cover all the issues.*

*We provide you with a Mini-Review, an invaluable volume that succinctly summarizes and capsulizes each subject. Every Bar Exam students from other courses ask to buy our Mini-Review which is not sold separately.*

*We update our materials for each course. Courses that don't have the resources simply can't update this often.*

**Lectures:** Given by Professors that are experts in their field. Look at who lectures for the smaller courses -- if they are cutting their overhead costs by providing one lecturer teaching many subjects or having attorneys lecture rather than experts, be wary. Our professors are great teachers and communicators, who instruct you in the strategies, issues mnemonics, word associations, etc..., that you need in preparation to sit for the Bar Exam. Take a look at our faculty and you'll see that they are the cream of the crop - Professors like, Paul Goldstein, Stanford; Dean Jesse Choper, Boalt Hall; Professor Arthur Miller, Harvard; Professor Charles Whitebread, USC; Professor Grace Blumberg, UCLA.

These Professors are proven lecturers because each BAR/BRI class evaluates the lecturers. If they receive bad marks we don't ask them back.

**Track Record:** Be wary of any course that might use you as a guinea pig. Many small courses have sprouted up preying upon the fears and anxieties that go with the Bar Exam. Some courses table sitting at USD are aggressive in their sales tactics and promises, but inexperienced in preparing students for the California Bar Exam.
•Professionalism: BAR/BRI is owned by Harcourt, Brace, Jovanovich, a Fortune 500 company. We have the resources, material, lecturers, staff attorneys to meet individual needs, offices throughout California, live lectures, and over 30 course locations in California this summer.

If you are thinking about preparing for the California Bar Exam with another smaller, younger, less experienced Bar Review course, we caution you to be careful.

Many of these neophyte courses are aggressive in their marketing strategies and magnanimous in their promises. However, when the smoke clears all you are left with is inferior Bar preparation.

Lately at USD the modus operandi of these courses is to accuse BAR/BRI of not being in tune with the nuances of the California Bar because we prepare students in 46 jurisdictions. Nothing could be further from the truth. One of the reasons we are the most successful course in California is because we have California Professors lecturing on the California subjects of Wills and Community Property. All other subjects on the California Bar Exam test you on either Federal Rules or Common Law. Ask the smaller courses if they have experts teaching the California subjects.

Invariably during the first week of the review course we have students switching to BAR/BRI from the smaller less organized courses. Students find that all that glitters is not gold - what you are promised and what you get are two different things. If you find yourself in this position in May we will welcome all of you and help you make up what you have missed.

We will credit payments paid to other courses through May 19, so put those fears in the back of your mind to rest, you still have time to take BAR/BRI in preparation for this summer's exam.

If you have any questions or would like to sign up before finals begin, talk to any of your BAR/BRI Representatives listed below, or contact our San Diego office, (downtown, next to Law Distributors,) at 236-0623.

Sincerely,

The San Diego BAR/BRI office

Brellenthin, Diane
Canuso, Vito
Diller, Karen
Edwards, John
Gawron, Cheryl
Gerrard, Paul
Hawkes, Emmet
Hendrick, Margaret
Jensen, Chris
Koppe, Chris

LaSala, Maria
Loberman, Laura
Marquez, Rebecca
Menck, Walter
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Pavlas, Theresa
Pitre, Susan
Russel, Jerry

Scotti, Joel
Silverman, Tim
Stebbing, Clare
Sullivan, Therese
Thakar, Todd
Thrower, Tracy
Valero, Lorri
White, Dorian
Wilmot, Leticia
Wright, Marie
Women's Week focused on female roles by Celia Rumman

This past week, the USD Women’s Law Caucus sponsored daily speakers with a variety of topics in celebration of International Women’s Week. The theme for the week was “Peminization of Poverty.”

Sally Furay, university vice president and provost began the week speaking on what she perceived as the social and economic basis of the increasing problems of women (and children) living in poverty. Furay sees three reasons for the declining economic situation of women in America.

Female Economics

The first being wage disparity between the sexes has increased only one cent in 50 years. In the 1930s women made 63 cents to every dollar that men made. Women in 1980 make 64 cents to every dollar -- in spite of the increases of women’s qualifications and levels of education.

Secondly, according to Furay, is the relative positions of the spouses after a divorce. Whereas divorced males standard of living increases on the average by 42 percent, the average divorced female can expect a decrease in her standard of living in the neighborhood of 73 percent.

The third cause is the reduction of federal human service programs since 1980 by the Reagan administration. Funding for federal housing has been drastically cut by 78 percent and child care subsidies by 20 percent. All these factors have contributed to the increasing number of women and children living at or below the poverty level.

Law & Poverty

Speaking Tuesday, March 7 was Judge Judith McConnell who will be the Presiding Judge for the San Diego Superior Court Judge for next year. She is the first woman to hold that position in San Diego or in any major city.

McConnell spoke on her experience as to the increasing problem of poverty and its effects on women and children. She hopes to be more effective in decreasing these problems from the bench as presiding judge.

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**MHPILF seeks loan forgiveness for public interest jobs**

More Hall Public Interest Law Foundation has announced that it will seek to implement a loan forgiveness program here at USD School of Law.

Loan forgiveness programs are already in place at 16 law schools including Harvard, Columbia and Boalt Hall. Like those already in place, the program contemplated for USD would allow law school graduates who take low-paying public interest jobs to have their loans gradually forgiven. The program would work by first deferring loan payments and then forgiving them altogether for graduates who remain in a public interest position for a given number of years.

The need for a loan forgiveness program is obvious once one looks at the numbers. While the typical financial aid recipient might have one or two years of his or her law school loans covered, many low-wage public interest professionals must pay their loans off in full or more, starting salaries in public interest generally range from $15,000-$25,000. With modest employment income, the public interest at least becomes a realistic possibility for dedicated graduates.

MHPILF will join the program next fall. However, procuring funds for the public interest is never easy. It is certain that the MHPILF will need help in its endeavor. Students interested in obtaining loan forgiveness or who merely wish to help create public-interest opportunities for others should attend the next general meeting of the MHPILF or may contact either Priscilla Thorell or Adam Schwartz through the MHPILF mailbox on the first floor of More Hall.

---

**CPIL Internships available for '89-'90**

The Center for Public Interest Law is presently recruiting current first-year law students interested in administrative, regulatory, consumer, environmental, or public interest law for a limited number of internships available during the 1989-90 academic year. Interested students are given the opportunity, unique in the nation, to participate first-hand in the state’s regulatory process and to have articles they write published in the California Regulatory Law Reporter, the only legal journal of its kind.

Many students take a yearlong, four-credit unit entitled California Administrative Law and Practice. As part of the course, each student monitors two or three of California’s sixty regulatory agencies, which include the State Bar, the Public Utilities Commission, the Department of Banking, the Athletic Commission, the Coastal Commission, the Board of Medical Quality Assurance, and Cal-OSHA, among others. Students attend agency meetings, monitor and analyze their activities, interview agency officials and licensees, participate in rulemaking, and track their regulation affecting agencies. Students submit two articles summarizing agency activities each semester for publication in the Reporter.

Following the yearlong course, many Center interns pursue (for additional credit) an advocacy project involving one of the agencies. In the past, these projects have included petitioning an agency to adopt or alter regulations, drafting model legislation, filing suit to enforce the Administrative Procedure, Open Meetings, or Public Utilities Commission regulations, or briefing issues on pending appeal. Students critique of publishable quality often appear as formal written opinions, and also satisfy the school’s written work requirement.

The Center is directed by Professor Robert Pellmeth, who is also a former public interest attorney, a former Deputy District Attorney and Assistant U.S. Attorney, and who is currently serving as the State Bar Discipline Monitor. Center students are given an immediate onsite placement in their chosen areas, and also satisfy the school’s written work requirement.

Interest in the Center is encouraged to prospective California Administrative Law and Practice students and in submission to the Center by May 1 of the following materials: a resume; a letter; and a list of six agencies you would prefer to monitor. For more information, contact Julie D’Angelo or Kate Turnbull in Rm 205, Guadalupe Hall.

Make a difference. + VOLUNTEER +

Fellmeth spearheads Public Interest Center

Scripps Peninsula office reopened

On March 1, USD’s Center for Public Interest Law reopened its San Diego office, staffed by longtime public interest advocate Steve Barrow. The addition of the Center’s San Diego office to its existing offices in San Diego and San Francisco makes CPIL the largest public interest organization in California.

Before his departure in 1985, when former CPIL advocate (and USD graduate) Gene Erbin left to join the staff of Assemblyman Lloyd Connelly, along with advocating bills sponsored or supported by CPIL, Barrow worked in an energetic capacity on numerous ongoing Center projects, including the State Bar Discipline Monitor project, CPIL’s study of the physician discipline system administered by the Board of Medical Quality Assurance, and ratepayer representation before the Public Utilities Commission. Barrow will also assist CPIL interns in understanding the state legislative process, and serve as resource to them in writing agency updates for the Center’s quarterly journal, the California Regulatory Law Reporter.

Barrow joins the existing staff of the CPIL Director Professor Robert C. Pellmeth, San Diego Supervising Attorney and Editor of the Reporter. Following the yearlong course, many Center interns pursue (for additional credit) an advocacy project involving one of the agencies. In the past, these projects have included petitioning an agency to adopt or alter regulations, drafting model legislation, filing suit to enforce the Administrative Procedure, Open Meetings, or Public Utilities Commission regulations, or briefing issues on pending appeal. Students critique of publishable quality often appear as formal written opinions, and also satisfy the school’s written work requirement.

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**Bowman starts and finishes year with Moot Court victory**

Twenty-two competitors argued in the 1989 Criminal Law Moot Court Competition. This year’s problem asked comptitors to discuss the validity of Federal Statutes allowing the government to indict defectors in one country for failing to return to the country, rived money from their clients to pay for representation.

Blaine Bowman and Marcie Sinclair received best brief honors for competition and Blaine Bowman was awarded best oralist. Judge David Thompson of the 9th Circuit Court of Appeals presided over the final round.

Assistant United States Attorney Roger Haines and criminal defense attorney Michael Pancer also judged the final round. Ironically, Haines and Pancer argued against one another on a similar question to that presented in this competition. Oral argument was heard by Judge Thompson.

All three judges commented on the high quality of argument in the final round, and all competitors should be commended for their outstanding performance.

This year’s winners were: Blaine Bowman, First Place; Marcie Sinclair, Second Place; Suzy Moore, Third Place and Rich Cornell, Fourth Place.

A reminder to all competitors: Please come by the Moot Court office to pick up any briefs, acronyms or certificates that you have not yet received.

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**Editor’s note: Part of this story was omitted in the March 16 issue of Motions. We apologize for the error.**

**-Jef Doggett**
Bon voyage to Library as we knew it

Phase I has been completed and transfer of books will begin shortly. Renovations of the old portion of the library will begin this summer and is due to be completed by the end of next school year. This pictorial is a last look at the Kratter Law Library. Now say hello to the Kratter Legal Research Center.

Photos by Peter Allen
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Deadline to register is April 21.
Register now to receive price discount.
Juvenile justice issues by Clinic's Berend

By Nancy Carol Carter, Law Library Director

Library staff prepares for move into new Phase I addition

Do you hold any fondness for the law library building? It is time to get sentimental, as well as to bid farewell to rippling greenish carpets, sweatbox conditions during a Santa Anna and roach-ridden restrooms.

Students returning to USD for the summer session will be the first users of the completed portion of the new Legal Research Center. With the end of Phase I construction in May, the law library will completely move into the new five-level addition.

The library is firmly committed to continuing normal services in the existing building throughout this period. When the law school examination period ends. Then, sometime between mid-May and mid-June, depending on the exact completion date of Phase I, the law library will close for a move that is expected to take about one week. Every book, table, chair and pencil sharpener will be relocated. The existing building will be totally gutted when the Phase II renovation project begins in June.

Graduates who will begin their bar exam studies at the end of May are urged to seek a new conditioned calm of Coply Library as an alternative to the sure disruptions ahead at the law library.

The law library's one-year squeeze into the addition-only space of the new Legal Research Center is expected to present some challenges for the library staff and students alike. While determined to make materials available and offer the best possible services and study conditions, the library faces some barriers to ideal operation. The addition's three lower levels are designed to hold only a portion of the books and seating for the finished Legal Research Center. There are no circulation or reference areas designed into this part of the building and no conference rooms, typing rooms, computer rooms or other amenities. During the next year of temporary operation, everyone will enter the study areas through a door actually designed as an emergency exit in the lowest level of the finished building.

On the other hand, law students will enjoy for the first time a library which is beautifully decorated and designed. A large atrium brings natural light and a sense of openness to the center of the addition. Terra cotta and dark blue tiles add a touch of color and the windows open the space to attractive views across the campus. Students will work at new furniture specially designed for law student use and the building will be climate controlled, thereby affording a quieter and more comfortable place to work.

The reality in this particular case is that what could have turned out to have been merely a routine review of a minor's case as typically ordered by the court and which therefore did not necessarily lead to any punishment, now, because of the no-show, had become a violation of a court order, thereby subjecting the minor to the possibility of additional punishment.

Under the direction of that matter, Judge Berend moved through a series of cases in rapid succession, each proceeding lasting no longer than five minutes. Typically, the marshal would raise the boy or girl from one of the "holding tanks" or detention rooms located directly behind Department 1, and they would enter at the back of the courtroom. If parents were present, the probation officer would instruct that they be seated in the jury box. Meanwhile, the probation officer would step out into the front hallway and announce the proceeding which was to follow next before the court, thereby gathering in all parties and attorneys meeting outside and waiting for their call.

In one matter, a child of 15 or so was dressed in the marshall. He was blond and looked reticent and harmless; his apparent demeanor spoke only of meekness.
Juvenile court humane and somewhat fair

(Continued from Page 13)

As he walked in, he appeared disoriented and a bit shaky or nervous. The minor looked around the court nervously. However, once he caught sight of his father sitting in the jury box, he automatically released a smile and calmed down appreciably as he took his seat. "Ready?" queried Berend. "Ready," responded the probation officer, and the Matter of X began with the probation officer briefly introducing the facts.

As was true of all the cases that followed that afternoon, the child's attorney petitioned the judge to enter a denial of the allegation, which Berend did. Berend then ruled that the minor be detained in Juvenile Hall until his scheduled "readiness." A readiness is another pre-trial procedure in which one of a number of actions could take place, such as a plea bargain, a dismissal of the case or an admission to the court to aid in setting the time and date of the readiness; Berend would then confirm that appointment, and then move on to the next matter. (A readiness normally follows within two weeks.) The minor was then whisked away by the efficient marshal, who returned with the next minor in what seemed only a matter of seconds.

A typical detention hearing involves a determination of whether to release the minor under supervised conditions or to detain him. A typical conversation would proceed as follows:

Berend: "Does your son listen to you when you tell him things?"
Parent: "Yes, your Honor."  
Berend: "Do you tell him things?"
Parent: "Yes, your Honor. I ask him to wash the car, or take care of the lawn and the backyard and he does these things. He obeys me and usually behaves well."
Berend: "How late does he come home in the evening?"
Parent: "He always comes home in the afternoon, soon after school is out."  
Berend questioned the parent further and then questioned the minor similarly. Several factors may complicate the determination regarding home supervision. Depending upon the circumstances surrounding the particular alleged offense, the child may have been expelled or suspended from school, or the child may be involved with a neighborhood gang. Although the file report might be unclear about some of these matters, the duty attorney can often learn from the parties the exact disposition of some of these concerns, and in turn, relay this information to the court to aid in its determination. In some cases, Berend finds that it serves the best interest of all parties concerned to keep the minor out of Juvenile Hall, in the home, and back in school if possible.

In such cases, Berend might order that the child be placed under home supervision until the readiness. Frequently, ordered conditions of home supervision were: 1) to go straight to and from school without any detours if permitted back to school; 2) not to leave the house unless escorted by a parent; and 3) to not wear any gang colors or associate with gangs. Berend would then remind the child of penalties which would result if her orders were violated in any way.

Juvenile Justice Ups and Downs

As noted above, Berend regrets he cannot spend more time as a pro tem in Juvenile Court. "I enjoy it here and like the people I work with very much. I wish I had more time," he notes. Her sentiment becomes quite clear when other members of the community are heard on the subject. For instance, the people in the dependency court of Department 8, namely Marshal Jury Mason and Referee Mike Imhoff, appear unanimously jovial, friendly and garrulous, despite all the commotion and hectic scheduling that goes on through the halls and offices of Juvenile Court.

Typically, Mason is found directly in front of the doors of Department 8 trying to locate and gather together all the relevant parties to upcoming cases. This is no easy task, but Mason is calm and always smiling. He said that despite the hectic bustle of people maneuvering in and around the courtrooms, the juvenile system is rather well-seasoned as a judge. A typical conversation would proceed as follows:

Berend: "What do you think he is going to do?"
Parent: "He is going to go to Juvenile Hall, in the home, and back in Juvenile Court.
Berend: "Is it going to be the same thing?"
Parent: "Yes, it is going to be the same thing.
Berend: "Are you satisfied with the way he is being handled?"
Parent: "Yes, yes, yes,..."
Berend: "Has it been a problem?"
Parent: "No, no, it has not been a problem.
Berend: "How much time of your time do you spend with him?"
Parent: "Well, I spend a lot of my time with him.
Berend: "How much time do you spend with him?"
Parent: "I spend a lot of my time with him."
Berend: "Does he obey you?"
Parent: "Yes, he always follows your rules."
Berend: "Do you have any more questions?"
Parent: "No, I do not have any more questions."
Berend: "Okay, we are going to release him."

Clinic Co-director Laura Berend level. By expanding budgets, increasing salaries, among other things, and an even larger and more appropriate number of people could be enlisted to handle the vast amount of work inherent in the sound and fair administration of San Diego's juvenile justice system. Ultimately, values must be re-evaluated; state and local officials need to look at their budget allocations anew.

Later library hours during pre-finals study period, finals

The Law Library will be open 8 a.m. until midnight, seven days a week from Sunday, April 16 through Thursday, May 11. This extends Friday and Saturday hours by two during this period, due to popular demand. The library will resume its regular hours Friday, May 12.

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Annual auction features outings with faculty

Wiggins, Snyder study fast track's effects, efficiency

by David Bradwell

On January 1, 1987, the San Diego County Superior Court began its experimental "fast track" court management system. Two years later, two USD law professors would like to know if the judges and attorneys operating within the "fast track" system in San Diego have been enjoying the ride.

It is only two years since the Superior Court has been operating under a set of rules designed to speed up the litigation process in civil suits. The stated goal of the "fast track" system, which was authorized by the state legislature's Trial Court Improvement Act of 1986, was to resolve all civil suits within two years.

With the initial two years under fast track concluded, Professors Charles Wiggins and Alan Snyder are beginning a study to determine if the ambition goals of the "fast track" court management system have been fulfilled. Both Wiggins and Snyder are interested in the quicker tempo of fast track litigation. They are also interested in how the alterations have altered the process of civil suits for both lawyers and litigants.

Wiggins and Snyder are both native Californians. Wiggins is a superior court judge in San Diego. Wiggins and Snyder left the "fast track" system to study the court's computer case records and the legal system. Wiggins feels that this effect may be remedied by building more courtrooms.

In adjusting the complaints considered

For the last two years, as the system has been fine-tuned, both Wiggins and Snyder have frequently been amended in the rules. Wiggins feels that this problem may be remedied by building more courtrooms.

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Wiggins says that the disputes make this study all the more timely. "People have opinions on fast track, but there is no hard empirical evidence on it," he said.

"The fast track program is designed to handle all cases within two years, but we'd like to see how effective the system actually is."

We are offering to pay for $4 and reach 1,300 students and in-coming students.

The Law Alumni Association hopes to offer something for everyone this Spring. Saturday, May 13 the Alumni Association presents an evening at the San Diego Symphony's Nickelsonde house. The feature movie is "The Pirate," starring Douglas Fairbanks. Cost for the evening is $22.50 per person.

The package includes a light buffet dinner at Tambo de Oro, the symphony program, validated parking and popcorn at the movie. Tickets may be reserved with full payment to the USD Law Alumni Association through Tammy Muir in Room 203F in the Law School. Payment must be made no later than Friday, May 5. Tickets will be mailed.

Wiggins and Snyder said that these questions will be addressed in the study. Whatever the final result, the consensus seems to be that the fast track system will be around for a long time to come.

"I think the notion that cases are going to take five years to try is just not accept-
able," Snyder said. "The question is, which fast track is going to be here? And what will its structure be?"

"We're going to look at what the subjective complaints are and try to see whether the complaints are transitional," said Snyder. "If complaints are still being made about the fast track, we don't think it will be an efficient and effective system."

Wiggins says that the complaints are just attorneys being educated into a new system. If that's true, maybe the system will work more effi-
ciently and effectively after everyone fig-
ures out what the rules are.

The fast track has been accelerated, pace, at times threatened to over-
whelm the judicial resources of the Su-
i erior Court, the Superior Court has been often forced because of a shortage of courtrooms to rent out hotel rooms to try civil cases. Wiggins feels that this problem may be remedied by building more courtrooms.

"Another possible long-term effect of the fast track rules is the alienation of litigator specialists. As Wiggins explains, the tighter deadlines make it almost im-
possible for some attorneys to become full-
time litigators.

"It would not be surprising to me to see a litigation specialty developing under the fast track system," Wiggins said. "We may be seeing the emergence of a two-tier system, with some cases subject to the same time limits, while others are being saved in a two-tier system. (England's legal system involves lawyers who are not allowed to hand off to solicitors by solicitors who have prepared the cases.)"
BAR/BRI v. BARPASSESSERS

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3. BAR/BRI lectures are taught by ABA law school professors experts in their field and great teachers; e.g. Arthur Miller, Charles Whitebread, Assoc. Dean Catherine Carpenter— Dean Janet Kerr, Stanley Goldman.

4. BAR/BRI allows you to learn the law before attending class. The BAR/BRI outlines teach you the law. The lecturers then highlight the issues that are most commonly tested and give hints on exam techniques.

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6. BAR/BRI texts are written in easy-to-read and retain outline format. They are updated each year to make sure their enrollees have the most up-to-date law.

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9. BAR/BRI provides students with a MINI REVIEW VOLUME: Capsule outlines condensing all subjects into hard reinforcement.

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1. Barpassers prepared approximately 10% to 15% of the students taking the bar exam last summer in California -total.

2. Barpassers is a video presentation and provides only audio tape instruction for 25% of the subjects.

3. Barpassers is mainly taught by one attorney (at least 1/2 of the subjects), who professes to be an expert on all of the subjects.

4. Barpassers uses flowcharts. Students spend most of their time in class learning how to use the chart, not learning the law.

5. Barpassers has a Sales promoter as their Northern California Director in the San Francisco office.

6. Barpassers outlines are not as complete nor as easy to follow.

7. Barpassers assigns 3 essays per subject but recommends that you do only one.

8. Barpassers has been in existence for less than four years.

9. Barpassers course provides no capsule outlines.

10. Barpassers has no transfer policy because it is offered in no other states.

All information presented is based on printed material, telephone inquiries and observations at course locations in 1988.

For additional reasons why more than 80% of the California law students took BAR/BRI last summer to prepare for the California bar exam contact:

California

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BAR REVIEW