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Sports Center
Finishing touch: Handcraft decorative molding is installed above the entrance to Olin Hall, a $2.7 million facility for the University of San Diego's School of Business, said M.H. Golden Co. Architects Tucker, Sadler & Associates designed the hall to blend with the 15th century Spanish architecture characterizing the entire university. Olin Hall is nearing completion.
Innocent by reason of...

The insanity defense — protection for the mentally ill or manipulation of the legal system by clever criminals?

By Frank Green
Staff Writer

I t was a particularly grisly murder.

Mary Ellen Martinez, 15, had been strolling along the fringe of Tecolote Canyon in early August of 1978 when she was accosted by a man with a knife. He dragged her into the canyon, gagged her with a nylon stocking, bound her hands behind her with a hootack, then slit her throat.

Construction workers near the scene of the crime later convinced the man — Richard Jose-Jordan Thomas — and held him until the police arrived.

At Thomas’ trial a few months later, the focus of the case centered not on his part in the killing — both the defense and the prosecution agreed on that point — but on whether he was sane or insane at the time the act was committed.

The jury heard Dr. George S. Rader, a San Diego psychiatrist speaking for the prosecution, testify that there was no impairment of Thomas’ capacity to form an intent to kill, harbor malice or premeditate a crime — part of the state’s criteria for determining insanity at the time.

But a local defense psychiatrist, Dr. Thomas Rodgers, took a contrary opinion. Thomas, he said, suffered from “a major mental disorder” and could not be held responsible for his actions.

Rodgers’ arguments were subsequently rejected by the jury, which found the defendant guilty.

While Thomas’ case has been resolved — he is now serving a life sentence at the California Men’s Colony in San Luis Obispo — it points up a debate that continues to fester in the medical and legal community over the merits of psychiatry in the courtroom.

The issue centers on the insanity defense and the perception by much of the public that an inordinate number of mentally competent criminal defendants are escaping punishment by manipulating the court process to adjudge them innocent by reason of insanity.

The concern is misplaced, say local trial lawyers and judges, who cite figures that less than one percent of felony indictments nationally result in the use of the insanity defense, and that the defense is successful less than one-third of the time. Additionally, they say, the percentage of defendants judged to be mentally disordered at the time of trial has remained constant during the past two decades.

And a recent report of the National Commission on the Insanity Defense — funded by the National Mental Health Association, and headed by former U.S. Sen. Birch Bayh — found that defendants who are judged insane spend an average of twice as much time in a mental institution as the average felon does in prison. The study also revealed that recidivism rates for insane defendants are, on the average, no greater than for convicted felons.

But a handful of notorious cases has served to fuel public doubts about its use. Richard Speck, killer of eight nursing students in Chicago in 1966, was found competent.

The jury and judges in these cases subsequently found the defendants to be sane at the time that they committed their heinous crimes.

But two recent cases have brought the controversy back into the headlines. John Hinckley two years ago was found not guilty by reason of insanity of trying to kill President Reagan, and former San Francisco supervisor Dan White received a seven-year sentence for voluntary manslaughter after pleading “diminished capacity” — a vague legal form of insanity — in the murders of San Francisco Mayor George Moscone and Supervisor Harvey Milk.

The public uproar following these two verdicts helped push the American Medical Association last year to change its stand on insanity defense.

At its annual meeting in Los Angeles in December, the AMA overwhelmingly approved a resolution recommending the abolition of the insanity defense in criminal trials.

AMA president Dr. Joseph F. Boyle said that it was “the only really logical conclusion” of the debate over which defendants should be allowed to plead innocent by reason of insanity.

“If our policy had not been adopted earlier, it would have prevented Dan White from pleading diminished capacity and John Hinckley would have been found guilty of having the intent to kill the President,” he said.

Both the American Bar Association (ABA) and the American Psychiatric Association (APA) strongly denounced the AMA’s position.

See INSANITY on Page D-4.
The Insanity Defense

Numerous formulations exist for legally establishing insanity, among them tests at the federal court level, tests in various states, and tests proposed by legal and medical associations.

Four tests most commonly referred to by legal experts are listed below:

**FEDERAL COURT** — The Ninth Circuit Court of Appeals has adopted a test of insanity which specifies that "a person is not responsible for criminal conduct if at the time of such conduct he acted as a result of mental disease or defect, he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law."

**THE M'NAUGHTEN TEST** — This test, based on a 140-year-old criminal case and still used in a number of states, specifies that a jury, "to establish a defense on the ground of insanity, it must be clearly proved that, at the time of the committing of the act, the party accused was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing; or if he did know it, that he did not know he was doing what was wrong."

**CALIFORNIA** — The state, which used the M'Naughten test until two years ago, now stipulates that "the trier of fact shall find the accused person insane only when the accused person proves by a preponderance of the evidence that he or she was incapable of knowing or understanding the nature and quality of his act or her act and of distinguishing right from wrong at the time of the commission of the offense."

**THE AMERICAN BAR ASSOCIATION** — The ABA proposed last year that the definition of insanity be standardized. The ABA approves "a defense of nonresponsibility for crime which focuses solely on whether the defendant, as a result of mental disease or defect, was unable to appreciate the wrongfulness of his or her conduct at the time of the offense charged."

The Insanity Tests

The Insanity defense, Sevllla said, would have been broadly used if not for the AMA vote. With the AMA's resolution, states have since overhauled insanity defense laws.

Idaho, Montana and Utah have abolished the defense, and about 25 other states are contemplating radical changes in its application.

The American Bar Association in Washington, D.C., reports that legislation under consideration in these states ranges from requiring the defense to prove a defendant's mental incompetence, to requiring the prosecution to demonstrate a defendant's sanity.

And California, which once allowed for a broad range of defendants to make an insanity defense, has in the last two years narrowed the ways in which it can be applied by criminal defense attorneys.

Earlier this year, the state Court of Appeal upheld a portion of the Victim's Bill of Rights — passed as Proposition 6 by California voters in 1982 — that restricts the use of the insanity defense.

Under Proposition 8, a defendant can only be declared insane if he proves both that he could not distinguish right from wrong and that he was incapable of knowing and understanding the nature of his act.

Previously, a defendant pleading insanity was required under provisions of the 140-year-old M'Naughten Act to prove only one of the two criteria.

Proposition 8 has had a profound effect on the judicial system, according to the state Mental Health Department, which reports that criminal insanity verdicts in California have dropped by half in two years.

Under the M'Naughten standard, an average of 200 defendants a year over the last 15 years were found innocent by reason of insanity. But last year, that number dipped to 134 insanity verdicts.

The result, say some critics, has been to confine in state prisons hundreds of mentally incompetent people who are in need of treatment.

Charles Sevilla, a former chief deputy state public defender who now practices criminal law in San Diego, estimates that 17 percent of the state's 35,000 prisoners have "significant mental problems."

"Crazy, assaultive, violent people are being put in cages — very crowded cages — instead of getting help for their mental problems," said Sevilla, a member of the California Attorneys for Criminal Justice. "Given a fixed sentence that has no bearing on their mental condition, they are eventually released from prison and are at least as crazy as when they went in. We expect them to come out of prison and act like normal, law-abiding citizens. But many can't, and only end up committing more violent acts."

A spokesman for the state Board of Corrections disputed Sevilla's estimates on the number of mentally ill prisoners currently in the general prison population.

"We have maybe 3,000 prisoners under some form of psychiatric management," said spokesman Phillip Guthrie, adding that his agency "questions whether or not Proposition 8 has added significantly to the number of mentally ill in the prison system. We don't have the records at this time, so we just don't know for sure. But we doubt that the number has swelled."

Sevillia said that the insanity defense was not formulated "by bleeding heart liberals looking to put criminals back on the streets as soon as possible," but by a judicial system attempting to cope with mental illness as humanely as possible.

He referred to one of his recent cases in which a man killed his wife in the belief that he was acting on instructions from God. Although two psychiatrists testified to the defendant's mental instability, he was nevertheless found to be sane under current California law.

"It's unfortunate that California has essentially banned the insanity defense," Sevilla said.

While split on the way California has handled the controversy, most legal and medical professionals interviewed for this story advocated retaining the insanity defense in some form.

Grant Morris, a law professor at the University of San Diego who has written extensively on the subject for the Federal Bar Association, said the insanity defense "only in those truly exceptional cases in which defendants were found unable to control their behavior and were unable to conform to the dictates of society."

Morris is enthusiastic about recommendations being formulated by the ABA to help clarify various aspects of the insanity defense for all parties involved in criminal trials.

One proposal, said Morris, would standardize a judge's instructions to juries on how they should interpret a psychiatrist's testimony, and how they should weigh the testimony in regards to other evidence.

A few expert witnesses who have been involved in numerous cases where the insanity defense has been invoked have mixed feelings about its use.

Dr. Thomas Rodgers, one of the defense psychiatrists in the Richard June-Jordan Thomas case, said he is of two minds regarding the defense's implementation in court cases.

"On the one hand, I think that it should be abolished, because the law in this matter is so convoluted, and so difficult for a jury to understand," he said. "In my experience, very few of these sort of cases are successful for the defense because juries get confused by the rules and regulations of what insanity means. So juries end up making a decision at the time basing their decisions on other evidence."

Yet, he continued, "we are still faced with the real problem of mentally ill people committing crimes."

Rodgers said that he has witnessed a dramatic increase in the state's prison population of severely mentally impaired people.

The bottom line is that some of these people need protection, he said, adding that he would favor the concept adopted by Michigan and Illinois that allows for verdicts of guilty, but mentally ill, in appropriate cases.

Under this system, some prisoners are hospitalized initially and then jailed, while others receive treatment during confinement in prison.

Regardless of how the question is eventually resolved, one element of the controversy that is sure to remain constant is the influx of mentally ill people into the purview of the criminal justice system.

"Like the poor, the mentally sick you will always have with you," said one local criminal court judge. "Our goal should be to fashion a program that protects, as humanely as possible, both them and us."

"If that means that a few underserving defendants misuse the system to their benefit, then that is the price society is going to have to pay if we want to retain our basic sense of morality and justice," he said.
Senior Scene

Council helps seniors with insurance

By Julie Pendray Steiner
The Times-Advocate

The Senior Service Council at the Escondido Joslyn Senior Center offers help to seniors who wish to claim Medicare or insurance. Volunteers help seniors fill out forms and discuss the types of health insurance available. The service is offered from 1 to 3:30 p.m. on the first four Thursdays of each month. For an appointment call 480-0611, Monday through Friday, from 1 to 4 p.m. The center is located at 724 N. Broadway in Escondido.

The Joslyn Senior Center, 724 N. Broadway, Escondido, will be closed on Saturdays during July and August, with the exception of the Senior Dances at 7 p.m. Bingo will continue on Sundays.

The Rancho Bernardo Unit of Scripps Clinic Auxiliary needs volunteers to assist with medical records and to help at the lobby information desk. Volunteers also work in supply, pediatrics, laboratories and obstetrics. Application forms are available at the clinic’s information desk, 1870 W. Bernardo Drive, Rancho Bernardo. For information call 487-7565.


All books are co-published by the AARP and are for sale in bookstores, or by writing AARP, 1900 K St., N.W., Washington, D.C. 20006.

Among the 37 topics offered are “Tourism: The Hospitality Industry,” “Border Enforcement,” “Latin America in World Affairs,” “Human Future on Mars” and “Nuclear War: Fiction and Reality.” Other lectures will discuss business, health care, nutrition, senior services, business, marketing and economics.
Third Age College Course Opens July 9 at U. of S.D.

USD's special program for seniors 55 years or older, the Third Age (U3A), will begin its summer session July 9 and continue through Aug. 9. Tuition is $55. USD Continuing Education, 293-4585.

Now in its 6th year, U3A is a program of physical fitness sessions and a variety of lectures. It meets Monday thru Thursday, 8:30 a.m. - noon.

Enrollment is open to persons 55 or older who are in reasonably good health and can provide their own transportation to and from the USD campus off Linda Vista Rd.

U3A's opening session will begin on July 9 at 10 a.m. in the Douglas F. Manchester Executive Conference Center; thereafter each day will begin at 8:30 a.m. with an hour of physical exercise at the USD Sports Center, followed by classes in the Manchester Center.

A wide variety of topics will be covered beginning with associate professor of nursing Patricia Roth's presentation "Thriving Not Merely Surviving." Roth advises that the second half of life can be a time of growth, a time to expand ideas and engage in new activities.


Other lectures include topics in business, health care, nutrition, senior services, business, marketing, economics.

Chief of Senior Citizens for the City of San Diego Evelyn Herman said, "This is an opportunity for seniors to expand their horizons, to learn without the pressure of exams, papers or grades."
On Tuesday at 7:15 a.m. Mal Rafferty, director of continuing education for the University of San Diego, will speak to the Kiwanis Club of Imperial Beach/South Bay about "The Irish Question" at Lydia’s Cafe, 1628 Palm Ave., San Diego.
Special USD program for seniors starts tomorrow

By Marianne Martinez

The University of the Third Age (USA), University of San Diego's special program for seniors, will begin its summer session on July 11. USA combines physical fitness sessions and a variety of lectures; it meets Monday through Thursday from 8:30 a.m. to noon. Enrollment is open to those over 55 years of age who are in reasonably good health and can transport themselves to the USD campus off Linda Vista Road. Tuition is $25.

Today's opening session will begin with a lecture at 10 a.m. in the Douglas F. Manchester Executive Conference Center. Subsequent classes will begin with an hour of physical exercise at 9:30 a.m. at the USD Sports Center, followed by classes in the Manchester Center. The summer session will end Aug. 9.

Patricia Roth, associate professor of nursing, will present "Thrive: Not Merely Surviving" as the initial course topic. Roth, who advises that the second half of life can be a time to engage in new activities, said, "The old ways of living no longer seem to apply ... indeed, the challenge is to do more than just survive. It is a time to thrive."

Other lecture topics are business, health care, nutrition, senior services, marketing and economics. For more information, call 294-4585.

CIRCUS: Discount tickets for seniors for the Ringling Bros. and Bar-
ton & Bailey Circus are available for the 1:30 p.m. show July 18 and 19. Tickets must be purchased at Senior Citizen Services, 202 C St. Cost is $6. For more information, call 236-5785.

DANCE: Singles dances, sponsored by the non-profit Coteriens of San Diego, will be held from 8 to 11:30 p.m. every Saturday at the Vasa Hall, 3064 El Cajon Blvd. Tickets cost $3 or $3 for a year's membership, with profits donated to local charitable organizations. Live music is provided.

EDUCATION: "Art In the Park," a summer course that will examine the lives and works of several prominent artists, will begin Wednesday. The four-week class, sponsored by Educational Growth Opportunities (EGO), will be held at 4757 Park Blvd. from 1 to 3 p.m.

EGO will also sponsor "Musical Theater at Its Best — Big River. The adventure through Huckebery Finn," a short course that will consist of two lectures and a play. Lectures are scheduled for July 12 and 19 and the play is set for July 14. For reservations, call 294-9466.

Instructors and course coordinators are being sought by EGO. Of particular interest are teachers for enrichment classes in science and humanities. No credentials or university teaching experience are necessary. For further information or an application, call 294-9466.

EXERCISE: One-hour exercise classes are offered every Monday, Wednesday and Friday at 7:10 and 8:15 a.m. at Chula Vista Adult School. Stretch and tone exercise classes for seniors are offered every Monday and Wednesday from 9:30 to 10:30 a.m. at College Lutheran Church. For more information, contact the TWCA at 583-3031.

A senior exercise class is held every Monday, Wednesday and Fri-
day from 7:10 to 8:10 a.m. and from 8:15 to 9:15 a.m. at Bay Hospital Med-
icenter's Health Information Center, 1180 Third Ave., Chula Vista. Instructor Judy June, of the Chula Vista Adult School, will lead participants in stretching exercises and dancing to music at their own pace. For more information, call 429-3520.

The Point Loma Family Fitness Center, 3845 Midway Drive, offers one-hour exercise, trims and dance classes for seniors every Monday, Wednesday and Friday at 10:30 a.m. Course conductor Rita Kimmery is also available as counselor for those with special needs. For information about free counseling, call manager Steve Berryman or Rita at 243-3902.

HEALTH: Recreation therapist Christie Hoffman will lead a discus-
tion titled "Friends Can Be Good Medicine" on Wednesday from 1 to 2 p.m. at the Health Information Center, 1180 Third Ave., Chula Vista. Chula Vista's Health Information Center will provide free hearing screenings July 24 from 10 a.m. to noon at 1180 Third Ave., Chula Vista. Free blood pressure checks are also offered at the Health Information Center every Friday from noon to 3 p.m. For more information, call 429-3520.

MEETINGS: Dr. Jack Fisher, professor of surgery at UCSD Medical Center, will be the guest speaker Friday at the weekly "To Your Health" meeting from 2 to 4 p.m. at Horton House, 333 G St. "San Diego Sunshine and Skin Cancer" will be the topic of discussion.

San Diego Chapter Four of the National Association of Retired Federal Employees will meet Monday at 7:30 p.m. at the War Memorial Building in Balboa Park.

MUSIC: "Fiedler's Favorites" will be the theme of the San Diego Sym-
phony's summer Pops concert Wednesday at Hospitality Point, Mis-
ion Bay. A picnic area will be available at 8:30 p.m. and the concert will begin at 8:30 p.m. Tickets cost $8.50, $11 and $15. Allied Home Health Association will sponsor the concert to increase its Patient Assistance Fund. For more information, call 296-5464.

THEATER: "A Case Of Life," a courtroom drama set in the early 1960s, will be featured Wednesday at the Gaslamp Quarter Theatre, 557 Fourth Ave. Coffee and dessert will be served to the audience and cast following the performance, and escort services will be provided free from all downtown locations by the Guardian Angels. Admission is $4.50. For information and reservations, call 234-9689 after 1 p.m.

TRIPS: The following are some trips for seniors sponsored by various organizations:

Adventures Tours Ltd: Catalina weekend, July 20 to 22, $129 per person; Catalina Island Holiday, July 21, $36; Ewemada one-day tour, July 23, $20. For more information, call 275-9669.

Meals-On-Wheels North City Division: Laguna Arts Festival, Aug. 2, $25. For more information, call 276-3650.

Friendship Tours: Mount Laguna and Julian, July 12, $17; Tijuana Bullfights and Cultural Center, July 15, $35 includes lunch and admission; Olympic Preview and Festival of Masks, July 21, $23.50; Monterey Bed and Breakfast/Santa Cruz Roaring Camp Train, July 24 to 28, $299. For more information, call 563-8766.

Trips with Neil & Kitty, Carson City and Reno, Aug. 27 to 31, $218. For reservations, call 271-6578 or 748-2601.

Spring Valley Seniors: Yosemite and Mammoth, Aug. 26 to 30, $230; Laguna Art Festival, Aug. 21, $35; Las Vegas, Sept. 24 to 28, $175; Can-

Items for the Senior Scene column are welcome and should be received by the Wednesday before Sunday publication. Address contributions to Senior Scene, The San Diego Union, P.O. Box 191, San Diego, 92112. Please include a phone number.
SAN DIEGO — The University of the Third Age for folks 55 and older gets underway tomorrow at USD (University of San Diego).

Now in its sixth year, U3A is a program of physical fitness sessions and a variety of lectures on 37 topics ranging from exploration of outer space to politics and tourism.
6 fires scorch 7,000 acres in state; 2 still burning

LAKE ISABELLA (AP) — Two of six fires that scorched 7,000 acres in California continued to burn today, including a 5,000-acre blaze in Sequoia National Forest that destroyed two mobile homes and a car.

About 1,000 firefighters from three states were on the lines of the Sequoia blaze burning three miles south of Lake Isabella in Kern County. There was no estimate of when it would be contained, a U.S. Forest Service dispatcher said early today.

"It's not going as well as we would like. We had some lines that it got over and it seems to be going along pretty well," said the dispatcher, who did not identify himself.

In Orange County, 30 miles southeast of Los Angeles, a blaze that scorched 800 acres of grazing land along Highway 91 was expected to be contained today, fire department spokeswoman Jody Greenhalgh said.

The scorched Sequoia acreage is 120 miles north of Los Angeles in the southern reaches of the Sierra Nevada. The greater portion of the national forest and Sequoia National Park lie well to the north in Tulare County.

The mobile homes burned in the Valley View area south of the town of Bodfish. About two dozen unoccupied summer cottages in the area remained susceptible to the blaze, Forest Service spokesman Art Cowley said Sunday.

The Sequoia blaze was fought by firefighters from California, Arizona and New Mexico, assisted by 13 air tankers and seven helicopters, the forest service said.

Cause of the fire, which started Saturday, was under investigation.

Firefighters had to contend with 100-degree temperatures and humidity down to 15 percent on Sunday, Cowley said.

Three firefighters suffered injuries during the weekend, Cowley said.

There were also three minor injuries among the nearly 900 firefighters on the Orange County blaze, Greenhalgh said.

Winds that were a problem Sunday afternoon had abated, she said early today.

The fire was started by illegal fireworks Sunday morning, Greenhalgh said.

Brush left extra-dry by the mostly rainless winter and the summer heat contributed to other fires around Southern California over the weekend.

A 750-acre brush fire near Frazier Park in Los Padres National Forest, and another that burned 700 acres north of the Sequoia blaze were controlled Sunday.

The 700-acre blaze in the Domeland Wilderness area 25 miles north of the huge Sequoia blaze was ignited Thursday by a lightning bolt, Cowley said.

A 10-acre fire in San Diego's Tecolote Canyon forced temporary evacuation of 75 people from two dormitories of the adjacent University of San Diego campus Sunday. The flames were contained in 40 minutes, fire information officer Bob Radder said.

Two boys, ages 14 and 15, were arrested for investigation of playing with illegal fireworks, Radder said.

It was a big weekend for wildland fires in northeastern California, but officials say the damage was slight even if the acreages seemed large.

Lightning storms Thursday began 25 fires in the Susanville area that had to be fought, most being quickly brought under control.

But some grew into big fires quickly.

Fire information officer Alan Hoffmeister of the Susanville Interagency Fire Center said late Sunday that the first big fire, about five miles northeast of Doyle, was brought under control Saturday afternoon after blackening 3,100 acres.

When that was done, the 300 fire fighters and their equipment were sent to two other major fires in the Ravendale area, straddling the California-Nevada border about 60 miles northeast of Susanville.
Discounts offered for ‘My Fair Lady’

Starlight was the ticket to saving money on the upcoming performances of the classic "My Fair Lady." At Tuesday and Wednesday performances, seniors save $3 and get a $2 discount on other evenings.

The University of San Diego’s monthlong special seniors’ session, Senior Living, begins a program of mental and physical exercise this week. Tuition for the program is $55; enrollment is open to people who are 55 or older, in reasonably good health, and can provide their own transportation to the USD campus. For information, call USD’s Continuing Education Office at 293-4585.
Students attending conferences at the University of San Diego were evacuated from four dormitory buildings yesterday afternoon when a fire burned 10 acres of brush in Tecolote Canyon.

Two teenagers were cited for setting a brushfire with fireworks, officials said. Bob Radder, a spokesman for the San Diego Fire Department said there were no injuries and no structural damage to any of the USD buildings.

"Somebody was smart to pull the alarm so fast," said Shawn Bacile of Dallas, a summer school student working on university conference. "The staff went room to room and made sure everyone was out. They checked the bathrooms and closed all the doors and windows."

Carol Davis of Merced, a school teacher working as a conference volunteer, told a group she was with that she smelled marijuana.

That's not pot, it's incense," someone told her. "We looked out and saw smoke, and quickly went to see what was going on. They had us go to the football field, and then told us to stand by our cars in case we had to move them."

Radder said a green belt planted between the dormitories and the canyon brush helped prevent the three-alarm fire from spreading.

"We were able to make a good stop on this one," Radder said. "The university has done a tremendous job with their green belt. It is exactly what we are telling people to do around their homes."

"The fire starts at the bottom of the canyon and it acts just like a chimney, with the wind bringing the embers right up. The fire stopped at the green line and gave firefighters a chance to work near the buildings."

Jim Mathie, a security officer at the school, said he did not know how many of the dormitory rooms were occupied at the time of the fire. Some occupants already had checked out upon completion of one conference and others had not yet registered for the next conference. Smoke damage was the extent of the problem with the buildings, he said.

Radder said 75 firefighters and 19 pieces of equipment responded to the 4:30 p.m. alarm, and that they had the fire under control within 30 minutes.
El Cajon, CA
(San Diego Co.)
Daily Californian
(D. 100,271)

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Allen's P.C.B. Est. 1888

FITNESS/ The University of San Diego's health and fitness program for seniors 55 or older who are in reasonably good health and able to provide their own transportation to campus begins July 9 and ends August 9. "The University of the Third Age" is a program of physical fitness sessions and lectures, meeting Monday through Thursday, 8:30 a.m. to noon. Tuition is $55. The first class will meet at 10 a.m. at the Douglas F. Manchester Executive Conference Center. The rest of the classes consist of an hour of exercise in the Sports Center, followed by a class in the Manchester Center. For more information, call 293-4585.
Boys may be prosecuted for fire near USD

By Preston Turegano
Tribune Staff Writer

The district attorney's office was expected today to decide if two teenagers from Texas should be prosecuted for playing with firecrackers and starting a grass and brush fire in Tecolote Canyon yesterday.

The fire burned within 12 feet of student dormitories and a conference hall at the University of San Diego. The buildings were hastily evacuated.

Fire Department spokesman Bob Radder said two boys, ages 14 and 15, were taken into custody and questioned after witnesses reported seeing them playing with firecrackers on the eastern end of the canyon.

"They admitted they started the fire," Radder said. He said the youths were charged with reckless settling of a wild-land fire. The youths, who were not identified but who arrived here recently from Texas, were released. The case has been turned over to the district attorney's office for further disposition, Radder said.

The fire, which burned behind the USD soccer field and dormitories facing the 5900 block of San Dimas Avenue, was first reported at 4:22 p.m. and upgraded to a second alarm within six minutes. A third alarm was sounded at 4:46 p.m. Containment came at 5:53.

Campus police and firefighters evacuated occupants from dozens of dormitory rooms, most of which are vacant for the summer. Other people were attending a conference in a meeting hall adjacent to the student apartments. There were no injuries reported.

About 60 firefighters doused the fire with water from hoses linked to fire trucks and USD hydrants. Ice plant growing on a canyon slope behind the dorms prevented the fire from burning any structures.

The fire was fanned by a strong westerly wind, which moved the blaze away from a residential area about half a mile to the east of the dormitories.

Marty Marugg, Fire Department assistant communications officer, said 10 acres of chaparral burned.
Teens started fire

Two out-of-state teen-age boys, attending a weeklong conference on values at the University of San Diego, have admitted starting a fire that burned 10 acres in Tecolote Canyon on Sunday.

The youths, ages 14 and 15, told investigators they were setting off firecrackers in the canyon.

The boys will undergo a counseling program with firefighters.
Prayer will be the subject of a lecture to be given by Sister Jose Hobday, a Roman Catholic nun from Denver, at 7 p.m. Friday at the Douglas F. Manchester Conference Center at the University of San Diego. Admission is $4.50.
U.S. Olympic basketball team literally has arrived

By T.R. Reinman

"It'll be good to get there and be able to settle in for awhile," said a member of the U.S. Olympic men's basketball contingent yesterday from Milwaukee.

And, finally, that day has come. The team arrived here today and is staying and practicing in town until its first Olympic game July 23 in Los Angeles.

It's good for the team because its barstomring days are virtually over. In the last two weeks the team has played NBA All-Stars in Bloomington, Ind., Providence, R.I., Minneapolis, Iowa City, Indianapolis, Greensboro, N.C. and Milwaukee, where they won last night, their seventh straight win in this series, 94-70.

The Olympics' only trip before going to L.A. is to Phoenix next Saturday for another date with the NBA All-Stars. Their last game against the pros will be at the Sports Arena July 25 at 8 p.m., following a game between the U.S. women's team and a men's team from the Southern California Summer Pro Basketball League. Tickets are available at Ticketmaster and the Sports Arena box office.

Also, here the men's team will scrimmage against various teams in the SCPBL now in session at San Diego State. The Olympics' home court will be the USD Sports Center, where the daily practices will be closed to the public.

"There are still some wrinkles to be ironed out," said U.S. assistant coach George Raveling, "but we've made very meaningful progress. Early on the defense was somewhat ahead of the offense, but that was almost to be expected when dealing with what essentially is a team of all-stars." All-Stars? Try to find a starting five somewhere in this bunch: Michael Jordan, the College Player of the Year, and his North Carolina teammate, Sam Perkins. Pat Ewing, the most imposing center in the college game today and the leader of NCAA champion Georgetown. Oklahoma's Wayman Tisdale, the only player in history to earn All-American honors in his first two collegiate seasons. Indiana's Steve Alford and Leon Wood of Fullerton State, a pair of dynamic point guards. Chris Mullin of St. John's, Mr. Instant Offense. Alvin Robertson from Arkansas, a defensive ace who also is second on the club in rebounding and assists.

"We're running a motion offense," said Raveling, the Iowa coach who, along with C.M. Newton of Vanderbilt, is assisting Indiana's Bobby Knight. "That has meant making an adjustment for some of these players, whose college teams essentially revolved around them. But we couldn't ask for more in terms of attitude from a group of 14 young men. Every one of them is a star and yet they've worked so hard and from such a standpoint of humility. It's been mind-boggling.

It also probably has been that way or the highway with Knight at the helm. But as Raveling says, "It will make better ballplayers out of them in the long run."

"In the short run, there are the Games, with basketball being played at the Forum. The U.S. is in the B pool, along with China, Uruguay, Spain, Canada and France. Italy, Yugoslavia, Australia, Brazil, West Germany and Egypt comprise the A pool. After playing each team in their own division once, the top four teams from each pool will make the quarterfinals, which begin Aug. 1. The first game for the U.S. is against China July 23."

Missing, of course, are the Russians and the potential for a game between them and the U.S. team. Raveling called that "obviously a game basketball devotees would like to see."

But he also pointed out that it wasn't an automatic matchup even if most of the Communist bloc nations hadn't boycotted the Games, since they would have been in the A pool. And there will be no tarnish on the U.S. medal, whatever color it is.

"Remember, the Russians didn't even win the gold when the Games were held in their own backyard," said Raveling, referring to the '64 Moscow Games where the Soviets took the bronze behind champion Yugoslavia and silver medalist Italy. "Our players have had enough international experience in past years to know that even without the Russians in L.A., this won't just be smooth sailing. They know there are other good teams here."

BOBBY KNIGHT WILL LEAD OLYMPIANS INTO TOWN TODAY

COMING TO TOWN — Michael Jordan, Sam Perkins and Pat Ewing (above, left to right) will lead the U.S. Olympic basketball contingent into town today. They'll play their final game against a group of NBA all-stars here July 23th.
Attorney gets post on state panel to review education

San Diego attorney C. Hugh Friedman, 53, has been appointed to the state Blue Ribbon Commission on the Status of Teaching.

Friedman, a La Jolla resident and a professor at the University of San Diego law school, was appointed Thursday, joining 13 others who were placed on the commission June 13. He is immediate past president of the state Board of Education.

The commission was created by Bill Honig, state superintendent of public instruction, and state Sen. Gary Hart and Assemblywoman Teresa Hughes, the Los Angeles Democrats who head the Senate and Assembly education committees.

During its 18-month life, the commission will initiate research and review proposals to improve the state's educational system in kindergarten through high school.

Dorman Commons, managing director of Becker Paribas Inc. and a San Francisco resident, heads the group.
SAN DIEGO — Marguerite C. Michael of San Bernardino was among 275 law students receiving a diploma recently during commencement ceremonies at the University of San Diego.

She earned a Juris Doctor, graduating magna cum laude.

Michael, 27, attended Pacific High School and holds a BA degree in administrative studies. In law school, she was a member of the moot court board.

She is the daughter of Kenneth N. and A. Corinne Patterson of San Bernardino.
There are already 5,673 licensed attorneys in San Diego County, a fact which has not deterred more than 600 recent graduates of San Diego's four law schools from signing up to take the state bar exam on July 24. Hundreds more would-be lawyers will be diverted to six local testing sites from Olympics-jammed Los Angeles. Finally, a grand total of 2,351 hopefuls will gather here to make or break their investment of up to $50,000 in a legal education. Past statistics say fewer than half will pass.

Those sobering considerations are behind a secondary boom which has accompanied the nationwide rise in the numbers of attorneys. In an attempt to improve their odds of becoming full-fledged members of the legal fraternity, local law professors say, more than 90 percent of applicants will have completed a bar review course.

With more than 60,000 men and women nationally taking state bar exams, the offering of bar reviews classes has become big business. The American Bar Association has helped the growth of firms engaging in offering bar review courses by not condoning such instruction as part of a legal education, says University of San Diego Professor Mike Navin. Currently, two companies dominate the rites of summer: a Harcourt Brace Jovanovich unit called BAR/BRI, and Josephson BRC, headquartered in Culver City. Josephson claims to teach 13,000 students annually and estimates say the two together account for about $15 million in annual sales.

In both courses, students pay about $800 to attend classes that generally last three hours per session, averaging four to five
sessions per week for approximately eight weeks. Additional study aids are offered by each course at varying costs.

Both professors and course administrators are quick to note that relative to law school tuition, review class fees are low. And the instructors are usually active law professors, who earn from $400 to $1,500 a night. Beyond that, however, there is little agreement as to the relative value of their offering.

According to Sue Hill, vice president of Josephson, "We were always about $100 more than BAR/BRI, but they started charging the same because they knew students would pay it." BAR/BRI pays (its professors) more than we do, but we spend more on the students," Hill added.

The California bar examination is said to be the most difficult in the nation, usually posting the lowest passage rate in the country: 48 percent of the 1983 summer exam.

As a result, the competition by review firms for California's students is intense. From the first day of law school, students are recruited by both firms. They give tuition credit to campus representatives who solicit their classmates. Offers of free use of valuable texts while in law school lure students to register in one of the classes as early as their first year. In addition, students register early in an effort to freeze the course prices, which have gone up annually since 1982.

Neither firm will give exact numbers of their San Diego enrollment, but each reports that about 400 students are enrolled in either the day or night classes.

Josephson claims that students who employed their classes in the summer of 1982 had a 65 percent success rate on the bar exam, about a third better than students who did not. Of the students from University of San Diego who took that exam, Josephson's advertisements claim that "74 percent of Josephson BRC students passed. In contrast to only 71 percent of those who chose other means passed."

BAR/BRI does not publish its pass rates. Instead, it distributes Josephson's figures, claiming that according to "Official Bar Exam Statistics BAR/BRI is No. 1 in California," and, "We now know for sure that we have done better at most every California law school."

Josephson counters, "BAR/BRI may know they are No. 1, but no one else does. Why doesn't BAR/BRI release their statistics?"

Also included in Josephson's literature is a copy of letter, which is "very misleading," according to its author, Dennis S. Avery, assistant dean of California Western School of Law.

The California bar examination is said to be the most difficult in the nation, usually posting the lowest passage rate in the country.

Dated December 19, 1978, the letter's concluding paragraph reads: "Present statistics do indicate that of our 1978 graduates, those who took Josephson BRC did substantially better than those who took BAR."

"It is a misrepresentation. It was written as a confidential letter between lawyers, and I have brought this to his attention," said Avery. "Josephson is very good, and he really shouldn't have to do this. I am tempted to take legal action."

Last May, BAR/BRI did find itself on the losing end of a court battle involving claims that the company engaged in anticompetitive practices in California, New York and Illinois. As a result, over 150,000 people who took bar review courses offered by the company between 1973 and 1979 will share in a settlement that, under preliminary approval, could reach $14.6 million.
UCAN creator asks pay from SDG&E

By Steve LaRue

The director of a utility consumer group here has asked the state to order San Diego Gas & Electric Co. to pay him and his employer $48,241 for the job, and the utility company is crying foul.

Robert C. Fellmeth, a lawyer and director of the Center for Public Interest Law at the University of San Diego, has asked for about $37,000 for his time and about $14,591 to compensate the university, which housed the ratepayer organization in its early months.

An April 1983 decision by the state Public Utilities Commission gave the group, the Utility Consumer Action Network, the right to distribute membership solicitations in SDG&E billing envelopes.

SDG&E vigorously opposed that idea and yesterday filed an energetic exception to Fellmeth's request, claiming that the lawyer is seeking $120 per hour for his time.

"Although more than 90 percent of SDG&E customers have refused to join UCAN, Robert Fellmeth wants all customers to pay for its formation," said Dave Smith, SDG&E spokesman.

Of the 835,000 SDG&E electrical customers, about 65,000 have paid the $4 annual dues to become UCAN members.

Smith said SDG&E is particularly emphatic in its opposition because the request reverses an earlier position used to argue for access to the utility envelopes.

"UCAN was granted special privileges on the basis that it would be a voluntary group funded by those who choose to join," he said, quoting Dick Manning, SDG&E vice president for Public Relations.

"The great majority of our customers have freely opted not to join. Where is the justice in forcing these customers to contribute to a group they have declined to support? The underlying concept of UCAN is now being mocked by its creators."

His request is not completely unprecedented. A 1978 federal law, an April 1983 PUC policy and a bill signed into California law last month allow the PUC to require utilities to pay consumer group expenses in certain cases, usually when the group's participation is judged to have made a strong contribution.
Irish feted: Mary Stuyvansant of USD welcomes boxer Paul Fitzgerald at a reception for Irish Olympians yesterday at the Hall of Champions. The event preceded a picnic supper and a play at the Old Globe. The Irish are in San Diego training for the Olympics.
A bit of Ireland works out here

By Mark Sauer
Staff Writer

Dr. Moira O'Brien's Irish eyes smiled as she described the warm greeting she received this week in San Diego and contrasted it with the stark landscape of Moscow four years ago.

"In Moscow we couldn't speak the language and that made it so much more difficult when we ventured into the streets. But here, it is almost embarrassing how kind the people have been," said O'Brien. "We were so moved - a couple of people even came by in wheelchairs just to say hello."

O'Brien is physician to the 1984 Irish Olympic Team, a job she first held during the 1980 Moscow Games.

Most members of Ireland's 45-person team are spending this week at the University of San Diego (the Irish cyclists are competing in Colorado) in order to acclimatize to the heat, humidity and smog of Southern California before competing in Los Angeles.

Relaxing between team workouts, O'Brien said the welcome extended by San Diego's Irish community has meant as much to the well-being of her country's athletes as all the liniment, vitamins and salves she dispenses.

"It makes a great difference to the morale of the team. Some (San Diegans) have said, 'we don't know who we're going to shout for, the Irish or the United States.'"

"This is the whole idea of the Olympic movement," she continued, "people helping one another. This is the beauty of the Olympics - people from different countries getting to know each other and forgetting political differences."

O'Brien noted that the Irish team is made up of both Catholics and Protestants - athletes from both

"I've learned a lot in the past few years," she said. "Before Moscow, I went to all the various training sites to observe and work with the athletes, and I also read up a lot on all the sports. Now that I have one Olympics under my belt it makes a great deal of difference."

O'Brien, who competed as a swimmer in college and was introduced to sports medicine by working with swimmers, has had to become a jack of all injuries.

"We weigh the athletes every day, monitor how they sleep, check their urine to see if they're dehydrated," she said.

"Los Angeles is very lucky for us," she said. "With us there we will have two of the gold medalists from the 1932 games - Dr. Pat O'Callaghan (hammer throw) and Bob Tisdall (400-meter hurdles), the only two track and field gold-medal winners from the '32 games still alive. They will be our living shamrocks."
Funds pitch jars utility watchdog group's leader

By Mike Richmond
Tribune Staff Writer

The chairman of the board of directors of a new consumer-watchdog group says another board member's effort to get $48,241 from San Diego Gas & Electric Co. customers caught his organization by surprise.

The board member, attorney Robert Fellmeth, has asked the state Public Utilities Commission to make SDG&E pay the amount to the non-profit Center for Public Interest Law at the University of San Diego.

The center, headed by Fellmeth, led a 15-month effort to win commission approval of the consumer group, the Utility Consumer Action Network.

The money would reimburse the center for the expense of organizing the network. It would come from SDG&E customers.

"I was kind of caught by surprise by it," the network's chairman, Jay Powell, said yesterday. "I can see where the center has to recoup some costs, but we kind of have to take a look at it."

"Unfortunately, he didn't let us know that he was going to be doing that," Powell said.

Had the board known of the action, Powell said, "I might have been better prepared for what he said was 'a gross distortion' yesterday by SDG&E of the network's recruiting."

Fellmeth, formerly acting executive director of the network, was elected to the board this year.

SDG&E said it would be unfair to require all SDG&E customers to pay for the network's formation when more than 90 percent of them have refused to join the organization.

Dick Manning, SDG&E's vice president for public relations, said the center had told the commission earlier that the network would be funded by voluntary donations from those choosing to join.

"Now," Manning said, "the center is asking the PUC to force all customers to 'compel' the center $48,000 for expenses incurred in setting up the network — an organization representing less than 8 percent of SDG&E's ratepayers."

Manning said in a press release that "the lion's share" of the money sought by the center "is directly attributable to Fellmeth, who wants to bill all customers $33,650 for the time he spent setting up the network (based on his $120-per-hour attorney's fees)."

Manning said the utility's attorneys believe the center does not qualify for an award of compensation under state Supreme Court guidelines or commission rules.

Fellmeth said the filing has nothing to do with the network's present operation, which is financed through membership fees.

"As director of the center, it is my fiduciary duty to make this application," Fellmeth said. "If I didn't, I would be breaching my responsibility."

The consumer group, vigorously opposed last year by SDG&E, says that some 60,000 of the utility's 875,000 electrical customers are members and that it has raised about $300,000 through solicitations.
Lutherans, USD planning conference on worship, witness

The Lutheran Conference on Worship and Witness, sponsored by the Lutheran Church in America and the American Lutheran Church in cooperation with University of San Diego, will be held on the university campus July 30 through Aug. 5.

The conference is designed for all parish leaders. Advance registration and pre-payment of tuition are requested.

The faculty for the conference program includes professors from Pacific Lutheran Theological Seminary, Berkeley, as well as ministers, musicians, and experts in the arts and media communications.

There will be a special course in organ music and how the organist enhances and supports the witness potential in worship. There will also be courses in adult choral and children's choral.

Workshops will include architecture, contemporary music and liturgy, the arts as witness, ministry and the media.
The Dick Braun Orchestra will present a free jazz concert Thursday at the University of San Diego. The program is sponsored by the USD office of Continuing Education, in cooperation with the San Diego Musicians Union. The 7:30 p.m. program will be held in the Douglas F. Manchester Auditorium at the university.
As San Diego hosts stood by in Balboa Park’s Hall of Champions last week, Chuck Fox wished members of the Irish Olympic team well in their efforts in Los Angeles in coming days.
The Greening of San Diego

Host City’s Heart Goes Out to the Olympians of Ireland

By DANIEL M. WEINTRAUB and H.G. REZA, Times Staff Writers

When public relations man Chuck Fox and his wife Sheila returned from a vacation in Ireland three years ago, they were flushed with Irish pride. It would be nice, they thought, to host someone from that country’s Olympic delegation for lunch during preparations for the 1984 games.

Fox reached Jerry Corrigan, the Irish team’s representative to the Los Angeles Olympic Organizing Committee and soon learned that Corrigan had been assigned to find a place for the athletes to rest and train for a week before they moved into the Olympic Village.

That conversation in late 1981 set off a flurry of activity here that ended Sunday morning when a caravan of Irish-American well-wishers ushered the Irish team out of San Diego on its way to Los Angeles.

A caravan of 40 cars, decorated with Irish and American flags and carrying 100 local Irish-Americans, escorted two busloads of Irish athletes to a rest area north of Oceanside on Interstate 5. There, the American supporters of the Irish team bade the athletes goodbye, and the Olympians promised to return to San Diego to share with their local supporters any gold medals they may win at the games.

“We’ll be cheering for the United States (Olympic team), but we’ll be praying for the Irish team,” said Fox. Earlier, Fox said, there was “not a dry eye in the place” when the athletes and the Americans participated in a ceremony honoring both countries at the University of San Diego, where the Olympians were staying in campus dormitories.

“A Special Opportunity”

“A lot of people are very blasé and cynical about the Olympics,” Fox said last week. “The truth is it’s a very special and once-in-a-lifetime opportunity to have it this close. The energy level is starting to rise. People are realizing this doesn’t come around very often.”

That energy level, Fox said, was responsible for the success of a fund-raising campaign that netted more than $25,000—enough to pay the room, board and intra-city transportation costs the delegation’s 50 members incurred during their week-long stay in San Diego.

The effort is thought to be the most extensive ever undertaken by an ethnic group on behalf of a foreign country’s Olympic squad and is considered quite a feat for a city not known for the strength of its ethnic communities.

From the “green carpet” welcome when the team arrived at Lindbergh Field July 15 to the multicar escort north on Interstate-5 Sunday, the Irish community here opened its arms, its homes and its hearts to the team. For many, the week’s high point came Thursday, when several San Diegans hosted athletes in their homes or for a night on the town.

Because there was a limited number of athletes, the rights to host them were sold at the host...
Host Chuck Fox is backed up by Ireland’s Olympians at the Hall of Champions, above, while below, runner Monica Joyce chats with the manager of Ireland’s team, P. L. Curran.

IRISH: 'Twas the Greening of San Diego

Continued from Page 1

committee’s fund-raising auction earlier this year. Real estate man Bob Mulrooney paid $20 to host boxers Tommy Corr and Gerry Hawkins.

OLYMPICS ’84

"This has been fantastic," Hawkins, a 106-pound boxer, said. "The hospitality has been unbelievable. No one can do enough for us."

Hawkins, 23, said team members had expected to get off the plane, gather their bags and head for their dormitory rooms at the University of San Diego. When they were greeted instead by more than 100 cheering fans, they were overwhelmed.

"Every one of them fell in love with San Diego," said Fox. "During the week they were here, some very tight friendships were formed that will probably turn out to be lifelong friendships."

Ken Ryan, chief of Ireland’s Olympic mission, said the week in San Diego gave the athletes a chance to get over their jet lag and get used to the Southern California climate. Without the private fund-raising effort, many of the athletes would have had to go straight from Ireland to Los Angeles.

Despite their ethnic pride, the San Diegans on the host committee seemed worried that their efforts might be seen as aiding the competition at the expense of America’s teams. Fox took pains to point out that any money left over will go to America’s Olympic basketball team, and City Councilman Dick Murphy told the athletes that Irish-Americans would be pulling for the athletes from both countries.

"We’re going to root for the American team," Murphy said, "but for many of us, our hearts will be with the Irish too."
Robert Fellmeth has asked the state to bill the San Diego Gas & Electric Co. for $48,241 to cover legal and other expenses incurred during the creation of a consumer watchdog group. And if he collects, the utility's 835,000 customers will be picking up the tab.

Mr. Fellmeth is a lawyer and director of the Center for Public Interest Law at the University of San Diego. He's also the man most responsible for the Utility Consumer Action Network — better known as UCAN — an agency which was authorized last April by the Public Utilities Commission to keep an eye on SDG&E.

The PUC also gave the group permission to include membership solicitations in the utility's billing envelopes. Although this action amounted to a confiscation of the company's property without compensation, SDG&E reluctantly agreed to enclose the mailers. But the company strenuously objects to Mr. Fellmeth's request that the Center for Public Interest Law and the university be recompensed for their efforts in UCAN's behalf.

The company has a good case. It's bad enough that UCAN received a free ride to solicit more than $250,000 in voluntary memberships; now Mr. Fellmeth wants the utility to compensate the law center $33,650 for the loss of his time, and toss in another $14,591 for the university because it provided office space to the organization in the early going.

His request is particularly galling because UCAN was granted special privileges with the understanding that it would be a voluntary group paid for by those persons who chose to join. But if the PUC finds in Mr. Fellmeth's favor, more than 90 percent of SDG&E customers, who have declined membership in UCAN, will pay most of its organizational costs.

Mr. Fellmeth has scrupulously avoided any suggestion that his request is sanctioned by UCAN. In fact, his fellow board directors were not even notified that he was asking for additional compensation. We suspect, however, that the issue will be the subject of animated discussion this evening during the organization's monthly board meeting.

Perhaps then, Mr. Fellmeth will explain to everyone's satisfaction why he is seeking a whopping $120 an hour for the time he spent arguing UCAN's case before the PUC.
The master's degree in business administration — the Holy Grail of the career-minded individual of the '80s — is offered by four San Diego County educational institutions. And, while all four qualify as institutions of higher learning, the local business people who evaluate MBA graduates from each do not necessarily place them on the same plane.

San Diego State University, the University of San Diego, United States International University, and National University each have extensive MBA programs.

Peter Kennedy, whose San Diego-based Business and Management Profiles Company evaluates job candidates for companies nationwide, says he sees many students with inappropriate business degrees coming out of all four.

"This is a common problem," said Kennedy. "Part of it is the student's fault, another part is that the counselling needs to be improved at all the business schools."

But whether or not the four major business schools are providing the exact type of individuals San Diego employers would like, local firms draw heavily upon San Diego schools to fill the available positions. Here is an overview of the SDSU School of Business, the USD School of Business, the business college at USIU, the college of business at National University, and how they are judged.

**San Diego State University**

SDSU's College of Business earns high praise from accounting firms, industrial firms, and even from the deans of the competing universities. But there is a problem which may cloud SDSU's MBA program.

An associate professor coming into the California State University and College system may only receive $24,000 annual salary to start. That, according to SDSU's College of Business dean Allan Bailey, is about $10,000 below the going rate for accounting professors.

"It's ironic," Bailey suggests, "the university will give us all the money we want to run our program, but we can only give the incoming professors so much, so however much money we receive, it won't do us any good. We're really stuck until the law is changed. I'm not only worried we will not get new professors, I'm worried about losing the professors we already have."

**continued on page 2**
Bailey’s fears would appear to be well founded, as evidenced by the departure of professor Vince Mercurio, who left the college of business to become the director of treasury services for Rancho Bernardo-based Oak Industries. "Attracting faculty, and retaining them will be the biggest problem SDSU’s School of Business will have in the coming years," Mercurio said.

Declared Bailey, "If we were able to compete in the marketplace salarywise, our college could have unlimited potential."

"The big eight accounting firms seem to have already realized SDSU’s potential." Agreed C.W. Search recruiter David Leitch, and he’s backed up by Deloitte Haskins and Sells manager/recruiting manager Keith Short.

"SDSU’s accounting program is one of the top ranked business programs in the country, and they have a master’s degree in taxation that is a particularly strong degree," said Short. "Most of the people who are applying for jobs here come from SDSU’s College of Business."

Steve Peltier, a controller for the San Diego-based Sickle’s Group, who obtained an MBA in finance from SDSU several years ago, said "the accounting school really prepared me for the CPA exam. The College of Business at State seems to be a bit more specialized than those of most other schools."

Peltier, however, like many students before and since, complained that SDSU was a lot more crowded than he would have like it to have been.

Stephanie Wilson, an executive search consultant for the San Diego office of Ryan Allen and Associates, suggested that SDSU’s crowds may serve the function of making business students "a little more tenacious," and may end up actually making better students and better workers when they become employed. There are approximately 7,000 students with business majors on the SDSU campus, and approximately 850 students in the school’s MBA program.

University of San Diego

The MBA program at the University of San Diego’s School of Business, which is in the process of moving to larger headquarters across campus, is also generally praised.

"We have a growing regard for USD," noted Short of Deloitte Haskins and Sells San Diego office, "we are out there recruiting every year."

The school has just spent $4.3 million for its new building including new camera and recording equipment, and a computer room. Associate dean Carolyn Anderson points also to a small student body, and a strong faculty as major reason for USD’s
success as a business school.

"Seventy percent of our MBA students (the school has 350 to 375 MBA students at any given time) are presently working," Anderson argued. "Most of the students going for these advanced degrees are in middle management positions already. We are seeing a lot of engineers coming from places like Cubic, Solar, and General Dynamics, who want to get an MBA to further their skills."

Mark Ward, who just completed his MBA from USD to polish his skills as a senior fuel analyst for San Diego Gas and Electric, received his undergraduate degree in financial management from SDSU, but said he was "tired of being just another face in the crowd," and found himself much better suited to the atmosphere of USD.

"I would often have the same instructor for several classes, and the classes were small enough that we could get some personal attention. The professors seemed better able to go into depth, and it was nice going through the program with the same group of people," Ward said.

But USD is expensive — $215 per unit for graduate school, compared to $233 per semester for up to 5.9 units or $368 per semester for six or more units per semester at San Diego State.

"That's like $5,000 a year for graduate school," noted San Diego Ryan Allen and Associates executive search consultant Stephanie Wilson. "The students either have to be brilliant, or have rich parents," Wilson suggested.

United States International University

USIU offers the only business doctorate in the county, but its graduates are not necessarily well known in the business community.

"I haven't talked to anyone who came out of USIU," said C.W. Search, Leitch. Neither had Sickle's group controller Peltier, or Short of Deloitte, Haskins and Sells.

But Andy Keller, a manager of contracts for General Dynamics, who received his master's at SDSU, his doctorate at USIU, and teaches at National University, says USIU has an excellent overall business program which not only gave him the doctorate he could not have received at another institution, but the opportunity to take classes at night, and a third world focus which helped him bring a new perspective to his contract work.

"I couldn't have gotten that at any other school," Keller argued.

"We have schools in London, Nairobi, and Mexico City," pointed out business school dean Dr. David Feldman, "and this brings our students in contact with business on an international scale. That is something that most schools do not provide."

Like USD however, students who are not on a scholarship will, in the words of one source, "have to drop a large chunk of change" to complete their MBA programs at USIU. Between 12 and 18 separate classes are required for the degree at a cost of $630 per class.

National University

The Mission Valley-based school has been at the center of a controversy about the usefulness of its degrees and its level of education since the school was founded in
the early 1970s. Now with seven schools in California, and one in Puerto Rico, NU is the largest private educational institution headquartered in the county.

/*Attracting faculty and retaining them will be the business schools biggest problem*/

Business school dean Don Carver says his students have the advantage of convenience, plus a group of instructors who have practical experience in the business world. One instructor is economics professor Dr. Patrick Boarman, who is also serving as San Diego’s third district supervisor, and is the Republican nominee for the 78th assembly district. Boarman has served as a financial consultant to the U.S. Congress and presidents Nixon and Reagan.

National University currently has 1,250 students in its MBA program systemwide. The fees are $395 per course.

Carver says the average age of his students is 34 to 35 years of age vs. mid-twenties for the other business schools students.

“Our students are very mature,” says Carver. “Our programs are generally designed for those who are already working in the business world, and have very practical applications.”

Karen Benson agrees. “National was very convenient for me,” said Benson, who was recently appointed California checking services manager for Imperial Savings and Loan. “The classes and the instructors were excellent, and if I had to miss a session, I could rearrange to take it another time. You couldn’t do that at another school. I think the only reason you hear criticism about the university is because the other business schools are worried National will be taking students away from them,” said Benson.

Some industry personnel coordinators, executives search firm, and accounting associates say that an MBA from National University does not have the clout it should in the local business community.

“For whatever reason, a degree from National University doesn’t hold much weight,” suggested David Leitch. “This is especially true of their accounting department. The perception is that these degrees are not equal with the other schools. Give me a student from San Diego State, and one from National University, and I will place the one from State first every time,” said Leitch.

But Carver says National, which will be offering an MBA with an emphasis on entrepreneurial in the fall, measures up academically with any other business school in the country. He may get a chance to prove his point.

San Diego Assemblyman Larry Stirling has proposed an “academic super bowl” between National and San Diego colleges and universities to sort out “conflicting claims of superiority.”
Your Home, How to Buy It, How to Pay for It or the first in a series of free workshops sponsored by Consumer Credit Counselors, will be presented from 6:30 to 8:30 p.m. Thursday in the University of San Diego, Founders Hall, Room 124. For information or reservations, call 234-4118.
New consumer group rejects bid for funds

Board members of Utility Consumers Action Network, a new consumer watchdog group, last night disassociated themselves from a member’s request that the state contribute $48,241 for the group’s organizing costs.

Board chairman Jay Powell said members were unaware that Robert Fellmeth, a professor at the nonprofit Center for Public Interest Law at the University of San Diego, planned to ask the Public Utilities Commission for the money.

“We want to make the record real clear that we are not part of this filing (with the PUC),” Powell said following the board meeting of UCAN directors.

Fellmeth is making the request for the money to cover expenses for the period between April 1983, when UCAN was first approved by the PUC, and March 1984, when the organization’s first board of directors was elected. Fellmeth, who was interim executive director of the group during that time, said any money recovered will be turned over to the law center to reimburse the center for its expenses.

Powell said board members told Fellmeth he should have told them beforehand he was requesting the money from the PUC.
Murphy suggested for judge

By Rivian Taylor
Staff Writer

Gov. Deukmejian has submitted the name of City Councilman Dick Murphy to the state Bar as a possible appointee to the Municipal Court.

Murphy, 41, said yesterday he applied to be a judge because of his interest in public service and viewed the bench as an "alternative" to either remaining on the council or serving as mayor.

"I don't consider my appointment as a judge as anywhere likely or imminent," Murphy said, "I don't anticipate an opening until 1985."

There are currently no vacancies on the 23-judge San Diego Municipal Court, but several are expected to be created next year, when it is anticipated that some Municipal Court judges will be elevated to fill newly-created judgeships or vacancies in Superior Court.

Along with Murphy, Deukmejian submitted the name of Deputy Attorney General Jesus Rodriguez to the state Bar's Commission on Judicial Nominees/Evaluation for consideration to the Municipal bench.

The governor also submitted the names of Superior Court judges Jack Levitt of San Diego and F.V. Lopardo, who sits in the Vista branch of the Court, for consideration to the 4th District Court of Appeal. A vacancy on the appellate court will open on Aug. 1, when Justice Gordon Cologne retires.

The Bar commission evaluates judicial candidates as qualified or not qualified based on responses to questionnaires sent to the legal community and on interviews with the candidates. Under the law, the governor is not bound to follow the commission's recommendation, but is required to submit the names of candidates for evaluation before appointing them.

Murphy, who has been on the City Council almost four years, said he views a judicial appointment as an alternative to running for re-election next year or to seeking the mayor's position. While he said he has "always been interested in being a judge," he joined the council with aspirations of one day becoming mayor.

But he added, "It doesn't look to me like it (the mayor's position) will be available until 1988. That's a long time to wait."

A 1975 graduate of Stanford Law School, Murphy practiced law for five years before his December 1980 appointment to the council. He has not actively practiced law since.

He also has a masters degree in business administration from Harvard University and worked as regional marketing director for Bank of America before enrolling in law school. Murphy, who was born in a Chicago suburb, did his undergraduate work at the University of Illinois.

Rodriguez, 33, has been with attorney general's office since 1977. He specializes in prosecution of people charged with committing crimes in California who flee to Mexico.

Rodriguez, a graduate of University of San Diego and its law school, was born in Tijuana. He has lived in San Diego since 1955.

Levitt, 58, has been on the Superior Court for 14 years. He received his law degree from the University of Southern California and his undergraduate degree from Pepperdine College.

Before joining the bench he was a deputy district attorney, an assistant city attorney for the city of La Mesa and in private practice for 15 years. He also served as president of the San Diego County Bar Association in 1968.

Next month, Lopardo, 63, will mark his 13th anniversary as a judge. He is a graduate of Harvard University Law School and Notre Dame University. Lopardo is a former president of the Escondido Union High School District Board of Education.

Besides Levitt and Lopardo, Deukmejian had earlier submitted the name of Riverside County Superior Court Judge Fred Metheny to the Bar commission for evaluation as a potential appointee to the Court of Appeal.
When the regulated love regulators

CALIFORNIA SEEMS to have a board, or a bureau, or an agency for everything and everyone. There's a regulatory agency for grease monkeys (the Bureau of Automotive Repair), a body overseeing beauticians (the Board of Cosmetology), even a panel checking up on dry cleaners (the Board of Fabric Care).

These regulatory watchdogs, by their power to license practitioners of the trades they oversee, can and often do restrict competition and thus drive up prices.

The industry panels are popular in Sacramento. Not only was a bill to abolish one of them, the Board of Fabric Care, killed in a Senate committee, legislators are thinking of setting up new boards.

One the new proposals is Assembly Bill 3895, which would regulate those who practice "recreational therapy." We are not too sure what a recreation therapist is, but the Center for Public Interest Law at the University of San Diego thinks the bill means that Boy Scout troop leaders and coaches would have to be licensed.

Business and professional people often inveigh against government regulation. Strangely, however, much of the regulation is a result of their own lobbying efforts.
Mulvaneyes honored at party

Two of San Diego's favorite people were honored Wednesday by one of San Diego's favorite service organizations.

Catholic Community Services, celebrating its 60th anniversary with a party at the Hotel Inter-Continental, tapped Jim and Ruth Mulvaney as first recipients of its "Spirit of Charity" award. The choice was popular. More than 450 guests came to the party to cheer the Mulvaneyes on. (Not a few of the 450 were Mulvaneyes. Jim and Ruth, in addition to other things, are parents of seven children.)

Ruth managed to raise the seven and earn for herself a Woman of Valor and a Woman of Dedication award on the side. Organization helped her, she said, but so did "being very sure of my priorities. My family always came first."

The Mulvaneyes moved to San Diego from Chicago in 1945 when Jim hired on as treasurer for National Steel and Shipbuilding. He got busy as president of the old Pacific Coast League's San Diego Padres and has just kept going in community work. (As an Old Globe Theatre board member, Jim spearheaded the fund-raising campaign to rebuild the theater after it burned down in 1978.)

Friends and representatives from scores of San Diego civic and cultural groups came to honor the Mulvaneyes.

Craig Noel was there, and so was Darlene Davies, Mayor and Cindy Hedgecock, Edna and John Alessio, Helen K. Copley, Monsignor L. Brent Eggen, Maureen and Charles King, the Eric Basses, David Copley, Marge and Author Hughes, and Detty June and Phil Klauber attended.

Other guests were Carol Reilly, the Herb Kleins, Gloria and Charlie Melville, Liz Raven, John and Kath Howard, Pam and Hal Fusion, Sara and Tom Finn, Allison and Jon Tibbetts, the Bill Ottersons, Amy and Victor Krulak, the Joe Millers, Judith and Neil Morgan and Bob Arnhyrm.

The Robert Mulvaneyes flew down from San Francisco with their children, Melanie and Laura. The Tom Mulvaneyes came with Tom and Aaron (Bob and Tom are twins.) Lawrence was there with his wife Terry. And David and Brian and Jim Junior — with Kim Raffee — were also on hand.

Bishop Leo Maher and the Rev. Douglas Regin — he's director of CCS — were honorary chairmen for the celebration. Bud Alessio was chairman and Maggie Mazur and Martha Contreras were co-chairmen.

"Coming as it did in the midpoint of a very social week, the "Spirit of Charity Ball" had circuit regulars hailing another with "I haven't seen you since yesterday!"

"Bobbie Quick, who attended with her husband Blake, said she didn't mind the pace at all. "I'm laugh, I can take it. I'm a Polish-Irish Catholic.""

Though the party was called "ecumenical" by more than one guest, it was the kind of night where everyone wished he were Catholic or Irish or at least had been taught by nuns. But folks who didn't qualify on any count — like Phyllis Parrish — still felt at home. "These are the nicest people in town," she said of the CCS supporters. "They've all been wonderful to me, and I'm just a Baptist girl."

"The party was as non-partisan as it was ecumenical. Both supervisiorial candidates seemed to have trouble. When Lynn Schenk and her husband, Hugh Friedman, arrived, they found a seating snafu, but they were sitting in the foyer. late-comer Susan Gloding fetched escort Dick Silverman from the ballroom for a hasty con-fab in the hall. In a fine show of sportsmanship, neither candidate tripped the other — though they were only feet apart. But they didn't speak. Or even nod.

Bishop Leo Maher chats with Marge Hughes at the Hotel Inter-Continental during the Catholic Community Services party Wednesday.

Lester Harvey III and Ruth Mulvaney share a laugh at Wednesday night's party honoring Mulvaney and her husband Jim.
ancient Chinese

Columbus sailed the ocean blue in four hundred and ninety two and discovered America. So, some say, did Leif Ericsson, around A.D. 1000.

Others think Irish monks came before the Vikings, and perhaps Phoenician merchants, too, about 2,000 years ago.

Now there is a theory that Chinese voyagers preceded them all, heading for American shores around 3000 B.C.

A few years ago, large doughnut-shaped stones with holes in them were discovered off the California coast by dredgers and divers, lending support to the theory that the Chinese were early visitors to the New World.

Professor James Moriarity, a marine archaeologist who teaches ancient history at the University of San Diego, theorized that the stones probably were line weights or anchors from Chinese ships that made Trans-Pacific voyages 5,000 years ago.

Geologic tests indicated the stones were very ancient, and similar stones are displayed in Chinese museums, supporting the China-America connection.

There are doubting Thomases to Moriarity's conclusion. Some think the stones were made in the ancient style by Chinese fishermen who lived along the California coast during the Gold Rush days. But now evidence has come to the fore to lend support to Moriarity's claim.

San Diegan Larry Pierson, a submarine archaeologist who investigated the stones with Moriarity, says archaeological investigations of 5,000-year-old royal tombs in China have found in those tombs samples of New World plants, including peanuts and corn.

"As for those who disagreed with our theory," said Pierson, "let them eat maize."

Meanwhile, some of the stones found off the California coast are on display in Bob Meistrell's Dive 'N Surf shop, in Redondo Beach. He was one of the divers who discovered them. He hauled up two more the other day.