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## Woolsack 1985 volume 26 number 3

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# Successful Return of Ed Meese to USD

Attorney General Edwin Meese, III was a recent honored guest of USD Law School. Among the activities of September 28, 1985 was a press conference held in the USD Courtroom which began with an introduction of the Attorney General by Judge Richard Huffman. We learned that Meese began his career as a prosecuting attorney. He rose to a position of great importance in the administration of then Governor Ronald Reagan. In 1977 Meese became an important part of the faculty of USD. he created the Center for Criminal

Justice because of his deep interest in exploring the issues of policy in the criminal justice system of the United States. He is the person who is probably the most knowledgeable in this Country of the important issues that face our nation on questions of justice. His concerns encompass the safety of our communities and the rights of people in our society to enjoy the benefits that this Country was founded for. Meese spends a great deal of energy working on those issues and sharing his energies and talents with the people of this

Country.

Mr. Meese believes the legal profession faces many challenges in the years ahead, including the challenge to restore a sense of profession and dignity that must be reestablished among the populus. He believes the legal profession is under great scrutiny due to the way in which the practice of law has gone & encourages a hard look at our legal profession. Meese does not know of a place that is doing more for trying to bridge the gap between the profession, the legal

(continued on page seven)



## The Woolsack

Volume 25, Number 3

October 24, 1985

A Law Student Publication

### Justice Cruz Reynoso: The California Supreme Court: The Balance Which Protects Democracy

by Lenor Avila

California Supreme Court Justice Cruz Reynoso addressed a packed House Friday, October 18, 1985 at 8:00 P.M. At USD's Manchester Auditorium, The National Lawyers' Guild which co-sponsored the presentation entitled it "The California Supreme Court: The Balance Which Protects Democracy". Justice Reynoso created an atmosphere of comradery and trust with his audience who were treated to a very insightful, stimulating speech tinged with humorous anecdotes.

Justice Reynoso, along with Chief Justice Rose Bird and Associate Justices Joseph Grodin, Melcome Lucas and Stanley Mosk will be up for reconfirmation as Supreme Court Justices next year in the November elections. The Current Court has been a Court under siege which as fortunately placed the Justices in a position where some politicking is necessary. Justice Reynoso emphasized that he is a California Supreme Court Judge, not a politician and that his position often prevents him from defending himself against attacks on his record. A theme of his reconfirmation campaign is a clearer understanding of the integral working of the Court, its commitment to upholding the California Constitution and following the process dictated thereby. Once an understanding is reached it is clear that the attacks against Justice Reynoso's record, specifically, are unjust and inappropriate.

In reference to a specific attack by an unnamed individual, Reynoso stated the critic advocated that he had ruled more often in favor of the defendant than the prosecution. "I am glad they told me," mused Justice Reynoso, "I did not know we were suppose to take the case and balance: 2 for the defendant, 2 for the prosecution." Justice Reynoso sees the attacks on himself and the Court as coming predominantly from politicians who, rather than basing their criticism on an intellectual understanding of the Court's function and commitment, base their criticism on



partisan issues. When an influential critic was asked if he had read any of the opinions under attack, the reply was, "Of course not."

Justice Reynoso explained that he takes his judicial role seriously and literally. When the law is vague or ambiguous in, for example, a Workmen's Compensation case, the law dictates that the case must be decided in favor of the injured worker. Individual who place economic interests before human interests may not appreciate such law but that is indeed what the law in California is. As a Judge, Reynoso is committed to a careful analysis on how an issue should be decided is secondary to the process which is foremost when one is committed to upholding the law. Justice Reynoso has done just that.

Justice Reynoso expressed criticism of individuals who are only interested in "the bottom line", who are not interested in understanding the process, who are not willing to intellectualize an argument. They scream for "the bottom line" and close their minds to discussion, understanding and sensitivity. Had we as Americans, carefully scrutinized and analyzed the proposals to retain American citizens

of Japanese descent in concentration camps during World War II the proposals would have been held as UNCONSTITUTIONAL as they indeed were. This was not done. The law demands careful scrutiny of each case rather than an anti-intellectual "bottom line" approach. We need only look to our recent historical past to find what devastating consequences can occur with such as approach.

Justice Reynoso's speech was followed by a question and answer session. Some of the attacked on the Court were directly addressed. Excerpts from the session follow:

Q: Why do you have to run for reconfirmation when your twelve year term is not yet over?

A: The California process is a very complicated process. It provides for an appointment by the Governor which are then sent to the statutorially established commission. The Commission recommends the judges they feel are qualified. The governor is not bound by the recommendations. Those judges who are deemed qualified are appointed. In my case, I was sworn into an unexpired term.

(Continued on page six)

### Mayor Hedgecock's Guilty Verdict

The thirtieth mayor of San Diego, a man who had never before lost an election, lost the most critical vote of his career on October 9, 1985. On that day a San Diego jury delivered a guilty verdict in the re-trial of Mayor Roger Hedgecock on 13 conspiracy and perjury charges. Hedgecock was acquitted of two perjury charges and a misdemeanor conflict of interest charge.

Most of the charges on which the Superior Court jury voted to convict involved allegedly illegal contributions to Hedgecock's 1983 mayoral campaign. Although the mayor's attorney, Oscar Goodman, has indicated that the convictions will be appealed, Hedgecock announced on October 11 that he would resign his office effective on October 18, 1985. Hedgecock's resignation cut his administration short by 19 days, since the mayor was entitled to remain in office under the law until a scheduled November 6, 1985 sentencing date. Several city council members had called for his resignation. In announcing his decision, Hedgecock stated "I believe it is most important that San Diegans refocus their attention on the issues and on the real opportunities facing our city."

Many observers of the trial, the second trial faced by Hedgecock after a jury was unable to reach a verdict in February, were shocked by the decision of the defense to rest without calling any witnesses. C. Bradley Hallen, a defense attorney and former

prosecutor, spoke for many in questioning the decision to keep the mayor from the stand. "There are many jurors who have the feeling that 'If I were not guilty, wild horses could not keep me off the witness stand.'" And indeed, in a pre-trial interview, jury foreman Richard Stark stated "I think I probably would have had Mr. Hedgecock get up and explain, unravel the beginning of this."

Several other jurors, however, indicated that Hedgecock's failure to testify made little or no difference. Jurors who had voted to convict in Hedgecock's first trial in February, at which no verdict was reached, had indicated that Hedgecock's testimony harmed his own defense.

Under the City Charter, city council members must schedule a meeting to resolve on a method for filling the vacancy created by Hedgecock's conviction. Most members have favored the calling of a special election, as occurred in 1983 when former Mayor Pete Wilson moved on to the United States Senate.

As for the future of Roger Hedgecock, the convicted mayor's legal woes will not cease with sentencing on November 6, 1985. A year-old civil suit against Hedgecock and five political associates by the state Fair Political Practices Commission is still pending. FPPC Chairman Dan Stanford has stated that the jury's guilty verdicts on October 9, 1985 should facilitate the prosecution of the civil suit.

## The Woolsack

University of San Diego School of Law  
San Diego, CA 92110

## In the USD Law News

## Briefly ...

## WOMAN IN LAW CONFERENCE

Registration for the 15th Annual Far West Regional Conference on Women and the Law has begun at brisk pace. Groups of students from as far away as Texas, Arizona and Utah have sent in registration fees for the three-day event which will be held October 25, 26, and 27.

Kate Millett, well-known feminist author and activist, will open the conference Friday night, addressing the involuntary commitment of women to mental hospitals. She has recently completed a book, *The Looney Bin Trip*, on the subject. Ms. Millett's speech is open to the public for \$5.00, and USD law students will be charged \$3.00. A reception sponsored by the SBA featuring jazz singer Ella Ruth Piggee will follow the speech.

Over 43 workshops will be presented by 120 speakers from various cities of California. Refreshments, lunch, and receptions on Friday and Saturday night are included in the cost of registration. Some of the better known speakers who are participating include Los Angeles attorney Gloria Allred, Congressman Jim Bates, Assemblywoman Lucy Killea, Right To Life attorney Burton Shamsky, Hon. Judith McConnell, Hon. Elizabeth Riggs, Hon. Stephen Lachs, Hon. Irma Gonzales, COYOTE founder Margo St. James, author and attorney Judith Rowland.

To register, send in a card from the poster on the Women In Law board near the placement office. Early registration at a reduced rate is possible until October 15.

## IMPORTANT ANNOUNCEMENT REGARDING ONE-PAY INSTALLMENT CONTRACT FEE

Sister Sally Furay, Vice President and Provost, has proposed a resolution to the problem concerning delayed GSL checks, in situations where neither the student nor the University seem to be at fault.

## THE RESOLUTION:

1. The \$50.00 one-pay installment contract fee charged at registration will be **REIMBURSED** to the students who:
  - a. Met the School of Law's June 15 financial aid booklet published dead-line for financial aid applications and provisions of required supporting documents (such as independent student affidavit, 1040, etc.);
  - b. Certify verbally that the promissory note was returned timely;
  - c. Made payment of tuition with their GSL check before the end of August.
2. Students who believe they are eligible for a refund should go to the Financial Aid Office, which will verify the above condition were met. The Financial Aid Office will issue a note for the student to take to Student Accounts. A check will then be issued and mailed to the student.

What is happening with respect to the above is that, in situations where neither the student nor the University is at fault, the University will bear the burden.

## INSTALLMENT PAYMENT PLAN FOR SPRING '86 SEMESTER

The Deadline for signing up for the Spring '86 Installment Payment Plan

is November 1, 1985. First payment is due December 1st, 1985 and last payment due on April 1, 1986. **DON'T FORGET THESE VERY IMPORTANT DATES!!**

## BILL SPONSORED BY PUBLIC INTEREST LAW CENTER STRENGTHENS OPEN MEETINGS ACT

On September 25, Governor Deukmejian signed into law AB 214, a bill sponsored by the University's Center for Public Interest Law that puts teeth into the Open Meetings Act.

Under the new law, if a state agency takes action in violation of the Bagley-Keene Open Meetings Act, private citizens or organizations may bring suit within 30 days. Prior to the passage of AB 214, the Open Meetings Act was largely unenforceable.

"As originally enacted, the open meetings act sought to ensure public access to state agency activities," said Professor Robert C. Fellmeth, the Center's director. "AB 214 simply guarantees that public bodies seriously regard their responsibilities."

Although AB 214 received widespread editorial support and passed both the Assembly and the Senate by wide margins, some members of the Deukmejian administration argued that the bill would undermine the need or "finality of government action."

AB 214 is an example of the kind of in-depth research and advocacy projects law students who intern with the Center may work on their third year. Center interns monitor state regulatory agencies, critique their actions, and report their findings in the quarterly *California Regulatory Law Reporter*.

## STUDENT ADVISORS NEEDED

Fourteen students are currently enrolled in this year's Master of Comparative Law Program. MCL students are graduates of foreign law schools in Europe, Latin America, The Middle East and the Far East. Many have been practicing members of their local bar.

Six new students have been accepted into the MCL Program to start their studies in January, 1986.

Any one interested in serving as a JD or Alumni Advisor to an individual MCL student should contact YVETTE FONTAINE at 260-4646 between 8:30 A.M. and 2:30 P.M. Your assistance will be rewarding and much appreciated.

## ALUMNI NEWS

## LAW ALUMNI TO ELECT BOARD

Ballots are in the mail to all USD Law Alumni for the election of seven seats on the Board of Directors of the Law Alumni Association. Watch your mail, and VOTE.

## MICHAEL MOHR MEMORIAL GOLF TOURNAMENT

Saturday, October 26 is the date of this year's tourney to be held at Cottenwood Golf Course. Alumni and friends are encouraged to join students and Law faculty at this fun event. Honorary Chairman Tony Gwynn will be there. Proceeds go to Law student aid. Contact alumni Lew Muller at 619-440-3000.

## '75 REUNION—BACK TO THE FUTURE

Members of the class of 1975 will gather at the newly renovated main hall in the Law School for an evening of food, dancing and entertainment on Saturday evening, November 2. Invitations are in the mail. Contact the Law Alumni Office for more information.

## TRIVIA DICTA...

## This Month: Criminal Law

by Rich Sintek, Todd Stevens  
Staff Writer

1. What does "corpus delicti" mean?
2. Name the common law felonies.
3. What is "Whartons rule"?
4. What does RICO stand for?
5. Name the recent revival of a past game show (final round activity) that also provides protection to defendants under the Fifth Amendment.
6. At common law you can commit a crime until what age?
7. Name the 1952 case that examined the strict liability question in criminal actions.
8. Is it a crime to burn your own house down?
9. What mechanical weapon do criminal law professors love to use in hypotheticals on the use of deadly force?
10. As to "forbidden fruit", this case could be read to exclude all evidence obtained after an illegal arrest.
11. The M'Naghten Rule has become the classic test of insanity. What was Mr. M'Naghten's first name? Who did he attempt to assassinate? Who did he shoot instead?
12. This case stretched the felony-murder rule to convict Hauptmann because he caused the death of a child in the course of stealing his sleeping suit. Name the child?
13. In *Commonwealth v. Feinberg*, Max Feinberg was convicted of involuntary manslaughter. The court held that Feinberg knew the purchasers were drinking this substance. What commercial heating product was Max selling?

## ANSWERS TO TRIVIA DICTA:

1. The body of the crime; 2. Murder, mayhem, rape, sodomy, larceny, manslaughter, arson, burglary, robbery; 3. When persons are charged with conspiracy to commit a crime which by definition requires an agreement between the parties (e.g., adultery, dueling); here can be no conviction for conspiracy; 4. Rakester Influenced and Corrupt Organizations Act of 1970; 5. Double Jeopardy; 6. Seven; 7. *Montes v. United States*; 8. Yes; 9. *Wong Sun v. U.S.*; 10. Guns; 11. *Minister of England, Edward Drummond, Peet's private secretary*; 12. Charles A. Lindbergh Jr.; 13. Stern.

## In Memory: Kevin Briscoe

Kevin Briscoe, a third year law student died September 22, near his parent's waterfront home. Kevin was found floating in Lake Washington where he drowned, a low voltage electrification was a contributing factor to his death.

A frayed wire to an electric motor had electrified the boat hoist on his parents dock. Kevin was apparently attempting to save his wet dog which had brushed against the electrified frame when he too touched the frame and was electrified.

Kevin was born May 27, 1959 in Seattle and lived in Medina since 1964. He was an honors graduate of USD and a four year varsity letterman of the football team. He was currently the Kicking Coach for the USD football team Kevin was honored twice in *Who's Who in American Universities and Colleges*.

Kevin Briscoe was one of those in-

dividuals who enjoyed life, and never seemed to let the struggles of law get him down. He always found some reason to smile. He was a soft spoken kind young man who was sensitive to the needs of others.

As Kicking Coach to the USD football team, he worked with the athletes and became their confidant. The team wore black arm bands in the game following his death.

The Mass held at the USD chapel in honor of Kevin was packed with undergraduates, law students and professors. He touched many people.

A scholarship fund has been established at USD School of Law in his honor.

Kevin Briscoe was one of those people who made an impact on the people he met. Those who knew him were better because of him. We will miss his contribution to USD School of Law and the legal profession.

## State of the School Address

by Doug Friednash

SBA President

Where Dear Abby advises and William Buckley's column lambasts, this column will rely on the "Cuisinart" style of journalism. The style found most appropriate for law school newspapers (according to a recent American Bar Association—Law Student Division Study). The "Cuisinart" approach occurs when several different items are all placed together in one article and tossed lightly.

The first such items concern the addition of the newly elected first year representatives. As I am sure you will all recall we could not announce them in last issue due to the fierce run-off elections that were taking place at the polls. Gary Garland, Rusty Nichols, Greg Cotler and Debbie Lance all won the tightly contested first year battles.

The board wanted to take advantage of the enthusiasm found in most newly elected people before the realism about the position set in, so the hapless reps were congratulated quickly and then plunged into the most thankless of jobs... the budget meeting. After a brutal day the 1985-86 edition of the SBA adopted its fall semester budget, and aspirin was given to all representative as they left in a state of confusion.

I would like to commend Sue Melton, Melissa Crenshaw, Patty Sieveke and Greg Fuccillo for orchestrating an amazing week of budget request forms and preliminary review meetings. This ended peacefully when the SBA allocated \$12,000 from over \$30,000 worth of requests. Greg also tried to remind all those groups receiving funds to turn

After a week of interviews Sue Melton, Day Vice-President has announced who the new student members are on the student-faculty committees. Leslie Detwiler and Jeff Schroer were appointed the co-chairs. The list of students appointed to each committee is posted on the SBA door. The correct check-reimbursement forms to him.

Under the guidance of Jim Zimmerman, the Second Annual PAD Law School talent show will take place November 7th at 9:30 p.m. Prizes will be awarded for: best act, worst act, Navin's Duck award for faculty embarrassment, Professor look alike-contest, best chest contest (male only), and the Pee-Wee Herman Contest. For sign-ups and information go to the SBA office between 8:30—9:00 am Monday—Thursday.

The annual SBA Halloween Dance will be held at the Law School November 1, at 9:00 pm. This event promises to be scary in more ways than one. What else needs to be said.

On a more serious note—are you fed up with the library? Tired of searching for hours for a book that is not on the shelves? Tired of the mess in the Writs? Tired and frustrated and you want to vent this frustration? Tired of asking yourself "S\$7000 for tuition and the library is in a shambles?" Well I am too, and I believe we deserve better. I have told the administration and I urge you to do the same.

I urge anyone with comments or suggestions for the SBA to come in and talk to us. Office hours are posted on the door.



## The Woolzack

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Managing Editor — Julie Cardenas  
Associate Editors — Steve Cowen  
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Sports Editor — Michael Saverino

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Published by the students of the  
UNIVERSITY OF SAN DIEGO SCHOOL OF LAW  
Telephone 260-4600, Ext. 4343



# OPINION OPINION OPINION

## Editorial:

### Unenforced and Unenforceable

I found an interesting tidbit in my assignment for Public International Law today. I was musing over the concept that law "represents, in the end, a set of events whose common property is sanctioned regularity." I thought how primitive international law is and how advanced "our" law is because in America if you break the law you are regularly sued, fined or imprisoned. But as I thought more about it I realized this nation has a problem of epidemic proportions in that a great deal of important law goes unenforced. The result is the taking of rights from individual citizens by a backdoor means, but deprivation nonetheless. This should not be so.

A front page story of one of the local newspapers stated "Many of America's lowest-paid workers are being cheated out of overtime pay and minimum wages because the federal government isn't enforcing an important labor law, the General Accounting Office says." In other words employers are being unjustly enriched at the employee's expense. I venture to guess that OSHA standards for a safe and healthy workplace are also unenforced.

A friend of mine gave me some information about medical experiments on animals. I am certainly not one to condone the breaking into and "release" of these animals, but from the information I had it was plainly obvious that the laws applicable to animal experimentation were being disregarded. Some of these experiments were past inhumane, they were barbaric. The details I will spare.

I don't think there is any question that workplace discrimination is oc-

curing like never before. I don't think there is any question that violations of air and water pollution standards are going unpunished because there are so few qualified inspectors nationwide.

I read an article about sheriff deputies patrolling rural San Diego County. In this article a sheriff was quoted as saying if he stops a drunk driver, he doesn't arrest him he drives him home! I thought that was crazy. If the policeman had reason to believe that the suspect was drunk, then an arrest should be made. The police explained that to arrest the suspect would mean hours would be needed to take the suspect in, fill out the paperwork, etc. This would be too much time off the beat to be worthwhile.

The nature of our legal system now is one of selective enforcement. Certain laws are enforced for whatever reason, and certain ones are not enforced for whatever reasons. I find this a dangerous proposition. It could easily lead to situations where enforcement officials will enforce what they want to enforce against whomever they wish, and they will be able to hide behind the guise of common social practice. If laws are only selectively enforced, how can it be determined if officials are abusing their power or merely carrying on the common practice of selective enforcement. We are a nation of laws, so be it. But to allow there to be symbolic law under the guise of positive law just for the sake of having the law and not being able to enforce it is dangerous. For law applied to one not all is not law at all by tyranny.

## THINK BEFORE YOU THINK

In the early 1970's the Christian church in America transformed with the arrival of the "Jesus people". Out of this movement sprung the "born-again" revivals that seemed to have peeked in the early part of this decade. As a result of these movements there are now thousands of new christians of different denominations. A new characteristic about most of these new christians is that they are politically active.

But there is a misconception about. The newsmedia generally portrays all politically active christians in one light. The politically active christians is almost always associated with Jerry Falwell or the Moral Majority. Politically active christians all believe in Reaganomics, are virulently anti-soviet, and bomb abortion clinics. But nothing can be farther from the truth.

All christians do not hold to the views of the moral majority. Many, including myself, find this man and his aspirations frightening. He seems more concerned with coalescing a political block in order to influence political decisions, than he does

upholding biblical principals. His pleas for money are pathetic. His comments on human rights, a.k.a. South Africa, seem devoid of compassion. This man speaks for only a very narrow segment of modern christianity.

Not all pastors are like those charlatans you see on television. Many a television preacher has made fortunes off of gospel television. Every once in a while a glimpse of some of these preachers lives are shown with there Mercedes-Benz automobiles, there extensive tailored wardrobes, and homes with gold plated bathroom fixtures. But all pastors are not like this. Most are self-sacrificing men who are paid way too little for the amount of pressure and responsibility they must bear.

Not all christians are pro-Reagan. While most Christians cannot vote for a democratic candidate because of the democratic parties views on human rights issues, the votes for Reagan are not 100% cheerful.

Not all Christians are virulently anti-soviet. Many churches, including the Roman Catholic, have engaged in

the harboring of Central American refugees who would almost certainly face repercussions if returned to their native lands. These are not the pro-Reagan type of people that all of them seem to have been characterized as.

It is also a misconception to think that all christians can actually be characterized as one monolithic block. Nothing can be farther from the truth. On any given issue there are so many different views that often different christian groups will shun or boycott the other.

Christianity is a much more complex entity in society today than is generally known. To try and characterize all christians as supporters of Ronald Reagan or Jerry Falwell would be wrong. Christians are often as individual as any other group of people in society. One thing all christians do have in common though is they carry the message of "good news", and if you have never bothered to listen to the "good news" because you felt all christians were like Jerry Falwell, then maybe its time to shelve the categories and listen to the message for what it is.

## I Refuse To Read One More Case

Dear Editor:

I have not many complaints about law school, and the ones I do have, I generally keep to myself. There is one however, for which I can no longer hold tongue nor pen, and thus is the aim of this brief letter. Law school is, in my opinion, far to lengthy.

The case method of study is at the very heart of my analysis. This has to be the most roundabout method of learning for which I have ever encountered. I could hardly think of a less efficient manner to learn, even if I were to try. Why are we put to suffering through twenty pages of endless explanations? Come to the point.

I know of no other subjects which are to be acquired in such a silly method. Does the mathematician ob-

tain his knowledge by having the scratchpaper of Einstein thrust similarly weeded from law. I should think this would not be very difficult.

I will take for this argument an example from contract law, although any area of law would work, I am sure. How do we learn that an objective standard is what is used in analyzing the bargaining process? We read many cases, one of which is *Lucy v. Zehmer*. Why must we read pages about some drunk who was "higher than a Georgia Pine," to discover this principle? It seems to me a much easier and clearer solution is to simply have the teacher say, "It is the outward manifestations which are decisive in the bargaining process."

Of course, the standard reply to my critique is that we read cases to learn how to analyze them, as that is what we will be doing as lawyers. I find

merit in this argument. However, it is no great chore to figure out what these cases are dealing with. In fact, I found that after reading about 15-20 of these cases, I could pretty much figure out every other case I was to encounter.

Further, why should our precious eyesight be so heavily taxed when 20 page opinions can be had in one paragraph? This case method puts exorbitant demands on our national forestry as well. How many redwoods have been felled to accommodate a Cordoza opinion? Most offensive is the huge amount of money which unsuspecting students are forced to relinquish in order to finance all this case learning. Oh who is this case method innovator anyways? I would surely like to meet this scoundrel for but five minutes in the farthest throes of the law library. *Daniel Jamieson*

## AROUND AND ABOUT:

The interior of the law school is getting a much needed facelift. The inner corridors of the school are actually beginning to look like a law school. The day before the United States Attorney General came here they newly renovated the interior of the second floor. The second floor looks much more professional with the new classroom, new offices and new new decorations. But the law library and the Writs need facelifts. The Writs is tolerable because Lorna is so pleasant, but the library is in dire straits. Send money fast.

On campus recruiting is in full swing for some. The general consensus, however, is that on-campus interviews are a shot in the dark. The best way to get the summer job is still to send out letters to firms not interviewing on campus.

The interview process is probably typical of past years. Of the three firms I interviewed with only one has maintained any kind of schedule. One firm arrived late, missing a couple of interviews, and then proceeded to get later by not staying on time. The other one just couldn't keep a schedule.

This years first year class is supposedly the brightest yet. They have my vote for the most competitive. From what I'm hearing there is a great deal of grade consciousness. Professor Brooks' multiple choice gamble is what I hear about most. I didn't explain to them the gory details about the high being 19/40 with a 15 being an 85 and a 14 an 80. I wonder if a disproportionate amount of people won't make law review out of that just like last year. One student had the right approach, narrow the answer down to two possibilities and then think liberal. But then again, I hear Professor Brooks is going to change his test again.

Hats off to the recruiting committee, this is definitely the prettiest group of first year girls. I met with Paul Metch (I think he graduated last year) and he agreed. Paul is an expert on this kind of thing too. The question is are they more liberated. I saw one reading a Playboy magazine at the softball game on Friday. I protested to a girl-friend, Ms. Brown. She said she didn't see anything wrong with that. After regaining my composure I pointed out

Playboy is inscribed "Entertainment for Men." Oh well, its trash anyway.

The orientation cruise around the harbor went fine. We all met the Dean's wife. Some of us drank too much and then tried to carry on logical conversations with the Dean. I won't mention any names.

There are problems with Moot Court. Nothing against past moot court boards, but the general opinion seems to be that a couple of people on this board are not going to win any congeniality awards. Hey you two, try the nice guy approach. If you need an example of how to treat people go spend a day in the records office. Those ladies are always helpful and courteous.

The prospects of the National Team look better. If Mark Siegal is an indication of the caliber of oralist on the National Team, then we should do alright.

Well, I hope the month goes well. And remember, your roving editor might visit you and you won't even know it, so remember, stay on on your toes.





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# Profiling San Diego Practitioner

## THIS MONTH—F.B.I.

### Profile:

## LARRY CAMPBELL

by Julie Cardenas  
Managing Editor

*Larry Campbell is one of these rare individuals who is compassionate, dedicated to justice, a man of high ideals and above all sensitive to the needs of others. He is honest, trustworthy, and full of life. He is a family man and has the ability to make one feel comfortable and accepted almost immediately. He combines his qualities and uses them effectively in his position as a Special Agent for the F.B.I.*

*It is clear that Larry Campbell is an F.B.I. agent. There is that bulge on his hip, the infamous gun. He dresses both professional and casual, depending upon his assignment. He looks like the average man in the crowd, but he protects us from the criminal element. I am glad he is on our side!*

Campbell knew he wanted to join the F.B.I. ever since he was a teenager. As a young high school student he went to a career day at which the F.B.I. made a presentation. That presentation, plus the two agents who lived next door, persuaded Campbell the F.B.I. was the career for him. Campbell says "Living next door to the agents was exciting for me. In the middle of the night doors would slam as the agents left their homes and in the morning the newspaper would have headlines of another daring F.B.I. raid."

According to Campbell, there is still a certain mystique about being an F.B.I. agent. People ask him what his profession is and when he says, "F.B.I. agent," they do double takes and tell him, "You don't look like an F.B.I. agent". He has never yet determined how an agent is supposed to look.

Campbell is a graduate of U.S.D. school of Law, class of 1964. Some of the professors who taught Campbell are Professor Frank Engfelt, Professor Joe Brock and General George Hickman. Larry graduated from Georgetown University in 1961 and received an Army ROTC commission as a 2nd Lt. He became an Artillery Officer and served in Korea as an Intelligence Officer and Battery Commander. His training enabled him to participate in some Military Court Martials. While he was waiting for his F.B.I. application to be approved he worked in marketing for the Mobil Oil Corporation in West LA. Campbell said "After a year in private industry I knew the F.B.I. was where I wanted to be."

In June 1968, two weeks after Robert F. Kennedy was assassinated, Campbell became an F.B.I. agent and was assigned to Dallas, Texas. There he worked on numerous criminal cases, specializing in auto theft rings.

In Sept. 1969, Campbell was transferred to Chicago where he was assigned to a Security Squad investigating domestic terrorist groups. His work included pursuing some of the "Weathermen," a violent splinter group of the Students for a Democratic Society (SDS). The group threatened to poison the water supply of Chicago, and bombed several government buildings. "Working to uncover the Weathermen was difficult because they used deceased infants names to conceal their true identity, and the group studied different methods of avoiding detection and forming an

organized underground organization," said Campbell.

Chicago was a violent place in those days: "The Days of Rage" occurred during October, 1969, when radical groups did a large amount of property damages to the Gold Coast section of Chicago. After being promoted to Applicant Coordinator for the Chicago Division of 1975, Larry Campbell and his family moved to San Diego in September, 1976, where he is presently assigned.

### SAN DIEGO CASES

"Working in the F.B.I. is a stimulating, interesting and satisfying position" says Campbell. Each agent is assigned an average of fifteen to twenty cases. The agents work the case from its fruition to the end. Interviewing, informant development and surveillances are the major methods of developing the cases.

Campbell expressed personal satisfaction because the initial probability of conviction was less than fifty-fifty, and he was not sure that the Justice Department would prosecute. "Principle prevailed" and with the help of an aggressive AUSA and Department of Justice attorney Susan King the Civil Rights of the children were upheld.

### WHITE COLLAR CRIME

Campbell also investigated numerous White Collar Crimes. The following cases concerning investment fraud and is presently on appeal. The defendant placed an ad in the newspaper requesting a minimum investment of \$10,000 saying the money would be placed in F.D.I.C. trust accounts, and would earn almost double the current rate of interest.

In one weekend the defendant received several \$100,000 checks from Californians and Midwesterners. Banks became suspicious and reported the incident to the F.B.I. Within a week Campbell had identified the perpetrators and arrested one in a San Diego condominium. All the money was recovered and returned.

The second perpetrator was arrested in the Bank itself while attempt-

ing to withdraw money from a third bank previously unknown. Both men were convicted.

### ADVICE

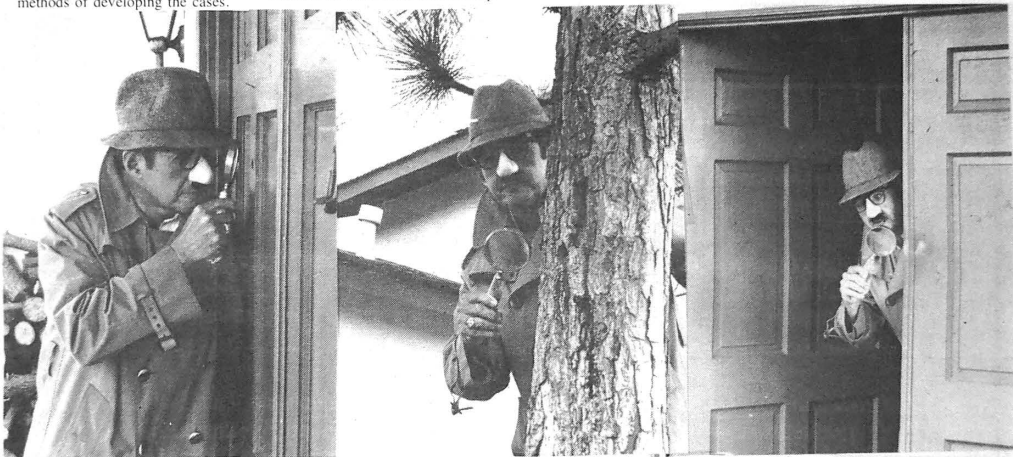
"The F.B.I. is an active way to use the law degree," says Campbell. The F.B.I. is a viable option for law students, or for lawyers who become disenchanted or disillusioned with the practice of law. Agents are out in the field meeting and talking with people, and using their analytical skills to prosecute violations of approximately 250 federal statutes. Pay starts at \$24,000 and increases to \$30,000 after 4 months of training and two months assignment in the first field office. The additional \$6,000 is for overtime pay. Less than five percent of agents are involved in gun battle.

The F.B.I. is an exciting place especially today with current involvement in drug investigations. After 5 to 7 years of being an agent, one can apply to the Legal Counsel Division at F.B.I. Headquarters, Washington D.C. Each of the fifty-nine offices have a Principal Legal Advisor who is a member of the bar and handles legal problems at the field level.



In June 1984 Campbell became the primary recruiter for the F.B.I. San Diego Region. Campbell says he enjoys this position because, "It allows me to make a contribution toward the future personnel profile of the Bureau."

Campbell's advice to all students is "If you have a strong desire to practice law, do that first. If you are looking for something more active or are not obtaining fulfillment from your law practice, the F.B.I. is a challenging and viable alternative."



One case Campbell is proud of, involved child abuse of two retarded children. The girls, eleven and thirteen lived in a state funded home with four other severely retarded children. The proprietor sexually abused the two girls over a five year period.

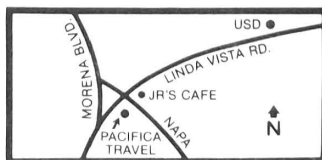
The natural father suspected the atrocities, removed his child from the home and went to the state authorities. Because of the difficulty in proving the case, (one child was mute), the state declined to prosecute.

The father then went to the F.B.I. and Campbell was assigned to the case which was investigated as a Civil Rights violation. After one year of intensive investigation, the U.S. Attorney indicted the proprietor on ten counts. The counts included mail fraud, perjury and two counts of Civil Rights violations.

This case is a landmark one because it is the first time a Civil Right conviction was obtained through the use of wire and mail fraud statutes. The F.B.I. investigation and creative pleading techniques by Assistant United States Attorney (AUSA) John Mackhan (presently assigned to the Boston office) resulted in the return of a Federal Grand Jury indictment.

The man pled guilty to four counts including the two Civil Rights misdemeanor charges. He was given the maximum sentences of 13 years, but it was later reduced to 18 months confinement and 5 years probation-rehabilitation, based on the psychological analysis conducted by psychologist at the Metropolitan Correctional Center (MCC).

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# USD HONORED TO HAVE

## State Supreme Court Justice Cruz Reynoso

### Greeting Students:



### The Proper Role of the California Supreme Court...

(Continued from page one)

The gubernatorial election came up a few months later and I had to go before the electorate on a "yes", "no" vote. For the next gubernatorial election, I go before the electorate once again. However, after I am confirmed, notice the optimism that I display, I will not be up for re-election until twelve years.

Q: What is your opinion on the death penalty?

A: (Shortened in the interest of space). The death penalty is part of California law. I have been sworn to uphold that law.

Q: But that is not being done, why not?

A: It is indeed being done. I am glad you said that because it gives me an

opportunity to explain. The current state of the law.

The California Court has held that death penalty decisions must follow specific guidelines, for example, anyone sentenced with such a penalty has the right to an automatic appeal. A capital case in California must be treated as two separate cases. First the issue of guilty or innocence is decided. The Southern States were the first to adopt the death penalty when the Supreme Court of the United States determined it was not an unconstitutional penalty. Later on, California adopted the penalty under the Briggs initiative. California's death penalty involves two types of laws, the statute which was passed

after many hearings held to make sure it met the federal guidelines, and the Briggs initiative.

Unfortunately, Briggs wanted aspired to the gubernatorial seat and used the Briggs initiative as a political tool. Voters were persuaded and bought it. The initiative is a cumbersome initiative and one California is committed to uphold as it is what the populous voted for. Since the law demands such a process the current Court must uphold its duty to follow the law. Ironically, Briggs paid a young attorney \$5,000 to draft the initiative with the instruction to make it cumbersome as possible. Not surprisingly, it did not comport to the federal guidelines.

California, as well as 35 other states have death penalty laws and have been in the regrettably slow process of structuring a death penalty that is constitutional and functional. This is not unusual for it has taken other states who adopted the death penalty previous to us at least 8 years to formulate and structure their death penalty law. California is in the development stage for such a formulation, in a state of flux but it is a process which we must go through to reach a state of equilibrium. The people of California want to meet the guidelines set down by the U.S. Supreme Court.

The death penalty is both a political and moral issue. Some people think it is right politically, others think it is wrong politically, others think it is right morally, others think it is wrong morally.

A judge, however, enforces the law as it stands whether that judge agrees with it or not. We, the current Court, are in the process of enforcing the law and structuring that law so that, constitutionally, the will of the people of this state is carried. It is unfortunate we so often have public figures suggesting that this is not so.

Q: What can be done to combat the campaign against yourself and the other Justices of the California Supreme Court?

A: Remind our fellow citizens about the role of the judiciary and what our role is and what it is not. Unfortunately, because the individuals who are attacking the court seem to have a great many resources they appear to be very dominating. The real key is educating the populous of the truth, it will take organization and resources to bring to all the people of the state the TRUTH of what our goal is and what the traditions have been. Sometimes the criticisms are so political that as a judge one has a hard time taking them seriously, however, one knows the other people are.

I talked to a fellow last Monday who said "Well Judge I really enjoyed talking with you, I had these question and you have answered them. I appreciate it. I believe you should talk to people more often because everyone thinks that judges agree, and when the Chief Justices says 'vote yes' that all the judges will follow your lead."

"This is definitely not the reality of an independent judge whose duty it is to his or her oath of office to vigorously represent his or her beliefs and dissent when it is necessary.

Following the speech, guests were invited to wine and cheese reception where they could meet and speak with Justice Reynoso. Justice Reynoso will be in San Diego on November 16, 1985 for a fund raiser.

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# HOSTED VISITING DIGNITARIES

## U.S. Attorney General Edwin Meese III

### Inside the Justice Department

C. Naranjo, Editor-in-Chief

Attorney General Edwin Meese feels fortunate to have had the President entrust him with the position he has as head of the largest law office in the world, the U.S. Department of Justice. There are over 5,000 lawyers in the Department of Justice. The Department consists of some 62,000 people as the work ranges all the way from litigation to the handling of community relations for the federal government, to the trustees that handle the bankruptcy matters under the Bankruptcy Act of 1978. The Department also includes the Bureau of Prisons, the Drug Enforcement Administration and the FBI. The activities of the department are oriented towards the goals of the administration, which goals fall into several categories. The field of criminal justice is of primary importance as the Dept. of Justice is the principle law enforcement agency of the federal government. The primary goal of the Department is to combat the trafficking in illegal narcotics as well as to work with public and private agencies to try to curtail the use of narcotics within this country. One approach to combat the problem is to expand dramatically the prevention and education campaign against narcotics. Each episode of medical research in the last decade has found that every type of illegal narcotics is more dangerous to the health of Americans than was ever anticipated before. The task of the Department is to get this message to the American people, particularly the young Americans.

Another aspect of the Department's criminal justice work is the work against organized crime which is closely related to the campaign against narcotics. There is the whole responsibility of the department to combat terrorism both in the United States and abroad. Other concerns include economic crime, also known as "white collar" crime. A big priority as well as crimes involving missing and exploited children. A relatively

new phenomena on the federal scene but one which becomes increasingly important to our federal law enforcement agencies as this crime involves interstate transportation and travel.

Our Attorney General Meese's aim is to improve the criminal justice system as a whole. In this regard, the Dept. of Justice is very much involved working to improve the plight of victims, working with various law enforcement agencies on the development and improvement of victim assistance programs. The aim is to not allow the victim of crime to be victimized twice, once by the criminal and secondly by the legal and judicial system in which a victim becomes involuntarily enmeshed.

The Dept. of Justice is also looking very hard at the prison situation. Over the past 25 years there has been a vast increase in crime. Consequently there is a vast increase in the number of people sentenced to prison but at the same time there has been almost no increase in prison capacity. Prison capacity has not kept pace with the number of criminals convicted.

Another priority of the Department is civil rights the most effective enforcement of all of the civil rights laws. One particular aspect of this has been the prosecution of offenders who are involved with pro-

secution on the basis of race or religion. The Department has been very successful in the last 6 months in major capturing members of "hate groups": para-military organizations whose sole purpose is to operate against law abiding American citizens based upon their own particular racial prejudices.

Another category of the Department's priorities has to do with meshing the enforcement of economic regulation laws, such as the anti-trust laws are under thorough review to see whether they may need some revision in view of the fact that our country was founded essentially in a competitive situation which was limited for anti-trust purposes to the context of our own country but must now be readjusted for the context of global markets and a global economy.

The Dept. of Justice is also interested in preserving Constitutional values, taking a new look at some of the concepts of the Constitution. Concepts such as the very important aspects of federalism, the role of the separation of powers in a new age of relationships between the three branches of our government and the protection of religious liberties. The challenges faced by the Dept. of Justice are great and Attorney General Meese whole heartedly accepts them.



### Board of Visitors:

## Attorney General Optimistic About USD's Future

On September 28, 1985, an extremely productive meeting of the Board of Visitors of the Law School took place. The Board took the time to share some ideas about the progress of the law school with visiting dignitary Edwin Meese, III, the Attorney General of the United States. A luncheon was subsequently held in which Mr. Meese was able to greet a lot of friends. In his address at the luncheon he expressed his belief that the potential for the law school is tremendous.

When Mr. Meese first came to the Law School in 1977 He attended a meeting of the Association of American Law Schools in which USD

was rated as one of the 10 law schools in the country with the greatest potential for improvement. He remembered wondering at the time whether that was dabbling of praise or a projection of what the future held for the Law School. Time has shown, Meese believes, that the latter has held true.

Attorney General Ed Meese was most pleased to be able to see the people he had taught with and to find that Judge Huffman was keeping the Center for Criminal Justice Policy and Management going. Mr. Meese originated and ran the Center at USD before taking his post as Counselor to the President and subsequent appointment as Attorney General of the United States.

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(Continued from page one)

system, the judicial system and the actual practice than the University of San Diego Law School. Attorney General Meese was very impressed at what he learned at the Board of Visitors meeting about the Mexico-United States Law Institute, the Center for Criminal Justice Policy and Management, the Public Law Center and the Law Center which is carrying out some of the ideas he had hoped would one day be realized.

Mr. Meese believes we should try to make the practice of law more like the practice of medicine in the sense that there is a focal point where the profession, the research, the education and the public service aspect all come together. There is a need for a physical place where practicing lawyers rub shoulders on a day-to-day basis, where students can learn more about the practice of law. Mr. Meese feels USD Law School is such a place and he is tremendously enthusiastic by what is going on at USD. He believes the magnificent courtroom is another symbol of the way USD Law School is responding to the challenge of working to improve our legal system.

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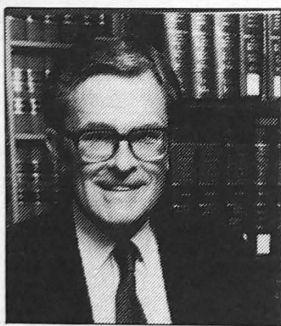
# James K. Herbert Celebrates 20th Year in Bar Review By Leaving BAR/BRI

Ladies and Gentlemen of the Law:

I am pleased to announce the dissolution of my 20 year relationship with BAR/BRI and the creation of BARPASSERS, The Barrister Project's all new full service and fully integrated bar review course. BARPASSERS is expressly and exclusively designed to prepare students for all three parts of the new and comprehensive California Bar Exam.

I began my bar review career 20 years ago in the Summer of 1966 when Bill Rutter asked me to teach for what was then the Bay Area Review Course and is now BAR/BRI. In those days the bar exam consisted of essays only. Our job was to teach substantive law and a little bit of writing technique. What's more, the exam was given in the last week of August and there was plenty of time for a leisurely summer schedule with moderate amounts of recreation.

Much has happened to bar review since those easy going days of the 60's and early 70's: We've seen the exam move from August to July; we've been treated to the addition of the MBE's multiple choice questions; and we're now facing this challenging new beast the Performance Test. Notwithstanding all of these changes, the nationally-operated tradi-



*For years I've said to myself that there's got to be a better way to pass the bar. Now with The Barrister Project's creation of BARPASSERS, that better way is here.*

tional bar review giants (BAR/BRI which since 1974 has been a subsidiary of a Fortune 500 company and BRC which has recently been sold to a European publishing conglomerate) still devote the great bulk of their time to substantive law lectures which are taught, in large part, by professors who although nationally recognized as scholars in their fields have little or no expertise in the special techniques which are necessary to master all three parts of the new and comprehensive California Bar Exam.

So what is available for the student who needs some extra help in technique? Well, if he needs writing technique, there's always a writing course -- for an extra fee; or if she needs MBE technique, there are some fine MBE workshops -- for an extra fee; or if he or she needs to sharpen performance skills there are several weekend clinics -- for an extra fee. But the total bill for these extra courses could almost double the cost which the student pays for the basic course offered by the nationally-operated traditional bar review giants.

For years I've said to myself that there's got to be a better way. Now with The Barrister Project's creation of BARPASSERS, that better way is here.

BARPASSERS schedule is uniform throughout the state and is now firm for both the Winter '86 and Summer '86 courses.

Substantive law preparation is always the first item of each week. The schedule is not subject to the vagaries of the travels of the transcontinental professors used by the traditional giants because all of BARPASSERS substantive law sessions are pre-recorded and edited with state of the art big screen video technology in broadcast quality studios. This permits us the total freedom to design an intelligently paced and structured schedule for ease of understanding and maximum retention of the law presented. For example, the weeks alternate between subjects which are tough and subjects which are easier to grasp; all MBE subjects are presented up front leaving maximum time for hands-on practice. We have significantly redesigned the traditional bar review curriculum. For example, Remedies is not taught as a separate course, but as an integral part of Torts, Contracts, and Real Property. This may not be the way Remedies is tested in some of the other states in which the giant traditional courses operate, but it is the way Remedies is tested in

California and it is the only way the candidate for the California Bar Exam should approach the subject. Other courses such as Criminal Law and Criminal Procedure, Wills, Trusts and Community Property, all frequent candidates for cross-overs, are taught in tandem.

After the substantive law sessions, there's study time with a specially designed syllabus telling the student how to use that study time most effectively.



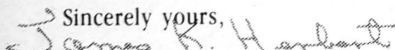
*We have designed an intelligently paced and structured schedule for ease of understanding and maximum retention of the law presented.*

And then at the end of each week, there are live workshops focussing on writing, MBE or Performance Test technique where the student gets plenty of expert guidance and plenty of time for hands-on practice, practice, practice... which is so essential to success and to making the bar exam a once in a lifetime experience.

All of these workshops -- writing, MBE and Performance Test -- are provided for the basic course price at no extra charge. Even more important than the price saving, however, is the integration factor. All parts of the course are put together so that there is no conflict between the substantive law sessions, the student's study time, and the technique workshops. BARPASSERS is able to offer this unique service because it is the only full service bar review course designed from the bottom-up for the new three part California Bar Exam and *only* for the California Bar Exam. BARPASSERS is not a national giant trying to produce a basic course which is then cut or expanded to serve local needs. That system may work well in states with high pass rates; the recent and shockingly low California pass rates demonstrate beyond a shadow of a doubt that the systems used by the national giants just do not work when they come up against the rigorous standards applied by the California Examiners to California's new three part comprehensive bar exam.

Compare BARPASSERS schedule with the schedules of the nationally operated traditional bar review giants and you'll see that BARPASSERS puts it all together in one package, under one roof, at one reasonable price.

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Sincerely yours,  
  
 James K. Herbert

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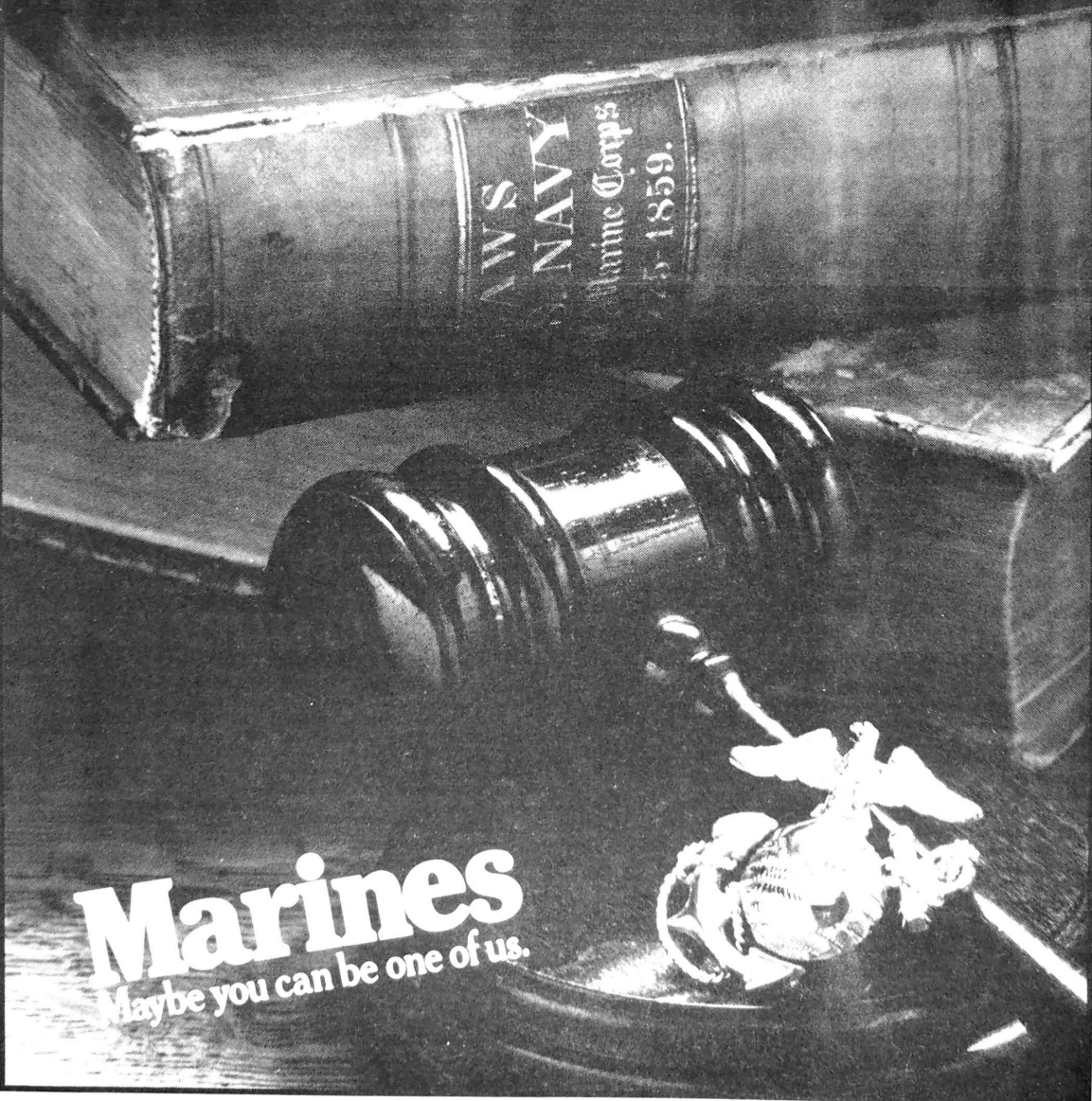
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# Tony La Russa: White Sox Lawyer—Manager Is A Baseball Man At heart

BY Mike Saverino  
Sports Editor

*A major league manager leads a busy life. His time is valuable. Tony La Russa shared fifteen minutes with me in the visitor's dugout of Anaheim Stadium during a late September visit by his ball club, the Chicago White Sox. In between coaches and team meetings we talked about his unique standing as only the fifth lawyer-manager in major league baseball history.*

For Tony La Russa it was every kid's dream come true when, at age 17, he signed his first professional baseball contract with the Kansas City Athletics. That was graduation night from Jefferson High School in Tampa, Florida, back in 1962. He quickly made his major league debut with Kansas City in 1963, his second professional season.

He didn't make another major league appearance, however, until the Oakland A's brought him up during the 1968 season, and part of each season after that through 1971. He also appeared for the Atlanta Braves in 1971. He last played in the majors on Opening Day 1973 for the Chicago Cubs at age 28.

La Russa paid his dues as a minor league player. In 16 years as an infielder he spent parts of six seasons in the major leagues.

During those 16 years he worked hard to prepare for the day the dream might end. As part of his first contract the Athletics agreed to pay for La Russa's college education. He attended the University of Tampa and later the University of South Florida during the off-season. He graduated from USF in 1969.

In 1972, despite good minor league statistics, the combination of injury, age, and lack of major league appearances influenced La Russa to consider his future plans beyond a college degree. That's when he first thought about law school.

"Around 1972 I had had a couple of pretty good years at AAA, but I wasn't generating much big league time, (due to) a sore arm, so I started looking around for something else to do. I figured I'd be out of baseball pretty quick. I had some friends who were attorneys and I started talking to them about it.

"I took the LSAT and checked with Florida State. They worked it out so I could go the fall and winter, drop out of school (for baseball season) and get readmitted the next year."

La Russa started law school in the fall of 1973 at Florida State University School of Law. In December of that year he married Elaine Coker. By the time he reported to spring training in 1974, baseball was merely a means of financing his legal education.

"When I started law school in 1973 I felt that my career was coming to an end real soon. So at that point I was just playing ball to finance my way through school. I figured if one year no one would pay me to play I would just drop out of baseball and finish school. As it turned out I would get a job every spring with some organization. I played right up to my last year in school."

That last year was the winter of 1977. La Russa took the Florida state bar exam in 1978. Instead of waiting around for the results he decided to try one year of managing. That interest had developed during his last few seasons, as a player-coach.

"The last three years that I played (1975-77) were as a player-coach. Twice I worked for a great man named Loren Babe. Seeing how he operated his team really got me interested in managing. I know he recommended me to the White Sox as a guy they should consider."

"I talked it over with my wife and we decided I was going to take one shot at coaching and get it out of my system. I sent out inquiries to clubs that had talked to me about it during my time as a player-coach. The White Sox offered me a AA job. I was sure I'd get it out of my system and become a lawyer in the winter of 1978. As it turned out, with managing I caught every break in the world."

"Every break in the world" included La Russa finding himself in the major leagues before the end of the 1978 season. On July 3, his AA Knoxville team was in first place with a 53-25 record, when the White Sox brought him up as a coach for the remainder of the season.

That winter after he received his successful Florida bar results, the search for a law firm with an appreciation for baseball began. "In January of 1979, I started talking to firms in Sarasota (Florida) my winter home. I found a young, five man firm, Conley and Dooley, that I thought was perfect. They understood my baseball obligation and that I wanted to keep the (legal) interest alive during the winter. I joined them and I've been there ever since."

"We eventually merged with a large firm out of Pittsburgh that's been around since the 1800's. Now we're Thorp, Reed, Conley, and Dooley. The firm handles most everything. The office in Florida does mostly commercial law and real estate."

"I don't practice law, because managing is such a full-time job. The White Sox run me around a lot during the winter. I still have an office and during the winter I go in a couple of time a week and talk with the guys, but I don't do any legal work. That's on a continuing basis and I just can't be there."

"In baseball I get asked for advice all the time because I'm an attorney. I feel very comfortable referring the guys to Bill Dooley or Roger Conley with the firm and they get expert treatment."

With an associate position at Conley and Dooley secured, La Russa returned to baseball for an eventful second season of managing. He began the 1979 season at the helm of the White Sox' AAA Iowa team. But on August 2, at the age of 34, he replaced Don Kessinger as the White Sox' skipper. The team, 46-60 under Kessinger played .500 ball the rest of the season (27-27).

In a business where quality coaches commonly toil in the minor leagues for ten to twenty years before getting a crack at the big leagues (and even then there's no guarantee), La Russa shot to the top in less than two seasons. He has been the Chicago

manager ever since. He is second to Sparky Anderson in the American League for length of continuous service with one club.

La Russa is only the fifth lawyer-manager in major league history. He joins the company of Hall of Famers Monte Ward, Hughie Jennings, Miller Huggins, and Branch Rickey.

He has found his legal education helpful to some extent to his managing career. "No other manager is a lawyer, so they've learned their lessons other places. But for me it (law background) has helped to a certain degree."

"In school you learn, you prepare, you get an edge. If you prepare better than the other guy, you get that edge. Well it's the same thing in baseball. Talent is still going to win most games, but if I'm better prepared than the guy I'm going against, that edge can win a ball game once in awhile. Those add up."

"Preparation, attention to detail; a lot of that comes from law school, but I'm not the only guy out here who does that. A lot of managers learn it in other places."

La Russa may need every edge he can get this off-season. His contract is up and stories are circulating that the White Sox may not re-sign him. The San Diego Union recently reported that according to Chicago scribes La Russa's job is in jeopardy, now that Ken Harrelson is the new general manager. The Union believes that Harrelson may ask the Padres for permission to speak with Dick Williams, considered by Harrelson to be baseball's best manager. A main consideration will be how much control the front office gives Harrelson. At the time of this publication La Russa was still the manager.

In La Russa's defense, the White Sox have posted winning records in four of his six seasons as manager. After steadily improving their record during La Russa's first three years, the White Sox, in 1983, won the American League's Western Division by 20 games with the major's best record (99-63). La Russa was named Manager of the Year, by The Sporting News, the Baseball Writers Association, and the Associated Press. After a disappointing season in

1984 (74-88) Chicago was back in the divisional race this year finishing third, with an 85-77 record. His career record with the White Sox is 496-472.

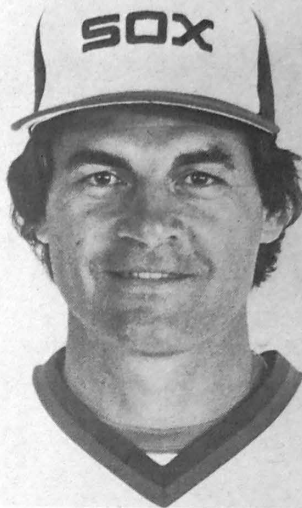
Whatever his fate with the White Sox, it is unlikely that La Russa will give up managing at this point. It is even less likely that he will ever be a practicing attorney. "This is my seventh year managing. The longer I manage the less likely it is that I'll become a practicing attorney because you have to learn to practice law. There is an art to it that takes years to learn. It's tough."

"I think the thing to more seriously consider, if I ever get out of baseball, would be becoming a player agent or something along that line. I wouldn't mind being involved with management either. I would be involved somewhere like that rather than as a practicing attorney because it's been a long time. I've been away from it."

Being seven years out of law school without having practiced, La Russa says that he is not really a lawyer in the way many people take him to be. His roots are purely baseball. "It's caused a lot of people to misunderstand me. I've been in professional baseball for more than half of my life (23 years), so I'm a baseball person. I went to law school for five winters. I'm a licensed attorney but I've never practiced law. People think that I'm basically a lawyer and forget that I'm mainly a baseball man. If they would take the time to get a little closer, they would understand there is a big difference."

Through it all, however, he has learned valuable lessons as might be expected. "If you're involved with law school, law practice, baseball, whatever, there are no shortcuts. If you short-cut your education you will end up short in the real world. I saw it all the time in school and I see it all the time in baseball. I've learned that there's a certain price you have to pay. There's no free lunch."

The interview over, La Russa headed down the club house runway to a team meeting. It was time to go back to work. It was time to prepare. It was time to get an edge.



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