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Sept. 1987

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the News Bureau  
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CABINET BOOK  
SEPTEMBER 1987

San Diego, CA  
(San Diego Co.)  
Daily Transcript  
(Cir. D. 7,415)

SEP 1 1987

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

\* \* \*  
Classes at USD resume next  
Tuesday for an estimated 3,450  
undergrads, including 1,900  
freshmen, and 950 graduate stu-  
dents in business, education, nurs-  
ing, and arts and sciences schools.  
Law school fall classes opened last  
week with 1,100 students. 2955  
\* \* \*

SEP 2 - 1987

Allen's P. C. B Est. 1888

## Student Deadbeats

8-73 2955 Comp  
**C**OLLEGE AND OTHER postsecondary students are expected to default next year on \$1.6 billion in government guaranteed loans. The Treasury will have to pay that amount to the banks and other disappointed lenders. The total is three times what it was five years ago, a reflection mainly of the expansion of the loan program but also of an upward creep in the default rate, now in the vicinity of 10 percent. The cost of making good on defaults is now more than half the cost of the entire program—greater than the interest payments the government makes while students remain in school. Control the defaults, and badly needed legitimate student aid could be nearly doubled at what would amount to no cost.

As the system works now, the federal government holds the entire bag. The banks make the loans but incur no risk; the states incur very little. Neither has much incentive to be careful about what loans are made or to chase down defaulters when the loans go bad. The banks threaten to make fewer loans if some share of the risk is transferred to them, and no one wants to call their bluff or take them on. The states are also powerful; an effort was made to increase their exposure when the program was reenacted last year, but it mostly failed. Meanwhile, the higher education groups deplore the problem but also seek to minimize and keep their distance from it.

The game has gone too far. One answer may be to reduce the percentage of each loan that the government will guarantee, thereby increasing the risk to the lenders or states. You can bet

there would quickly begin to be greater care in the lending of money and diligence in collecting what was due. That would supplement the federal government's own stepped-up collection efforts, which now extend to holding up tax refunds.

But there must also be some policing of and by the schools. Though statistics are poor, it appears that between a fourth and a fifth of student aid now goes not to the students at four- and two-year colleges who come quickest to mind, but to those in proprietary schools—vocational schools that take in students for profit. The data suggest that these schools, in turn, contribute a disproportionate share of defaults. Unqualified applicants are accepted (if not courted) and flunk out; courses are poorly designed and fail to lead to jobs. The soured former students walk away from their loans. That is the scenario you hear.

No one wants to rule the proprietary schools out of the program—they perform a valuable service. But it would not be elitist to ask that schools above a certain default rate—not too far above the average—either bring themselves in line or be suspended from the program. Most of Congress' energy last year was spent in protecting the student aid program from the administration, which wanted to eviscerate it. That's been done; the dangers now are on the other side. The defaults are an epidemic threatening to become a habit. They cannot be condoned at their present rate and cost. The higher education community can no longer wash its hands of the issue. If the friends of student aid can't clean the program up, they risk letting the enemies do it.



San Diego Union  
Friday, September 4, 1987

## SDSU joins campus list for fetes

By Michael Scott-Blair  
Staff Writer

San Diego State University has become the fifth campus in California to be officially designated as a bicentennial campus by the Federal Commission on the Bicentennial of the U.S. Constitution.

SDSU becomes the second San Diego campus to be so named, joining the University of San Diego in having its scheduled bicentennial programs endorsed by the state and national bicentennial commissions.

Throughout the fall semester, which started this week, the university will have a variety of events to mark the signing of the U.S. Constitution 200 years ago.

Jeffrey D. Allen, executive director of the California commission, said the San Diego area has been "particularly active in support of the bicentennial celebration."

San Diego County was the first designated bicentennial community in the nation, but there are now 135 such communities in California alone, Allen said.

"By Sept. 17, (the anniversary of the actual signing) it is now evident that there will be more such communities in California than in any other state."

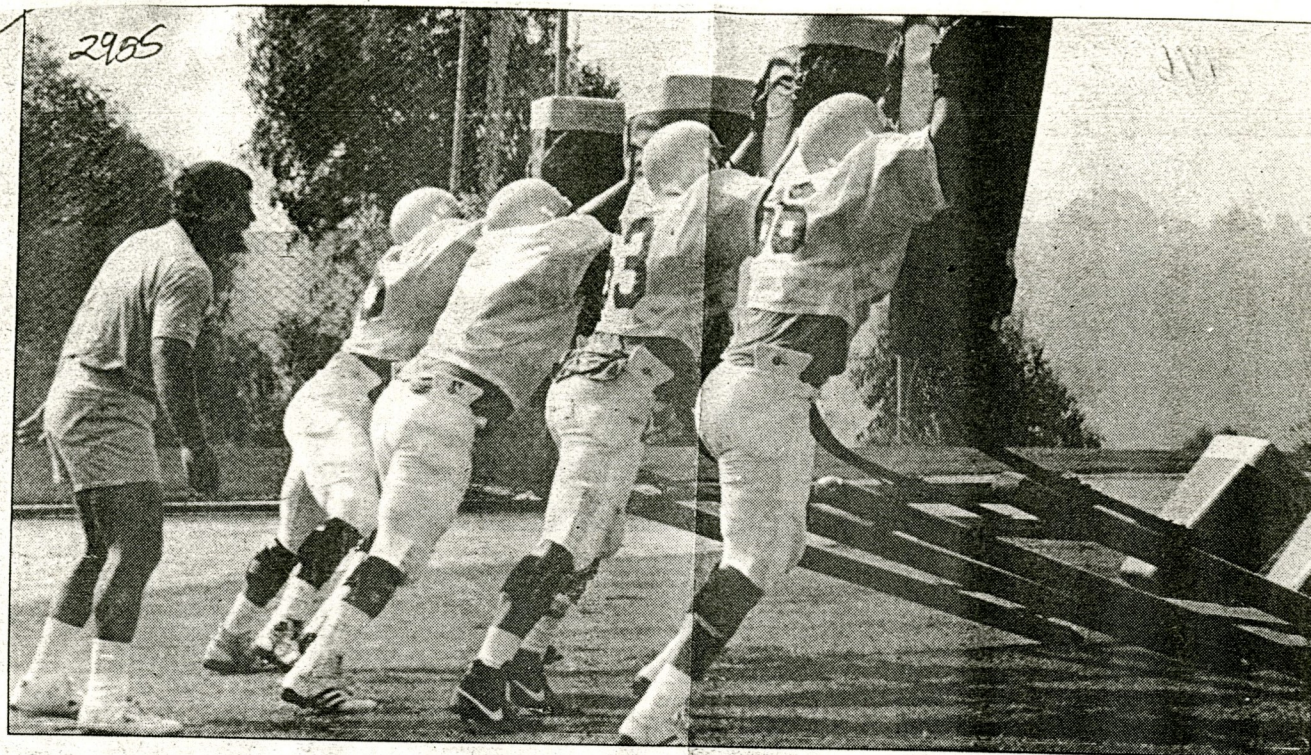
"It is strange yet gratifying to us that despite California having no documents, buildings or relics associated with the birth of the Constitution, there appears to be more grassroots support for honoring its bicentennial in this state than in any other," Allen said.

In January of last year, USD hosted the federal commission with former U.S. Supreme Court Chief Justice Warren Burger, who is the commission chairman.

The commission came to San Diego at the invitation of USD law professor Bernard Siegan, who was appointed to the federal commission by President Reagan. Siegan also has been nominated by Mr. Reagan for a position as judge in the 9th U.S. Circuit Court of Appeals.

Richard Funston, associate dean of the SDSU College of Arts and Letters and chairman of the university bicentennial committee, said that the general public is invited to all events.





**FOOTBALL FEVER** — Head coach Brian Fogarty barks out orders to members of the University of San

Diego's Toreros as they work on blocking sleds. The team is gearing up for the upcoming football season.

Photo by Veronica Garcia

# USD awaits more students

By John Nunes

Special to Southern Cross

**ALCALA PARK** — With fall classes set to resume Sept. 8, the University of San Diego undergraduate admissions office reports dramatic increases in the number of people applying to and inquiring about the private independent university.

Undergraduate inquiries for the fall semester reached some 32,350, records show. USD has an estimated controlled graduate and undergraduate enrollment of 5,500.

"Five or six years ago we had only about 8,000 inquiries," said Warren Muller, director of admissions. This year's inquiries represent an increase of some 7,000 from 1986, he added.

Substantially more inquiries and more applications are coming from students outside California, Muller noted. "We are gaining more of a national reputation."

Enrollment of California residents at USD was down slightly last year, while out-of-state enrollment continued to climb, Muller said. He expects the trend to continue.

Muller attributes this trend to USD's "increasing strength in quality academic programs and because more people are hearing about us through word-of-mouth ... hearing about what we have to offer and seeing what's here."

"And I wouldn't ignore the success of the basketball team," he added.

Last year, the USD basketball team made it to the NCAA national championship tournament, the second time in the past four years.

As of Aug. 21, freshmen applications for the fall 1987 semester totaled nearly 3,000.

Last fall, about 2,600 freshmen applied to USD.

Undergraduate applications for this fall came to about 3,800, an increase of some 400 over 1986.

Total graduate applications — for the nursing, business and education schools — was estimated at 970, an increase of about 175 from last fall.

At the School of Law, where fall semester classes began on Aug. 24, total enrollment is around 1,100, the same as last year.

However, the number of first-year daytime law students increased from 256 last fall to 318 this fall. Night students are expected to be up only slightly from the 82 first-year students enrolled last fall.

A number of new academic programs will begin at USD this fall.

The College of Arts and Sciences has added a Master of Fine Arts in Dramatic Arts. The program, equivalent to a doctoral degree, is a joint effort of the Old Globe Theatre whereby a small select group of students will take courses at USD and perform at the Old Globe.

The School of Business will offer two new graduate programs this fall. They are:

- A Master of Science in Taxation. A degree program designed to meet the demand for accountants with legal expertise. About one-third of the courses will be taken in the School of Law. Students will concentrate on tax law, research and theory, and civil tax procedures.

- Venture Management. This is actually a new elective emphasis within the Master of Business Administration. It is being offered in response to the demands of the rapid local growth of high tech and venture capital industries. The curriculum is designed to prepare students to manage organizations going through turbulent times, such as those with high-risk opportunities and companies with major shifts in production mix.



Los Angeles, CA  
(Los Angeles Co)  
Times  
(San Diego Ed.)  
(Cir. D 50,010)  
(Cir. S 55,573)

SEP 4 1987

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

# Fresh Start Doesn't Help at USD

## Three Years After Big Freshman Class, Team's Still Young

2955  
By CHRIS ELLO

SAN DIEGO—It could have been the what-else-is-new department. Brian Fogarty, the University of San Diego's fifth-year football coach, announced earlier this week that academic problems have hurt his team's chances this season.

But this was about academic problems with a different twist.

Let Fogarty explain:

"We were hoping to be a little deeper this year than we're going to be," he said. "A

**SAN DIEGO COUNTY** couple of our kids decided that academics were more important than football, so they won't be playing this year. I guess you can say we have academic problems the other way."

This year, the season will start Sept. 12, when USD travels to Los Angeles to play Occidental College. The Toreros' home opener is Sept. 26 against La Verne.

A year ago, USD's season started with much promise. The team had a 3-1 record but lost its remaining six games. USD later got one more victory when Azusa Pacific was forced to forfeit its game with USD for using an ineligible player. USD's final record was 4-6.

This year, Fogarty is hoping the team will be better, but he never

can be sure.

The Toreros should have been solid in the offensive line this season because all five starters were expected to return. Now, because of two of the players are academic problems, he has only three returning starters up front. Eric Nasland, a 6-foot 1-inch 245-pound tackle, told Fogarty that he has decided to take off his senior season to concentrate on his studies. Nasland wants to work on his studies, so he can attend medical school.

Then, Pat DeBlase, a 6-1 210-pound offensive lineman, told Fogarty that he was transferring to UCLA because they had an academic program more suited to his field of study.

"The kids we get have to be the type that are going to worry more about their academics," Fogarty said. "They come here to get an education. All this does is make us a little thinner. We have people who can come in and replace the guys who have left, but now our backups are weaker."

USD's starters, meanwhile, appear to be solid. All of Fogarty's running backs and receivers from a year ago return along with the three linemen. Also back are six starters on defense.

The best of the group is Jeff Mansukhani, a 5-10 175-pound

wide receiver/kick-returner who led the Toreros with eight touchdowns last season and was named a Division III Academic All-American.

Mansukhani caught 49 passes for 811 yards and 7 touchdowns, returned 18 kickoffs for 140 yards and returned nine punts for 140 yards and 1 touchdown, a 59-yarder.

This year, Mansukhani again will be one of the focal points of the offense. But Fogarty is hoping the team will have more balance than last year. In one game, against La Verne, the team passed 57 times.

"In the past, I've gone a whole season and barely passed that much," Fogarty said. "I'm hoping to be more conservative this year, although with Jeff, I know we have to open it up some."

The key to USD's offense will be how well its new quarterback, Braulio Castillo, a transfer from San Diego City College, plays. Castillo is replacing Pat Dixon, who passed for 1,727 yards and 15 touchdowns last year.

"I think he gives us more options than last year," Fogarty said. "Pat was more of a drop-back passer whereas Braulio can move around and run better."

Defensively, USD is led by senior linebacker John Gutsmedl, the team's leading tackler a year ago. He is one of six starters returning defense.



## The San Diego Union

Sunday, September 6, 1987



**I**n the cards: San Diego police will be handing out thousands of football trading cards during the 1987 Chargers season. These are special cards, featuring two Chargers players each week, along with a safety tip from the PD. Nifty idea for the kids, but the cards probably won't be collector's items. Except for one, maybe. The one that features Charger Rolf Benirschke. When Rolf was traded to Dallas last week, the Benirschke cards were recalled.

**San Diego shuffle:** The Pope won't stop in San Diego, but University of San Diego President Author Hughes will get his chance to see the pontiff. Hughes has been invited to be in New Orleans Saturday when John Paul II addresses Catholic educators and university presidents at Xavier U. (Security for the appearance is so tight, Hughes and the other guests will be required to take their seats two hours before the Pope arrives. But the invitation promises pre-Pope entertainment.) ... Jack

San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 6 1987

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

## Toreros defeat Cal in soccer, 1-0

USD's soccer team remained undefeated yesterday, defeating visiting Cal, 1-0, in a non-conference match.

Junior defender Deamon Werner scored, off a corner kick by Trong Ngyuen.

USD is 2-0, Cal 1-1.

The Toreros host Pomona-Pitzer College on Wednesday at 3:30.

## Local Briefs

**USIU soccer** — Hector Hernandez had two goals and Jon Sissons two assists to lead the Gulls past visiting Fresno Pacific, 3-1.

USIU (1-0) has won 22 straight at home, dating to October 1985. The Gulls host Cal State Dominguez Hills on Tuesday at 3.

**Miller to speak** — San Diego State athletic director Fred Miller will be the featured speaker at the Hall of Champions' "Sports at Lunch," Thursday at noon in Balboa Park.

Miller will discuss the athletic department's accomplishments during his 21-month tenure and the future of the athletic program.

The luncheon, open to the public, will be held in the executive boardroom above the Hall of Champions. Tickets are \$20; proceeds go to the non-profit sports museum. Reservations (required) are available by calling 234-2544.

SATELLITE TV AT ITS



SEP 7 1967

Allen's P.C.B. 1-1-1888

# Crystal clear

*That's developer Sandy Shapery's vision for his work — and his life*

By Sarah Pattee  
Tribune Staff Writer

**I**T WON'T BE the biggest or the tallest. But Sandy Shapery's planned downtown skyscraper will be, well, the most perfect, he says.

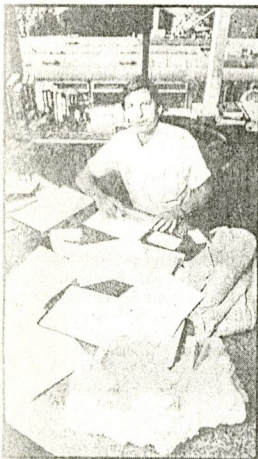
That's because his office-hotel complex was designed with nature in mind, according to the flamboyant, 43-year-old developer.

"We've tried to take a lesson from nature by creating in harmony with the universe," he said.

His skyscraper was designed using crystalline shapes, specifically, triangles like the Egyptian pyramids. The ancient Egyptians believed that triangles spark powerful theta waves in people's brains. Shapery, too, believes in the power of crystals.

He believes his hexagonal-shaped project — hexagons are made by joining six triangles — will be more energy-efficient and spark greater creativity in its occupants than traditional box-shaped buildings.

Models of the futuristic complex



Sandy Shapery at his desk, with paperwork and crystal rock

make it look like a space-age honeycomb, with eight green-glassed towers poking into the downtown sky. The hotel-office complex is planned for the northern side of Broadway between State and Columbia streets.

Nothing nearby even remotely looks like Shapery's project.

Of course, he doesn't immediately spring crystals on what he calls the "conservative, button-down types" he's hoping to lure into his building. First he throws financial figures at them. Then he mentions crystals.

"At first people look a little surprised ... but anybody who can appreciate excellence is impressed," Shapery said.

Shapery's own theta waves run in overdrive. During a recent interview he juggled questions in the middle of a dozen phone calls from investors and a flurry of documents being shoved under his nose.

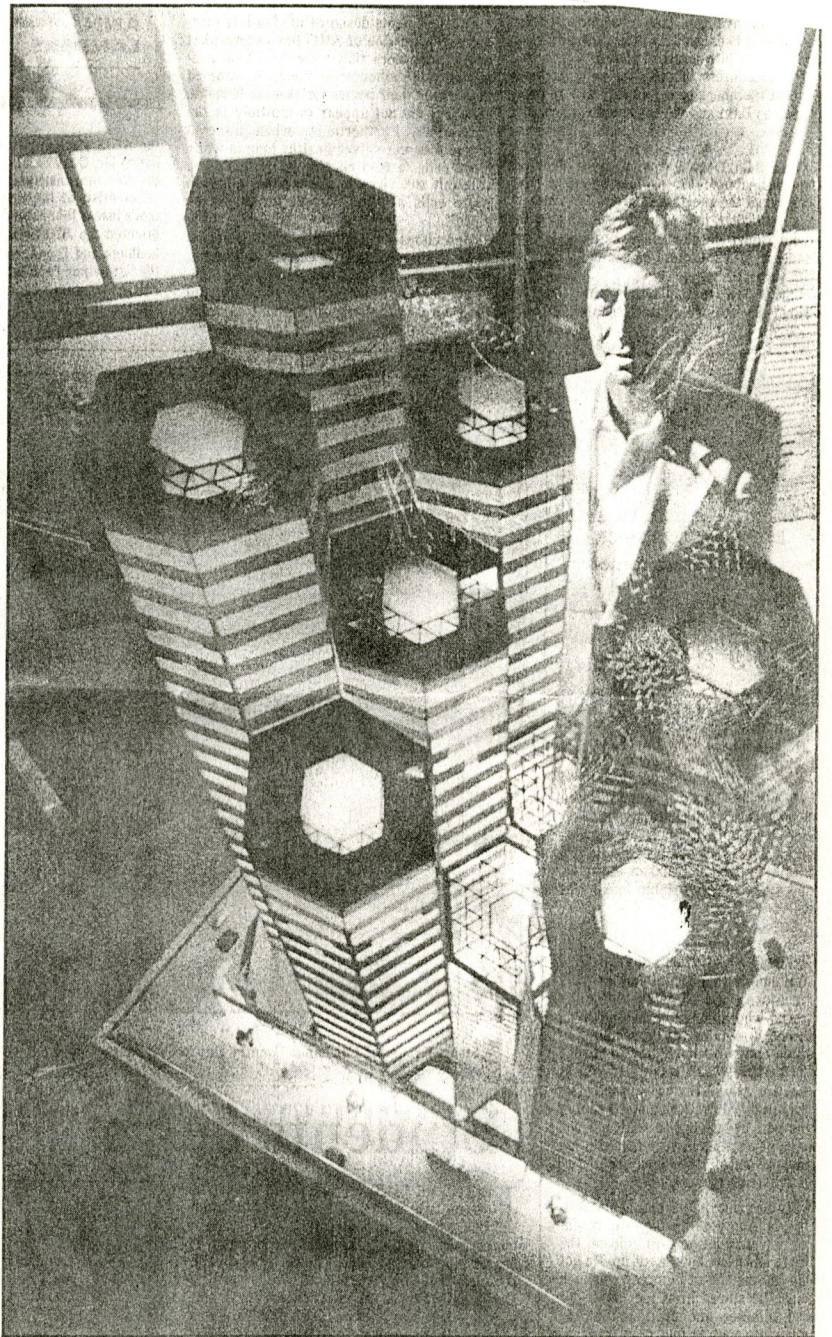
He quickly kissed his son, 7-month-old Sage. The infant had stopped by with his mother, Anne Hyatt Shapery, who was switching the Rolls car keys for the Ferrari keys. Meanwhile, a secretary was hovering nervously, worried that 12 minutes wasn't enough time for Shapery to catch a plane to Hawaii.

Ignoring her, he eagerly displayed another project, a remodeling of his La Jolla Cove Plaza shopping center. In between, he freely rattled off tidbits about his turgid life, including careers that bounced from auto mechanic to lawyer to developer; his castle, his lawsuit against megawatt lawyer Melvin Belli while he was a summer-intern law student in Belli's office and his stint before the U.S. Supreme Court only two years out of law school.

Then there are the numbers he throws out — his IQ of 156, his algebra test results from sixth grade (he still has the papers to prove it), his four homes, six cars and millions of dollars he has accumulated.

He credits his parents with helping him gather his wealth, which he puts

Please see SHAPERY, C-3



Tribune photos by Jim Baird

Shapery and a model of the futuristic, crystalline-shaped office-hotel complex he plans to build downtown



## ★Shapery

Continued From C-1

2955  
at somewhere between \$15 million and \$50 million, not because they gave it to him but because they didn't. As a teen-ager his parents made him work for the hip clothing and greasy kid stuff his peers sported. Mom and Dad didn't think "nice Jewish boys" should be dressing like toughs.

"So I started hustling for jobs. I was very money-oriented at a very early age," he said.

At 15, he was buying and selling car parts. It was the beginning of a long career of wheeling and dealing to buying for less and selling for much more. He calls it "creative financing."

In 1978 he bought the La Jolla shopping center for \$1.1 million. He sold it two years later for \$2.8 million, cash. He then bought it back two years later, in 1982, for \$3.5 million and says it's now worth \$5 million.

Shapery did the same thing with the 10,000-square-foot home known as the Del Mar Castle. He bought the Spanish-style residence on a whim in 1978 for \$575,000. After spending nearly that much in repair bills as well as entertaining constant visits from "relatives I never knew I had," Shapery said, he decided to sell for \$2 million.

It wasn't that easy. Not many people wanted a home so big, he says, it took half an hour to walk from the bedroom to the kitchen.

"If you had a party with less than 300 people in the living room, it looked like no one was there," Shapery said.

Instead, he leased the castle and that started more trouble. First J. David Dominelli tried to buy it, and ended up walking away from \$85,000 in non-refundable deposits when his financial empire collapsed.

Then came the Del Mar sex scandal. A tantric Yoga group booked the castle for an encounter session for couples, who were promised a "cosmic orgasm." All it took was for a

local disc jockey to refer to the sessions as "sex orgies" and Del Mar went berserk. The City Council called an emergency session. Shapery canceled the event after he got dozens of angry phone calls. He laughs about it now.

He then slashed the price to \$1.5 million and sold the castle in 1984 to Tony Robbins, best known for walking through fire as part of his human potential-building business.

Shapery now lives in a modest La Jolla bungalow, one of his four homes. He's planning to exchange that for an oceanfront home in La Jolla as soon as he can.

The developer calls his free-wheeling style "lateral thinking," a phrase lifted from the latest business jargon.

"I take different areas that appear to be unconnected and I find connections," he said.

Take Japanese yen and crystals, for example. His downtown skyscraper includes the 497-room Emerald Hotel, owned by a subsidiary of the huge Japanese conglomerate Tokyu Corp.

"Emerald... green glass... crystals," Shapery said slowly, savoring the words. "It seems like almost a mystical connection, almost like it was fate."

The Japanese got involved after Shapery stayed in Emerald's first U.S. hotel in Anaheim. So impressed with the staff, he wrote Emerald's president, Yoshiyu Tanaka, in Hawaii. He also enclosed a rendering of his downtown building project.

Tanaka was intrigued. So was Emerald's parent company, Tokyu Corp., which offered a joint venture partnership and an initial investment of \$100 million. That happened only after a six-man team from Japan spent two weeks investigating Shapery's background as well as San Diego's economy and tourist industry, right down to the annual rainfall. Shapery knows the crystals have little to do with the deal, but he is tickled about his partners. And he's

punchy about his new crystal building, with such features as vents that let fresh air into the offices and the water-cooled system that drastically reduces the need for air conditioning. He says studies show the resulting negatively ionized air is better for humans and can cut down on absenteeism (as opposed to positively ionized air recirculated through air conditioning).

He's also tickled that he beat out the Koll Corp., which he says tried to horn in on his downtown lot and his partnership with Tokyu.

"It was a David and Goliath kind of thing," he said, explaining how he was able to talk the city into giving him exclusive rights to the property.

The company is now building its \$200 million mixed-use Koll Center across the street from Shapery on Broadway.

The David and Goliath story would work for Shapery's experience as a summer law clerk for lawyer Belli. (He financed his University of San Diego law studies by restoring and selling wrecked Corvettes.) After writing an article for USD's "Law Review" on prisoners' rights for Belli, Shapery learned Belli had demanded full credit.

The law student responded by

serving papers — while Belli was giving a televised press conference on another case in San Diego. A law dean tried to get Shapery kicked out of school but couldn't. Instead, Shapery was dismissed from the Law Review board.

He shrugs now at the injustice.

"It's just a constant matter of educating people. Those people just needed to learn," he said.

He has learned things, too, he says. Especially since meeting Anne, Sage's mother, a year ago. She took his name although they're not mar-

ried. (Shapery also has a 14-year-old son, Steve, from his first marriage.)

"Anne has taught me about feelings, which is more important than anything else I have learned," he said.

And that brings him back to crystals and the idea of positive thinking.

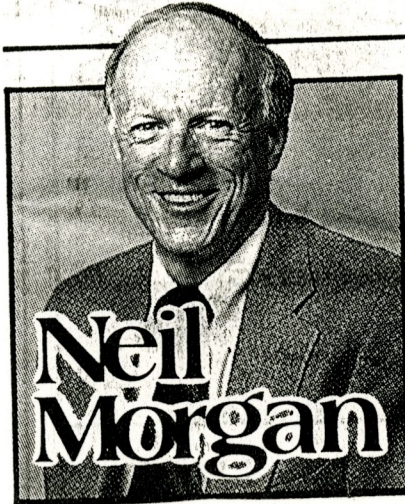
"I try to act positively in the universe so positive things happen to me," he said.

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THE **S** TRIBUNE

Sept. 7, 1987

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ards. ... Heavenly sounds from San Diego: Father Nicolas Reveles of USD has composed the music for the Papal Mass in Monterey on Sept. 17. It's at Laguna Seco Raceway, and expected to draw 100,000 (including a 600-voice choir).



# Jury's out on private judging

By Lorie Hearn  
Staff Writer

John K. Trotter Jr. had the interest of justice in mind when he retired last month from the 4th District Court of Appeal.

As senior presiding judge of the six-county district, he saw courts clogged with lawsuits, colleagues without time to resolve them, and injured parties waiting years for their money.

Trotter's decision was not to give up. He simply figured he could do

more for the court system off the bench than on it.

On Sept. 1, the 53-year-old presiding justice hung up his black robe and hit the streets to sell the controversial business of private judging for a Santa Ana-based company that has designs on opening offices statewide.

The company — called Judicial Arbitration and Mediation Service Inc. — recently took over a non-profit private judging service in San Diego and opened a small office in

Los Angeles. With 40 retired judges on contract in three counties, the next stop is San Francisco.

"We are offering an alternative, not a substitute" for the traditional public courts, Trotter said. "This is the wave of the future."

The concept of moving civil disputes from the courts into private conference rooms has been at work for years in various forms across the country.

See **Judging** on Page B-4

## Judging: When time is money, a public courtroom may be too expensive

Continued from B-1

The American Arbitration Association has handled disputes using retired judges and experienced lawyers to decide binding resolutions, and former judges have long been in business for themselves, answering phone calls for mediation and trial help.

Often referred to as rent-a-judge, the practice of private judging has been both lauded and criticized.

State Supreme Court Chief Justice Malcolm Lucas has come down in favor of private judging, contending

that every complex case that can be resolved outside the courts leaves room for disputes by those less able to pay.

On the other side, however, former Chief Justice Rose Elizabeth Bird gave a no-nonsense critique of private judging six years ago, calling it "a quasi-private judicial system for the wealthy."

Today, the debate continues between those who believe private judging plays a necessary role in easing the load on the courts and those who see it as an expensive system of

justice whose lucrative hourly rates could lure talented judges from the bench.

In Southern California, Judicial Arbitration and Mediation Service Inc. has taken private judging a step further by consolidating services into a single company that aspires to effectiveness and respectability.

Judges and lawyers in San Diego consider Judicial Arbitration and Mediation Service to be an extension of Alternatives to Litigation, a

project started in 1983 by the San Diego County Bar Association and the University of San Diego under the auspices of its Law Center.

The project was intended to measure the need for private litigation services, to reduce court filings and resolve legal arguments quickly.

What USD and county lawyers found was Alternatives to Litigation worked well — so well that its office manager couldn't keep up with billings for the project's total of 753

cases, let alone with getting out mediators' paychecks.

They also found, however, that most of Alternatives' business was commercial litigation, of the big-bucks variety. While there clearly was a demand for the \$200-per-hour service, the USD Law Center had geared the program to handle smaller disputes by average citizens,

who, in the end, were priced out.

While the Law Center pondered the future of Alternatives, Judicial Arbitration founder H. Warren Knight, a retired Orange County Superior Court judge, was contemplating expansion beyond Santa Ana.

A few months ago, Judicial Arbitration took over Alternatives, at a See **Judging** on Page B-5



# Judging: In private, justice can be swift

Continued from B-4

time Law Center's Carol Hallstrom called "fortuitous." It is operating in temporary quarters in the First Interstate Bank building downtown and expects to open permanent offices in the same building later this month.

Although the Law Center made money on the private judging program — nearly \$80,000 in four years — USD Law School Dean Sheldon Kranz said the center always had planned to spin it off to some other agency or company. The center establishes programs, Kranz explained; it does not operate them permanently.

Now that Judicial Arbitration has contracted with 16 retired San Diego judges who worked for Alternatives, Kranz said the center can concentrate its money and energies on developing a similar program for the little guy.

In the face of an increasing Southern California population and a burgeoning number of lawsuits, organizations such as Judicial Arbitration, the Law Center and the courts themselves are focusing on ways to ease the public system and expedite the administration of justice.

Just before Alternatives to Litigation got off the ground, the Law Center launched a mediation service to resolve, hear and rule on neighborhood squabbles before they wind up in small-claims court or in the city attorney's office.

What started in Golden Hill and Mira Mesa has expanded to citywide proportions with city funding, Hallstrom said. The program now is run by San Diego Youth and Community Services Inc.

On a larger scale, the San Diego Superior Court has changed its rules of court to "fast-track" lawsuits and force attorneys to settle or try cases in one year instead of the legally allowed five years.

Those efforts should help, but some legal researchers believe the courts are incapable of alleviating the mountains of lawsuits clogging the system.

With an increasing load of criminal cases that have priority over civil cases in the public courthouses, the key, researchers say, is to change the mind-set of the "local legal culture" from lawsuit to settlement before ever getting to the courthouse.

William Yale, a former San Diego Superior Court judge who spends much of his time mediating civil arguments, said in an interview, "I don't think the justice system can cure the current evil."

In an essay he wrote on mediation, Yale contended, "Attitude modification of the public and lawyers is long overdue. 'I'll see you in court' or 'Sue the bastard' need to be removed from our thought process. Litigation should be the last, rather than the first resort."

Mediation — informal, non-binding settlements decided by a third party — could divert 90 percent of disputes before they are filed as lawsuits, Yale said.

Superior Court Judge Michael Greer, who is on a local crusade to break the gridlock in the civil courts, believes in private judging, which the Code of Civil Procedure allows to be imposed on attorneys by an overloaded judge.

Greer pointed out that at the downtown courthouse only three of every 100 lawsuits end up in trial. The rest settle.

Clients should not have to wait until they file a lawsuit to get a decent settlement, Greer said, advocating private litigation for business and commercial disputes and large divorce cases.

Arguments over private judging most often come down to dollars and cents.

Judicial Arbitration charges \$250 an hour, and the retired judges who have exclusive contracts with the company get half. Their decisions — such as those in private non-jury trials — are subject to appeal just like public trial court actions.

Although most of these rent-a-judges work only part time to supplement their pensions, Knight said a full-time private judge could make between \$135,000 and \$160,000, approaching twice as much as a Superior Court judge is paid.

Some judges and lawyers — including state Attorney General John Van de Kamp — have expressed concern that a proliferation of private judging will divert experienced trial judges from the bench and turn the public courts into a judicial training ground.

Retired San Diego Superior Court Judge Louis Welsh, founding director of Alternatives to Litigation, does not believe the concern has much merit, contending that most retired judges do not want to work full time. Even if they did, he said, the current volume is too low to keep them that busy.

Trotter, however, acknowledges, "There is some risk that that could happen."

Although he says he left the bench for the challenge of the business and not full-time private judging, Trotter hopes the phenomenon may encourage the state Legislature to take a look at compensation and raise judges' salaries.

Private dispute resolution is supposed to be a convenient and even cost-saving mechanism for those who choose to use it. But even proponents of the system balk when it is forced on litigants.

Greer said private judging is not forced on many lawyers, even though it legally can be if a judge does not have time to deal with lengthy, complicated motions. In those cases, lawyers believe it is unfair for a client to have to pay as much as \$2,500 to resolve a motion the public courts handle.

Daniel Broderick III, San Diego County Bar Association president, said most lawyers agree that private judging is a good idea if it is voluntary. "It's not right" to send a client who can't afford it to a private judge, he said. "They charge dearly."

But when it comes to wealthy litigants, Broderick contended, "You can talk about the rich getting sole access to it. Fine, get them out of court. There is nothing worse than a courtroom tied up for six months" with a complicated case involving the dueling rich.

Although the hourly fees charged by Judicial Arbitration appear high, Knight and Trotter argue that a client will pay much more to attorneys if a case spans years in the traditional courts.

"I think it's fallacious to say only rich people can afford it," Knight said. "It's fair to say no one can afford to put their case through the normal system."



San Diego, CA  
(San Diego Co.)  
Evening Tribune  
(Cir. D. 123,092)

SEP 8 1987

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

## Toreros may have tight budget, but they don't appear poor on talent

By Rick Davis  
Tribune Sportswriter

NCAA Division III football budgets being what they are, USD coach Brian Fogarty tosses around half dollars like they were manhole covers.

Shoot, even quarters are pinched up on the Alcalá Park campus above Mission Valley. That's why Fogarty didn't have to think twice about the NFL's offer to re-sod USD Stadium if the Toreros would allow one of the teams involved in Super Bowl XXII to use it.

New turf? Free? Fogarty hollered "yes" quicker than you can say Pomona-Pitzer Sagehens... who happen to be on the Toreros schedule again this fall. But that's another story. Back to Alcalá Park, where Fogarty is pleased about more than just new turf this fall.

Consider:

■ From a statistical standpoint, there's the 51 returning lettermen, including seven starters on both offense and defense.

■ The offensive line looks solid, too, with three of five starters back. All five were supposed to return, but Eric Nasland decided to concentrate on academics his senior year and Pat DeBlase transferred to UCLA.

"Having the entire offensive line back would have been a big, big plus," said Fogarty. "But you can't blame a kid for transferring to a Division I school if he can play at that level or choosing academics over athlet-

ics. That's Division III."

■ There's also the optimism — tempered, to be sure, with a degree of caution — that's been generated by the arrival of a new quarterback. A new, big, strong, gifted quarterback, make that. He's San Diego City College transfer Braulio Castillo — a 6-foot, 205-pound specimen whose name may find its way into the 36-point bold type a few times in the coming months.

"He's strong, he's a thrower, a leader and a competitor," noted Fogarty. "And he can run with the ball. We're pretty excited about having Braulio in our program."

Here, then, is a closer look at the Toreros' 1987 prospectus:

### OFFENSE

Although Castillo is expected to replace the graduated Pat Dixon (1,727 yards, 15 touchdown passes), Brendan Murphy, who turned down a West Point appointment after spending a year at its prep school, may merit some playing time, too.

The presence of four tailbacks and two fullbacks, all with experience, has Fogarty feeling "up in the air" about his running backs. "We feel comfortable with all of them right now," he said. "Some people ask if we recruited some running backs because the ones we had were so bad. It wasn't that they were bad; they just seemed to always be injured."

The starting tailback figures to be 170-pound junior Virgil Enriquez, who, when not

injured, rushed for 442 yards in 112 carries. Todd Jackson gained 150 yards as Enriquez's replacement, but has beefed up to 200 pounds. Matt Scholl gained 95 yards (in 37 carries) as a fill-in for Jackson, but the surprise could be Matt Riley, a transfer from Colorado State. His 4.7-second 40-yard time led the tailbacks.

Both fullbacks, Don MacInnes and Scott Slykas, are sophomores and neither played much in '86. MacInnes gained 24 yards to his rival's 23.

The Toreros receiving corps is led by Jeff Mansukhani, a second-team academic All-American who had 49 receptions for 811 yards and seven TDs a year ago. Lionel DeMorst, a starter the last 2½ seasons at tight end, and Ken Zampese, who played considerably but caught only seven passes in '86, also are back.

Wide receiver Sam McDermott and tight end David Nottoli are primary receiver backups. Of Nottoli, Fogarty says: "He's the best specimen (6-3, 210) on the team and will play somewhere, maybe on the outside. David was hurt most of last season, but he ran a 4.55 40 (last week)."

The loss of DeBlase and Nasland leaves two-year starters Pete Browne at tackle and Mike Cassidy at guard, plus sophomore center Mike Childers, who started as a frosh, as the offensive line nucleus. The holes will be filled from a pool that includes Ray Smith, Jeff Carpenter, Mark Garcia and Rich Hosoda.

da.

"The offensive line is one area where we'll have to stay healthy," said Fogarty. "We don't have the depth or experience to absorb many injuries here."

The greenest part, next to that new turf, of course, is the USD kicking game. Jeff Morrison, all 5-7, 135 pounds of him, is a freshman. Mark Finnick is a refugee from the school's soccer team. He's never kicked a football in college competition.

### DEFENSE

The basic approach, says Fogarty, has shifted here, from read-and-react to playing with more abandon and flat-out aggression.

"You try to do what you hope will work best," said the coach. "Our defensive personnel are lighter and quicker now, so we're adjusting."

The linebacking is deepest in experience. Chuck Royer (118 tackles) and Shawn Rezain (105) have the inside edge, but are being pushed by 220-pound Parris Sorrianello and Frank Love, a freshman from Oklahoma City.

On the outside, starters Jeff Merlino and Rob Skinner return, as do primary backups John Gomez and Matt Haniger.

Senior Erik Peterson is the only defensive line returnee and Fogarty has penciled in Massachusetts transfer Dave Dunn and David Gilmore (moved from offensive guard) to align with Peterson.

The secondary report carries a mixed flavor. Yes, leading tackler/three-year starter John Gutsmedt (131 tackles from strong safety) is still around. The flip side is Brian Day (61 tackles) is the only other DB with significant experience. A nickel back in '86 he's ticketed for free safety now.

Fogarty is hoping junior Jim Mead (six tackles last season) can fill one of the vacated cornerback slots.

He noted these keys to enjoying any dramatic jump over last season's 5-5 record: the development of Castillo and the secondary and a minimum of injuries.

The September/October part of the schedule also seems critical. The first two games are on the road, followed by four straight at home.

A 5-1 or 4-2 result from that stretch would be a nice cushion, especially when one remembers that the '86 Toreros, after a 3-start, went 1-5. The last win was a 49-19 loss to Azusa Pacific later reversed because Azusa had an eligibility problem.

"I feel we're building a program that represents the university well," said Fogarty, who's 15-24-1 in his four seasons at USD and operates on a \$55,000 budget (excluding coaches' salaries). "The team's grade-point average last spring was 2.88. These kids are true student-athletes. What we need to add to the program are the wins."

"Unfortunately, that's how you're judged right? By the wins."



SEP 8 1987

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

Football-14 The San Diego Union Tuesday, September 8, 1987  
1987 FOOTBALL PREVIEW/USD

## Three of last year's starters won't be with Toreros again

By Chris Clarey  
Staff Writer

The off-season had a couple of surprises for the Division III University of San Diego program.

The first was uplifting. Azusa Pacific, a team that beat USD 49-19 last season, was forced to forfeit all its 1986 games because of an eligibility violation.

That improved USD's 1986 record from 3-7 to 4-6 — hardly cause for wild celebration, but an ego boost nonetheless.

The second revelation hasn't done much for morale. Three of last year's underclassmen starters elected not to play this season.

Senior quarterback Pat Dixon, a two-year starter, got married this summer and wants to spend time with his wife. Senior Eric Nasland, a two-year, 245-pound fixture at right tackle, plans to devote all his energies to pre-med studies, and junior guard Patrick DeBlase has transferred to UCLA.

Sophomore Leroy Hughes, a projected starter on defensive line, also will not play. He must work outside of class this fall to afford the high cost of being a USD student — \$3,920 straight tuition per semester.

"What's happened this year is not uncommon," said fifth-year Toreros coach Brian Fogarty. "This year it's been key players, though."

"We have student-athletes here, and they have priorities other than football. Sometimes, when they get into their junior and senior years, their other priorities take over."

"What makes it frustrating is that these are things beyond our program's control. If we had a scholarship situation, we'd have something to hold people with. It's much easier when it's not a financial decision as well."

Despite his personnel losses, Fogarty still has 13 starters coming back, which tells you how young the Toreros were in 1986 when they lost their last six games after a 3-1 start.

The receivers should be USD's offensive strength. Last year's scoring

### 1987 SCHEDULE

Date	Opponent	Time
Sep. 12	at Occidental	7:30 p.m.
Sep. 19	at Redlands	7:30 p.m.
Sep. 26	La Verne	7:30 p.m.
Oct. 3	Whittier	7:30 p.m.
Oct. 10	Azusa Pacific	7:30 p.m.
Oct. 17	Pomona Pitzer	7:30 p.m.
Oct. 24	at Cl.-McKenna	1:30 p.m.
Oct. 31	at UCSB	1:00 p.m.
Nov. 7	at St. Mary's	1:00 p.m.
Nov. 14	Menlo College	1:30 p.m.

Home games in gray.

leader, academic All-American wide receiver Jeff Mansukhani (49 receptions, 813 yards, and eight touchdowns), is back for his senior season.

Six-foot-2, 225-pound senior tight end Lionel DeMorst, a Kearny High graduate, never recovered from an early season knee strain last year but had a team-leading 33 catches for 379 yards in 1985.

Junior Ken Zampese (seven receptions, 108 yards), will start at the other receiver spot.

The Toreros' offensive success depends on whether 6-1, 195-pound community-college transfer Braulio Castillo can fill the quarterback gap left by Dixon loss and whether he can get the ball to the receivers.

Castillo started for San Diego City College (1-9 in 1986) until midseason last year, when he was idled by a knee injury. He completed 80 of 132 passes for 883 yards and five touchdowns, with five interceptions.

At running back, USD has last year's top two ground-gainers: 5-9, 170-pound junior tailback Virgil Enriquez (112 carries, 442 yards), a University High product; and 5-10, 200-pound sophomore fullback Todd Jackson (47 carries, 150 yards).

Also playing will be 5-10, 185-pound sophomore tailback Matt Scholl of Lemon Grove (37 carries, 95 yards).

The absence of Nasland and DeBlase will hurt, but three other starting offensive linemen return: senior

tackle Pete Browne (6-1, 230); junior guard Mike Cassady (6-0, 225); and 26-year-old junior center Mike Childers (5-11, 220). Childers took time off from college after a foot injury interrupted his football career.

Fogarty is counting on sophomores Mark Garcia, a 6-1, 235-pounder from Lakeside, and Jeff Carpenter (5-9, 230) to fill the openings at tackle and guard.

The linebackers will lead USD's 3-4 defense.

All four starters return: 6-0, 210-pound junior Chuck Royer (118 tackles, three interceptions) and 5-11, 205-pound junior Shawn Rezaian (105 tackles) on the inside; and 6-2, 187-pound junior Jeff Merlino (46 tackles, six sacks) and 6-2, 190-pound sophomore Rob Skinner (30 tackles) on the outside.

Last season's leading tackler, 5-11, 200-pound senior John Gutmiedl (131 stops — 45 unassisted) and 5-11, 185-pound junior Bryan Day (61 tackles) are the only experienced defensive backs returning.

The other two secondary spots are up for grabs, although 6-1, 180-pound senior safety Jim Mead figures to fit in somewhere.

Defensive line is the big question mark, Fogarty said.

Senior Erik Peterson (5-11, 215), who had 58 tackles last season, will start at one of the three front-line positions. Transplanted junior linebacker Mark Webber (6-3, 210) and former offensive lineman David Gilmore (6-3, 220) are preseason favorites at the other two spots.

Kicking, one of Fogarty's main concerns coming into camp, looks better than anticipated with the emergence of two solid freshman punters: John Gillis, who averaged 39 yards per kick at Hoover High School in Glendale, and Kevin Williamson.

Mark Fenick of San Diego, a former USD soccer player without any football experience, is the probable place-kicker.



## The San Diego Union

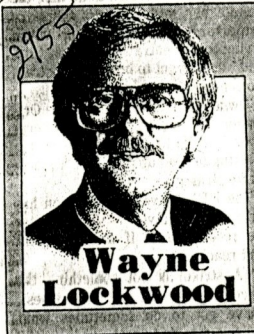
Thursday, September 10, 1987



**Life in the city:** When the USD Toreros kick off their 1987 season at home Sept. 26 (vs. La Verne), they'll be playing on Super Bowl turf. The NFL footed the \$60,000 bill to lay the turf after picking Torero Stadium as one of two practice sites for Super Bowl ExExEyeEye. . . . The last time Michael Dean visited his hometown in Minnesota, he suffered

SEP 10 1987

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



## Lockwood: USD a throwback

Continued from D-1

"That's something we have to deal with every year. This year, our starters will be mostly juniors and seniors, but our backups will be mostly freshmen and sophomores."

Of course, other interests is what the academic environment is supposed to be about. At USD, even the football coaches understand that, although it sometimes smarts.

"I just had a great kid who was with us for three years and two weeks tell me that he wasn't going to play this season," Fogarty said.

"He's a senior who's going to graduate in December, and he feels that job interviews are more important than playing special teams for USD. I don't blame him."

Yes, Barry, it's a different world down here in Division III. The real world.

Though it may not be USC-UCLA, the matchup between USD and host Occidental of Los Angeles that opens the season for both schools Saturday will be as spirited and crisp at its level as any other college football played that day. And without most of the ugly baggage.

Yes, certainly, loans are a problem at USD. But they are hardly the sort of "loans" agent Norby Walters handed over to collegians with first-round potential in the NFL draft, thereby blowing their eligibility.

These are student loans that athletes — just like everybody else — must assume to help meet the cost of USD's \$3,920-per-semester tuition, not to mention room and board.

Take the case of quarterback Braulio Castillo, a transfer from San Diego City College. "I think we kind of stole him because he was in a program that didn't win too many games (the Knights were 1-9 last year) and he didn't get as many looks as he might have," USD coach Brian Fogarty said. "But he's an outstanding athlete."

"He was offered some Division II scholarships, but he wanted to play in town, and he's an excellent student. The hardest sell was the loan, because he had to take one out for a lot of money. He had to make a real commitment to private education. Fortunately, he feels the school is good enough to benefit him in the long run, despite the cost."

Like any football coach, Fogarty must be concerned about grades. In his case, however, the problem is often good grades, not bad. The coach lost two starting offensive linemen this year to academic excellence.

"A tackle who started for us for two years decided he wants to go to medical school, and his senior year is very important to him, so no football," Fogarty said.

"A starting offensive guard transferred to UCLA. He's a 3.9 (grade-point average) student and he just decided he needed a different track in his major. They're doing things for the right reasons, but it's tough on us."

Depth also is a problem at Division III schools. "As it becomes apparent to a non-scholarship player that he's not going to play a lot, he finds other interests, usually in his junior year, since getting his education paid for doesn't depend on football," Fogarty said.

See Lockwood on Page D-8



San Diego, CA  
(San Diego Co.)  
Reader  
(Cir. W. 100,000)

SEP 1 0 1987

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

"Robert Bork and the  
Ramifications of His  
Nomination on Constitutional  
Law," the National Lawyers  
Guild of the University of  
San Diego sponsors a panel  
discussion on this controversial  
topic. Included on the panel are  
Peter Irons, civil-rights attorney  
and author of *Justice at War*; Judy  
DiGennaro, civil-rights attorney  
and professor of constitutional  
law; and Daniel Weber, attorney  
and president of the local chapter  
of the NAACP. The discussion is  
scheduled for Wednesday,  
September 16, 7:30 p.m., Fletcher  
Hall, USD, Alcalá Park, Linda  
Vista Road, Linda Vista. Free.  
260-8888.

Escondido, CA  
(San Diego Co.)  
Times Advocate  
(Cir. D. 32,685)  
(Cir. S. 34,568)

SEP 10 1987

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

### Law called a 'nightmare'

SAN DIEGO (AP) — Some San Diego college officials say the new immigration law requiring employers to verify their workers' residency status is a bureaucratic nightmare. "It's a real pain," Hilda Ransom, senior personnel assistant at Grossmont College in El Cajon, said Wednesday. Under the new immigration law, college offi-

cials must now verify the residency of workers, work-study students, other student workers and new faculty members. No mass firings were reported at area universities as a result of the law. But University of San Diego dismissed a sports camp counselor this summer because she couldn't produce the necessary documentation, said Greg Andrews, records supervisor at USD's Human Resources Department.



SEP 10 1987

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

## Immigration law 'a pain' for colleges

By Joe Gandelman  
Staff Writer

Officials at some San Diego area universities and colleges say the new immigration law requiring employers to verify their workers' residency status is at best extra work and at worst a bureaucratic nightmare.

In addition to the usual back-to-school paperwork, university officials say they now must verify the residency of workers, work-study students, other student workers and new faculty members.

"It's a real pain," Hilda Ransom, senior personnel assistant at Grossmont College in El Cajon, said yesterday.

Quelda Wilson, assistant vice chancellor of personnel at UCSD, calls the requirement a time-consuming "bureaucratic nightmare," while Stewart Westdal, student employment coordinator at the University of San Diego, sees it as "just another form to be done, but not mind-boggling."

Of the San Diego area universities, UCSD has the largest student workforce, with several thousand among its overall 13,000-person workforce.

There have been no problems related to the new immigration law at San Diego State University, a spokesman said.

No mass firings were reported at area universities. However, USD dismissed a sports camp counselor this summer because she could not produce the necessary documentation, according to Greg Andrews, records supervisor at USD's Human Resources Department.

College officials across the country are wrestling with the new residency requirements. UCSD's Wilson said questions about the new immigration law were raised at a recent meeting of the College and University Personnel Association in Boston.

Under the law, employees hired after Nov. 6, 1986, must prove they are authorized to work in this country. They can show proof of U.S. citizenship — documents such as a driver's license, passport or Social Security card — or employment authorization documents issued by the INS. Employers could face financial penalties of up to \$10,000 per employee.

Oceanside, CA  
(San Diego Co.)  
Blade Tribune  
(Cir. D. 29,089)  
(Cir. S. 30,498)

SEP 10 1987

Allen's P. C. B Est. 1888

### **New INS law a 'nightmare' for colleges**

SAN DIEGO (AP) — Some San Diego college officials say the new immigration law requiring employers to verify their workers' residency status is a bureaucratic nightmare.

"It's a real pain," Hilda Ransom, senior personnel assistant at Grossmont College in El Cajon, said Wednesday.

Under the new immigration law, college officials must now verify the residency of workers, work-study students, other student workers and new faculty members.

No mass firings were reported at area universities as a result of the law. But University of San Diego dismissed a sports camp counselor this summer because she couldn't produce the necessary documentation, said Greg Andrews, records supervisor at USD's Human Resources Department.

Quelda Wilson, assistant vice chancellor of personnel at UC San Diego, called the requirement "a bureaucratic nightmare."

But Stewart Westdal, student employment coordinator at the University of San Diego, was less overwhelmed by any extra work. She said the new law resulted in "just another form to be done, but not mind-boggling."

Under the law, employees hired after Nov. 6, 1986, must prove they are authorized to work in this country.



Palo Alto, CA  
(Santa Clara Co.)  
Peninsula Times Tribune  
(Cir. D. 60,288)  
(Cir. S. 60,011)

SEP 10 1987

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

# At Menlo, No. 1 lingers

By Richard Weiner  
Times Tribune staff

National rankings are like a gift of flowers. They're flattering. They also don't last very long.

But for the Menlo College women's volleyball team — which opens its season tonight against Occidental at 7:30 in the first of two important home matches in as many nights — last season's NCAA Division III rankings have settled like a jar of sweet potpourri.

There was a time when sixth-year Menlo coach Malcolm Taylor had difficulty scheduling home matches because of the Atherton college's obscurity.

Not anymore.

Last season, the Oaks finished 43-8 after losing to University of San Diego — like Menlo a member of the newly-formed California Athletic Conference — in the Division III Western Regionals championship match.

More important, Menlo, which has compiled a 66-13 record the past two years as an independent program, was ranked as the nation's top team for nearly a month. The Oaks spent most of the season among the nation's top five.

"Menlo is definitely known in Division III volleyball now," Taylor said. "We aren't going to sneak up on anybody this year."

And teams like Occidental, LaVerne (Friday night), Cal State Stanislaus (at Turlock on Saturday) and San Francisco State (Tuesday) were eager to schedule the Oaks.

"I just had the coach from Colorado College call me to confirm our being in their tournament (next month), because they are using it to attract other programs," Taylor said.

Taylor doesn't use the rankings as incentive. But he couldn't hide his pride when the Oaks were ranked No. 1, or the impact it might have if his young squad again receives a surprise at the door.



Delna Lancaster (left) and Monique La Veau are Menlo College's top two setters. LaVeau is the team's lone senior.



"It was a great conversation piece," Taylor said. "But it would be interesting to see what would happen to the newcomers if we got a ranking like that."

For Menlo to reach the top of the rankings again this year, it will have to do better against San Diego. Menlo took over San Diego's top ranking last year, but the Oaks lost three of four matches to the Toreros.

The teams meet once in conference play — Oct. 17 at Menlo. The new conference, which includes College of Notre Dame, UC Santa Cruz, Dominican and Cal State San Bernardino, should help develop the Menlo-San Diego rivalry even more.

"We get them on our court first," said 6-foot-1 junior Daisy Pratt, in reference to the fact the regionals were in San Diego last year.

"Hopefully, we'll be able to host the regionals here this time," the powerful outside hitter said.

Like San Diego, Menlo lost standout players and will rely on a shuffled lineup that will include transfers and impact freshmen.

Taylor is looking to hitters Pratt and Ann Malke, a 5-11 junior, to add height to a strengthened blocking game. Directing the flow will be setters Delna Lancaster, a 5-6 junior from Hawaii, and 5-3 Monique La Veau, the team's lone senior.

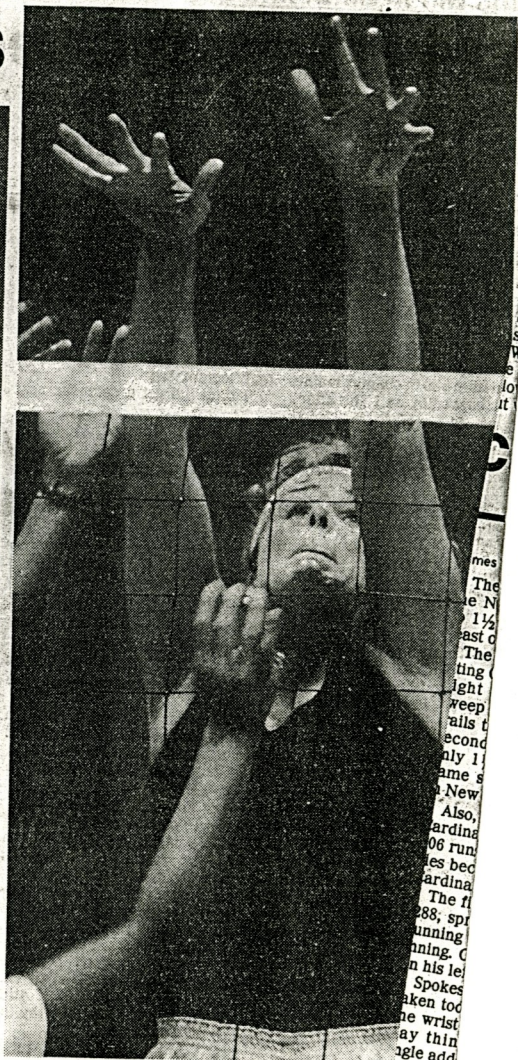
The three new starters are

blocker-hitter Margaret Leong, a 5-8 transfer from City College of San Francisco; outside hitter Michelle Sperl, a freshman from La Quinta High (which La Veau and Malke also attended); and junior Talley Stewart, a 5-9 junior from La Jolla who came to Menlo after becoming disenchanted with Miami of Ohio.

Taylor has been impressed with Kathy O'Malley, a 5-5 junior defensive specialist from Mills High, and Cheryl Neely, a 5-10 freshman hitter from Los Altos High.

"There's no one outstanding player on this team, like we had last year," Taylor said. "But we could be a better team because of balance."

Call it a mixed bouquet.



Menlo College hitter Ann Malke goes for a block against a tempt during a team practice.

Times Tribune staff photo



SEP 10 1987

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

E-8 THE TRIBUNE

San Diego, Thursday, September 10, 1987

## Toreros ready to play football again ... just for the fun of it

**U**P AT USD, there are no Proposition 48 problems, no drug controversies, no players taking money from agents while still playing football.

No, head football coach Brian Fogarty's Toreros play Division III football. The biggest guy on the team is offensive lineman Ray Smith, a 6-foot-2, 255-pound freshman from Chula Vista. Most of the guys are 5-11, 190 pounds.

How many scholarships are you permitted, Brian, someone

"Not over 15," Fogarty said. "That's why in Division III depth is always a problem. You find that players, by the time they get to be juniors and seniors, if they're not getting their education paid for, lose interest."

But that's about the only problem at this level of football that is played for fun, not dollars. The young men who play football at USD have to pay their own tuition, around \$4,000 per semester, buy their own books and pay for their own housing. No free rides at Alcalá Park for football. Basketball is Division I at USD, so Hank Egan's basketball team receives the 15 scholarships allotted to the other Division I schools.

Fogarty, now in his fifth season as the head coach of USD, has a record of 15-24-1, but it should be noted that 13 of his losses have been to Division II opponents.

You begin to understand how tough it is for Fogarty when he tells you that recently a youngster, who had been in his program for three years and two weeks, quit one day because he was close to graduation.

"He decided that job interviews were more important than playing special teams at USD," Fogarty said. "I don't blame him."

Also, Fogarty recently lost two offensive linemen, one to medical school and the other to UCLA. The latter won't be playing for the Bruins, of course. He went there totting a 3.9 GPA and chose UCLA because it offered the kind of courses he needed.

"Those are things beyond my control," Fogarty said. USD opens the football season this weekend up at Occidental's Patterson Field.

SHRINE COACHES — It's early, but Washington coach



Ed Zieralski  
Colleges

Don James and Michigan State coach George Perles were named yesterday to head the East and West teams, respectively, in the annual East-West Shrine Game at Palo Alto. This year's game will be played Jan. 16 at Stanford Stadium. Earlier, San Diego State's Denny Stolz was named as a coach in the Japan Bowl, another of the postseason all-star contests. Quarterback Todd Santos and some other Aztecs likely will join him there.

NAVY BONE — The Navy may be famous for its

fighting ability in the water, but when the Midshipmen's football team lines up this weekend, these Middies will move like the Army's infantry. Taking a page from the other Pentagon teams, Army and Air Force, Navy has adopted the wishbone offense. First-year Navy coach Eliot Uzelac said he based his decision to switch to the wishbone after evaluating the talent on the Navy team. Translation: He didn't have a quarterback who could throw.

ALABAMA-PENN STATE — Are we seeing the last of these annual Alabama-Penn State games? Possibly. This major intersectional rivalry — 11th-ranked Penn State plays host to 19th-ranked Alabama on national television Saturday — may end in 1990. At least that's what Alabama athletic director Steve Sloan said this week. He's considering other top teams like Oklahoma, UCLA or USC.

"We have not decided to continue the series," Sloan said. "But we haven't decided to discontinue the series, either."

The Crimson Tide has won five of the nine games between the two. The wins include some classics, like the 1975 and 1978 Bama wins in the Sugar Bowl. Penn State's Joe Paterno wants to renew the series, but Sloan, saying the games diminish both teams' chances to be picked for a major bowl, is leaning to other games. Thing is, what makes Sloan think playing Oklahoma, UCLA or even lowly USC is any better than going to Happy Valley in the fall?

THE WHITES — William White and Terry White once started together in the Ohio State defensive backfield. But now, a year after Terry White was booted off the Ohio State team, they will be on opposite sides of the field Saturday when the University of West Virginia visits Columbus to play the Buckeyes.

These two with the same last name are really a contrast. The Mountaineers' Terry White said recently in an interview in the Dayton Daily News that he failed the first drug test he ever took at Ohio State, testing positive for marijuana and cocaine. He said he also failed a drug test shortly before the 1985 Rose Bowl trip and Buckeye coach Earle Bruce kicked him off the team.

After those two brushes with drug testing, White was kicked off the team in 1986 for drinking beer. Now married and the father of two children, Terry White says he turned his life around now that he's living in more sedate West Virginia.

By now you know that the other White, William, is a honor student at Ohio State, majoring in mechanical engineering. He's the Buckeyes' defensive captain and has 11 career interceptions.

TOUGHEST SCHEDULES — Notre Dame, Oregon State, Florida, UCLA, Washington, California, Louisiana State, USC, Oregon and Stanford have the toughest schedules in Division I-A, according to the NCAA. SDSU is ranked 44th on the list, highest of the nine WAC teams.

(Ed Zieralski's Colleges column appears every Thursday in The Tribune.)



Los Angeles, CA  
(Los Angeles Co)  
Times  
(San Diego Ed.)  
(Cir. D 50,010)  
(Cir. S 55,573)

SEP 11 1987

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

12955  
UNIVERSITY OF SAN DIEGO  
FOUNDERS GALLERY (Desales  
Hall, USD): Hours are noon-5 p.m.  
Monday-Friday.

# Students must leave county to attend a Catholic college

By Gary Robbins  
The Register

Shawn O'Hearn could have studied in Orange County if he simply had wanted to attend a good college. Many of the 25 colleges and universities based here are well-respected. A couple are considered top-notch.

But O'Hearn also wanted to attend a school affiliated with the Roman Catholic Church, the closest of which are in San Diego and Los Angeles. The Laguna Niguel resident headed south, where he earned a bachelor's degree in the spring.

"I loved the University of San Diego, but it's outrageous that I had to leave Orange County to go to a Catholic school," said O'Hearn, one of the county's estimated 617,000 Catholics.

"I'm astounded someone hasn't addressed the problem. There's a need that's not being met," O'Hearn added.

His sentiment is shared by many.

About 300 Orange County residents will attend the University of San Diego this fall. An additional 500 will study at Loyola Marymount University in Los Angeles, Southern California's other major Catholic institution.

Several dozen more county residents will enroll at two small Catholic colleges, Marymount College in Rancho Palos Verdes and Mount Saint Mary's College in Brentwood.

Loyola Marymount, Marymount College and a third Catholic school, the University of San Francisco, operate tiny satellite campuses in Orange.

Catholic education is the theme of the pope's visit today in New Orleans. This evening, he will address 3,500 members of the Association of Catholic Colleges and Universities.

USD and Loyola officials say some Orange County students travel to those schools because they want to leave home, or are attracted by the quality of the academic programs. But they add that many simply leave the county for the same reason O'Hearn went to USD.

"Students generally find that we are more attentive than the public institutions, which find it harder to be personal because they are so large," said Arthur Hughes, president of the 5,500-student USD.

"And, of course, there's our attention to the Catholic faith."

Some educators and business leaders believe Orange County should have its own Catholic, liberal-arts college. And a few — like Laguna Niguel real-estate developer Arthur Birtcher — believe that such a school eventually will be established.

But there is little chance that a Catholic college will be built here soon, due to reasons involving money, geography and changes in the church.

"I loved the University of San Diego, but it's outrageous that I had to leave Orange County to go to a Catholic school. I'm astounded someone hasn't addressed the problem. There's a need that's not being met."

Shawn O'Hearn  
Laguna Niguel resident

"It's a financial problem more than anything else," said the Most Rev. Norman F. McFarland, bishop of Orange. "Education today is so expensive that we (the Diocese of Orange) couldn't possibly start a college. ... It is not one of our priorities."

Orange County also does not serve as the headquarters for any of the Catholic orders that traditionally have been the main sponsors of Catholic colleges and universities. The orders include the Jesuits and the Franciscans.

The Diocese of Orange currently is committed to paying half of the \$25 million it will cost to complete Santa Margarita High School in Rancho Santa Margarita — the first Catholic high school built in this country in the past 10 years.

Currently, Santa Margarita serves 250 students. Enrollment is expected to reach 2,400 eventually.

"You just do not try to build a school, especially a college, unless you have tremendous resources," said the Rev. Michael Harris, Santa Margarita's principal.

Added Tom Fuentes, a spokesman for the Diocese of Orange: "Why do you think it's been so long since a Catholic college was built in this country? The answer has to do with money and, in Orange County, the fact that the diocese is so new."

Christendom College of Front Royal, Va., is the most recent Catholic college established in the United States. It opened in 1977, the year after the Diocese of Orange was created. Orange County previously was part of the Archdiocese of Los Angeles.

Fuentes also said the traditional core of Catholic colleges — priests and nuns — also are in increasingly short supply.

In the past 20 years, the number of nuns in the U.S. has declined from 182,000 to 112,000, said the National Assembly of Religious Women in Chicago. A further decline is projected.

And between now and the turn of the century, the number of priests will drop from 30,000 to 15,000, church officials say.

Despite the scarcity of priests, the Diocese of Orange has assigned one cleric to the University of California, Irvine, and another to the Newman Club that serves California State University, Fullerton. The latter priest also serves Fullerton College, a public, two-year community college.

A third Catholic, laywoman Maryloyola Yettke, is employed by Chapman College in Orange as one of the school's chaplains.

"My presence is adequate for UCI. And there are the local parishes for schools that do not have priests," said Craig Butters, Irvine's campus minister.

"But campus ministries in general need to be expanded. Our young people have so many questions, and we need to be there to provide the Christian stance on medical-moral issues, sexual issues, spiritual questions."

Added the Rev. Louis Breton, who serves Cal State Fullerton: "The prevailing attitude on campus has to do with getting a job and making money. The more money you make, the more prestige there is, is what many students say."

"The Catholic Church can provide guidance, show the need to help the poor, to be concerned about greed, to question the basis of their values."

"And we address matters like war and peace, the sexual revolution, the church's stand on controversial issues. This is a time of question for young people, and it is important that we are there."



SEP 13 1987

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

F-14 The San Diego Union

Sunday, September 13, 1987

## Buying a home for college kids can beat rent

By Roger M. Showley  
Staff Writer

When Kelly Skemp was a sophomore at the University of San Diego in 1979, she decided to move off campus. It is a common decision for students, according to campus housing officials.

What wasn't so common was that Skemp's parents bought her a condominium to move into.

"It pains me to write a rent check," said her father, William Skemp, a personal injury attorney in La Crosse, Wis. "It's money that's gone as soon as you write it and that's it."

Eight years later, Kelly still occupies the condo on Friars Road and now sends her parents \$325 a month.

"It's a nice feeling to pay rent to your parents instead of pouring it down the drain," said Kelly, 27. She holds a real estate license and has sold time-share condominiums in Escondido for the past five years.

Her younger sister, Karen, is a senior at USD and lives with her in the two-bedroom, 950-square-foot condo.

Further, their brother, Bill, just entered the USD Law School and his parents have helped him and his new bride, Sarah, buy their own condo on Friars Road.

"I'm a great believer in the value of real estate," the elder Skemp said in a telephone interview.

According to housing officials at USD, UCSD and San Diego State University, parents often inquire about buying rather than renting quarters for their children. But the officials guessed that very few families actually ever follow through with a purchase.

Parents' interest in buying living space for their student-children is usually based on several assumptions.

The first is that property will appreciate in value and that profits

from its eventual sale will help defray the cost of the education.

The second assumption was that the tax benefits associated with income property would accrue to parents every April 15.

The third assumption was that ownership would instill "pride of ownership" in one's children.

However, each of these assumptions entails some risk.

No. 1 — Appreciation is not as-

sured. The Skemps estimate that Kelly's condo would sell for no more than its original purchase price because of the glut in condos and the speculation that had boosted prices in the late-1970s when it was purchased.

No. 2 — Tax law has changed twice since the Skemps' purchase, first in 1981 to liberalize benefits and then last year, to reduce them to less than they were originally. According

to accountant and tax expert Kerry McQuade, the 1986 federal tax law has wiped out many of the economic advantages of buying rather than renting. "I personally don't think it's worth it," said McQuade.

With tuition rising faster than housing prices in recent years, few parents would be expected to have ready cash for down payments that

See **Buying** on F-15



The San Diego Union/Bruce K. Huff

Kelly Skemp feels good about paying rent to her parents.

## Buying

Continued from F-14

now can run \$10,000 to \$20,000 for a \$100,000 unit. According to McQuade, after working out an example on such a unit, parents could count on only a \$158 annual savings after taxes, as opposed to simply investing \$20,000 at 10 percent interest and paying their children's \$300 monthly rent.

If parents earned more than \$150,000 in adjusted income, he added, the rental approach usually works out being several thousand dollars cheaper.

No. 3 — Some students are conscientious about taking care of the property; others aren't. Michael Hockett, SDSU's housing director, said plenty of student-owners have had to scramble to find roommates to cover mortgage payments or deal with damage and repairs.

San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 1 4 1987

Allen's P. C. B Est. 1888

## S.D. collegians aiming for political clout

2955  
By Michael Scott-Blair  
Staff Writer

More than 100,000 voting college students on eight San Diego campuses are pooling their political muscle, and the target is City Hall.

"As long as we are politically divided into separate campuses, the decision-makers will continue to ignore us. But if they see us as a unified force, we think they will listen," said Steve Danon, chairman of the new San Diego Collegiate Council.

"We feel the power brokers will pay more attention if they know that up to 100,000 votes are hanging on decisions involving any of the member campuses," Danon said.

Danon and other council leaders are pragmatic about their chances of success.

"There is no question that we must first get the 100,000 students to the polls; that is our first challenge," said Kevin Rapp, the student body president and Collegiate Council representative of the

University of San Diego.

The next challenge, he said, is to get the students informed on the issues that affect students and are handled by the City Council and its agencies.

As an example, Danon explained that the City Council recently voted 5-2 to restrict the number of students who can live in a rental property — the "minidorm" controversy.

Danon said only one student official lobbied in favor of the students' interest, and that effort went unheeded by the council.

"People sometimes forget that we are not only students, we are citizens of San Diego. We have an interest in the city and it should have an interest in us," said Alina Kulikowski, UC-San Diego student leader.

"In the past," Danon said, "government has listened to us with patience but has rarely heard us. I think that by operating through the political pro-

cess, just as the Gray Panthers, the teachers and other special-interest groups, the university community can get a lot more attention from its elected officials."

The idea of a collegiate council is not new. A similar council has been operating in Los Angeles for more than a decade and has become a considerable force in city politics, said Danon.

"In fact, (the Los Angeles collegiate council) is thinking of hiring a full-time paid lobbyist. We are nowhere near that point, at present," he said.

The San Diego coalition is in its formative stages as the different colleges return for the new academic year and the respective student-body governments begin to review the Collegiate Council's constitution and by-laws.

The council is made up of public and private campuses, both four-year and two-year. Those institutions include UCSD, San Diego State University. See Clout on Page B-5



# Clout: College students are voters, too

Continued from B-1

ty, USD, Point Loma Nazarene College, Grossmont Community College, San Diego City College, Mesa College and Miramar College.

The council will be made up of two representatives from each campus, with each campus having one vote on issues before the council.

Danon and other council members said the goal is for the campuses to reach agreement on a very specific and narrowly focused list of issues upon which the students want action.

City Councilwoman Judy McCarty, whose 7th District includes San Diego State, is excited by the formation of the council. However, she offered the students some warnings.

"They could be extremely effective, but they must first overcome the student reluctance to go to the polls and vote," she said.

"I have tried several ways to increase students' participation at the polls, because I think the student input can be extremely valuable. But we have not made too much headway, yet," she said.

McCarty also said the student political group should stick to issues that directly affect student life and should stay away from political issues.

"If the students become embroiled in such things as South African policies and national issues, they will become divided and destroy their effectiveness as a group, she said.

"I have worked with the San Diego State students on political issues and found them to be very informed and very responsible.

"I can see this council as an exciting resource that could help defuse situations that in the past have completely polarized community and student groups to the point that they could not even speak to each other," McCarty said.

Student leaders said they are determined to deal with the student voter apathy and to focus their attention. "We are determined to find a way to register all potential voters," said Danon.

McCarty said she has tried in the past to get students to register to vote while registering for classes, but she said that effort so far hasn't been successful.

"We know (voter registration) is our first major challenge, but we will overcome it," said Danon.

"On issues, we intend to focus down to about a half-dozen, and they will all be concerned with the quality of student life, on such issues as transportation and housing," said Danon.

"Students are a sleeping political giant that could do a lot of good in the community," said Kulikowski.

The San Diego and Grossmont/Cuyamaca Community College districts have more than 43,000 students, who are on the average 30 years old and eligible voters.

San Diego State has 35,000 students, including 30,000 who should be eligible to vote. UCSD, USD and PLNC add another 30,000 potential student voters.

The students see their cooperative effort as a new development in liaison between the universities and colleges that has not been possible before.

"There is no doubt that the UC people looked on SDSU as second-class citizens in the past," said Danon.

"And both UC and SDSU hardly acknowledged that the community colleges existed," added Alina Kulikowski's sister Alice, representing Mesa College.

Now, the students say, they are pooling their strengths in recognition of mutual interdependence.

It is not the first effort at such a

council in San Diego.

There was one such attempt by students in 1974. It was a countywide effort that failed because there were too many government agencies to deal with and too many issues to consider, Danon said.

A second effort in 1978 also was countywide and failed for the same reasons.

"That is the lesson we have learned: focus the issues and deal with one government agency," said Rapp.

San Diego, CA  
(San Diego Co.)  
Evening Tribune  
(Cir. D. 123,092)

SEP 14 1987

Allen's P. C. B Est. 1888

2955 Friday, September 18

The University of San Diego will sponsor a seminar on "Tax Reform and Real Estate Investment," by Dan Rivetti, D.B.A. and assistant professor of finance from 7:30 to 9 a.m. at the Manchester Executive Conference Center, USD. Fee is \$15.



Oceanside, CA  
(San Diego Co.)  
Blade Tribune  
(Cir. D. 29,089)  
(Cir. S. 30,498)

SEP 1 5 1987

Allen's P. C. B Est. 1888

## Teen in pipe bomb case freed from Juvenile Hall

SAN DIEGO (AP) — A San Carlos honors student charged in a pipe bomb explosion that killed a classmate was released from custody after a judge ruled he would be tried as a juvenile.

The 17-year-old, whose name is withheld because he's a juvenile, left Juvenile Hall on Monday after Superior Court Judge Judith McConnell's ruling. He was expected to resume studies as a senior at University of San Diego High School today.

The teen is charged with six felonies in connection with two pipe bomb explosions in July.

One blast killed 17-year-old Kevin Michael Ham while he and two other teens were driving through the San Carlos area early in the morning. The boy charged was driving the vehicle.

The district attorney's office petitioned Juvenile Court to have the boy tried as an adult in Superior Court, where a conviction could mean a 10-year maximum sentence in prison.

But McConnell found that the boy's part in Ham's death was "minimal."

She set a Sept. 24 court conference, with trial to follow at least two weeks later.



Oceanside, CA  
(San Diego Co.)  
Blade Tribune  
(Cir. D. 29,089)  
(Cir. S. 30,498)

SEP 16 1987

Allen's P. C. B Est. 1888

2 Extra/North, September 16, 1987

## Class of 2000 faces social difficulties of changing world

By Elena Acoba  
Southcoast Newspapers Writer

This year's kindergarten students will face a childhood fraught with social obstacles that could affect how well they will be prepared as adults in the 21st century.

Unlike the generations before, large numbers of the graduating Class of 2000 will come from broken homes or single-parent families, will spend many hours unsupervised while parents work, will be poor or will not speak English. One of every three children will be from an ethnic minority group.

Public education will be pressured to compensate for the social and academic stresses that such a different, diverse generation will create.

If the trend of students whose socioeconomic condition puts them at risk of failing in school isn't changed, futurists and educators agreed, the labor force at the turn of the century will be less productive at a time when great technological changes will demand new skills and a higher level of literacy. It will be harder for the poor in the 21st century to escape the growing bottom tier of society.

One futurist grimly predicted there will be a growing gap between rich and poor, the "have nots" will be more emotionally depressed, creating a social climate of crime, despair and hopelessness.

More than 3.6 million students in the United States will enter

kindergarten this year. According to various government agencies and social service groups, their ranks will include:

- 40 percent will live in a broken home by age 18.
- 33 percent will be non-white.
- 30 percent will be "latchkey" children, coming home to an empty house after school because the parents work.
- 25 percent will live in poverty.
- 25 percent will drop out of school.
- 15 percent will be physically or mentally handicapped.
- 15 percent will not speak English when they start school.
- 14 percent whose mothers were teen-agers when they were born.
- 14 percent whose parents were unmarried when they were born.
- 10 percent whose parents are illiterate.
- 75 percent or more are not expected to go on to earn a four-year college degree.

Public education, long considered the equalizer of different segments of society, will find a more difficult task ahead as it is called upon to provide bilingual and multicultural education, instill a common value system and supervise youngsters who will spend many hours without parental guidance.

That means public schools will have to find a way to diversify the delivery of education so the socioeconomically depressed have a chance to succeed, said Jack Hill, director of curriculum,

instruction and pupil services for the county Department of Education.

"We've got to recognize it's a different population and change is moving fast," Hill said. "We're having to meet 'client' needs.

What we've got to do is get away from this winners-and-losers situation," he added.

A San Diego futurist said he doesn't hold out much hope that the U.S. education system will be able to lessen the gap between

rich and poor. And those on the lower end of the socioeconomic scale will be "very unhappy," said Dennis Rohatyn, a philosophy professor at University of San Diego.

Rohatyn said he foresees a

society of emotional zombies, people trying to run away from their problems, unwilling to solve them.

A sluggish economy with high unemployment, coupled with many people not nurtured by traditional two-parent families, will be to blame, he said.

Most of the low-skilled people, if they're working at all, will be "making just enough to get by," he said. On top of that, "they will have grown up without (traditional) families, without roots."

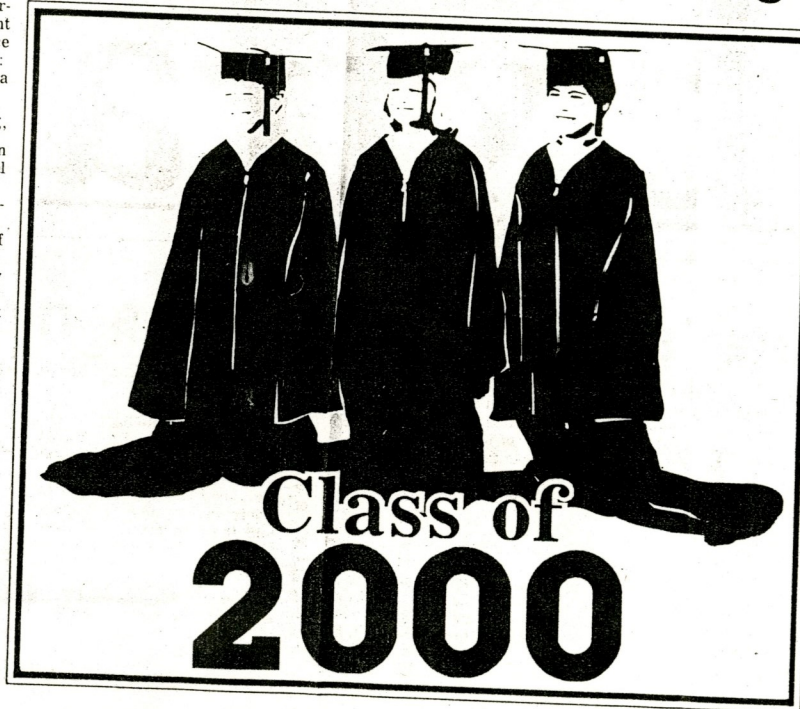
Without traditional systems to teach people how to deal with financial stress, they will go into what is known as "psychic numbing," Rohatyn said, "a way of blocking out the pain."

"People will use technical surrogates" such as entertainment systems, video games and other diversions "to get away from their problems," he said.

Children at risk of falling into this "general malaise" need to be identified early and given special attention, Rohatyn recommended. Teachers will be important in making these identifications, he said, and they need training and support.

A different kind of stress stemming from an economic slowdown may be facing adults of the new millennium, a local educator said. That stress will be one of leisure.

"There's no question that the way technology is going, we are going to look at less than a 40-hour week," said Robert Morton, assistant superintendent of the San Diego Union High School District.





Coronado, CA  
(San Diego Co.)  
Journal  
(Cir. W. 5,237)

SEP 17 1987

Allen's P. C. B Est. 1888

## Virginia Nelson

Attorney Virginia Nelson, a resident of Coronado, was elected the 1988 treasurer of the San Diego County Bar Association's Board of Directors during the regular meeting held Sept. 1, according to SDCBA president Dan Broderick.

Nelson, elected to the Board of Directors last year, was one of five first-year members eligible to be elected as next year's treasurer. Each of the 15 board

members serves a three-year term.

Nelson will be installed in her new position during the annual Bar Association ceremonies scheduled for early December. Nelson will replace outgoing treasurer Marc Adelman. Adelman will serve as a vice-president during 1988.

A member of the SDCBA for the past eight years, Nelson is a director of the San Diego Inn of Court, San Diego Trial Lawyers Association and the University of San Diego School of Law Alumni Association.

A graduate of USD's School of Law, Nelson's involvement in the legal community includes membership in the Lawyers Club,

the California State Bar Association, the Barristers Club and the California Trial Lawyers Association.

Nelson specializes in medical malpractice and personal injury litigation.

The San Diego County Bar Association, located at 1434 Fifth Avenue, has more than 5,000 members. It operates the Bar Foundation, Lawyer Referral and Information Service and conducts educational programs for its profession and the public throughout San Diego County.

*Do you have any new staff members? Has anyone in your company been promoted or awarded? Has your office moved or expanded? Whatever the occasion, we'd like to know and include it in our BRIEFCASE. Just send news releases and photos to Journal.*



Escondido, CA  
(San Diego Co.)  
Times Advocate  
(Cir. D. 32,685)  
(Cir. S. 34,568)

SEP 17 1987

Allen's P. C. B Est. 1888

## Circuits manufacturer moving to San Marcos

Precision Circuits, a manufacturer of printed circuit boards in Kearny Mesa, will move to San Marcos in the next two to three weeks.

Paul McEvoy, who owns the 3-year-old firm with his father, Bill McEvoy, said they are making the move "mostly for elbow room and room for future growth," but they will hire two or three new employees immediately.

Currently housed in 1,500 square feet, Precision Circuits purchased a 7,680-square-foot industrial building at 870 Rancheros Drive for \$365,000. Steve Rule of John Burnham and Co. handled the sale for the manufacturer and for the sellers, Robert and Eva Raines.

Precision Circuits, which makes circuit boards for the computer industry and communications industry and for scientific test equipment, does about half of its business in North County, McEvoy said.

### 3 area Target stores open

Target, which is adding 73 stores in eight states this year, including 55 in California, opened in three former Gemco locations in the county last Saturday.

"Opening day was busy but smooth," said Dale Burke, manager of the 104,400-square-foot store at 2255 El Camino Real in Oceanside. "There were no lulls at all during the day."

Burke, who previously worked with retailers in Louisiana and Texas, said he has been very favorably impressed by the work ethic and positive attitude of his staff here. Under its flexible staffing plan, the Oceanside store employs between 200 to 300.

Owned by Dayton Hudson Corp. and now in its 25th year, Target will boast 91 stores in the state by year's end. Saturday it also opened stores in El Cajon and Encinitas, and a new store in Escondido will open on West Valley Parkway next month. The first Target store opened in Minnesota in 1962.

### Seniority plan approved

Calavo Growers of California and workers at its closing Escondido packinghouse have agreed to a seniority plan for employees who relocate to the cooperative's 2-year-old plant in Temecula, according to Roger Sommer, vice president of human resources.

Both sides had been searching for an equitable way to handle seniority with regard to layoffs and recalls, which are needed frequently as the size of the avocado crop fluctuates during the year.

The plan, which was acceptable to members of the Vista Avocado Workers Association, according to Ken Carroll, former president of the in-house union, gives any Escondido employees hired in Te-

## Shoptalk



By Nancy Schoeffler /T-A Staff Writer

mecula a year of seniority for every five years worked in Escondido, for purposes of layoffs and recalls. For vacations and other benefits, Escondido workers will receive credit for the entire time worked.

Last week Jerry Smith, a former specialist with the state Employment Development Department who is now with Ag Producers, conducted out-placement sessions at the Escondido plant to help workers sharpen their job-hunting skills and prepare their resumes, which Calavo is having typed, Sommer said. The plant will close later this month.

### Tax reform update at USD

Wondering how to deal with the Tax Reform Act of 1986 in the real estate investment market? Dr. Dan Rivetti, assistant professor of finance at University of San Diego, will cover that subject 8 a.m. Friday in the first of the university's annual business update seminar series.

For information on the eight-part fall semester series, call 260-4682.



SEP 17 1987

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



## They Kill For The Thrill

Michael Brunner

You will thank me for this tip. On Wednesday, September 23rd, the University of San Diego hosts the San Diego Classic to determine the Women's Volleyball Champion from among area universities. And the price is right. Admission is free.

Four local universities, who between them distribute thirty full scholarships every year to eligible women will battle it out for the "City Championship." For most, it will be a unique experience, with a terminology all to itself. One term we all understand is "National Champion," and in the first semi-final at 4:00 p.m. defending NCAA Division III Champion UCSD will battle the Lady Aztecs of San Diego State.

The Lady Tritons posted a 42-6 record in 1986. They feature three local athletes, Jennifer Pettigrew of La Jolla High, Beth Selby from Kearney High, and Janet Hughes of Francis Parker. While UCSD gives no scholarships, SDSU Head Coach Rudy Suwara issues the full compliment of eleven schol-



## USD Hosts Area Colleges in Women's Volleyball Classic

larships annually. San Diego area players Jennifer Brandt from Patrick Henry High, Melissa & Michele Stokes of Granite Hills High, and Kim Washington of Santana High School are led by Angelica Jackson, a 5'11" senior All-American candidate from East St. Louis, Illinois.

The 6:00 p.m. semi-final will pit USIU against the host Toreros. USIU has a roster dotted with athletes from Los Angeles Fairfax, and Banning High in Carson. Coach Curt Donaldson, with extension universities world-wide managed to land Ximena Faiardo of Colombia and Renan Kornucoglu from Turkey.

The University of San Diego

is not without homegrown talent. Ruth Bajo of Marian HS, Lisa Hagen from Granite Hills, and La Jolla High star Jane Sadler anchor a team that ended a 30 match losing streak dating back to 1985 in the season opening road trip with a victory over the University of Virginia.

The action is intense and fast moving for the players and spectators alike. There's passing, setting, attacking, blocking, digging and the infamous "kill." But in the end, a champion will be crowned at 8:00 p.m.

Take some time to support these student-athletes as they battle it out, and—get the kids to the game. This is a great game that has been totally undeveloped as a city sport. Our girls need to be exposed to this game, and with the outstanding programs displayed at UCSD, SDSU, USIU, and USD see for yourself who will stand alone at the end of this old-fashioned shoot-out.

### The San Diego Women's Volleyball Classic

4:00 pm	UCSD vs SDSU
6:00 pm	USIU vs USD
8:00 pm	Championship

## Judgment Call

Continued from page A15

know if my child is on track relative to the NCAA Core requirements?

### THE SOLUTION:

1. Maintain a college prep curriculum.
2. Have an updated GPA/ Test Score sliding scale posted on your refrigerator.
3. Meet regularly with your child's guidance counselor.

withn it comes to eligibility for sports participation.

Legislation enacted by the National Collegiate Athletic Association a few years back, eased in minimum academic requirements with the thought of eliminating the future shock of Proposition 48. Students didn't listen. High schools across America continued to allow athletes to participate without a 2.0 CPA in selected core classes.

Core classes are a selected number of semesters required in college prep math, English, natural science, social science, and approved electives. To put it in simple terms, Math I, II, III, and IV is not enough anymore. Now it must be Algebra, Geometry, Trig, and Calculus.

Then there is the test score.

You can call it what you want, unfair, discriminatory, take your choice—but face the fact that test scores are here to stay. Both the SAT and the ACT are offered at least four times each, every year. It has always baffled me why a prospective student-athlete that is actively recruited would wait until the last offering, which usually is the night before the senior prom to take the standardized test.

I applaud parents, and schools that strip the athlete of their game playing until they maintain the

mandatory grade requirements. But that is only the minimum. As a parent you owe it to your child to insist on an academic performance that is on line with their ability. If a child tests out in all cases to be a "C" student, then we know that to expect. But for those "A"/"B" youngsters that insist on diving below "C" level, do us all a favor, break hearts now before they get crushed in the end.

The San Diego CIF fields 21 championship sports. The athletes that often suffer, are those involved in the so-called "minor sports." That's why you the parent must demand that your child gets major league academic attention.

*The Voice and Viewpoint welcomes letters from our readers. When writing, sign your full name, with address and telephone number. Mail to The Judgement Call, Voice and Viewpoint, P.O. Box 95, San Diego, CA 92112. Anonymous letters will not be published.*

Los Angeles, CA  
(Los Angeles Co)  
Times  
(San Diego Ed.)  
(Cir. D 50,010)  
(Cir. S 55,573)

SEP 18 1987

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

UNIVERSITY OF SAN DIEGO  
FOUNDERS GALLERY (Desales  
Hall, USD): Hours are noon-5 p.m.  
Monday-Friday.



Solana Beach, CA  
(San Diego Co.)  
The Citizen  
(Cir. W. 20,000)

SEP 18 1987

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

### **New dean appointed to USD nursing school**

ALCALA PARK — Dr. Janet A. Rodgers has been appointed dean of the University of San Diego Philip Y. Hahn School of Nursing. 2955

She will administer baccalaureate, master's and doctoral nursing programs at the school, which has an enrollment of 235.

Dr. Rodgers has held faculty and administrative positions in nursing at universities in Pennsylvania, Virginia and New York City. She replaces Dr. Irene Palmer, founding dean of the nursing school.

San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 18 1987

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

## San Diegans join the party, and some the citizenry

By Gina Lubrano  
Staff Writer

Kieu Phan officially became an American yesterday.

"When I am citizen, I am protected by the government of the United States," Phan, 57, said minutes before taking his oath of citizenship. "I can go where I want and enjoy the liberty."

Phan, who works with the Boat People SOS Committee, was among 258 people who became naturalized citizens yesterday during ceremonies at Horton Plaza coinciding with the celebration of the bicentennial of the Constitution.

San Diego County joined in the nationwide 200th birthday party — with the release of balloons, special programs in schools, a children's bill of rights signed in Coronado, a musical salute in the East County Performing Arts Center and a celebration at the University Club.

At the University of San Diego, one of the officially sanctioned bicentennial schools, 200 children from Holy Family and Kit Carson schools paraded through the campus to start the bash.

"The Constitution replaced the absolutism of monarchy," USD President Author E. Hughes told the sixth-, seventh- and eighth-graders. "From it flowed freedoms creating a land of opportunities. Ever since then, people oppressed and people with hope have looked to America for new beginnings."

Hughes could have been describing Tina Mai Nguyen, 27, of Mira Mesa, who during the Horton Plaza ceremonies was named winner of a citizenship essay contest and a trip to Washington, D.C.

In her essay, Nguyen, who came to the United States from Vietnam 5½ years ago, spoke of paying dearly for freedom, of losing 11 relatives on the open seas during a flight from oppression.

"I experienced difficulties under a communist regime where I did not have any right, neither a right to have a job, to practice my religion nor to live as a human being."

Joan Bowes, who heads the San Diego Bicentennial Commission, told the new citizens they "have found a country where allegiance is asked, not coerced."

U.S. District Judge Gordon Thompson Jr. presided over the ceremonies. For about two hours, Horton Plaza Park, a favorite spot for soap-box ministers, was transformed into a federal courtroom for the naturalizations.

"Today, of all days, citizenship in this country takes on a special meaning for all of us," Thompson told the group.

They applauded freedom and spoke with affection about their adopted land.

"I have been in here a long time and I have decided I believe in freedom of the speech, liberty and justice for all," said Zofia Migdalska, 33,

who came from Warsaw 17 years ago and is now personal chef to San Diego Padres owner Joan Kroc.

The hoopla meant little to Kiyoshi Christensen, 3, of Oceanside. Throughout the ceremony he was either in the arms of his father, Alvin Christensen, a captain in the Marine Corps, or standing close to him.

Kiyoshi was born in Hiroshima and abandoned by his natural mother when he was 2 weeks old, Christensen said.

As the youngest new citizen, Kiyoshi was given a flag that had flown over the nation's Capitol. Another was presented to Bartolome Abrigo, formerly of the Philippines, who at 71, was the oldest person in the ceremony.

There was little doubt that Jethro Gelisca, 10, formerly of the Philippines, felt like an American. He wore

a "Native of San Diego" T-shirt to the ceremonies.

Also yesterday, in Santee, kindergartners Melissa Hill and T.J. Edwards stood on either side of a 2-foot-high, black iron bell and swung it back and forth.

The 100-year-old bell pealed loudly to a chorus of smaller bells rung by the rest of the kindergarten through eighth-grade students of Carlton Oaks Elementary School.

Moments earlier, the children, dressed in red, white and blue, released balloons of matching color into the steady easterly breeze.

The newly restored bell of the historic 90-year-old Lakeside Presbyterian Church also rang out, as 40 members of the Historical Society launched balloons and dined on hot dogs and iced tea. The last major nationally-observed event for which

the bell tolled was the end of World War II, according to Historical Society members.

Richard Dorsey, an administrator with the Santee School District, visited the 10 schools in the district this week dressed as George Washington, accompanied by his secretary, who was dressed as Martha Washington.

He said he made note in his skit on the Constitution of the fact that women, slaves and Indians were excluded from the historic document.

"... 'We the people' didn't always mean everybody," Dorsey said. "There were slaves, Indians and women who did not have the right to vote or were not recognized as citizens."

Staff writers Irene Jackson and Barbara Moran also contributed to this report.



San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 19 1987

Allen's P. C. B Est. 1888

## 'Common Threads' to take a look at major religions

2955  
The World Affairs Council of San Diego will present a panel discussion, titled "Common Threads of the Major World Religions," at 7:30 p.m. Tuesday at the University of San Diego's Manchester Conference Center.

Speakers will be Swami Atmarupananda, Hindu; John Rosenblatt, Jewish; the Rev. Akio Miyaji, Buddhist; the Rev. Lawrence D. Bausch, Christian, and Anwar Dil, Islamic. Leon Sinder will serve as moderator.

The program is co-sponsored by the World Religions Study Center Panel of U.S. International University; the Graduate Program in International Relations at USD, and the Department of Theological and Religious Studies at USD.

Call the World Affairs Council at 231-0111 for reservations.

San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 19 1987

Allen's P. C. B Est. 1888

D-2 The San Diego Union

EC

Saturday, September 19, 1987

# USD hopes to eliminate mistakes against Redlands

By Chris Clarey  
Staff Writer

Brian Fogarty doesn't sound like a coach who failed to win his opening game.

"We were real happy with the effort," said Fogarty, whose University of San Diego football team tied Occidental, 13-13, last Saturday in Los Angeles. "The only thing that bothered us was that there were some mental errors. People jumped off-sides, and we missed assignments on a couple crucial plays."

Except for two second-half fumbles by quarterback Braulio Castillo that resulted in Occidental scores,

USD did indeed have much to be happy about:

- Fullback Todd Jackson (104 yards on 23 carries) led a running attack that netted 237 yards on 51 rushes.

- Freshman inside linebacker Frank Love had 12 tackles and two sacks to lead an aggressive defense that stopped Occidental on all 13 of its third-down situations.

- Freshman punter John Gillis turned in a gutsy performance at shortstop, averaging 36.4 yards on seven punts despite having to field four bad snaps.

Tonight, the Toreros travel north

to play the University of Redlands in the Bulldogs' season opener at 7:30.

"We'll try to be a little more diversified on offense this week," said Fogarty, whose team threw just seven passes against Occidental. "We went into last week's game figuring we'd run the option until they stopped it. They never did. We stopped ourselves with fumbles, but Occidental never stopped us."

Despite Castillo's turnover problems, Fogarty said he probably will start ahead of freshman Brendan Murphy, who completed three of five passes for 31 yards and one touchdown in the fourth quarter.

"They both have things they do well," Fogarty said. "Braulio does a good job of keeping other guys playing hard. He's a good runner (58 yards on 14 attempts, discounting sacks, against Occidental) and an adequate passer."

"Brendan is more of a finesse player. He passes well but doesn't hurt people the way Braulio does when he runs the ball."

Virgil Enriquez's knee injury means Jackson will switch to tailback. Don MacInnes will start at fullback despite a badly bruised shoulder.

Redlands finished 1-9 in 1986 and is

without standout tailback Eric Carlson (1,253 yards), who has a severely pulled hamstring.

"We watched USD play at Occidental, and we were very impressed," said Redlands coach Ken Miller. "I don't think there's any doubt that they're a much improved team over last year (when the 4-6 Toreros beat Redlands, 21-3)."

Miller said an inexperienced line and the loss of Carlson have hampered his offense's progress.

"We haven't moved the ball consistently, and that's something we

need to do if we're to have any kind of success," Miller said.

The defense is a different matter. Three 1985 starters return after a year away from the school: 6-foot-4, 257-pound defensive lineman Bart Groninger; inside linebacker Robert Shimahara; and free safety Pat McLeod.

"They will improve our defense," said Miller, who also has four 1986 defensive starters returning, including senior lineman Paul Sanfillippo, a second-team All-Southern California Intercollegiate Athletic Conference selection last year.



SEP 20 1987

Allen's P. C. B Est. 1888

## Toreros shut out Redlands

By Chris Clarey<sup>2955</sup>  
Staff Writer

REDLANDS — The University of San Diego team got strong performances from its defense and from freshman quarterback Brendan Murphy in a convincing 28-0 victory over Redlands last night.

The defense, led by freshman cornerback Darryl Jackson's fumble recovery and three interceptions, held Redlands to 123 yards of total offense.

Murphy, who split time once again with junior Braulio Castillo, completed 6-of-9 passes for 86 yards and two touchdowns.

"We sputtered a bit in the middle two quarters, just like last week," said USD coach Brian Fogarty. "But we haven't scored 28 points and shut somebody out in a long time. It feels good."

"We are still not throwing as well as I'd like us to, but we are controlling the line of scrimmage on both offense and defense, and that's a big help to any football team."

Last night's game was Redlands' season opener, and it showed. The Bulldogs' offense wasn't able to penetrate USD's 20-yard line until 13:37 remained in third quarter, quarterback Chris Hagle hitting wide receiver Fernando Guana from 31 yards to USD's 18. But on the next play, USD's Jackson stole a Hagle pass from Bill Brosnan in the end zone to end the threat.

USD (1-0-1) took the opening kickoff and drove 70 yards in five plays for a touchdown. Castillo hit tight end Lionel DeMorst on a slant pattern for 55 yards, then ran it in himself from 4 yards to make the score 6-0.

Soccer player-turned kicker Mark Fenick missed the extra point.

USD added to its lead in the second quarter, needing two plays after Jeff Mansukhani's 12-yard punt return.

Murphy, replacing Castillo at quarterback, threw 34 yards to wide receiver Ken Zampese. Then Murphy pitched to tailback Todd Jackson, who scored untouched from 15 yards. Mansukhani threw to Scott Slykas for a conversion to make it 14-0.

USD put the game out of Redlands' reach in the fourth quarter, scoring two touchdowns in just more than a minute.

The first came on a 5-yard pass from Murphy to DeMorst that capped a 16-play, 80-yard drive. Fenick's kick made the score 21-0.

On Redlands' next possession, USD's Jackson intercepted Hagle on the Bruins' 31-yard line and returned the ball to the 19. Two plays later, after a 5-yard illegal-procedure penalty against USD, Murphy passed to Joe Yamane for a 24-yard touchdown. Jim Morrison's extra point made it 28-0.

San Diego, CA  
(San Diego Co.)  
San Diego Business  
Journal  
(Cir. M. 7,500)

SEP 21 1987

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

**CLASS:** The principles and techniques of direct marketing will be the subject of a four-course series running Tuesdays and Thursdays through Nov. 12, from 6:30 to 9 p.m. in the Manchester Executive Conference Center at the University of San Diego. USD is offering the class with San Diego State University in cooperation with the San Diego Direct Marketing Club. The first course of the series will cover the fundamentals of direct marketing. Cost of the 16-session course is \$437 for members of the San Diego Direct Marketing Club and \$497 for non-members. The non-member fee includes a membership in the club. For information or a brochure, call Charlotte Fajardo at SDSU's College of Extended Studies, 265-4047, or Kathleen Hare at USD Continuing Education, 260-4586.



## \*Schools

Continued From AA-1 2955  
enter the Ph.D. program.

"Very few were U.S. citizens," says Patricia Hughes, assistant professor of business at the school, adding that one third of the 41 were from South Korea.

Of the six students accepted, only two plan to attend UCLA. "There's a lot of competition among schools," says Hughes.

The shortage is also compounded by the relatively few women who earn Ph.D.s. Only 17 percent of those earning doctorates are women, but yet the sizable increase in women students is one of the major reasons for the huge gains in business school enrollments. More than 31 percent of the MBA graduates are women, up from only 4 percent in 1972.

While U.S. business school enrollments show signs of tapering off, the teacher shortage is still expected to worsen. That's because many business schools will lose a sizable portion of their faculty to retirement in

the 1990s.

"There is not a lot of hope this situation will be solved in the short run, at least for 10 years," says Hickman of AACSB.

And there is little chance that reputable universities will add business Ph.D. programs to their curriculum because they are big money losers, Hickman says. "If you're a classical economist," he says, "this kind of bothers you."

The shortage is only likely to accelerate the intense wooing of prime business faculty. Many colleges have already boosted business school faculty salaries above those in the humanities and offer a variety of perks, such as secretarial assistance, computer equipment, guaranteed summer school classes and outside consulting work.

With the escalating salaries and negotiation of perks, says SDSU's Dean Bailey, "To some degree, it's beginning to sound like baseball players and basketball players."

Recruiting has reached new levels of competitiveness. At the annual meeting of the American Accounting Association, an academic group, the latest crop of accounting doctorates are interviewed for jobs by colleges from across the country.

"I hate to draw allusions to singles bars," says Hickman of the AACSB. "But there are a lot of deans and chairmen milling around in the lobby. You can go to the hotel bar and the suites, and there's no doubt what's going on. It is kind of a mating rite."

Once the deans have recruited their candidates, the worry isn't over. SDSU's Dean Bailey says he must be on guard against head hunters from other colleges.

"Deans are always nervous when the faculty are out giving papers at other universities," he says, "because you know they're going to be hustled."

Both Bailey and his counterpart Dean Burns at USD say that despite unfilled positions, their universities

are doing better than most at attracting faculty. They credit the institutions' solid academic reputations — and the Southern California sunshine.

"We try to sell the intangibles," says Bailey. Adds Burns, "We try to fly them out from Chicago and the Northeast in January and take them out to the bay."

At SDSU, the popularity of business classes and the lack of qualified instructors has led to enrollment restrictions. Students must have a 2.5 grade point average in certain subjects to advance to senior level business classes.

Curbing enrollment dismays Dean Bailey, who notes that SDSU is a public institution meant to meet the needs of the public. "It is in some ways in conflict with our mission," he says.

Despite the restrictions, SDSU has the nation's fourth largest undergraduate degree program, with 7,500 students. The department, which also has 925 M.B.A. students, has 115 faculty members.

Because accredited business schools must employ a high number of instructors with doctorates, all but 10 have Ph.D.s. But, Bailey says, it is getting harder for SDSU to compete for the limited number of business professors.

The starting salary at SDSU ranges from \$35,000 to \$42,000. However, the going rate for young professors at competing public and private colleges is \$35,000 to \$55,000, according to Bailey.

Because of the strict salary schedules imposed by the California State University system, says Bailey, "We're not playing the recruiting game under the same set of rules."

Recognizing the heated competi-

tion for professors in such fields as business and engineering, the university several years ago agreed to pay new hires in those fields as much as 8 to 22 percent more than humanities professors, Bailey says.

At USD, business faculty members are also paid as much as 22 percent more than professors in the arts and sciences.

And like SDSU, the private university has seen substantial growth in its business program that has led to limitations on enrollment. The School of Business has 1,000 undergraduates, compared with 200 in 1974, and more than 350 students seeking M.B.A.s.

All 47 full-time members of the faculty have Ph.D.s and teach 85 percent of the classes, with part-time faculty teaching the other 15 percent. Dean Burns says that last year he hired just one new faculty member, although he had four openings.

The tight market for business professors means, for Burns, that "we will grow and improve more slowly than I would like."

One local university having no trouble attracting business faculty is United States International University (USIU) in Scripps Ranch, a private university whose students, mostly foreign nationals, pay \$7,200 annual tuition. Fred Dow, dean of the School of Management and Business, says his department can compete with top schools because it can pay professors \$50,000 to \$60,000 a year.

However, the school, which has 300 undergraduates and 300 graduate students is not accredited by the AACSB, which requires certain standards of scholarship and research. But Dow says that the school will be seeking accreditation this fall. USIU also offers a doctorate of

business administration, similar to a Ph.D., and several recent graduates have won jobs at major universities.

National University, not accredited by the AACSB, also offers graduate-level business courses, many of them taught by part-time business professionals.

In an effort to attract more and better business professors, universities and private industry across the country are reaching out to prospective faculty.

The AACSB, along with leading business schools and private companies, has raised \$3 million to provide fellowships to outstanding students pursuing Ph.D.s. Now in its first year, the program has awarded 94 scholarships.

In San Diego, SDSU looks to local corporations to help provide money to attract and retain faculty.

But often, hiring new faculty depends on meeting particular needs. Carol Olson Houston, assistant professor of accounting at SDSU's business school, said she joined the university a year ago because both she and her husband, also an SDSU business professor, Arthur L. Houston Jr., found good positions here.

She says she is glad she chose academics over the private sector.

"In academics, there's very little routine," says Olson Houston. "You can continue learning. You can stay very alive, alert. I do enjoy the interaction with the students."

Before getting her Ph.D. at the University of Washington, Olson Houston worked as a public accountant for one year. Does she have any regrets about losing out on the additional money she could be making? "On no. Anyone who has that preference should go back to the private sector."



SEP 21 1987

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

## He waits for justice in Lucas trial

But no longer sees gas chamber as only answer

By Lorie Hearn  
Staff Writer

John Swanke has had nearly three years to fantasize angrily about killing his daughter's murderer.

But now he believes that if her killer is remorseful, one life should not be traded for another in California's gas chamber.

"I'm a father, I'm not a sadist," Swanke said. "This man is going to face God someday. I hope he doesn't go to hell for this."

Swanke's daughter Anne Catherine was 22 and an honor student at the University of San Diego when she disappeared Nov. 20, 1984. Her abandoned car, which had run out of gas, was found at a La Mesa intersection. Her body — with throat slashed — was discovered in a remote area of Spring Valley.

David Allen Lucas, a 32-year-old Casa de Oro carpet cleaner, is accused of her murder and the murders of five other women and children in what one of the prosecutors called San Diego's first "serial murder situation."

His trial on at least three of the charges began last November, but it is expected to be tangled in motions for months before jury selection can begin.

Although John Swanke, a philosophy professor at USD, is annoyed at the delays in Lucas' case, he said time, his religious convictions and 20 years of researching the death penalty have moderated his retaliatory feeling about punishment.

"My first reaction to the fate of my daughter was to go get a gun and kill somebody," he said. "I was emotionally ready to kill anybody who looked like they were the person."

Swanke worked for the defeat last year of state Supreme Court Chief Justice Rose Bird and her two associates, who were accused by opponents of failing to uphold the state's death penalty law. He was motivated by the contention that capital punishment should be available for those who have no sorrow for their victims.

He still believes that.

If an uncaring Lucas is found guilty of murdering his daughter with the special allegations that could carry a death sentence, "I am quite prepared to hope he gets the death penalty," Swanke said.

But if Lucas were found guilty and was sincerely sorry, he should not die in the gas chamber, Swanke said as he reflected on the forgiveness taught by the Catholic faith he practices.

"If Lucas made a mistake, or even a series of mistakes, I'm not willing to make him suffer more than he is already..." he said. "If a person has done something very foolish, I don't want him on the streets to make a

## Lucas: Father waits for justice in murder case

Continued from B-1 <sup>245</sup>  
similar mistake, but I'm not willing to become punitive."

Meanwhile, in Superior Court Department 14, a courtroom lined with tens of thousands of pages of transcripts and boxes overflowing with more than 400 charts and exhibits, Lucas sits in a blue sport coat and open-neck shirt, listening to witnesses and to lawyers debate the merits of more than 30 pretrial motions.

Prosecutors say all but one of the motions have been filed by the defense. They are not critical, however, of Lucas' attorneys and have praise for Judge Laura Hammes as she makes her way through a trial passed on to her earlier this year when Judge William Kennedy was forced to disqualify himself.

When talking about the time the case has taken, all the attorneys involved say Lucas' case is more complicated than most murder cases.

Rather than a single event, Lucas' case involves six murders and one attempted murder, spanning the years 1979 through 1984. Each death has its own distinct features, although in all cases the victims' throats were slashed.

In addition to the Swanke murder, Lucas is charged in the May 4, 1979, slayings of Suzanne Jacobs, 31, and her 3-year-old son, Colin; the Dec. 8, 1981, murder of real estate saleswoman Gayle Roberta Garcia, 29; and the Oct. 23, 1984, slayings of Rhonda Strang, 24, and Amber Fisher, 3, whom Strang was baby-sitting in her Lakeside home.

Lucas also is charged with the attempted murder of Seattle resident Jody Santiago, then 29, who was abducted at knifepoint after she left an El Cajon restaurant on June 9, 1984. Santiago testified that Lucas choked her into unconsciousness. She later was found alongside a Mount Helix roadside with her throat slashed.

Finally, the district attorney has alleged the special circumstance of

multiple murder, which could mean the death penalty if Lucas is convicted.

Over the past three years, Lucas has had several lawyers, including one who failed to show up for several court appearances. The defense has taken numerous issues to the 4th District Court of Appeal — some successfully — and contempt has been threatened in a couple of instances.

Despite the twists and complexity of the case, it has taken no longer than the three years most capital cases take to get to trial in San Diego County.

One of the key pretrial motions pending is the motion filed by the district attorney's office to consolidate all the charges into one trial. The defense has argued against this tactic and claims it is to blame for delays.

"The first case... could have been done by now," said attorney Alex Landon, one of Lucas' lawyers. Landon said he is not convinced consolidating the trials would save time, and, he suggested, "It may very well end up taking more time."

"We were in trial (last November), prepared to pick a jury," said Steven Feldman, co-counsel for Lucas. His client "has tried to go to trial in this case," he said.

Combining all of the charges — what Landon called a "bootstrapping effect" — likely would prejudice a jury and prolong the time to choose a panel, Landon said.

The possibility of one trial also has raised a number of questions about admissibility of evidence and about how the trial should proceed, because the 1982 passage of Proposition 8, the so-called Victims Bill of Rights, changed evidentiary rules. Different rules would apply to cases involving murders before and after 1982, Landon said.

Deputy District Attorney Daniel T. Williams, however, defended the con-

solidation motion as "proper," saying the state Penal Code encourages a combining of cases under certain circumstances.

Prior court rulings have established that the murders in the Lucas case are "signature-type crimes," said Deputy District Attorney George Clarke. He contended that each of the crimes Lucas is charged with are "similar and unique."

In addition to the consolidation motion, the defense is contesting the reliability of testing methods used on dried blood that the prosecution wants to use in the trial. Clarke explained that the testing isolates proteins that identify blood more precisely than just by type.

Both the defense and the prosecution said high court rulings have dictated that the admissibility of testing methods must be determined by a trial judge on a case-by-case basis.

Other motions include: a challenge

of the way jury selection is conducted in San Diego, specifically alleging the underrepresentation of Hispanics, young people and lower-income people; a challenge of the special circumstance; and an objection to an alleged destruction of evidence.

Swanke, who said he is writing a book about his daughter and about the trial, is concerned about more delays and questioned whether the defense is ready to try the case.

He stressed that Lucas should have a fair trial, one based on proper procedure and solid evidence by the prosecution, to protect the rights of the accused and to spare the victims' families the pain of high court reversals.

"I want this man, David Lucas, to have every opportunity to prove that he had nothing to do with the crime of which he is accused," Swanke said. "... I would like to bury the young woman and let time take its course."





Tribune photo by Bill Romero

**USD LAW SCHOOL DEAN SHELDON KRANZ**  
After seven years as dean, Kranz is stepping down

## Departing law dean: an intense 'nice guy'

By Ann Levin

*Tribune Staff Writer*

**S**HELDON KRANZ, dean of the University of San Diego law school, leaned over a plate of lemongrass chicken as he earnestly explained his vision of a reformed legal profession.

At a Vietnamese restaurant a few miles from the Catholic university campus, the Jewish intellectual who ever so slightly resembles Woody Allen had to be urged to eat.

Last year, Kranz's characteristic intensity erupted in an attack of bleeding ulcers that left him unconscious on the floor of his office and required emergency surgery the same night.

That same passionate dedication to his work has improved the community image of a youthful law school and attracted a higher-caliber faculty and students while simultaneously annoying, if not alienating, some of his fractious law faculty, say observers of Kranz and USD.

Now, after seven years as dean of a private, smallish institution jostling for a place in the top tier of law schools, the 49-year-old Kranz is stepping down to pursue other goals.

Among them is finishing a book for Oxford University Press ambitiously titled "The Future of the Legal Profession," which Kranz said will criticize the "deadening" legal training students receive.

*Please see KRANZ: A-15, Col. 4*



## ★Kranz

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REFERENCE Vertical File

Continued From Page 1

Friends and admirers say he will have his pick of job offers after his sabbatical next year, including the chance to stay on at USD as a tenured law professor and teach in his specialty area, criminal law.

Kranz is noncommittal about his plans, but already a former San Diego colleague, Mike Navin, now dean of Dickinson Law School in Carlisle, Pa., has offered him a visiting professorship.

"He's an amazingly good teacher. If I could only get him here for a year," Navin said of the tousled-hair, youthful-looking man some students call "Boy Dean."

By today's standards for law school deans, Kranz has survived the withering pressures that accompany the job about twice as long as most of his contemporaries.

"The average service of a dean is slightly over three years," said Richard Huber, a Boston College law professor and president-elect of the Association of American Law Schools.

The problem stems from the difficulty of leading a group of professionals who describe themselves as basically ungovernable prima donnas.

"These are people who love to talk, are never challenged, wish to score points and like to show off," said University of San Diego law professor Robert Fellmeth, a strong Kranz supporter.

Kranz has his critics, but ironically the complaint most often heard is that he is "too nice a guy" or that he lets his sympathies — either for students or for a cause — interfere with the cold objectivity required of an executive.

"It's the old problem of a Jimmy Carter vs. a Lyndon Johnson," said Fellmeth, director of USD's Center for Public Interest Law. "Who do you want? Someone with questionable policies who's a real S.O.B? Or do you want a Jimmy Carter who is not as effective in implementing policy because he's too nice a guy, too humane?"

One area in which faculty members say a lack of leadership hurt the school involved not moving ahead on desperately needed curriculum reform. Kranz agrees.

As dry as curriculum reform sounds, the content of law school courses has a direct bearing on how well students do on the California State Bar examination. Among California's 16 American Bar Association-accredited law schools, USD ranks about in the middle in the pass rate, much to the disappointment of faculty, administrators and students.

"If I had to replay the last six or seven years, I would have allocated more time to pushing reforms internally. I did operate on the idea of wanting to reach a consensus," said Kranz, seated in his More Hall office dominated by a Ben Shahn poster that says: "You have not converted a man because you have silenced him."

Kranz continued, "Today, I would be more aggressive, though there are others who would say I pushed too hard."

But Sister Sally Furay, university provost and a Kranz admirer, dismissed the idea that he should have conducted faculty meetings in a more authoritarian fashion.

"I hear some say he should have been more autocratic, and others say that would have been a disaster," said Furay, adding that Kranz has "more than lived up to the expectations" of the dean-search committee which lured him to San Diego from Boston in 1980 after a national search to replace Donald Weckstein, now a tenured law professor.

Nearly everyone agrees that Kranz improved the faculty by a number of excellent hires, including tax law specialist Karla Simon, international law expert Maimon Schwarzschild and Christopher Wonnell, a proponent of free-market "law and economics," a conservative cost-benefit approach to the law.

To the dismay of second- and third-year students who grumble about no parking spaces and a crowded library, this year's entering class of 403, an increase of 55 over last year, is the largest in the history of the law school, a fact that Kranz attributed to the school's growing national reputation since it was founded in 1954.

Employers also have discovered USD. The number of on-campus recruiters interested in third-year students has quadrupled since 1981.

Kranz does not take credit for all those changes, saying that he built on strong foundations laid down by his predecessors in the 1970s. But one legacy that is distinctly his own is the San Diego Law Center, set up in 1980 with money from the San Diego County Bar Association.

Physically, the center consists of four cramped rooms in a building next to the law school. Spiritually, it is a kind of legal nursery where Kranz and his attorney wife, Carol Rogoff Hallstrom, nurture progressive ideas.

Two projects germinated at the center and successfully transplanted downtown are the Community Mediation

Program and the San Diego Volunteer Law Project. In the past year the center has concentrated on immigration reform.

Kranz tirelessly preaches that lawyers have a greater responsibility to society than going to work for large law firms and earning huge salaries.

Instead of rushing into court as adversaries, he says, attorneys should spend time in their offices getting to know their clients and working out alternative solutions to litigation.

A law student's leaden diet of property and tax law must be leavened with courses in ethics and human values, he says. And in the end, Kranz suggests, the lawyer will suffer by ignoring the human side of legal tangles.

"There is a lack-of-gratification problem emerging after 15 years of hedonism. Something is missing in the practice. We're beginning to see a new indication of student interest in public service," said Kranz, whose 23-year-old son, Stuart, a graduate of Boalt Hall School of Law at the University of California at Berkeley, spent last summer working in Boston for Massachusetts Gov. Michael Dukakis' campaign.

Though interviews with students suggest that most still seek the high salaries and prestige of corporate practices if for no other reason than to pay off massive debts, Kranz says he detects a new wave of idealism on the law school campus. He concedes it might be wishful thinking on his part.

With an idealism undiminished by the passage of 2½ decades, Kranz is part of the generation of young attorneys inspired by John F. Kennedy's vision of a New Frontier.

In 1962, fresh out of the University of Nebraska law school, Kranz went to Miami to work as a trial attorney in the organized-crime and racketeering section of the U.S. Justice Department.

That launched a lifelong interest in criminal justice, corrections and prisoners' rights. A nationally recognized expert, Kranz wrote a textbook on corrections and prisoners' rights widely used in law school classrooms.

In the late 1970s, while a law professor at Boston University, the crusading Kranz honed in on his own profession.

"Students were frustrated by the end of their second and third year of learning doctrine at a superficial level," Kranz said. "There was no progression. School was narrowing, not broadening. When they entered, they were excited and full of ideas. By the end, all the ideas were put in little boxes."

Those years were also a personal watershed. Divorced from his first wife, Kranz found himself alone for the first time in his adult life, unable to meet people and miserable.

One perceptive law student who noticed was Hallstrom, separated and struggling through law school with a small child. Their views were complementary. Her politics had been forged in the early 1960s working with a civil rights group, the Student Non-Violent Coordinating Committee, in the South.

Today they live in Mission Hills with Hallstrom's high school-age son, Christo. Kranz remains very close to his three children, Shari, Stuart, and Stefanie, from his first marriage. While Hallstrom and Kranz share similar views, their public personae are as different as night and day.

Kranz keeps partisan politics out of the office. In his oxford shirts, conservative silk ties and horn-rimmed glasses, he cuts a conservative figure on a campus distinguished by the number of sun-bleached students who wear surfer shorts to class.

Hallstrom agrees she is the more outspoken of the two. Hanging in her office is a large photograph of Ronald Reagan with a red slash mark through the middle.

"Maybe that's because I'm from Brooklyn and he's from Nebraska," she cracked.

But Kranz's commitment to social reform has left an indelible stamp on his administration, according to colleagues and students. Faculty members say, not always approvingly, that he bends over backward to be fair to students. Some would have liked him to take a harder line at times.

That characteristic compassion for the underdog, however, is admired by many students, including Erick Solares, president of La Raza Law Students Association, who said Kranz helped the Hispanic student organization obtain many of its goals.

"He's a very complex, interesting person," said former law professor Navin. "He's a funny combination of a dogmatic liberal and a thoughtful lawyer. Personally, he's one of the best people I ever met."

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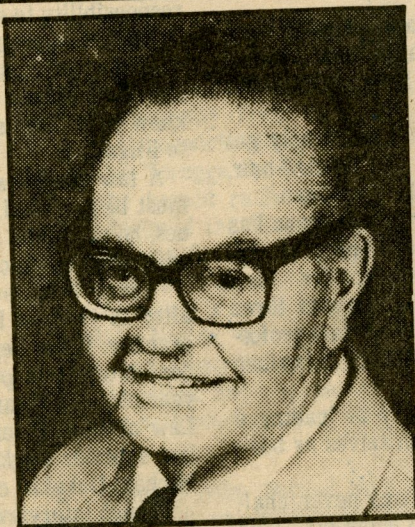
By Richmond Barbour, Ph.D.

"Divorced fathers need to be protected from false child-abuse charges made by their vengeful ex-wives. California is a hotbed of such charges. My twin brother was a victim. He lives near Los Angeles. In his divorce settlement he got visitation rights on weekends. One Sunday he took their 3-year-old daughter for a walk. She had an 'accident' in her panties. He took her to his apartment and washed and dried them. The girl was without her panties for about an hour. Otherwise she was fully clothed. She stayed inside all the time. When his ex-wife learned of the incident she cooked up a storm. She tried to file charges alleging that he had evil intentions when he 'disrobed' the little girl. The prosecutors wouldn't do anything. So she hired a lawyer and boasted that she was going to 'get' my brother. He had to hire a lawyer in self-defense. Eventually he won. But he lived in hell while things were pending. Since then we have heard of several other innocent fathers being brought into court on trumped-up child-abuse allegations by their ex-wives. Some have been convicted and their lives ruined. Whoever said, 'Hell hath no fury like a woman scorned' must have had divorcees in mind. How can we start a campaign to get better protection for divorced fathers?"

A. Begin by contacting your assemblymen and state senators. Ask them to have legislation prepared to give fathers better protection. Don't overdo revisions, because you still want to protect children from real abuse. Start a lobbying organization. Get your message out to newspapers and television and radio talk shows. I suggest your brother have his attorney take steps to make his ex-wife pay his legal fees. If he had to defend himself from false charges it may be possible for him to collect.

"Why have our public health officials been so ineffectual in fighting AIDS? Health officials estimate we now may have 1½ million AIDS carriers. They still spread the dread disease. Our public health defenders talk futilely about safe sex through the use of condoms. They know how often condoms fail. They write optimistic tracts and courses of study, when they are fully aware that pessimism is called for. There was a time in 1983 when they might have stopped AIDS in its tracks. They should have identified the carriers and restricted their promiscuous sexual behavior. Now it is too late for that. We cannot avoid a catastrophe. Watching our public health leaders I think of Nero, fiddling while Rome burned. Why don't they get off the stick?"

I think you are too harsh in your criticism. But the health leaders have not been as aggressive as they should have been. Perhaps they are afraid of the pressure groups. Get the new book "And the Band Played On: People and Politics of the AIDS Epidemic." It documents your case. I am afraid that our only hope of avoiding



RICHMOND BARBOUR

the world's greatest catastrophe is to find a medical cure and vaccine against AIDS. As of now, the outlook is dim.

"My 68-year-old husband sometimes kicks over the traces. He did it last Saturday when he went to one of the 'nude centers' which are around. He told me the girls wore absolutely nothing. They stood close to the gawkers, but did not touch them. With my husband's imagination, touching would have been superfluous. He claims he needed the extra stimulation he got from seeing the girls. Bosh! Will you tell me what earthly good such a display of female flesh can do?"

Not long ago, the girls, customers and proprietors of nude centers would have been bundled into paddywagons and carted off to jail. Times change, don't they? I don't think the displays do as much harm as our more puritanical brethren believe. But neither are there any measurable benefits. Try to keep your husband from returning to that place.

"I have a baby son 1 month old. My mother has hardly seen him. She is jealous of him. I used to go by to see her frequently. Now I don't have time. She feels hurt. She accuses me of abandoning her and says I am spoiling my baby rotten. Will you tell me how I can placate my jealous mother without neglecting my wonderful new little boy?"

It is impossible to spoil a baby who is only 1 month old. Your son's world should be perfect. His every need should be met easily and quickly. Emotional security can be built that way. But jealous grandmothers can be a problem. Here is one plan that has worked with grandmothers like yours. Get your mother to come over and help care for the little one. Have her hold him and give him his bottle. Let her put him down for naps and sing lullabies to him. A few hours of that should trigger her latent maternal instincts. Suddenly she will come to love and approve of the little fellow. She will begin to understand your preoccupation with him. Try it and see.

Write to Dr. Barbour, in care of The Tribune, P.O. Box 191, San Diego, CA 92112.

## CROWE'S FEATS



## ANN LAND

Dear Ann Landers: I don't know if I'm out of control. I've been shoplifting for call yesterday. I've always imagined caught, but the close call yesterday really devastating it would be.

Like many shoplifters, I don't steal it's a challenge. I love the excitement wonderful family. My husband and I are taken a break from work to raise a family need.

I have vowed a dozen times that I'll be back to it. Of course, I'm ashamed of me to seek professional help. Please tell me

Dear S.L.O.: You have a psychological professional. I urge you to contact a professional. Do it now. The embarrassment compared to the humiliation if you are arraigned knowledge.

You need to find out why the thrill that you are willing to take such chances

Dear Ann Landers: I am a "nixie" collector. I collect pieces of mail with a wrong or incomplete address.

It is sad when mail ends up in the dead letter office, a post card to a sick friend saying, "I love you, Grandma!"

The most frequent offense is leaving out the name of the city in the U.S.

Another problem: Foreign mail that has no return address. At least 100 post cards have been returned to me with the name of the country was omitted.

As a favor to the public, will you please

Dear Weary: Thanks for singing my song. I received half-baked mail. We receive in our mailboxes letters that have no state, no ZIP code. I complain daily because they haven't realized the fact they gave us an incomplete address. I am — Frustrated in Chicago





SEP 21 1987

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

## Supreme Court priority: to reduce delay in trials

By Ann Levin  
Tribune Staff Writer

LOS ANGELES — Reducing trial delay will be the top priority of the California Supreme Court in the next two years, Chief Justice Malcolm M. Lucas says.

In his first state of the judiciary address yesterday, Lucas said that under his leadership, the court's rule-making Judicial Council has set the following priorities: reduced trial delay, more money for the courts, simplification of procedures and improved public access.

The goal, Lucas said in the address to the California State Bar's annual meeting, is that by 1991, 90 percent of civil cases and all criminal cases will be disposed of within a year of filing.

Last month, the court and its entire staff met at a retreat for the first of what Lucas said he hopes will be regular sessions to learn to expedite the workload.

In a reference to the surgery he underwent

July 22 for colon cancer, Lucas declared that he is "feeling well and happy to be back."

His remarks to bar delegates wrapped up the swearing-in of new bar officers, including incoming President Terry Anderlini, a San Mateo lawyer.

Anderlini pledged to solve the dual crises besetting the State Bar — lawyer discipline and poor public image.

In contrast to his immediate predecessor, Orville "Jack" Armstrong, Anderlini is not opposed to hiring independent judges to handle disciplinary proceedings against lawyers accused of violating professional ethics.

On Saturday, Attorney General John Van De Kamp urged the 1,000 delegates meeting at the Century Plaza to support an \$8 increase in annual dues to pay the salaries of six full-time administrative law judges.

Otherwise, Van De Kamp said, the Legislature, fed up with complaints against lawyers, will force the 106,000-member bar association

to submit to outside review.

While bar leaders have hammered on the urgency of refurbishing the tarnished image of the profession, the delegates from local bar associations across the state have tackled a number of important issues during the annual meeting. Many have said, however, that the resolutions before the conference lack the excitement of other years.

Emotions surged yesterday morning during debate on whether a terminally ill patient has the right to request a physician's aid in dying by asking the doctor to administer a fatal dose of medication.

The conference narrowly approved the resolution, which also eliminates criminal penalties for physicians who provide such aid. A similar measure was defeated last year.

A resolution supporting impeachment proceedings against U.S. Attorney General Edwin Meese III failed to reach the floor for debate after the executive committee deemed that it

was beyond the scope of the conference's consideration.

Resolutions adopted by the conference ranked in order of importance and sent to the Legislature to be submitted as bills.

A last-minute attempt to draft a resolution opposing the nomination of Robert Bork to the U.S. Supreme Court failed. The executive committee said the sponsor, the San Francisco Bar Association, did not meet the filing deadline noon Friday.

A resolution favoring legislation to curtail mandatory employee drug testing, sharply also sponsored by the San Francisco Bar Association — was adopted.

Anderlini defended the steps the bar has taken in the last few years to crack down on lawyer discipline and, in a press conference following the speech, said he is "sick" of hearing the repeated complaints.

Please see COURT, A-4

## \*Court

Continued From A-3

Anderlini said he has not ruled out Van De Kamp's recommendation that the bar pay for independent judges to hear attorney discipline cases, but would like to "explore all the alternatives."

He disputed Van De Kamp's \$800,000 price tag, however, suggesting that it might cost the bar as much as \$1.5 million to set up the special courts.

That money would most likely come out of bar dues, Anderlini said, which at \$275 a year "are getting to the upper limits" of what the profession can bear.

On Saturday, Van De Kamp came down hard on the bar's recent attempts to beef up its self-policing.

"Discipline cannot continue in its present form," said Van De Kamp, referring to the 448 part-time volunteers who hear attorney discipline cases.

"But it still belongs where it has always belonged: here in this organization," Van De Kamp added.

He urged the adoption of the recommendations of Robert Fellmeth, a law professor at the University of San Diego's Center for Public Interest Law.



San Diego, CA  
(San Diego Co.)  
Evening Tribune  
(Cir. D. 123,092)

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USD will sponsor a breakfast seminar, "Making Work Teams  
More Effective," by Phillip Hunsaker at 7:30 a.m. at the Douglas F.  
Manchester Executive Conference Center. Fee is \$15. Reservations  
required. 2955



NOV. 22, 1987?

# What is Catholic dissent?

By The Rev. Ray Ryland

In his commentary, "American Catholic Dissent" (*The San Diego Union*, Nov. 4), Robert Kress attempts to show precedents for Catholics rejecting official church teachings while claiming to be loyal Catholics.

His first argument for dissent is that "without dissent there would be no Gentiles in the church."

The facts are opposite; read Acts 10. It was dissenters who wanted to exclude the Gentiles. Some of the earliest Christians, who were Jews, dissented from clear Old Testament statements of the Messiah's universal mission. They dissented from Jesus' own declarations of the universal call for the gospel.

Peter, speaking for the church, declared the dissenters wrong. He taught that Jews and Gentiles are equally objects of God's redemptive love.

Drawing on American Catholic history, the Rev. Kress gives eight instances of what he calls dissent. Six of those instances involved differing opinions in political and social issues. They did not involve rejection of any of the church's clear teaching. They did not involve the dissent which the Rev. Kress is defending.

Another precedent invoked is a flippant remark by William Buckley, who reportedly said in the 1960s, to a group of college students, that he would accept the church as mother but not as teacher. We are not told what Buckley meant, nor what the circumstances were. In any case, with due respect to Mr. Buckley, would any sane Catholic choose Buckley's offhand comment over what the Pope teaches regarding matters of Catholic truth?

The final argument for dissent is that some Catholics "have found it possible to be both active church

## Commentary

*The Union* welcomes commentaries from its readers. Submissions should be typed, double-spaced, and not more than 750 words. Information cannot be provided on individual commentaries because of their daily volume. Inquiries about them, therefore, should not be made. Manuscripts will not be returned.

members and divorced and even remarried."

A Catholic can be legally divorced and still share in the church's sacramental life. No dissent here. At least some of those who "remarry" were previously in a marriage invalid from the beginning, and have received annulments. They are then free to enter a valid sacramental marriage in the church. Still no dissent.

Perhaps the Rev. Kress is referring to some Catholics who divorce, take another partner in a ceremony outside the church, then start receiving the sacraments again. Simply by flagrantly contradicting church teaching and discipline, these people have found it "possible" to be active church members. The logic of their position, like that of all dissenters, is "we are doing it; therefore it must be right."

Not one of the arguments advanced by the Rev. Kress will stand. Even if he had found certain precedents for "pick-and-choose" Catholicism, as it is more accurately called, it would still stand condemned by the Catholic Church's highest authority, most recently two months ago in Los Angeles.

For almost 2,000 years, the Catholic Church has contended with a long list of heresies. In previous times,

heretics tended to be honest folks: If they did not accept the church's teaching, they mostly left the church. Today's dissenters are different; they deny church teaching while simultaneously claiming to be "loyal" Catholics.

Dissent tries to establish itself by using labels. It applies terms of political ideology — "liberal," "conservative" — to matters of doctrine, where those labels are irrelevant. The use of "liberal" presupposes (without demonstrating) the right to reject church teachings and still be counted Catholic.

Dissent labels faithful, obedient Catholics as "conservative," thereby implying that fidelity to church teachings is a matter of preference or taste, not a matter of truth. This is false.

Contemporary dissent, like all heresy, roots in the refusal to submit to the authority of Jesus Christ in his church and to live his gospel as he calls his followers to do.

Against all these efforts stand those uncompromising words of Jesus: "Enter by the narrow gate ... For the gate is narrow and the way is hard, that leads to life ... (Mt. 7:13f).

Still, the Rev. Kress assures us that dissent "is one way of being loyal to the church." A strange way, that: To be loyal by being disloyal. This is Alice-in-Wonderland rhetoric. It is similar to the rhetoric of the well-known dissenter who argues that "creative adultery" can deepen the marriage commitments of the adulterous spouses.

In an old Broadway show, a lady of rather loose morals sang to her current boyfriend a song entitled "True To You In My Own Fashion."

This is the theme song of the dissenters, who are "true" to the Catholic Church in their own fashion.

*The author is a professor at USD.*

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SEP 22 1987

Allen's P. C. B Est. 1888

## Judge Bork — pros and cons

<sup>2955</sup>  
I have the honor to be a visiting professor of law at the University of San Diego this year and so had the chance to see your editorial comparing the nomination of Judge Bork with that of my grandfather, Louis D. Brandeis (Sept. 18). While both were hard-fought confirmation battles, based in part on ideology, the parallel is so distorted as to be deceptive.

Anti-Semitism was a large part of the opposition to Brandeis; not so today. Opponents to Brandeis feared his proven ability to build new legal arguments on the basis of particular facts and his record as a supporter of the underdog.

Bork seems more an adherent of often-rigid "principle," and a supporter of positions of the wealthy and conservative. Brandeis is honored today as a judicious, craftsmanlike creator of new doctrine for a new century; Bork is supported largely because of expectation that he will slow or reverse the progress of constitutional doctrine.

Whatever may be your reasons for supporting Bork, they should not include the wrong notion that he is "another Brandeis."

WALTER BRANDEIS  
RAUSHENBUSH  
Coronado





She is neither falsely modest about her achievements ...



... nor is she overweening ...

## SISTER SALLY FURAY

# A nun for the '80s and beyond

**S**ISTER SALLY FURAY had just vowed obedience to the Society of the Sacred Heart when she was sent to the University of San Diego women's college in 1952. She assumed her academic duties with the cheerful compliance for which nuns were noted at the time.

But Sister Sally soon demonstrated her difference from the then-current image of the nun as a mere sweetly pious guardian of the morals of young children. She left San Diego for Palo Alto to work on her doctorate at Stanford.

Thirty-five years later, she has accumulated such an enormous cache of credentials that it's tempting to search her for the anxious marks of hounded overachievement.

But she still eludes facile categorizing. She seems calm. She seems happy. She seems confident and secure.

Sister Sally is now vice president and provost of the University of San Diego. But she also is president of the Old Globe Theatre, is a fierce supporter of the Equal Rights Amendment, is a member of the California Bar Association and Amnesty International, and, with four other prestigious local women, is among San Diego's first female Rotarians (this

**NANCY  
SCOTT  
ANDERSON**

TRIBUNE SOCIETY EDITOR



last, she said, "was very nice, but they were forced by the Supreme Court of the United States to invite me").

Her résumé is five pages long, single spaced, and lists a boggling assortment of local, state, national and international honors and awards, board and committee memberships, and service on panels and publications.

She is neither falsely modest about her achievements nor overweening. She readily admits to being unusual, but claims no pride of authorship for the condition.

She works in a handsome antique-filled office on campus at USD but seems largely unconcerned about her surroundings. Fixing visitors with pleasant, no-nonsense brown eyes,

she answers questions with an articulate command of language honed by decades of devotion to the word. If the topic interests her, she leans into a conversation, scooping ideas out of the air with hands that circle and define her meaning. Her views are liberal and, within conservative Catholic circles, even radical.

One of six children growing up in a devoutly Catholic family in Omaha, Neb., Sister Sally was a member of the Civil Air Patrol and majored in aeronautical engineering at the Duchesne College prep school. She hoped to be a pilot. Instead, at 18, months after an older brother had been killed in World War II, she entered the Society of the Sacred Heart.

"My parents had no objection, but I think they would have preferred that I finish college," she said.

Two of her uncles were Jesuits; some cousins were nuns. So her decision was not extraordinary. But neither would her pursuing aeronautical engineering have been unusual in her family. Founders of Omaha's prestigious Creighton University, they were men and women reared to value the human mind.

Her novitiate in Albany New York was "not one of my favorite times," Please see *SISTER*, D-3



... She readily admits to being unusual ...



... but claims no pride of authorship for the condition



## ★Sister

Continued From D-1

she says. She struggled with her own desires to complete her education and with the pull of emotional obligations increased by her father's unexpected death. But she was "responding to a call from God," she says. And "God knew what He-She was doing."

Her joke about divine gender has a serious base. "We have to go through female liberation, then male liberation to reach the ultimate goal of human liberation," she says. You can't love "unless you're free. You see Jesus Christ throughout the New Testament offering the freedom to choose. If a society stereotypes you so that you are not free to develop what God put inside, then your capacity to love is limited. I stand for peoples' right to develop their own internal life."

Sister Sally's internal life is highly intellectual. When she made her profession of faith in Rome in 1952, her

vows as a Religious of the Sacred Heart included supporting education.

"All my causes grow from this," she says. "What I do in human rights is an outgrowth of being an educator."

Like Chaucer's commendable academic, she as gladly learns as teaches. She got her bachelor's degree in English and chemistry and finished a master's at San Francisco College for Women (her thesis traced the characterization of Mary Magdalene from the Middle Ages to the Renaissance).

In 1955 she completed course work for her doctorate and wrote a dissertation, a critical analysis of Hilaire Belloc's poetry.

Back at USD, she taught literature and drama and looked after students until 1967, when she was made academic dean. She entered law school that year — "in order to find out more about what I was doing" — and in 1972 passed the California Bar

exam.

The following spring, Sister Sally was asked to give the commencement address at the Academy of Our Lady of Peace. She was surprised to find that the topic of choice was the changing role of women.

"I had no idea what that was," she says. "For four years I'd been academic dean during the day and law student at night. Before that, I'd been teaching and working on degrees."

She asked an assistant to do research on the subject and sat down one night to look over the library gleanings. It changed her life.

"I was appalled. I was shocked. I asked if this were really going on. I could not believe that women were so badly used by the law."

"You have to understand that I had never been discriminated against. I never had anything but my own name and had never been a relational dependent of a man. I had lived Please see SISTER, D-4

D-4 THE TRIBUNE

San Diego, Wednesday, September 23, 1987

## ★Sister

Continued From D-3

my whole life with women who did everything.

"But what I was reading was wrong. I was converted by statistics."

Such a conversion inevitably involved Sister Sally's church and its anti-birth-control stance.

Does liberation, freedom from stereotyping and the right to choose include the right to choose not to have children? Her answer was careful.

"Married couples," she said, "have a dual obligation: one to the church, the second to their marriage." Within each is the further obligation of knowledge, a duty to study the church's position and "before God to discern what is correct."

She said she believes, along with theologian John Henry Cardinal Newman, that "the individual conscience is inviolable." In view of Pope John Paul II's admonition to dissident American clergy, such a position "may not be popular" with the church, she admits. "But it is what I believe."

She denies that her ideas conflict with "things I consider fundamental for Catholicism." Among those is her support for the ordination of women.

"There is no Scriptural reason to deny it. ... I have no such vocation personally, but I know women who know they have a priestly call."

She also favors ending celibacy for

the clergy.

"Eleven of the 12 apostles were married," she laughs. "I have a vocation for celibacy, but some don't. These are two separate vocations: one, a call to the clergy; another, a call to celibacy."

She has never joined the National Organization for Women, she says, because she "objects to the assumption that you have to be pro-abortion. I happen to be anti-abortion. Neither science nor God has told us when the soul is infused into the zygote or fetus."

"I am against abortion in the same way I am against capital punishment. It's immoral. If you're for life, you're for life. It's a seamless garment."

For Sister Sally, there are many ways to wear the garment, all growing from the Latin word *vocare*, to call. All work, all states are vocations if chosen carefully on the basis of heeding an internal call.

Sister Sally creates the quiet to listen to the voice by attending daily Mass. She lives in a small house in North Clairemont with three other nuns and shares housework and cooking.

Her USD salary, at her request, is sent to Sacred Heart province headquarters in St. Louis. In turn, she lives on Sacred Heart money requested in annual budgets. Included are travel funds for international meetings that have taken her to

every continent.

Predictably, she speaks several languages. Equally predictable was her learning them at intensive language schools.

Though her job as provost at USD has her handling three-fifths of the private university's budget as well as overseeing academic affairs, she still teaches a course on "Sex Discrimination and the Law" she created with attorney Lynn Schenk and presiding Juvenile Court Judge Judy McConnell.

One of Sister Sally's most recent academic coups combined her love for theater and for school. With the Old Globe, USD is now offering a graduate program in drama. She is delighted.

"The work the Old Globe does deals with the human spirit," she says. "Like all art, drama furthers the human condition."

She joined the Globe board at the request of the late Lowell Davies, who apparently was moved by finding a hard-headed financial officer who also celebrated art. She was elected president two years ago and will soon revolve out of office.

Sister Sally is 61 and says she doesn't intend to stay at USD until "they have to throw me out" but has no plans for retirement. She's looking ahead, planning new projects and eagerly accepting opportunities to speak out about the things she knows are wrong and the things she knows are right.

No dark shadows seem to cloud her guileless clarity. She has struggled and suffered — "So what else is new? It's part of human life" — but her motion through life is linear, fueled by extraordinary energy and an unusual sense of purpose.

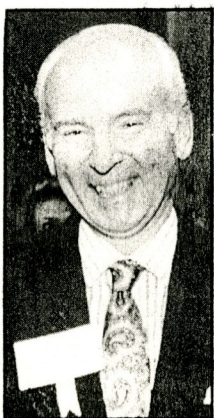
This, she says, derives "from centrality of Jesus Christ in my life. I do what I believe in."



SEP 24 1987

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## 2955 SCENE AROUND TOWN



Richard Morris at Museum of Man event



Ginny Whitby, left, Dolly Poet and Vi Gagne at the Globe Guilders meeting at the James Browns' residence



Barry Sacks petting Daphne the Emu at Celebration for the Critters party

**T**HE SAN DIEGO ZOO threw its annual Celebration for the Critters fund-raiser last week and — no surprise — put on a panda party. Honorees Basi and Yuan Yuan sent regrets, but a sell-out crowd at the Town and Country Convention stood in for them. Chinese food and Oriental décor were featured at the event chaired by Theresa Castagneto. Rolf Benirschke was honorary chair of the benefit for the zoo's Center for Reproduction of Endangered Species.



Sea World co-founder Milton Shedd, left, greeted by Peggy and George Anderson at Helmsmen Dinner



Corrine McPartlin, left, and Norma Assam at AIDS benefit party

Among other recent San Diego area social events of the past week:

■ The annual black-tie Helmsmen Dinner honored Sea World co-founder Milton Shedd. The Helmsmen, a deep-pocket support group for Sea World Research Institute, gathered at Nautilus Pavilion.

■ Grossmont Hospital Foundation had a fiesta Saturday at the Mt. Helix home of Bill and Ovie Cowling. Mexican food, mariachis and live and silent auctions were features of the fund-raiser benefiting the new Women's Center at Grossmont Hospital.

■ Museum of Man president Barbara Malone and museum director Doug Sharon hosted a reception honoring Texas' El Paso Natural Gas Co.'s gift to the museum.



Christine Guittard, left, and Fern Murphy at USD tea



Margaret Buckley, left, Dot Herrick and Kay Rippee at Social Service Auxiliary's luncheon at the Horton Grand

■ The San Diego AIDS Project benefited from a black-tie dinner-dance sponsored by a new support group, Friends for Life. Norma Assam and Corinne McPartlin chaired the fund-raiser held at Hotel del Coronado.

■ The University of San Diego Auxiliary had a membership tea Tuesday in the home of Carol and Mike Alessio. Claire McNamara and Alison Tibbitts were chairmen.

■ The Social Service Auxiliary had its first fall lunch recently in the Horton Grand Hotel. Past chairmen of the Del Mar charity days at the races were honored.

■ The Globe Guilders staged a Gibson girl fashion show as part of the annual officers' installation meeting. The event was held at the James Browns' Point Loma residence.

■ Dixie and Ken Unruh gave an engagement party Saturday for their son Brian and his fiancée, Maureen Bruton. Special guests included the bride-to-be's parents, Barbara and Orval Bruton of Beaverton, Ore. A Nov. 7 wedding is planned.



Dr. Elliott Gladden, left, Pat DeMarce and party hosts Bill and Ovie Cowling at Grossmont Hospital Foundation fiesta



Maureen Bruton and Brian Unruh celebrate engagement

Tribune photos by Jim Baird, Chris Cavanaugh, Roni Galgano, Michael Franklin, Russ Gilbert, Janice Gordon, Tom Kurtz and Tammy L. Ljungblad





She is neither falsely modest about her achievements ...



... nor is she overweening ...

She also favors ending celibacy for meetings that have taken her to

## SISTER SALLY FURAY

HUGHEN K. and JAMES S. COPLEY LIBRARY  
REFERENCE Vertical File

VF University of San Diego

# A nun for the '80s and beyond

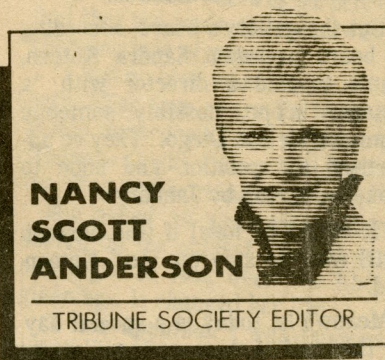
**S**ISTER SALLY FURAY had just vowed obedience to the Society of the Sacred Heart when she was sent to the University of San Diego women's college in 1952. She assumed her academic duties with the cheerful compliance for which nuns were noted at the time.

But Sister Sally soon demonstrated her difference from the then-current image of the nun as a mere sweetly pious guardian of the morals of young children. She left San Diego for Palo Alto to work on her doctorate at Stanford.

Thirty-five years later, she has accumulated such an enormous cache of credentials that it's tempting to search her for the anxious marks of hounded overachievement.

But she still eludes facile categorizing. She seems calm. She seems happy. She seems confident and secure.

Sister Sally is now vice president and provost of the University of San Diego. But she also is president of the Old Globe Theatre, is a fierce supporter of the Equal Rights Amendment, is a member of the California Bar Association and Amnesty International, and, with four other prestigious local women, is among San Diego's first female Rotarians (this



NANCY SCOTT ANDERSON

TRIBUNE SOCIETY EDITOR

last, she said, "was very nice, but they were forced by the Supreme Court of the United States to invite me").

Her résumé is five pages long, single spaced, and lists a boggling assortment of local, state, national and international honors and awards, board and committee memberships, and service on panels and publications.

She is neither falsely modest about her achievements nor overweening. She readily admits to being unusual, but claims no pride of authorship for the condition.

She works in a handsome antique-filled office on campus at USD but seems largely unconcerned about her surroundings. Fixing visitors with pleasant, no-nonsense brown eyes,

she answers questions with an articulate command of language honed by decades of devotion to the word. If the topic interests her, she leans into a conversation, scooping ideas out of the air with hands that circle and define her meaning. Her views are liberal and, within conservative Catholic circles, even radical.

One of six children growing up in a devoutly Catholic family in Omaha, Neb., Sister Sally was a member of the Civil Air Patrol and majored in aeronautical engineering at the Duchesne College prep school. She hoped to be a pilot. Instead, at 18, months after an older brother had been killed in World War II, she entered the Society of the Sacred Heart.

"My parents had no objection, but I think they would have preferred that I finish college," she said.

Two of her uncles were Jesuits; some cousins were nuns. So her decision was not extraordinary. But neither would her pursuing aeronautical engineering have been unusual in her family. Founders of Omaha's prestigious Creighton University, they were men and women reared to value the human mind.

Her novitiate in Albany New York was "not one of my favorite times," Please see *SISTER*, D-3



... She readily admits to being unusual ...



... but claims no pride of authorship for the condition

... speak out about the things she knows are wrong and the things she knows are right



## \*SISTER

*Continued From D-1*

she says. She struggled with her own desires to complete her education and with the pull of emotional obligations increased by her father's unexpected death. But she was "responding to a call from God," she says. And "God knew what He-She was doing."

Her joke about divine gender has a serious base. "We have to go through female liberation, then male liberation to reach the ultimate goal of human liberation," she says. You can't love "unless you're free. You see Jesus Christ throughout the New Testament offering the freedom to choose. If a society stereotypes you so that you are not free to develop what God put inside, then your capacity to love is limited. I stand for peoples' right to develop their own internal life."

Sister Sally's internal life is highly intellectual. When she made her profession of faith in Rome in 1952, her

vows as a Religious of the Sacred Heart included supporting education.

"All my causes grow from this," she says. "What I do in human rights is an outgrowth of being an educator."

Like Chaucer's commendable academic, she as gladly learns as teaches. She got her bachelor's degree in English and chemistry and finished a master's at San Francisco College for Women (her thesis traced the characterization of Mary Magdalene from the Middle Ages to the Renaissance).

In 1955 she completed course work for her doctorate and wrote a dissertation, a critical analysis of Hilaire Belloc's poetry.

Back at USD, she taught literature and drama and looked after students until 1967, when she was made academic dean. She entered law school that year — "in order to find out more about what I was doing" — and in 1972 passed the California Bar

exam.

The following spring, Sister Sally was asked to give the commencement address at the Academy of Our Lady of Peace. She was surprised to find that the topic of choice was the changing role of women.

"I had no idea what that was," she says. "For four years I'd been academic dean during the day and law student at night. Before that, I'd been teaching and working on degrees."

She asked an assistant to do research on the subject and sat down one night to look over the library gleanings. It changed her life.

"I was appalled. I was shocked. I asked if this were really going on. I could not believe that women were so badly used by the law.

"You have to understand that I had never been discriminated against. I never had anything but my own name and had never been a relational dependent of a man. I had lived  
*Please see SISTER, D-4*



## ★Sister

Continued From D-3

my whole life with women who did everything.

"But what I was reading was wrong. I was converted by statistics."

Such a conversion inevitably involved Sister Sally's church and its anti-birth-control stance.

Does liberation, freedom from stereotyping and the right to choose include the right to choose not to have children? Her answer was careful.

"Married couples," she said, "have a dual obligation: one to the church, the second to their marriage." Within each is the further obligation of knowledge, a duty to study the church's position and "before God to discern what is correct."

She said she believes, along with theologian John Henry Cardinal Newman, that "the individual conscience is inviolable." In view of Pope John Paul II's admonition to dissident American clergy, such a position "may not be popular" with the church, she admits. "But it is what I believe."

She denies that her ideas conflict with "things I consider fundamental for Catholicism." Among those is her support for the ordination of women.

"There is no Scriptural reason to deny it. . . . I have no such vocation personally, but I know women who know they have a priestly call."

She also favors ending celibacy for

the clergy.

"Eleven of the 12 apostles were married," she laughs. "I have a vocation for celibacy, but some don't. These are two separate vocations: one, a call to the clergy; another, a call to celibacy."

She has never joined the National Organization for Women, she says, because she "objects to the assumption that you have to be pro-abortion. I happen to be anti-abortion. Neither science nor God has told us when the soul is infused into the zygote or fetus."

"I am against abortion in the same way I am against capital punishment. It's immoral. If you're for life, you're for life. It's a seamless garment."

For Sister Sally, there are many ways to wear the garment, all growing from the Latin word *vocare*, to call. All work, all states are vocations if chosen carefully on the basis of heeding an internal call.

Sister Sally creates the quiet to listen to the voice by attending daily Mass. She lives in a small house in North Clairemont with three other nuns and shares housework and cooking.

Her USD salary, at her request, is sent to Sacred Heart province headquarters in St. Louis. In turn, she lives on Sacred Heart money requested in annual budgets. Included are travel funds for international meetings that have taken her to

every continent.

Predictably, she speaks several languages. Equally predictable was her learning them at intensive language schools.

Though her job as provost at USD has her handling three-fifths of the private university's budget as well as overseeing academic affairs, she still teaches a course on "Sex Discrimination and the Law" she created with attorney Lynn Schenk and presiding Juvenile Court Judge Judy McConnell.

One of Sister Sally's most recent academic coups combined her love for theater and for school. With the Old Globe, USD is now offering a graduate program in drama. She is delighted.

"The work the Old Globe does deals with the human spirit," she says. "Like all art, drama furthers the human condition."

She joined the Globe board at the request of the late Lowell Davies, who apparently was moved by finding a hard-headed financial officer who also celebrated art. She was elected president two years ago and will soon revolve out of office.

Sister Sally is 61 and says she doesn't intend to stay at USD until "they have to throw me out" but has no plans for retirement. She's looking ahead, planning new projects and eagerly accepting opportunities to speak out about the things she knows are wrong and the things she knows are right.

No dark shadows seem to cloud her guileless clarity. She has struggled and suffered — "So what else is new? It's part of human life" — but her motion through life is linear, fueled by extraordinary energy and an unusual sense of purpose.

This, she says, derives "from centrality of Jesus Christ in my life. I do what I believe in."



SEP 24 1987

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

# Aztecs keep ball rolling in rebuilding year

By Rick Davis 2955  
Tribune Sportswriter

A national ranking is long gone, but San Diego State's men's soccer team extended its winning streak to four straight last night by defeating UC Santa Barbara 2-0 in the Aztec Bowl.

Santa Barbara had tied No. 1-ranked Fresno State 1-1 in the season opener.

The Aztecs defense has thrown shutouts in all four of its wins, although it should be noted two were over NAIA schools (Point Loma Nazarene and Chapman). Still, a shutout's a shutout, especially for goal-happy SDSU, which was expected to feature the scoring of Kyle Whittemore and Eric Wynalda this fall, while rebuilding its backline.

"We lost three seniors from the defense (All-West Coast selection Steve Boardman, Paul Stumpf and Ted Wacker)," noted Aztecs publicist Dave Kuhn. "It appears that since Chuck Clegg moved Chris Keenan back to sweeper (Boardman's old position), it has stabilized things."

While Whittemore, a 6-foot-3, 190-pound junior, has picked up where he left off in 1986 (20 goals, 10 assists, 50 points), Keenan and Wynalda have adjusted.

Keenan (5-9, 165) transferred from soccer tradition-rich Indiana to play his senior season for Clegg. Wynalda (6-1, 165) is a freshman from Ventura County's Westlake High, where he was CIF Southern Section Player of the Year.

Coming forward occasionally, Keenan has notched two goals and two assists. Wynalda erupted for three goals last week against Point Loma to take over the club scoring lead from Whittemore. Wynalda has five goals, six assists. Whittemore has five and two.

The Aztecs, who lost their preseason status (one poll had them ranked 11th) with losses to Cal State Northridge and Cal State Fullerton, could regain it by pulling off a weekend upset on the road. Tomorrow night,

they visit the University of San Francisco, which is 8-0 and ranked seventh nationally.

Elsewhere, on the local men's college soccer scene:

■ ■ ■

**USIU** — The Gulls (3-4) saw their losing streak extended to three games when they dropped a 1-0 decision to Santa Barbara Tuesday at home. Worse yet, the Gulls

## College soccer

were unable to score in any of the three losses.

And it doesn't get any easier for USIU. A string of eight straight road games follows next Wednesday's on-campus match against Loyola Marymount.

Jon Sissons, a 5-foot-7 senior forward from South Africa, leads a patchy club-scoring list with nine points (two goals, five assists).

There are two unusual stories unfolding out on the Pomerado Road campus.

■ One is the comeback of Cem Er, a sophomore forward and Turkish national. He is back in the lineup less than a year after suffering a crushed sternum and ruptured atrium in a penalty-area collision during a game against Cal State Los Angeles. Er, miraculously, is back after open-heart surgery, and even has scored two goals this season.

■ The other is the switch of English import Gary Francis from goalkeeper to forward — an unlikely transition at the Division I level. Francis, because of a fractured hand that hasn't healed sufficiently, doesn't have medical clearance to return to the nets. He's shown sufficient ball skills to start up front, however, and has netted three goals.

■ ■ ■

**USD** — The Toreros opened a three-game road swing yesterday at Cal State San Bernardino with a 3-3 tie.

They now compete in the Nevada-Las Vegas tournament this weekend.

USD is 3-2-1 after starting out 3-0. The losses were administered by Fullerton (5-0) and UNLV (2-1). After shutting out Cal 1-0 and putting a 3-1 clamp on Cal State Dominguez Hills in the season's first two games, the defense has exposed goalkeeper Scott Huckleberry. His goals-against average is 3.00 since — compared to a .96 figure all last season.

A year after going 19-4-1, but being snubbed when NCAA playoff invitations were handed out, the Toreros will have to pick up the tempo for any sort of repeat.

■ ■ ■

**UCSD** — Saturday's 1-0 loss to Pomona-Pitzer was the Tritons' first of the season. Their overall record jumped to 3-1-2 after their 1-0 victory over Azusa Pacific yesterday at home.

"The last two years, we've lost a whole team," said coach Derek Armstrong, who also will direct the U.S. under-20 national team in the World Youth Cup next month in Chile. "What we have now are good young players with potential."

Goalie Greg Stadler (.72 GAA), defender Rod Cramblit and forward Bubba Wingate (eight goals in '86) are the only seniors and Wingate is yet to return from a knee injury suffered in the NCAA Division III playoffs last season. Those '86 Tritons were NCAA runners-up, losing a 2-0 finale to North Carolina-Greensboro.

■ ■ ■

**POINT LOMA NAZARENE** — What's young? Try 16 of 22 roster spots being filled by freshmen. That's coach Mark Halpert's situation at Point Loma.

"We had sophomores and juniors who weren't good to stay on the team," explained Halpert, whose club is off to a 3-1-1 start after defeating Redlands 1-0 yesterday at home.



Tribune photo by Dana Fisher

CEM ER — BACK WITH USIU



San Diego, Calif.  
Southern Cross  
(Cir. W. 27,500)

**SEP 25 1987**

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

## **USD law professors to hold conference**

Law professors at the University of San Diego will hold a conference to consider questions relating to drafting a constitution for Israel.

They will meet Sept. 28 and 29 at 9:30 a.m. in the law school's Grace Courtroom. The conference is free and open to the public.

Law professors at Tel Aviv University asked their counterparts at USD to participate in drafting the constitution. Israel has been governed without a constitution since the state was created in 1948.

Conference participants will include Charles Grodin, former state Supreme Court justice, and Judge Alex Kozinski of the Ninth Circuit Court of Appeals.

USD law faculty taking part will be Dean Sheldon Krantz, Maimon Schwarzhild, conference chairman, Charles Wiggins and Bernard Siegan.

A constitution for Israel could help prevent civil strife, Schwarzhild said. The political problem of drafting a constitution is compounded by the fact that Israel is made up of people from 70 different countries, including a large Arab population, he added.



San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 25 1987

Allen's P. C. B Est. 1888



**A** thousand words: Tension between college administrators and student journalists is old news. But at USD, Vista editor Monica Sanchez is trying to ease the headaches. With a complimentary copy of this semester's first edition of the *Vista*, Sanchez sent university Pres. Author Hughes a bottle of aspirin.

**Air Coyote:** A San Diego executive who commutes regularly to LA is accustomed to sharing flights with the occasional suspected alien. But the other night, the floodgate broke. Late for his plane, he lined up at American Airlines behind two Hispanics who paid cash for 15 tickets each. The executive had to race to his flight, but he did beat the two Hispanics, who arrived just in time to lead 40 silent aliens to their seats. Airborne, our executive got on the first-class phone to tip Immigration in LA. The agent on the other end was resigned. "We'll do our best," he sighed. But when the plane landed, no agent was in sight. And the 40 aliens just scattered. Unusual scene? Happens every day, says Airport Mgr. Bud McDonald. "That's why we went over a million passengers in August." And that's only half-funny. In a "good" month, according to McDonald, as many as 15,000 undocumented aliens pass through



Los Angeles, CA  
(Los Angeles Co)  
Times  
(San Diego Ed.)  
(Cir. D 50,010)  
(Cir. S 55,573)

SEP 25 1987

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

~~UNIVERSITY OF SAN DIEGO~~  
~~FOUNDERS GALLERY~~ (Desales  
Hall, USD). Hours are noon-5 p.m.  
Monday-Friday.



San Diego, CA  
(San Diego Co.)  
Daily Transcript  
(Cir. D. 7,415)

SEP 25 1987

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

## 'A Tremendous Loss': Krantz To Resign As USD Law School Dean

By PAULINE REPARD

San Diego Daily Transcript Staff Writer

Sheldon Krantz, dean of University of San Diego School of Law for six years, plans on resigning his job to pursue other interests.

He will finish out this school year, then take a year's sabbatical to complete a book on the legal profession before quitting.

"It's just that being dean of a law school is difficult these days," Krantz said yesterday after the school announced his decision.

"I've reached the point where it seemed this should be my last year. So much work goes on outside the law school — we're in a fundraising effort now to raise \$6 million for a new law library. It's the constant pressure and conflict of time."

Krantz, 49, was a professor at

(Continued on Page 4A)

## Krantz To Leave USD Law —

(Continued from Page 1A)

Boston University School of Law from 1970-81, before joining USD as dean.

He helped found the San Diego Law Center, a joint public service project with the San Diego County Bar Association, and the blue ribbon commission that recommended creation of a private Community Defenders Service for indigent defense.

Asked his plans once the sabbatical is over, Krantz was vague.

"I've had a lot of discussions in the last few days, with people calling me to talk. Not really any offers.

"I can't say what I'll do, at this point. I want to leave my options open."

He said he hasn't yet decided whether to remain in San Diego.

Wife Carol Hallstrom is head of one Law Center program, the Immigration Law Coalition. Krantz acknowledged that, if he leaves town, "we will each be looking at our careers."

His book, tentatively titled "The Future of the Legal Profession," will require traveling the country for interviews of lawyers, clients, lobbyists and others. He said he will examine the law profession, what people think of it and how it should be changed.

Reaction around the local legal community was unanimous in the view USD will be losing a major asset when Krantz leaves in 1989.

"It's a tremendous loss — he's done so much," commented attorney James Lorenz of Finley, Kumble, Wagner, Heine, Underberg, Manley, Myerson & Casey.

"He's always conscious of the needs, and willing to fill in the void, to be constructive in the community and create solutions to problems."

Lorenz serves on the Law Center Advisory Board, chaired by Craig Higgs, of Higgs, Fletcher & Mack.

"He's been an extremely effective dean," opined Higgs yesterday. "What he's accomplished for the school and the legal community is remarkable. He has increased the stature of the school nationally, and is an integral force in the legal community."

A colleague, Western University Law School Dean Hadley Batchelder, noted the average tenure for a law school dean is only two or three years.

"I wish him well," said Batchelder. "I'm sorry he's stepping down, but every once in a while it's time for a change."

Krantz has led two delegations of law professors and judges to China,

### Combust. Eng. Dividend

Combustion Engineering has declared a regular quarterly dividend of 25 cents per share, payable Oct. 30, 1987, to shareholders of record Oct. 16.

in 1985 and earlier this summer, and hosted a Chinese delegation last year in an exchange on legal reform.

Under his leadership over the years, the Law Center has initiated an alternatives to litigation program, community dispute mediation centers, a Volunteer Lawyer Program involving 600 local attorneys, and the Mexico-U.S. Law Institute.

Krantz was born in Omaha and earned his law degree at University of Nebraska, where he was editor of Law Review.

Between 1962-67 he worked as a Justice Department trial attorney, was in private practice, then served as staff attorney for the President's Commission on Law Enforcement and the Administration of Justice.

He served three years, to 1970, as executive director of a governor's justice panel in Massachusetts. Then he accepted a teaching job at Boston University law school.

He spent 1978 as visiting professor at Hebrew University's Institute of Criminology in Israel, and he has been active in American Bar Association committees on prisons and criminal justice.

USD President Author Hughes stated that, "Since Sheldon has been at USD, he has done much to improve the law school's stature, both in this community and nationally. We feel a real loss that Sheldon has decided to step down."

The law school reports enrollment at 1,100, with about 150 full-time and 65 part-time faculty. This fall's entering class of 403 students is the largest for the 23-year-old law school.

Superior Court Judge Richard Huffman, who has served on the USD faculty, said Krantz "has done an enormous amount to improve the image and quality of USD law school."

La Mesa lawyer Daniel Tobin, a founder with Krantz of the Law Center — and former law partner to Attorney General Edwin Meese — said he didn't expect Krantz' resignation announcement, but noted the job "demands a great deal."

Though there was some suggestion through the legal community that internal law school pressures may have played a part in Krantz' decision, the dean downplayed their importance.

"It is always true there are differences of opinion in the direction of a law school, or any operation," he said. "The issue is just the amount of time involved. I can't imagine doing this for a number of years more."

"I'm very pleased that there is a strong perception the law school has moved up into the upper tiers of schools, and it's less than 30 years old. We're definitely on the map as a good school."



SEP 25 1987

Allen's P. C. B Est. 1888

## Toreros featuring a new look on defense

By Rick Davis  
Tribune Sportswriter

After meandering through a stretch of mediocrity in recent years, the USD football team appears embarked on a special season this fall.

Approaching tomorrow night's season home opener against LaVerne, the Toreros are 1-0-1. Translation: unbeaten.

More than that, they're coming off a 28-0 trouncing of Redlands last weekend. Few probably were keeping track, but that result represents the first shutout by a USD team since Brian Fogarty took over as football coach five seasons ago.

Even Fogarty didn't notice.

"Is that right?" he responded when the statistic was tossed out this week. Asked to evaluate the milestone, he added: "We've gone to a more aggressive style of defense this year and it paid off. We're relying more on quickness than size ... a slanting, penetrating type of defense ... less line-of-scrimmage type of reading what the other team's play is."

Led by free safety Bryan Dargatzis (11 tackles) and cornerback Deon Jackson (two interceptions and a forced fumble), USD defensive coordinator Kevin McGarry's gang choked off Redlands with 123 yards of total offense. The Toreros forced four turnovers.

Day's day pushed him into a tie with linebacker Frank Love for the team lead in tackles. Each has 20, five more than strong safety John Gustmiedl, a three-year starter who led the team with 131 a year ago.

"We've been controlling the line of scrimmage," Fogarty said. "Even Occidental (which rallied for a 13-13

tie by kicking a field goal as time ran out), with the exception of their last drive, didn't threaten. The other two times they scored came after turnovers by us inside our own 20."

McGarry right now is using Jackson and Love — both freshmen — as starters, but not without relief.

"What they've done has provided us with that much more depth," said Fogarty, who's often noted that quality backups are a persistent problem in Division III college football.

That brings up an intriguing issue on the other side of the line of scrimmage at USD: Two quarterbacks, starter Braulio Castillo and reliever Brendan Murphy, have been sharing time — without controversy or hard feelings.

Braulio starts. Brendan comes out of the bullpen. With either, the offense has been putting points on the scoreboard. Straightforward maneuvering.

"Who's in there depends on what we feel we're trying to accomplish," said Fogarty. "Murphy's a more fundamental type, a more all-around quarterback, a better thrower."

"Castillo runs the option better. And he's a strong leader out there. We're getting good contributions from both of them."

Murphy, a 6-foot, 178-pound freshman from Mission Viejo, has completed 9-of-14 passes for 117 yards and three touchdowns. Castillo is only 2-of-6 for 59 yards, but has rushed for 77 yards (not counting sacks totaling 43 yards) and scored twice. He's the same height as Murphy, but 27 pounds heavier.

"We don't have any control over the situation and that's OK," said

Castillo, an Imperial High product who went to the West Point Preparatory School, then spent two years at San Diego City College before transferring to USD. "I came here because I wanted a chance to play. I'm getting it."

Murphy, who attended West Point Prep two years after Castillo, also sees the situation as a harmonious one.

"I actually didn't expect as much playing time as a freshman," Murphy said. "It's fine that Braulio is the starter. I have three years left after this one. My chance for that will come."

It's ironic that Castillo, not Murphy, was on the throwing end of USD's longest pass completion of '87. He caught the Redlands defense guessing "run" and hit tight end Lionel DeMorst over the middle for what became a 55-yard gain.

"They were really respecting the option at that point, went for the pass and I got the ball over the safety," said Castillo. "That was a case of being in there setting up the pass."

Saturday's 7:30 kickoff opens a potentially opportunistic four-game homestand for USD. Three straight

weekends on the road follow before the Nov. 14 finale at home against Menlo College.

■ ■ ■  
NOTES — The last time a USD team threw a shutout was 1982 when Bill Williams was the coach. The euphoria of 32-0 and 40-0 wins in that season's first two games was smothered by losses in five of the next seven.

■ LaVerne's coach, Roland Ortmyer, has been at the Leopards' helm for 42 years. He's 0-1 in '87, a 19-14 loss to Occidental last weekend.

■ Fogarty is 16-24-2 overall at USD, but 2-2 in confrontations with Ortmyer.

■ Tailback Todd Jackson, the Toreros' leading rusher, has averaged 4.5 yards on 37 carries.



San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 26 1987

Allen's P. C. B Est. 1888

# USD law dean Krantz to resign

By Cheryl Clark  
Staff Writer

2955

Sheldon Krantz, dean of the University of San Diego School of Law, has announced that he will resign from his post.

Krantz, 49, who has been dean of the school since 1981, will leave his job after the completion of his sabbatical during the 1988-89 school year.

He said he is leaving with mixed emotions, but noted: "It's time for me to move on to other challenges."

USD President Author E. Hughes praised Krantz's leadership. "Since Sheldon has been at USD, he has done much to improve the law school's stature both in this community and nationally. We feel a real loss that Sheldon has decided to step down."

Sister Sally Furray, provost and academic vice president, said, "The law school has made great strides on a wide variety of fronts under Sheldon's deanship. I personally like working with him very much and I'm going to miss him."

USD officials said that under Krantz, interest in the school is at an all-time high and that this year's entering class of 403 is the largest since the school was founded in 1954.

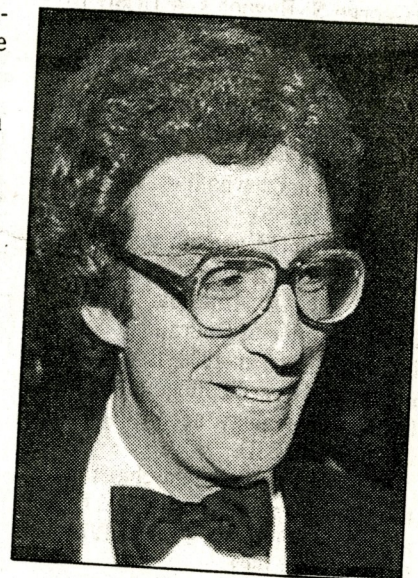
Krantz intends to finish out this school year, then devote his sabbati-

cal leave to completing a book, tentatively titled "The Future of the Legal Profession," for Oxford Press.

In 1981, he helped establish the San Diego Law Center with the San Diego County Bar Association. The center has since spawned a number of programs that have assisted the community, including neighborhood mediation, alternatives to litigation, the San Diego Volunteer Lawyers program and the San Diego Immigration Law Coalition.

For two years, Krantz has chaired the American Bar Association committee on prison and jail problems.

He was recently elected to the ABA's Criminal Justice Council for a three-year term. He is the only Californian currently sitting on that body.



File photo

**Sheldon Krantz**

Time "to move on . . ."



Metro news

# New dean at USD sees nursing shortage complicated by aging population

By Joseph Thesken  
*Tribune Education Writer*

The nursing shortage predicted by the year 2000 will be particularly acute because of our rapidly aging society, says USD's new nursing school dean, who offered her blueprint for staving off a medical crisis.

Janet Rodgers, who came to the University of San Diego last summer from Lycoming College in Williamsport, Pa., said the shortage can be alleviated by taking a number of steps now, before it becomes critical.

The plan, which she outlined during a recent interview at her office,

involves upgrading nursing education, increasing salaries, improving working conditions and getting more federal funding for nursing programs.

"By the turn of the century more than 13 percent of the population will be 65 and over," Rodgers said. "This is particularly true here in San Diego. So, many more nurses are needed to help them in prevention and maintenance health care."

According to a recent report by the U.S. Bureau of Labor, there will be 612,000 more vacancies in nursing posts in 2000 than there are now.

"First of all," she said, "we need to standardize the basic preparation for nursing education, to make a baccalaureate degree the minimal entry level for a registered nurse."

"Many nurses (now in practice) passed their state board and got diplomas as registered nurses, but didn't get their bachelor degrees."

The salary structure for nurses must be improved to encourage more people to enter the field, she said.

Rodgers, 52, is understandably sympathetic to the plight of nurses. She began her career as a registered

nurse and was head nurse at New York State Psychiatric Institute in New York City before she went into teaching and administration.

"Registered nurses with a bachelor degree are started out at about the same level as other college graduates," Rodgers noted.

"But the problem is that at the end of seven years, salaries for nurses average only about \$7,000 more than the beginning pay, while other jobs have a good deal higher salary hikes. This inequity must be corrected."

"Also, there is a need to offer substantial differences in wages for eve-

ning, night and weekend work for nurses. At present, the differences are very minimal. We are about the only professional group that is expected to work on a 24-hour basis without any real compensation."

Since there is a diminishing pool of nurses, the federal government should step in and increase funding for nursing programs, she said.

Hospital conditions under which nurses work need to be improved if more people are to be drawn into the profession, she said.

"Nurses are caring people," she said. "They're concerned about help-

ing patients who are in pain. What bothers nurses most is when they're faced with being accountable for large numbers of patients with a short staff. Often, they're not given enough help."

Rodgers also is disturbed about the lack of participation nurses have in management roles.

"We have to substantially increase the input of nurses into policy-making decisions," she said.

"They make up the largest number of health-care professionals, yet how many sit on the boards of hospitals? Very few."



Los Angeles, CA  
(Los Angeles Co)  
Times  
(San Diego Ed.)  
(Cir. D 50,010)  
(Cir. S 55,573)

SEP 26 1987

Allen's P. C. B Est. 1888

## Krantz to Leave as Dean of USD Law School

By JIM SCHACHTER, Times Staff Writer

Sheldon Krantz, who led the University of San Diego's law school to newfound recognition in six years as dean, announced plans this week to resign the post.

Krantz, 49, will go on sabbatical at the end of the current academic year and formally leave USD at the end of the 1988-89 term.

"You reach a point in a particular career where you feel it's necessary to take the next step in your life, and that's just the point I've reached," Krantz said Friday. "When I became dean in 1981, I don't think I ever anticipated doing it for this long."

Recruitment by law firms at the 23-year-old law school has quadrupled during Krantz's tenure, according to university statistics, and both applications and class size

have grown as well.

"USD is accepting more qualified students and turning out better lawyers," said Craig Higgs, a San Diego attorney who serves on the law school's board of visitors. "One of the measures of that is that major law firms from throughout the country are hiring USD graduates, when that was not the case not too many years ago."

Krantz, formerly a law professor at Boston University, has heavily engaged the law school in community affairs. Through the San Diego Law Center, which he helped establish in 1981, volunteer lawyer and arbitration programs were developed and spun off as independent entities. With his wife, attorney Carol Hallstrom, he developed a group of neighborhood mediation

centers and formed the San Diego Immigration Law Coalition to coordinate the provision of legal aid to aliens seeking legalization under the federal amnesty program.

Krantz, a national leader in corrections issues, also guided the formation of a blue-ribbon commission that recommended the scuttling of San Diego County's beleaguered criminal defense system for indigents and its replacement with a quasi-public defender office.

"I believe the law school has lost an incredible talent, and one that has been unselfish in his community involvement," said M. James Lorenz, the former U.S. attorney who was chairman of the blue-ribbon commission. "He has been a very strong moving force that has

increased the reputation—not only locally, but nationally—of that school."

Krantz said he took pride in his role in revising the law school's curriculum to increase its emphasis on clinical skills and legal ethics, reflecting the evolving nature of legal practice. Such concerns will be his focus as he works to complete a book, ambitiously titled, "The Future of the Legal Profession."

Krantz said he was undecided what he would do after finishing the book. University officials, meanwhile, have not yet announced plans for seeking his replacement.

"We feel a real loss that Sheldon has decided to step down," USD President Author Hughes said in a written statement.



# Schools hit by shortage of Ph.D.s

By Ann Perry  
Tribune Financial Writer

**L**AST YEAR Allan Bailey, dean of SDSU's College of Business Administration, had hoped to recruit 15 new professors for his flourishing department. But he was able to fill only seven positions.

Like many business school deans across the country, Bailey is experiencing firsthand that most basic of economic principles.

"What you have is a classic supply and demand problem," Bailey says. "Unfortunately, business faculty understand supply and demand."

As university students return to classes this fall, the nationwide demand for college business courses has never been greater, according to the American Assembly of Collegiate Schools of Business (AACSB), which accredits U.S. business schools. Last year the number of M.B.A. degrees awarded rose to a record 69,000, more than double a decade before, while more than 230,000 students earned bachelor's degrees in business and management.

But the supply of professors with Ph.D.s to teach all those students has remained static despite the boom in business enrollments. Last year, fewer than 1,000 nationwide earned business doctorates.

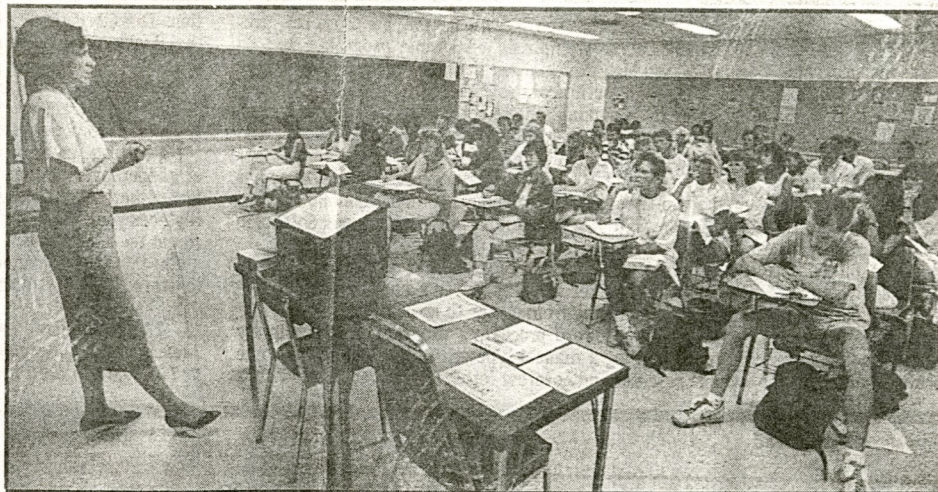
The result, according to the

AACSB, is a "critical shortage," with 16 percent of all tenure-track teaching positions currently going unfilled. For lack of teachers, says the professional organization, business students are "being locked out of schools of their choice."

It doesn't take a business degree to figure the reason for the faculty shortage: money.

After four years of graduate work, earning little or no money, a Ph.D. can expect to make \$30,000 to \$50,000 annually in a teaching post. But a promising M.B.A. graduate could earn a similar salary — without taking the four years out to earn a Ph.D. — and could make significantly more money in the long run.

At the School of Business at the University of San Diego, Dean



CAROL OLSON HOUSTON, ASSISTANT PROFESSOR OF ACCOUNTING AT SDSU'S BUSINESS SCHOOL  
Regrets on a teacher's salary: "Anyone who has that preference should go back to the private sector."

Tribune photo by Dana Fisher

James Burns would like to hire two professors of accounting, currently one of the most difficult specialties to fill. But Burns doesn't expect applicants to come knocking for the posts at USD, a private, Catholic university, which pays \$31,000-\$40,000 starting salaries.

Burns says a good business school graduate could earn that amount without getting a Ph.D.

"By the time they've got a doctorate, they could be a partner in a CPA firm," he acknowledges. "It's not a very good investment decision."

Colleges across the country are worried that the brightest minds in business would rather ply the trade than teach it. The AACSB fears that the quality of management education will suffer for lack of good

teachers and that U.S. competitiveness in the world market will be undermined by weakened business schools.

And there is reason for concern. A growing number of the precious few business Ph.D.s produced here each year are from foreign countries.

The trend is troubling to business colleges because many of those Ph.D. graduates return home to teach. And for those who stay, all quickly snapped up by eager universities, there may be language and cultural problems in teaching Americans about American business.

At the UCLA John E. Anderson Graduate School of Management, 41 students applied this year to  
*Please see SCHOOLS, AA-3*



San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 26 1987

Allen's P. C. B Est. 1888

## USD has QB quandary going into home opener

By Chris Clarey  
Staff Writer

2955  
The University of San Diego's football team has an issue to resolve.

Not a controversy, just an issue.

The Toreros (1-0-1) have two new quarterbacks this season — junior Braulio Castillo and freshman Brendan Murphy — and can't quite decide who will lead them in tonight's 7:30 home opener against the University of La Verne (0-1).

"I've been happy with the way both have been playing at times," Coach Brian Fogarty said. "We're still going to go with both of them, but we haven't decided who will start. It's nice to have the choice."

Here's what the coaching staff has to choose from:

**Castillo:** A 6-foot, 205-pound transfer from San Diego City College, he started the Toreros' first two games, then gave way to Murphy in the later stages.

**Strengths:** He's big, mobile and a punishing runner out of the option. He has two rushing touchdowns, and

a deceptively low 34 net yards on 23 carries (after losing 43 yards on sacks).

Fogarty also likes Castillo's leadership ability. Castillo has looked best in the first quarter, leading opening touchdown drives of 99 yards against Occidental and 79 against Redlands. He also seems to enjoy butting helmets with defenders when he's not carrying the ball.

**Weaknesses:** He had a poor second half against Occidental, fumbling three times in 10 minutes. He's attempted only six passes in 4½ quarters and, except for a short completion tight end Lionel DeMorst turned into a 55-yard gain last week, not one has resembled an accurate spiral.

Castillo seems to be having difficulty breaking the survival habits he

picked up last year, when S.D. City went 1-9.

"He would take off and run with the ball quicker than I'd like a quarterback to," said SDCC quarterbacks coach Jim Freitas. "But you couldn't blame him. He was running for his life here."

**Murphy:** A 6-0, 178-pounder, he ran the wishbone at New York's West Point Prep last year (Castillo played there in 1984) after graduating from Orange County's Mission Viejo High in 1986.

**Strengths:** Murphy has passing ability and poise. He's completed nine of 14 passes for 117 yards and three touchdowns (no interceptions) in 3½ quarters. On an option pitch against Redlands, he waited until the entire defense had swallowed his

run-fake before he passed to Todd Jackson for a 15-yard touchdown. Murphy turns 20 next week, so he's got a maturity edge on most freshman quarterbacks.

**Weaknesses:** He's not much of a running threat, and, out of the option, that's a significant deficiency.

•  
USD tailback Virgil Enriquez injured a knee in the Toreros' 13-13 tie against Occidental on Sept. 12 and will be out three to five weeks. Fullback Don MacInnes broke his right hand in USD's 28-0 win over Redlands last Saturday and is out indefinitely ... La Verne lost, 19-14, at Occidental in its opener last week.



San Diego, CA  
(San Diego Co.)  
San Diego Union  
(Cir. D. 217,089)  
(Cir. S. 341,840)

SEP 27 1987

Allen's P. C. B Est. 1888

## COLLEGE FOOTBALL/THE WEST

# Defense stifles La Verne, 28-0, keeping Toreros undefeated

By Chris Clarey, Staff Writer

A year ago, freshman quarterback Mark Brown threw two first-half touchdown passes to lead La Verne to a 19-14 football victory at home over the University of San Diego.

But last night at USD, an aggressive Toreros defense got its second consecutive shutout, 28-0, holding La Verne to five first downs and limiting the strong-armed Brown to 94 yards passing.

"We're just getting a little better in all areas," USD coach Brian Fogarty said after the Toreros (2-0-1) won their home opener. "We got off to a little bit of a slow start offensively, but our defense just played well the whole time. This defense is pretty much new (five re-

turning starters), but their aggressiveness has been covering up our mistakes. Tonight, we made fewer mistakes."

USD's defense dominated the first half, holding the pass-oriented Leopards (0-2) and Brown (5-of-15 for 32 first-half yards) to two first downs and never allowing them to move into USD territory.

"This is the best defense we've had in my three years here," said USD junior defensive back Bryan Day, who had two interceptions. "We are fired-up for the whole time we're out there. There's so much intensity."

But the Toreros squandered excellent field position. They penetrated La Verne territory five times but got only six points, on tailback Todd Jackson's 2-yard run

with 1:30 left in the half. Mark Fenick's extra-point attempt was blocked by Mike McKernan.

Jackson's touchdown capped a nine-play, 46-yard drive led by quarterback Braulio Castillo, who midway through the second quarter replaced freshman starter Brendan Murphy (4-of-9 first-half passes for 38 yards). Castillo rushed for 27 yards on the drive.

"When Brendan was in there, we were trying to throw the ball, but their eight-man front was hurting us, so we decided to go to the run," said Castillo, who netted 31 yards rushing.

USD struck quickly in the second half, keeping the ball on the ground in scoring on its first two possessions.

Fullback Scott Slykas' 32-yard run completed a three-

play, 60-yard drive. Castillo rolled right and hit Jeff Mansukhani for a conversion to make it 14-0.

Then an interception and 34-yard return by Day gave the Toreros possession on La Verne's 36. Fogarty elected to go for a first down on fourth-and-a-foot at the 6. Castillo dived forward for 1 yard behind center Mike Childers to keep the drive alive. On the next play Castillo faked to Slykas, then passed to wide-open tight end David Nottoli for a 5-yard touchdown. Mark Fenick's extra point made it 21-0 with 5:48 left in the third quarter.

In the fourth quarter, Murphy led USD 69 yards in 12 plays. Sophomore running back John Arens scored on a 3-yard run to make it 28-0 with Fenick's conversion.



San Diego, CA  
(San Diego Co.)  
Evening Tribune  
(Cir. D. 123,092)

SEP 28 1987

Allen's P. C. B Est. 1888

2955 Friday, October 2

USD will sponsor as one of its breakfast seminars, "Growth Control: Consequences for San Diego," by Associate Professor of Economics Dirk Yandell from 7:30 a.m to 9 a.m. at the Douglas F. Manchester Executive Conference Center, USD. Fee is \$15. Registration required.



# Israelis Work on Constitution for Their Country

By JIM SCHACHTER, Times Staff Writer

A paragraph—or, at least, a well-researched footnote—in the 40-year history of modern Israel may be written in San Diego this week.

In a wood-paneled courtroom at the University of San Diego School of Law, California legal scholars will sit down today and Tuesday to help a delegation of professors from Tel Aviv craft a constitution for the Israeli homeland.

The trip to San Diego for expert legal advice is one of only a handful the Israeli lawyers have taken as they struggle—with the encouragement of members of Israel's parliament—to shape a basic legal document for a nation that has functioned without one through half a dozen wars and four decades of evermore passionate religious strife.

"There have been such over-

whelming problems, it simply has not been possible to get to until now," explained Sheldon Krantz, dean of the USD law school.

Both the United Nations' 1947 partition plan for Palestine and Israel's Declaration of Independence the following year envisioned the development of a constitution for the new state.

## Against a Constitution

But David Ben-Gurion, Israel's first prime minister, argued that it would be wrong for the relative handful of pioneer Israelis to impose a constitution on the hordes of immigrants expected to descend on the new state from around the world. Other members of the first Israeli parliament contended it was unwise to adopt a constitution in the unsettled and threatening early days of the nation.

So a draft constitution was set aside. In its place, a series of so-called "basic laws" have legitimized Israel's basic institutions, and the Supreme Court, drawing on the English common law tradition, has served as the primary bulwark of individual liberties.

Now—though Israel's security remains fragile and its political life is perhaps even more fractious than it was in 1948—the cadre of Israeli legal heavyweights visiting San Diego is insisting that enactment of a constitution can no longer be delayed. The nation, they warn, could self-destruct without a social contract to knit it together.

"There is a feeling in Israel that this is the time to establish a constitution," explained Joseph Edrey, a visiting law professor at USD who serves on the Tel Aviv University law faculty with the

drafters of the proposed constitution. "If we follow the line established by Ben-Gurion, 40 years is enough. It's time to do it."

## No Simple Task

But the process is not a simple one. For it is the very issues that most divide Israeli society—the role of religion, the balance between national security and civil liberties, the rights of non-Jewish minorities, the paralysis of a fractionalized parliament—that the Tel Aviv professors must address as they draft the language of a constitution.

Each of those topics, and others, will be discussed with the California scholars during the two-day conference in the USD law school's Grace Courtroom. The sessions, which begin at 9:30 a.m. each day,

Please see ISRAEL, Page 10

## ISRAEL: Scholars Trying to Craft Constitution

Continued from Page 1  
are open to the public.

Up for debate will be the drafters' proposal for a drastic revision of Israel's parliamentary system. Now, members of the Knesset are elected by party; if a party receives 10% of the national vote, the top 12 names on its party slate are seated in the 120-member parliament. Typically, the leader of the party that can form a coalition among the score of parties represented becomes prime minister.

With the two largest blocs, Labor and Likud, virtually equal in popularity, the leading parties have been forced to join in a temperamental government of national unity since 1984. The drafters hope to forever overcome the resulting paralysis with electoral changes that would reduce the power of minor parties and implement the direct election of the prime minister in an almost presidential manner.

## Religious Concerns

Religion, though, is the preeminent concern for the Tel Aviv professors. Their constitution aims to maintain Israel as a democratic—but distinctively Jewish—state in a hostile region, according to Robert Burt, a Yale University constitutional law specialist who participated in discussions with the

Israeli professors in New Haven earlier this year.

Should the rights of non-Jewish citizens be any less than those of Jews? Should tradition-minded, Orthodox Jewish religious authorities maintain their control of such social institutions as marriage and divorce for the Jewish majority? Should men and women be guaranteed equal rights, whatever Jewish law may say to the contrary? Should Sabbath observance—and the attendant limitations on secular public activity—be mandatory?

To answer these questions, the drafters—whose own views range from the strongly secular to the ultra-Orthodox—propose a continuing link between religion and the state. But the legitimacy of the more liberal Conservative and Reform movements in Judaism would be recognized for the first time, minority rights would be guaranteed and civil marriage and divorce would be introduced.

"They have a very, very carefully crafted compromise," Burt said.

"Israel, after all, is a Jewish state and was founded as such, so American notions of a wall of separation between church and state are not appropriate in that context," he explained. "Yet there are conflicts between the secular and the ultra-Orthodox—the dominance of the religious courts in matters of

family law in particular, which is an established part of the Israeli scene, but at the same time is very troubling to many people."

Orthodox Jewish leaders played a key role in blocking adoption of a constitution in the months after Israel's founding, according to Howard Sachar, a professor at George Washington University whose two-volume history of modern Israel is considered definitive. But delays in addressing church-state issues have made resolving them all the more difficult, Sachar said.

"The longer they put it off, the more complicated it got as the power of the religionists grew," he said. "They've kept sweeping it under the rug for all this time, with increasingly horrible results."

## Ivory-Tower Enterprise

Can a cadre of self-appointed constitution writers descend into this thicket from the ivory towers of a law school and command a nation's respect?

Burt says the enterprise is not so different from that undertaken by America's Founding Fathers. In 1786, he noted, a group of national leaders, including James Madison, took it upon itself to convene a meeting in Annapolis, Md., to discuss the failings of the Articles of Confederation. Their deliberations

laid the groundwork for the convention in Philadelphia one year later at which the U.S. Constitution was created.

## PUZZLE SOLUTION

There are several ways to approach this. This simplest is to observe that the baker's wife cannot be Mrs. Brewer (unless she talks to herself). She also cannot be Mrs. Baker, since the baker is not Mr. Baker. Hence she must be Mrs. Butcher. Now the brewer cannot be Mr. Brewer and we have just seen that he cannot be Mr. Butcher, so he must be Mr. Baker and the butcher must be Mr. Brewer. Mr. Brewer, the butcher, didn't marry his sister, Miss Brewer, nor did he marry Miss Butcher, so he must have married Miss Baker.

More generally, one can form a tabular arrangement of the surnames, jobs and wife's maiden names. One finds that there are just two arrangements compatible with the baker's wife's information. The fact that the baker's wife is not Mrs. Brewer determines one of these arrangements. Indeed, any such piece of information determines the entire arrangement.

If the baker's wife does talk to herself, then she is Mrs. Brewer and the other arrangement holds, in which Mr. Baker, the butcher, married Miss Brewer. DS



# Scholars draft constitutional future for Israel

By Ann Levin  
Tribune Staff Writer

Israel's occupation of Arab territory on the West Bank is corrupting its democratic form of government. Increasing tensions between secular and religious Jews threaten to explode into violence. A morally bankrupt Knesset (parliament) routinely passes unwise legislation by members who exercise political blackmail.

These scathing opinions wouldn't be surprising if uttered by Israel's enemies. But they were leveled yesterday by one of Israel's staunchest supporters, Professor Uriel Reichman, dean of the Tel Aviv University law school.

Yesterday, Reichman and six of his colleagues from the Tel Aviv law faculty gathered at a University of San Diego conference over bagels, cream cheese and coffee to hash over

a proposed constitution for a nation that — surprisingly enough to many people — has done without such a document in its troubled 40-year history.

"It may come as a surprise that the state of Israel doesn't have a constitution. England and Israel are the only Western countries that don't," said Reichman, chair of the Constitution Drafting Committee.

Six weeks ago, the committee put its finishing touches on a 2-year-old project. They sought to combine provisions of the U.S. Constitution and Bill of Rights with the broader human rights overseen by the European Court of Human Rights. That court, headquartered in Strasbourg, France, was established in 1955 by the Council of Europe to investigate complaints of human rights violations.

Perhaps the most radical change



URIEL REICHMAN  
Heads Israeli constitution panel

for Israel in the proposed constitution lies in Article 22 of the Bill of Rights — the section on freedom of religion and conscience.

The few paragraphs guarantee freedom of and freedom from religion in a nation that was founded as a Jewish state. Essentially, the clauses recognize that "the vast majority of Israelis lead a secular way of life," Reichman said.

If the constitution is adopted, civil marriage and divorce among Jews would be sanctioned under law for the first time in more than 5,000 years. Reichman, who calls himself an "extreme optimist," said adoption of the constitution could happen as early as next year.

"What we're proposing will be enormously painful to the Orthodox Jews," said Reichman, who arrived in the United States for the conference last Friday.

Ironically, the 41-page constitution, published in booklet form, offers more rights than the U.S. Constitution. Please see *ISRAEL*, A-5, Col. 1

## ★Israel

Continued From A-3  
tution.

"We have learned something in 200 years," Reichman noted with a grin.

Discrimination on the basis of sex is banned — a guarantee for which U.S. feminists have fought in vain in the Equal Rights Amendment battles. Like the California Constitution, the Israeli version includes a specific right to privacy.

The document radically redraws the structure of government, carving out three independent branches similar to the United States. But Reichman calls it a "parliadential" system — a hybrid between the English parliamentary and the U.S. presidential systems.

Today, Israel is a parliamentary government consisting of a 120-seat chamber called the Knesset. There are no direct elections. Citizens vote for party slates, whose members are seated in the Knesset according to the percentage of the national vote

won by the party.

The need to build coalitions from among 16 or so fractious parties gives small extremist parties a disproportionate amount of power, panelists complained.

It also results in bad laws, Reichman noted, such as a recent one that prohibits bakeries from displaying yeast breads during the spring holiday of Passover — an eight-day period when religious Jews refrain from eating leavened bread.

Under the new system, the prime minister would be elected directly by the people. But unlike the U.S. president, the prime minister could be ousted by a three-fifths-plus-one no-confidence vote in the Knesset.

Israel would be divided into 60 voting districts, and every citizen would vote twice — for the district candidate and for the party.

District candidates who won could be seated in the Knesset only if their party got 2.5 percent of the national tally, equal to about 50,000 votes.

More power would be vested in the

judiciary. The existing Israeli Supreme Court would gain the authority to declare unconstitutional a law enacted by the Knesset.

"The enormity of the change envisions a separation of powers in which minorities would be greatly protected. I see it as an enormous improvement in the condition of human rights," noted panelist Bernard Siegan, a professor at the University of San Diego and a nominee to the 9th U.S. Circuit Court of Appeals.

How Israel fared for four decades without a constitution can be laid at the feet of founder David Ben-Gurion, Israel's first prime minister. The state's declaration of independence on May 14, 1948, included a paragraph that a constitution would be adopted by Oct. 1 of that year, but it never happened.

The following year, when the first constituent assembly was elected, it also was supposed to draft a constitution but failed to do so. Reichman's assessment: "Ben-Gurion simply didn't want to be restricted by a Constitution."

Eight "basic laws" have governed the political life of the embattled nation since then, and a body of "common law" similar to England's has evolved, but there has been no explicit declaration of constitutional rights.

Reichman said polls indicate that 85 percent of Israeli citizens believe a "radical change" in government is needed. Two-thirds of the nation wants a constitution, he said, while as many as one in four Israelis say

San Diego Tribune  
Tuesday, 29 Sept



# Israelis have own constitution dream

## That nation's scholars share their document, hopes at USD

By Lorie Hearn  
Staff Writer

University of San Diego law professor Maimon Schwarzschild conceded a certain jealousy sitting among men he considered the James Madisons and John Marshalls of modern times.

These men, after all, had written a constitution for a land called Israel.

Thinking out loud yesterday, Schwarzschild pondered the "mythical" fathers of the U.S. Constitution, which is being debated and celebrated in this year of its 200th birthday.

The historic task of these Israeli scholars, Schwarzschild said, is "intimidating and slightly frightening," but, he confessed, somewhat enviable.

For these scholarly men from Is-

rael — who came to San Diego to share their precious document and inspire support for it — the political battle has barely begun.

It has been almost 40 years since Israel declared its independence, amid promises by founding fathers that they would have a constitution to govern the Jewish state within a few months.

Politics and war stifled the process.

Two years ago, modern-day legal pioneers once again championed the lofty promises of their forefathers, and less than two months ago, they unveiled a document that defines the powers of government and commits to writing a bill of rights. Their work now is to bring the constitution to a public referendum.

"Israel needs a bill of rights," said Uriel Reichman, dean of Tel Aviv University law school, who chaired the constitutional committee.

"There is no question we are in the midst of a governmental crisis," he said. "The crisis we face ... may jeopardize the democratic structure of our society and even our ability to survive."

Israel, a young democracy, has no constitution — only laws that can be changed by a majority vote in parliament. The proposed constitution would radically change the election system in Israel and would invest broad powers of interpretation with the nation's Supreme Court, which would for the first time be empowered to declare laws unconstitutional.

See Constitution on Page A-12



# Constitution: Israeli scholars still struggle with own document

Continued from A-1  
tional.

The prime minister would be directly elected, as would half the 120 members of Israel's Knesset, or parliament.

Sixteen political parties are represented in the Knesset, Reichman said, warning that this "highly polarized" body allows small parties, with perhaps only one member, to "black-mail" the larger political forces for his vote.

Although the constitution sets out a credo of rights for citizens of Israel, Reichman admitted those rights would not be shared by the 1.4 mil-

lion Palestinians in the occupied territories. His hope, he said, is that adoption of the document, based on principles of "human dignity" — would have an "indirect" effect on attitudes toward them.

The proposed constitution is very different from the document crafted and preserved in the United States, but many of its sentiments are parallel.

The bill of rights — called Basic Tenets — holds that: "Human dignity and liberty, and the full civil and political equality of all citizens, regardless of origin, race, sex, or ethnic affiliation underlie the foundation of

the State of Israel."

As a democracy, it says, "all government authority" lies with the citizens.

The constitutional debates at USD, which are scheduled to continue today among the Israelis, local law school professors and former state Supreme Court Justice Joseph Grodin, yesterday centered on possible problems with the document and differences in philosophy even among its drafters.

One participant, Judge Alex Kozinski of the 9th U.S. Circuit Court of Appeals, observed that the language is much broader than that of the U.S.

Constitution, so much interpretation of general principles such as "a person shall not be subjected to abuse or degradation" will be left up to the courts.

Overall, however, Kozinski praised the effort, saying, "The idea of having a constitution on the table is a good one."

Although Sheldon Krantz, dean of USD's law school, said he had not studied that document closely enough to say whether it fit Israel's changing society, he welcomed the exchange.

"I think there is a real interest in sharing ideas and reactions," he said.

Although another document framer, Amos Shapira, disagreed with Reichman's description of Israel's "crumbling" political situation, Reichman insisted there has been "a collapse of trust in our politicians." He cited a recent poll that showed 85 percent of Israelis want a radical change in government, but only 30 percent believe a change will be achieved.

Reichman hopes that the constitution will be approved within a year, but in the same breath he characterized himself as an "extreme optimist."

Unlike Israel's first prime minis-

ter, David Ben-Gurion, who opposed the power restrictions of a constitution, Reichman said, the current prime minister, Yitzhak Shamir, has endorsed the concept of a constitution.

Although Reichman is optimistic, he is not naive.

He freely acknowledged that the prime minister's endorsement does not extend to the details drafted by the committee. And fierce opposition, he said, is expected from the ultra-Orthodox sector who believe that Israel's only constitution is the Bible.



Sonora, CA  
(Tuolumne Co.)  
Union Democrat  
(Cir. 5xW. 7,205)

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Allen's P. C. B Est. 1888

# Students can learn about four-year colleges

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Representatives of approximately 30 colleges and universities will be at Columbia College on Monday, Oct. 5, for the eighth annual College and University Day.

The representatives will display information about their institutions and answer questions in the Rotunda of the Learning Resources Center from 9:30 a.m. to 12:30 p.m. Available information will include admission requirements, academic programs, specific course offerings, financial aid, special programs and degree requirements.

In addition to California State University and University of California campuses, a number of private and independent colleges offering a full complement of educational programs will participate.

The day's activities have been arranged by the college student services staff to assist local college and high school students and other

interested members of the community.

Bill Wilson, college counselor, said, "It is an opportunity for individuals who are considering transfer to compare advantages and disadvantages of four-year schools." He emphasized that in addition to high school and college students, community members are invited to participate.

Juniors and seniors at Sonora, Bret Harte, Summerville, Vallecito, Oakdale, Mariposa, Cassina and Mother Lode Christian High Schools have been invited to participate. Interested high school students are advised to contact their school counselors about participating in the program. Other interested individuals may contact the college at 533-5139 if they have any questions.

The event has been timed to provide information to students before the November application

deadlines for fall, 1987, admission to campuses of the state college and university system.

"Potential applicants can get answers to their questions before they have to apply," Wilson said. "College and high school counselors can help the students evaluate the information they receive."

Represented will be University of California campuses at Berkeley, Davis, San Francisco and Santa Cruz; California State University campuses at Bakersfield, Chico, Dominguez Hills, Fresno, Northridge, Pomona, Sacramento, San Bernardino, San Diego, San Francisco, San Luis Obispo, Sonoma and Stanislaus.

Private universities and colleges that will participate include Alaska Pacific University, Azusa, California Baptist College, California Lutheran, Chaminade University, Fresno Pacific College, Holy Names College, Life Chiropractic

College, Mills College, Northrup, College of Notre Dame, Merritt College of Nursing, Simpson College, University of the Pacific and

University of San Francisco. Also represented will be Modesto Junior College, Columbia College and Air Force and Army ROTC.



# Charter talks focus on rights safeguards

By Lorie Hearn  
Staff Writer

Does Israel — or the United States — need a constitution to preserve moral sanctity? Or is the conscience of a nation's people enough to ensure human dignity and basic rights?

These questions were not rhetorical for the California and Israeli legal scholars who had spent two days at the University of San Diego debating a draft constitution for the Jewish nation.

They overshadowed yesterday's academic talk about privacy protections and freedom to raise a Palestinian flag on Israeli soil, and instead cut to the essence of constitutional law. These basic questions rolled back the clock 200 years to the controversy over the Bill of Rights before the United States' first Congress.

Former state Supreme Court Justice Joseph Grodin, who had remained silent during most of yesterday's discussions, pounced in with an historical perspective that proved, he said, "The Bill of Rights has had an impact on our lives and our culture ... almost beyond debate."

Grodin was responding to a theory by Yoram Shachar, a Tel Aviv University law professor, that a coun-

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## Charter: Safeguards considered

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try's constitution is unnecessary if the morals of a nation safeguard human rights. Perhaps "Americans can afford so much freedom because they use it so sparingly or, some say, so wisely," Shachar suggested.

But Grodin reminded the framers of Israel's first proposed constitution that the questions of necessity were "exactly the arguments made to the first Congress" about the Bill of Rights. With fervor, opponents insisted that unwritten liberties were ensured, Grodin said, when English rule was overthrown, authority was delegated to states and individuals were free from unwarranted search and seizure and restrictions on speech.

"Our culture is an important factor in the continued vitality of the Bill of Rights," Grodin said. But "to say some rights would exist without (it) ignores our history."

The question of whether Israel needs a constitution is certain to be at the forefront of political debates over the document that took legal scholars in Tel Aviv nearly two years to compile. The draft constitution sets out individual rights, radically changes election procedures and for the first time gives Israel's Supreme Court the power to declare laws unconstitutional.

Next to necessity, "original intent" — the exercise of second-guessing the minds of constitutional architects — will likely play an integral role in Israel's debates.

Some of the proposal's framers disagreed on interpretation of general rights, such as privacy. Some said the document was meant to govern only freedom from search and seizure, while another insisted it covered individual rights to abortion, use of contraceptives and sexual



The San Diego Union/Joe Flynn

Former state Supreme Court Justice Joseph Grodin, right, chats with Uriel Reichman, a Tel Aviv law professor who chaired the drafting committee for the Israeli constitution.

freedom among consenting adults.

Just as the draft constitution lists rights and protections, it also details exceptions that appear to give government broad authority to restrict freedom of speech, assembly and privacy.

Judge Alex Kozinski, of the 9th Circuit U.S. Court of Appeals, pointed out that the draft gives every person the right to freedom of expression in one paragraph, and in the next takes it away in unspecified instances of protecting national security, public welfare and "the rights and good name and reputation of others."

Professor Baruch Bracha, one of the document's writers, admitted that much latitude would be given to high court interpretation of each provision, and he illustrated how subjective that interpretation could be in a country of people who have survived wars and threats to their existence and live surrounded by hostile neigh-

bors.

Displaying a Palestinian flag, which is now a crime in Israel, would be allowed under the constitution, Bracha said, but a gathering of Palestinians would be prohibited.

Acknowledging differences between the definition of rights in the United States and those proposed in Israel, Bracha added that any display or gathering of Nazi sympathizers would be illegal.

"Nazi, fascist or racist organizations should not be allowed to use the tools of democracy to destroy democracy," he said, conceding that he did not know where the line of restriction would be drawn.

"The right to life is the most absolute," said Uriel Reichman, a Tel Aviv law professor who chaired the constitution's drafting committee. "We have to take certain measures of protection that you don't have to take."



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# SM man to scale Kilimanjaro to benefit Children's Hospital

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By Jean Henshaw  
Southcoast Newspapers Writer

SAN MARCOS — From the shadow of the "P" on the hill behind Palomar College to the snows of Kilimanjaro, Wayne Rafflesberger will walk for those who cannot.

What's special about his trip is that Rafflesberger, 36, was stricken with polio at age 4. Rafflesberger said doctors told his parents he would walk with crutches or braces for life.

But Rafflesberger, with the help of Children's Hospital in San Diego, overcame the disease and now leads a life more active than most. He will climb to the top of Kilimanjaro next month as a benefit for the hospital.

His left leg is 3 inches shorter than the right and he can't run long distances but he uses no braces or canes and participates in nearly every sport that catches his eye. He bicycles, plays tennis and skis.

Struck by polio just after Jonas Salk developed a vaccine for the disease in 1954 and before immunizations were common, Rafflesberger's parents took him to Children's Hospital for treatment. Children's was just about a year old then, Rafflesberger said, making him one of the hospital's first patients. He went through months of physical therapy and numerous operations on his leg muscles over the years until his last operation at age 13.

"If it hadn't been for Children's, I would have had to move (to a hospital) in L.A. away from my parents," Rafflesberger said. "This way we didn't have to uproot the family."

He went on to graduate from San Diego's Helix High School and attended Stanford University. He graduated from there with a degree in history and then went on to earn a law degree at the University of San Diego. He now owns Coast Tire and Automotive in San Marcos, which supplies tires for the large trucks used by construction companies. He and his wife, Kaye, live in Point Loma.

Although he's left Children's for good, he wants to do something for the youngsters there. He's asking people to make pledges for his climb. Raf-

fesberger said he's looking for sponsors to pledge a penny for every 10 feet of the mountain, or a cent for every 5 feet or a penny a foot. Kilimanjaro is 19,340 feet high, so individual sponsors' donations could be \$19.34, \$38.68 or \$193.40, respectively. Sponsors are also welcome to donate any amount they wish.

"Children's has had to turn away kids (recently)," he said. "They didn't have enough room. So they're going to begin a fund-raising campaign in early January for a \$74 million expansion to add 120 beds."

Rafflesberger is making the

trip on his own — this is not an official Children's Hospital fund-raising event. Rafflesberger is paying his own way and has sent solicitation letters on his own stationery. He hopes to raise \$10,000 for the hospital. He also plans to take a list of all those who make pledges by Oct. 5 on the trek with him.

Rafflesberger said he is, by no means an avid mountain climber. He enjoys backpacking and last year climbed the Matterhorn. Anyone, he said, in good physical shape and willing to withstand primitive conditions can make it to the top of Kilimanjaro.