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AMICUS CURIAE



Marshall-Wythe School of Law College of William & Mary

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State Court Center Welcomes Judiciary

The new National Center for State Courts building, which has been in use for better than a month, will be dedicated on Sunday, March 19 as part of the National Conference on the Judiciary.

Many law students will take part in the dedication ceremony. The ceremony will include a procession of the Chief Justices of the fifty states preceded by the flags of their states. Many law students will act as flag bearers on this occasion.

The dedication will be a part of the weekend conference, "State Courts: A Blueprint for the Future," sponsored by the National Center for State Courts.

Participating in the Williamsburg Conference will be several distinguished foreign

jurists, including the Rt. Hon. Lord Diplock, P.C., Lord of Appeal in Ordinary of the United Kingdom; Chief Justice Garfield Barwick of the Supreme Court of Australia; Chief Justice Bora Laskin of the Supreme Court of Canada; Chief Justice Richard Wild of the Supreme Court of New Zealand; Rt. Hon. Lord Emslie, Lord President of the Inner House of the Court of Session of Scotland; and Master I.H. Jacobs, Q.C., of the United Kingdom's Royal Courts of Justice.

The distinguished Americans include the chief justices and state court administrators of all states and territories, several present and former governors, members of Congress, corporation executives, labor union leaders, professors and deans of

law, and several journalists.

The Williamsburg Conference will "not only consider new ideas and policy recommendations but also focus on specific plans for implementation of needed reforms," according to Chief Justice Edward E. Pringle of the Supreme Court of Colorado and President of the National Center for State Courts.

Dateline Williamsburg, Va. Special to the Amicus Curiae. Lousewort, the law school basketball team at Marshall-Wythe, overcame a seven point deficit later in the game to win its second playoff game yesterday against Sigma Nu, 64-58. Team center Stu Tenhoor led all scorers with 32 points.

Sports Shorts:

Blackacre Gets Subdivided

by John Rodgers

The I-M Basketball Championships are underway, and only two teams from Marshall-Wythe are participating, Blackacre and Lousewort.

Blackacre went undefeated in regular season play and was seeded first in the tourney, Lousewort dropped two contests and was seeded fourth. Blackacre met Class of '69 in the first round whose only claim to fame was a three point victory over hapless Supreme Court "A." But playoff time brings many surprises and Blackacre met one. They lost 67-54 and took the defeat in a sportsmanlike fashion despite the fact that they were being physically abused all over the court without strict officiating. "We just plain got beat," said mentor Ken Geroe. It takes a lot of class to say that.

Lousewort is left to hold the banner for Marshall-Wythe and keep the basketball championship in the law school.

Led by Stu Ten Hoer, Mike Stuart, and Manny Holmes, they straightened the BSU in the first round by 40 points, 90-50. They meet the Sigma Nu "A" team in the second round. If the officiating is loose, they'll have to play tough because Sigma Nu plays basketball using football players. So let's go Lousewort.

Softball gets underway this week and the I-M department has formed an all law school league, (I guess the undergraduates are tired of our abuse). There are eight teams, two will be eligible for the playoffs. Last year Blackacre finished third overall despite having to play during exams. May the best team win.

In I-M volleyball, the Supreme Court returns to improve last year's paltry record, and face a tough going as franchise Farley Shiner has gone free agent. Mike Nuckols, Bob Woodbridge, Andy Thurman, Craig (the greater) Smith, Brian Buckley and Leonard Kessler return.

Medical Advice:

The Patient In Need Of A Physician

by T. Moorman

I have been asked several times to write about finding a personal physician. I think the best source of information about doctor availability is the recommendation of friends. Usually a local reputation is one of the worst. There are techniques that reasonable people can use when in new locations to find competent medical help from a practitioner who has a personality with which one can integrate. I am hopeful that the recent lead of the legal profession in advertising will not spread to the medical profession.

I do not believe it is necessary for these professionals to advertise "to inform the public" when the public is too lazy to take the available steps on its own. I believe advertising cheapens the professions and really gives no advantage to the consumer. In general I think you can find a lawyer or doctor you like by using the common sense approach.

Check with the local Bar or Medical Society for the names of several practitioners. Other sources would be pharmacists, ambulance drivers, nurses, friends, AMA Directory (available in most public libraries), local Hospital Administration, local telephone book (yellow pages), or any member of the local hospital

board of trustees or directors. After you get several names, drive by the offices and see if the office decorum and location presents the type of set-up you would expect.

Once you decide on the location call for an appointment for a physical examination. As pointed out in the article on annual physical examinations, the time to start a relationship with a physician is when you are healthy. You will then be assured of service when you are sick. If you like the physician, you are set. If not, simply start over. No one is obligated to stick with a doctor they don't like. If you are told something you don't believe by one doctor, seek another's opinion. You would certainly do this for legal opinions! The AMA in one of its pamphlets "Why Wait?" has some ideas concerning the choice of a doctor. If you would like a copy of this pamphlet, please see me.

Over Spring break, a friend of the law school passed away; Goal the goldfish had long supported Marshall-Wythe and his demise is a clear tragedy for the legal community. "Goal was a small fish," said his dearest friend, Third, "and yet there are those who loved him."

Giguere Elected SBA President

Further Elections Scheduled For Next Week

Current Vice-President Mike Giguere won a landslide victory to become the new President Elect of Marshall-Wythe's Student Bar Association.

Giguere was formally opposed by first year student John Young. Giguere tallied 114 votes to Young's 17 to attain the coveted position. There were also several write-in candidates who scored votes, led by last year's surprisingly strong candidate, John Nolan, who tallied three.

Giguere will replace outgoing President Jim Ronca in an S.B.A. Board meeting which will take place early next week.

Ronca said of his tenure in office, "I have enjoyed very much being President. The job has had its frustrations, but I believe that this Board has accomplished a good deal and I have enjoyed working with many of the people involved."

"Mike has had a lot of experience, and he was very active on the Board this year. I am sure that he will do a fine job and get a lot done for the school."

Giguere said of his new post, "I am very pleased to have been elected. I have a lot of ideas, and I hope that I will be able to implement some things that will be good for the school. I am looking forward to getting a new board elected so we can get to work, and I hope that we can do well as the last Board did."



SBA President-Elect Mike Giguere

In a related incident, the elections for other S.B.A. officers and representatives were postponed from March 9th until Monday, March 20th. Ronca explained the reasons for this. "Several of the original candidates withdrew from the elections and we felt that it was necessary to wait a while both to get some new candidates to run and to let everyone know who as running for what."

Current candidates include: Vice-President: Phil Bane, currently a second year student. Doug Macpherson, currently a first year student. Secretary: Bev Karch, currently a second year student. Treasurer: Dorry Martin,

currently a first-year student. Third Year Representative: (current second year students eligible, two will be elected.) Bob Rappaport, Andy Thurman. Second Year Representative (current first year students eligible, two will be elected.) Thelma Carroll, Kevin Connelly, Ross Locklear, Chris Mellott. Platforms for a few of the candidates for office appear elsewhere in this issue. Many of the candidates declined to submit a platform, choosing to rely instead on their reputation in the community. Voting will be held in the second floor corridor on Monday, March 20.

Editorial:

A Better Mouse Trap

The closer we get to examination time, the better we recognize the need at this law school for a more liberal attitude, among the faculty and administration, toward scheduling. Students are frequently warned during registration to have regard for the exam schedule that their courses will impose on them. For this reason, students have often been forced to take courses either uninteresting to them or out of kilter with their preferred timetable. There is no apparent reason for such a burden; indeed there are numerous considerations that make compelling the argument for free and open student-scheduled exams.

If an open exam schedule was adopted by Marshall-Wythe it would not qualify us for a position in the vanguard of legal education. Many law schools and colleges have recognized the capacity of students to prepare for exams as they see fit. Some students favor saving their more difficult exams for last and benefit by easing into the exam process. Why should they suffer because someone else feels the student ought to take his exams according to a rigid schedule? Honor is not a thing of the past at Marshall-Wythe; students, we feel, will be no less motivated by the honor system under an open schedule plan.

When Kant declared that freedom is independence of the compulsory will of another, he undoubtedly was not thinking specifically of the Marshall-Wythe exam plan; but the administration at Marshall-Wythe, which urges us to be lawyerly, ought to credit us with sufficient honor to merit freedom from their compulsory will. It is not too late to build a better mousetrap.

Can California Cope With Legal Appetite?

by J. Anthony Kline

Reprinted from the L.A. Times

The word "crisis" has become so much a part of America's public life that it is now something of a cliché. It nevertheless, aptly describes the situation of California's legal system.

Simply put, the problem is this: The state's trial courts are crushingly overburdened and congested; its mechanisms for promptly resolving minor disputes are either inadequate or nonexistent; the adversary process is in disrepute; the criminal-justice system has suffered a loss of public confidence; legal procedures are hopelessly arcane and unnecessarily complex, and a growing number of legal services are prohibitively expensive and, therefore, inaccessible to many in need.

Obviously, this is the sort of horrendously complex problem that would seem to defy easy solutions. Yet California's legal profession, which bears major responsibility for bringing the state's legal institutions into accord with society's needs, has responded to the current crisis by advancing a deceptively simple plan: Increase — or rather, continue to increase — the number of courts and judges.

Given the simplicity of the plan and the energy of its proponents, it was no surprise when the last session of the California Legislature passed bills creating 64 new judgeships. It was a shock, however, when Gov. Brown vetoed 54 of these additional judgeships, including 34 superior court positions earmarked for Los Angeles County. Reluctantly, the governor allowed the bills authorizing 10 new judgeships to become law without his signature.

California's lawyers and judges have generally responded to the governor's action with hostility. Curiously, though, their public criticism has focused almost entirely on an issue which Gov. Brown has never disputed: the existence of an ever-increasing backlog of unresolved court cases. Actually, the disagreement between the governor and the legal profession is much more fundamental. It concerns not simply the size of the judicial system, but also the role of the courts and the law in contemporary society.

Americans have always been obsessed with law and the legal process. This obsession has, in turn, fostered the belief that every human problem has — or should have — a legal solution. This idea is, needless to say, highly attractive to the bar, whose members, whether consciously or not, advance it at every opportunity. Since the business of lawyers is to service legal needs, they have been disinclined to minimize such needs or to discourage any popular desire to seek their services.

As a result, the United States — and particularly California — has recently experienced a proliferation of lawyers that is nothing short of astounding.

In 1900, there was approximately one lawyer for every 1,100 Americans (which, incidentally, is a higher lawyer-to-layman ratio than today exists in almost any other major industrialized nation). Twenty-five years ago, the American ratio was one to 700; last year, it was one to 530. Since 1970, the number of American lawyers has grown by 14 percent, while the nation's total population has increased only 6 percent. Thus, approximately one out of every 125 adult males in the United States is now a lawyer.

California's statistics are even more dramatic: Twenty-five years ago, there was one lawyer for every 761 Californians. Today, the ratio is one to 385. San Francisco, which has a total population of 654,000, has more than 6,500 lawyers. In other words, approximately

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Letters To The Editors

Several things to complain about this time.

First, I get tired of reading reviews of law school parties in the Amicus. On its face, reviewing a law party is an exercise in futility. Who wants to read about which beautiful people showed up and what they were wearing, not to mention the various inside jokes that invariably appear in such reviews. Instead of such pointless reviews, I propose to preview a party that will be held this Friday night. I am referring, of course, to the Saint Patrick's Day party that PAD is holding. PAD, as is universally acknowledged, knows how to throw a party, and March 17 is a perfect excuse to exceed your limits. Should be a good time.

Partying brings to mind another sore subject, namely the utter lack of an adequate neighborhood tavern in Williamsburg. The various places which purport to fill this void in this town fail. I mean, the Pub is basically a meat market that is too crowded and too loud for reasonably sized individuals who can hear, not to mention that one is often forced to fraternize with those William and Mary undergrads, a horrid thought. Then there is the Greenery, which is over-priced, and delights in presenting music that makes the Ray Conniff Singers seem like an innovative musical force. It makes one feel like a 45-year-old semi-successful Fuller Brush salesman to go there, what with their dress code and haughty attitude. Then there is Rainbows End, which is an ideal place to get into a knife fight in a basement. There is always the Cellar, which is overpriced and seems to cater to an underage high school crowd. Finally, there is the Cave. The bomb shelter atmosphere is only rivaled by the bazouki music on the juke box, not to mention that the beer tastes watered down.

What this town needs is a nice place where one can sit down, get a big pitcher of beer, and be able to relax and converse quietly. Why hasn't the SBA done anything about this? Are there any entrepreneurs out there. Make sure you don't put a 3 beer limit on it, and I guarantee success. Personally!

Mark F. Dempsey

2 March 1978

Dear Editors and Studentry. 2 Strunk & White xi (1972):

Here I sit, all broken-hearted. I'm in a poor mood, for from here on out I'll apparently have to cope with the deluge of legal verbiage, common at least to first year classes, without hope of entertaining relief during the ten or so minutes between classes.

What's my gripe? When I came to this school, I quickly grew accustomed to reading the ever-changing, ever-entertaining, and oh-so-pragmatic scribbles on the walls and stalls so the Law School men's rooms. Yessireebob! Mondays, Wednesdays, and Fridays I'd take my place in line to ponder the writings in the mini-library next to the Moot Courtroom. For

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The Naked Eye:

Mined Power and Acute Hippocrisy

The Naked Eye wishes all a warm welcome back to the salt mines. He has been thinking about mines, lately — bituminous coal mines, mostly — and would like to use this opportunity to congratulate the coal miners on the resounding wazoo with which they have answered the Taft-Hartley back to work order. It seems to be an elemental fact that those who are most responsible for the production of any commodity be paid the most for it, and it surprises us that only now are the coal miners awakening to the full realization of the power they have. We are, moreover, heartily sick of the whining of the mine operators at the prospect of paying for improvements in the mines and workers' pensions.

Their complaints are nothing more than the cries of a bully upon whom the tables have suddenly turned. The operators' sense of fairness, it seems, was not quite so highly developed when they were able to use their superior economic power to force the miners to work in dangerous (more than 100,000 miners have been killed in accidents since 1900 and millions more have had their respiratory systems destroyed by breathing coal dust) claustrophobic mines for low pay and few other benefits. We think both sides deserve what they are going to get — and the miners are going to come out with the big piece of the wishbone.

Terrorism is also big news this week — in Israel, in the Netherlands, yes, and even in Irvine, California, where Bubbles the Hippopotamus was rubbed out by a team of hired assassins. To recount the entire saga of Bubbles her South African roots, her early career as a showgirl in a popular Johannesburg watering hole (during which time her act consisted of wallowing around naked in a puddle of water). The tragic love affair with a white rhino which led to her conviction for miscegenation and sodomy, her dramatic flight to the United States and subsequent — would be pointless now. The author wishes only to recount the circumstances of her death to the end that her death be not in vain.

Sources close to the FBI have indicated that at the time of her second escape Bubbles was being detained in a holding cell or, in police parlance, "cage," pending a hearing on extradition to South Africa. Those same sources, however, are keeping unusually quiet about the exact method of escape used by Bubbles, thus speculation has focused upon the likelihood of her having had inside help — possibly from a disgruntled or corrupt guard.

In any case, Bubbles made her way to a pond and ensconced herself in its muddy depths. The maneuver proved fatal however — authorities simply pumped water out of the pond. Had law enforcement officials been satisfied with merely recapturing her, tragedy could have been averted. Bent on stripping her of her constitutional rights, though, the bloodthirsty oppressor devils coldly shot Bubbles with powerful depressant drugs in such a way as to cause her to lose consciousness and tumble headlong down a hill.

The rest is history, never to be forgotten by freedom loving fauna. The first act of retribution, in fact, has already taken place; a Chicago elephant, upon learning of the assassination of Bubbles, retaliated by seizing an unsuspecting gentleman with his trunk and smiting him upon the ground, causing this gentleman's sudden and unexpected demise. The torch of freedom burns on . . .

AMICUS CURIAE



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California's Appetite, Cont'd.

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one out of every 100 residents of that city is an attorney. Similarly, one out of every 363 Los Angeles County residents is now a member of the bar.

Moreover, across the nation law schools are expanding. In 1950, there were 50,000 law students in the United States; today there are more than 125,000. California, which gains more than 5,000 new attorneys annually, has 25 percent of all the nation's law schools and 30 percent of its law students.

What are all these lawyers doing? It appears they are going to court. Indeed, a recent study disclosed that in 1976 more than 80,000 lawsuits for personal injury, death or property damage were filed in California, an increase of about 5,000 over the preceding year. According to the study, the number of such suits is growing more than five times as fast as the population.

This dramatic increase is but part of a long-term trend that has been accompanied by a ritualistic annual expansion of the state judiciary. Thus, while California's total population has grown by 14 percent during the last decade, the number of superior and municipal court judges increases by 50 percent. Similarly, the number of commissioners and referees who assist those judges increases by 123 percent. With its current complement of 1,312 judges, commissioners and referees, California has a far larger judicial system than exists in any foreign nation. Indeed, there are very few countries that have as many judges as Los Angeles County.

Since 1947, there has not been a single year in which the governor of this state did not sign at least one bill increasing the number of California trial courts. In fact, Jerry Brown is probably the first governor in the state's history to veto such legislation. He did so, not because he questions the existence of massive court backlogs in many counties, but because he is no longer persuaded that the addition of more judges is an acceptable solution to this problem.

The governor has approved modest expansion of the judiciary in those counties where the need is greatest and where other remedies have been exhausted. But his primary interest is in the sort of fundamental reform that would eliminate the need to constantly expand the state judiciary.

Thus, during the past two years the governor has offered a series of legislative measures designed to achieve four goals:

- The reorganization of the trial courts;
- The simplification of the judicial process;
- The removal from the courts of certain types of disputes which can be more fairly and efficiently resolved elsewhere;
- And the expansion of arbitration and conciliation as alternatives to litigation.

Attaining these goals has proven far more difficult than the casual observer might suppose. For example, although there is broad consensus on the necessity of court reorganization, this reform has been stymied by a strong disagreement among trial judges themselves.

On the one hand, municipal court judges have urged total unification of all trial courts into a single, more flexible countrywide court. Most superior court judges, on the other hand, resist unification, maintaining that any reorganization should be confined to the municipal courts. It remains to be seen whether the trial judges will resolve their differences and, as suggested by the governor,

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Forty six students and four professors are seen gathered here on the steps of the Supreme Court Building following the Historical Society's trip to Washington, D.C.

SCHS Invites Judge To Lecture At MW

by Ann Morrison

On Thursday evening, March 30, Chief Judge Edward D. Re of the United States Customs Court will deliver the final lecture of the 1978 John Marshall Lecture Series sponsored by the Marshall-Wythe chapter of the Supreme Court Historical Society. Judge Re's address, "The Role of the Lawyer in the Judicial Process," will be given in the Moot Courtroom at 7:15 p.m. A reception will follow.

In 1977 Judge Re was appointed Chief Judge of the United States Customs Court after serving on the court for eight years. As an active member of the Supreme Court Historical Society, he chairs the Law Student Membership Committee which seeks to encourage student participation in

the organization.

During the Johnson Administration, Judge Re served as Assistant Secretary of State for Educational and Cultural Affairs. He also chaired the Foreign Claims Settlement Commission of the United States under President Kennedy and Johnson. In addition, Judge Re has had a distinguished career as an educator, teaching at New York Law School, Georgetown University Law Center, the Federal Judicial Center and St. John's University, his alma mater.

Judge Re's lecture will conclude the activities of the Supreme Court Historical Society for this year. Election of officers will be held on the evening of March 30 before Judge Re's presentation.

Where Are All The Lawyer's Going?

(Editor's Note: The following speech was presented as a part of the program of the Administration of Law Schools Section of the Association of American Law Schools, December 27, 1977, Atlanta, Georgia. The author is Gary Munneke, Assistant Dean and Director of Placement, The University of Texas School of Law, President, National Association for Law Placement.)

Every year there appear more than a few articles describing the employment prospects for new lawyers as dismal at best. This year's annual scare story appeared in the Washington Post, November 25, and was repeated in the L.A. Times about a week later. The title was a somber "New Lawyers Flood the Market." The article seems to suggest that law students who didn't graduate in the top 10 percent at Harvard or a comparable school had better plan to make their livelihoods driving cabs or waiting tables.

As a placement director, I resent these articles because they are generally simplistic in their analysis and misstate both the nature and extent of the problem. Of course, I also dislike them because they strike terror into the hearts of law students with whom I deal. Those students who have already been unsuccessful in their job interviews are made to feel that they will never be successful. Those who have not yet started, do all they can to avoid the inevitable. They all fear what Bob Dylan said not too long ago: "Twenty years of schoolin' and they put you on the day shift." I used to think when I visited other law schools that the reason the placement offices were frequently located in a basement was that the schools were giving inadequate attention to placement. Now I know that the offices were located where they were to reduce the suicides when these articles appear.

The placement scare stories almost always juxtapose employment predictions by the U.S. Department of Labor, Bureau of Labor Statistics and the actual number of law graduates, suggesting an acute overabundance of new lawyers. In 1973, the BLS projected 16,500 jobs for 31,000 graduates, figures which are still quoted today despite a 1976 estimate of 26,400 jobs for 34,000 graduates. The BLS attempts to predict growth in the profession on the basis of: 1) national economic trends, 2) reports of various state and federal employment and research agencies, and 3) replacements for those who leave the profession due to death or retirement, or to enter another profession.

It is important that any discussion of supply and demand for legal services not stop with the BLS predictions. Let me add that it is impossible to discuss questions of supply and demand separately, and my comments will reflect this.

The Bureau of Labor Statistics itself admits that its "projections tend to be conservatively biased." Thus, for growing professions the outlook is usually better than projected. A more serious

problem for BLS is how it defines "the legal profession." Is it all persons who have graduated from law school? From an approved law school? Or is it the number of persons licensed to practice law? Or maybe it is the number of persons engaged actively in the practice of law. The fact is the BLS does not have a clear definition for the term "legal profession."

When BLS uses the total number of annual law graduates in making projections, it fails to consider those who do not intend to enter the legal job market, or who fail the bar exam and cannot enter it. The National Association for Law Placement in its employment survey of the Class of 1976 found 6 percent of the graduates — whose whereabouts were known — to be in this category. In addition, many of the 20 percent who graduated from part-time programs returned to jobs they held prior to law school, and thus did not enter the job market. There are many things which lawyers can and do choose to do outside of the practice of law. In fact, as society becomes more complex, there are increasingly fewer endeavors for which knowledge of law or a law degree do not provide tangible benefits.

In terms of the demand for legal services, there must be more to be considered than employment projections. The American Bar Association Task Force on Professional Utilization in 1972 concluded: "1) There is no conclusive evidence to indicate that there are now or are likely to be in the future more legally trained men and women than can satisfactorily and productively be employed. 2) The existence of a large pool of well-qualified, legally trained individuals constitutes a major opportunity and should be viewed as a significant national resource."

If there are legally educated persons who are unemployed or underemployed, it is not because there are not opportunities. It is not because there are no societal needs for more legal services for presently under-represented groups. The problem as I see it is one of distribution. There are too many applicants in areas already saturated with attorneys, and too few in areas where there are unmet demands.

The Nalp Employment Survey gives a clear picture of the demand for legal services as

This Galloped Ground

by William S. Fields

The giant of the California wine industry is the Ernest and Julio Gallo winery of Modesto, California, which accounts for 40 percent of the market. Gallo produces a wide variety of products including table wines, sparkling wines, fortified wines, and fruit-flavored wines. It is best known, though, for its reasonably priced jug wines which served to stimulate a new interest in wine drinking in the United States.

Although Gallo pioneered in the production of inexpensive, low quality flavored wines such as Ripple, Spanada, Muscatel, and Thunderbird, they have in recent years taken steps to upgrade the quality of a number of their products. By using grapes from Northern California counties such as Napa, Sonoma, and Mendocino, Gallo has upgraded its Hearty Burgundy and Chablis Blanc making them two of the best values in American generic wines. In addition, Gallo came out with a line of varietals in 1974 — Zinfandel, French Colombard, Sauvignon Blanc, and Ruby Cabernet, which are priced low enough for everyday drinking. Of these, the Sauvignon Blanc, a dry white wine with a pleasant bouquet, is perhaps the best.

Though Gallo makes a number of dubious products, many of their wines are excellent values for the price. Both their generics and varietals are inexpensive, readily available and of reasonable quality.

reflected in the jobs accepted by the nation's law graduates. The 1976 survey covering 123 law schools with almost 25,000 graduates, reports the employment status of 19,524. Of these, 16,939 or 92 percent of those qualified and seeking employment, are, in fact, employed in law-related positions six to eight months after graduation. Over 52 percent are in private practice, 17.5 percent working for federal, state and local governments, 10 percent joined corporations or other business enterprises, 9 percent accepted clerkships, 5 percent went to public interest law and legal services, 3.4 percent stayed in the academic community to study or teach, 2 percent joined the military, and the rest were in miscellaneous fields including prepaid legal services. These percentages are almost identical to those in the 1975 NALP survey.

(Editors note: Read Part II of Dean Munneke's speech in the next issue of the Amicus, March 30, 1978.)

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California's Appetite, Cont'd.

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develop their own reorganization proposal.

In the interim, however, the governor has signed a bill which, on a trial basis, authorizes certain municipal court judges in San Diego County to hear and decide cases which would normally be filed in the superior court. This experiment, which was strenuously opposed by many of the same superior court judges who are insisting upon the enlargement of their own courts, will at least keep the issue alive.

But it is the lawyers of this state, not the judges, who have most aggressively frustrated efforts to secure progressive reform. Indeed, one striking example of the bar's obstinance involves the handling of traffic infractions. In 1976, after lengthy study, the Department of Motor Vehicles proposed that the disposition of petty traffic violations be taken out of the municipal courts and placed in the hands of independent administrative hearing officers.

Such a step, which has been adopted by a number of other states, would not only save an estimated \$13 million per year, but would also create a more humane, accessible, and expeditious system of dealing

with such cases. It also would relieve the courts of the huge volume of routine traffic matters that in some areas occupy almost 20 percent of the municipal judges' time.

A. Alan Post, then California's legislative analyst, conducted a companion study which reached the same conclusions as the DMV's analysis and endorsed the plan. The legislation drafted by the DMV modestly proposed a five-year pilot study limited to three contiguous counties — Sacramento, Placer and Yolo.

Although the measure had the support of the three county governments involved, the Trail Lawyers Assn. opposed the bill and successfully bottled it up in committee. The lawyers argued that passage of the bill would have undermined the right to have one's day in court. However, anyone who has ever spent a day in traffic court in any metropolitan county must wonder why this "right" deserves to be preserved.

What these examples illustrate, I think, is that the public interest in resolving civil disputes justly and with dispatch — outside the courtroom if possible — is increasingly viewed by the legal profession as a threat to its own special interest in generating business. This interest, of course, depends upon conflict or the threat of conflict, and the more sustained the better.

Moreover, the legal profession's economic insecurity has been exacerbated by the fact that the supply of lawyers is seriously beginning to outstrip society's demand for their services. According to a recent study commissioned by the California Young Lawyers Assn., more than 20 percent of all attorneys admitted to practice in California during the last five years are having "significant difficulties in finding employment as lawyers."

It should be emphasized, however, that lawyers' aggressive interest in securing employment is by no means the only reason America has come to view the courtroom as the preeminent forum for the resolution of disputes. Indeed, this fixation also derives from the weakening of other, less formal social institutions. The family, the church, the school and the neighborhood community are losing their authority; and because of this state's enormous population growth, urbanization and mobile lifestyle, this is more true in California than elsewhere. Thus, the multitude of private and informal mechanisms for the resolution of disputes that operate effectively in most societies are relatively ineffective here.

Organizationally and individually lawyers must come to terms with the limits that society imposes. We cannot fashion society to meet the needs of the legal profession, but we can and must refashion the profession and the law to meet the needs of the people.

**The
"Un-Party"**

Sat. 9:00-1:00

Little Theatre

Non-PDP's-\$1.50

Letters, Cont'd.

(continued from page 2)

a change of pace, on Tuesdays and Thursdays I'd risk being late to Brion's class to catch all the witty words in the second-floor stalls. Yes, I'm addicted to graffiti, and I'm not ashamed to admit it, although I'll admit that it adds nothing to my resume. As a matter of fact, my resume would look good above one of the urinals. Never the center urinal, mind you, because no one ever uses it because the next guy in would have to stand right next to you, and you wouldn't want some of the guys around here standing so close when you're in such an uncompromising position. Although I'm not against kinkiness, mind you again, since I've only one kink I feel that I should be discriminating at least.


I seem to have gotten off point. Anyway, the Administration, which is backed by the communists, no doubt, seems to be waging war on bathroom graffiti. It's been scrubbed off, scraped away, and even covered up with a most obnoxious shade of blue paint. I see this as no different from Hitler's burning of the books. Keep the truth from the people and they'll know not the extent of their repression.

Yes, the truth is being "burned" off the walls so quickly that some students may not even get a chance to learn that Sullivan got a "C" in his contracts class at Harvard, or that Williamsson's ancestry is, at most, questionable (canine?). The information that I've gathered from those tarnished tiles is invaluable. I've learned who to call for a good time. 2 M.C. Stall 3 (1977). I've learned who not to drop my soap around. 1 2dFl. Stall 14 (1978). The list continues *ad infinitum*, and I'd even considered digesting it all until these priceless treasures began to be exterminated. I had to call West and tell them to stop the presses.

What can be done about it? Revolution! Yes, all of us septic scholars must whip out our Bics with a fury unknown to modern custodians. We will scribble in the stalls, we will scribble by the urinals, we will scribble by the sinks, we will not be defeated. WE will not let anyone feed us that horseshit about "appearance" or "decorum." Nosireebob! The time has come for us to show the Administration that no amount of Ajax or blue paint can defeat us. An educated people is a free people.

Libelly yours,
"Mac"

P.S. I'll expect a similar show of outrage from you women connoisseurs. By the way, women, for a good time, call 253-4342!




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Parking

The JAG school has offered parking spaces for 80 automobiles for the use of law students this spring. Information on the assignment of these spaces will be forthcoming from the Dean's Office.

Amicus Curiae Quote of the Fortnight: "The Student Bar exists to help students. How can it succeed if students don't get involved?" . . . Terri Crum candidate for second year student representative.

More Candidates Enter SBA Race



by Chris Mellott

There are two goals I would try to achieve as your SBA representative. My first concern is making sure your ideas have a direct input into the working and plans of the Student Bar Association. In order for a student government to have any meaningful existence it must concentrate its efforts on matters of student concern. This is a small class and each member should feel he or she has a voice in the running of the SBA.

Secondly, I feel it is very important that you, the law students, know what your Student Bar Association is doing. Keeping you informed of meetings and their purpose, of social events, and of special projects is important for an active Student Bar. You can only become involved when you know of programs that interest you.

Some of the areas I think we as the Class of 1980 should consider are: a closer relationship between the Law School and the rest of the College through participation in projects that

affect the whole campus, an active social calendar offering the law students some hours together on the dance floor or at a football game rather than in the classroom or library, and continuing information programs on available summer jobs and careers in the legal profession through contacts with the placement office and the alumni.

As your representative I will work to get you involved and keep you informed of what your SBA is doing



Doug MacPherson

One of the things that I immediately noticed upon coming to Marshall-Wythe last fall was the amazing sense of comradery which seems to bind us together as law students. Perhaps this was a common reaction to the newness and confusion of the law school environment, but for whatever reasons it came about, it's a

wonderful thing, and can be the basis for an S.B.A. that fully realizes its potential effectiveness.

I am running for Vice-President of the S.B.A. because I would like an opportunity to be a voice for law students. I think that I can gather up your suggestions and your bitches (colloquial, please) and present them to the proper individuals with a speed and concern that you deserve. I'm not afraid to talk. I'm not afraid to talk rather loudly. I'm not afraid of being

branded, or even of having tongues stuck out at me. I am afraid, however, of an S.B.A. that does not do justice to the ideas of the students that elected it. I can promise a willingness, a desire, and my utmost effort to represent you effectively.

I don't think I'm wrong in suggesting that you keep this in mind, whomever you vote for, when you decide what kind of an S.B.A. you want for the students at Marshall-Wythe.

Respectfully submitted,
R. Douglas MacPherson

St. Patty's Day Bash

8:00 P.M.-12:00

Lake Matoaka Non-PAD's-\$1.00

**ATLA Presents:
The Second Annual
Criminal Law Seminar**

**Topic
Va.'s New Capital
Punishment Act**

**March 16, Moot Ct. Room
7:30 P.M.**