

10-6-1978

The Advocate

The Advocate, Fordham Law School

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The Advocate, Fordham Law School, "The Advocate" (1978). *The Advocate*. Book 84.
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THE ADVOCATE

The Student Newspaper of Fordham Law School

Blue Cross Group Plan Dropped After Mix-up

by Warren Graham

The Student Bar Association has eliminated its Blue Cross Group Coverage Plan following a filing mix-up last year which could have exposed the SBA to liability for unsatisfied claims.

According to Peter Altieri, SBA treasurer, the problem arose last fall when Blue Cross, without informing the SBA, changed its enrollment policy to require that all enrollment take place during the months of September and October.

Without knowledge of the new requirement, last year's SBA treasurer, Jim DeWindt, accepted applications and premiums, twelve of which did

not conform to the new Blue Cross Policy.

The situation became public last spring, when one of the twelve students not covered by the plan put in a claim for medical expenses. It was then that the mix-up was discovered.

Subsequently, the SBA, at one of its last meetings of last year and without knowledge of the student's identity, passed a resolution saying that the SBA would reimburse the student if Blue Cross failed to honor the policy.

According to both Altieri and the student involved, Blue Cross later relented and reimbursed the student for the claim. The remaining students were also given coverage after it was pointed out to Blue Cross that the SBA had not been notified of the change in procedures.

The result, according to Altieri, is that the SBA has decided to eliminate the plan, which offered a savings of approximately \$35 per year to students, rather than face the risk of extensive liability should the problem again arise.

Fordham students will not be without insurance protection altogether, said Altieri, because the SBA will continue to offer applications for Blue Cross coverage on an individual and family basis. Fordham University's own medical plans are also available, he added, but interested students must sign up for this plan by October 15.

Five Added to Faculty

by Jack Hughes

A total of five new professors have been added to the faculty at Fordham Law this fall, including two associate professors, two visiting professors, and one adjunct professor in the evening division.

The two new full-time associates are Professors Maria L. Marcus, who will teach Criminal Law, Federal Courts and Advanced Procedure, and Andrew Sims, who will teach Constitutional Law and Remedies.

Marcus, a graduate of Yale Law School, comes to Fordham after having spent two years as an adjunct professor at NYU Law School.

She is also a former assistant attorney general for the state of New York, having run that office's litigation bureau.

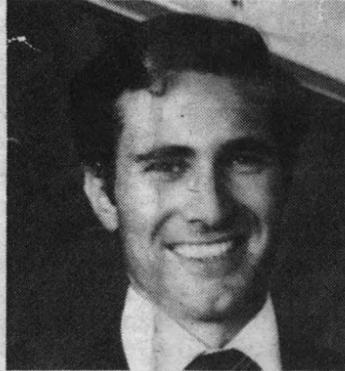
Marcus said that she had been "doing a little bit of teaching and a lot of litigation" in her dual capacity with the Attorney General's office and NYU, and that she "simply felt" that she would like to reverse her priorities.

Andrew Sims, Fordham's other new full-time faculty member, comes to the school by way of a clerkship with Chief Judge Charles D. Breitel of the New York Court of Ap-

Continued on Page 4



Maria L. Marcus



Andrew Sims

FLS Lands in Top Ten In Two National Polls

Fordham Law School is the fifth hardest law school in the country to gain admission to, according to a recent survey by the *National Law Journal*.

The report, which appeared in the first regular edition of the new legal weekly, noted that for the 1978 entering class, only Yale, Harvard, Columbia, and Stanford law schools were more difficult to get into than Fordham.

According to the survey, only 650 students were accepted to Fordham out of a total of 3,961 applicants, resulting in an admission rate of 16.41 per-

cent. Yale headed the list with an 8.75 percent admission rate, followed by Harvard with 10.41 percent, Columbia with 15 percent, and Stanford with 15.86 percent.

Ranking after Fordham on the list were such well-known law schools as the University of Virginia, the University of Chicago, New York University and Cornell University.

Interviewed for the *Law Journal* article, Dean William Moore was at a loss to explain Fordham's showing in the poll.

"I know we have in mind

that we can only accept so many students in any given year," Moore was quoted as saying, "but other schools have the same problem. I just can't really understand it."

Nonetheless, the *Law Journal* noted that "the amount of competition for each place in the entering class paralleled the school's usual standing among law schools."

Fordham also rated highly in another survey released recently—the 1978 Salary Survey conducted by *Juris Doctor* magazine of its readers. Continued on Page 3

Legal Aid Debuts at Fordham

by Jack Hughes

In conjunction with the New York Legal Aid Society, a group of Fordham Law students have formed a new organization, the Fordham Legal Aid Society, to expose students to the practical aspects of a legal services program.

The Legal Aid Society has been operating its Community Law Offices in East Harlem for 10 years, but this is the first chance Fordham students will have to participate in the program.

Located at 106th Street and 3rd Avenue, the members of the group work with economically disadvantaged members of the community to help them resolve their legal problems.

Currently, the organization is staffed by six full-time lawyers and 16 support people, some of whom are social workers and community consultants. In addition, about 50 New York law firms supply and remunerate approx-

imately 400 lawyers who spend part of their time doing work in Harlem.

But the full-time staff and volunteer part-timers are not enough to cover all of the organization's requirements, and law school students who are willing to volunteer their time are needed.

"The need for a larger staff has opened the doors for law students to work with and contribute to the community as well as gain practical experience," said Bruce Gitlin, the second-year Fordham student who initiated the program by contacting the organization.

Gitlin explained that he felt that students should have the opportunity to work with the Legal Aid Society while they are still in school.

"Providing free legal services to people who are unable to pay for lawyers is an inescapable responsibility of the legal profession," said Gitlin. "The Legal Aid Society at Fordham and the

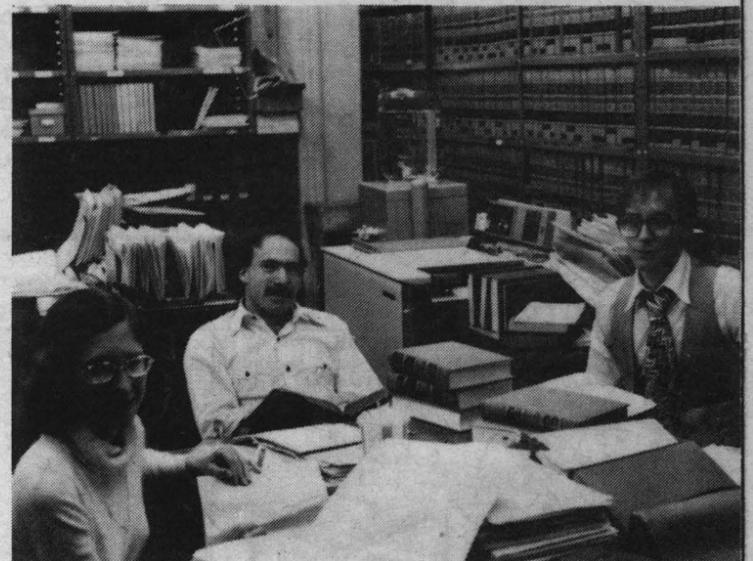
Community Law Offices in East Harlem exist to fulfill that responsibility."

Last year, about 2000 clients, individuals and community organizations, used the law organization's services in matters ranging from uncontested divorces to criminal defense to complicated housing transactions to saving apartment houses that might have otherwise have been lost to abandonment.

Since its beginning, over 1500 lawyers have participated in the program. One estimate of the value of the organization's private contribution is \$1 million.

For students who would like to volunteer—any student may participate—there is an eight hour per week commitment for at least a semester.

Gitlin explained that the student is assigned an attorney and is taught to represent clients in one of a wide range of proceedings including welfare hearings and



Fordham Law students at work at the Community Law Office in East Harlem last week.

housing cases. Once trained, the student becomes the sole representative of the client at the hearings and works with the client until the case is settled.

In addition to the work in East Harlem, the Legal Aid Society at Fordham in conjunction with Professor

Harper, who is the faculty liaison with the school's administration, is looking to become a forum for discussion of legal issues and speakers.

Students interest in participating in the program may contact Gitlin, a member of section 2A.

THE ADVOCATE

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The Advocate is the student newspaper of the Fordham University School of Law, published by and for the students biweekly during the school year. Editorial opinions expressed are those of the Editor-in-Chief, and do not necessarily reflect those of the University, the School, the students or individual members of the staff. Communications may be addressed to The Advocate, Fordham University School of Law, Room 048A, 140 West 62nd Street, New York City 10023. Advertising inquiries should be addressed to the Business Manager. Letters to the Editor, preferably typed, are welcome.

Wormser Arguments Pushed Back

by Stephan Kallas

In a departure from previous years, the Moot Court Board has announced that the oral arguments in the I. Maurice Wormser Moot Court Competition will be held during the first two weeks in January.

In past years, arguments in the Wormser Competition were held late in the first semester, generally in November. According to Ed Burke, chairman of the Moot Court Board the change is "for the convenience of the students."

Burke noted that in years past, the contest was barely over before the first semester exam period began.

This year the Wormser problem will be available on October 16, and briefs will be due in mid-November, allowing more study time for exams.

The competition is open to any upperclass student in the day or evening school, ac-

ording to Burke, and students may sign up either as a two-man team or individually.

In addition to the intra-school Wormser and Mulligan competitions and for those who strive for inter-school competition, the Moot Court Board coordinates Fordham's representation at a number of regional and national competitions.

Burke said the Board was "hoping to improve our performance over past years" by seeking the help of those students who have already participated in one inter-school competition to coach the new teams.

The teams for the inter-school contests are generally made up of three students who are selected on the basis of interviews.

Anyone may apply for an interview to participate on one of the teams, said Burke, noting that the criteria for selection include "per-

formance in an in-school competition, demonstrated writing ability, or a particular knowledge of the subject matter involved."

Upcoming competitions include:

- The Jessup Competition, in which a team of students represents the Fordham International Law Society in the annual International Law Moot Court Competition.

- The Kaufman Competition, which is sponsored by Fordham and which presents a problem in securities law. Formerly restricted to schools in the Second Circuit, the Kaufman will be a national competition for the first time this year.

- The Sutherland Cup Competition, dealing with a constitutional law problem.

- The National Moot Court Competition, in which a team of three Fordham students represent the school against teams from all over the country.

Babitt Cleared In Bankruptcy Case

Federal Bankruptcy Judge and Fordham Law Professor Roy Babitt has been cleared of any misconduct for his handling of the D.H. Overmyer Co. bankruptcy case.

A five-member Bankruptcy Committee, made up of judges from the Southern District criticized Babitt for using "poor judgement" in approving the appointment of his brother's accounting firm to aid the receiver in the bankruptcy proceeding.

However, the judges, at one point expressing their "high regard" for Babitt, found no merit in charges made by the Daily News that Babitt had acted improperly in appointing attorney Robert Herzog as the receiver in the action and in failing to conduct a hearing on charges of impropriety by Herzog.

The committee found that in both instances Judge Babitt's actions had met with the approval of Daniel Overmyer, head of the bankrupt

companies, and his attorneys.

As to the appointment of his brother's firm, the committee said simply that "While Referee Babitt acted in good faith, he should have been aware that the appearance of influence was ever present and the situation should have been avoided."

The investigation by the committee was begun after the appearance of a story in the Daily News, displayed prominently on the paper's front page and covered extensively inside the paper, detailing and questioning Babitt's actions in the case.

Babitt said last week that he had no comment on the committee's report. As to the News coverage, Babitt said "All you need to be a reporter is a pencil and paper—anyone will buy your bullshit. I don't think reporters are anywhere near as regulated as doctors, lawyers, dentists and other professionals. They have no pretense to be professionals."

Alumni Plea Nets 176G

by Marshall Donat

The Fordham Law Fund—Campaign '78, the annual fundraising effort run by the Fordham Law Alumni Association, has raised a total of \$176,000 for use by the school this year.

According to campaign chairman Paul Curran, '56, the money, raised over a twelve month period ending on June 30, represents a \$75,000 increase over Campaign '77's total. Curran also noted that the first campaign only netted \$25,000 when it was held six years ago.

All of this year's gifts are unrestricted in nature and will be used to cover such expenses as financial aid, extraordinary library expenses, the Dean's Day program, salaries for students doing faculty research, and the Urban Law Journal budget. These items

are not covered in the main law school budget.

According to Dean William Moore, the law school does not have the final say on how the money will be spent, but the school's recommendations have been followed in recent years.

"The goal of these cam-

paigns," according to Professor Robert Byrn, "is to develop a habit of giving in our recent graduates so that, theoretically, as their income increases, contributions increase as well."

Campaign '79 is currently under way, according to Curran.

Presidential Corner

Frustrating, Isn't It?

by Florence M. Fass

I arrived two minutes late for Professor Quinn's first class in commercial paper. Not to my amazement, all of the "comfortable" table slots had been filled by zealous second year students still vying for the best board-eye contact positions or lethargic third year students who now do scheduling around room assignments.

Somewhat to my surprise, even the plastic, rainbow-colored assortment of useless kindergarten craft desks placed at the blackboard line and along the two walls had also been filled.

In desperation, I looked to the new row of ceiling seating which had been inconspicuously installed over the summer months to accommodate the chronically late. Alas, all taken! With stoic resignation (a comfortable posture for third year students) I took my place on the window sill with a dozen of my fellow post-bell arrivals.

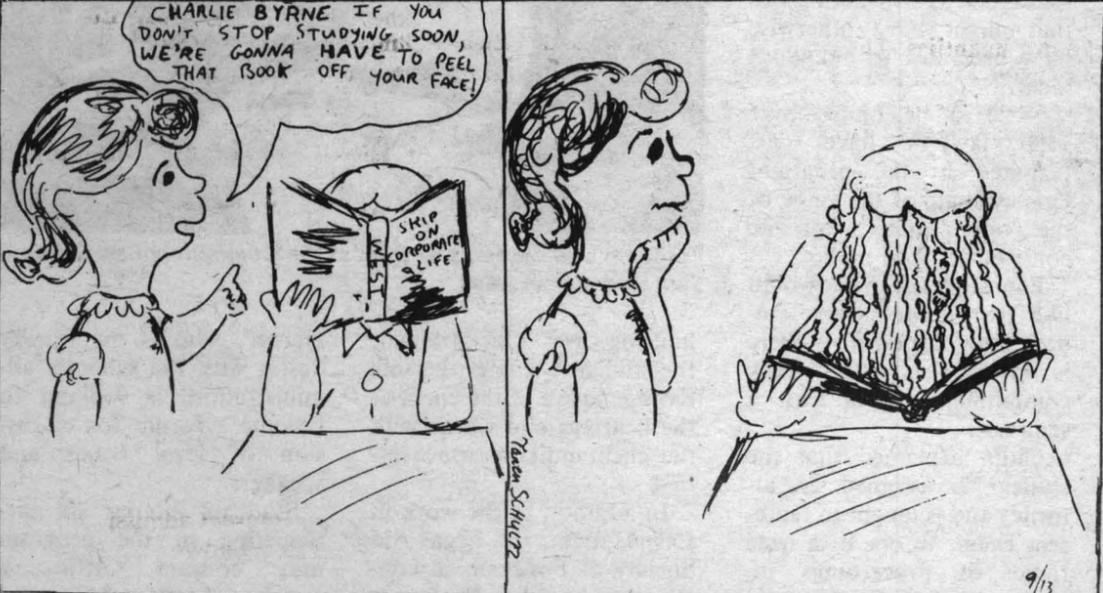
And so it goes. Another year of overcrowding, of cramped classrooms and multiple choice exams.

I have yet to understand why such basic courses as antitrust, wills, trusts, domestic relations and securities regulations are offered only once a year—forcing students to choose between desired electives with the realization that work or conflicting electives next year will remove all possibilities of taking the course. A particular burden falls on the night student who has few choices of electives at the outset.

Surely, scheduling can be handled with more sensitivity to student needs. Perhaps the problem is input. I would appreciate receiving your comments and suggestions on elective scheduling. What courses you would like to see offered, how often and when. Many of you have approached me with verbal complaints, but I need something of more substance to present to the Deans and faculty. A brief note will do it. Leave it in the SBA Office and I will make sure that your views are known.

Until some action is taken, shower regularly and watch for reprints of your suggestions in this column.

WESTNUTS



Intramurals—The Pause That Refreshes

Are you experiencing the physiological phenomenon called body slippage? Are you having trouble focusing on the clock in the classroom? Are you finding it hard to distinguish Saturday from Wednesday, or 1 a.m. from 1 p.m.? Are you becoming paranoid of the person sitting next to you because you believe the only thing he or she can talk about are the facts of Roto-Lith? Are you unable to concentrate on the melodious voices of your professors as they instruct you in the art of legal linguistics . . . huh?

Don't despair if you are experiencing any of these symptoms of law schoolitis because there is a cure. It's intramurals. It's amazing what a little exercise and good company can do for one's mental attitude. This year the SBA is sponsoring an exciting slate of activities.

During the fall, there will be touch football for all those frustrated jocks and for all those people who have wanted to play football and have never had the opportunity. The team that finishes in first place will represent Fordham in the first annual intra-city law school football tournament, which, by the way, is be-

ing organized by Fordham's SBA.

Beginning in November and continuing through March (with the exception of the month of December) there will be basketball at Power Memorial High School every Tuesday night from 9:00 to 11:00 p.m., and volleyball, if the SBA can find a gym-

SPEAKING OF SPORTS

by Dick Prentice

nasium. In March, an all-star basketball team will travel to Springfield, Mass., to defend Fordham's title in the third annual law school basketball tournament. Last year, 16 law schools from all over the Northeast participated in the event.

In April, the SBA will organize an informal softball league for all the students who would like a little exercise before the battle of Armageddon (otherwise known as finals).

The SBA encourages all students to participate in the

intramural program either as a participant or as an enthusiastic spectator; the value of the program is directly proportional to the number of people who become involved.

If you have any suggestions or would like additional information about intramurals, please contact Florence Fass, or Dick Prentice, Commissioner of Intramural Sports.

FOOTBALL FEATS

3B v. 2B . . . The Cinderella team of the '77-'78 football season, 2B, now 3B, clearly and unequivocally demonstrated last week why they were the intramural champions last year and why they will be the champions again this year as they overpowered a young, but inspired 2B team. 3B's dynamic, versatile and awesome offense, lead by quarterback Dick "the Duck" Prentice, operated like a refined piece of machinery. 3B scored twice in the first half on a pass from Prentice to Wild Bill Spelman and on a long run by Prentice. They added two more touchdowns in the second half on passes from Prentice to John "the Juggler" Mara and to Alex "the Streak" Calabrese. Even Gary "Sticky Fingers" Luboja con-



A joyful 2B football team, pictured last week after their first win in two years. This milestone occurred only one week after 2B scored its first points in two years. Persistence personified.

tirbuted to the score by his magnificent one-handed catch of a pass on an extra-point play. 2B, however, refused to be shut out. They scored in the first half on a terrific kick-off return by John Killea (which was 2B's only score, by the way). The run was made possible because of the excellent blocking by teammates Polchinski, Ruane, Rossetti, and Saulitis, and by the rather poor coverage by 3B. However, the credit for 3B's victory should go to their offensive line (Goldstein, McMahon and Bree) and to their tenacious defense (including Cypher, Cahill and Maloney). After the dust cleared, it was 3B—26 and 2B—6.

(Editor's Note: It's not too obvious by now exactly what section our budding young sportswriter is in, is it? Dick just hopes that the new student directory is out before the next issue of the Advocate, because he's running out of names to use.)

2A v. 1A . . . 2A, the team that everyone (especially people in 2A) thought would win the championship last year, apparently continues to experience trouble with their offense as they were unable to score a touchdown against an inexperienced first year team. In fact, 2A had to rely on the aggressive play of their defense in order to win the game as Mike "the Rifle" Murphy was unable to connect with ends Paul Shields, etc. Well, Sports Fans, 2A has a long way to go before they will be ready to play 3B. *(Ed's Note: He's at it again.)* Perhaps that's why 2A is avoiding their scheduled game with 3B (do you agree, Bob "the Surge" Patterson?). Anyway, it was 2A-2 and 1A-0 in a rather unexciting and uninteresting football game.

RESULTS OF THE FIRST WEEK:

3A-0 — 3B-0
2A-13 — 2B-0
1A-16 — 1B-7

Third Periodical On the Way

by Bill O'Connor

Fordham's third legal periodical, on the drawing board since last year, may be making its first appearance soon.

The International Law Society had scheduled to debut the *Fordham International Law Forum* last January. The club was unable to publish the *Forum* last year because of a "lack of school funding," according to Susan Ettelman 2B, the Society's secretary.

"We've now gotten school funding for several years and are prepared to print our first issue early next semester," Ettelman said. The first issue is slated to concern mainly the subjects of human rights and international business transactions.

The club is having a meeting on October 12, at 12:30 in room 211, for any student interested in joining the club and working on the publication.

Anyone with questions about the *Fordham International Law Forum* or articles they wish to submit should contact either Al Kostelny, 4E, Ettelman, or Professor Sweeney, the club's moderator.

Poll Results

Continued from Page 1

In that poll, Fordham ranked sixth on the list of schools producing the alumni in private practice with the highest median incomes. With a median income of \$36,250, Fordham ranked behind Stanford, Yale, Harvard, Columbia (the same four schools ahead of Fordham in the *National Law Journal* admission poll), and Georgetown.

Fordham was placed eighth on a similar income list for the poll respondents not engaged in private practice.

Letter

To the Editor:

I spent a great deal of time wondering whether or not to write this letter, weighing on the one hand the seeming growing spirit of enthusiasm in school against the certain damage to the spirit which the following information will cause. But by saying nothing the wrong people will be protected and encouraged, so perhaps something constructive will come of this.

I represented the SBA when organizing the last week's boat ride. My immediate impression at the end of it all was that the work I and the rest of the SBA did was well worth it. However, on Sept. 26 I was informed by Circle Line that all was not well—they claim 15 chairs, 2 life preservers and assorted maintenance tools were either tossed overboard or destroyed. The bill for damage amounted to \$171.00.

Now since then, a number of the 'cognoscenti' have informed me that only 6 chairs were thrown off, or that only 10 went, and that we aren't really that bad off. What the hell sort of attitude is that? Between the people who acted and those who stood idly by, enough damage was done to our reputation to ensure we won't be given another charter, or if we do, it will be at an inflated price to cover the costs of a small police force to control us.

For a while we had something going. I'm afraid a small group, as usual, may have blown it.

Bob Patterson, 2A

PIGSKIN PREDICTIONS

There is only one team in this league that has the talent, the organization, the desire and the coaching to be the champions. *(E.N.: Oh God, not again.)* 3B, of course. 3B, the powerhouse of the '77-'78 season will successfully defend their title despite the improvement of 2B and the presence of the hungry and aggressive 2A squad. 3B's defense is probably the most formidable in the league and their offense is one of the most potent, despite the reputed weakness of their quarterback's arm. The league has not seen a team as good as 3B in recent history.

2A: The only team to reach the finals in their first year of play, 2A will have to wait until 3B graduates before they will win their first title. They will have to be content for second place this year. 2A is a young squad that has the talent to be a championship team, but lacks poise and refinement.

3A: 3A will finish third. However, if they cannot get their act together to play some games, they will finish last. 3A has good size and plenty of ability but they lack the desire; Frank Munoz can't play by himself. Unfortunately, as far as 3A is concerned there is only one legitimate sport—basketball.

2B: The most improved team in the league as a result of their off-season recruiting, 2B needs a few more games to refine their offense and to strengthen their defensive secondary. They might be able to secure fourth place, depending on their progress during the next few weeks. However, they will certainly be contenders next year if they maintain their high level of enthusiasm. Good show, 2B!

1A and 1B: These two teams are unknown quantities. Their performance will depend on their respective leaders, Greg Verini of 1A and John Leo of 1B. A follow-up report on these two teams will be published in the next issue of the *Advocate*.

FOOTBALL STANDINGS

(after 3 weeks)

TEAM	W	L	T	PF	PA
2A	3	0	0	22	0
3B	1	1	1	26	13
1A	1	1	0	16	9
2B	1	2	0	18	45
3A	0	0	1	0	0
1B	0	2	0	13	28

Five Added to Faculty

Continued from Page 1

peals and a stint as an associate at Donovan Leisure Newton and Irvine.

Sims said he accepted the position here, his first teaching position, because he enjoys "talking as well as writing on legal problems." Sims said he hopes his new job will allow him to explore the "intellectual aspects and problems of law as a discipline."

Fordham's two new visiting professors are Hugh Hansen, who will teach Federal Courts, Constitutional Criminal Law and Antitrust, and Walter P. Laughlin, who will be teaching Evidence and Civil Procedure.

Hansen, a graduate of Georgetown Law School who



Hugh Hansen

also holds an LL.M from Yale, is currently a law clerk to Judge Murray I. Gurfein, of the Second Circuit Court of Appeals.

Laughlin is also a Second Circuit law clerk, working for Judge Walter R. Mansfield.



Walter P. Laughlin

Laughlin is a graduate of Yale Law School.

Fordham's new adjunct professor is William T. Lifland, a partner in the law firm of Cahill Gordon and Reinsel. Lifland is teaching the evening section of Antitrust.

2B Sweeps Mulligan

It was a 2B sweep this summer of the top awards in the annual William Hughes Mulligan Moot Court Competition.

First place in the competition went to George Richardson, with Tom Carulli finishing in the runner-up spot. Both Richardson and Carulli are members of section 2B, as are Peter Polchinski and Bill Ruane, who took the competition's Best Brief Award, a new category this year.

The two other finalists in the competition, along with Richardson and Carulli, were Mark Gamell, 3B, and David Glass, 4E.

Judges for the competition's final round included Judge William Hughes Mulligan of the Second Circuit Court of Appeals, the former dean of Fordham Law after whom the competition is named, and Judges Henry Werker and Pierre Leval of the Southern District.

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