

THE DISSENT

Vol. 4, No. 9

The University of Oregon School of Law

February 23, 1977

EDITOR-IN-CHIEF RESIGNS

Although I have enjoyed working with The Dissent, I find that I shall be resigning with this issue for personal reasons. In order to ensure continuity of The Dissent I am appointing Managing Editor David Ludwig as Editor-in-Chief pro tem. David Ludwig has agreed to assume responsibility for one issue and has agreed to prepare a selection process. He does not wish to be Editor-in-Chief for the rest of the semester because of time considerations. I shall have no part in the selection of the new editor.

Any and all agreements made by me with the administration or faculty as to what to print or suppress are, of course, not binding on the new editors.

-- Richard E. Parsons
Editor-in-Chief

Selection procedures . . .

APPLY TO BE EDITOR OF THE DISSENT

The Dissent, simply, is in need of an editor-in-chief. Needed, of course, is a first, second or third year student to put out a high quality newspaper every two weeks for the remainder of the semester.

All those interested should submit their name, telephone number and locker number to The Dissent's box in the SBA office by Feb. 28, 1977 by 5 p.m.

In addition, all those interested in serving on The Temporary Selection Committee, as outlined below, should sign up on sheet placed near the bulletin board Placement uses. Deadline here is also Feb. 28, 1977 by 5 p.m.

Below is a selection procedure to be used to select the editor for the remainder of the semester.

The Temporary Selection Committee shall be composed of the following:

- the present editor-in-chief of The Dissent, and
- a member of the SBA's executive council selected by the SBA's executive council, and

- one member of the student body at large. This student must be mutually acceptable to the present editor-in-chief, the SBA member, he or she can be a member of the newspaper's present staff and he or she must be appointed to the committee by the SBA president.

Each candidate shall complete the following:

- the candidate shall submit a story for the next Dissent. This story will be anonymously graded by each committee member and account for 40 per cent of that candidate's score. The candidate can submit any story he or she likes, or he or she can accept an assignment from the committee, and

- The Temporary Selection Committee shall interview all candidates. This accounts for 60 per cent of the candidate's final score.

The selection will be based on the final score the candidate receives from the story he or she submits and the interview. The score will be based on separate scores each committee member gives to the candidate for each part of the process--the story and the interview.

Each candidate, if not chosen, has a right to appeal the adverse decision to the SBA's executive council upon the following grounds:

- The Temporary Selection Committee failed to follow the procedures as outlined above.

- the candidate has perceived an element of overwhelming unfairness somewhere along the line, i.e. an element of the procedure, or

- a lack of substantial evidence to support the final decision.

--Dave Ludwig

1977-78 OREGON LAW REVIEW MANAGING BOARD

Editor-in-Chief	Ed Belsheim
Executive Editor	Patricia Fetterly
Managing Editor	Dale Goble
Business Manager	Laila Aarnas
Staff Editor	Barney Mann
Oregon Survey Editor	Dave Ludwig
Articles Editor	Glenn Bergenfield
Articles Editor	Rob Ericsson
Articles Editor	Peter Glazer

1977-78 MOOT COURT BOARD

John Corso
Kathy Karpan
Dave Powell
Marcia Schultz

FACULTY INTERVIEWEE

Michelle herman interviewed last week for a faculty position. Who was she?

NATIONAL LAWYERS GUILD

STUDENT BAR ASSOCIATION MINUTES FEBRUARY 8 & 9

Meetings were held on February 8 and 9 to discuss SBA budgets for 1977-78. Richard Parsons, on February 8 requested additional funding for The Dissent for the remainder of this school year. He lacks adequate funds to continue printing The Dissent for the remainder of this school year. He lacks adequate funds to continue printing The Dissent during the rest of the year. A motion was made to allocate the \$160.00 to The Dissent for the remainder of the year. In discussion following the motion, some SBA Council members expressed the viewpoint that increases in present budgets should be considered during the mid-year budget review session. The motion to fund The Dissent was defeated by a vote of 4-3.

On February 9, many students attended the meeting to voice support for increased funding of The Dissent. A motion was made to allocate \$140.00 to The Dissent for the rest of the year. Again, many council members stated that any revisions in present budgets should be made during the mid-year budget review meeting. The motion was then made to table the original motion until February 15. Carried 5-4 to table.

The Council considered the revisions made by Peter Fels in the 1977-78 SBA proposed budget. The results are as followed:
ALCU - unanimous decision to fund \$117.25.
Law Partners - 7 to 1 in favor of not funding Law Partners.
NLG - unanimous decision to fund \$507.00.
LSCRRC - unanimous decision to fund \$270.00.
Placement - 7 to 1 not to fund.
Moot Court - 5 to 1 to fund \$826.00
(discussion of possible student referendum to determine future method of funding, i.e., possible administration funding - 4 to 2 to table)
MLSA - 6 to 0 to fund \$675.00.
Speakers - 2-1-2 in favor of funding \$1500.00.
WLF - unanimous in favor of funding \$738.00.
The Dissent - unanimous in favor of funding \$700.00 but the Council wants to implement guidelines as to procedures to spend money
P.L.S. - funded \$312.00.
LAW - funded \$612.00
Administrative expenses - funded \$1292.00.
Travel expenses for administration of SBA - opposed 4 to 1.
Salaries - lump sum of \$1200.00.

-- Aleta Doerr

The Eugene Chapter of the National Lawyers Guild will meet Thursday, February 24 at 1145 Jefferson at 7:00 p.m. for a potluck and discussion of Guild projects and chapter formation. The law school organized chapter has invited a number of progressive local attorneys and legal workers to join and work with the Guild on projects.

Included in the Chapter's plans are a statewide conference of left lawyers, law students and legal workers and an immigration project which will be funded by the national office and will enable law students to do immigration work in the Salem area this summer.

Lawyers Guild Chapters at other schools sometimes include much as a third of the student body - all working together to effect change both within the school and the community. The hope of the Eugene chapter is that interest and enthusiasm will generate the Chapter into great things.

-- Linda Mills-Erickson

NOTES TO SBA MEETING

1. We would like to thank the SBA for writing minutes so the student body is aware of their activities.
2. The first motion on February 8th was to fund The Dissent for the next issue and not for the rest of the year as reported. The vote was 4 to 4, not 4 to 3. Voting against funding the next issue were Peter Fels, Aleta Doerr, Jennifer Friesen, and Barrie Herbold.
3. Many persons were of the opinion that the issue was not a budgetary or procedural issue, but an attempt by the Council to exercise editorial control over articles such as, the Bar Review, which they found not worth printing.
4. I would like to thank the persons who came to the SBA meetings to voice support for The Dissent and also to all who signed the petitions (over 125) supporting the newspaper. I realize that this support indicated a student desire for a newspaper that published regularly and informatively, but not necessarily for the editorial policies.

-- Richard E. Parsons

The Dissent is published every other Tuesday during the school year. Deadline for articles and letters submitted for publication is at noon the Friday before publication. The staff:

Editor-in-Chief (pro tem)...David Ludwig
Features Editor.....Frank Gibson
News Editor.....Mary Peterson

The next issue of The Dissent will be published on March 8, 1977. Deadline is Friday, March 4, 1977 at 12:00 noon.

AMERICAN CIVIL LIBERTIES UNION
LANE COUNTY CHAPTER

The American Civil Liberties Union (ACLU) is a national organization, headquartered in New York, with local chapters represented in communities throughout the United States and state-wide organizations in all fifty states. The Lane County Chapter is located at 1236 Kincaid here in Eugene, along with a new law student's ACLU chapter presently being formed at the University of Oregon Law School. The local chapter is comprised of Eugene area citizens and thirty-six cooperating attorneys who are active in various areas of civil rights. ACLU's concern is in free speech, freedom of religion, freedom of the press, search and seizure, due process, the right to a fair trial, discrimination and other rights covered by the Bill of Rights. The ACLU is not normally involved in litigation or legal issues involving two private parties, but rather issues of personal liberty between the private citizen and the government. The public service that the ACLU offers is primarily providing legal services pertaining to such issues of civil rights. On the national level the ACLU is involved in major controversial questions facing our society. The organization is supported through voluntary contributions and membership of private individuals. For help or membership information, the ACLU Eugene office phone number is 345-6162.

On the national level, the ACLU is engaged in legal actions on a multitude of issues, one of the most visible being capital punishment. In the case of convicted murderer Gary Gilmore in Utah, the ACLU opposed his execution on the grounds that it was cruel and unusual punishment, and that capital punishment denies due process of law because of its irrevocable finality on the accused, depriving him of any future appeal based on new evidence of new laws. Furthermore, the ACLU has stated that capital punishment is randomly and discriminately applied. Instead of the worst and most dangerous criminals executed, it has been historically targeted toward minorities, the uneducated, and the poor. ACLU policy studies indicate that capital punishment is an ineffective deterrent to crime, and that it "obscures the true causes of crime and distracts attention from the effective resources of society to control it."

The New York ACLU has filed suit to block the Hyde Amendment, which would have cut off public Medicaid funds for use in abortions. A federal judge recently ruled in favor of the ACLU's contention that the amendment discriminated against the poor. The ACLU has several court suits going on throughout the country to defend the right of women to have an abortion.

The ACLU has been instrumental in the battle to open up secret government files on public citizens to those citizens, to protect the rights of the press to report on court proceedings in criminal cases while strongly ensuring the rights of the accused, and to establish equal protection for the constitutional rights of homosexuals, among others.

In Eugene, the ACLU has been involved in the Skinner's Butte cross case for several years and through court action has attempted to obtain a legal definition of the cross, which is situated on public property in the park. Currently the ACLU is appealing to the U.S. Supreme Court for review of the Oregon decision that the cross has changed from a religious symbol to a war memorial.

ACLU lawyers are presently defending a student at Marist High School who, after transfer from School District 4J, has been denied the right to participate in the school's intra-mural athletic program.

the ACLU is also defending the constitutional rights of gay students in Eugene public schools who have, the ACLU maintains, been denied the right to advertise in particular school newspapers.

PROFESSIONALISM

Last issue we ran some articles on professionalism. We are including this letter to the editor as an example of how the term is further abused.

"I object to your demeaning manner toward the life-insurance industry and particularly life-insurance agents. Your snide remarks about agents who 'pitch' term over permanent insurance is greatly unfair. I've been selling my loyal clients for over 20 years, and when my client should have term, he gets term. I consider myself a professional and as such I don't worry about how much I make per sale. My end-of-the-year income takes care of itself. I am not alone. There are many thousands of us that are honest in our dealings with our clients. Nothing scientific about my suggestions; I merely apply the Golden Rule and it seems to work.

Why aren't you consistent when you advocate 'But term and invest the difference?' Should people rent housing, instead of buying a home, and invest the difference? Should they lease an automobile rather than buy and 'invest the difference?' The truth is - and you know it - the majority of people would not invest the difference. They'd spend the difference on a bigger car, etc.

Finally, at least be fair and say that as in every business or profession some of our people are dishonest, devious, or just plain stupid. The vast majority of insurance people are honest, trustworthy, knowledgeable professionals. Ours is an honorable industry that helps millions of people."

THE COFFEE CZAR

For the month of January, the coffee/doghnut operation finished in the black for the first time. Although our cost has risen due to a price increase by Cory, our coffee supplier, the dime cup of coffee has proved successful in making income more closely approximate outgo. However, austerity measures are still called for.

Beginning last week the coffee operation was closed on Saturdays and Sundays. This move was prompted because of financial losses during this period. The weekends of Feb. 5 and 12 are illustrative. On both of these weekends revenues averaged less than \$2.00 while \$20.00 of coffee was consumed. Given the SBA's era of fiscal responsibility it was felt that no coffee on the weekends would be better than possibly jepordizing the the entire operation.

The czar would like to remind the coffee consuming public that in recent days income has begun to taper off while consumption has not. If you're not paying for your fix of cafeine, how will you answer the catch-all question on the bar application, "Is there anything else that you care to tell us?"

ACCOUNTING OF COFFEE AND DOUGHNUT FUNDS JAN 1 to JAN 31, 1977

Doughnuts

Expenses

1/12	\$35.00
1/17	35.00
1/25	35.00
	\$105.00

Income

1/12	\$35.01
1/17	38.51
1/25	38.20
	\$111.72

Coffee Transactions

1/7 - Bulk Purchase of Coffee	(\$194.95)
1/10 Purchase of Sugar and Creamora	(20.00)
1/7 to 1/26 - Coffee Reciepts	236.41
1/26 Bulk Purchase of Coffee	(200.00)
1/28 Salary	(20.00)
1/26 to 1/31 Coffee receipts	77.17
	\$121.37

Inventory on hand as of 1/31

3 lbs. cremora
2 lbs. sugar
7 boxes of coffee

-- Braulio Escobar

EDITORIAL

The Dissent would like to commend Mr. Escobar on preparing profit and loss statements. We believe that when public monies are spent they should be accounted for. The SBA receives money from the vending machines in the hall and money from the SBA bookstore and has never accounted for how much they get or where it is spent. This was brought to the attention of the SBA in October and numerous times since. Business Manager Aleta Doerr, who we assume is personally responsible for monies unaccounted for, has consistently refused to make a financial statement available for publication. How much money is involved, where does it go, who authorizes the spending?

-- Richard E. Parsons
Editor-in-Chief

CIRRICULUM COMMITTEE MEETS

The Curriculum Committee of the Law School met last Thursday. The only action taken was to unanimously approve Barbara Caulfield's proposal for a public defense clinic. (See article on public defender.) The faculty has to approve the course before it can be added to the curriculum and will discuss it at its meeting on Wednesday, February 23rd.

If approved as proposed, the clinic will emphasize the development of defense skills through supervised representation of criminal defendants. The clinic will possibly be available to both 2nd and 3rd year students who have had evidence. If second year students take it though, the emphasis will shift away from trial skills and toward investigation, research, and motion writing, and interviewing.

This will be an exciting and much needed addition to the currently inadequate criminal law curriculum. If you support the concept talk to Barbara Caulfield to find out more and come and express your support at the faculty meeting on Wednesday.

The curriculum committee is also working on modifications of the overall law school course listing - some additions, some course title changes, some deletions. Fred Merrill is preparing an outline of the proposed changes for the committee to discuss.

The committee needs feedback regarding the seminar choices available to first year students. Are there too few, too many options? What about the research and writing class - useful, useless, too much, too little? Talk to Peggy Radin or Fred Merrill about what you want.

-- Linda Mills-Erickson

FACULTY MEETING MINUTES OF JAN. 19th

The meeting was called to order at 3:40 by Dean Clark. The following faculty members were present: Baker, Barry, Basye, Clark, Dawson, Griffin, Haldane, Jacobson, Kirkpatrick, Lacy, Platt, Radin, Ray, Romero, Scoles, Surles, Swan, Vetri, Wilkinson.

Minutes of the December 9, 1976 meeting were approved.

A motion for student participation on the faculty appointments committee was presented by Mr. Peter Swan on behalf of the Student Bar Association. The motion was then amended, the amendment was endorsed by the Student Bar Association and the motion as amended carried:

RESOLVED that wherever practical, ten students chosen annually by the Student Bar Association President, with the concurrence and approval of the Chair of the Faculty Appointments Committee, shall have an opportunity to meet and confer with any prospective faculty member who visits campus, and submit to the Appointments Committee statements in writing regarding the prospective faculty member who visits campus, and submit to the Appointments Committee statements in writing regarding the prospective faculty members; and be it further

RESOLVED that the officers of the Student Bar Association and the students chosen to meet with prospective faculty members shall be invited to attend seminar presentations given by the prospective faculty members.

The first paragraph of the original motion did not pass. It provided:

"that the Appointments Committee consist of four faculty each appointed by the Dean, the Dean ex officio and a voting student member appointed by the Dean."

An Ad Hoc Status of Women Committee Report was presented by Kirkpatrick. The Committee was asked to clarify jurisdiction of the Committee and to report on the Procedures to the full faculty.

The Appointments Committee report was presented by Mr. Swan. On motion of James Mooney, the Committee Report was accepted with the request that the Committee move with all haste to seek response from Ms. Hermann for a campus visit so that it might move on to Mr. Green if necessary.

The meeting adjourned at 5:40 p.m.

-- Dean Maxine S. Thomas

FACULTY MEETING MINUTES OF FEB. 16th

The meeting was called to order at 3:40 p.m. by Dean Clark. The following faculty members were present: Baker, Basye, Caulfield, Clark, Dawson, Haldane, Jacobson, Kirkpatrick, Lacy, Mooney, Platt, Radin, Randolph, Ray, Scoles, Surles, Swan, Vetri, and Wilkinson.

Recommendations of the Appointments Committee were presented. No substantial objection being raised to the Report of the Committee, the Committee recommendations were followed.

Dean Clark commented concerning the Counsel of Deans meeting and possible budgetary cuts which may affect the law school.

The next meeting will be held at 3:30 on Wednesday, February 23rd.

The meeting was adjourned at 4:55 p.m.

-- Douglas A. Haldane

PUBLIC DEFENDER APPOINTED

As of last Wednesday, Lane County has a public defender. Bob Larson, a 1971 University of Oregon School of Law graduate who has been in private practice in Eugene since 1973, was selected by the Board of Trustees of Lane County Public Defender Services, Inc., a non-profit corporation funded by the county.

Within the next few months the county will move toward a "mixed system" for representation of indigent juvenile and adult defendants. Fifty percent of the defendants will continue to be represented by appointed counsel while the rest will be represented by the public defender's office. The corporation at the outset has set high standards for representation and will see that monitoring and evaluation of the program take place to determine whether quality defense work is in fact getting done. The Board feels it is not enough that the public defender office is less expensive, it must set, by its work quality, standards for the appointment system to reach as well.

Larson will be starting the office within the next few months. He will hire seven attorneys, an alternatives to incarceration coordinator, a trial assistants coordinator, two additional para-legals, three investigators, and a number of secretaries. The full time staff will be assisted by work study students, interns, volunteers and, hopefully, law students taking the public defender clinic. (See article on the curriculum committee meeting.)

Given the variety of responsibilities the office will assume, the office will be able to accommodate first, second, and third year law students working in various capacities.

Bob Larson and the board are both working toward a model public defender office - one that's innovative and humane. If any students or friends have questions, Fred Merrill and Linda Mills-Erickson are both on the board and will gladly answer them. Bob Larson can be contacted at 1209 Pearl until the public defender's office is ready.

-- Linda Mills-Erickson

ENVIRONMENTAL LAW ESSAY CONTEST
OR
YOU COULD WIN \$100.00

This contest is conducted to encourage young lawyers to enter the field of environmental law. The theme of this year's competition is "Nuclear Energy: Legal Remedies for Lethal Problems."

Each law school will judge the essays from its own students and select the winner for a \$100 prize. The school's winner then will have a chance to be one of the three national winners who will receive a \$500 prize. These national winners will be flown to Atlanta, Georgia this summer to deliver their essays before the Environmental Law Section of ATLA.

Here at the U of O Dean Thomas, Frank Barry, and Valerie Anderson have the rules and further information on this contest. The U of O's essay must be sent to the contest sponsors by April 1, 1977.

What this means is that you have about six weeks to get your essays done. If you already have written a paper on this topic during the 1975 summer term or any time up until now you can submit that paper under this contest and still have a chance at at least \$100 if not \$600 and a free trip. So let's see those outstanding essays soon.

STANDARDS TO PRACTICE IN FEDERAL COURTS

Chief Justice Warren E. Burger has appointed a twenty-four member Committee of the Judicial Conference of the United States to Consider Standards for Admission to Practice in the Federal Courts. The full Committee convened on September 22 and again on December 7 and 8, 1976, and defined the general issues before the Committee: First, what is the quality of representation in civil and criminal cases in the federal district and appellate courts? Second, if inadequacies are found to exist, what is their nature and what are their causes? Third, what remedies should be undertaken, particularly in relation to proposing a uniform rule for admission to practice in the Federal Courts?

The Committee is now undertaking to gather facts and opinions about about these issues from as many organizations and persons who have interest, information, and opinions which they wish to express. To facilitate this gathering of facts and opinions, the following procedures will be observed. First, a survey of the United States district and appellate judges will be conducted; additionally, some sampling, reporting, and evaluation of actual cases will be carried out. Second, a similar sampling from lawyers will be conducted. Third, a number of hearings will be held by the Committee or its subcommittees. Simultaneously, by this notice and opportunity for written comment, the Committee is attempting to gather the views of interested persons and organizations.

The Committee welcomes and will consider written comments directed to the issues before it. The SBA has further information.

THE HENRY KISSINGER MEMORIAL SALAD

It is rumored that when the eminent Dr. Kissinger returned from his last trip to Cyprus, Gerry Ford gravely summoned him to the Oval Office and inquired, "Well Henry, what do you think of Turkey and Greece?" Henry, always the epicure, replied, "I don't know how it's made in East Lansing, Mr. President, but I wouldn't think of browning mine in anything but olive oil!"

When I first thought of composing a recipe in honor of our out-going Secretary of State, naturally, "turkey" came immediately to mind. After reconsideration, however, a mixed jumble of vegetables with a thick coating of oil and cold fish seemed equally appropriate, therefore: The Henry Kissinger Memorial Salad.

1 head lettuce
1 head red lettuce
1/4 lb. greek olives
1/4 lb. fetta (goat's cheese)
4 medium tomatoes
1 can anchovy strips
red wine vinager
olive oil
red wine
2 cloves garlic
1/2 tea. salt
1/2 tea. black pepper
1/2 tea. oragano
several dashes Tabasco

Line salad bowl with unbroken red leaves so they spill over the edge. Layer in some chopped green leaves, then tomato (chopped 'chunk style'), 4-6 olives and crumble fetta over whole layer. Repeat process until is full. On top, arrange tomato chunks, olives and anchovies in decorative pattern (always keep anchoives on top, many people will want to pick them out, unfortunately).

Dressing: Using standard oil and vinager cruet, add ingredients as marked on side, substituting red wine for water (usually marked 'w'). Crush the garlic and add it, and remaining ingredients.

Anchoives are available in the gourmet sections of most supermarkets, Mayfair is a sure bet. The cheese and olives are available at Grape and Grain. Incidentally, Grape and Grain is holding a rare wine auction Feb. 20, 8:00 at the shop. Many rare vintages will be sold, including 1935, '47, '48, '50, and '61. Prices will be high, however, and bidding on most lots will begin in the \$20 - \$40 range.

-- N.T. Wilson

UNIVERSITY OF OREGON

FEB 28 1977

PRESIDENT'S OFFICE