

DISSENT

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University of Oregon Law School

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NORTS SPEWS

See pages 32 & 33



Faculty Are Human

For startling details see pages 4 through 6.

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Don't Bogie That Dissent

There are lots of nifty things you can do with a used Dissent. Sit on it, jump on it, scratch it, smoke it, burn it, tear it, throw darts at it, make paper airplanes, wrap it as a Christmas gift. You get the idea. But there is one thing you should never do with a Dissent. DON'T THROW IT AWAY. Why? Well, you may have had enough, but there's some news hungry law student prowling the halls willing to give his brand new Gilberts for a ratty old Dissent. You see, we ran out of money so we can't print enough. So don't Bogie that Dissent pass it on for another hit.

Moot Court

We are offering a new competition-- Mock Trial--and need participants. We will enter two teams (3 members on each team) in the San Francisco or Sacramento regionals early next year. No briefs to write and team members get free trips to the competition! Each of our teams will have at least one 2nd year student. Wayne Westling, our coach, sez Evidence or Trial Practice is not necessary if you have natural advocacy skills and research the evidence issues.

Competition to select our teams is scheduled for January 14-16. The problem is on library reserve. Each contestant will make a 5 min. (max.) opening statement and one cross-examination (10 min. max.).

Let us know if you are interested and we'll keep you informed of schedules and details. Put a note in the envelope outside Rm. 215.

Moot Court Board

Candor Award

Frohnmayr: Mr. Schulmeister, do you agree with Mr. Allen's observation?
Schulmeister: Well, I was gonna say something, but I thought I better finish reading the case first.

Fireside Chat

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I have been asked by Gary Marcus to comment on what I have done this fall besides loaf through the Pennoyer Run. Perhaps the main difference I have noticed between being a faculty member and a dean is the planning horizon. As a faculty member, I was concerned about tomorrow's classes or next week's important meeting, but as a dean I am working frequently on matters that reach months or years into the future. Some of the highlights of my activities this fall may illustrate this point. If you can take this list of cases and extract some general principles about what deans do, or should do, you are better at synthesis than most deans are.

1) Pre-law recruiting. Law school applications were down nationwide this year about 15%, and the pool is expected to shrink further in the 1980s. The question is not numbers so much as it is attracting our fair share of applicants with good credentials for law study. Four of us in the administration are visiting four year colleges this fall to talk with pre-law students, and especially pre-law faculty advisors. I have personally visited Portland State, Oregon State University, Oregon College of Education, Linfield and Willamette as well as the pre-law Recruitment Faire on the UCLA campus. (Janet Crawford is helping on the Los Angeles trip.) We hosted an open house for pre-law students on this campus. Also, I participated in a Minority Law Day program in Portland. Assistant Deans Forell and Haldane and Admissions Director Marilyn Bradetich are also on the road visiting campuses.

2) Bar relations. It is important for many reasons for the law school to have good relations with the Bench and Bar in Oregon, not the least of which is placement for our graduates. I attended the annual State Bar meeting in Seaside in September. The law deans in Oregon are ex officio members of the Bar Continuing Legal Education Committee. Also, I have participated in the new Oregon Law Institute which is sponsoring a program for lawyers on the Civil Procedure Rules at the Law School on November 30 and December 1. Students can attend on a space-available basis. The program in September for lawyers sponsored by the Oregon Estate Planning Council and the recent program for students on Trial Advocacy were supported by the dean's office.

3) Law Alumni Association. The school's alumni are organized in an association which pays for the first year Alumni Scholarships. The annual meeting will precede the Oregon-UCLA game. The Association is planning a program in January on Workmen's Compensation for law students.

4) Law School Business. The Dean Search Committee is bringing candidates to the campus for interviews this fall, and I meet with each candidate on several occasions. In addition, the Appointments Committee is working on faculty recruiting for next year. For example, Professor Frohnmayer will be on leave next fall to run for Attorney General and Professor Thomas will be a visiting teacher at the University of Georgia. So we know we will need experienced visiting teachers in Constitutional Law and Property. In early December I will be interviewing prospective faculty members in Chicago at the Recruitment Conference sponsored by the Association of American Law Schools. Other Law School business of an on-going nature includes discussions with the Committee on Admissions and Curriculum (evaluation and improvement of clinics) and Personnel (evaluation of faculty members). The Faculty Retreat in September focused on academic standards and how to improve the educational program. I am currently working to complete the spring class schedule in final form.

5) Library. The library will run out of space for new acquisitions in the 1980s and among other approaches I am working with Rick Surles on preliminary planning for an addition to the library end of the building. This capital construction project will require legislative approval.

6) Summer Session. We are planning for the 1980 summer session and hope to have the program published by Christmas.

7) Students. I enjoy working with students on a variety of matters and meet fairly regularly with representatives of SBA, MLSA, Law Review, Moot Court Board and other organizations. I write many letters of reference each year for students and try to assist in academic counseling, exam conflicts, etc., and respond to complaints.

8) University. I have met about six times this fall with the Council of Deans and consulted with the University on budget problems. I am serving on two ad hoc committees.

9) Speeches. I have given talks on water resources law to Common Cause and to an honors Program at Oregon State University this fall.

The above sketches some of my activities this fall besides the Pennoyer Run. One thing is for sure, there is never a dull moment

Chapin D. Clark
Dean

Dear Dissenters,

An important issue has come up which you should be aware of, i.e. the operation of the book store. The SBA Council has vacated its decision regarding the SBA managing the book store and has returned the operation of the legal fraternity Phi Alpha Delta (PAD). The present arrangement allows PAD to retain 90% of the book store profits while the SBA will receive the remaining 10%. I would be interested in hearing your views on this subject as the equities involved made for a difficult decision.

Sincere apologies are due to those persons who have been offended by an insurance salesperson soliciting business by phoning students at home. One of our directories was appropriated for that purpose without SBA approval. We cannot restrict the use of our directories so in the future a more detailed explanation will be required in urging students to participate in the student directory.

Congratulations to the law student winners in the IFC election; a sympathetic ear during budget time will be a welcome change.

And, finally a word regarding our undergraduate problem. Students may enforce the policy of discouraging undergrads from usurping our seating space in the law library if the undergrads are not doing legal research. But let's not provoke oral or physical fights through vigilante actions.

SBA upcoming events: Debra Ehrman

- 11/14 Gerald Ford appearance
- 11/19 Before the Hump Fundraiser at the Truckstop
- 11/20 Film "We Will Not Be Beaten"
- 11/29 Howard Moreland appearance

The Dissent is the SBA funded student newspaper of the University of Oregon School of Law.
Editor: Gary Marcus
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Normal People Contributors: David Abeyta, David Allen, Mike Axline, Mike Axline, Mike Axline, Don Bourassa, Dale Briker, Teresa Browne, Gail Bullen, Janet Crawford, Debra Ehrman, David Florea, Jack Hamann, Fred Harris, Dan Hester, Glennie Holladay, Rob "Italian Stallion" Guarrasi, Jeanne Kincaid, Jerry Lee, Scott Slater Marcus, Bill McCall, Jan McGinnis, Bob Needham, Dan 467 Nye, Mike Oths, Gus "Diogenes" Palmitessa, Mike Pavia, Manuel Perez, Rich Perrigo, J.R. Pincus, Carolyn 96 Pohlperson, Mark Stapke, Candance Reed, Paul Vaughan, Bill Waterman, Martha Evans
Home Grown Cartoons: Meredith Conant.



P.A.D.

Phi Alpha Delta, the working person's legal fraternity, will be holding a party for all present and potential members, featuring pizza, beer, wine, hot buttered rum and Irish coffee.

- When? Sunday, November 18, 4:00 p.m.
- Where? 153 1/2 E. 20th, Eugene.
- Who? Any law student interested in P.A.D., any spouse of said law student, and any family, pets, etc., of said law student.
- How? Walk, swim, crawl, drive, etc.
- Why? Why not? (To be frank, this is a recruiting party, but the emphasis will be on the party.)

"I just want to say that my membership in P.A.D. provided the only sane moments in an otherwise insane law school career." - anonymous - could be anybody

- P.A.D. recently elected the following officers:
- Justice: Marcy Hikida
 - Vice-justice: Mike Axcine
 - Secretary/treasurer: Molly McCarthy
 - Clerk: Greg Hracca
 - Party chairpersons: Mike Bloom, Jim Klasen

What I Did Last Summer

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[After a little arm twisting the more civic minded faculty caughed up the following details of their summer lives. These faculty will be pleased to learn that Dean Clark will append this material to their resumé's in the Law School Bulletin.]

Paula Abrams

WHAT SUMMER?

California Bar Examination.

Wendell M. Basye

What I did Last Summer, by Wendell Basye, age 59.

I drank Jack Daniels (in summer school) and went to the races (Longacres), neither of which activity produced a publishable piece for (1) the Oregon Law Review, (2) Blood Horse Magazine, or even (3) the Dissent.

John E. Bonine

The Environmental Law Clinic during summer session began the appeal of two Forest Service land use plans in Idaho affecting 1/2 million acres, on the ground that the plans would harm salmon spawning areas. During August I visited the two areas in dispute, in the course of a 4-week trip which also included a raft trip down the Middle Fork of the Salmon River with the Forest Service, back-packing in the Sawtooth and White Cloud Mountains, and fly-fishing in Colorado. The summer also saw the initiation of a research project into the waiver-of-copying-fees policies of all Federal agencies under the Freedom of Information Act.

Dave Frohnmayr

Memories of last summer - with apologies to Proust

June . . . a blur. Laws, bills, votes, motions, coffee cups and caucuses . . . pleas for support or opposition. Salem: an island surrounded on all four sides by reality. Hour speeches--boring and stirring. Keep track of priorities, get staff to track important bills. Run to the Senate to get help--run back to the House to forestall disaster. Read five newspapers a day to find out what people assume the Legislature's doing. Think, for five minutes, to be sure it's doing anything at all. Nuclear moratoriums, field burning, senior citizens, Crabtree Valley, mandatory seat belts, tax plans, spending plans. Laws, bills, votes, motions . . . Count hawks on fenceposts on I-5 commuting to Salem (record: 37)

July . . . another blur. Twelve-hour session days - recess for last minute Judiciary Committee business.

Forestall vetoes. Try to stay sane . . . try hard to function. Save the APA revisions during a 1:30 a.m. Senate debate (you may wonder why). Button down priorities - fight the temptation to vote for turkey bills just to end the session. Session adjourns after 18 hours, prophetically on Independence Day. Say farewell to friends who've suffered through this six months of frenzy with you. Go home. Do mindless tasks (paint boards, fix a crumbling deck and avoid a tort suit from an invitee . . . law is relevant: duty speaks!) Renew relationships with children who tell you they wish you'd lost "that thing where people are voting." Take a series of three day unrestful but stimulating vacation excursions. Enjoy sunlight, shining water and family. Pull weeds (but not too many) in the clay patch that we call a garden.

August. Focus is returning. Gather friends. Run for A.G.? Why? Why not? How? Assess sacrifices . . . assess potentials. Open Law School office door. Office is tidy for one brief day. Order books, plan courses. Rewrite 100 page APA Law Review article that I mooted with my own stupid bill. Journey to Santa Barbara to teach a law seminar to non-lawyers. They like it. Why don't law students always like it? More three day excursions with family, friends, baby bottles, sand shovels and soda crackers. Car is now one gigantic collection of sand, crumbs, children's books, pop cans, yellowing newspapers and Wendy's wrappers. But salvation is around the corner! School begins, summer was therapeutic and everyone seems eager again to learn. LAP does not have to be turgid; Constitutional law is where it all happens. Believe it or not, it's exciting to be back. Summer is over, but . . . [and here the manuscript breaks off. Ed.]



What I Did Last Summer

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F.R. Lacy

In reverse chronological order:

In July and August I prepared for the Council on Court Procedures proposed rules respecting the enforcement of judgments and went fishing often with reasonable success. I spent part of May and June in England and went fishing (with Bob Shaw of the second year class) with only modest success. Earlier in May I attended my youngest daughter's graduation from Bryn Mawr but there was no opportunity to go fishing.



"I suppose you're wondering, 'Why is the cat here?'"

Mary Lawrence

I saw a white-headed woodpecker.

Freddie Merrill

How I Spent My Summer Vacation

by Freddie Merrill

Vacation?

Carol Sanger

During the summer of 1979, I learned how difficult it is to disentangle oneself from a carnivorous San Francisco law firm. My career in commercial litigation ended with (a) a victory in federal court for Japanese defendants who were dismissed from an anti-trust action on the grounds that they had inadequate jurisdictional ties with the forum; and (b) a defeat in an action against my corporate client brought by a widow and her two orphan sons. (I could never understand why the court called them orphans when they still had their mother.) I began my preparation for teaching by going to Kauai for two weeks. My summer activities ended with the planting of two plum trees and eight holly bushes in my new yard in Eugene.

Eugene F. Scoles

[Professor Scoles assumed he was writing for a fee. The Dissent presented him with an envelope containing one peppercorn. His response is proof that he earned it.]

Dear Gary:

On advice of unpaid counsel, I understand that I accepted your offered consideration when I did not immediately reject your letter (free legal advice being worth what you pay) and that I cannot contest the adequacy of the consideration (one peppercorn) this being clearly a matter not in equity (inequitable?). Therefore, on the assumption of that "Summer" begins 40 minutes after Law School Commencement, I report as follows:

- May 19-21 Camping - Tillicum
- Golf - Agate, OR
- 22-24 Clamming - Long Beach, WA
- 26-28 Camping - Lemola & Diamond Lake, OR
- May 29 - Association of American
- June 23 Law Schools Executive Committee Meeting, Cleveland, OH
- June 4-6 Classes, Summer Session
- 7-10 Dedication of new Law School Building, University of Montana
- 11-13 Classes
- 14 Steelie teasing - Santiam - no takers
- 15 Golf
- 18-20 Classes
- 21-24 Boating - Lower Puget Sound, WA
- June 25 - Classes - work on article -
- July 18 book
- July 19-22 Drafting Multi-State Professional Responsibility Exam - Aspen, CO
- July 23-27 Classes - Exams
- 27-28 Northwest Charity Horseshow, Salem, OR
- Aug. 2-9 National Conference of Commissioners on Uniform State Laws, San Diego, CA as an Oregon member
- 10-15 American Bar Association Meeting, Dallas, TX - Meeting of AALS Executive Committee, ABA Council on Leg. Education, National Conference of Bar Examiners, Member, ABA House of Delegates
- 17-18 Oregon Chapter, American College of Probate Counsel Meeting - Medford, OR - discuss disclaimers
- 23 Fall Registration - Summer ends.

(Scoles continues→)

What I Did Last Summer

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In between worked on book, article, dean search, legislation, United Way, garden, leaking toilet and went to dentist.

You requested not less than a sentence or more than a paragraph. Having consorted with law students most of my life, I have difficulty distinguishing between a sentence and paragraph, so I suggest you substitute for the above something to the effect that:

I taught a summer session course, attended several meetings of professional groups of which I am a member and with which I work. Although I longed to go fishing, I was only able to respond to such daydreaming a couple of times.

I am advised that in a contract of author-publisher that there is no specific performance and that when an "alleged" author submits a purported manuscript that the dissatisfied publisher can only reject it in exercise of the reserved and inherent right of publishers or, in extreme cases, sue to recover consideration paid, i.e., one peppercorn.

Your not so humble servant,

Eugene F. Scoles
Professor of Law

P.S. The above is given with the express disclaimer that this shall not constitute any approval or recognition, express or implied, of the Dissent as a "newspaper."

Maxine Thomas

I spent my summer doing research, some camping, relaxing and preparing for fall courses. I also adopted a 3 year old little girl.

Wayne Westling

- 1) Taught Adv. Crim. Pro. in summer school.
- 2) Removed a tree and built a deck in the patio area of my house.
- 3) Played some tennis, including a weekend clinic in Ensenada.
- 4) Consulted on a criminal defense.
- 5) Taught at the Hastings College of Criminal Advocacy (with Barbara Caulfield).
- 6) Drove from San Diego to Eugene with two young children and two cats in the car.
- 7) Took a Chinese cooking course.

[Johnny come lately, Dept.]

JON JACOBSON

Last summer I attended the Law of the Sea Conference in New York. The Conference was okay, the hotel room was not, and the walk between them was too warm. I brought my flashlight along, but this time there was no blackout. Thank you, Mr. Luce.



"Your witness."

If they were Angels

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For the Rookies of Section B.

Imagine that it's 1982. We've struggled through Prosser, Fed Taxes, Trusts & Estates and we've made it. We're done. It's finally over. We are advocates.

After the kindly Dean hands us our Weyerhaeuser sheepskins at the graduation ceremony we all go to Duffy's and get blown out to the gills to celebrate before the awesome rigor of the Bar Exam.

Feeling omnipotent, one of us - it doesn't matter which one but just imagine that it's you - toddles off on his or her way home, walking purposefully down the middle of the street because there's a nice line to follow and WHAMMO!

YOU: Wow, where am I? (rubbing your head.)

MELODIC VOICE: Heaven.

YOU: Aw c'mon. Hey, why is it so light out?

MELODIC VOICE: Because you're in heaven.

YOU: Aw, quit kiddin'.

MELODIC VOICE: We don't kid.

YOU: Hey, who the hell are you?

MELODIC VOICE: Please watch your language. ZZZAPP! (small bolt of lightning)

YOU: Jesus! ZZAPP! (bigger bolt)

Hey, OK, already, OK! King's X!

MELODIC VOICE: That's better. I'm Professor Sanger and I'm Chairman of the Heavenly Entrance Committee. (vision of panel of four robed angels appears out of the swirling white clouds)

YOU: The what?

SANGER: We're here to decide if you are a suitable entrant to the Eternal Kingdom.

YOU: Now I know I'm loaded. You guys were just at the grad ceremony. (angels shake their heads slowly) Weren't you?

SANGER: You were walking home down the middle of Alder St. and you were hit by a football player on a Mo-Ped. You've been in a coma for fifty-two years. It's now 2034 on earth.

YOU: What? (stare at four angels smiling) beneficently, Sanger, Swan, Frohnmayer and Merrill)

SWAN: That's right. You were very famous on Earth even though you were unconscious. They did a TV special on whether to turn off your life support systems. The school sued to keep them on as a gesture of friendship. Cost us millions but the State backed us with a Deep-Pocket bill passed by Gov. Frohnmayer. (Swan's halo brightens)

YOU: Governor Frohnmayer?

FROHN: That was before I ran for the Senate and before I became President. YOU: What!? (Frohn smiles like the Cheshire Cat)

FROHN: The notoriety from your case helped a lot. Besides, after President Jerry Brown was impeached in 1991 they wanted a Republican.

YOU: Jesus! ZZAP. SORRY! (rub derriere)

MERRILL: (halo it tilted) Anyway, we all croaked before you did but God liked our sense of justice so he made us the Entrance Panel.

SWAN: (corrects him) Entrance Committee.

MER: What the heck - who cares?

YOU: Well, gee - I wish I'd had a chance to live a few more years at least. (re-morseful sigh)

SWAN: You should have paid attention when I taught you about negligence. You were not acting within the Reasonable Person template so you can only blame yourself.

YOU: Wait a sec - I was negligent?

SWAN: Good question. You were certainly risking a very likely accident. As a matter of fact we nailed Duffy's on the Dram Shop Act.

FROHN: That's irrelevant anyway. We're here as an adjudicatory agency of God so let's stick to our parameters.

SWAN: Of course.

SANGER: Now, as a child you made a contract with God.

YOU: I did?

SANGER: (smiling) You promised you'd always be good if God would keep your father from finding out you used his electric razor on the kitty.

YOU: He remembers that?

SWAN: HE remembers everything.

MER: Just like Frohnmayer.

YOU: Wait a second - my Dad did find out I shaved Kitty.

SWAN: But your sister tattled. It was a foreseeable risk.

SANGER: That's right. You only made your promise with God - you did not include your little sister in the terms of the agreement.

YOU: But He's supposed to know everything!

SANGER: I'm sorry. You were the offeror. (solemn with slight grin) God notified you of his acceptance.

YOU: But I never heard Him . . .

FROHN: You're questioning God?

YOU: No, no. I meant to say . . .

FROHN: You meant to say something like this - you experienced no spuer-natural or spiritual communication that was phenomenal in nature so you contend this is ipso factor refutation of any divine message despite the well-known fallibility of human sensory organs?

(CONTINUED)



-M.L. German Shop and

Behind Closed Doors

Remember that forbidden place in your grade school called "The Teacher's Lounge?" It was usually located in a dank corner of the basement, guarded by spiders and cockroaches, not a spitwad's throw from the furnace. If it had windows at all, they were usually boarded up or painted over with that funny stuff used on the inside of aquariums, purpose being to keep the crusty eyes and snotty noses of us little grade schoolers OUT!

We weren't supposed to know what went on in the Teacher's Lounge. All we knew was that the teachers disappeared en masse into its unknown caverns at the beginning of every lunch or recess, and re-emerged the allocated amount of free time later. Grade schooler's minds being what they were, of course, fantasies ran wild: Lepage's Paste-eating origes; squirt gun fights (with our newly confiscated weaponry!); or perhaps comic book seminars (also using our former possessions). If the school had unmarried young female and male teachers one was even led to speculate about smooching and other "yucky stuff." But for all our curiosity and theories, we found out very little. (Although I, already an amateur voyeur, by hanging around the door, did manage to treat my shocked second-grader eyes to a view of my grandmotherly, virtuous, Clean-up-America first grade teacher, Mrs. Goodwin, lighting one cigarette with another.)

In light of all this, there is something disturbingly familiar, 20-odd years and much education hence, about this Law School's policy of locking and barring the doors to the third floor between noon and 1 p.m. and after 5:00 daily. If teachers haven't changed in all this time, it would seem students probably haven't either. Aren't you dying to know what really goes on "up there" during the forbidden hours? Though one might argue that we are still treated like grade schoolers, one would assume a certain sophistication on the part of the faculty, and that paste, squirt guns and comic books (perhaps even cigarettes?) have given way to more advanced vices. But who really knows that evils may be lurking above our very heads?

The grade school faculty had only a single dark and tiny room for their fun and games. Our faculty has a whole floor. An unconfirmed report from a less-than-reliable first year student has been received. She claims to have rappelled down from the roof and peered through the negligently left-open blinds of the Placement office. Her report indicates the faculty is regularly holding footraces around the hall, with copies of one mother's unpublished treatises as prizes. A reliable second year student who "hid-out" in the faculty bathroom just before the 12 o'clock closing (risking capture



"Let us prey."

and torture) was unable to confirm this report. Professor Wendell Basye refused to comment on the existence of this activity, but hotly denied that he was conducting off-the-track betting and giving Professor Peter Swan 5-to-1 odds.

Speaking of gambling, certain unsavory-looking characters have been seen recently, entering and exiting the forbidden domains via the basement elevator around noon hour. These types park their expensive-make cars in the 24 minute zones, enter through the back doors and give three sharp raps on the door. There's a buzz, and then a key with a sort of rabbit head is used to unlock the elevator. Such observations have prompted speculation that the faculty was operating a brown-bagger's Casino. Two slender and agile third year students, failing to locate the alleged secret passage from the Library's fourth floor mensroom, scaled the tapestries in the main hall and crawled through the heat pipes to the third floor. They were stymied in their search at the 3rd floor hot-air intake, there by a strategically placed, but unidentified backside. They reported hearing, however, the sound of ringing bells, and a clicking reminiscent of a roulette wheel. Confronted by these reports, Dean Chapin Clark cheerfully laughed off these allegations by saying what the students heard was actually the sound of happy secretaries at work. He was left gasping, and the faculty with him, to find out secretaries do not work through their lunch breaks, and in fact, leave the building!

Numerous other theories have been advanced at the gossip tables of the Student Lounge. Some students, usually first year people, seem firmly convinced the faculty holds meetings during those times to select a poor unfortunate student for the honor of being "up" in all of his or

Continued -

her calsses all week long. Experienced second and third year students, used to the gentle and friendly ways of the faculty, dismiss such rumors as "hysteries." Those with a flair for wit suggest that what the faculty actually does up there is go in a group from door to door and laugh at each other's silly, tired jokes and cartoons that judging by their condition and level of humor were moved here with the faculty from Fenton Hall. The notion that the closed hours are actually used for faculty warfare seem totally without basis in fact despite the now-and-then rain of horn-books, lunchsacks and an occasional untenured faculty member from third floor windows onto the cruel pavement below. Some wags have suggested yet other theories, but as regiving these could bring Roth v. United States down around the Dissent's ears, we will let these sleeping dogs lie.

And so, despite all this wondering and inquiry the mystery remains. And it appears, as long as true to grade-school tradition the portals continue to slam shut at 12 noon, Law School students, true to the grade schooler roles in which they find themselves cast, will continue to muse, what do our present day Mrs. Goodwins really do behind closed doors?

Dan Nye

"Frankly, I'd rather face a meltdown than a morning of housework without my home appliances."



Babs Wilcox

Babs Wilcox, scientist, pilot, artist and mother

**We're Nuclear Power...
Let us worry about the future for you.**

He Was Asking For It

Recently, Harper's Weekly carried an item from the American Bar Association Journal declaring that few rapists are punished for their crime: only one in five rapes is reported and only one out of eight reported rapes ends in conviction. In a dialogue to demonstrate why most rape victims prefer not to press charges, the article asks us to imagine a robbery victim undergoing the same sort of cross-examination that a rape victim does:

"Mr. Smith, you were held up at gunpoint on the corner of First and Main?"

"Yes."

"Did you struggle with robber?"

"No."

"Why not?"

"He was armed."

"Then you made a conscious decision to comply with his demands rather than resist?"

"Yes."

"Did you scream? Cry out?"

"No. I was afraid."

"I see. Have you ever been held up before?"

"No."

"Have you ever given money away?"

"Yes, of course."

"And you did so willingly?"

"What are you getting at?"

"Well, let's put it like this, Mr.

Smith. You've given money away in the past. In fact you have quite a reputation for philanthropy. How can we be sure you weren't contriving to have your money taken by force?"

"Listen, if I wanted--"

"Never mind. What time did this holdup take place?"

"About 11 P.M."

"You were out on the street at 11 P.M.? Doing what?"

"Just walking."

"Just walking? You know that it's dangerous being out on the street that late at night. Weren't you aware that you could have been held up?"

"I hadn't thought about it."

"What were you wearing?"

"Let's see--a suit. Yes, a suit."

"An expensive suit?"

"Well-yes. I'm a successful lawyer, you know."

"In other words, Mr. Smith, you were walking around the streets late at night in a suit that practically advertised the fact that you might be a good target for some easy money, isn't that so? I mean, if we didn't know better, Mr. Smith, we might even think that you were asking for this to happen, mightn't we?"

Rape Crisis Network, Lane Co. Sheriff
Submitted to Dissent by J. R. Pincus

Candidates

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Margie Hendriksen

The Women's Law Forum will sponsor a talk by Margie Hendriksen in the next two weeks.

Henriksen now works as Legal Counsel for Lane County. She's a 1975 graduate of the Law School.

Hendriksen is running for the democratic nomination to the Oregon House of Representatives District 40, Frohnmayer's old seat.

Hendriksen strongly favors land use planning and development of alternative energy resources. She's interested in exploring different ways to deal with violent crime in Oregon and is especially concerned about the high incidence of rape in Eugene.

Watch the walls for the date and time of Hendriksen's talk.

Gail Bullen
485-7178

Bruce Anderson

On Thursday, November 8th, Bruce Anderson announced his candidacy as an Independent for District 40. Bruce, age 38, is a partner in Coons & Anderson and over the past nine years has gained respect as an environmental attorney and a small business attorney. His ability to work with people and to lead won him the position of President-Elect of the Lane County Bar Association. Edie, his wife, is a chemistry teacher and head of the science department at Sheldon High School. An outline of Bruce's stand on some issues are:

Energy: "I oppose the further development of nuclear power. The state's first priority should be to promote conservation. A meaningful conservation program can give us lead time to develop solar, wind, geothermal, bioconversion and low-head hydro power."

Environment: "I have worked over the past five years to ban the use of 2,4,5,-T. The law suit I filed resulted in the Forest Service stopping its aerial spraying of 2,4,5-T in Oregon and helped bring to light the medical and safety issues resulting in the EPA's banning of aerial applications of 2,4,5-T."

Women's Rights: "As the spouse of a professional woman and the father of two daughters, I am keenly aware of the need for leadership that is responsive to the special needs and problems of women in our society. Issues of day-car, battered women, displaced homemakers, studies in higher education and equitable legal treatment are all a high priority for me."

Campaign Financing Reform: "I support a limit on campaign expenditures. Political power must be taken out of the hands of increasingly powerful special interest groups and their PAC's (Political Action Committees.) support public financing of campaigns by a tax credit and tax return check off system."

Bruce favors strong state support for education, protection of fish and wildlife, strict land-use planning, the rights of senior citizens and a tax structure that provides incentives to Oregon businesses.

Those interested in learning more about Bruce Anderson, or in getting involved with his campaign should contact Gary Marcus.

KULONGOSKI'S COMING AND NEEDS YOUR HELP

A law school committee has been formed in support of State Senator Ted Kulongoski's attempt to unseat Bob Packwood in the U.S. Senate. The committee has held several meetings at which issues, fundraising and organization were discussed.

As a result of the law school bake sale we were able to contribute \$100 to the Kulongoski campaign. That's a drop in the bucket compared to over \$500,000 accumulated thus far in the Packwood campaign treasury, but it's a start.

The committee's immediate objective is to inform persons of the state and federal laws which provide tax credits for campaign contributions. One person making a \$100 contribution by December 31 can get a \$25 Oregon tax credit plus a \$50 federal credit. This total refund of \$75 means Kulongoski gets \$100 and you pay only \$25. Talk to Dale Riddle for details. (Locker #46).

The committee has arranged for Senator Kulongoski to speak here on Tuesday, November 27th in room 129 at 12:30. Come meet the next U.S. Senator from Oregon.

Dan Hester

MLSA

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[Every month I write a memo to all SBA subgroups soliciting articles. For the sake of variety I vary the wording of those memos which are basically notice that the deadline is a week away. The following two articles by MLSA are written in response to my allegedly offensive memo which is reproduced below as Defendant's exhibit "A"]

October 29, 1979

TO: All SBA Subgroups

FROM: Gary Marcus, The Dissent

RE: November Issue

Well, folks, it's that time once again to ignore this plea for articles. I know some of you must have it in you somewhere, say between dinner and the Johnny Carson Show, to sit down for twenty minutes and write something. LAW and WLF have been good about it, but all the rest of you deserve "D's."

The people in this Law School want to know what you're doing. It's important to our sense of community. So please try to get something in by 2:30 on Monday, the 5th of November. Thanks.

(Handwritten note: MLSA, you keep a low profile, let's hear from you.)

MLSA

Nov. 1, 1979

TO: Gary Marcus, The Dissent

FROM: Janet Crawford, MLSA Vice President

RE: Nov. Issue

In response to your rude and sarcastic memo requesting articles from the MLSA, I obviously found it necessary to respond.

I find the Dissent overall insulting to minorities and women. I do not find the Dissent worth reading and therefore do not make contributions to your news publication. However, due to your obvious ignorance, I found it necessary to make an exception, and am thus submitting this response.

The MLSA keeps an up to date bulletin board outside the SBA office (where your office is located) which any interested person should read and thus keep informed on our current activities. As the editor of the Dissent, I incorrectly assumed you were interested and responsible enough to read the board if you truly had any interest in our activities. But since you appear to spend your editorial time sending out pathetic memos, I will provide you with requested information.

The Minority Law School Association is an organization composed primarily, but not limited to, minorities. We are an SBA funded law school organization which operates as a support group for minorities. MLSA has meetings twice a month, usually at 12:30 p.m. on Tuesdays. Meeting times are posted and interested persons are welcome to attend. In the past, such groups as AILSA (Am. Indian Law Student Assoc.), NLG, WLF and LSCR have attended meetings.

MLSA is currently co-sponsoring the Minority Law Day Conference in Portland, Oregon on November 10, 1979. The conference is an attempt to encourage and support minority enrollment in Law School. If you are really interested in details see MLSA board.

MLSA sponsors tutorial sessions for minority law students.

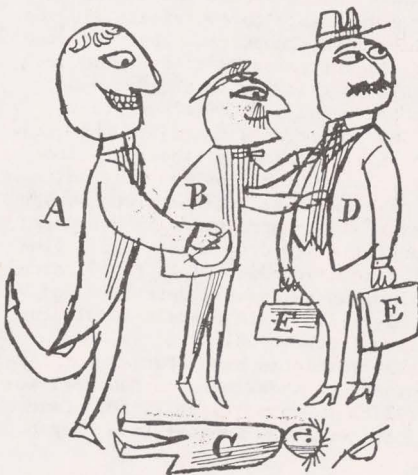
MLSA takes an active role in minority recruitment for the Law School. We sponsor minority recruitment trips in Oregon. And we will be represented at the Nov. 7, 1979 UCLA Law Day Conference.

MLSA acts as a support group for minorities. MLSA often sponsors social functions to help relieve some of the tension and alienation feelings caused by Law School.

MLSA provides study aids, in the form of outlines, hornbooks, etc.

MLSA is actively supporting the Myra Willand class action discrimination suit against the Oregon Higher Education Board.

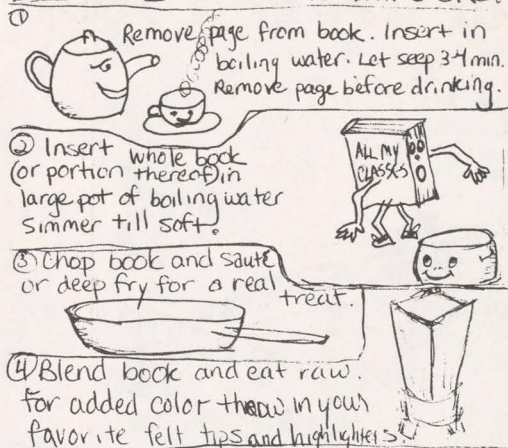
MLSA, in the past, has supported the divestment of funds in South Africa.



COMMERCE, n. A kind of transaction in which A plunders from B the goods of C, and for compensation B picks the pocket of D of money belonging to E.

m.c.

EASIER WAYS TO DIGEST YOUR LAW BOOKS:



MLSA is represented on the Oregon State Bar Affirmative Action Board.

MLSA is presently challenging the institution of the "D" grade based on the disproportionately negative impact on minorities.

This semester, the MLSA sponsored a panel discussion on affirmative action.

On Thursday, October 11, 1979, Thurston Briscoe on KLCC radio dedicated a thirty minute interview to the MLSA.

In your memo, you mentioned that the MLSA keeps a low profile. If, in fact, we do keep a low profile, it is because we are using our limited energy and efforts in worthwhile attempts to improve the Law School and the community. And in case you haven't noticed, the minority population at this school is extremely low. Maybe if you would like to see the MLSA take a more visible profile why don't you recommend the minority population be increased, say by 100 minorities.

In closing, I find it ironic that you give us a "D" for our performance since I also rate the Dissent with a "D." The "D" is for disgusting.

Sincerely,

Janet Crawford

Dear Janet,

I am sorry that you are so bitter. Thank you for your article. I personally, do read the MLSA news on the bulletin board, but I feel that most law students don't. Publishing news like this is helpful to the Law School community. It might even make it more attractive to minorities, and I hope you continue to submit articles.

Sincerely yours,

Gary Marcus

MLSA

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In reference to Gary Marcus' memo to the U of O minorities telling us we keep a low profile and deserve a "D" grade, here is a list of what the U of O minorities do at the Law School:

- (1) We serve as token minorities so the Law School doesn't get sued for violation of civil rights and thus lose its federal funding.
- (2) We play basketball outside the Law School to keep up our athletic stereotype image.
- (3) We clean up the Law School, after everyone leaves, contingent upon our admission to Law School.
- (4) We keep the Deans supplied with tacos, grits and wontons.
- (5) We maintain the Law School drug supply.
- (6) We provide free dance and rhythm lessons.
- (7) We provide humor in the Law School, both in and out of class.
- (8) We provide free, in-class entertainment. Minorities have been known to sing and hum in the back of the class.
- (9) We provide haircuts, a little off the top or the whole top.
- (10) We eat lunch in conspicuous places in case public relations people of the Law School want to take our picture.
- (11) We make sure the "D" grade is administered, mainly towards us.
- (12) We replace hubcaps. If need be, we will make special attempts to acquire them from another vehicle.
- (13) We are here so people can slap us on the back and tell us how well we responded in class.
- (14) We provide shoe shines on request, although usually limited to Dean's and Senior Faculty.
- (15) We maintain active dice games in the john.
- (16) We are present to make bleeding heart liberals feel good when unconscionable cases are discussed.
- (17) We are here in case anyone needs a locker broken into.

Yours truly,

Manuel Perez, David Abeyta
Jerry Lee, Janet Crawford

Supreme Court of Oregon 1998

Darvon v. Killdare and Welby

argued June 12, 1998

decided September 22, 1998

It is with sad and heavy hearts that we relate the facts of this most unfortunate incident. Stanley Darvon, the 22 year old plaintiff, suffered a fracture of his left leg when he was 19 years of age.

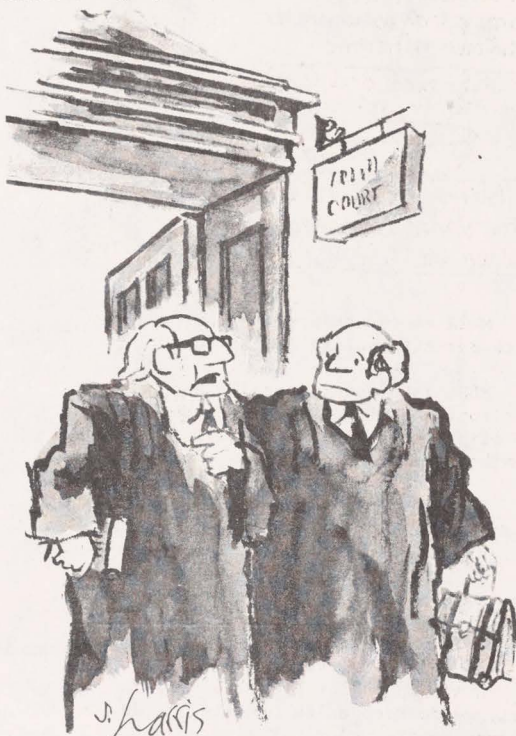
He obtained the professional services of a physician who set the broken leg. However, when the cast was removed, it was discovered that the leg had not properly healed. Further examination and testing revealed that the plaintiff was afflicted with bone cancer in his left leg.

The plaintiff obtained several medical opinions concerning his condition, and the unanimous opinion of the physicians he contacted was that the cancer would be terminal unless he had his left leg amputated just below the thigh. The plaintiff opted for this life saving surgery, and Dr. Lovejoy Killdare was to perform the amputative surgery. The operation was scheduled to be performed on March 12, 1996 and 10:00 a.m. at the Steinfield Clinic located in the Roseburg-San Francisco Metropolitan area. Unfortunately for plaintiff, Dr. Killdare went to a wild party on the night of March 11, 1996, at which he became quite intoxicated on various substances. The morning of the scheduled surgery Dr. Killdare called in sick because he was suffering from a terrible hangover, and Dr. Welby was called in to perform the surgery. Somehow or another in the confusion of a busy hospital, the records relating to the plaintiff were mixed up or misread by Dr. Welby, with the result being that Dr. Welby amputated the plaintiff's right leg instead of the left leg. On March 13, 1996 this error was discovered by Dr. Killdare, and on March 14, 1996 the plaintiff's left leg was amputated so as to save his life.

Plaintiff brought an action against Dr. Welby and Dr. Killdare alleging gross negligence on the part of both doctors. Plaintiff prayed for general and special damages in the amount of 10 million dollars and punitive damages of 150 million dollars. The defendants answered the complaint and then moved for summary judgment, dismissing plaintiff's complaint. The trial court granted the motion for summary judgment, ruling that as a matter of law, the plaintiff didn't have a leg to stand on. We affirm the decision of the trial court.

The plaintiff, in a 96 page brief, cites nearly 300 "authorities" for his position. We are amused with the plaintiff's efforts and his learned counsel is to be commended on a well written brief, but we cannot allow string citations of authority interfere with the simple logic that the plaintiff didn't have a leg to stand on.

We applied this simple logic approach in another recent case, *Lamp v. Shade*, 446 Or. 223, 765 P.3d 1963 (1997). In that case, plaintiff Lamp was walking down the street when he was struck by defendant Shade's negligently driven automobile.



*"This year I've resolved to listen,
or at least stay awake."*

The plaintiff's right arm and right leg were crushed in the accident, and both members required amputation. While a law suit was pending, the defendant, feeling deep remorse because of his negligence, offered to pay the plaintiff's medical expenses. The defendant contacted a renowned prosthetic specialist who fashioned, at no little expense (\$125,000), a prosthetic arm and a prosthetic leg for his plaintiff. These prostheses were of the latest bionic design, and the plaintiff was able to resume his normal activities. However, the plaintiff still sought general damages based on the inconvenience of the prostheses and the severe pain and suffering he had experienced. We affirmed the trial court's grant of the defendant's motion for summary judgment ruling that the defendant's negligence had already cost him an arm and a leg, and that that was all any one person should be expected to pay for mere negligence. We adhere to simple logic over any controverted legal arguments. See, Sartre, Jean Paul, "Being and Nothingness"; Heidegger, Martin, "Being and Time"; and Wittgenstein, "Philosophical Investigations."

The decision of the Trial Court is affirmed. Costs to neither party.

Paul Vaughan

Ride Board Proposed

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An Idea

An idea occurred to me about 3-4 weeks ago and although I've mentioned it to a few individuals, nothing has come of it. This is mostly my fault, as I'm poor at follow-through. Nonetheless, I think it should be brought to people's attention.

The idea: It seems that more than a few women curtail the time they spend in the law library after dark because they're leery of walking home then, or even walking to their cars parked a block or more away. If they can't find another woman or a male friend to walk with them, or give them a ride, it's their tough luck. This is obviously unfair. So I propose that a 'ride board,' so to speak, be set up in the law library. Looking at the diagram below, you can see two cards, one saying 'out' and the other 'in.' Underneath the 'out' card is one hook, while underneath the 'in' card are 8 hooks, one for each of the hours between dusk and the law library's closing at midnight. Each law student wanting to participate in this 'idea' would have his or her photo [cut from the photo guide to law students or from elsewhere] taped to one side of a 3" x 3" card. Below the photo would be her or his name and on the other side of the card his or her address. All cards would be punched with a hole and hung from the 'out' hook until a participating law student came into the library. If he or she came in at, say, 5 p.m. and decided that she or he would most likely leave the library and law building at 11 p.m., that person would remove their own card from the 'out' hook and hang it on the hook under '11.' A woman law student arriving at the library 25 minutes later would only have to

Map of Eugene and Springfield

out	in
5	9
6	10
7	11
8	12

(1) decide when she wanted to stop studying for the night, (2) look at the cards under the hour she chose for those law students leaving the library at the same time, and (3) check the map of Eugene and Springfield to find out who also was going in the same direction toward home. Then she'd only have to be at the library's entrance at that hour, recognizing the person leaving [who'd replace his or her card on the 'out' hook as they left] by the photo on the card.

The only potential problem I see with this idea is that if women law students also put their photos, names, and addresses on the cards, there's the possibility that some deviant [a male who is not in the Law School, by definition] may amble into the library, check out these cards, and then be waiting outside the law building or a woman's home when she leaves the library for the night.

Also, I think it would be best to limit the participants on the cards to those definitely associated with the Law School, so as to have knowledge of all those offering rides.

Though I'm willing to put in some limited time organizing this [passing around sign-up sheets in classes, buying peg-board for the hooks, making up the cards], if it's a valid idea, I won't do it alone--if nobody offers help, it won't be done. In addition, hopefully money is available from the Law School to meet the modest cost of the materials.

Dale Bricker



"Here's a little song about hunger.
I wrote it myself one time when the automatic
door locks on my Cadillac jammed and I had to live on olives and
limes from my back-seat bar for four hours."

Mr. Marcus of the Dissent has been pestering the staff of the Oregon Law Review for some time now to write something for the Dissent which will open the lines of communication between the Review and the rest of the student body at the Law School. It is unfortunate but true that the Review is viewed by many students as a cloistered, eclectic institution whose members have a morbid penchant for criticizing incredibly inconsequential errors in the writing of their peers. Mr. Marcus is to be commended for his efforts to prod the Review into dispelling this popular misconception.

This comment will respond to the communication problem as perceived by Mr. Marcus in the following manner. First, It will examine the origins of disassociation between the Review and the "normal" law student. Second, it will trace the evolution of this disassociation into the contemporary snob cult in which Review members deride both regular students and each other for their inability to remember the circumstances which separate the use of a colon from the use of a semi-colon. Finally, the comment will suggest that the problem is insurmountable and that there are, in fact, genetic differences which forever bar a meaningful dialogue between Review and non-Review students.

I

THE ORIGINS OF DISASSOCIATION

When Law Review was formed, its purpose was twofold. First, it provided an outlet for law students with nothing but time on their hands, who prior to formation of the Review spent their not inconsiderable leisure hours lounging

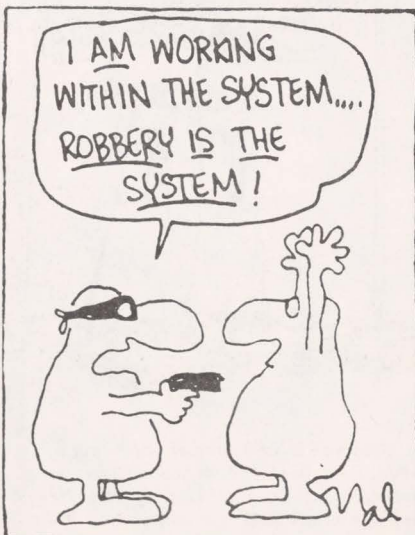
in bars and engaging in marathon kibitzes. The Review proved to be an excellent solution to this particular problem; its members now have absolutely no free time and spend every waking moment dutifully shuffling through the blue book, advance sheets and ORS. The second purpose fulfilled by the Review proved to be the critical factor in developing what later became a noticeable disassociation from the general student body. This purpose was to identify members of the Review as employable after graduation.¹ While the purpose has in fact been fulfilled only for an elite few within the Review itself, the popular myth that members of the Review are employable has persisted as an unfortunate legacy from the early days of the Review. Naturally, this myth separates the Review members from the majority (i.e., unemployed and probably not gonna get a job) of the student body.

II

SNOB CULTISM

As the myth that Review members were employable grew, the actual employment statistics for Review members plummeted. While Review continued to fulfill the first of its twofold duties by keeping Review members off of the streets and out of the class, its secondary purpose of insuring employment for its graduated members was rapidly deteriorating. Partially as a means of defense against other students who were now able to taunt members of the Review for their apparent failure to achieve exemployability (and thus effect a perceived "snub" to the rest of the students), Review members began to become de facto snobs. Rather than attempting to defend the intrinsic merits of the Review as a means of escaping the fact that one of the signal purposes of the Review had not been achieved, Review members chose to bootstrap themselves out of confronting the issue by pretending it didn't exist. The vehicle for doing this was the snob approach, i.e. I don't have a job because I haven't found one that merits my attention. This naturally led to

¹The common misconception that one of the functions of the Review is to expose its members to academic excellence and improve their writing ability may be only partially true; the nexus between the Review and writing ability has never been closely examined. See generally Linde v. Everyone Who Thinks They Can Write, 86 Or. 285 (1979). The related myth that the Review provides a service to practicing attorneys, was recently laid to rest in Practicing Bar v. Pointless Trivia, 42 Or. App. 378 (1979) (review pending).



further alienation from the general student body. As Konrad Lorenz once observed, "you paint a white stripe down the back of a black cat, and there's gonna be a stink no matter how clean it is."² The snob image was self-perpetuating; pride is difficult to swallow because it expands when placed in the mouth.

III

THE LACK OF A SOLUTION

The crimes of the parent are often visited on the child, and in the case of the Review this maxim holds true. It is impossible now to open the lines of communication between the Review and the rest of the student body because the kinks in these lines have, like this simile, developed into a hydra which grows more twisted and demented with every attempt to straighten it out. Communications from the offices of the Review are viewed as condescending, while there is no incentive on the part of other law students to communicate with the Review.³ Because Review members don't have the time to dismantle their snob image and start anew, it is likely that the offices and members of the Review will remain isolated from the ebb and flow of emotionalism and human interaction which characterize the rest of the Law School's students. This comment does not propose a solution to that problem.

Mike Axline
Third Year Druid
Oregon Law Review

²Lecture delivered by Konrad Lorenz to graduating class of San Francisco Police Academy, May 15, 1968.

³A noticeable exception to this general rule is Gary Marcus, who is oblivious to both history and the way things really are. Mr. Marcus is to be commended for his apparent ability to act without motives or incentives.

⁴The lack of footnotes in this comment is attributable to its focus on theory. Any mistakes in grammar, spelling, punctuation or content are attributable to the Dissent.

[Any mistakes in theory are attributable to Mike Axline. Ed.]

Dinner will cost (payable in advance) and will include:

Baked Ziti Salad Garlic Bread
 Desert

(Beer will also be included in the price of the dinner if we are able to obtain a 1-day license from O.L.C.)
Proceeds (if any) will go to the Over the Hump party to be held in January.

Before The Hump

It seems that it's getting to be "that time of year" again. Yes, folks, only Page 17 21 sopping days left till finals . . . Between now and then it might prove to be somewhat therapeutic if the entire crowd of us got together for an evening of R & R.

Well, you guessed it! --The only thing is that it's more like an evening of M & M (sounds kinky doesn't it? Well, it is.). It's an evening of:

**MUSIC AND MACARONI
at MAMA'S TRUCKSTOP**

Monday, November 19, 5:30 - 9:30

All Law students and their guests
Faculty and staff
are cordially invited

It's unfortunate that people have been so busy doing different things that it has become really difficult to get together in a social atmosphere anymore. Last year when our schedules coincided to a greater extent, at least (for better or for worse) everyone had a certain amount of in-class contact with everyone else. This year some of our social contacts have been limited to a few quick exchanges in the lounge--and there's not a hell of a lot you can say during the time it takes for the water to drip down into the pot!

It should be interesting, and may even prove to be enjoyable, to get together to break some bread (garlic, of course) over at the Truckstop (off Alder between 13th & 14th). There will even be music provided, we hope.



"You are now united in holy wedlock, and thank you, no, I will not be able to join you tonight."

Memorandum

Question to be Presented: Does enrollment in law school with resultant pain and suffering violate the exercise of reasonable self care? Would such negligence sustain a valid cause of action for "wrongful living"?

Brief Answer: A tort action brought against oneself will be a case of first impression in Oregon. However, such actions have been maintained in other jurisdictions. Additionally, the courts recognize the inherent self torture of law school, but are indecisive as to who should be liable.

Discussion: According to ORS 000.000 (1977), people in general have a duty to exercise reasonable care in their dealings with others. The statute fails to define "other" nor are there any cases that construe the word's intent.

"Other," as defined by Daniel Webster Prosser, means "a different or additional person." Alter means other and ego equals self. The human psyche has three selves: the id, ego and superego (§57, Freud on Torts). God has three selves: the Father, Son, and Holy Ghost. The Bible, 1 Or. 1 at 1, 1871 A.D.

In Self v. Self, 85 Cal. App. 117, 321 P.2d 1751 (1971), employing Jacobson's "mirror-image" theory, the court denied a judgment for the plaintiff in an action for slander, holding that making slanderous statements about oneself to a third party implies the truth of such allegations.

Anonymous v. Anonymous, 164 N.Y. 97 (1976) is an action brought following an unsuccessful suicide attempt. The court suggests that a party has a duty to exercise due care when inflicting self torture. Using the subjective theory of the meeting of the minds, the court held that the intent of both parties was the same. However, they did not award damages for policy reasons. Assessing damages, conflict

over who is in the best position to bear the loss, and fear of opening up new business for insurance companies are considerations.

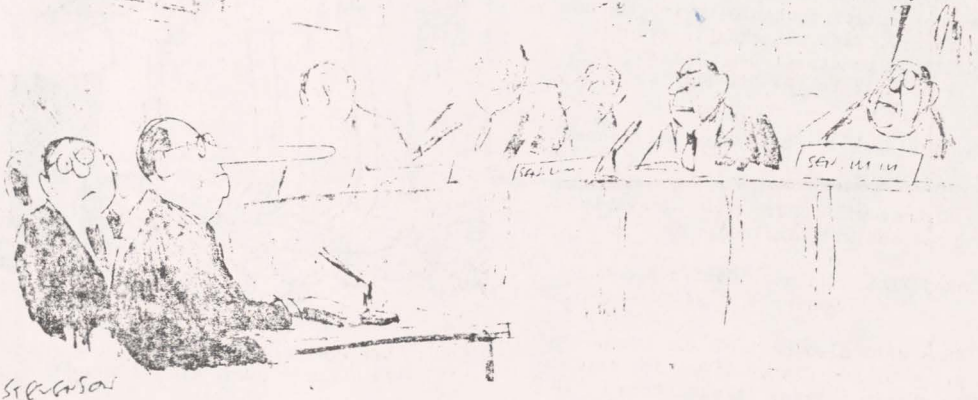
Some jurisdictions allow actions for "wrongful living" involving death or injury to a party to be brought by parents - Father Knows Best v. Children, 62 Cal. App. 413 (1961); lovers - Michele Marvin v. Lee Marvin, 187 Cal. App. 1026, 836 P.2d 1243 (1979); siblings - The Lennon Sisters v. Themselves, 25 Cal. App. 36, 101 P.2d

66 (1951); and children - Amy Carter v. Jimmy, 245 D.C. App. 49 (1979). Even some pets have been awarded damages for loss of consortium - Lassie v. Timmy, 2 Canine Rptr. 13 (1963).

In actions where the specific tortious behavior involves law school, courts have varied. In Ikant Taykit v. Bored of Regents, U. of Texas, 142 Tex. App. 37, 842 S.W.2d 118 (1972), the decedent's parents sued the chairperson of the admissions committee. The case was dismissed on the grounds that although decedent was accepted, given a full scholarship, a new car, \$20/week for xeroxing and a full set of Gilbert's, the decedent could have refused the offer.

Red Hot v. Lacy, 46 Or. 163, 264 P.2d 964 (1975), was a landmark decision where the court upheld a judgment for injuries sustained by the plaintiff. The court held that the defendant could have "reasonably foreseen" that failing a "red hot" on a Civil Procedure exam (4 credits) would result in plaintiff jumping in front of a moped. Damages were awarded for "wrongful living" including medical expenses, pain and suffering, legal education costs and tutorial assistance. Special damages were awarded for loss of the right arm which had been extensively used in class.

In the instant case, Ms. Electric Elbow had sustained injuries by her "indirect suicide." The client has been unsuccessful in completing her self torture. She has been enrolled at the U of O Law School for 17 years.



"Perhaps the witness would care to reconsider his answer to the last question?"

Ms. Elbow voluntarily signed the application for admission (with assistance), voluntarily resigned a prestigious dish washing position, and is the sole supporter of her financial plight from riches to rags.

Although her parents claim her as a tax deduction, being considered an adult child, Ms. Elbow initiates this suit on her own behalf.

This will be a case of first impression in Oregon where a party is bringing an action against themselves.

Conclusion: Common law supports some actions brought against second parties

in "wrongful living" claims. Forseeability of the harm, and not its manner of occurrence, is the test most widely used (Vetri on Torts).

Courts are divided in their willingness to allow causes of action against parties where the plaintiff and the defendant are the same. If it can be shown that "other" includes one's self, then violation of ORS 000.000 should support a tort action brought by one's self against one's self.

However, never have damages been awarded in similar actions, so contingency fee is out of the question.

Jeanne Kincaid

Moot Court

Anatomists, Statagists, and Philosophers Converge

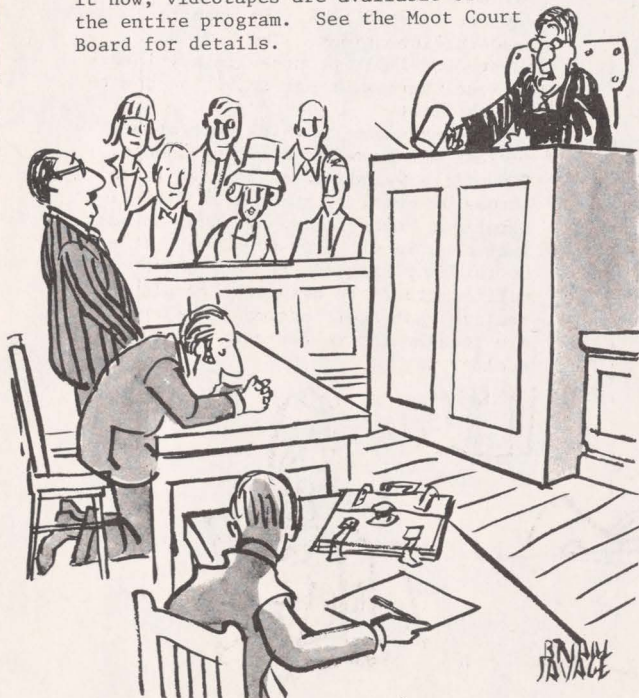
Planning to do some trial work when you graduate from these hallowed halls? If so, we hope you made it to the symposium "The Anatomy, Strategy and Philosophy of a Trial" on October 13. Over 175 of your classmates attended, and the response was highly positive. Special thanks are extended to Dean Clark, Sallie French, Marilyn Martin and Carrie Baine for their support and encouragement.

If you missed the program, but are interested in seeing some portion of it now, videotapes are available of the entire program. See the Moot Court Board for details.

Crutching in the Snow or Autumn in Missoula

MicroWonder, Inc., a genetics research corporation, sues Environmental Genetics Laboratories, Inc., a small, publically-funded competitor, for patent infringement and misappropriation of trade secrets. After six months of testimony, eighty-five witnesses and over 25,000 documents, the jury rendered a general verdict, but were unable to answer any of the District Court's specific interrogatories and a mistrial was declared. Environmental Genetics' motion to strike MicroWonder's jury demand on retrial was denied, but the Court of Appeals reversed, and now the parties are before the Supreme Court. Is the seventh amendment absolute? Or are some cases so complex that they are truly beyond the practical limitations and abilities of a jury?

Such is the setting for the 1979 National Moot Court Competition. The U of O team has been working since the start of the semester on written briefs and oral arguments in preparation for the Regional Competition this week (November 15, 16 and 17). Team members traveling to Missoula are Janelle Irving, Vicki Sieber, Randy Turnbow, Mike Bandonis, Bruce Moore and Jack Hamann (trying to negotiate the snow flurries on crutches). Advising the team this year are Caroline Forell and Paula Abrams. Other schools in the Pacific Northwest region are Willamette, Lewis & Clark, Puget Sound, Gonzaga, Washington, Idaho and Montana. Each school sends two teams, and the 1st- and 2nd-place finishers will compete in the Nationals in January in New York City. Look for our team to make it to the 'big apple.'



"Conversion overruled!"

NO NUKE NEWS

By Fred Harris

NUCLEAR REGULATORY CIRCUS REVISITED

On Thursday, November 1, the Nuclear Regulatory Commission announced its concern that the emergency core cooling systems at most nuclear power plants may be subject to the "likelihood of more ruptures, larger ruptures and greater flow blockages than previously believed." Since the fuel rod cladding problems recently revealed by a study conducted by the Oak Ridge National Laboratory may reduce the flow of cooling water significantly, the question is whether the emergency cooling systems can keep plants below the 2,200° F safety threshold in the event of an accident. "On most plants, I don't think it's going to be a big problem, but a lot of work is going to have to be done to show us that it's not," said Darrell Eisenhut, Acting Director of operating reactors at NRC.

On Friday, November 2, No Nukes Fred was talking to John Bartels, EWEB commissioner, about the NRC announcement, saying that if the NRC thought the problem was serious, then it really must be, since the agency usually goes out of its way to conceal such things--perhaps the Kemeny Report (President's Comm. on Three Mile Island) demands for more NRC openness are having an effect. In reply, John said, more or less, "Come on, Fred, you know they'll just come out with a report in a couple of days saying the problem has been solved."

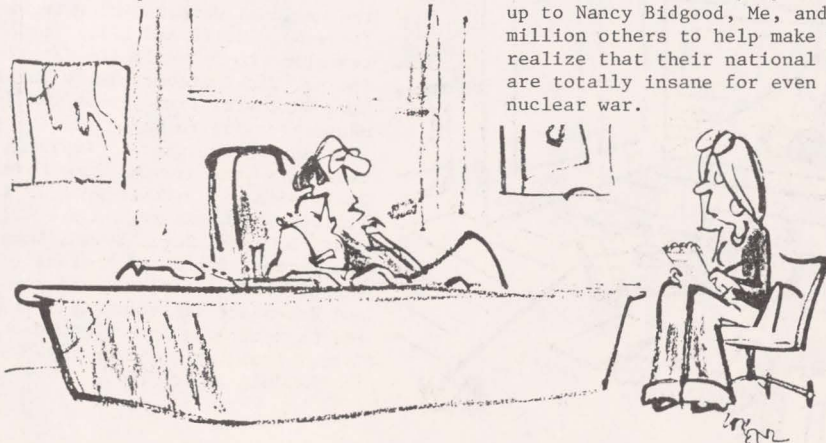
On Saturday, the NRC suddenly discovered there was no problem after all, after a hurried meeting with reactors owners and operators throughout the land. Fred was clearly wrong, his cynicism having slipped a notch or two, and Commissioner Bartels had correctly called the shots. The NRC is obviously just as bullshit as ever. Those bastards couldn't tell the truth if our lives depended on it.

NO NUKES AWARD

The No Nukes Award of the Month goes to law school heroine Nancy Bidgood, who participated in a recent non-violent (albeit temporary) occupation of the Trident Nuclear Submarine Base in Bangor, Washington. Nancy will reveal the details in a story of her own someday. Each Trident Sub, of which there may eventually be twenty or thirty, costs 2 billion dollars and carries 24 missiles, each with up to 17 separately targetable warheads (408 in all). Each warhead has many times the destructive power of all the weapons used in World War II, including the atomic bombs that

killed over 300,000 people at Hiroshima and Nagasaki and are still killing people today through latent genetic defects and cancer. Each warhead is accurate to within 90 feet of its target. Such phenomenal accuracy is only useful for first-strike aggressive attacks on "hard" targets such as Soviet missile sites--merely retaliatory weapons aimed at cities need not be nearly so accurate. Besides, the United States only has roughly 160 cities with a population of over 100,000--probably the Soviet Union, with its equivalent population, has roughly the same. Thus, the missiles from one Trident sub alone could destroy all major population centers three times over. The U.S. would only need so many hundreds of warheads if it was thinking of a pre-emptive first attack. So much for peaceful intentions. The U.S. has never officially promised in any international agreement not to be the one to attack first.

No one seems to think much about nuclear war anymore, but they should. The military-industrial complex is as strong as ever, with the weak SALT II agreement being traded off against vast increases in military spending. It's up to Nancy Bidgood, Me, and a few million others to help make people realize that their national leaders are totally insane for even considering nuclear war.



"... and look forward to seeing you on the twenty-fourth.
Sincerely, No Nukes, Fred Harris"

The Pebble Springs Reactors may never get built. Portland General Electric is well on the way to becoming a financially, as well as morally, bankrupt organization. Losing \$700,000 a day, having to pay twice as much for energy as its present rate structure allows it to recover, PGE's stock earnings have fallen from roughly \$2.40 a share in 1976 to a little over \$1 today, and PGE is seriously considering trying to unload its hefty share of the Pebble Springs Nukes (2 Trojan-size ones are planned) as well as its new coal fired power plant at Boardman, Oregon. "Our hydro power is the last thing we'd unload" they say, putting their money where their mouth isn't. If PGE sells its share of Pebble Springs, it will first have to find a buyer--with \$120,000,000 and 7 years of licensing hearings already sunk into the project, and an adverse report by the Administrative Law Judge considering PGE's compliance with Oregon's siting standards, this might be rather difficult.

Unanticipated northwest water shortages over the past year or so are part of PGE's problem, however, a major

hassle has been the utility's reliance on unsafe and uneconomic nuclear power. Trojan, one of the largest reactors in the world (1,150 megawatts), began initial operations in late 1976, early 1977. During the first year shakedown cruise, the reactor was slowly brought up to full power output, with several breakdowns delaying the process further. In 1978, Trojan was shut down completely for about 7 months, after it was discovered that the control room wall construction was defective and potentially unsafe. 1979 has had its ups and downs, but at present Trojan is suffering one of its periodic shutdowns. Since Oct. 12, Trojan has not been operating since Oct. 12, after substantial leaks in the cooling system were discovered.

Conservation can save a unit of energy at least 6 times more economically than it could be produced at a new generating facility, according to Presidential advisors in 1977. Highly industrialized European nations, such as Germany and Sweden, have equivalent standards of living using only 1/2 the amount of power as the U.S. PGE has alternative means of meeting its customers' needs, if only it would abandon its nuclear dinosaurs and get on with the business of conservation, cogeneration, etc.

Sorry I couldn't think of any good nuke jokes. Maybe next time.



"The secret of my success? I'm an asshole!"

The United States Congress is on the verge of creating a new federal entity with the power to significantly weaken, if not waive altogether, any federal, state, or local law regulating non-nuclear energy production or transportation facilities. Called the Energy Mobilization Board, it is the brainchild of former Energy Secretary John Schlesinger who considered essentially all such regulation to be "red tape". The concept was approved by both houses of Congress on close votes, and a conference committee is now working to develop a bill that will be acceptable to both houses.

As both bills would allow the EMB to target any regulation—pollution control, worker health and safety, affirmative action, minimum wage—for waiver (albeit in the House version with a two-house concurrence vote), one wonders just how far our leaders are willing to go to buttress inherently wasteful energy consumption patterns. If this effort is to be considered the moral equivalent of war, however, I suppose a tacit declaration of martial law isn't too outrageous.

Mark Stapke



Environmental Clinic Strikes Back

The environmental clinic, champion of defenseless resources and scourge of the military-industrial complex, has dealt another blow to the inexorable march of technocracy. The latest scrimmage occurred deep in the wilds of Idaho, where logging activities atop the Idaho Batholith (a thin granitic layer of soil overlaying what amounts to a stupendous sand pile) threaten to destroy the South Fork of the Salmon River by filling it with sand. Seems that every time the Batholith is pierced (by logging roads, etc.) the sand beneath it spills out and fills the creeks, streams and rivers of the watershed. The South Fork used to be one of the premiere spawning areas for salmon, but sand in the river from past logging activities degraded the spawning gravels to the extent that, in 1965 the South Fork unit of the Boise National Forest imposed a moratorium on all cutting in the unit. And if the Forest Service thought there was a problem, you'd better believe . . . For example: one of the best fishing holes on the river was completely filled with sand in the 1960s. The Forest Service brought in a backhoe and removed 40 dump trucks full of sand from the hole (clever devils). The next day the hole was full of sand again.

Get the picture? Well, the Forest Service didn't. They're proposing substantial increases in cutting on two other planning units on or near the South Fork (covering a total of some 500,000 acres). These units are also atop the Idaho Batholith. The Forest Service threw together a couple of plans and EIS's to cover their already determined harvesting activities (for example, the cost/benefit analysis on one of the units was run several months after the preferred alternative had been determined). The Idaho Wildlife Federation was the Clinic's client on this one, and they got their (pro bono) money's worth. The summer members of the Clinic (Ralph Wilborn, Doug McKean, Kev Davis, Sarah Rhinehart Nelson, Richard Perlmutter and Phil Barca) combined with the fall members of the Clinic (Bob Guarrasi, Rick Parrish, Catherine Riffe, Ted Reutlinger, Barbra Haslinger, Mitch Riese, Mike Axline and Phil Barca again) to produce two magnum opera detailing the errors, inconsistencies and violations of management and conservation statutes which occurred on the two units. These massive but brilliant documents, tentatively entitled "The Clinic Chronicles," have been submitted to the Regional Forester, who will have a chance to respond before the whole mess is decided by the Chief of the Forest Service.

Some insight into the importance of this issue may be gleaned from the fact that industry forces have managed to work the Clinic's appeal into some proposed legislation. As it stands now, the River of No Return wilderness bill, for land adjacent to the units under appeal, contains deadlines for decisions from both the Forest Service and whichever federal district court the decision of Forest Service is appealed to. Appeals of the federal district court decision are to go directly to the U.S. Supreme Court. Stay tuned for further developments

Mike Axline

Atomic Tours, Inc.

(Advertisement)

(Advertisement)



YOU CAN BECOME YOUR VERY OWN NUCLEAR POWER PLANT!

ATOMIC TOURS Inc. is arranging a Christmas trip to Three Mile Island, Harrisburg, Pennsylvania.

*On our first day we will depart on an excursion to the scene of the catastrophe. Bring along geiger counters and cameras. Included in the price is an outdoor picnic lunch complete with canteens of heavy water and microwave hotdogs.

*On our second day we go on a treasure hunt for radioactive debris. Who will be the first to find Strontium and Plutonium? Wonderful surprises await the lucky ones!

*The third day will be spent washing ourselves and our clothing. Complimentary measurements of personal radioactivity will be available.

*Fourth day: we return home. (Subject to change)

All this for only \$599.95 (one way).

(Participant must provide their own gas masks.)

Wife Beating

In the Middle Ages in England and Europe wife-beating and wife-murder had become so commonplace that a fifteenth century priest was moved to protest that men treated their hogs better than their wives. However, the Church itself exhorted husbands to beat their wives "for her correction," and the legal structure reinforced it.

The misogyny imbedded in our legal and social system has been slow to change. In the U.S. today 28 million wives are victims of abuse by their husbands - more than half of all married women - and 10% of those women are beaten severely and regularly (U.S. Task Force on Crime and Its Impact). Twenty-five percent of all homicides are a result of domestic violence. Only recently have we begun to deal openly with the problem. Shelters for battered women, an idea that started in England, have begun to multiply. We have one here in Eugene. It's called Womenspace.

Womenspace houses about 70 women and children each month. In addition, it serves as an advocacy and referral service for area women since it has a tie-in with all the various organizations and agencies where women can be directed for help with legal, medical, housing, employment, career counseling and other concerns. About 200 calls of this kind are handled each month in addition to crisis calls. There are also outreach programs such as a training program for police officers in dealing with domestic violence. The shelter is funded in part by LEAA, Lane County revenue sharing, CETA and donations from private individuals and foundations. A small sliding scale charge is made to the

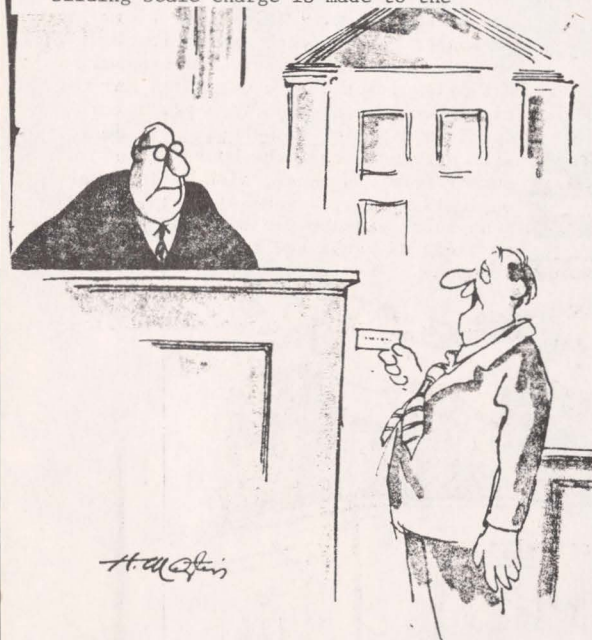
women who stay at the shelter. In addition to its three full-time staff members Womenspace has a volunteer group of about 50 women.

Typically, the battered woman arrives at the shelter with only the clothes on her back. Womenspace provides her, and her children if she has them, a safe haven (its location is secret), moral support, food and even a toothbrush. She may stay a few days, a month or even longer. Linda McGregor, administrative and program coordinator for the shelter, says that the longer a woman spends at the shelter, the less likely she will return to the violent situation. The woman is encouraged to set goals for herself and is given practical advice and encouragement in this direction.

Why does a woman stay with a violent husband? Two uppermost factors are economic and psychological. If she is economically dependent on him, as are many older women and women with children, she may feel desperately locked-in and unable to see alternatives. Even worse, she has an abiding sense that she is somehow to blame and that if she just tries harder things will get better. McGregor observes that most of the battered women she sees feel that their situation is unique and that they've done something to cause it. At the shelter the woman is able to get a perspective on the problem, which is the essential first step in re-ordering her life.

Women of all ages and from all economic classes are victims of spouse abuse. The wife-beater also comes from all social and economic classes, from blue-collar worker to the company vice-president to the high-placed attorney. They fall into two types: the first is the man who grew up in violence - his father beat his mother and perhaps himself; the second is the husband who begins using physical force that often escalates. Fifty-two percent of abusers and 48% of the victims have alcohol problems. Wife-beaters don't usually outgrow their behavior. Counseling can help, although few statistics are available. There is a counseling group in Lane County for wife-abusers.

In Oregon, as in many states, spouse abuse is classed as assault and battery. However, in most places, it's safer to get beat up on the street by a stranger than to get beat up in your bedroom by your husband, in terms of legal redress. Hospitals, police, prosecuting attorneys and judges have traditionally been reluctant to respond to or get involved in "domestic disputes." Often it is the woman herself who will not press charges for fear of further violence or because she feels intimidated. McGregor reports that the local police have been extremely cooperative and responsive to the problem, however.



"If it please the Court, I have a get-out-of-jail-free card."

Also, if she wishes, a woman can have someone from Womenspace accompany her through the legal steps of filing a charge.

Womenspace needs all the help it can get, both in money and volunteers. Ms. McGregor says that requests for service and shelter have jumped tremendously in the last few months. Finally, a lot of changes will be necessary before the problem of wife-beating will go away. Dealing with the problem openly by encouraging women to speak out and to refuse to be victims, changing or enforcing existing laws, holding public officials accountable or replacing them and seeing that programs

such as shelters are supported and expanded. Otherwise, we've just put a band-aid on the problem and someone will still be writing about wife-beating a hundred years from now.

(Note: Thanks to Linda McGregor at Womenspace for the job she's doing and for supplying a lot of the information for this article. Other references were from The First Sex, Elizabeth Gould Davis [an incredibly good book] and Scream Quietly or the Neighbors Will Hear, Erin Pizzey.

Tuesday, Nov. 20th.

Glennie R. Holladay

Film "We Will Not Be Beaten"

Womenspace - 485-6513

S. Ct. Notes S. Ct. Notes

YES, VIRGINIA, THERE IS A SUPREME COURT

Continuing our indigestion of the summer's leading cases:

Criminal Law: In what some civil libertarians decried as still another retreat from the implications of the Miranda doctrine, a unanimous court held a New York City ordinance unconstitutional. The ordinance would have mandated criminal convictions for suspects who fail to take policemen aside and "read them their duties." The ordinance had required that suspects deliver these so-called "Caliban Warnings" to policemen in order to remind them of their power of life and death, their obligation to attend to personal hygiene, etc. The Court, per Justice White, contended, "Who can doubt that this would be the first step toward compelling suspects to serve their arresting officers creamed chicken on toast points?" In a separate concurrence, Chief Justice Burger pointed out that arresting officers could always fall back on their tort remedy.

Greed: By 8-1, the court upheld the constitutionality of a federal program for the redistribution of wealth. Under the program, known as "horizontal divestiture," rich people are asked to lie down while poor people divest them of their money. Justice Powell, dissenting, pointed out that

the program would diminish the impact of various legislative directives requiring that income in excess of \$8,000 be bused across state lines to achieve bank account balances.

Civil Procedure: The Court voted unanimously not to review a case (United States District Court v. United States District Court, ---- U.S. ----) in which a court of appeals struck down a lower court's decision to vacate an even lower court's refusal to uphold a municipal judge's ruling that it is not unconstitutional to practice "reverse discrimination." Citing Bakke, Justice Rehnquist said that the court "is not, nor will it consent to be, a bunch of foolsophers easily drawn into jive baloney-shooting." A brief was filed by the Modern Language Association as amicus curiae ("curiosity about Don Ameche").

(Since the Court has reconvened for the October Term, I think that I can no longer compete with an institution so given to self-satire. How can you get mileage out of a court which has to give press conferences to explain its opinions? (Gannet v. DePasquale) So I will only note that the Court closed its summer term, as usual, with an informal musicale. Justice Rehnquist played pennywhistle, accompanied by Burger, C. J. on viola da gamba and Powell, J., on slide trombone. They were politely received.)

David Allen



"Do you ever have one of those days when everything seems un-Constitutional?"

Thoughtful Response

WLF: One Person's Perspective

When things get dull around the Law School, people start reading the first floor walls and some wonder what's going on with the Women's Law Forum. Some people publish their guesses as humorous columns in the Dissent. I chuckle when I read how the WLF dominates the Law School, because I know a lot of people who think the WLF never does anything. But then some specific attitudes and positions begin to be attributed to the WLF: "They believe in press censorship and want to cut off Dissent funding." "They are just a bunch of man haters." "They ought to do a better job of explaining themselves to the men here." None of these statements fit my perspective of the Women's Law Forum.

The Women's Law Forum is the people who come to the meetings. There are, as of this year, three elected positions, many volunteer roles, and all activities are open to everyone.

The WLF is a collection of individual responses to being a woman in the male legal profession. It's not just that Prosser still talks about the reasonable man test, and that our T & E casebook recommends not making a woman of no business experience a trustee--some language takes a long time to change. The maleness of the legal profession is more pervasive. If you doubt me, here are some test questions.

Think of the lawgivers. The ancient lawgivers were gods, prophets, kings, men writing manifestos and constitutions, but were any of them women?

Think of due process--the right to be heard and no taking without compensation. Who had a right to be heard before the early courts--men, who were also the only ones who could own property. If due process substantive rights exist beyond the statutes, this must be a law for men because women had no rights until the written laws gave them some.

Think of an analogy for the adversary system. Is it sports planning tactics and pulling together to overcome the other team of bad guys? Or knights, battling to the death for truth? Or trains racing around the mountain toward each other? When I was little I never played soldiers or football or engineer. Maybe I should have, but nevertheless no analogy to the adversary system has anything to do with jumping rope or playing house or even hopscotch (although hopscotch may be good preparation for Ad. Law).

Were there any women demanding the signing of the Magna Carta, or were they all back at the castle cooking for the feast? Has a woman ever been IRS Commissioner, writing §§ 1-1223-1 et seq.? Why is that female figure holding the scales blindfolded? Must she rely on feminine intuition to judge if justice is done?

Once women were no longer needed to work on the farm and bear more farm workers, once women began to get control over their lives and some input into the political process through the vote, once women realized that all the people who had power were men, some women decided to become lawyers. Not surprisingly, most of the students they met at Law School were men, and the women felt alone and isolated. (O.K. so far?? Haven't you sometime been the only person who wore yellow socks, couldn't play water polo, were or were not something which not only made you visibly different from everyone else, but also judged out of place and/or inferior?)

There they were, the only women, trying to do well and to understand the law. Some women got together to talk about what was happening and how they were handling this new experience, not just of going to law school, but of being away from the communities, their backgrounds and usual expectations. Some of the women were married and some had children and some had boyfriends and some were alone and some were together. Each woman, of course, was different from each other women in hundreds of ways, but they shared a common goal of becoming professionals in a field which had never included them before.

More and more women kept coming to law school. Some of them were angry at being kept out so long. Some of them had known for a long time that they wanted to be lawyers and saw themselves as a part of that profession and felt comfortable with their role. But some women still saw both the profession and the institution of law school as alien, as arising out of experiences which culturally were not their own. So they decided to, at least, overcome their separateness and isolation and get together occasionally--and they called it the Women's Law Forum.

I have surely overgeneralized and there are women reading this who consider themselves part of the Women's Law Forum and don't agree with or identify with anything I've written. I've not begun to talk about theory or politics or policies. I am not a spokeswoman for the Women's Law Forum. I can only reflect my own impressions and values. (There is no monolithic, political WLF strategy written in code on the bathroom walls.) Women's Law Forum is whatever the people who come to the meetings want it to be.

I, personally, would like the WLF to do more outreach to women in the community who feel oppressed by the legal system--women who are afraid that if they report a rape they will be hurt again instead of helped, women who don't know they can get their own credit

rating or how to visit their friends in jail.

I, personally, hope that women will influence the law, overcoming the dichotomy between competence and compassion. Men and women both possess traditionally "feminine" qualities which can humanize the law.

I, personally, do not hate men. There are some people I care a lot about, men and women. Being a feminist does not make me any man's adversary unless

the only way he can see me as a person is by forcing me to take from him. If we can share, instead, there is surely room for us all to work together to help the law, respond to the changing needs of the people it serves.

Just don't get mad at me for wanting to hang out with my friends occasionally, many of whom happen to be women.

Martha Evans

SWINE Unmasked

[If you think this is offensive you should see the 15% that was censored. Ed]

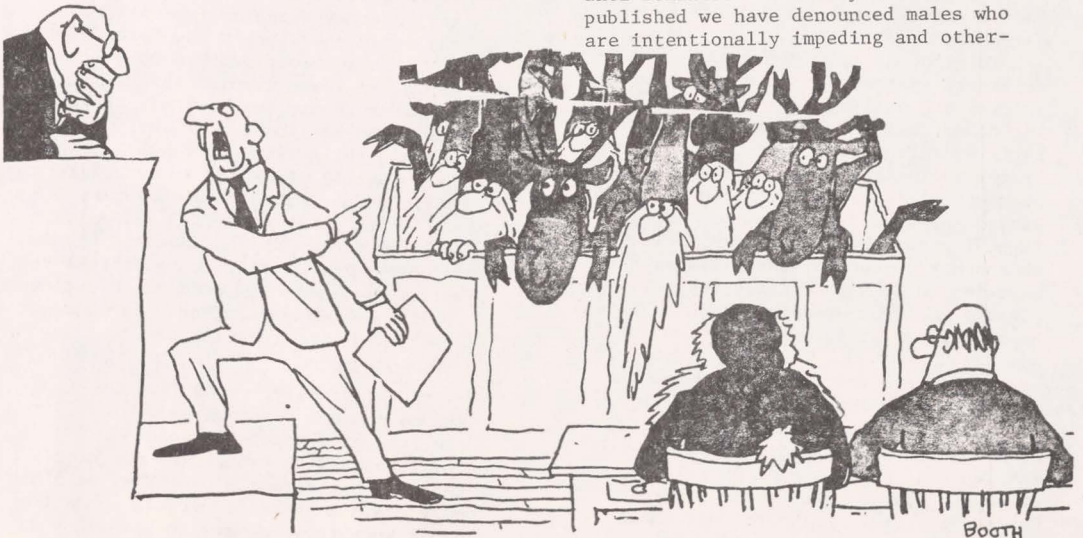
SWINE (Students Wildly Indignant About Nearly Everything) is being nagged out of anonymity by some Wildly Indignant Students. Like Kissinger's "Peace with Honor" solution, this may not turn out quite like the proponents want it to.

The SWINE committee for Promoting Equality "Among" (this is Eugene, after all) The Sexes (PEATS) is concerned by several recent court decisions having to do with the "unequal" way which women have been treated in the purchasing of retirement annuity plans. Since women live longer than men, most plans either require that women make larger contributions to get the same level of benefits as men (because they'll be getting it for 13 years longer) or men and women make the same size contributions and women get smaller monthly payments because once again they'll be getting them for 13 more years. The courts say that this is unconstitutional and that women should make equal monthly payments and get equal monthly benefits. SWINE believes that the only reasonable way to make the sexes equal in this respect is to shoot certain numbers of women each

year so that women's life expectancy will be "equal" to men's. Think about it. This could solve the entire problem. The remaining problem, of course, is which ones do you shoot? (SWINE has a couple in mind--but on to the analysis.) Do you draw names out of a hat? Do you start with the ugly ones? (not a suspect classification.) Since you're choosing between members of the same sex, none of these distinctions are suspect for equal protection purposes. There'd be no point in shooting homemakers because they're not involved in the pension plan problem. You wouldn't want to shoot working (at jobs) women because they contribute to the tax base. Pre-college women should also be excluded because they didn't cause the problem in the first place. (For those who don't recognize the above "logical" process, it's a fine tuning of Prof. Swan's Conflicts of Law governmental analysis.)

The SWINE (PEATS) committee will report next month on efforts to further narrow down the "target" group. One suggestion was to select those within the "target" group who go around making irrational statements.

SWINE takes offense at those who would have you believe that SWINE is anti-feminist. In every article ever published we have denounced males who are intentionally impeding and other-



"Your Honor, I question the impartiality of this jury!"

SWINE

wise discriminating against feminists (as distinguished from women). To show you we mean business, this issue we take on the big banana himself, the ostensibly even-handed, fair-minded, tolerant, Dean Chapin Clark. Dean Clark, you say? Why he's put up with more baloney and gone along with just about anything you could shake a stick at. How has he hurt or held back the "movement"? That's just the point. For those of you who didn't attend last year's graduation ceremony, you missed a stella performance by a representative of the W.L.F. who got up and berated the sexist world, school, males, etc. and was generally negative in her entire presentation. In this writer's opinion, it was an insult to all intelligent women in the law school (and in the world) who aren't misfits and have their lives together in reasonable order and are able to function as well as the rest of us (however well that is). Now if Dean Clark was really interested in advancing the cause of women, do you think he'd allow this to go on? Heck, he'll probably allow it again this year. Insidious, isn't it? By pretending to cooperate with the WLF, he's exposing them to the outside world.

BIG TIME DOINGS, Linda Wilson, 3rd year law student, told TV reporters that she was going to sue a local service organization in an attempt to remove their tax exempt status. This organization raises money to help needy children. Just think Linda, you can substantially decrease the amount of money which reaches the beneficiaries of this worthy cause. Maybe they're

just using excluding women as an excuse. Maybe they just don't want you in the club?

SOME NOTES FROM THE "CENSOR DISSENT MEETING," Oct. 22:

HOT FLASH. There is sexism in Dissent one of the more vocal (if that's possible) Wildly Indignant Students revealed at the Oct. 22 meeting on Dissent's editorial policy. Jane Pincus, a first year law student, revealed that because of reading Dissent, "I feel bad about myself" and "I have problems with being a woman." (I thought the whole point of this so-called equality was to be "like a man.") She went on to warn (about 9 times to be exact) that "someone" would be held responsible for this discrimination. She passed around xeroxed copies of "the law" to further impress nonbelievers. For those who didn't have a chance to attend, you'll be glad to know that you were represented as Jane Pincus said, "I'm objecting on behalf of everyone." A few minutes later, however (when it suited her), she said, "I only speak for myself." I won't bore you with the rest because it went along in the same vein.

SWINE wonders what possible causes of action could exist for our first year legal student to get us with. She did threaten us with the 1st Amendment but since that would be our defense as opposed to her charge, that can't be it. The key to a possible claim for damages lies in her statement, "I have problems with being a woman."

SWINE panicked when it realized that someone out there might have a claim against us for loss of consortium. What if several people have a claim based on this single tort? How do you apportion damages? Can I implead society? What will she do to us when she's been here a whole semester and becomes even more expert in "the law"?

After this meeting SWINE has decided that it has no option but to call off the demagoguery contest as it is impossible to keep score--and knowing the score is the first step towards getting anywhere.

You may have noticed that SWINE has become more direct insofar as mentioning names and specifics in the column. When we were anonymous, we felt we couldn't in all fairness do thusly, but now that some have "flushed those cowards" out of hiding to "shut them up," we feel free to report accurately on things as we see them.

thought for the week: BE CAREFUL WHAT YOU WISH FOR--YOU MIGHT GET IT.

Donald Bourassa



"Madam, I assure you, it is not raining!"

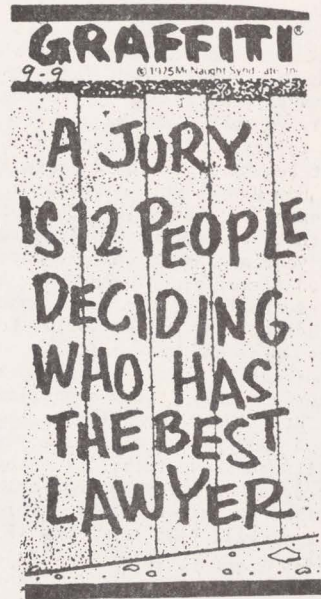
Notes and Comments

1. "All men are created equal." "In 1848, a group of American women met in Seneca Falls, New York, and addressed themselves to 18 grievances [including] the right to vote, be educated, enter any occupation, have control over their bodies, sign legal papers, manage their earnings, own and administer property. The outcry was enormous, and women were ordered back to their 'place.' In less than a century, they changed many laws that had restricted their lives . . . they built a movement that was international . . . equality was in sight . . . [A] counterforce . . . began to push women back into the confines of the home . . . not by laws but by guilt and ignorance. They were told that the fight for their rights had been won, and that their experience to the contrary was untrue. They were made to feel guilty for their aspirations and were convinced that, somehow, their desire to be free threatened men." Prevalent from the 13th through the 17th centuries were witch hunts previously estimated to have exterminated 300,000, but now "estimated at 6-9 million, 85% of whom were women . . . The women's revolution was obscured, as our entire history has been obscured." The Dinner Party, Judy Chicago.

"Robert Briffault and Erich Neumann cite numerous examples to show that the deeply revered art of pottery-making was invented by women, was taboo to men, was regarded as a sacred process; . . . the pot, vessel, urn, pitcher was not an ornament or casual container; it made possible the long-term storage of oils and grains, the transformation of raw food into cooked, the storing of the bones or ashes of the dead. The great arts of civilization--pottery, weaving, agriculture, the domestication of animals, the lore of herbs and roots, the art of healing, the nurturing of the young--[were first attributed to] the spiritualized divine being of woman. The intimate and communal spirit between the potter and the pot [is] unknown in present-day technology . . ." Of Woman Born, Adrienne Rich.

Today, the Equal Rights Amendment waits in uncertain status for ratification in the required number of states.

2. Myths about rape. Only the recent rise of women's movements has, by heralding women's self-sufficiency, achieved any progress in stemming the phenomenon of rape, in war today (e.g., the rape of 200,000 Bangladesh women by Pakistani soldiers) and traditionally (as booty in every war),



in ordinary society (rape thought to be one of the three most rapidly increasing violent crimes in America today), even in the homes (violence in marital relations is just now gaining recognition as criminal, or against the interests of the state in peaceable society). Contrary to historically nurtured myths, men who rape are not abnormal socially or economically and frequently are married or have girlfriends; nationally, about half of the rapists are known to the victim; 88% of rapes carry fear of injury or death; predominate theories today assume that the act is done out of 1) sadistic aggression with a desire to hurt the victim and a secret belief that the woman desired the rape (25-35%), 2) egocentricism viewing women as fulfilling the needs of men (12-26%), 3) an explosion prompted by a lowering of restraint through alcohol (10%), or 4) a "double standard" righteousness in raping women believed to be "bad" (10%). Research provided by the Rape Team, Eugene; statistics from Kinsey's Institute of Sex Research.

Historically, victims (women) were put through ridicule and embarrassing questioning by investigators, punished severely, and subjected to social ostracism or execution, because "the courts always accepted the man's denial in preference to the woman's accusation." Of Woman Born, Adrienne Rich. The law enforcement surrounding the rape of singer Billie Holiday at age 10

replicates this historical attitude. "Rape, the All-American Crime," Susan Griffin, Ramparts 10 (Sept. 1971): 26-35. In one year, Eugene statistics showed only 4, about 5%, "unfounded" complaints. "The laws against rape exist only to protect the [property] rights of the male as possessor of the female body, and not the right of the female over her own body. "Rape, the All-American Crime," Susan Griffin. New Oregon laws protect the victim from unnecessary questioning. Rape Team, Eugene. But, nationally, few rapists are punished; only one in five rapes is reported; only one in eight reported rapes ends in conviction. Harper's Weekly quoting the American Bar Association Journal, from Rape Crisis Network, Lane Co. Sheriff.

3. Grievance procedures. Oregon statutes provide:

659.150 (1) As used in this section, "discrimination" means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on age, handicap, national origin, race, marital status, religion or sex.

(2) No person in Oregon shall be subjected to discrimination in any public elementary, secondary or community college education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly.

(3) The State Board of Education and the State Board of Higher Education shall establish rules necessary to insure compliance with subsection (2) of this section in the manner

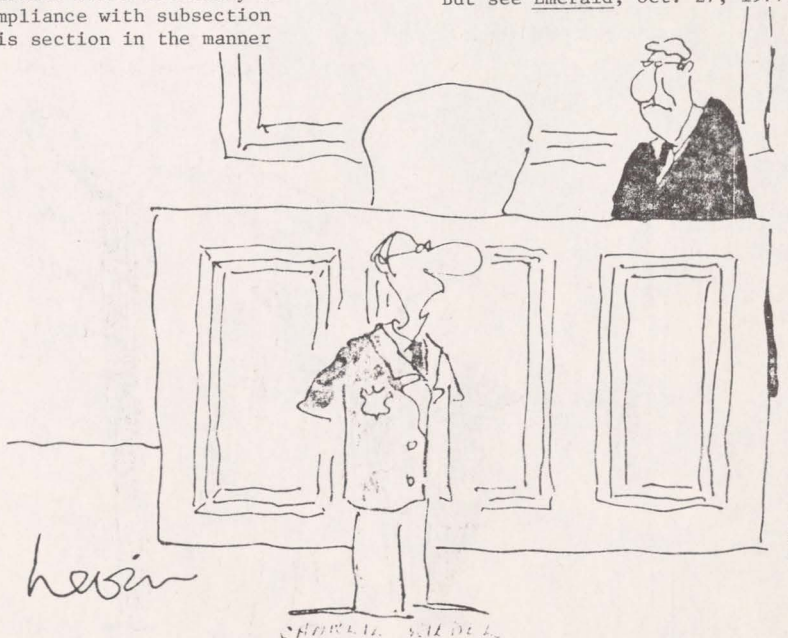
required by ORS chapter 183.
659.155 (2). Any public institution
of higher education determined by the
Chancellor of the State Board of
Higher Education to be in noncom-
pliance with provisions of ORS
659.150 and this section shall be
subject to appropriate sanctions, which
may include withholding of all or
part of state funding, as established
by rule of the State Board of Higher
Education.

Grievance Procedures for Complaints of Sexism in Law School Activities provide:

It is not the intent of the Committee [on the Status of Women in Law] to limit its consideration to formal law school policies, or to matters of questionable legality, but rather to consider problems of sexism however they arise. Complaints should be as specific and detailed as possible, although general complaints about attitudes and behaviors which cannot be specified in much detail will also be considered. Sexism complaints may be submitted by any person associated with the law school . . . , must be in writing and signed.

Faculty members on the Student-Faculty Committee on the Status of Women in Law are Carol Sanger and Charles Wilkinson.

4. Anonymity. Editor Gary Marcus has stated Dissent publication policy to allow publication of any article submitted of any nature whatsoever as long as it is not offensive to him. (See Dissent publication policy on SBA wall.) Dissent publication of anonymous feature articles is contrary to SBA policy. (SBA Minutes from Oct. 25, 1977, missing. But see Emerald, Oct. 27, 1977; Dissent.



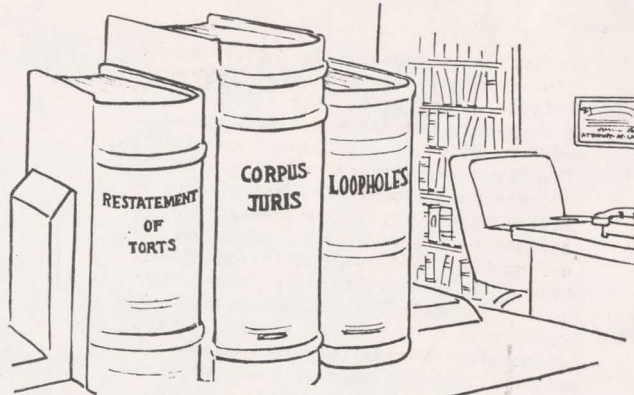
"Oyez, oyez, hey bop a rebop, oo bop shebam."

Nov. 9, 1977.) Private institutions providing a published forum for a community strictly adhere to the signature requirement in publishing submissions from the public. (See Register Guard, New York Times, etc.) Traditions of anonymity exist in our society from individuals with problems who seek help but desire immunity from the social repercussions of admitting

socially unacceptable problems (e.g., Alcoholics Anonymous, "Dear Abby," etc.) and from individuals who desire to perform illegal, immoral action while escaping the consequences by technical anonymity (Ku Klux Klan). The U.S. Supreme Court distinguishes between the improper state use of the signature requirement (ordinance barring anonymous handbills, void) which has a chilling effect on freedom of speech, and the proper use of the signature requirement (state corrupt practices acts which outlaw the distribution of anonymous publications regarding political candidates, permissible) to discourage defamation and make for responsibility in writing, as if a person were present in public speaking.

The Dissent is published by the Student Bar Association, which is funded by a state-authorized collection of student funds. Is its policy a proper management of a publicly funded community forum? Is this adherence to the legal sanctions applicable to state educational programs and activities? What responsibilities rest upon members of the community to insure that community policy is followed?

J. R. Pincus



Reverse

Discrimination

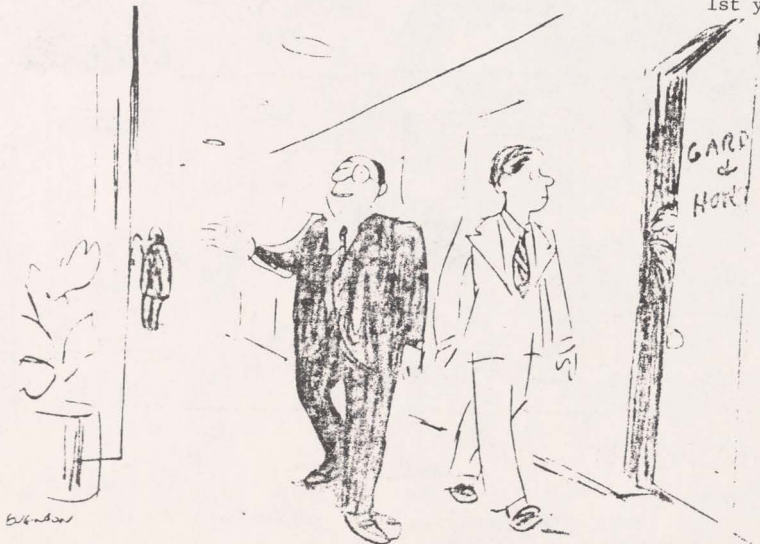
In this day of reverse discrimination suits, I have to gripe about a practice some professors love to engage in-- one of always using "her" for "him" and "herself" for "himself." I mean, really!

We all know women can be judges, surgeons, welders, etc. But I'm getting damn tired of spending half the class period looking back at the casebook to see where it says "her"!

In all laws and most all contracts a definition clause says "the masculine terms herein include the feminine." Can't we use the same rule? The practice is not so bad per se, but it ruins my train of thought!

The courts are saying now that because blacks have been discriminated against in years past, we won't require reverse discrimination to make things right. Why not women too? They can stand on their own feet. Instructors, repent!

David A. Florea
1st year - locker 404



"For God's sake, don't join this firm."

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Firstly, I trust you will not take offense to this letter's salutation. You see, I have recently seen the folly of my ways and have found myself--a born again asexist. It is precisely for this reason I feel compelled to write you concerning your son, Gary.

Ridiculous! What kind of boy did you raise! How could you ignore the First Amendment's clear mandate of freedom of the press except under stressful conditions in your basic instruction of Editor Marcus during his formative years. What about us clearly oversensitive folk? We have rights too! Should we be forced to endure great mental anguish simply because your son, the running dog lacky of the Hearst journalistic school of antagonism that he is, refuses to heed the screams of the vocal, but informed, minority.

Sincerely yours,

P.S. He is also wasting the family fortune on obviously sexist stone objects for the Camp Courtyard and on gorilla suits for the blatantly sexist practice of chasing urban women.

P.S. I hope you are sufficiently impressed with my clarity of thought and powers of observation to support by contribution my latest advocacy -
Nuke the Whales.



"If everyone is here, we'll proceed with the corporate earnings report."

Dear Diogenes:

Best regards,

/s/ Mrs. Betty G. Marcus



"That isn't just another Christmas list, Charley—it's nonnegotiable."



NORTS SPEWS

Schlock

Bill,

It has come to my attention that one or two people at UoOLS don't share my high regard for one of America's true remaining heroes, the old general--Woody Hayes.

In normal conversation I expect WWH to get is normal barbs, but in the long view, which very few people take time to see, it is PERFECTLY CLEAR that he is a truly outstanding man.

After I dispense with the standard, all-purpose "anti-Woody" argument (so popular among the wolves of our society)--that he is childish--he stands up to scrutiny pretty well.

Woody is a man who has developed strong convictions, and has had the courage to stand by them. He has dedicated his life to Ohio State University, in the interest of having a hand in the proper development of young men and women.

Granted, he attacked a poor, defenseless, 250 lb. linebacker who was in full football gear, but even that incident offers a perverse view of what makes Woody tick. He could see "the things he gave his life to, broken,"¹ and he refused to accept Kipling's inert solution of "stoop and build 'em up with worn out tools."² He saw another ideal which he held dear--truth and moral right (embodied by a Buckeye leaf)--being torn up, and he reacted in the only way his revered idols of history, Patton and Nimitz, would have: by throwing his last ounces of "heart and nerve and sinew"³ into a go-for-broke defense.

Woody is a man who never accepted a salary of over \$30,000/year, because the thought of making money at what is everyman's sacred duty--service to God and country--was too repulsive.

Anyone who could see him as I have--as a man who, on 2 hours notice and without knowing anybody in town, would drive 90 miles into Ohio's hills to deliver a graduation address to a group of high school seniors and then to rationalize such a deed by saying, "I always have time for young people, because they are the hope for our country"--would certainly agree that he is a man whom we should expect to protect, respect, or at least elect to the Senate.

¹If, Rudyard Kipling.

²Ibid.

³Ibid.

Mike Oths

Counter-Schlock

Mike,

You've been brainwasted again, kid. They must teach Woody's Wunnerful Way along with the Bible in Ohio schools . . . Maybe we'll need a Constitutional Amendment prohibiting Woodyism in the schools.

Granted it's tough to say anything against a man whose convictions insist on him having a punch in the proper development of young Americans. Maybe the youth of today need a good upercut to straighten 'em out. And perhaps you're right that Woody would make a good Senator . . . I can just imagine Woody mixing it up on the Senate floor. You've convinced me, Mike--Senator Hayes would make quite a "hit" in Washington if he could attack the nation's problems like he did that Clemson linebacker!

But enough of this scallawag. You'll probably say BYU should be #2 next week (behind those bucolic Buckeyes). More importantly, talk in Duckdom is centering around Oregon's hot two-game winning streak (by now it's three in a row!), and a post-season bowl game. The next victims are those silly cardinals down on the farm, whose passing game slices and dices defenses like tomatoes through a Veg-o-matic. That schlocky schlichter can't hold a flat pigskin compared to turkey Schonert. And do the ducks have a chance? You bet your bottom buckeye! And then it's UCLA, the Beavers, fame, fortune, and the Heisman for disco Dwight Robertson!

ROG!

Bill Waterman

Wild Bill's line: Oregon by 10 over UCLA.

(I will stuff a kicking tee up the nose of the first person who mentions "non sequitur" or "reductio ad absurdum" to me.)

While I'm on the subject, I noticed that Ohio State is 10-0 (after Iowa) and that the other school (hint: school colors of yellow and blue) is probably 9-1. Not to imply that I care, and certainly not to imply any illegality, but I probably would be willing to exchange a few gratuitous promises on the outcome of the game. Point spread is negotiable.

THINGS TO PONDER: (1) Will Bo win his last game of the year (for the first time)? (2) Will he assault a 5'7" 160 lb. student reporter? (3) Will he take the top spot at Slippery Rock if OSU wins? (4) Do more than 7% of the people who read this article give a damn one way or another?

HAIL TO THE VICTORS AND ALL THAT ROT.

Pennoyer II — Bigger Is Better

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It wasn't the N.Y.C. Marathon; and it wasn't the Olympic trials; and it wasn't even covered by the Eyewitness News team--however, it was the making of a tradition. The 2nd Annual Sylvester Pennoyer Memorial Run proved once and for all that law students can run 2.7 miles and still have enough energy left to down 4 kegs of beer and still have enough energy left to go to another party that evening and yet make it to the library before 10 a.m. on Saturday.

Actually the weather was great and so were the 225 students, faculty and staff who showed up. The top ten across the finish line were:

1. Ed Spinney (1st year)
2. Al Muir (1)
3. Chuck Fadeley (2)
4. Don Beckwith (1)
5. Karl Zeiger (1)
6. Paul Hribernick (3)
7. Tony O'Brian (1)
8. Steve Smaucker (2)
9. Ralph Wiser (2)
10. Michael Arola (1)

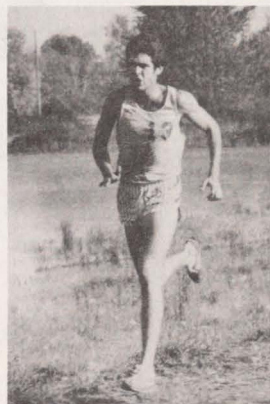
Ed Spinney's finishing time of 13:13 set a new course record. Henry Marsh, who took 1st place last year with a time of 14:22, was unable to compete this time around. On behalf of the Law School community, we'd like to wish him the best as he prepares for the '80 Olympics.



Ed Spinney



Al Muir



Chuck Fadeley

Sona Joiner, Margaret Frank, Jane Nelson, Suzy Driver and Karen Peterson were the first five women to finish.

Peter Swan was the 1st faculty member finishing and Tom Walsh the first staff person.

Chapin Clark finished somewhere between 203 and 205. Other faculty participants were Professors Ouimette, Hildreth, Jacobson, Forell, Vetri, Bonine, Merrill, Lacy.

A special word of thanks to Dave Nichols (for getting the kegs), Deb Ehrman (for springing for the 4th keg), Linda Mann/Melissa Turner/Sandy Paulus (timekeepers) and the weather.

Perry Buck should be singled out for his organizing efforts that helped to insure the success of the race. Dale Johnson worked his tail off in getting us some shirts that even our parents would be proud to wear. His efforts went far beyond the call of duty and even though his G.P.A. will undoubtedly suffer the sale netted \$272 in profit--all of which will go to this year's "Hump" (to be held in late Jan.)

Finally, thanks to everyone who showed up. Start training for #III. See you then,

Candace Reed
Robert Guarrasi

Dear Cardozo, J.

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Dear Justice Cardozo:

Do members of 1L's Basketball Team (joined as plaintiffs with Chuck Fadeley) have an adequate remedy-at-law against Timmy the Kleep, or will we be allowed to exercise equity? Please remember the Godfather quote: "Revenge is a dish which tastes best cold."

signed: seeking a solution at
arms-length

Dear Seeking:

Due to popular demand, there is a cook book on how to prepare Timmy the Kleep which emerged from the case of Betty Crocker v. Adelle Davis. Timmy the Kleep is, of course, a tough animal as has been noted in countless law review articles. Many like to eat Timmy cold, but because of the chewy, grissly nature of his flesh, we suggest that you tenderize him first by pounding him with a meat hammer, and poking him all over with a fork. Then bake at 350 degrees basting frequently. Allow him to cool in the refrigerator overnight before slicing him into sandwich meat.

It is difficult to know what kind of seasoning to use on Timmy. Those who find him naturally bland often smother him with ketchup. While those who find him too hot and spicy like to soak him for 24 hours to leech out the juices from his spleen. Those of us on the Supreme Court like our Timmy the way he is, with perhaps a dash of pepper to bring out his slightly vinegar flavor.

Members of the 1L basketball team will find a plethora of remedies both in law and equity. You and Chuck Fadeley can look forward to a public hanging. Timmy the Kleep's one or two friends are cowards and will not come to his aid.

Dear Justice Cardozo:

As an impressionable 1st year student I am easily upset by notions advanced by fellow students which I find unconscionable and thus clearly against public policy. One such proposition is the much touted argument purporting to establish a precedent in law for wrongful life as an affirmative defense in cases of stealing candy from babies. Can you clear this up for me?

signed: Hoo Cares



"I think my indictment was just and when all the facts are known I will be proven guilty."



Dear H.oo Cares:

The principle of wrongful life is certainly not unconscionable when applied to small children. This up and coming legal principle is a logical extension of several established legal doctrines. One of these doctrines can be seen in a recent case where the court held that the shooting death, in the law library, of an undergraduate was a legitimate case of mercy killing. The Court reasoned that it was a much more dignified way to die than being dismembered limb by limb by a pack of roving law students. This case establishes the precedent that the killing of juveniles is justifiable (even laudatory) in some cases. To support this some states are enacting statutes on distractive nuisance. These statutes state that small, noisy, messy minor children can destroy the reasonableness of any person thus providing an affirmative defense in intentional tort cases. The coupling of mercy killing with distractive nuisance provides justification for the doctrine of wrong life at least where minor children are concerned.*

Of course, whether wrongful life ever finds a home in common law depends on the age old principle of legal Darwinism or survival of those with the fittest lawyers (this is not to be confused with legal Frohnmayerism which is survival of those most obsessed with the APA). Besides, wrongful life must also be seen in the larger perspective of how it will benefit society. Since the U.S. isn't currently directly involved in any wars and since the NRC has suspended the licensing of nuclear power plants, Congress may want to adopt wrongful death as its new method of birth control and species improvement.

*Certain types of life may be wrongful by definition such as the offspring of two lawyers, coffee cup thieves and professors who make a mockery of class scheduling.

Dear Justice Cardozo,

As finals time approaches I am once again reminded of an interesting fact I learned as an undergraduate Psychology major. That is that during times of high stress, such as finals, there is an exponential increase in sexual activity among the people experiencing the stress. This always seemed to pose an interesting paradox: during the time people most need and want sex they have the least amount of time to procure and enjoy it. Some people have been able to secure outlets for their hyperactive libidos and function in a state of relative bliss, but others seem to direct this pent up energy into other directions.

There is evidence of this all around our law school. Frustrated males have taken to writing derogatory and infantile articles about women for the student newsletter. The equally frustrated women have responded by abusing their new found political muscle with an attempt at curtailing First Amendment rights. Some law students have found catharsis by forming vigilante groups to rid the law building of pre-literate undergraduates who can't read posted signs. While still others have been seen physically abusing coin eating vending machines. Some students have internalized this energy as evidenced by no fingernails, significant increase in miles jogged and quiet sobbing.

These observations bring to mind some interesting questions. If television shows can be banned because they foster sex and violence, can law school finals similarly be banned? Also, if this notion of increased libidinous drives becomes codified, how will it effect the principles of attractive nuisance and gratuitous bailment? And finally, does West Publishing have a law school dating service?

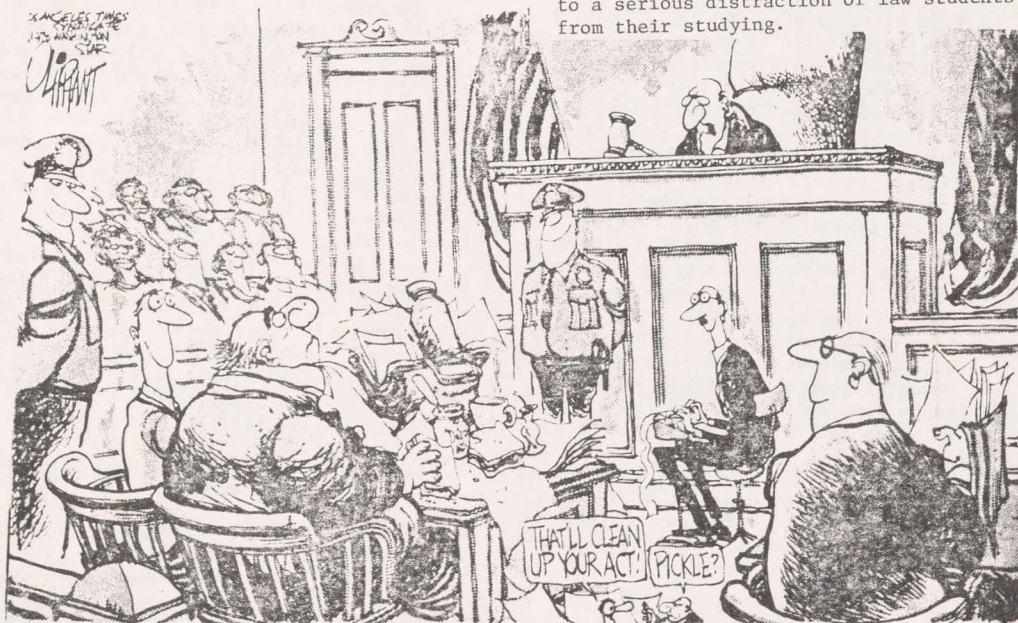
Sincerely,

Preparing for Finals

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One effect of codifying these drives would be the furthering of the cause of removing undergraduates from the Law School. In the morning, most law students are lucky if they put their shoes on the right hand when they get dressed. Whereas, undergraduates carefully dress themselves in an attempt to be physically attractive. This leads to a serious distraction of law students from their studying.

Your observation of the inter-relationship of stress and sex is very much to the point, so to speak. You presented a clear analysis of the traditionalist school of thought, but recently there has been emerging a new theory thrusting into the mainstream. It exposes the insidious attempt of the faculty at this law school, and bigotted capitalists everywhere, to rob people of the fundamental source of personal fulfillment.



'Defendant is sentenced to six months, and in light of Justice Burger's remarks about incompetent trial lawyers, defense counsel is sentenced to twenty-five years.'

Under the principle of attractive nuisance, people who dress attractively could be arrested for being a nuisance. We might lose a couple of law students but in the interest of a stable society, their loss must be accepted.

Your reference to gratuitous bailments begs the question. Representative "Gus" Palmitessa framed this clearly as a question of the legality of mercy fucks. Another effect of codifying might be the greater acceptance of that kind of activity among friends, particularly during finals. I expect courts would find this in accord with public policy except in the cases of extreme overreaching.

To address another of your questions, recently there has been a strong grass roots movement to censor all three letter words from exams. Although the word "SEX" would be seen less in a testing environment, it would remove the problem of dealing with the APA in a public setting, moving it to a more private forum. This should end the embarrassment we all feel when we are asked specific questions about it in the presence of others. This should also allow greater freedom to employ the "I know what I think" defense (paralleling the "I know what I feel defense" in the real world).

There is a problem in that the faculty is providing some serious resistance to the suggestion of censorship. Dave Frohnmayer has gone so far as to threaten that if he ge. elected Attorney General he will make the study of the APA mandatory in primary schools. He finds a legal basis for this policy in the legislative history of the act. In particular he points to a note scribbled on a napkin by an aging legislator indicating a desire to make the APA a household word.

Finally, West does have a dating service. Their application attempts to frame the likes, dislikes, physical characteristics and needs of individual applicants. They assign you a key number, and you select your prospective date by referring to the corresponding section with the same key heading. I am somewhat surprised that you weren't issued a pamphlet, in your 1st year Legal Research and Writing class, on how to use the West system.

Poor Taste, Dept. Conundrum For Dissent

What is it a law student can do, using only the left hand, while studying, that is constructive and not sensual?

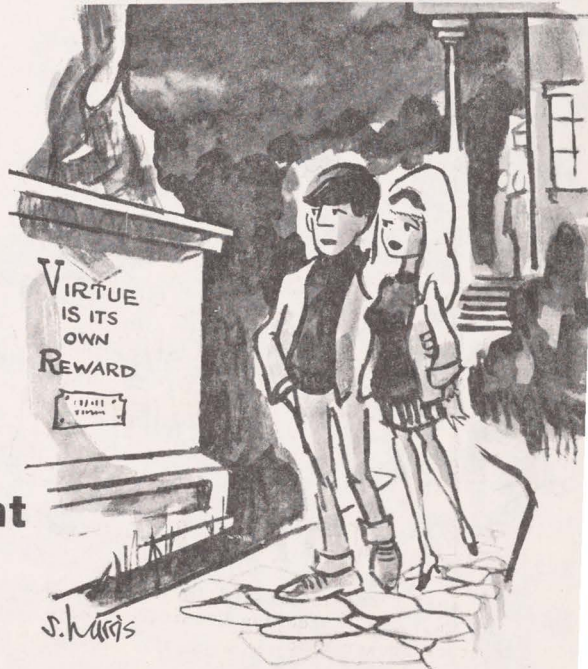
Best answer in next Dissent wins a pitcher (??) of beer.

Library Notes

In late summer the Law Library was designated a U.S. government documents depository library by the Government Printing Office, and last week marked the receipt of the first shipment of depository materials. Depository libraries can select and receive government documents free of charge so long as the materials are properly maintained.

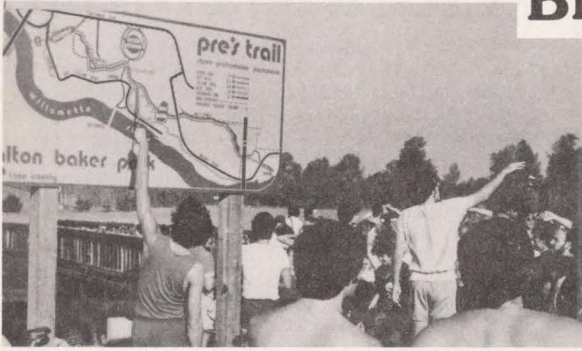
Several benefits come from depository status. First, there is a cost savings because some items will be received free of charge whereas they have been purchased by subscription in the past. Estimated savings will easily exceed \$10,000 annually. Secondly, the Law Library will not have to rely so much on the depository collection of the Main Library. As a third benefit, the Law Library will be able to duplicate some items, such as the Code of Federal Regulations and Federal Register, which are now owned only in single copy.

The immediate impact of the depository designation is negligible for Law Library customers, but the benefits to be gained over a period of time make the depository status a tremendous asset for the Law Library. Most of the materials will be added directly to the Law Library general collection, but some (such as paper copy of Congressional hearings and reports for some committees) will be kept in Technical Services. Any library user who is working with government documents but cannot locate the materials desired should contact Law Library staff member Linda Hof.



"So's vice."

Blood From Turnips



Law Partners

It looked like Law Partners could make a go of it this year. However, after only 2 1/2 months it is clear that apathy reigns supreme at the Law School. Law Partners will soon fade away unnoticed. I may be a frustrated coordinator, but before I bow out I would like to give a special thanks to Deb Ehrman for her support and to the active few who maintain it's been a worthwhile effort.

Teresa Browne

From the Administration

We have received complaints about the posting of notices in the stairwells. While the Regulations Governing the Use of the Building do not specify that the stairwells are not to be used, we are asking the Student Bar Association and related groups for their cooperation. Please keep all posters and notices on the first floor and do not post them in the stairwells. Please inform the various groups and the Student Bar Association officers of this policy.



NOTICE

All those interested in joining the "Nuke the Whales" Steering Committee please contact locker # 96.

"...and to my wife, who was always complaining that she had nothing to wear."

The University of Oregon School of Law blood donors club is rapidly approaching anemia. As of October 24th we had only five units to our credit and not one pint had been donated since the start of the school year. Bleeding heart liberalism is not enough; we need those red and white corpuscles.

To donate blood, call the Lane Memorial Blood Bank at 484-9111 and make an appointment. When giving blood tell the Blood Bank that you wish your donation to be credited to the Law School. That's all there is to it. You will feel good about it, and your donation could literally save the life of a fellow Law School resident. Thank you.

Dan Nye

ROMANCE

a pair
a care
a silly romance
a feverish night
a slow-motion dance
a lark
a mark
a moment in time
a tender sight
a carressing sublime
a feeling
a reeling
a freedom in space
a sensing of height
a delicious face
a picture in light
gone with no trace.

Bill McCall

London Law Program

A summer program offering study in law relating to international business will commence July 7 in London, England. Sponsored by the University of San Diego, a feature of the program will be clinic internships with London firms.

Both internships and the courses offered relate to international business affairs. The courses are: Comparative Antitrust, International Trade and Investment, Comparative Products Liability, International Commercial Arbitration, Immigration Law - U.S. and U.K., and Comparative Copyright.

The outstanding faculty includes Eleanor Fox and Andreas Lowenfeld of NYU, Page Keeton of Texas, Clive Schmitt-hoff of King's College London, Charles Gordon of Georgetown, and Melville Nimmer of UCLA.

USD also sponsors summer law programs in Guadalajara, Oxford, Paris and San Diego.