

DISSENT

Vol. 6 No. 1

University of Oregon Law School

September 10, 1979

Supreme Court, Oregon 1998

Orange v. Lane County School District. Decided: October 4, 1998.

John Orange, plaintiff, was enrolled as a fifth grade student in Orlando Hollis elementary school located in the Eugene-Salem metropolitan area. His teacher, Jack Delaney, observed the young plaintiff entering obscene language into his desk top computer. Delaney, who wished to set an example for all of the class to observe, and in hopes of maintaining classroom order, picked plaintiff up by his head and swung him around about 180 degrees. The plaintiff's body unfortunately struck a support pillar in the classroom, and the impact caused his neck to snap. The jury awarded the young plaintiff 24 million dollars in general and special damages and 400 million dollars in punitive damages against the defendant school district. This award was affirmed on appeal to the Court of Appeals. The sole question of law presented by this appeal is whether or not a school district is liable for the actions of a teacher while that teacher is disciplining the student for misconduct. We hold that under the facts of this case, the District is not liable. The defendants rely on Gilberts on Torts, 1998 edition, which provides at page 48:

"Liability of School District for actions of teacher while disciplining student: A school district is not liable for the actions of a teacher in disciplining a student if the student is engaged in activities which may disrupt normal classroom discipline, and the actions of the teacher are calculated to arrest the activities of the offending student and have the salutary effect of setting a meaningful example which will prevent other students from engaging in the undesirable activity."

We agreed with the language stated in this section and adopt it as the law in Oregon. Plaintiff cites numerous Oregon opinions as well as court opinions from other states which seem to support their viewpoint and establish liability on the defendant. Opinions from other jurisdictions are not binding on this court, and all opinions of this court prior to 1996 are no longer primary authority in this jurisdiction. In *Ball v. Sound Guard Corporation*, 382 Or. 43, 135 P.2d 1576 (1996), we stated that all prior decisions of this court are no longer authority, and that henceforth Gilberts outlines will be the primary source of law in this jurisdiction. We gave as policy reasons the

tremendous savings to the members of the bar in library costs, and the ease of entering the data into computers for ready reference.

Plaintiff also cites such treatises as Prosser on Torts for his position. Professor Prosser has been dead for many years and we cannot allow a dead hand to rule the decisions of the living.

Plaintiff also argues that the school district should be liable for maintaining a school classroom with a support pillar located in the center of the room. Plaintiff contends that it was reasonably foreseeable that if a teacher disciplined a student by grasping the student's head and swinging him around the room, that the student's body might hit the support pillar and snap the student's neck. We agree with the plaintiff's contention, and would support a verdict which held that the classroom was dangerously defective as a matter of law. However, this issue was raised for the first time on appeal, and the plaintiff, having had his day in the trial court, cannot now bring in new issues. Therefore we decline to remand for a new trial. The judgment of the trial court is reversed with directions to enter judgment in favor of the defendants. Costs of this appeal are assessed against plaintiff. Reversed.

Paul Vaughan

NEWS FLASH

Comes now the First Year Class by and through its agent Dan Harris, locker 348 and challenges the Second Year Class by alleging:

I

The First Year Class is young and lean with athletic skills matched only by its academic prowess.

II

The First Year Class has a basketball team which makes UCLA's look like summer camp for ten-year-olds.

III

The Second Year Class is old and flabby by having lost its joie-de-vivre through an overdose of shepardizing.

IV

The Second Year Class has a basketball team which can pass a ball only if it is filled with helium.

Wherefore the First Year Class challenges the Second Year Class to a basketball game and prays that the Second Year Class defends its honor at a time and place posted on Democracy Wall.

Fireside Chat ***** Make Law Not War

This law school has been approved by the American Bar Association and a member of the Association of American Law Schools for over 50 years. Accreditation by the ABA is essential to law schools because it qualifies graduates to take the bar exam in any state. AALS is a more select group of schools and does not include all ABA approved schools. Professor Scoles is the immediate past-president of AALS.

At the present time all ABA approved law schools are reinspected every seven years. Pursuant to this program, in April, 1979, this law school was visited by an ABA/AALS inspection team consisting of a law professor, a law librarian and a practicing attorney—all from out of state. They attended classes and visited with students, faculty, the University President and Academic Vice-President, alumni and several members of the Board of Visitors of the law school. Their report will be considered by both AALS and ABA.

The purposes of a reinspection are threefold: (1) to assist a law school to attain its potential, (2) to determine whether the school is in compliance with accreditation Standards, and (3) to report on developments in curriculum, teaching, research and public service that would be of interest to others in legal education. In preparation for reinspection, a Self-Study Report was prepared by the University of Oregon law school faculty and administration. Copies are on reserve in the law library. You might find it a welcome break from your studies. This Self-Study is an important planning document. It notes the substantial progress which has occurred in the law program and in the law library in the 1970s and it also identifies the financial and other challenges facing the law school in the 1980s. For example, one such challenge is adequate space, especially for the library and the clinical and research programs. The building was planned to accommodate expansion, but obtaining the funds in timely fashion will not be easy.

Going back to the purposes of reinspection, the issue in my opinion is how can this law school attain its full potential. This is an on-going process, not something which is achieved and forgotten. Money isn't everything, but it is obvious from the Self-Study that the law school has shared in the University's severe financial plight in recent years. If we can continue in the law school to make as much progress in the 1980s as has occurred in the 1970s, then the school will indeed move toward its full potential as one of the best state law schools in the country.

Dean Chapin Clark

The recent legislative session in Salem was host to a number of interns and professors from the law school. (It was not a field trip for Legal Research and Writing, even though one student claims the highlight of the session was climbing to the Capitol roof to meet "Perry Pioneer," the golden figure atop the rotunda looking West. The statue needs to be re-gilded, but the incredible price of gold gave pause to tax-conscious legislators. "Perry" continues to flake into nakedness.)

Politics affected the delegation in different ways. Bunny (Buns) Riffe, who worked for Rep. Mary Burrows of Eugene, began to call herself "Catherine"; her colleague Ms. O'Brien, who worked for Rep. Tony Van Vliet of Corvallis, changed to "Kathleen." Citing professionalism as the motivation to change their names, the women admit that Russell Sadler's sanction helped. "He thought 'Kathy' too diminutive and 'Buns' too descriptive," explains O'Brien, "and we respect his talent for words."

Also interested in a name change is Randy Stevens, who worked for Rep. Tom Throop of Bend. Stevens hopes to prefix his name with "State Representative" for District 43 (southwest Eugene) after graduation. Tagging along Pre's Trail with Stevens, The Dissent predicts no one will outrun Randy.

With so many law students loose at the Capitol, professor and Rep. Dave Frohnmayer apparently has decided to move up State Street. The Dissent wishes him well in what appears to be his bid to become Attorney General, but cautions that "old law students never die, they just come to Justice."

NEWS FLASH

Paris: Final negotiations with French authorities are underway for the sale of 39 used guillotines to the state of Florida. Officials in Miami estimate a \$3 1/2 million savings to taxpayers over the cost of the newer laser guillotine. Opponents of the sale claim the older machines were not designed to handle current needs, and require maintenance every 50 executions. Representatives of the 700 member executioners union were not available for comment.

EDITORIAL

Policy

The Dissent is like a dream. You forget most of it eight hours after it invades your consciousness. Like dreams the Dissent provides a catharsis for our collective conscious, though nobody has ventured a wet dream about LAP. Still, in these pages we uncover the concealed dimensions which lurk behind everyday events. This is a round about way of saying we print high quality trash.

To the horror of Dissent devotees, this year substantive news appears among the usual irreverencies. In a display of courage the administration and faculty members volunteered their signed articles for publication. Dean Clark will write a regular column exposing us to the view from Mount Olympus. Brave faculty will deign throw us an occasional piece as did Professor Dawson on the Dean Search Committee. We applaud these noble souls.

Hard core Dissent afficiandos may be appalled at this shift in policy, but can take heart since the serious news is difficult to differentiate from the more prevalent garbage. Besides you can always pick around it, like you can pick around radishes in an otherwise tempting salad. Overall the Dissent will provide a well balanced meal. Bon appetit! Pleasant dreams!

ASUO LINE ITEM ACCOUNTS

Salaries and Wages	2,218.92
President	500.00
Vice President	500.00
Business Officer	500.00
Work/Study	673.92
Payroll Assessments	45.00
Administrative Expenses	2,869.41
Telephone	2,100.00
Postage	52.00
Office Supplies	92.41
Printing and Duplicating	100.00
Publicity	200.00
Orientation	165.00
Typewriter repair	25.00
Student Directory	135.00
Program Expenses	5,754.00
Minority Law Students	350.00
People's Law School	385.00
Land, Air, Water	225.00
The Dissent	332.00
Women's Law Forum	315.00
Speakers' Program	2,170.00
Moot Court Competition	1,550.00
Civil Rights Research Council	115.00
National Lawyer's Guild	312.00
TOTAL	10,842.33

Money

Kinda makes our mouth water and gets our juices flowing. Think of what we could buy if we just had a little more money. Well, it's ours for the asking, and it's mighty strange that over the past years we haven't been asking for more.

I'm talking about the SBA budget. A budget of \$10,842 which supports activities that give a little color and occasionally a little meaning to our casebook lives. This money funds the MLS, PLS, LAW, NLG, WLF, WPPA, TVA, MINE and YOURS. And where does it come from? The ASUO Incidental Fee Committee (IFC). Who's on the committee? Students! What kind of students? Mostly fraternity and sorority students! And you know what? THEY COULD BE LAW STUDENTS!

That's right! One, two, three or more of our own brothers and sisters could be up there siphoning off money for our special interests as well as making wise decisions for the public weal.

A united law school has clout. Take any election on this campus of 16,000 and you'll see that 300 votes can swing the election for any candidate. It is a sad commentary on our political savvy that last year four law students qualified for the IFC runoffs in October but not one was elected.

Why? Because the Frat Rats and Sorority Sues banded together to elect their own. This year lets not be victim to the clannish group-think of undergraduate Greeks. We have our own clannish group-think and legal precedents to back it up. Marbury v. Madison, 2 L.Ed. 60 (1803).

This year lets get off our asses and spend five minutes voting for those law student masochists whose names are on the ballot. This year we won't have to crawl on our knees supplicating to the budget committee. This year we'll play with a stacked deck.

Gary Marcus

Blockbuster Issue

 The Dissent is the SBA funded student newspaper of the University of Oregon School of Law.

 Editor: Gary Marcus
 Contributors: David Allen, Dean Chapin Clark, Professor George Dawson, Debra Ehrman, Jack Hamann, Rob "Italian Stallion" Guarrasi, Dan Harris, Dennis Hyatt, Gary Kahn, Timmy The Kleep, Linda Mann, Dave "Ayatollah Cafe" Nichols, Kathleen O'Brien, Uncle Nick Pace, Bill Piels, Helle Rode, Pat Sharkey, Randy Stevens, Paul Vaughan, Katy Young, and relatively few anonymous cowards.

Prez Sez

Hopefully this will be a column in the Dissent, but don't hold me to it. Somehow greetings and welcome just don't seem appropriate, at least not to 2nd year students, but for those of us in our last year--it's gotta be good since this will be it!

The student lounge and basement are pretty much our domain, so please try to keep it only halfway filthy instead of totally so. Look how many calories you'll burn off throwing your candy wrappers away instead of leaving them on the tables. The SBA does not have restroom supplies so if need be use another, and refrain from leaving us notes. We ask that smoking take place in the lounge or outside, but don't walk in fear in the hallway if you forget. As you can see, we are experimenting with the coffee. I don't drink it myself so the only way I'll know how it's going is if you let me know. Donuts will be on Mondays and bagels on Wednesdays. Remember this is done not only as a service for you but to generate income so we can have numerous keggers through the year.

First year students interested in running for rep will need to have a petition in by Sept. 11th at 5:00. The election will take place on Friday, Sept. 14th. Two persons will be elected.

Sorry we didn't have enough alternative insurance policies, but more have been ordered. If you've been able to wait the comparison should pay off!

Each of the 3 officers, Mary Wagner, Paul Montgomery and myself, will maintain office hours in addition to our work study students Tom Hermans and Dave Nicholls. Watch the SBA windows for posted hours (refunds will be made during those hours). Feel free to drop by with any suggestions or comments.

Debra Ehrman

P.S. Special Thanks to Dan Hester and Kevin Kirschner for a great picnic, and to everyone who participated in the Oriengation Program.

Read It and Weep

Contrary to popular wishful thinking, results of the past bar exam illustrate that there is a direct correlation between class rank and success on the bar:

Of the 114 who took the test, including 6 repeaters, 29 failed.

1st QTR	2nd QTR	3rd QTR	4th QTR
0	3	8	18

2nd yr. Reps Rap

Hope you had a great summer. Hopefully, the fall term will be just as exciting (Ha!). Anyway, the SBA has invested in some great Columbian (coffee, that is) and, of course, a few keggers will also be scheduled in the coming months. A number of people have indicated interest in obtaining volleyball equipment and this will be discussed at the coming SBA meeting. The 2nd Annual Pennoyer run will pit the 1st and 2nd year classes against each other in a grueling 2 1/4 mile foot race. The SBA would also like to sponsor some films this year. If you're interested in working on a committee to get this project off the ground speak to Candace Reed or Robert Guarrasi (or leave a note on locker #299).

Finally, we're trying to get some good people together to organize this year's mid-semester classic: the over-the-hump party! The first organizational meeting will be held at 12:30 on Tuesday, September 18 in room 121A. If you have any interest in helping us get the party off to a good start, please plan to attend.

Thanx,

Candace Reed
Robert Guarrasi

P.S. A note of appreciation to Dan Hester and Kevin Kirschner for their work contributing towards a great opening day picnic, and to Gary Kahn for organizing the book sale.

[Note: On behalf of the entire Law School The Dissent thanks Kevin Hester and Dan Kirschner for the fantastic job they did in obtaining two pounds of heroin for the picnic.]

Bookstore

This year the Student Bar Association - Phi Alpha Delta Bookstore will once again be selling study aids: hornbooks, Gilberts, Casenotes, legalliners, etc. Most of these items are sold at discounts of up to 20% off the regular price. The hours of the bookstore will be Monday and Thursday 12:15-1:15 in room 155.

[Note: In what must have been an oversight, Gary Kahn failed to mention that he receives one third of all the profits from the SBA booksales.]

Experienced Voices

Uncle Nick's Hot Tips! On How to Succeed at Law School

When I first arrived in the Beaver State a mere 24 months ago, I was like most of you first year law students: young and stupid. Overwhelmed by the legal deflowering, I stumbled blindly through the jungle of unfamiliar terms, incomprehensible concepts, deadly boredom, neuroses producing anxiety and other unnecessary crap like all the rest of my fellow classmates. Somehow, by the grace of God and an oversight in the Dean's office, I made it relatively unscarred to my second year of studies. Incredibly, I'm now a third year student. Novices to the law school game, noticing my laid back, cosmopolitan, got-it-all-together attitude, have said: "Hey Nick, how did a pinhead like you get through?" Well, now for the first time in the history of the free world, you first years can avoid the pain and suffering of legal ignorance even before the first time you screw up in class answering a question!! How, you ask? By simply following a couple of easy to understand rules that even a student of law can comprehend. Read them closely and you too can someday say: "Hey Mom and Dad, I passed!!"

- #1 DON'T sign the seating chart. How can they ask you embarrassing questions if they don't know who or where you are?
- #2 DON'T bring that brand new, genuine imitation leather briefcase that your aunt gave you within 100 meters of the Law School. They are good only for carrying laundry and drug smuggling.
- #3 DON'T ever set foot in Roseburg.
- #4 DON'T tell anyone at a party that you are going to law school. There's no return in it. A much better way is to tell them you are a med student. Works every time.
- #5 DON'T ever call your professor an egg sucking dog while wearing your examination number.

- #6 DON'T call any females past the age of puberty here at the law school "girls." The Student Bar Assoc. is trying to hold down the number of Womens Law Forum sponsored lynchings.
- #7 DON'T call a logger a lumberjack unless you get off on being attacked with chainsaws.
- #8 DON'T eat mushrooms before your moot court appearance.
- #9 DON'T leave your jogging suit in your locker for an extended period of time. Being held criminally liable for the asphyxiation deaths of an entire law school would not look good on your Bar application.
- #10 DON'T try bribing Dean Clark. You can't afford him. (Besides, this is his last year.)
- #11 DON'T study too hard. When you start highlighting the comics its time to slow down.
- #12 DON'T make eye contact with your professor in class. Keep scribbling away furiously or you're just asking for trouble.
- #13 DON'T neglect your outside law school contacts. Law students are generally too preoccupied to be anything but lousy lays.
- #14 DON'T worry if you don't understand. Nobody else does either (including your professor).
- #15 DON'T, for Christ's sake, tell anyone that you are from L.A. Being tarred and feathered and kicked out of town would seriously hamper your study habits.
- #16 DON'T bother trying to get any money from the financial aid office. They couldn't find their asshole with both hands. Try robbing a bank; it's a lot less hassle.
- #17 DON'T pay all your tuition at the beginning of the term. Wait till after finals and threaten to default if they don't pass you.
- #18 DON'T take my "24 min. only" parking space or I'll slash your fucking tires. Nick Pace

Leading Cases

As a part of the Dissent's commitment to the furtherance of legal education, summaries of leading cases will appear irregularly.

First Amendment: In a landmark decision, the Court ruled unanimously in favor of a twelve year old plaintiff who sought damages on account of being denied the chance to audition for the Clint Eastwood role in the forthcoming motion picture, "Maddened Rustlers." The Court's opinion, written by Justice Rehnquist, argued that exclusion of the little girl was "a rotten, beastly, crying shame--really makes the Court sick. The case was not decided, as had been expected, on sex-discrimination grounds; instead the Justices invoked the 1st amendment's guarantee of freedom of expression. The Court thus affirmed

for the first time a constitutional right to a screen test.

Search and Seizure: Overturning the "dog's breakfast" doctrine of search and seizure, the Court held unconstitutional the Drug Enforcement Administration practice under which a judge who issues a search warrant is given the afternoon off, while a judge who refuses a warrant is reclassified as a Controlled Substance. Justice Powell, writhing for the majority, said that such procedures "lean upon the delicately coiffed maiden of the Fourth Amendment with the great ugly brutish heavily muscled shoulder of procedural error," and cited Judge Learned Hand's famous dictum, "I shall keep at it with these metaphors until I'm very old and it's unbecoming."

Experienced Voices (con't)

Entrance Exam

Yes, campers, we know how you feel. You scored reasonably well on the LSAT, your college counsellors and your mothers all think well of you, and yet you still have these nagging insecurities. Is law school the right choice? Will everyone laugh at me if I order pimiento loaf at the Excelsior? Who are all these whiz-kids and when am I going to make a crucial social error? What is a crucial social error?

Rest easy. With one final examination, you can set your mind at rest. (Not the final-exam kind, mind you; forget about those. It isn't the final exams that separate the men/women from the boys/girls, it's the sodomy statutes. Ignore the thought of finals.) If you have an appropriate response to the following statements, it is inarguable that you suffer from hidden brain damage, and you can look forward to a starting salary of thirteen-five, with a judgeship at the end of the road.

1. People tell me one thing and out the other.
2. I can't unclasp my hands.
3. I feel as much like I did yesterday as I do today.

4. I always lick the front of postage stamps.
5. I often mistake my hands for food.
6. I'd rather eat soap than little stones.
7. I never liked room temperature.
8. I line my pockets with hot cheese.
9. My throat is closer than it seems.
10. I can smell my nose hairs.
11. Most things are better eaten than forgotten.
12. Likes and dislikes are among my favorites.
13. Pudding without raisins is no pudding at all.
14. My best friend is a social worker.
15. I've always known when to close my eyes.
16. Little can be said for Luxembourg.
17. No napkin is sanitary enough for me.
18. Man's reach should exceed his overbite.
19. People tell me I'm deaf.
20. I can find my ears, but I have to look.
21. Armenians are comical in full battle dress.
22. I don't like any of my loved ones.

Well, sorry you didn't do better. It isn't too late to consider a challenging career as a sniper victim.

Legislative Flunky Wanted

Are you looking for something to satisfy your second or third year writing requirement that will be more than just another writing sample? If so, you might consider an option that State Representative Tom Throop (D-Bend) has offered. Throop, a member of the interior committee on Environment and Energy, is looking for one or two students who would be willing to research specific energy, environmental and water policy issues and then draft legislation and commentary/testimony for introduction during the 1981 Legislative session.

Randy Stevens, Throop's Legislative Assistant, cautioned that "the opportunity is contingent upon several factors. Interested students would have to find a professor willing to sponsor and work with them. Students would then meet with Throop and plan the research and establish timelines." Once the technical details are worked out, "the experience would be valuable in two ways," Stevens added. "Not only would you learn a lot about Legislative process, but you'd have the satisfaction of seeing your efforts introduced and possibly passed by the Legislature."

Those interested in more information should contact Stevens, a 3rd year student here, at Locker 247.

NEWS FLASH

Chicago: Researchers at the Sloane-Kettering Primte Institute claim to have trained a group of chimpanzees to negotiate and settle personal injury cases. In a carefully controlled study the chimps were able to obtain a 17% higher average settlement over a control group of attorneys. In light of the animals' apparent willingness to work on a 20% contingent fee basis, consumers may realize enormous savings.

In a separate experiment plans are underway to organize a small claims court staffed entirely by white rats, who will decide cases by pushing levers after running a maze. The rats will be trained by use of an electric-shock overruling technique, supervised by District Court Judges.

Washington: In a plurality opinion the Burger court today ruled that 1st Amendment protection does not extend to Monty Python films.

And in a separate opinion the court upheld a federal statute denying food stamps to all California residents whose last names have more than six letters, dismissing an equal protection challenge as frivolous.

Speculation abounds that later, when asked to comment, Justice Burger urinated on a reporter's foot.

At orientation, we were given an overview of the Law School. But one cannot learn everything one needs to know in a one hour presentation. It has taken Timmy the Kleep two years to discover the intricacies of this institution. As it is Timmy the Kleep's policy to make full disclosure of all he knows, this column will present some insights to aspects of life in the law school which first year students may not yet have discovered.

Building: The "Law Center," as it is known, won architectural design awards when it was built. The award committee was impressed by the clever use of bricks. Ignored were the following minor defects: the acoustics in room 128; the lack of women's restroom facilities; and the ventilation system which makes studying in the library hazardous.

Cigarette Smokers: I knew the year was off to a bad start when Fred Merrill walked into room 228 at 8:24 a.m. on Monday, August 27, smoking a cigarette. Believe it or not, there are still people with education and intelligence sufficient to get into (and, in some cases, teach) law school who smoke. Briefly, the following rules govern smoking. Smoking is not permitted in the classroom or the library. Never. Not just during class, but at any time. Contrary to popular belief, smoking is not permitted in closed in the library. While technically smoking is permitted in hallways, a non-smoking area has been set aside in the first floor hall. As the student lounge has been given over to smoking, smokers could confine their vice to the lounge. Smoking in the locker room, restrooms and elevator are especially discouraged. Be forewarned. The Dissent has learned that a terrorist movement is afoot to deal with the smoking problem.

Ingress and Egress: Two very simple terms, the meaning of which escapes most first year students. As most of them grew up in small town Oregon and have never seen an elevator, I will explain simple etiquette for entering and leaving crowded rooms. When class is over, get out of the room so that students in the next class may enter. Do not linger in the room or immediately outside the doorway. When entering, wait until students trying to leave the room have left. Congestion will be avoided if these simple rules are followed.

The Dean: The Dean is a nice man; be kind to the Dean. The Dean used to have two faults. Until recently, the Dean would allow students to do whatever they wanted if they made themselves obnoxious enough. Unfortunately for those of us who may have legitimate complaints, the Dean's good graces were abused. As a result, the Dean no longer listens to insignificant complaints. The Dean is also resigning next spring. He still has his second fault: he smokes cigars.

Dissent: The Dissent traditionally has been a tasteless collection of sexist humor, meaningless diatribes against the faculty, and anti-nuclear propaganda. Unfortunately, the Dissent editor has indicated he will attempt to bring respectability to the paper. Timmy the Kleep vows to uphold the fine tradition of the Dissent.

Grades: Grades are everything. If you had been here last year, you would have learned a simple lesson in life: those with names at the beginning

of the alphabet always get the good grades. But enough of the grading scandal of 1979. The following chart will predict your first job out of law school based on your first semester grades.

4.26-4.50	Large Wall Street firm
4.11-4.25	Large Portland firm
3.81-4.10	Large Eugene firm
3.51-3.80	Legal Aid Lawyer
3.26-3.50	Solo Practice in Burns
3.10-3.25	Graduate School in tax
3.00-3.09	Law faculty, University of Oregon
1.00-2.99	Unemployable
under 1.00	Lane County D.A.'s office

Missing Persons: Certain persons allegedly on the faculty do not exist. There are students who swear they have not seen the librarian in three years. Most people have seen the placement director; he gives a speech at orientation. Remember his face, you're not likely to see him again.

Women's Law Forum: The WLF, in theory, is the voice of all women in the law school. In reality, it is a group of about eight women who use SBA funds for travel and for private parties. Last year, the WLF convinced the school to replace the sheet toilet paper with wall toilet paper. You may have noticed the change.

Timmy the Kleep occasionally poked fun at the WLF last year. Then his car was vandalized. This year Timmy will find more harmless objects for his jokes, like the Free Souls Motorcycle Gang.

ENERGY CRISIS DELAYS LAW STUDENT

In the I-haven't-heard-that-one-in-a-long-time department, kudos to Dave Peters who employed the old "I ran out of gas" routine while driving his date home from a recent law school social function. As a result of the recent fuel crunch, the unfortunate couple was forced to spend several hours on an isolated country road, contemplating where they might find some gasoline.

Serious Business

Moot Court

Appellant

You passed the bar six months ago. Your first trial is next Monday. Your opponent is a hot-shot insurance lawyer with friends in high places. Carl Maulden's voice keeps ringing in your ears: what will you do . . . WHAT WILL YOU DO?

Why not avoid some of the tension in this haunting scenario and get yourself some exposure to trial advocacy while you're still in law school? The Moot Court Board is sponsoring a Trial Advocacy Symposium on Saturday, October 13. Presented by the Oregon Trial Lawyers Association, and tentatively including top trial attorneys from the Western United States, it will be a chance to get a taste of trial tactics and to ask questions, watch demonstrations and gain valuable insight into some often-neglected but very important skills.

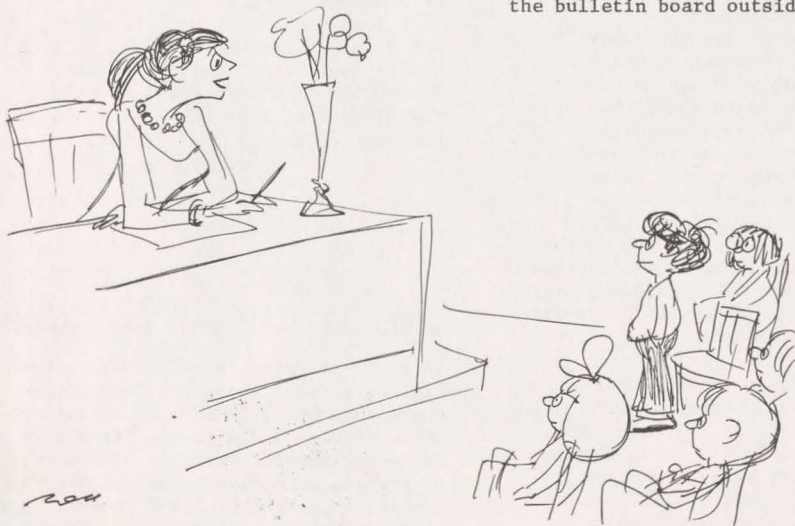
Keep October 13 free and watch for further details . . .

Respondent

The Moot Court Board is now accepting applications from second year students for three Board positions. The duties of Board members include organizing and conducting the law school's moot court related competitions, such as Client Counseling, First Year Moot Court, Advanced Appellate Advocacy and (beginning this year) Mock Trial. In addition, the Board provides administrative support to the law school's National and International Moot Court teams.

Although prior experience in one of the above programs or in any other public speaking competition may provide a helpful background for applicants, such experience is not a primary consideration in selection to the Board. The most important factors in selection are the applicant's interest and commitment to promoting the Board's programs and the applicant's ability to work with members of the Board, faculty and local bar.

Persons selected will serve during their second and third years of law school and will receive one hour of course credit each semester. Those interested in serving on the Moot Court Board may pick up application forms on the bulletin board outside room 221.



"Very good, Tommy. And now will you tell us why that point is moot?"

Bore Review

PLS

SECOND YEAR STUDENTS

The Law Review Candidates' Program is still open to all second year students. If you are thinking about trying out for Law Review but can't decide, consider the words of the late Wayne Morse (former Senator from Oregon and former Dean of the Law School):

From the testimony of many graduates, probably the most valuable practical experience that the student receives in the School of Law is his writing for the Oregon Law Review Most students attempt to prepare at least one article for publication in the Review. Not all of them succeed in preparing manuscripts which pass the Board of Editors; but the training in legal research which accompanies any attempt to write for the Law Review is of inestimable value, not only because it provides training in methods of legal research, but also because it helps the student to see the relationships between rules of law and fact situations, which relationships he often does not grasp in a formal law course.

Morse, the University of Oregon School of Law - A Resume, 17 Or. L. Rev. 40, 43 (1937).

On Wednesday, September 12 from 7:30 to 10:00 p.m. there will be a workshop for all students participating in the Candidates' Program. Only those who missed the summer workshop need attend. This workshop is designed to assist students in the law review process; past participants have found it very helpful. An agenda for the workshop is posted on the law review bulletin board downstairs. You can attend any of the sessions that interest you.

All candidates should be sure to register for the law review course (1 credit, p/np). Also, please check the law review bulletin board daily for cite checking assignments and other messages. Oregon Law Review manuals are available from Maxine Lee in the law review office. The cost is \$2.00.

Schedules are being printed for the fall People's Law School series and volunteers are being rallied to teach each course.

This fall P.L.S. classes will be held at Lincoln School on Wednesday evenings from 7-9 pm. The classes are taught by law students for the community. Student volunteers research an area thoroughly and then present the materials to the class in a lecture/discussion format. In past years a 2nd or 3rd year student has taken responsibility for teaching the class while 1st year students aid in the research and presentation.

P.L.S. would like to involve even more law students in this program. The research is not terribly time consuming; in fact, most topics were researched last year and require only a small amount of updating.

There are still openings for students to assist teaching classes this fall and much that can be done in the way of advertising. If you are interested contact Marilyn Odell (locker #203), Barb Shroyer (#172), or Janet Crawford (#131).

Even if you don't have time to teach or work on publicity, P.L.S. encourages students to attend the classes. Classes are informative, often enlightening, and rewarding in terms of community enthusiasm.

This is the schedule for the fall:

9/26 Getting Legal Advice - When you need it, court appointed attorneys, community resources and referrals, and what to do if you're dissatisfied.

10/3 Landlord-Tenant - What happens to your security deposit? What if your roof leaks? How should you complain to your landlord? What's eviction all about?

10/10 Small Claims Court - What is a small claim? How do you file a claim? What if you're sued in small claims court? How should you present your side?

10/17 Wills - Do you need one? Should you write your own? What's probate all about?

10/24 Divorce - What's the process for going through a divorce? What happens to kids, property and bills when you're splitting up?

10/30 Legal Research - What and where is the law? How do you find state and local law? Is there a law library you can use? (With tour of the Lane County Law Library.)

11/7 Welfare/Foodstamps - What is offered? Should you apply? Can they do this to you?

11/14 Unemployment - Who can get unemployment, what benefits you're entitled to, how to get them, and what to do if they're denied.

[Note: The last seminar may be of particular interest to third-year students.]

WLF

The Women's Law Forum began the school year with a potluck luncheon for the 1st year women during Registration. WLF's plans for this year include monthly potluck dinners and weekly lunch and/or breakfast get-togethers. The Big/Little Sister program is underway; any 1st year women who want to participate should sign up in the 1st floor bathroom.

A directory of and for women at the law school is also in the planning stages. Besides the usual names and addresses, it will also contain information about recreational interests, athletic inclinations, and child care and transportation needs. Hopefully, it will provide a means for women to become better acquainted with each other.

The WLF and Law Partners are planning a workshop on coping effectively with stress. Late October is the target date for the workshop and it will be open to all law students and other interested parties.

Also in October (25-27), a Regional Conference on Women and the Law will be held at Willamette Law School in Salem. There will be discussions, speeches, and workshops involving legal issues relevant to women. Attorneys, law students and other professional women from the West Coast will be involved. The 11th National Conference on Women and the Law will be held in San Francisco in late February. Since neither Salem or San Francisco are too far away, many women should be able to take advantage of these conferences.

The Executive Board of the WLF is in the process of restructuring its formal organization and welcomes input from interested individuals. Meetings are held about every 2 weeks and will be announced in advance.

Have a good year.

Linda Mann

Garbage Power

For years the truly dedicated have been gathering their used tin cans, glass, aluminum and paper and when the pile gets real high, they've been hauling it to the local recycling center.

Good news for the old recyclers, and the nouveau ecolage. There is now a garbage service in Eugene that comes to your door and picks up recyclables as well as just plain garbage.

Garbagio's has been licensed and bonded by the city of Eugene. Their service costs exactly the same as conventional service, i.e. \$3.85 a month for one can of garbage. There is, however, a \$12 membership fee.

If you wish to switch to Garbagio's or seek additional information call 485-4209.

NLG

Since the Guild's beginnings in the 1930s as an alternative to the conservative, business oriented ABA, its members have been in the forefront of the most important progressive struggles waged in this country. From the fight to organize unions in the 1930s to the civil rights and anti-war struggles of the 60s and 70s the Guild has consistently participated with other progressive elements to bring about a more just society.

The University of Oregon Chapter of the Guild has been one of the most active organizations on campus and in the law school. In the past year members have been involved in conferences on affirmative action, and mental health, developed committees to work with community coalitions in the areas of gay rights, anti-nuclear power, criminal justice, women's rights, anti-draft registration, freedom for Southern Africa, immigration, free speech on campus, and government surveillance.

The Guild is planning to continue and expand its activities during the coming year, and we encourage all persons interested in knowing more about the Eugene Chapter to come to our next meeting on Monday Sept. 10, 1979, at the Koinonia Center, 1414 Kincaid at 7 p.m.

[Ed. Note: The Guild is proud to report it made a killing in its recent T shirt sale. Profits are up 10% this quarter and Guild stockholders should expect a healthy dividend. Retained earnings from the sale will be applied to the Guild's newest real estate development.]

MEDITATION ROOM

Any person who is interested in getting together to establish a quiet area/meditation room in the law school please slip a note into locker #355. I have in mind an out-of-the-way nook where: (1) solitude, (2) quiet, (3) short naps or meditation, and (4) escape from the fluorescent buzz and glare can be had during hours which the building is open.

I anticipate that development of the area will be cheap, quick, simple: a door, dim lighting, rug or floor covering, cushions, and a low table and aesthetically pleasing print.

It would be nice to get an idea of the demand for such a room. Even if you are not interested in this idea, or think it stinks, your comments are valued. Closing date for comments is October 1.

Serious Business

(con't)

Dean SEARCH

One of the most important activities in the law school during the current academic year, in terms of its potential influence on the overall program of the School of Law, is the search for a successor to Dean Chapin Clark, who will return to full-time teaching and research after July 1, 1980.

A Dean Search Committee, consisting of five law faculty members -- Professors Scoles, Dawson, Jacobson, Kirkpatrick, and Thomas, two law students -- Kathleen O'Brien and Todd True, and one non-law faculty member -- Professor David Harrison of the Mathematics Department, will recommend to the President candidates for appointment as the next Dean of the School of Law.

The Search Committee has a number of responsibilities. Its first tasks were to develop a statement of required and desirable candidate qualifications (a copy is posted on the student bulletin board), and to solicit, through publication and mailings, nominations of persons who might be considered for the appointment. The Committee is now reviewing a large number of nominees and is beginning to identify those persons it considers to be the most highly qualified potential candidates for the position. In the near future, committee members will contact these selected candidates to assess their interest in the Oregon deanship and to encourage them to become official candidates for the position. From among those that are willing to be considered, the Committee will invite a small number of persons to visit the School of Law. These site visits should enable the entire law school community to learn more about the candidates for the deanship. At the same time, the candidates should be able to develop a better understanding of the program of the School of Law, and of its faculty and students.

Students can participate in the search process in a number of ways. The students on the Committee bring to its deliberations perceptions of the School of Law and its needs that are influenced, at least in part, by their experiences as students. Other students can make their views of the needs of the law school and of the qualities of candidates known to the Committee, particularly through its student members. Perhaps most important, students may have an impact on those candidates invited to visit the School of Law. One of the considerations that may influence a candidate to accept or reject an offer of the Oregon deanship will be his or her perception of the law school's students. To the extent that a candidate's impressions of the students are "favorable," the Committee and, ultimately, the President may be in a better position to persuade that person to accept an offer of the deanship.

The Committee hopes to convey its recommendations concerning candidates for the deanship to the President no later than the first of the year. The recommendations will result from a deliberative process in which the diverse views and preferences of the Committee members, as well as the views of the faculty and students of the School of Law, will be weighed in terms of the qualifications of the candidates for the position. After the recommendations are made, the ultimate choice of Dean Clark's successor will be in the hands of the President and the Chancellor.

Professor George Dawson

The Ideal Dean

With a new Dean in the offing, The Dissent wishes to indicate to the Search Committee the dozen qualities it considers essential to the law school's success:

1. An ideal Dean would encourage the development of an "experimental law" curriculum. Some suggested courses:
 - a. Paper Chase and Other Mass Media Myths
 - b. Seminar: Toward Ecotopia; Law and Isolationism in Oregon
 - c. Law for Beginners (required first year)
 - d. Law for Beginners II (required second year)
 - e. Law for Blithering fools (required third year)
 - f. Seminar: On Suing Gilbert's
 - g. Recession Law (for the optimist)
 - h. Survival Law (for the realist)
 - i. Apocalypse Law (for the pessimist)
 - j. Seminar: On Re-entry to Civilization--the Bar Exam and Beyond
2. An ideal Dean would install showers in the basement. (The idyllic Dean would install a sauna and masseur/masseuse.)
3. An ideal Dean would annex Taylor's (asserting the doctrine of pre-dominant domain).
4. An ideal Dean would amend the grading system to issue gold stars for excellence, blue stars for competence, and "Mr. Ygggh" stickers to the rest of us.
5. An ideal Dean would insist on lox and cream cheese with the bagels.
6. An ideal Dean would charge admission of undergrads who study at the law school (group rates unavailable); prior exposure to this level of madness is invaluable.
7. An ideal Dean would recognize the potential Oregon has to become a superior law school, and seize the opportunity to render our degrees marketable.

Dear Cardozo, J.

Dear Justice Cardozo:

Can two members of the law review have sex?

-OLR Reject

Dear Reject:

Yes, they can have sex if they belong to one. 54 AmJur 3rd 640.

Dear Justice Cardozo:

What devious rationale lurks behind the SBA policy of plying captive law students with every shape, color and quality of sugar-coated crud? It began with the "candy" machine. Pink gluey yogurt bars invaded while there were still good old peanut butter cups and sugarless gum to choose from. Recently, however, the sugarless gum has been slowly, but persistently, replaced with the high sugar, low taste variety. Further evidence of some dastardly design is the unexplained disappearance of the plain cake doughnuts from the lounge doughnut sales.

I know the SBA is composed of ruthless profiteers, but how low will they stoop and what are they really up to?

-Paranoid Hyperglycemic

Dear Paranoid:

Your suspicions are well founded. Research reveals that all SBA officers are Moonies. One way Moonies capture others is by "love-bombing" them. This consists of telling new recruits what great human beings they are while forcing them to drink Kool Aide. (This is actually true.) Soon the new recruit is sugar drugged and will do anything: Even read case books and neglect family and friends. Severe cases go on to become lawyers.

Research also reveals that SBA officers are silent directors of no less than twelve candy companies which have interlocking directorships with Domino Sugar. Add to this the fact that law students only eat crap and that's why that's all there is to buy.

[Note: Justice Cardozo recently celebrated his 109th birthday and informed the Dissent that his mind is as quick as ever, as can be affirmed by his brother Justice Douglas. All those with legal problems should continue to submit their briefs to the Dissent mailbox. Certiorari will be granted to all petitioners.]



Library Notes

Dennis Hyatt, Undercover reporter, has spent several years prowling among the bookstacks. Finally, in this first of a revealing series, he exposes the machinations within this Byzantine domain.

Already some returning law students have expressed satisfaction (or at least relief) that the Law Library made only small adjustments or arrangement of the collection during the summer 1979. These tinkering to alleviate space problems contrast sharply with the wholesale shifting of the collection in recent years in an effort to get all material into Library of Congress call number order. Aside from routine respacing to accommodate new growth the only shift in 1979 was the moving of approximately 1000 volumes (K31-K9999, comparative law and jurisprudence) from the third floor to the fourth floor.

The long-awaited graphics system for end panels in the stacks requires even more waiting. The proposed system of last year was abandoned when graphic artists in the instructional media center could give no assurances that the poster board being used would not fade. Blank stickers formerly marked "Reading Room" in red ink on Shepard's Citators give faint testimony to the problems of bleaching caused by light in the Law Library. Graphics using plastics have been specially ordered.

Of more significance:

1) Prof. Kay Ollerenshaw has rejoined the library faculty full-time after receiving her J.D. in May. She is law reference librarian and replaces Susan Kiefer, who went to McGeorge School of Law as Assistant Law Librarian for Public Services. A future article in the Dissent will introduce all Law Library staff members.

2) A new circulation policy and procedure went into effect August 23. The policy was distributed in registration packets, and copies of it are available in the Law Library. A few words concerning this policy will explain the reasons for the change. Once a library collection has been adequately cataloged and arranged there are three ways of increasing accessibility to it--by extending hours of operation, by purchasing duplicate copy, by restricting circulation to enhance on-site use.

Hours of operation have been extended over the past two years by 10 hours per week while school is in session for a total of 112 open hours per week. There is no functional utility in further extension of hours. Over \$30,000 has been devoted to duplication of heavily used materials in the past two years. This duplication has included a second copy of the first series of the regional reporters of the National Reporter System, the American Digest System, Shepard's Oregon Citations. Lack of shelf space and lack of available funds are restricting factors to further duplication. The Law Library does try to respond to requests for duplication of access materials, such as citators and indexes, where these materials are in heavy demand.

Even with extension of hours and duplication, demand for accessibility has continued to grow; and restriction of most materials to on-site use is the next logical step in attempting to accommodate all users. These users include non-law students enrolled in the increasing number of graduate and undergraduate law-related courses, all of which put additional pressures on the collection. All students have equal rights to circulation, and a source of frustration has been the extended checkout of materials by non-law students. Rather than deal with titles on an individual basis, the policy attempts to deal with all users by dividing all the materials into two easily definable groups (single volume monographs which may circulate for an extended period, and all other materials which may circulate for two hours).

This policy has been discussed by the Law Library Advisory Committee in hearings over the past year. A final review will be made by the year's advisory committee no later than December. All law students are encouraged to make comments and suggestions to Law Library Advisory Committee representatives as well as to Law Library staff.

The Law Library appreciates the opportunity given by the Dissent to provide information to the law school community about the Law Library. Future articles will include what appears to be of most interest to students, and these may include comments on the security system, bibliographic notes, collection development, and special services.

Ear Drum Beat

Lounge & Coffee Grounds

I have been so busy with law school that I haven't had a chance to hear Bob Dylan's newest album, but I decided to write a review of it anyway. I am not even sure of the title of the album so I will call it "Rumors of Bob Dylan's New Album."

"Rumors" takes one back to the days of Blood on the Tracks with similar arrangements, but it is there that the similarity ends. The new album has eight cuts, all of which will shock Dylan's Flock. His first cut, "I get tears in my ears, while lying on my back thinking and dreaming about you" features Bob on Hammond Organ and vocals, with a new face in the Dylan entourage, Pat Boone, on harmonica. It is a simple ballad about a man and a woman in the year zero. The second cut, "It's easy to convert after you're rich" tells it like it is. The song seems somewhat trite because it's easy to do anything after you're rich. The third track, "Circumcision Blues," and the fourth track, "They pushed my head into a clear blue pool," are bluesy numbers with nice arrangements, but the lyrics are somewhat cut and watered down. The second side of the album sounds a lot like the first. The first two cuts, "Blowin on the Cross" and "Why hath thou forsaken me Babe" are new variations on some old Dylan favorites. On these two cuts Anita Bryant and Dinah Shore join in on the chorus, and Pat Boone blows his nose. On the final tracks Bob plays the harp and Pat takes over on the organ.

The songs have no title and the tunes have no lyrics. This album definitely belongs in every Dylan collection just for its historical value. Unfortunately, many Dylan fans won't be able to say "See you in Church, Bob."

In order that we may better serve you, please tear off back page to respond to this questionnaire, and return it to the SBA office.

- Are you a coffee drinker?
yes __, no __
- How many cups a day do you drink?
__
- Do you prefer blends that are
light __, medium __, heavy __,
no preference __?
- In your opinion has the coffee
been too weak __, too strong __,
just right __?
- Would you like to see some form of
edible goodies in the lounge each
weekday morning (donuts, bagels,
fruit, etc.)?
yes __, no __, don't care __
- Would you object to a Shell No
Pest Strip in the lounge to cut
down on the flies?
yes __, no __, don't care __
- Do you think the new statute in
the courtyard is ugly __, an
abomination __, a work of art __,
a piece of shit __, other __?

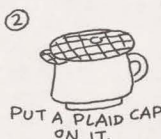
We welcome any positive, constructive feedback.

Ayatollah Café

TEN WAYS TO IMPROVE A COFFEE CUP (A CREATIVE EXERCISE)



ADD WHEELS.



PUT A PLAID CAP ON IT.



PAINT A SMILE ON IT.



ADD A REAR VIEW MIRROR.



PLANT A FLOWER IN IT.



ADD A WEATHER VANE.



ADD A DRAIN.



PUT A HORN ON IT.



ADD A DRAWER.



ADD A MOTTO.

C. Barrett