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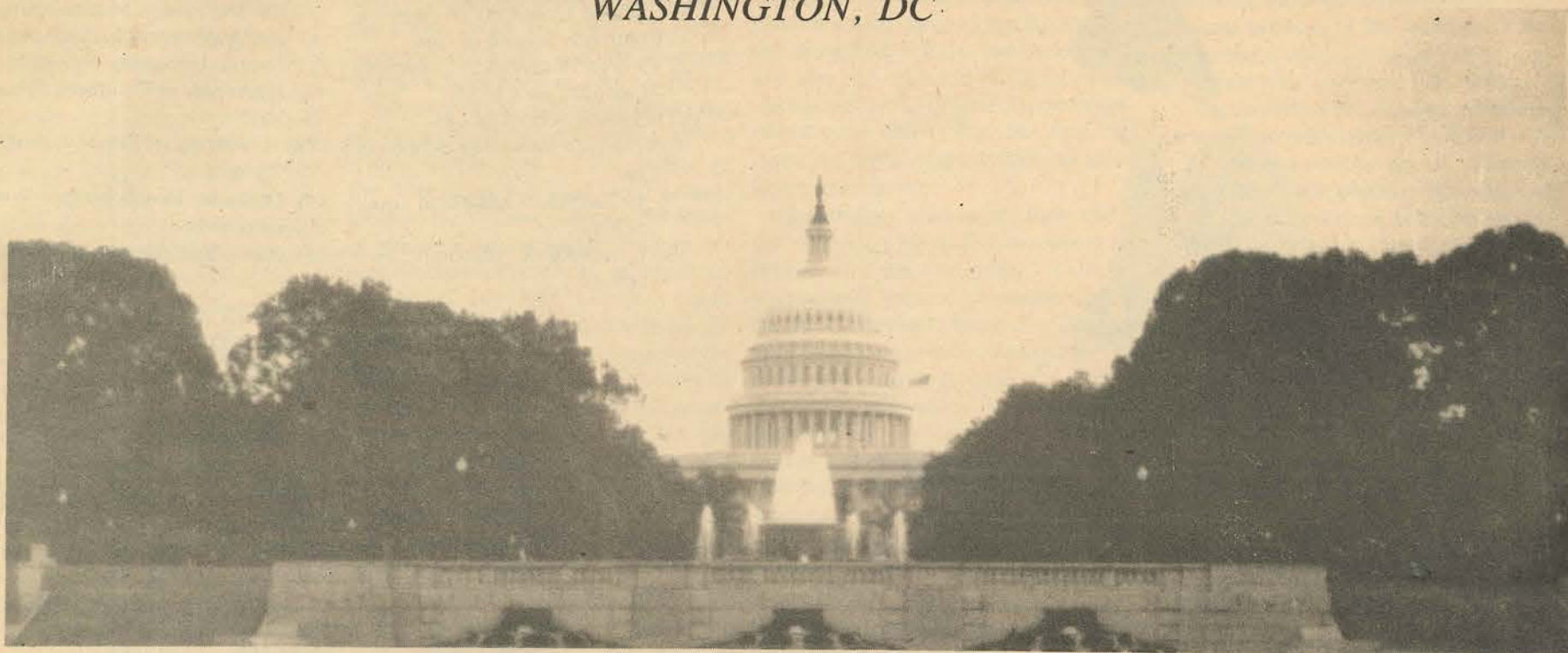
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Judicial Notice

THE CATHOLIC UNIVERSITY OF AMERICA SCHOOL OF LAW
WASHINGTON, DC



VOL. XIV NO. 4

February 2, 1988

Karen Watson Resigns from LCS

Goodbye From LCS Director. After a very enjoyable three years here at the law school, I will be leaving in mid-January to become a student again myself. I will be returning full-time to the University of Virginia to complete work on my doctorate in counseling and higher education administration. It has been a genuine pleasure to know and work with the students here at the law school. I thank you all for that experience and leave with you my very best wishes for successful and satisfying career paths in the law.

Dean Samantha Sanchez has already begun a national search for a new LCS director. She will be interviewing candidates in late January and will, with a little luck, have the new director on board by March 1st. In the transition, the LCS office will be in the capable hands of Dean Sanchez and Stephanie Michael, LCS secretary.

Karen Wagner Watson
LCS Director

TO: Judicial Notice
FROM: Samantha Sanchez,
Associate Dean
RE: Legal Career Services
Director

I regret to announce the resignation of Karen Wagner Watson, who has served as the Director of Legal Career Services for the past three years. Ms. Watson has decided to return to full-time study in a doctoral program at the University of Virginia, starting this January.

Under her direction, the Office of Legal Career Services has greatly expanded its services to students and has nearly quadrupled the number of on-campus interviews available to students each year. We are all grateful to Ms. Watson for the fine job she has done and we are committed to maintaining the same level and quality of service to students.

I hope to have a new Director by the beginning of March. During the transition period Ms. Watson will be returning on a consulting basis one day a week on Fridays. On those days several hours will be set aside for students. Call 5132 to arrange an appointment.

Keane Hall Update

The renovation of Keane Hall is proceeding apace and we have now been able to occupy the top three floors of the building and the south end of the basement.

In December we discovered that the water problems in the sub-basement were more substantial than anyone had anticipated and that occupied much of the contractor's time. They are now working full-time on the north end of the basement, where the student organization spaces will be, and the sub-basement and this morning gave us a

revised completion date of Feb. 5. We will try to schedule the painter as soon as the areas are ready to paint but that might add another week or two.

The seminar rooms on the first and third floor are completed, as are the library annex, the coffee room and the study lounge so there is lots of student space already available in Keane. When we know the exact date that the student organization space can be christened I'll let you all know. If you have any questions or comments, feel free to call.

Samantha Sanchez,
Associate Dean

O'Brien Selected For Law School Admissions Post

The Reverend Raymond C. O'Brien, Associate Professor of Law at the Catholic University of America School of Law was elected by the Deans of the various accredited law schools throughout the country to a three-year term on

the Board of Trustees of the Law School Admission Council (LSAC). The LSAC is one of three national legal organizations particularly involved with legal education; the other two are the American Bar Association and the Association of American Law Schools. Responsibilities of the LSAC include the administration of the tests for admission into law school and providing services to law school and the educational community.

Father O'Brien has served on the faculty of the Law School for eleven years; he teaches estates and family law. He presently serves on the Admissions Committee and has organized and still directs the Law School's recruitment efforts throughout the country. He has his BA from La Salle College, his law degree from the University of Virginia, and a Masters in Church Administration and a Doctor of Ministry degrees from the Catholic University of America.

Faculty Appoints Building Committee

Wortham Stresses Student Input

In light of recent progress towards the long awaited new law school building, the faculty took the step of creating a Building Committee last December. Chaired by Professor Leah Wortham, the committee will be comprised of Professors Cozzilio, Lipton, and Zuckman, Assistant Dean for Administration Joseph Stuart, and a student representative yet to be appointed.

In its chief role the committee will serve as a liaison between the law school and the university administration for such matters as the development, planning, and construction phases of the new building. Professor Wortham stated that the committee will begin seeking student input for the interior design of the building this year through a series of meetings with selected student

representatives. "Law students tend to live in their building more so than other kinds of students", she said, indicating her encouragement for student input.

In a related matter, Wortham also said that the committee will mull over "interim upgrades" for Keane, assisting Dean Stuart who bears primary responsibility in this area. The administration has apparently determined that a study needs to be done on the physical condition of Keane Hall.



MOOT COURT REPORT

By Joe Smith

The exploits of our colleagues in local and national fora are usually detailed in this column. However, today's column is devoted to setting the record straight on a matter that received far more attention and generated more discussion than was warranted. That issue was budgeting for the National Appellate Advocacy Team, hereinafter Nationals team.

The Moot Court Budget is planned to provide funding for those competitions in which we compete annually. It is unusual for the Nationals team to advance to the national round of the competition. Since it is unusual, it is not included in the budget. But because it is an honor, an advancing team receives the full support of the school as if the event had been part of our budget.

Dean Rohner's immediate response to the news that our Nationals team had advanced was enthusiastic support. Dean Rohner knew that the item was not in our budget and directed me to cover reasonable expenses for the team which would then be reimbursed to the Moot Court budget. Dean Rohner's

approach afforded us the administrative flexibility that we enjoy with all other competitions.

This information was communicated by me to the team members. I advised the team that reasonable meant that they could not expect to stay at the Waldorf-Astoria, but would have to seek accommodations at or comparable to the Milford Plaza—a popular midtown hotel. Thus, the only limitation placed on the team was that expenses be reasonable. There was never any question whether the team would be supported financially. Dean Rohner guaranteed that support and the team was so advised.

I thank all of you who stopped me in the halls or visited our office to express support during a crisis that never existed. We had then and enjoy now the support of the administration. We could not have asked for a more supportive response from Dean Rohner. Participation by the team was never in jeopardy. We have kept expenses to a minimum and will be reimbursed.

Reports on all other competitions will appear in the next issue.



Minds in ACTION. from left to right, Carla Aldarrelli; Thaddeus Smith, Colleen Coyle and Paul Hitterman, cropped out Michael DiCroce, Dave Stauss and Steve O'Mara

- NATIONAL MOOT COURT COMPETITION
REGION 3 ROUND
NOVEMBER 17-19, 1987**
- BRIEF RANKINGS**
- 1) Catholic University of America, Columbus School of Law
 - 2) George Washington University National Law Center
 - 3) Dickinson School of Law
 - 4) Villanova University School of Law
 - 5) University of Maryland Law School
 - 6) University of Pittsburgh Law School

- 7) Rutgers School of Law - Camden
- 8) Georgetown University Law Center
- 9) Duquesne University School of Law
- 10) The American University, Washington College of Law
- 11) Temple University School of Law
- 12) University of Baltimore School of Law
- 13) University of Pennsylvania Law School
- 14) Delaware Law School of Widener University
- 15) Howard University School of Law

NATIONAL MOOT COURT COMPETITION REGION 3 ROUND NOVEMBER 17-19, 1987

ORAL ARGUMENT FINISHING RESULTS

- | | |
|------------------|-----------------------------|
| 4 WINS/1 LOSS: | Catholic, Georgetown |
| 3 WINS/1 LOSS: | Maryland |
| 2 WINS/2 LOSSES: | Rutgers |
| 2 WINS/1 LOSS: | George Washington |
| 1 WIN/2 LOSSES: | AvcAmerican, Pitts- |
| | burgh, Villanova |
| 1 WIN/1 LOSS: | Delaware, Dickinson, Du- |
| | quesne, Temple |
| 0 WINS/2 LOSSES: | Baltimore, Howard, Pennsyl- |
| | vania |

GRADUATION COMMITTEE

The Graduation Committee is sponsoring a design contest for a class shirt that will sold as a fundraiser for graduation activities. Class members are encouraged to submit a design for the class shirt—whether silly, sarcastic, serious, or simple.

The winner (which will be selected by the Graduation Committee) will receive a free shirt and the privilege of seeing his

or her design on the bod' of other class members. Designs do not have to be drawn to perfection; we'll get a graphic artist to do the dirty work later.

The contest deadline is February 12, 1988—so get cracking! Entries should be left in the envelope on the Graduation bulletin board in the lobby of the law school.

UNLAWFUL ASSEMBLY

An English law of 1715 provided that any group of 12 or more people causing a disturbance of the peace should be read the Riot Act, which ordered them to disperse in the Queen's name and warned anyone who continued to riot for another hour that he'd be guilty of a felony.

Tuesday

March 1988

I

LET'S RIOT!
88 DAYS
'TIL GRADUATION PARTY
COMING SOON
ON MARCH 1, 1988
WATCH FOR DETAILS!

BALSA

The month of February is designated Black History Month. February has been set aside to actively acknowledge those Black pioneers whose lives have made tremendous impact in the development of persons of color. Further, it is a time to reflect upon rich Afro-American traditions and customs. It is crucial that the contributions of such pioneers and acknowledgement of tradition be recognized and honored by Blacks. This is particularly true in the case of Blacks enrolled in educational institutions, because the progress we so desperately seek only comes from a firm understanding and knowledge of the past.

Despite the obvious importance to Blacks of reflecting upon the roots from which we have come, it is also integral to the issue of race relations that American society at large be educated in the study of Black History. Racism, still quite prevalent in today's society as evidenced by the Howard Beach incident and institutionalized racism, emerges from ignorance, a basic misunderstanding of those different from ourselves. The educational system, if properly utilized, provides a medium for tearing down the walls of ignorance.

BLSA invites students from other cultural and ethnic backgrounds to attend an event or two regarding Black History Month, to educate yourselves as to a culture different than your own. Let

us all do our part to break down the walls of racism and alienation. As tomorrow's leaders, law makers, and law enforcers, we will embark upon our careers taking along with us beliefs and ideologies which greatly effect societal values and norms.

Therefore, each one of us is challenged with a specific ethical and spiritual duty to take it upon ourselves to reach out and educate ourselves and others.

The tentative schedule of events are the following:

1. Saturday, February 6th - Group trip to the Black History Museum at 11:00 a.m.
- At 1:45 p.m. "Cry Freedom" at Circle Jennifer located on 5252 Wisconsin Avenue N.W.
2. Wednesday, February 17th - Slides of Africa and refreshments in room 108 from 12:00 - 1:30 p.m.
3. Saturday, February 27th - Banquet Dinner, place to be announced, 6:00 p.m.

Contact BLSA for any additional information.

Remember, we all share a significant part of one another's present and future.

J. Patricia Wilson

Chairperson

Stephanye Redd

Public Relations Officer

Women's Law Caucus

By Suzanne Ferrara

Welcome back to all the members of the Women's Law Caucus and to the rest of the student body (this seems like a ridiculous statement since we are already into February). If you did not make the last meeting on February 1, I would encourage you to get involved now.

The Women's Law Caucus is planning its Spring schedule and we need to know who you want as speakers on campus. We are also in the process of planning for the annual Alumni Reception, which is scheduled for late March. Any additional help makes the work load easier for those already involved.

Elections for the 1988-89 school year will be held in March, so that the new Executive Board can be introduced during the Reception.

One problem that most student organizations run into during the Spring semester is the lack of participation in events, especially when the weather starts to get nice. First year students are reminded that basically they will be the Class who has the most influence next year in the Law School.

Third year students will be too busy trying to graduate and find a job to give the Law School as much time as in the

past, and the incoming Class will be trying to get oriented to the routine of a legal education. If you are interested in having a voice in the student programs for next year, now is the time to get involved.

Although student organizations do take up some of your time, with a little scheduling it is possible to get everything accomplished. Remember, the more who help, the less there is to do.

SUMMER LAW STUDY

in

Dublin
London

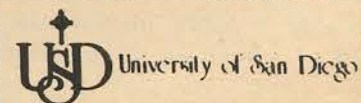
Mexico
Oxford

Paris

Russia-Poland
San Diego

Foreign Law Programs

Univ. of San Diego School of Law
Alcalá Park, San Diego CA 92110



STUDY ABROAD

SANTA CLARA

TOKYO, JAPAN:

June 15-August 5

Emphasis on U.S.-Japanese trade. Courses in Japanese Legal System, International Business Transaction, Comparative Protection of Intellectual Property. Internships with Japanese law firms or corporate legal departments. Instruction by Japanese professors and practitioners. Visits to governmental offices and company legal departments.

STRASBOURG, FRANCE

GENEVA, SWITZERLAND:

June 8-July 29

Emphasis on international human rights and public international law. Taught by recognized experts from around the world. In cooperation with International Institute of Human Rights (Strasbourg) and Henry Dunant Institute (Geneva). Courses on Sources of International Law, International Organizations, Human Rights, International Protection of Cultural Property, Taking of Evidence Abroad, The French Legal System. Internship possibilities.

OXFORD, ENGLAND:

June 26-August 8

Students live in 15th century Oxford College and are taught by Oxford Dons in Oxford Tutorial Method. Course offerings include Jurisprudence, Legal History, Computers and the Law, European comparative courses in areas such as Real Property, Criminology and Penology, Constitutional Law, and Torts.

HONG KONG:

June 15-August 6

Emphasis on trade and commercial relations between Hong Kong, China and the rest of East Asia. Program held at the University of Hong Kong. Practice component affords option of either a writing tutorial or an internship with a Hong Kong law firm, corporate law office, or government agency.

SINGAPORE/BANGKOK/ASEAN:

June 6-July 29

Emphasis on the legal aspects of international investment and development in the countries of the Association of Southeast Asian Nations (ASEAN; Singapore, Indonesia, Thailand, Malaysia, The Philippines, Brunei) and their legal systems and cultures. Internships with Singapore or Bangkok law firms. At our disposal are the resources of the National University of Singapore, The Asian-Pacific Tax and Investment Research Center, local and international faculty of recognized experts in the subject areas, and law offices which deal in such matters on a daily basis.

ALL COURSES ARE TAUGHT IN ENGLISH. APPROVED BY THE AMERICAN BAR ASSOCIATION

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- Transnational Business Organizations

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Dr. Louis F. Del Duca
Associate Dean for Advanced
Legal Education
The Dickinson School of Law
150 South College Street
Carlisle, Pennsylvania 17013
Telephone: (717) 243-4611



Loan Forgiveness Update

Have you ever considered taking a public interest job after law school? Did you wonder how you could survive on a public interest salary while paying off your student loans? If so, you are not alone. Most law students will graduate with heavy debts, and many are precluded from lawyering in the public interest because of the low pay scale. Many law schools have found that the solution is a Loan Forgiveness Program.

Thirteen law schools now have Loan Forgiveness Programs, including Georgetown, Harvard, Northwestern, Stanford, and Yale. Students for Public Interest Law (SPIL) organized last semester to lobby for adoption of a similar program here. The basic concept is that graduates of the law school who go to work in public interest law will have their loans subsidized by the Loan Forgiveness Program based on one's ability to pay. The terms of the Program are not yet final, and SPIL is circulating a draft proposal for student input. Most Loan Forgiveness Programs limit eligibility to public interest jobs, defined as non-profit or government, within a certain pay scale, such as less than \$30,000 per year.

SPIL will be undertaking several activities in the next few weeks, and we strongly urge all students to participate. The week beginning February 1, a student survey will be circulated to determine the extent of student indebted-

ness and general interest in the Loan Forgiveness Program. The results of the survey will be incorporated into the proposal to be presented to the faculty at the February 18 faculty meeting. Please look for the table in the lobby this week and complete the survey.

The week beginning February 15 has been designated "In the Red Week." In order to show student support for the Loan Forgiveness Program and to emphasize the heavy debt burden many students will face, SPIL requests that students wear an article of red clothing to classes that week. SPIL will also be handing out red armbands to be worn in support of the Program.

Finally, to make Loan Forgiveness a reality at Catholic will require the interest and support of the entire student body, the faculty and the administration. The philosophy of a Catholic University, in the strong tradition of community service, should be to encourage graduates to enter fields of law where they are most needed regardless of the pay. We ask the entire law school community to join us in this important effort.

If there are any questions, please contact Lee Burdick (3D), Peggy Ward (3D), or Susan Grab (1D). Messages may be left on the Graduation Committee Bulletin Board.



GUILD OF CATHOLIC LAWYERS

All students, faculty, and staff are invited to join the Guild of Catholic Lawyers in praying the Rosary. The Guild meets every Wednesday from 12:10 p.m. to 1:00 p.m. in room 108 (moot court chambers) to pray one decade of the Rosary and to enjoy fellowship while dining on their brown bag lunches.

If you wish to pray with us, but don't have time to stay for lunch, you are still

welcome. The meeting begins with the Rosary which takes approximately 12 minutes to complete. If you haven't prayed the Rosary in a while and would like to start again, or if you enjoy praying with a small group, or if you have never prayed the Rosary before and would like to learn how, please come and join us.

By: Frederick Cabell, Jr.

FIRST ANNUAL RETREAT
FOR
COLUMBUS SCHOOL OF LAW
COMMUNITY
sponsored by the Guild of Catholic
Lawyers, CUA

SIGN-UP: BY FRIDAY, FEBRUARY 5th.
Simply fill out the form below and leave on the Guild of Catholic Lawyers Bulletin Board [opposite the SBA office]. The sooner we know the number going the easier it will be to arrange transportation.

WHO: ANY MEMBER OF THE LAW
SCHOOL COMMUNITY IS WARMLY
WELCOME TO ATTEND

QUESTIONS?: (202) 832-7434 (tape
leave message any time, we will get
back to you promptly)

WHEN: FRIDAY EVENING, FEBRU-
ARY 12, through NOON lunch SUN-
DAY, FEBRUARY 14, 1988

REGISTRATION
FIRST ANNUAL
RETREAT—COLUMBUS SCHOOL OF
LAW
sponsored by the Guild of Catholic
Lawyers

WHERE: St. Joseph's Villa, Richmond,
VA

RETREAT LEADER: Rev. Robert T. Ken-
nedy, JD, JUD will focus on a spiritual-
ity for lawyers with talks on the prayer of
a lawyer, the integrity of a lawyer and a
lawyer's love for others integrating our
faith and professional life.

[joining with the Legal Education
Ministry Committee Catholic Diocese
of Richmond, Annual Retreat for
Judges/Lawyers/Paralegals/Law
Students]

COST: \$30.00 (students); \$50 others
for overnight accommodations Friday and
Saturday and 4 meals.

GRANTS: IF ANYONE DESIRES TO
ATTEND THE RETREAT AND NEEDS
ASSISTANCE COVERING COSTS, the
Guild of Catholic Lawyers has a limited
number of grants available.

[please print]
NAME: _____
ADDRESS: _____
PHONE: _____

[leave on Guild of Catholic Lawyers
Bulletin Board]

Announcing THE GRADUATION STUDENT SPEAKER CONTEST

Announcing THE GRADUATION STUDENT SPEAKER CONTEST

All interested graduating students should
prepare a 5-7 minute speech to be presented
before a panel of judges on Wednesday eve-
ning, April 13th, 1988.

If there are any questions, contact either,
Michael Kelly (3rd yr day)

—or—

Mindy Hatton (4th yr eve)

—More Information to Follow

Graduation Update

LPP To Sponsor Forum

LAW AND PUBLIC POLICY SPRING FORUM

FINANCING HIGHER EDUCATION

A word from the
Presidential Campaigns

February 24, 1988

4:30-6:00 p.m.

Moot Court Room

Leahy Hall

The Spring 1988 Forum of Catholic University's Law and Public Policy Program will be held on Wednesday, February 24, 1988, from 4:30 to 6:00 p.m. in the Moot Court room of Leahy Hall. Refreshments will be served at a reception following the forum. The forum date is two weeks before the "Super Tuesday" presidential primaries, in which both Virginia and Maryland participate.

Representatives from the various Democratic and Republican presidential campaigns will address the topic "Financing Higher Education," particularly timely as increasing connections are being made between a well-educated workforce and a nation's ability to compete in the world economy. The costs of American higher education have increased dramatically in the last ten years, at the same time the direct role of government has decreased. What can government and the private sector do to bridge the financial shortfall?"

The format will be one half hour for the Democratic campaign representatives, one half hour for the Republican campaign representatives. (We will flip a coin to determine who goes first) After the second group is finished, we will open for questions from the audience.

Congratulations Class of '88—in only a few short months you will be able to put that coveted * on the cover of your bluebooks. We've come a long way since the days of BLT and briefing cases. But it's not over yet, so let's try to make the most of what's left of our pre-ten-hour-work-day-if-we're-lucky lives!

The Class of '88 Graduation Committee raised over \$2,500 last semester through fundraising events such as shirt sales and 50/50 raffles! Thanks are in order to everyone on the Committee for their hard work right up until exam time. We would also like to thank everyone who supported our fundraisers. The Committee hopes to raise another \$2,500 this semester. We will be conducting 50/50's each week on Wednesday and Thursday. We will also be selling Class of '88 shirts. Anyone who has a shirt design idea should watch for a notice of our design competition. We also have shirts leftover from last semester. Please leave a message on the Class of '88 bulletin board or see Laura Antonelli if you would like to purchase a shirt.

The Committee is currently busy planning graduation activities for the class. The top five activities in our class survey were: 1) party cruise; 2) class picnic; 3) trip to the beach/Atlantic City; 4) whitewater rafting; and 5) theatre trip to New York City. These are the activities we will be planning for the class. Please watch the Class of '88 bulletin board for further details about these activities. Organizing these events is going to take a lot of work. The Committee hopes you will help us out by keeping yourself informed and by complying with the instructions we post for ticket sales, etc.

Each year, the graduating class selects a faculty member to lead the graduation procession. Over the course of the semester you should also watch for notices about the faculty marshal run-off vote. We will also be sponsoring a competition for students at our graduation ceremony. Watch the bulletin board for details.

In the past, the Dean's Office has sponsored a Catholic mass on the morning of graduation. Dean Rohner has informed us that the Dean's Office will be sponsoring a Catholic mass for our class on the morning of May 28. The Graduation Committee is currently considering sponsoring a nondenominational service for class members during the week prior to graduation. However, prior classes sponsored nondenominational services, only to have very few students attend. Before the Graduation Committee invests our time and money into planning a nondenominational service, we want to make sure it is something that the class wants and that a substantial number of class members will attend. Please let us know what you think by completing our survey (below) and dropping it in the envelope on the Graduation Committee Bulletin Board by February 12, 1988. Please note that our decision of whether to sponsor a service will be based solely on the results of this survey. (The Dean's Office has informed us that it will be sponsoring a Catholic mass prior to graduation and its decision to hold that mass will not be affected by the results of this survey.)

AYUDA, INC.

Legal Aid - Consumer Protection

1736 COLUMBIA RD., N. W. WASHINGTON, D. C. 20009

TELEPHONE: 387-4848

ATTENTION
SPANISH-SPEAKING LAW STUDENTS
AYUDA SEEKS BILINGUAL LAW STUDENTS
TO REPRESENT LOW-INCOME LATINOS

La Clinica Legal Latina of Ayuda, Inc. is seeking bilingual law students interested in a rewarding internship experience. Ayuda provides free legal services to low-income Latinos in domestic violence, domestic relations, rent control, landlord-tenant, public entitlements, social security and immigration cases. Spanish is preferred, but not required.

Work-study money and small stipends are available.

The CLL operates like a law school clinical program. Students assume primary responsibility for their clients' cases, from initial intake through administrative hearing. CLL interns will interview clients, prepare pleadings, conduct case investigations and legal research, and represent clients before administrative agencies. Students working on court cases will be intimately involved in trial preparation and will be present at court hearings. All student work will be closely supervised by the CLL director or other Ayuda staff attorneys.

Ayuda also offers students the opportunity to work closely with the District's sizable Latino community—developing solutions to community-wide problems. This work may include: writing simple Spanish-language informational brochures on legal rights and remedies, working with coalitions of Hispanic and/or women's groups on legislative and administrative strategies, working with Latino community agencies in litigation and other advocacy efforts.

Students are asked to commit between 10 and 40 hours a week working at Ayuda. Academic credit can be arranged. Hours are flexible: the specific number of hours required will be determined by your academic institution. Those who wish to receive work-study pay or work as volunteers without credit are also encouraged to apply.



Ayuda and the community need you. If you are interested, or desire further information, please contact Leslye E. Orloff, Director at (202)387-0434 or (202)387-4848. We look forward to working with you.

United Way POSITIONS AVAILABLE SPRING 1988
of the National SUMMER 1988 AND SCHOOL YEAR 88-89
Capital Area

CLASS OF '88 SURVEY
RETURN TO THE YELLOW BOX IN
THE LAW SCHOOL LOBBY
BY FEBRUARY 5, 1988

Do you think the Graduation Committee should sponsor some type of nondenominational service during the week prior to graduation? _____

YES _____ NO _____

Would you attend the service? _____

YES _____ NO _____

Would you attend the service if it featured a guest speaker? _____

YES _____ NO _____

Judicial Notice

THE CATHOLIC UNIVERSITY OF AMERICA
SCHOOL OF LAW
WASHINGTON, DC

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The New Land Beyond Leahy

The law school's move to the Land Beyond Leahy has finally become a reality. Inevitably, we are told, the old trailers will soon become a thing of the past and the remaining tenants will join the procession to Keane Hall.

Keane has been described by the administration as an "interim solution" for office, classroom, study and lounge space until some magic date in 1992 when a new law school building is targeted for completion. From the perspective of the deans in their bright and shiny new offices, their dedicated staff, and tenured faculty, Keane truly is a mere interim solution and arguably a fine one. But for the average law student with a three to four year life span, including virtually every student currently enrolled, Keane must be accepted as the permanent solution.

Only time will tell whether the stu-

dent body will accept and maximize the use of our new facility. With added classrooms, lounges, study and research space, and modular offices for student organizations (still in the works), Keane has a lot to offer. Undoubtedly, the most noticeable improvement is the spacious new LCS office where more than four people can fit without cramming.

But the most troubling aspect may be the physical gulf that lies between Keane and Leahy. The distance is not unbearably long as the crow flies, perhaps a five minute stroll at the most. Unfortunately the convenience leaves a lot to be desired.

Will the student body embrace Keane with open arms or just grudgingly adapt? Will the deans become strangers from the faraway Land Beyond Leahy? Will the move to Keane successfully carry the school through its transitional phase as it awaits new quarters?

Opinions

Civil Rights

To the editor:

During the month of February, local public TV stations will be re-running documentary, "EYES ON THE PRIZL," which relates the history of the Civil Rights movement from the early 1950's. Anyone who has not seen it should do so.

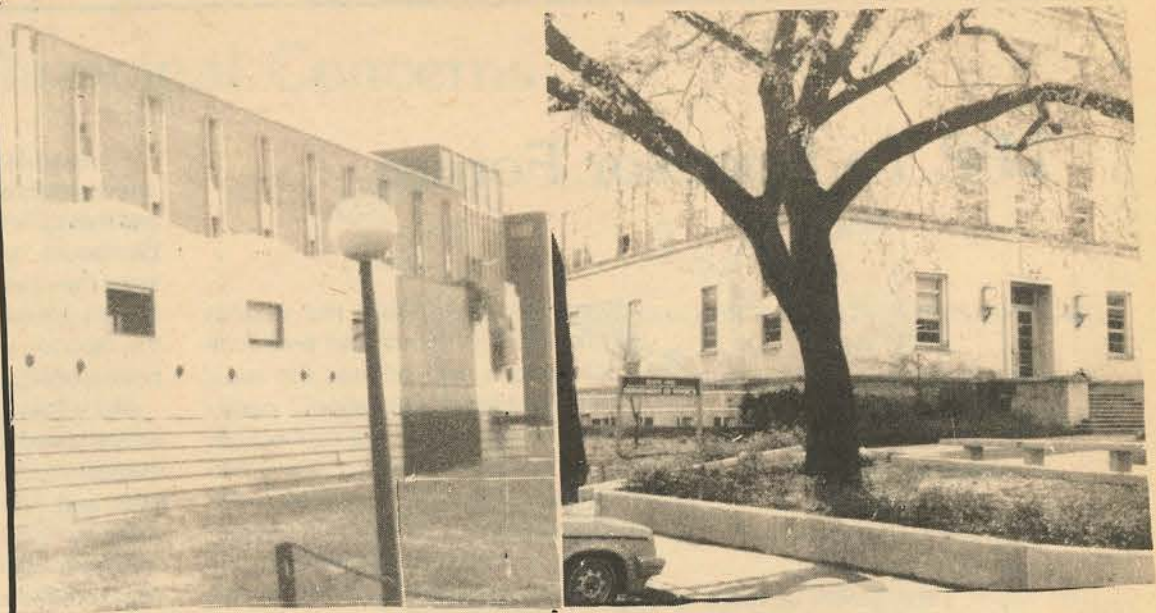
The series has special meaning to attorneys, because it demonstrates how the law can be used to perpetuate evil—and how it can be used to fight that evil. It has a special meaning to those of us who grew up during the '50's and '60's, as white America finally began to face the ugly reality of racism. It has special

meaning to those too young to remember: it dramatizes how much progress we've made toward realizing the ideals embodied in the Declaration of Independence and the Constitution, while also dramatizing how far we still have to go.

And it has special meaning to parents, because it drives home, again and again and again, what all parents must try to teach their children: that race hatred and racial discrimination are cruel, vicious, evil things that must not be tolerated.

Sincerely,

Clifford S. Fishman
Professor of law



BEFORE ... AND AFTER

to the Editor

Feedback

Two articles in your November 3, 1987 edition contain comments that merit response.

Tiffany Schauer and Gwendolyn Sterk bemoan the "fact" that law students do not work for political candidates, do not vote in elections or even register to vote, don't read a daily newspaper, and care only about getting a high-salaried job. And they assert that law professors are to blame for this supposed moral vacuum, because professors "groom" students to ignore "values and philosophical undertones," ignore "inconsistencies and injustices," and emphasize only that students must "memorize" whatever "rule" a particular case enunciates.

"We're ethical eunuchs," they complain, "and it's All Your Fault."

Garbage.

First, I think they malign our students, the vast majority, I am convinced, are active, informed and involved in the issues and problems that permeate our society.

Second, they malign this faculty. Law is society's way of codifying values and establishing procedures so that conflicts between competing interests and values can be resolved peacefully and fairly. A good teacher insists that students learn the substantive law he or she is teaching, but also insists that students consider the social values that underly the law and assess whether that law is fair and just. It's quite a challenge, but I'm confident that my colleagues meet it.

The second article that needs a response is "Faint-hearted First Year's" letter to "Uncle Eddie," and aspects of "UE"'s reply. I don't know, of course, whether someone did in fact write such a letter; it may have been made up to give "UE" (whoever he or she is) an opportunity to attempt to be clever. Whether or not a first-year student in fact wrote the letter, however, it raises questions worth discussing; so, in a very different way, does the reply.

I remember my own first semester of law school: it gets pretty tense as exams approach. Learning how to "think like a lawyer" comes hard to those of us who aren't "born with it."

The bottom line, though, is this: *it's just another exam.* You've demonstrated the ability to do well on exams throughout your college career; otherwise you wouldn't have gotten this far. There is no reason why you shouldn't be able to handle law exams.

Professors and upperclass students are willing and eager to help students who seek help. But what was "Uncle Eddie's" advice? After grouching and moaning about everything and everyone, he concluded: "Cheat if you have to." I *hope* he thought he was being funny. If he meant what he said, he does not belong at this law school and should not be admitted to the practice of law.

Canon 1 of the ABA Model Code of Professional Responsibility directs: "A lawyer should assist in maintaining the integrity and competence of the legal profession." Disciplinary Rule 1-102(A)(4) defines misconduct as including "conduct involving dishonesty, fraud, deceit or misrepresentation." Cheating in law school—or encouraging others to do so—falls squarely within this prescription. DR 1-103(A) provides that "[a] lawyer possessing unprivileged knowledge of a violation of DR 1-102 SHALL report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation." The Committee on Character and Fitness of whatever Bar "Uncle Eddie" seeks admission is one such tribunal.

This school has an Honor Code—drafted and ratified by students. Cheating on an exam is a violation of the Code (Article V, paragraph 1). The Code requires "each member of this law school community . . . to urge the members of the law school community to abide by the Honor Code and to dissuade potential violations" (Article I, paragraph 1 c.). I take that obligation seriously. I hope "Uncle Eddie" will begin to do so. In the meantime, perhaps he should take a look at Article V, paragraph 14 and at Article VI, too.

Some "jokes" aren't funny. I trust I've made my point.

Sincerely,
Clifford S. Fishman
Professor of Law

Letters

Exam Proposal

By Laura Antonelli

You are taking your Tax exam. There are only fifteen minutes left in the exam period. You're only a third of the way through the final problem. You attempt to remain calm and continue writing out your answer, but suddenly there's a ruckus in the room. Other students are getting up to turn in their exams. Papers begin to shuffle. Chairs creak. Book bag zippers squeak. The door opens and closes—again and again. You start to wonder why they've all finished early. So much for making the most of those last fifteen minutes!

If you've ever experienced something similar to this, you know how frustrating and unfair it can be. As the student rep on the Academic Policy Committee, I would like to submit a proposal to the Committee that would change the current way our law school exams are administered. But before I do so, I want to make certain that other students support the idea.

I would like to propose that current policy be changed so that *no* students would be allowed to leave an exam room during the last fifteen minutes of an exam. Up until the last fifteen minutes of the test, students would be free to turn in their exam and leave, as they can under current policy. However, once the proctor indicates that fifteen minutes or less remain in the exam period, no one would be permitted to leave the room. Instead, all students would have to remain in their seats until the end of the exam. At that time, students could get up to turn in their exams.

The down side to the idea is that a few students would be detained in the exam room for a maximum of fifteen minutes. On the positive side, however, students who *do* need the last fifteen minutes of the exam period to finish their test would be able to use that time without annoying disruptions.

I would like to know what students think of this proposal. If you tell me to trash it, consider it canned. If you tell me you like it, I'll bring it to the attention of the Academic Policy Committee and do my best to promote it. You can tell me what you think in person, or if you don't know me or would like to remain anonymous, you can leave a note for me under the door of the Student Bar Association office. Thanks for your input!

THANK YOU FOR A VERY MERRY CHRISTMAS

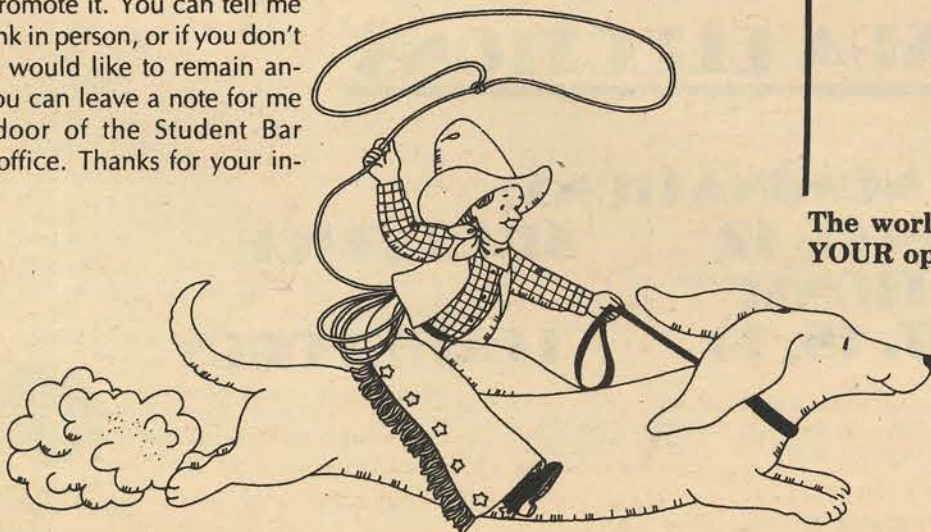
The Boderick Family and I would like to offer a special thank you to all of those who gave donations to the Christmas drive for the Boderick Family. It was a major success! Not only did we collect food, clothing, toys and kitchen accessories, but we also collected a total of \$850. Your generosity was overwhelming, and greatly appreciated.

The Bodericks live in a public housing unit of P Street, N.W. The living conditions are very poor and unpleasant. It certainly is not a place for young children to be growing up. The gifts that we were able to give the Bodericks were a dream come true! They never imagined that so many people would show such love and sharing towards them. With the \$850, we bought clothes for the entire family, including pajamas, slippers, shoes, pants, sweaters. We also bought toys for the children, including some Fisher Price learning toys, action figures, dolls and a bicycle for Duquan (I was told that Duquan has not been off the bicycle since we gave it to him). The grandmother was given \$150 to go towards her rent and new nursing uniforms. Finally, we purchased diapers, baby supplies and food certificates.

I hope that this is only a start. Although I am graduating this year, I will continue to sponsor families for years to come. It would be wonderful for the students of Catholic University Law School to continue this newly found tradition as well.

This was a Christmas that the Bodericks will never forget. They asked me to thank all of you. It was the many small contributions that made this very special Christmas possible. I, too, would like to offer my personal thanks to all of you. You should be very pleased and proud to have made this a time which will always be remembered in a very special way.

Laura M. Rowinski



On the Stump

to the editor

On February 17, 18 & 19, the student body will elect a new Student Bar Association Executive Board. At this time, I wish to express my interest in serving as its Chairman during the 1988-89 academic year.

To be successful, a Chairman must possess three important qualifications; experience, commitment and initiative. As a current board member, treasurer of Phi Alpha Delta and past representative to the Faculty Budget Committee, I've seen first hand, the way the Board and the administration operates. This exposure will enable me to expedite the handling of student problems in an efficient and effective manner.

As your elected representatives, Board members have a duty to see that your concerns are properly and promptly addressed. You have a right to expect nothing less. This requires a full-time commitment on the part of all members, the Chairman in particular. If elected, the SBA will receive my undivided attention.

Any candidate for this office must bring with him/her new ideas designed to improve the quality of life for *all* of the students. As I complete my second year. I see a number of things SBA can and should do in this regard.

First, we are still in need of a legitimate orientation program for first year students. This has only become more important with the addition of Keane Hall to the law school facilities.

Second, we should begin to develop an SBA sponsored course description booklet. Written by students, for students, it would critique each course offered, by professor, with the faculty member's numerical evaluation listed at the end. This would facilitate the registration process, helping students make intelligent, informed choices when selecting courses for the coming year.

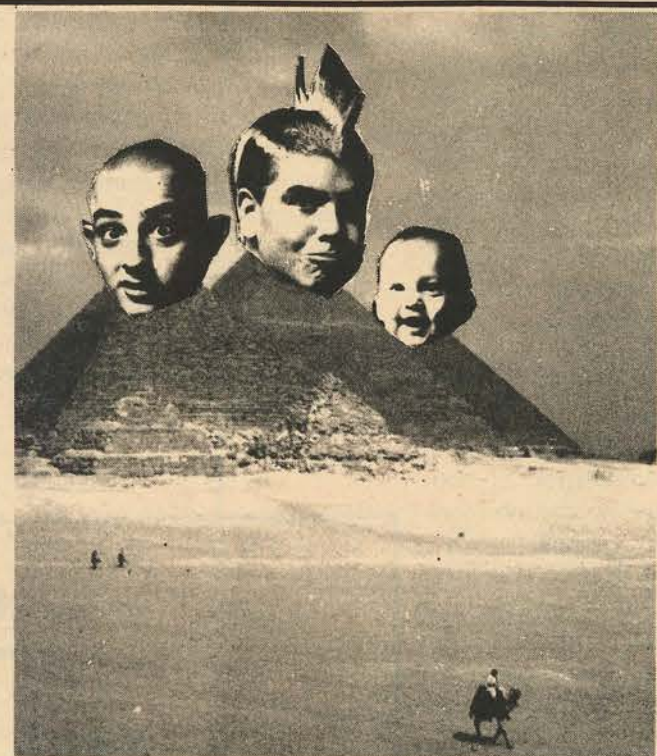
Third, we must abolish the "24 hour rule". As currently written, this regulation mandates that you can only reschedule an examination if it is scheduled within 24 hours of another. The 24 hour period is calculated from the start of the first exam to the start of the second. Those of you affected by this rule in the past know how difficult it is to prepare for an exam under those conditions. We should have at least 36 hours from the **end** of one exam to the start of another.

In the same vein, we might reconsider the examination process in its entirety. Why should students, bound by an honor code, be subject to proctored, scheduled exams? What about a totally self-scheduled system, one which allows you to decide when to take each exam?

In a school of this size, the SBA can be a strong advocate on behalf of its membership. If elected, I will work to ensure that it fulfills this potential. I would appreciate your support.

Sincerely,

George B Breen



The world is a wondrous and sometimes whimsical place. Express YOUR opinion about some aspect of it in Judicial Notice.

Town Meeting Addresses Municipal Concerns

By
Frank Kortsch



Residents of the Town of Leahy gathered for a meeting last Wednesday, to participate in a question and answer session presided over by Dean Rohner. A broad array of student concerns and inquiries were addressed, ranging from the migration to Keane Hall to the upward spiral of tuition costs.

Dean Rohner opened the two hour session by expressing his desire to institutionalize the Town Meeting as a forum for dialogue between the administration and students. Rohner suggested that similar meetings be held with individuals such as Dean Callagher and Dean Sanchez, who could address student concerns and provide illumination on issues within their particular sphere of responsibility. When asked to comment on the Town Meeting concept, Third year student Jeff Fish noted that "these sort of meetings are precisely the sort of forum the school needs to address concerns of the students, faculty, and administration. One can only hope that future meetings attract more students. From the size of the turnout you'd think our 'town' was really a small rural village".

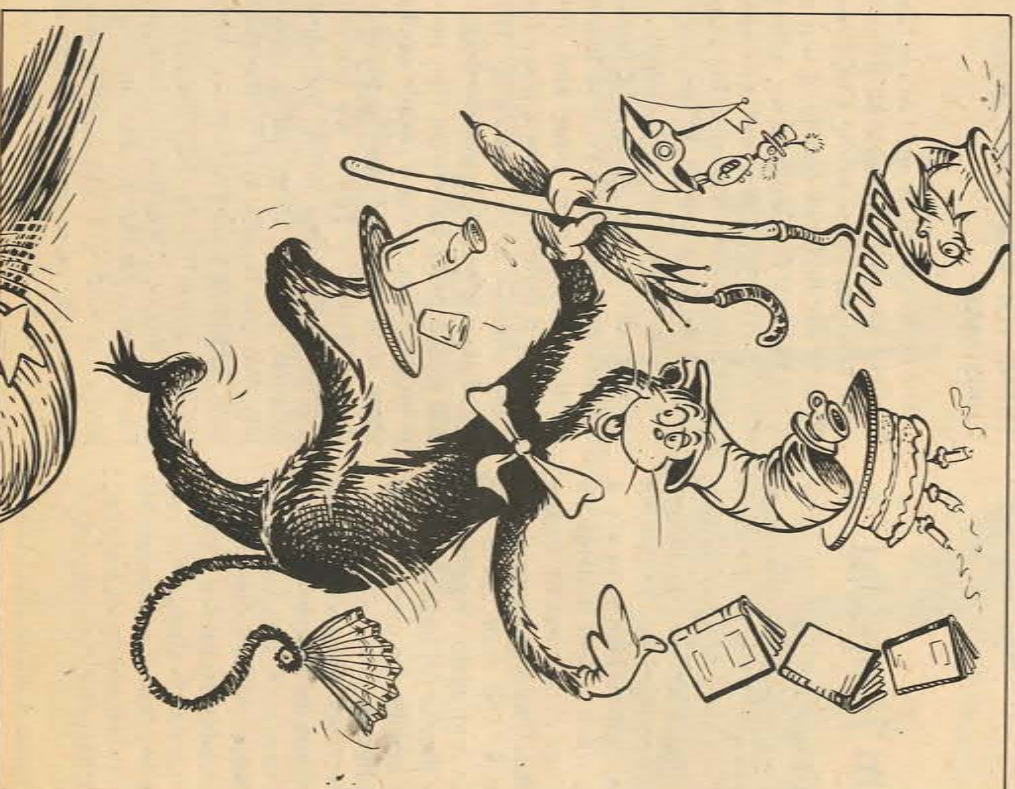
The first topic broached during the meeting was the presence of asbestos in both the Leahy library and Keane Hall. While Rohner acknowledged the presence of asbestos insulation in both buildings, he asserted that the substance presents "absolutely no health hazard". When asked when student organizations can expect to move into their new offices in Keane Hall, Rohner targeted February 15 or 17 as the moving date. Rohner emphasized that Keane Hall does not represent a permanent solution to the Law School's space problems, and that the present relocation is only intended to alleviate space shortages until the new law school is built. Rohner said it was "realistic" to expect the new law school to be fully operational by 1991 or 1992. However, he candidly conceded that of the approximately 20 million dollars needed to erect a new facility, only 1.6 million has been raised thus far.

Following the financial theme, the next topic of discussion was the planned tuition increase for the 1988-89 academic year. Dean Rohner said he was not sure if the Law School would be subject to the 9.5 percent tuition increase approved by the University Board of Trustees last Tuesday, but noted that in all probability the increase would affect Law School tuition. Rohner noted that none of the other area law schools have yet published their planned tuition increases, and stated that he would "bet you a six-pack that other area schools would have greater tuition increases". Unless my experience in Contracts was for naught, I think this offer is only valid as to villagers who attended the town meeting.

The group next discussed the chronic lack of parking space available to law students, a space deficiency made more glaring by the zealous activity of D.C. parking enforcement on Harewood Avenue. Rohner expressed appreciation and concern for the students' parking plight, but said that the Law School has "absolutely no chance" of getting specially designated parking areas for law students.

Dean Rohner then turned his attention to the academic program of the Law School, urging more student involvement in assessing and molding the curriculum. Rohner expressed concern over the present pattern of hiring and retention of faculty at the Law School, and expressed a desire to have more student input regarding hiring decisions.

Finally, Dean Rohner urged students to take advantage of the different activities that Washington, D.C. has to offer. For example, going to watch the U.S. Supreme Court or the D.C. Court of Appeals, and being aware of political issues in this election year. Rohner expressed hope that students would integrate these type of experiences with their Law School education, with the result being more fully rounded attorneys emerging from the Columbus School of Law. Let us hope that the whole Law School community shares in his sentiments.



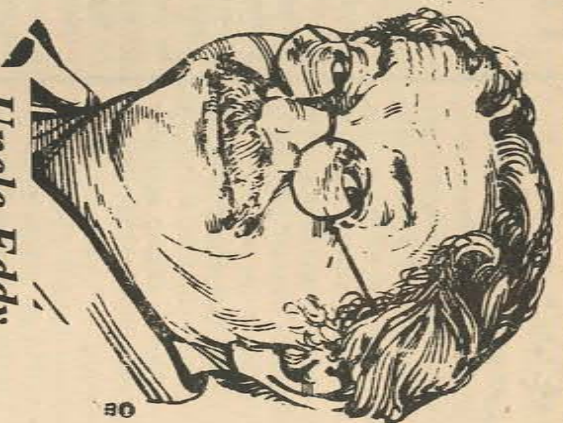
Dean Rohner demonstrates his versatility as administrator, teacher and fundraiser. (Artist's depiction)



SBA ELECTIONS

**SELF NOMINATIONS:
FEB 1-FEB 12 SBA OFFICE
ELECTIONS:
FEB 17, 18, 19 LEAHY LOBBY**

This column is not intended to be a beacon by which people guide their personal conduct. It is intended to be humorous. If you don't think it is, don't read it.



Uncle Eddy

Dear Eddy,
I've been wondering about grades and how important they really are in law school. Well Eddy, how important are they? The other day some first year was standing at the infamous grade board trying to draw a crowd by saying, "Gee, I'm really disappointed. I thought I was going to get an "A" and I only got an 89. Gee".

And then the first year asked another student if she had heard anything about a certain professor. "Do you know what kind of grades she gives?" "No," replied the other student, "but she's a really good teacher, you'll learn a lot." "I don't care," replied the grade-monger, "I just want to know what kind of grades she gives."

So Eddy, is this the right attitude to have to succeed in law school and in life? I mean, I can see the guy's point. You gotta get good grades so you can interview with top firms to get a high-paying job where you can work 80 hour weeks bluebooking insanely boring briefs. Yeah, that's it. And you can drive your BMW back and forth from work.

And as far as actually learning something in law school . . . ha! what a joke. I've finally wised up enough to know this is only a spring board. I'm only here to get a diploma. Actually learning something or, God forbid, expanding my view of the world, is only a possible consequence that we law students can do without.

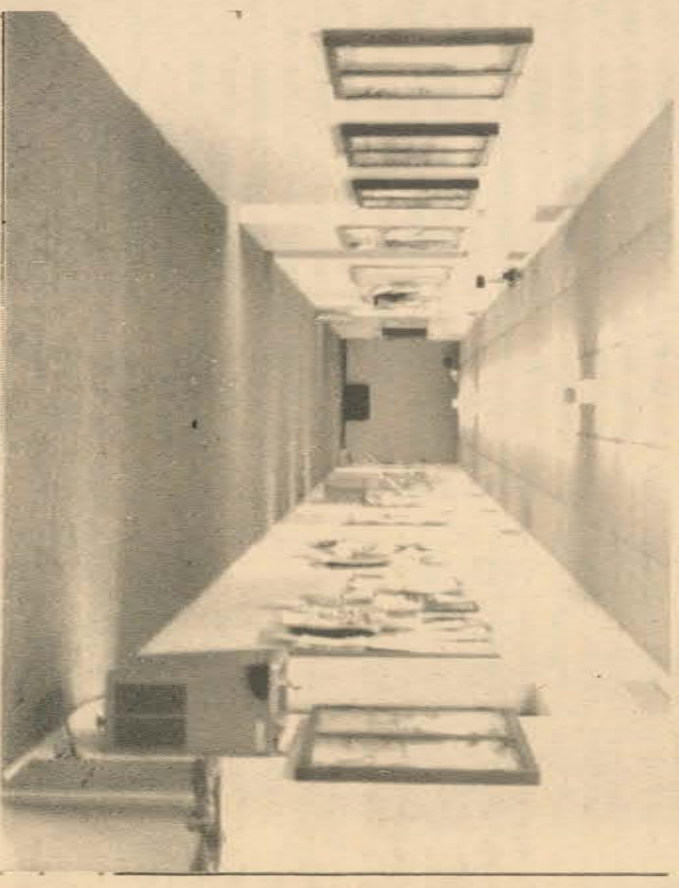
So I can see why people mob the grade board in the hallway every time another class' grades are posted. After all, grades are the only thing that count in law school, right Eddy?

Signed,
Buying the system

Dear Buying the System,

I think yer fuzzy head is warped. Of course grades are the only things that matter in law school. After dropping 11,000 dollars for a year of hair-raising torture, you think anyone really cares if they LEARN anything? Heck no. I'm here to get an outrageously high-paying job that will give me not only the BMW to which you alluded, but also ulcers the size of your fist. As for the scenario you described in front of the grades board, you better get used to it buddy. The way grades are trickling in, you could see little gaggles of hyperventilating students in front of that board from now until May. At which time, of course, the whole perverse process repeats itself. Kinda cute in a sadistic sort of way, don't you think? So forget the idealistic crap and join the party. Remember: ideals like serving humanity are just shimmering little blips on the horizon of life, whereas 80 hour work weeks and bleeding ulcers are truly attainable goals.

MARKDOWN
Maxia



The beauteous Halls of Leahy, steeped in tradition



CROAKERS



Alumni Hold Securities Law Luncheon

On a chilly and rainsoaked Tuesday morning in November, more than forty securities lawyers sloshed out of the Brookland Metro Stop to gather in the dining room of Monroe Hall. This was not a due diligence meeting for underwriters' counsel prior to a public offering. Neither was it a gathering of representatives of a Rule 10(b)(5) class action suit. Instead, the attorneys were all relatively recent graduates of the Law School and the meeting was the Third-Nearly-Annual-Luncheon-For-Recent-And-Almost-Recent-CUA-Alumni-Practicing-Securities-Law. The alumni were coming to the campus to chat, share recollections, tell one another what they are doing and to just have a good time.

When Professor Lipton initiated this luncheon gathering three years ago for alumni who had taken courses in the School's Securities Program and were now practicing in the securities arena, he had little idea that the event would become so popular and would continue as an annual activity. "Frankly," Professor Lipton admits "when I invited graduates to the first lunch, I saw the event, in part, as an opportunity to keep

in touch with former students, many of whom had become friends and were practicing at the Securities and Exchange Commission and elsewhere in town." After the first luncheon in 1985, it became apparent that there were a great number of CUA law graduates practicing Securities law both in Washington and in a number of other major cities. The luncheon became popular with the alumni who saw it as a means of keeping in touch with other graduates who had chosen a similar profession.

This year's list of invitees include CUA graduates at many of the major securities law firms in town (and in New York, Chicago, Baltimore and Wilmington) as well as at the SEC, the Federal Home Loan Bank Board and other federal agencies. Graduates practicing securities in New York City and in Chicago have requested that future lunches be held on a Friday so that they could come to the event and spend a weekend in Washington.

As the number of attendees has grown, the luncheon program has begun to serve a function for students currently studying Securities and Corporate Law as well as for former graduates. Professor Lipton reports that

within the past few years, as many as two dozen graduates have found positions in Securities law primarily through the efforts of alumni who are in the Securities Alumni Practice Group. This Professor Lipton observes, "is a significant asset to our present students who are interested in entering the Securities practice."

Professor Lipton has also expressed the hope that participation by alumni in the Securities Alumni Group activities will open opportunities for members of the Alumni Group. This year, Professor Lipton has recommended a half-dozen members of the Group, at their request, to serve as arbitrators for the national Association of Securities Dealers. He is also seeking to encourage members of the Alumni Group to become active in the D.C. Bar's Securities Division which Professor Lipton presently chairs.

All in all, Professor Lipton believes that the activities of the Securities Alumni Group are proving to be of value to our past graduates as well as our students currently in our Securities Program. He hopes that the experience of this Alumni Group will spur the development of alumni groups in other practice areas.

D.C. Women's Bar Sponsors AIDS Forum

LEADING AIDS RESEARCHER TO ADDRESS MEETING OF LEGAL & MEDICAL WOMEN'S GROUPS

"The AIDS Crisis: Current Status, Future Developments, and Impact on Health Care and Legal Professionals" will be the topic when Dr. Anthony S. Fauci, the director of the National Institute of Allergy and Infectious Diseases (NIAID) of the National Institutes of Health (NIH), speaks to a joint meeting of legal and medical women's groups on Tuesday, February 23.

The event, which is open to all interested persons, is being co-sponsored by the Women's Bar Association of the District of Columbia, the American Medical Women's Association, and the Greater Washington Academy of Women Dentists.

Dr. Fauci is one of the world's leading researchers on AIDS, the acquired immunodeficiency syndrome, and is the coordinator of the entire NIH research effort on AIDS. He has made a number of key contributions to the understanding of the immunopathogenesis of the devastating disease, and since 1985 has headed the NIH AIDS Executive Task Force.

Dr. Fauci, who serves as chief of the Laboratory of Immunoregulation of NIAID, is a member of many scientific societies, has served as a distinguished visiting professor of medicine at several major medical centers, and has lectured frequently. He is also the author of 600 scientific publications.

A 1966 graduate of Cornell University Medical School, Dr. Fauci became associated with NIAID when he took a fellowship from 1968-71. After serving as Chief Medical Resident at New York Hospital for one year, he returned to

NIAID in 1972; he has been director since 1984. Dr. Fauci is the recipient of several awards, including the Clemens von Pirquet Award of Georgetown University Medical Center (1986), the Robert A. Cooke Medal of the American Academy of Allergy (1984), the Food and Drug Administration Commissioner's Special Citation (1984), the U.S. Public Health Service Distinguished Service Medal (1983), and the Squibb Award of the Infectious Diseases Society of America (1983), given to the outstanding investigator in infectious diseases under age 45 in the United States. According to M. Elizabeth Medaglia, showcase program co-chair for the

Women's Bar Association, the joint meeting of the three women's associations is an annual event that focuses on leading issues of shared concern for lawyers and doctors. She noted, "We are pleased to present such a topical program and are very gratified that so renowned a researcher and stimulating a speaker as Dr. Fauci will address us."

The February 23 meeting will be held at the Washington Marriott, 1221-22nd St., N.W., with a reception hour at 6:00 p.m. and Dr. Fauci's address following a 7:00 p.m. dinner (\$30 for members of the sponsoring groups; \$35 for non-members). Reservations are necessary by February 18; call the Women's Bar Association at 785-1540.



A Late Welcome

Visiting Professor Veryl Miles, Class of 1980, joined the faculty this year to teach Sales and Commercial Transactions. The word of mouth is that students are enthralled with her and will campaign to have her retained.

HEALTH LAW NOTES

A private, nonprofit New York drug abuse agency, Association for Drug Abuse Prevention (ADAPT), recently decided to distribute free needles and syringes to New York City drug addicts in an effort to help combat the spread of AIDS. The agency's decision was driven by the uncontrollable spread of AIDS, particularly in the poor neighborhoods of New York City.

New needles will only be distributed in exchange for used needles in order to insure that the needles will not be reused. The reuse of dirty needles has been shown as a cause in the spread of the AIDS virus. This highly controversial practice, however, directly conflicts with a New York state law prohibiting such distribution. Nonetheless, ADAPT's president, Yolanda Serrano, stated that she is willing to face prosecution, which could lead to up to one year in prison and fines, in order to protect the public and help reduce the spread of AIDS.

Those opposed to the distribution argue that it will encourage drug abuse. However, ADAPT responds that despite the New York state law that has been in effect for many years, New York City has one of the highest rates of drug abuse in the world. Furthermore, ADAPT will not give any needles to persons who do not already have them. ADAPT will test the used needles that it receives for evidence of AIDS antibodies. For those addicts who volunteer, it will also do follow-up interviews and testing, trying not only to treat them as AIDS victims, but providing drug rehabilitation programs as well.

The bold steps being taken by ADAPT pose many legal questions. Along with the possibility of criminal liability under the New York state law, ADAPT may open itself to civil liability if a person to whom a needle was given overdoses. In addition, such a case could be grounds for a criminal charge of homicide.

ADAPT's new program is an indication of the severity of the AIDS epidemic in many of the poor neighborhoods across the country, and of the urgent need to address the problem. Moreover, it is evidence that, at least in New York City, current drug treatment, rehabilitation and education programs are not keeping up with the increasing drug use and spread of AIDS. If more agencies such as ADAPT are willing to go as far as to violate the law in order to combat the spread of AIDS, perhaps the appropriate government officials will focus more attention on reforming the available drug programs.

Laura M. Rowinski

*** Health Law Notes is a service of the Journal of Contemporary Health Law and Policy.**

AIDS: The Issue of Testing

PART I

The debate over involuntary testing for the presence of the Human Immunodeficiency Virus (HIV) in any significant portion of the American population can only intensify. First, because of the increasing number of persons demonstrating symptoms associated with the disease. As of late 1987, about 42,000 cases of acquired immunodeficiency syndrome (AIDS) were reported in the United States, with predictions that 250,000 more will be reported by 1991. These numbers are debated constantly, and even if we discard the latest federal government announcement which would increase the numbers by expanding the definition of the symptoms that could be classified as AIDS, the numbers continue to increase, always in excess of reasonable estimates. Second, while the disease had been confined to homosexual males, intravenous (IV) drug users and hemophiliacs, the spread of the disease into the general population will instill fear and calls for testing. Third, the federal government, certainly to be followed by more local jurisdictions traditionally responsible for health and safety, has recommended testing of immigrants, prison inmates, and allowed for testing of armed forces personnel and foreign service officers. This initial involuntary testing has not been challenged successfully and there is thus little constitutional interpretation. Finally, *the disease and the debate is likely to mask inherent racial, sexual, or cultural biases, thus enhancing the already emotional content of the medical emergency.* The debate will be intensive and extensive.

The evidence clearly favors voluntary, accurate, confidential, fast, low-cost testing with the availability of counseling as an educational component no matter what the test result. If persons had known in the 1970's and early 1980's of the presence of the virus and the manner in which the virus is spread from person to person, it is reasonable to assume that many positive testing persons may have acted responsibly and everyone would have been more concerned over high risk activities. While it is impossible to go back in time, today it is clear that virtually all future infections can be prevented if people act responsibly. Testing is a major component of responsibility.

There is little doubt that those persons who are aware of the medical considerations of AIDS—it is always fatal, there is no safe or effective treatment and there is no vaccination—are currently considering or have already implemented use of education-motivation-skill building, serologic screening, and contact tracing/notification. This is to say, they have abandoned high risk activities, had themselves voluntarily tested and counseled others to do the same. These individuals are among the educated few not controlled by impulse or habit, and of greatest importance, currently HIV negative and wishing to remain that way. The number of such persons is

small when compared to those already infected, those not aware of the danger, and those aware but unwilling to assume the reasonable and precautionary strictures demanded of a safe society.

But what of the millions of others not willing to be tested voluntarily? While writing for the March 1987 *Journal of the American Medical Association*, Doctors Francis and Chin ask the major question: "Can our society unite to impart effectively the needed information, motivation, and skills to those at risk to stop this epidemic?" When they ask for society to unite, they must mean for the legislatures, courts and executives to legislate constitutional protective measures to insulate those at risk but not already infected. And when they ask that these three branches of government unite to impart effectively, they must include among the necessary measures, the testing of the population in excess of those already voluntarily consenting or under current government mandate. This is implied, for when the physicians seek to provide the guidelines for answering the question, they write that the answer depends on, "First, having a commitment to intervene effectively; second, developing a reasonable, scientifically and socially sound intervention plan; and third, implementing that plan as rapidly as possible."

Any effective intervention to stop the spread of the disease will have to embrace a larger portion of the population counseling. Indeed, if effectiveness is to be targeted towards minority or high risk individuals, voluntary compliance will be even less effective. Thus, as the debate over testing escalates, the concern of more and more physicians, the three branches of government and of necessity, a significant part of the citizenry, will be over involuntary testing as an effective means of combating the fatal consequences of AIDS.

Newsweek magazine published a Gallup poll of 756 adults contacted by telephone on November 5-6, 1986. When asked if they would voluntarily take a blood test for AIDS, 89% responded that they would. It is reasonable to assume that a large portion of the population within high risk categories cannot be reached by phone and would respond no if they could. Societal concern is directed towards such persons; that concern will take the form of involuntary testing. Is society ready for involuntary testing?

To date, the federal government is the most vociferous advocate of expanded population testing. The government has been successful in testing military personnel, blood and organ donors and some foreign service officials. But *The Washington Post* reports that the federal government has ordered the screening of immigrants and prisoners, and called for "widespread routine testing of hospitalized patients and persons applying for marriage licenses." Testing has also been suggested for those seeking treatment for drug abuse and sexually transmitted diseases. The White House domestic policy adviser, Gary L. Bauer

is reported to have said that laws protecting confidentiality and outlawing discrimination "take a clear back seat to the protection of those Americans who are not yet infected." Clearly, this spokesperson for the current administration thinks that the time has come for involuntary testing so as to stop the epidemic.

Noneless, during late June 1987, the American Medical Association rejected the government's call for significantly expanded routine testing for the HIV virus in favor of widespread voluntary testing and counseling. The AMA also voted to endorse a congressional bill which would increase funding for voluntary testing and counseling. Thus, at this point, the influential AMA was not willing to say that involuntary testing was warranted, not even to the point of agreeing to a presidential recommendation of policy. Nonetheless, the constraints such as doctor-patient privilege, confidentiality, privacy and even trust may soon give way to the exigencies of the disease. It is also safe to assume that the medical profession realizes that it could not presently manage large scale involuntary testing, even if it wanted to do so. The Surgeon General of the United States said as much at the AMA meeting when he said that he agreed with the restrictions on involuntary testing announced by the AMA, but he wanted to be flexible in the future. The future shall be affected by the debate that grows each day in intensity.

Most Americans have little idea of what testing means or entails. This confusion will aid acrimony to the debate. An individual who tests positive after an HIV test may have no symptoms and continue to have no symptoms indefinitely. The point to be made is that what most people know as AIDS comes long after—if at all—a positive test result. Second, if the test is not done accurately or done during a time before the virus can be detected, the test results are misleading and can result in dire personal consequences. Thus, counseling must always stress the difference between a positive test result and the presence of AIDS symptoms. Nonetheless, an accurate positive result does announce the presence of the virus which can result in the symptoms of the disease and makes that person able to transmit the virus on to others.

Testing is important to society because, once a person knows of positivity, he or she will presumptively act more responsibly and thus limit the spread of the disease. According to current medical thinking, epidemiologic studies have established that those fluids that provide sufficient virus for transmission are blood, semen, and vaginal secretions. Also, transmission from infected mothers to their infants can apparently occur in utero, during parturition or during postpartum breastfeeding. The susceptibility of infants makes them more available to transmission. Once the virus enters the body, HIV is related to the destruction of the

"helper" (T4) subset of T lymphocytes, which are critical in maintaining immunity from infectious diseases. The inability of the body to defend itself from disease because of the presence of the HIV virus is what will result in the symptoms we now associate with AIDS.

The *Journal of the American Medical Association* reports that: "Infection with HIV carries a poor prognosis. Although follow-up of seropositive individuals in the United States has been limited by the relatively recent introduction of the virus into this country, already it is clear that the mortality from this virus is high. Between 13% and 34% of antibody-positive homosexual men, intravenous (IV) drug users, and hemophiliacs followed up for up to six years have developed AIDS." Estimates regarding these percentages are grim and "the severity of HIV grows even greater." And why some persons with HIV infection remain latent (developing no symptoms) and others develop AIDS will only be discovered through additional studies.

The debate concerning testing must recall that it is only within the last few years that science has been able to develop a test for detecting HIV antibodies. Persons whose serum tests strongly reactive by enzyme-linked immunosorbent assay (ELISA) or, if borderline reactive by ELISA, are also positive by appropriately done Western blot or immunofluorescence assay, may be considered to have been infected by HIV. Thus, the ELISA test and the Western blot test are the two best methods known to detect the presence of the virus. They are most effective when testing high risk persons, but with others the results can be "false-positive" and even with high risk persons, the test could take place in a "window phase" and therefore not be accurate. In other words, even though testing is a major component of responsible behavior and represents an effective tool in combating the disease, there are problems. The first problem that shall continue to need response will be the education of the public in what testing means and the limits inherent in any test result. But also, the test is not as accurate as the impact of the result would require it to be. Surely such problems must be considered in the debate as to whether or not involuntary testing will be mandated for any portion of the population.

It is safe to say that the medical veracity of the present testing procedures is not to the level of providing a result that is "beyond a reasonable doubt." False positives, lack of adequate counseling and the privacy at risk in involuntary testing affect the issue of testing. They argue against involuntary testing. But then there is the threat of the disease and the safety of the general population. Is it not reasonable to institute extreme measures; such precautions were used in combating the spread of venereal disease in years past. The issue is serious and deserves attention by the medical and legal professions. In the second part of this essay, legal perspectives will be discussed.

Rev. Raymond C. O'Brien

ANNOUNCEMENTS

LPP FORUM

LPP presents a Presidential Campaign Forum*—"Financing Higher Education", Wednesday, February 24, 1988, 4:30-6:00 P.M. in Moot Court Room, Leahy Hall. Reception to follow.

* Top staff advisors to the campaigns will represent the various candidates.

GUILD MEETING

National Lawyer's Guild Meeting Wednesday Feb. 3, 12:10-1 p.m. in the Moot Court Room—bring your lunch. We will discuss this semester's events. New members and curious bystanders are always welcome.

HEALTH LAW JOURNAL

Editor's Meeting, February 3, 1988, Wednesday, 6:30 p.m. Room 309 St. Johns.

LABOR LAW

WRITING CONTEST

The John H. Fanning Fund For Labor Studies announces the second annual John H. Fanning Intrасchool Labor Law Writing Competition. Several years ago the John H. Fanning Fund for Labor Studies was formed at the law school in honor of one of the school's most outstanding graduates. It was initiated on the occasion of Board member John Fanning's departure from the National Labor Relations Board where he had served for twenty-five years, having been appointed and reappointed by five different presidents.

The intrасchool labor law writing competition is open to all students at the law school who may submit for consideration any of their own work prepared for academic credit during the 1987-88 school year. The subject of the paper submitted must be related to labor or employment law. A panel of distinguished lawyers will designate first, second, and third place winners. Each will receive a cash award and the winning submission is eligible, in addition, to be recommended to the law review for publication next Fall. The rules of the competition and the submission dates will be announced during the Spring semester. The submission date will be sufficiently late in the spring semester to permit those writing competition papers in the Spring term to submit them for consideration.

GUILD OF

CATHOLIC LAWYERS

The Guild of Catholic Lawyers will hold a general meeting for all members on Friday, February 5, at 4:15 pm. The meeting will take place in Rm. 108 in Leahy Hall. NEW MEMBERS ARE WELCOME!

LAW REVIEW COMPETITION

The Law Review will hold its annual spring writing competition from Friday, February 26, 1988 through Tuesday, March 15, 1988. Competitors will be required to submit a twelve page note based on a closed research packet. The packet will be available for sale in the Law Review office throughout the competition period.

Current Law Review editors will visit first-year day and second-year night classes to remind students of competition dates. In addition, the Law Review will hold informational meetings during mid-February and during the first week of March. Editors will be available at these meetings to answer general questions about the competition and Law Review membership. No substantive questions about the topic or individual papers will be answered.

Students are selected for membership based on their competition papers or a hybrid of their competition scores and grades. The selection process favors competitors from the first-year day and second-year night programs because of higher potential two years of service.

Students invited to join the Law Review may register for the Law Review course and receive credit that satisfies the University's writing requirement. Members are eligible for editorial positions in their second year on the Review.

FOR MORE DETAILS, WATCH FOR THE LAW REVIEW POSTER THAT WILL BE DISPLAYED IN THE LOBBY.

COMMUNICATIONS LAW

INSTITUTE

The deadlines for first year students to apply for admission to the Institute for Communications Law Studies is Tuesday, March 1, 1988. For information about the Institute and requirements for admission see Professor Harvey L. Zuckman, the Institute Director.

Present first year members of the Institute will meet with Professor Zuckman on Wednesday, February 10th at 4:30 p.m. to discuss summer internships and Wednesday, March 2nd at 4:30 p.m. to discuss fall internships. The location of these meetings will be posted on the Institute bulletin board.

Health Law Journal Meeting

There will be a general meeting for all members of The Journal of Contemporary Health Law and Policy on Wednesday, February 10 in Room 105 of Leahy. The meeting will commence promptly at 5:00 p.m. All members are expected to attend.

LCS NEWS

LCS Office Moves To Keane Hall. Beginning in January, the LCS center will be located in Keane Hall, ground floor. Although one bulletin board will continue to be maintained in Leahy Hall as will copies of the Job Books in the Law library, all of the services, programs and resources of LCS will now be found in Keane. Our center in Keane is attractive and spacious and will allow for an expanded student work area, more accessible resource library and better service all around! The center will be operational in Keane by January 6th, so plan to visit early and often. Hours will be the same: Mon. - Fri. 9 am - 5 pm, Mon. & Wed. until 8 pm.

Summer Job Search. Remember that the marketplace for summer legal jobs will be in full swing in January. First and second-year students should have their job search materials ready to go by then. Your essential tools include your resume, writing sample, list of references, transcripts or grade listings, and your Standard Form 171 (if you will be applying for federal government jobs). There are already listings in the Summer Job Books in the LCS office and many more are expected in January. Directories on all types of legal employers across the country are also available in LCS to assist you with your independent job search campaign.

CLASS OF 1988 CAPS AND GOWNS

A representative of Collegiate Cap and Gown Co. will be in the Law School (Leahy Hall Lobby) in February to take measurements and orders for academic attire required for Law School graduation. The rental cost (\$30) must be paid at the time the orders are placed with the company. Please note the dates/times listed below:

Wednesday, Feb. 24 10 a.m.-3 p.m.
Thursday, Feb. 25 2 p.m.-7 p.m.
If you have any questions, please call me at 635-5144.

DEAN'S OFFICE

Office Hours

The office of academic records is open to assist you with your academic concerns during the following hours:
M.: 8:00 - 12:00; 1:00 - 6:30
Tu, W, Th, F: 9:00 - 12:00; 1:00 - 5:00

Room Changes

Several seminars and small classes are being moved to seminar rooms in Keane, effective today (Monday, Feb. 1). Check notices posted on the Dean's board and other places in Leahy.

Addresses

Please be sure that we always have a current address for you. Change of address forms are available at the office of academic records and should be left with Ms. Dowling of that office after completion.

New Class Schedules

Individual class schedules, updated as of the end of the Add/Drop period, are available to be picked up from the Keane receptionist and should be picked up promptly. If there is any discrepancy between the courses it shows, and the courses you think you are enrolled in, you must see Ms. Garcia.

CLASSROOM CHANGES

The classes listed below will be moved to a seminar room in Keane Hall, either K-111 or K-306, effective February 1, unless the instructor has announced an earlier date for the move.

Course	Time/Room
Alt. Dispute Res. Tech.	M; 7:45-9:35 K-306
Antitrust II	MMWF; 2:10-3:00 K-306
Communications Law	TTTh; 6:20-7:35 K-111
Estate Planning	Th; 7:45-9:35 K-111
Federal Indian Law	M; 4:10-6:00 K-111
First Amend./Media Partnership Tax	Th; 6:00-7:50 K-306
Prac. and Pro./NLRB	MMWF; 2:10-3:00 K-111
Prof. Resp.	M; 7:45-9:35 K-111
Sec. Mkt. Reg. Seminar	F; 3:10-5:00 K-306
Sec. Reg.: Issuance	T; 4:10-6:00 K-306
Socialist Legal Systems	MMWF; 6:20-7:35 K-306
Tax. of Corp. Reorg.	W; 7:45-9:35 K-306
	T; 4:10-6:00 K-111

Other courses also being taught in Keane are:

Admin. Law, Sec. 1	MMWF; 2:10-3:00 K-110
Admin. Law, Sec. 2	MMWF; 1:10-2:00 K-110
Antitrust Probs. of the Media	W; 7:45-9:35 K-111