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Notre Dame Law School Student Bar Association

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Dooley's Dictum Law Library

A Newspaper of, by and for the Fighting Irish Lawyers of Notre Dame

Vol. 1 No. 1

A Publication of the Student Bar Association

Oct. 13, 1970

Grad rate still lower

Law tuition to rise — again

BY BOB LUECK

The old maxim 'what goes up must come down may be true for the physical sciences but not so for the tuition rates at the University of Notre Dame.

Both the undergraduate and graduate tuition rates have taken giant steps in the past decade and the end for increases is not yet in sight. As far as the University in general and the law school in particular are concerned, you are going to have to find yourself another \$150-\$200 a year more for each of the forthcoming years that you will be here in order to meet the tuition fee.

This information comes from recent interviews with the Vice President for Business Affairs, Father Jerome Wilson, C.S.C., B.C.S., and Dean William B. Lawless of the law school. The figures they released will tell an interesting story of where Notre Dame will be going in the 1970's.

Their information also revealed a few very interesting surprises. The tuition rate for graduate students, for example, is lower than for undergraduates.

Tuition rates are usually the other way around. Graduate students require smaller classes, fully educated and ranked professors, and more elaborate facilities than are necessary for undergraduates. Few colleges and universities in the country have lower grad than undergrad tuition rates and Notre Dame happens to be one of them.

If the graduate tuition for the current academic year, \$1860, seems high, then console yourself by thinking of what undergraduates are paying here, \$2200 this year. Both rates are going to rise over the next decade but for some years to come yet, the graduate students still won't be paying as much.

The modern history of tuition increases goes back to the early 1960's. At that time, Notre Dame began making a concerted effort to raise the quality of education given here to meet two philo-

sophic goals: become the best Catholic university in the world and become one of the very best universities in the country.

The tuition increases in the '60's were devoted mainly to the building of faculty salaries. Overall, tuition went up an average of \$100 a year or more to its current levels. For reasons not entirely clear, the graduate tuition rate fell behind the undergraduate rate, thus giving the disparity in rates today.

The disparity should continue for some time. According to Father Wilson, the University expects to hike the undergraduate tuition up an average of \$150 a year for the next few years at least.

The graduate tuition will also climb but it is not likely to catch the undergrads for several years to come. When Dean Lawless took over in the summer of 1968, he proceeded to submit a proposed tuition increase schedule to the financial

executive committee of the University.

The Dean's tuition schedule looked like this: 1969-70, \$1675; 1970-71, \$1860; 1971-72, \$2045; 1972-73, \$2230; and, 1973-74, \$2415. So far the Dean's figures have been on target.

While the increases are more than what is proposed for undergraduates, the disparity will remain for several years. If the predicted trend line holds generally true, undergrads will be paying about \$2650 for the last academic year mentioned in the Dean's schedule.

The increases were viewed as necessary if the University wishes to fulfill its goal of being a very high quality university. Attracting good students, good faculty, and building and maintaining the University requires large sums of money. Being a private school, the University is forced to rely heavily on tuition fees for its income. On the average, tuition in-

(Cont. on page 3)

N. D. Lawyer coming soon

The first issue of volume 46 of the *Notre Dame Lawyer* will be issued in approximately five weeks according to James B. Flickinger, editor-in-chief of the legal periodical.

The forthcoming issue will feature an in-depth treatment of the Organized Crime Control Act of 1969. Senator John L. McClellan will provide a detailed analysis of the constitutionality of each provision of the Act. Will Willston, Assistant Attorney General of the Justice Department, discusses the threat of organized crime, its historical development, and a summary of the beneficial provisions of the Act.

The third lead article is "Abortion on Demand: Whose Morality?" The author, Professor Robert M. Byrn of the Fordham University School of Law, questions the

various rationales of the pro-abortionists.

Other contents include a note on Constitutional law and flag desecration by Dennis M. Tushla, case comment on subchapter S corporations and treasury regulations by Robert Salatka, a case comment on the rescue doctrine in torts by James Dunn, and a book review by Professor Norbert Brockman.

Flickinger also announced that Bob Bobb, John Hund, and Jim Lechner have been appointed to the staff of the *Lawyer*.

. # # #

Today Inside

Editorial	Page 2
Retort	Page 2
On the Docket	Page 3
Sports	Page 4

UNIV. OF NOTRE DAME

Nonsense in hiring

Steve Boone

In a recent issue of the "Indianapolis Star", there was an article concerning On-Job Training of I.U. Law Students. The first paragraph read:

"No professional enters his field with greater uncertainty than a budding lawyer chock full of legal theory but ignorant of how to conduct himself in daily work".

The article went on to tell of how I.U. Law School was attempting to deal with the problem. Generally speaking, the preferred solution revolved around the coming concept of the "clinical intership". The program appears to be a good one, and I'm not at this time even considering criticizing it. I only allude to the article to point up a definite need, as yet unfilled, in our legal education.

I have often wondered about those two wasted summers sandwiched in those three years of law school. Why is it that a law student cannot look forward to becoming familiar with the nuts and bolts of the law and earn a little money at the same time? Generally speaking I think the answer is twofold.

1. The attitude that a student with only one year of law school under his belt is ill equipped to assist in a law office.

2. The attitude that a small one, two, three and four man firm cannot afford to take on a student for the summer.

It is my considered opinion that if these are the only two reasons, then there are no real objections to each and every Law student here at the University of Notre Dame having a summer job in some area of the law. A laudable goal, but just how do we accomplish it?

First we must attack the attitudes. Law Students at the Notre Dame Law School take what is normally termed five substantive courses. Courses upon which all others build. There was a time when the curriculum offered only three of these five courses to first year students. I think it safe to conclude that students now have, at the end of this first year, greater knowledge and potentially a greater facility with the law than those first year students of a few years ago. Add to this the legal bibliography course and our student not only has greater knowledge of the law but is also better able to find it.

I submit that those who are able to hire law students today are entrenched in a type of thinking that stereotypes this generation of 1st year law students with those of his generation. Nonsense!

The attitude that a small firm cannot afford to hire a law student for the summer is equally nonsensical. Considering the fact that quite frequently in a large case his opponent is going to be the big firm with a clerk or maybe several of them, he can ill afford to be without a clerk, if he is going to compete in an equal footing. But this is a speculative reason. More concretely, the question is just how many things one human being can do at once. If he is going to appear in court the practicing attorney cannot talk to clients, look up the law or draw up pleadings. If he is going to look up the law, then he can't appear in court or talk to a client, or any of the various other things that demand his trained attention. A young law student with 28 hours in Michigan and 53 in the state of Indiana could be a tremendous asset to the busy single practitioner. The one, two, three or four man firm really can't afford to be without that eager young student for those summer months. The fact that there are tax benefits or that the money he will pay the clerk (intern) would probably have been wasted anyway, are unnecessary at this point.

Secondly, it seems to this writer that, as in any other craft or trade, those who have "mastered" the art have a duty to see that those who are learning

(Cont. on page 3)

Dear Readers:

This is the first issue of Dooley's Dictum and with it we would like to take you inside the planning which has gone on for some weeks in order to bring the Law School community of Notre Dame the first student newspaper in its history.

The idea of a law school newspaper is not new. The possible realization of one is. We were approached soon after classes started this fall by Mr. Steve Boone of the Student Bar Association and asked if we could initiate action towards the start of a newspaper. Both of us had prior newspaper and communications experience and, after much discussion and some preliminary planning, we agreed to get the whole process rolling at least to the point where we could know what could be done on a regular schedule with both journalistic quality and meaningful purpose.

That the law school needs a regular internal newspaper cannot be disputed. The school has clearly grown too big for its bulletin boards and considering the growth that is anticipated in the near future, it is very difficult *not* to believe that the law school's internal communications would grow more chaotic and ineffectual. Hence, this project.

The general problem being defined, the question then becomes one of solution. How should the newspaper be organized and run and what should the purposes and policies be?

We rejected immediately any notion of a newspaper as being a periodical compilation of the bulletin boards. The probable net result would be the same disinterest generally accorded the bulletin boards. Why transfer disinterest and ineffectiveness to another communications means?

(Cont. on page 3)

Dooley's Dictum

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Dooley's Dictum is a publication of the Student Bar Association of the Notre Dame Law School. The views expressed herein are those of the authors or the editors and do not necessarily represent or reflect the views of the Law School, its administration, faculty, student body, or alumni.

On the Docket

Oct. 9

TGIF
Law Association Board Meeting

Oct. 10

Football—Army at Notre Dame
Homecoming Weekend
Law Association Board Meeting

Oct. 13

Moot Court Arguments—Hayes-Healey
Business Center at 7:30 p.m.

Oct. 15

Law School Recess

Oct. 16

Law School Recess

Oct. 17

Football—Notre Dame at Missouri

Oct. 19

classes resume, 8:30 a.m.

More Retort

(Cont. from page 2)

This is not to say that such news and items currently found on the bulletin boards will not be included. We mean to go beyond that and try to inform you of important things not found on the bulletin boards. Things that affect you both as Notre Dame law students and as future lawyers.

The law school is not an abstract thing. It is, rather, a living community. A community of real people, real problems, and real potential. We mean to reflect those entities in a fair and interesting way.

While it is true that some people will have to be responsible for the paper as editors, there is no intent on our part to make this paper the enterprise of a small, self-enclosed clique. Honesty and openness are to be valued above minority control of the media. But we do want and will expend a great amount of effort for quality.

The section in which this appears is labeled "retort," a fancier name for "letters to the editor." We hope the material for this space comes from someone else next time.

the editors,
Robert W. Lueck
Tom Dovidio

#

A group of tax experts in New York City has formed a new local of the Office and Professional Employees International Union (AFL-CIO).

It must have been hard for them to take their minds off of their work. The designation of the local: 1040—the number of the most widely used U.S. income tax return form.

Need more summer hiring

(Cont. from page 2)

the art learn it well. This commitment runs from all those in the practice of law to those presently studying law. The commitment runs stronger from those who have finished the same law school as the students. And, it should run as strong from those practicing the profession in the immediate geographical area of the school which the students attend. If these last two statements are true, then 1st as well as 2nd year law students should be welcomed with open arms by those lawyers in the Notre Dame Law Association as well as those members of the profession within the "valley of vision". However, this is not the case.

The writer submits that a concerted effort should be made to communicate the need to those members of the N.D.L.A. and the members of the County Bars within the valley of vision and urge them to meet the need. Those members in the N.D.L.A. should be apprised of the names of those students coming home to their areas for the summer. Those members of the local Bar should be encouraged to hire N.D. Law Students remaining in So. Bend for the summer.

Better lawyers is the reason for which we strive.

Scholarship deficit unpaid

(Cont. from page 1)

come provides about 67 per cent of the school's total income.

The law school's budget is determined as part of the overall University budget. Costs such as maintenance, building depreciation, etc. are included as part of the whole University's overhead expense and is not charged to the law school budget. Since the budgeting is done in this fashion it is not possible to break down a single tuition fee as to amounts for certain purposes.

As part of Dean Lawless' program to build up the quality of the law school, the law faculty's salaries were upgraded to be competitive with the best schools in the country.

Salary improvements were not the Dean's only financial problems. Over the past several years, several scholarships had been given to law students although the accounts to which they were charged were short of the money that was supposed to come in as gifts. As a result, there is a deficit of approximately \$400,000 which the law school will have to return to the University eventually. Add to this the need for funds to finance the Law Center scheduled for construction in the near future and a picture begins to emerge of the rationale for tuition increases.

Dean Lawless was foresighted enough, however, to arrange a substantial loan program in 1968 with the First Bank and Trust Company through which law students could borrow up to \$2500 a year. The University was put up as collateral for the loans and is required to keep a certain sum in an escrow account at the bank in case a student defaults on repayment.

According to Dean Lawless, this loan program is the only one of its kind in the country. It was established, he explained, with an eye on the proposed tuition hikes. The top limit was set at \$2500 so that a student is at least able to borrow enough money to cover the tuition. The contract for the loan program will expire in the late '70s.

While the current law students will not see it during their stay here, the tuition is likely to reach the \$2600 mark. At that point the tuition will have become ten times what was in 1923. Who says the good old days weren't the best?

Help

**DO we need help?
Do WE need help?
Do we NEED help?
Do we need HELP!**

**If this paper
wins approval, we will
need help in putting
it out regularly.**

**Writers will
be needed most;
also a business
manager and some
secretarial help.**

**Be a word engineer and help
bridge the communications gap.**

**If interested, drop a note to the
editors and place it in Box L in
the SBA office.**

Aha—IM sport news

BY TINY LEE AND BILL SMOLEY
Dictum Sports Editors

The intramural season began with its showcase event—The First Annual Smoley Open. Although Palmer and Nicklaus were last minute cancellations, Dean "Chi Chi" Foschio and Tom McGoldrick (3L) provided thrills enough as they battled to stay under the 150 mark. Prof. Beytagh's 76 beat out 45 other contestants including pre-tournament favorites Jim Aranda (3L) and Bob Merkle (3L). Teaming with Jim Molvoy (1L), Prof. Beytagh garnered another trophy for best ball team.

The low net trophy was won by Jim Aranda who along with Bill Smoley were tied for second in the best ball team with Jim Dunn (3L) and Mike Tighe (1L). Some of the largest hands given by the gallery of thousands gathered around the 18th green were former senior's champions Lee Cox (3L) and Jim Fagan (3L) and all-time favorite Prof. "Chief" Broderick.

FOOTBALL ACTION

Player suspensions and contract disputes marred the opening of the intramural football season. The Athletic Commission was forced to permanently suspend Fred (Filthy) McGrath (3L) for off-the-field conduct unbecoming a Law School athlete. Closely following this action the Commission benevolently relented from its prior position and allowed star athlete Ray Scotto (3L) to break his contract with one 3rd year team and jump to another. Various owners claimed this precedent would destroy organized intramurals. However, Scotto representing himself before the Commission, prayed the Commission excuse him because of his ignorance of the law of contracts. The Commission did without any adverse effects on the rosters of the other intramural teams.

After red shirting nearly their entire team in England for one season, Ray Scotto and The Roster Raiders (Team 7, 3rd yr.) have advanced undefeated after 4 games and are considered the team to beat. Combining a strong defense anchored by Steve Boone and a versatile offense directed by Tim Westfall, Team 7 has allowed less than 7 points a game while scoring over 30.

Surprising many of the experts who expected third year dominance in the league, an unheralded 1st year team headed by Mike Bradley and ex-Domer athlete Tom Gores has posted a 4-0

record. A strong pass rush has made it possible for a Gores led secondary to intercept many passes enabling Team 3 to eke out 2 of their 4 victories by 7-0 scores.

Rounding out the top three is the best of the 2nd year class, Team 4. Mike McGloin's passing and the receiving of Jerry Mackey has been enough to give Team 4 a 3-1 record.

Although no team has been mathematically eliminated, the remaining 3rd year team captained by Tiny Lee and the faculty team captained by Prof. Murdock are the strongest challengers for the remaining play-off spot. Lee's team was an early favorite but a combination of injuries and taking the apple has accounted for two unpredicted defeats to go with two expected victories. A strong experienced defense headed by Skip Beisenstein, Nellie Vogel and Ben Hoey plus the strong blocking of Tom Duber carry the hopes of this team. If a quarterback can be found from the likes of Bill Smoley, Joe Pagano, or Jim Aranda to replace the injured Tiny Lee, the last game of the season featuring the two 3rd year teams could prove to be the best game of the year.

INTRAMURAL FOOTBALL STANDINGS*

	W	L	T
Team No. 7 (3rd yr.)	4	0	0
Team No. 3 (1st yr.)	4	0	0
Team No. 4 (2nd yr.)	3	1	0
Team No. 9 (1st yr.)	2	1	0
Team No. 1 (3rd yr.)	2	2	0
Team No. 2 (Faculty)	1	2	0
Team No. 5 (2nd yr.)	1	3	1
Team No. 6 (1st yr.)	0	4	1
Team No. 8 (1st yr.)	0	4	0

*as of October 7

TINY & SNAKE PREDICT

	Tiny	Snake
Army v. Notre Dame	0-42	0-52
Tenn. v. Georgia Tech	17-21	24-28
Missouri v. Nebraska	21-14	20-24
So. Calif. v. Stanford	35-7	35-14
Ohio State v. Mich. State	47-6	36-10
Michigan v. Purdue	21-17	14-17
Indiana v. Minnesota	7-21	0-35
Illinois v. Northwestern	28-7	10-21
Oklahoma v. Texas	14-28	10-46
Seasame St. v. Wills,		
Trusts & Estates	13-6	13-6

Advancing steadily the faculty team has progressed from being shut out in their first game to scoring in their second to winning in their third. A playoff position may lie ahead. The addition of Prof. Murphy plus the inspired play of Dean Foschio and Mr. Farman seems to have turned the season around for the faculty. The new found passing combination of Prof. Beytagh to Prof. Link or Prof. Murdock could provide the impetus to a playoff position.

HELP

Any suggestions on how to improve this section of the paper would be greatly appreciated. We hope to prevent it from becoming too third year class oriented but we can only do this if people from the other classes volunteer information that is humorous or informative.

AND...

Now that you have read this far rip off the back page and tear it to shreds. Place these shreds in your pocket and bring them to the "Chief's" next rally.

#

Can an invading Army be stopped by a tough bunch of Fighting Irishmen? Find out for yourself. See the action packed drama tomorrow in the Notre Dame football stadium.

Hear Ye

Hear Ye

Second Year Moot Court Arguments

Tuesday, Oct. 13

7:30 p.m.

Hayes-Healey Business Center

Seven Courts Sitting

Controversies Include:

- the validity of the present federal 18 year old franchise statute
- the District of Columbia abortion statute
- addiction as a defense to the use of narcotics and border search
- dissemination of anti-war material at Fort Sheridan
- criminal conspiracy and fraud in the field of accounting
- refusal to sign a statement to bear arms in the naturalization process
- student protest at a university chapel

All are welcome to attend