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Notre Dame Law School Student Bar Association

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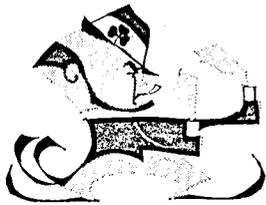


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Dooley's Dictum

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

Vol. 1 No. 8

Notre Dame, Indiana

March 26, 1971

Student curriculum evaluation results

Favor credit for clinical work

BY GREGG ZIVE
Dictum News Editor

Collecting student preferences, complaints and desires about the curriculum at Notre Dame Law School was the object of the first 12 questions on the Student Bar Association evaluation questionnaire which was distributed at the end of last semester.

Most of the questions found the students split with only one receiving an almost unanimous reply. Question four asked what the students opinion was of granting credit for extra-curricular and clinical work during both the school year and during the summer. Of the 137 replies, 116 students favored the idea with 17 against and four students had no opinion.

A disappointing note was that only 34 per cent of the questionnaire was distributed in the classrooms.

The closest vote came on the question asking the students opinion as to the possibility of having two or more professors to teach alternate sections of the same course where each professor may possibly use different materials. Fifty-five didn't like the idea while 48 were in favor of such a plan. Thirty-three students had no opinion.

"I ran out of time on 3 exams and this hurt my performance."

In the same area, 78 students noted their distaste for the possibility of using third year students as teaching assistants to lead discussions in first year classes. Forty-six persons replied affirmatively to the question while there were 13 "no opinion" answers.

The idea of summer courses at Notre Dame appealed to 86 students if adequate employment could be arranged while 31 students said they wouldn't remain at Notre Dame in any case during the summer. Twenty didn't know if they would or wouldn't spend the summer in South Bend.

"The number of conflicts simply overwhelms me."

Speed reading seems to be popular as 84 students replied "yes" and 26 more answered "maybe" when asked if they would take a speed reading course offered by the Law School on a no-credit, no-extra-fee basis. Twenty-seven students said they wouldn't take such a course.

If classes are to be grouped, a big majority of the students answering the questionnaire want them grouped together in the morning. Sixty-eight said they preferred their classes grouped in the morning while second choice was classes spaced throughout the day with 36 students preferring that manner of attending school. A far distant third were the 18 students who wanted classes grouped in the afternoon and 13 said they had no preference.

As to two credit courses, 71 students prefer them taught in one two-hour session while 52 prefer two one-hour sessions per week.

Preferences as to three credit courses with a class size of 50 or more ranged from 79 replies in favor of three individual lectures per week to 40 students opting for two individual lectures with a smaller hour seminar each week to 23 students who want one, two-hour lecture

with an hour seminar each week.

Seventy-five students prefer examinations with a definite time limit while 32 favor an open time limit and 20 had no preference.

The reply of a majority of the students to the question asking if the student felt he or she had adequate information "to make an intelligent choice of the electives you will take next semester?" points up the importance of the counseling that will accompany the new plan of no required courses after the first year as 76 students answered "no." Thirty-two said they felt they had enough information and 22 students failed to answer the question.

Leading the list of suggested courses not currently offered or included in the bulletin was a course in law and medicine with seven students requesting such a course be added to the Law School's curriculum. Six students suggested a course in bankruptcy. Surprisingly the most suggested course is one presently included in the bulletin—products liability—which nine students suggested.

"The area that needs immediate revision is examinations."

In fact, 13 courses were suggested that are either currently offered or included in the bulletin. Included, with the number of students suggesting the course, were insurance, seven; admiralty, five; environmental law, three; patent/copyright law, three; law and sociology, two; and poverty law, two.

Many students attached comments, some of which are in larger type on this page.

What's in a curriculum?

Gregg Zive

Progress is achieved one step at a time. One large step was taken by Notre Dame Law School two weeks ago when the faculty adopted a resolution making all second and third year courses electives.

The adoption of such a proposal did not come overnight. A lot of work was expended prior to the adoption of the resolution March 5 by the Law School's Curriculum Committee.

The committee has five voting members—professors Francis Beytagh, Charles Murdock, Peter Thornton, John Broderick and second year student Tim Hartzler. In addition there are non-voting members from each class. Mike Heaton was the third year representative while the first year was alternately represented by Tom Kronk, John Olsen or Jack Ubinger.

Three proposals came out of the committee and were presented to the faculty. The first called for all electives after the first year, the second asked for for all electives with the exception of practice court and the final proposal was a "cluster" system. What was adopted is actually a combination of the first and third proposals—all electives with provisions for core courses and model programs and an "intensive system of faculty counseling."

Credit for this change should be given to the entire committee and especially Hartzler who spent many hours comparing Notre Dame's curriculum with that of other law schools, investigating programs used in other law schools, and compiling facts and figures to support the change. It is an excellent example of how an interested student, who is willing to work, can affect important changes in the structure of the Law School.

Of course it should be recognized this is only a step and not the accomplishment of the true goal of making this a great law school. After all, what is the point in having electives if there is nothing to elect? At this stage the dropping of a prescribed curriculum is for the most part a psychological benefit. A variety of courses allowing a student to study in the field of law he wants to enter, rather than one he is forced to enter due to a limited curriculum, is a necessity if the Law School is to continue to improve and grow. At the base of any law student's education are the courses he takes and the quality of the teaching. It is imperative that the curriculum be widened and deepened so that the interests of all the students can be accommodated to some degree.

A real benefit of the new policy is that if a student were to fail a course he would not have to retake it as the bulletin only calls for the retaking of required courses. Thus a fear factor is removed and another obstacle to learning has fallen.

An all-out effort should be made by the students to put forth ideas for courses. One group has drawn up a list of proposed courses, with an explanation paragraph, after investigating course offerings at a number of other law schools. Included were the courses that most of the students asked for in the SBA curriculum evaluation questionnaire.

Leading the list was products liability, a course already included in the Law School's bulletin, followed by requests for a law and medicine course. A total of 51 courses were requested and 13 of them are presently being offered or are in the bulletin. This illustrates the need of both enlarging the curriculum to meet the legitimate requests of the student body and to better inform the student body of what is available. It also points out that some of the courses should be offered on a more frequent basis.

The program rests on the ability of the students to elect courses which are needed to fully develop legal theory and those which will provide him with a broader base of knowledge on which to sharpen his own legal skills. The faculty counseling called for in the resolution is crucial if the program is to be effective. The object of the counseling should be to inform the student as to the content of the courses so that the student can make an intelligent choice of courses.

What then is necessary to make the program function so as to benefit both student and school? A widened curriculum and sound counseling so the student may choose his courses knowing exactly what is being offered.

On the Docket

March 23

Second year semi-finals Moot Court;
Hayes-Healy Business Center, 7:30
p.m.

March 26

Varsity Indoor Tennis
Spring Band Concert—ACC Arena

March 27

Varsity Indoor Tennis
Roller Derby

March 29

First year Moot Court arguments;
Law School, 7:30 p.m.

March 30

First year Moot Court arguments;
Law School, 7:30 p.m.

March 31

First year Moot Court arguments;
Law School, 7:30 p.m.

April 1

April Fools Day
First year Moot Court arguments;
Law School, 7:30 p.m.

April 3

Social Commission Concert

April 8

Easter vacation—no classes

April 9

Good Friday—no classes

Dooley's Dictum

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Subscription rates are \$5.00 per year. They may be ordered by addressing the editors, in care of this newspaper.

Law School grant program established

BY BILL MURPHY

Dictum Staff Writer

A group of faculty members of the law school has established a Law School Recognition Grant Program to mitigate the financial problem of needy (and successful) first and second year students.

The program, financed entirely by voluntary contributions of law school faculty members, will present students from the first and second year classes with grants of \$100 each beginning this semester. The basis for giving the awards will be demonstrated financial need and academic achievement.

Selection of the recipients will be made by the faculty contributors after each student seeking a grant has submitted a written request to the Dean, who then will turn the requests over to the faculty.

Present tentative plans for the new program call for the grants to be presented on an individual basis in the spring, five going to members of the first year class and five to the second year.

Although the main criteria for selection will be financial need and good grades, students who currently hold cash grants or scholarships are not eligible.

The program was initiated at the suggestion of Professor Bud Murdock, who noted that the fund currently amounts to \$1,000, but has a "significant growth potential", a sentiment echoed by Dean Murphy, who added that it is hoped that the program "may encourage contributions from others who believe the project to be worthwhile."

"It's an anonymous fund, and all the contributions are completely voluntary, but we're hopeful that the current funds will be matched or exceeded in subsequent years," Murdock added.

Although the program's administration has not been finally determined Professor Murdock sees no reason why a student could not receive a grant more than once during his years at the law school.

Acting Dean Murphy requests that applications be submitted to him by April 15

Burtchaell calls legal tools inadequate for sociological tasks

BY JACK COOLEY

Dictum Staff Writer

"Law is the field which currently affords the greatest potential for social reconstruction."

That statement echoes the theme of a talk recently given to the law students by Reverend James T. Burtchaell, C.S.C., the Provost at Notre Dame University.

Entitled "Frustrations of the Law", the lecture analyzed the monumental sociological tasks which confront today's attorney, contrasting what is expected of him with what is provided him as the tools of his profession. Today's attorney, as Fr. Burtchaell commented, can no longer rest with a technical mastery of the intricacies of the law, but he should also develop expertise in the related fields of counseling and psychology.

Frustration in the law is not a new phenomenon. Historically, the monarchy was to provide social stability and integrity, and when the monarchy was supplanted by a legal system, a corresponding amount of social responsibility flowed to this system.

However, it was soon discovered that law was not the panacea because it could not insure proper human behavior; it could not truly touch the disorder!

The disorder has and does now spring from human motivation, which, in most respects, is uncontrollable. And this single element is the source of the lawyer's frustration. The frustration becomes magnified in the twentieth century because of the increased sociological complexities brought about by the expanded population, economy, and technology.

The frustration is compounded because the lawyer is not satisfied with solving sociological problems in a detached manner; today's lawyer desires to become more *personally* involved in the resolution of these problems.

Turning to the topic of frustration within the law school itself, Fr. Burtchaell indicated that much of it is unnecessary. Responding to several student questions pertaining to the direction of the law school, factors to be considered in the selection of the new dean, and the status of plans for construction of the new law center, he noted that much time and effort is being expended in the resolution of these matters. He forecasted that by early spring, the appointment of the new dean will be announced, and that the probability is high that by summer, plans for the development of the law school's physical plant will be solidified.

Fr. Burtchaell pointed out that one major stumbling block in the proposed plans for a new law center is the temporary legal tangle with certain promised funding. Extrication of the funds may take several weeks or months, and only lawyers would appreciate the amount of patience required in clearing up a difficult estate. Professor David Link of the Law School was present and he reinforced Fr. Burtchaell's statement by saying that there are several people—faculty and administration—aggressively pursuing the matter of a new law center, and the cause is far from being lost. Fr. Burtchaell hinted that if sufficient funding could not be obtained present funds could feasibly be directed toward the building of an addition on to the present law school building.

For your civic benefit and information, Dooley's Dictum is proud to announce a forthcoming special edition on the law school elections:

The politics of the law school 1971

A LOOK AT THE CANDIDATES, THE ISSUES, THE SUCCESSES AND THE FRUSTRATIONS OF STUDENT GOVERNMENT WITHIN THE LAW SCHOOL. AN EIGHT PAGE SPECIAL COMING MARCH 31 AVAILABLE AT YOUR FAVORITE NEWSSTAND AT NO COST.

Panther's televised trial to be shown at Law School next week

Whether or not criminal trials should be televised is an issue presently the subject of much debate. One of the few times television cameras were allowed in the courtroom occurred in the case of *City and County of Denver v. Watson*.

The four 90-minute film segments of that trial will be shown at Notre Dame Law School next week in the law auditorium sponsored by Gray's Inn. The defendant was a member of the Black Panthers and is accused of assaulting a police officer.

National Educational Television televised the trial approximately 18 months ago and then rebroadcast it a little less than a year ago with high ratings both times. The first 90-minute segment will be shown between 8:30 and 10 a.m. Monday and again from 3 to 4:30 p.m. Monday in the auditorium.

The second segment will be shown at the same times Tuesday with the third hour and a half portion slated for Wednesday and the final 90 minutes set for Thursday. The entire six-hour film will be presented next Friday.

Three weeks ago on the Dick Cavett Show a "legal debate" in the form of "The Advocates" television production was held on the question of televising criminal trials with the approval of the defendant. "The Advocates" is a NET presentation on which lawyers present witnesses and argue an issue. The studio audience votes at the end of the show and the viewer mails in votes for the side he prefers.

Arguments against allowing cameras inside the courtroom centered around the contention that the dignity of the proceedings would be jeopardized and that since television must cater to its audience, only cases of a sensational nature would likely be telecast so the public's interest would be maintained. It was urged that televising trials might lead to lawyers and judges becoming performers and would turn the courtroom into a circus.

Proponents of the idea contend that since it is a public trial, the public should be allowed to view the trial by means of the most modern communication media. It was argued that in cases where television has been allowed the dignity of the courtroom has not been affected.

Balloting on the argument held on the Cavett show, as of last week, had the side advocating television ahead by approximately 40 votes out of the more than 2,200 submitted in response to the show.

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Law school teams clean up in grad basketball league

BY TYRONE LEE

Dictum Sports Writer

The law school's two entries in the Grad School Basketball League both closed their regular season play last week with unblemished 9-0 records. The two division champs now look to the playoffs as co-favorites to win the Grad School crown and bring the coveted "Pat O'Brien Trophy" to the law school for the first time.

Law school Team 2, composed of eight first year students and one engineering grad, Dick Reynolds, proved what Muhammed Ali couldn't—that fast footwork will score more points. In a league of old men, married men, and oft-winded athletes, laws' Team 2 was able to run the fast break on opponents at will. Calling on reserve energies, built up of single, and thus inactive, men, the team was able to run, run, run, shoot, shoot, shoot, and eventually score.

Bennett Webb led the team in scoring all year, followed by Jerry O'Shaughnessy and Mike Bradley, with Stretch Sullivan and Dick Reynolds controlling the backboards. In the team's final victory, over previously undefeated Mechanical Engineering, Stretch's baseline drives and Webb's outside shooting gave the law squad a 62-56 decision for the division championship.

The other law school entry in the league consisted of third year students, captained by Ray Scotto. This team ended their season with strong offensive performances in their final four games,

averaging 85 points per outing.

Captain Scotto commented that the turning point of the campaign was the mid-season return to the lineup of defensive ace and playmaker Tyrone Lee. Tyrone's performance, coupled with the late season development of top reserves Snake Smoley and John Peddycord, enabled the team to breeze to the title.

Jim Rittinger led the team in scoring with a 20 point average. He received balanced scoring support from Scotto, Tim Westfall, Skip Beisenstein, and Maurice Fitzmaurice. The addition of Citadel star Dave Bomhorst to the squad enhances the already powerful rebounding efforts of Rittinger and Westfall. One way or another, the 1971 Grad School Champion seems destined to be a law school team.

HELP . . .

Will any students interested in helping organize the Spring "Smoley Open" please contact Jerry Mackey or Pat Herald.

. . . .AND

The Director of the Board of Trustees, Snake Smoley, is proud to announce that as a result of the generous contributions to the Athletic Building Program, the Athletic Association has acquired space immediately next to the plush Moot Court offices. The space will temporarily be used to house the executive offices, player cafeteria, and auxiliary locker rooms. Negotiations are now pending for further expansion into the former "off-limits" areas of SBA and Lawyer offices.

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