SUMMER SESSION REVISITED

by Ed Etch

During the fall semester of 1971, Law School students were polled in an attempt to determine their response to a proposed summer session. Professors Suggett, Berner, and Steven-son (on leave second semester) acting as the Summer School Committee reviewed the poll results and made the following recommendations to then Acting Dean Bartelt:

1. A summer school should be established comprised of two sessions. Each session should consist of two course offerings.

2. Tuition should be charged at $60 per credit hour. This is the same charge as during the spring and fall semesters.

3. A maximum general fee of $12 is to be charged. This fee should be charged only once whether the student enrolls in one or both sessions.

4. Faculty salaries should be proportionate to yearly salaries.

Acting Dean Bartelt forwarded this proposal to Vice President Mundinger who replied expressing his support and the general support of President Huegli. V.P. Mundinger made the following comments:

1. Faculty salaries should be determined by this formula: Summer session credits taught divided by 15 times the professor's yearly salary.

2. Tuition dollars received are to be divided 75% to faculty salary and 25% to the University until the faculty salary is paid. 100% of each dollar collected above that minimum will go to the University.

3. Professors will teach on a risk basis, i.e. if the course offered attracts sufficient students (at least 15) the professor will receive his maximum salary under the formula but no more. If the course fails to attract sufficient students the professor will be paid proportionately less.

4. Each course will be considered separately for salary purposes. That is, if one course has more than the minimum of students necessary those additional tuition dollars will not offset the lack of tuition generated in a course which may attract less than the minimum number of students.

The Law School faculty for some reason, perhaps due to haste generated by a desire to establish the summer session, agreed to these suggestions.

What have been the results of this agreement? Basically there are two.

First, the students attending the Law School courses were required to pay a tuition rate twice that of the $30 per credit hour of full-time under-graduate and graduate students. Second, one member of the faculty failed to receive his possible full salary under the formula even though the two sessions as a whole generated tuition dollars above the minimum amount necessary to fund the whole program. For this reporter the above mentioned results have created a perplexing question.

As a small, Christian, national Law School we are an integral part of the larger community called Valparaiso University. During the spring and fall semesters we pay the same tuition rate and the same general fees as do the undergraduate and graduate members of the community. During the summer session the University lowers its tuition to $30 per credit hour in an attempt to attract students. Why, then, should we as law students not benefit from this lower rate? The answer lies with the Law School faculty. Apparently lacking confidence in its drawing power or perhaps through oversight the Law School faculty recommended a $60 tuition rate. The University Administration of course, was only too happy to agree to a tuition rate twice that offered the rest of the summer session students.

It is at this point that the ethical or moral concern arises. In order to collect the $9,900 necessary to pay full salary to the professors and provide the University with its 25% on the dollar, the summer session needed to attract a minimum of 15 students per course offering. Mathematically, or perhaps better arithmetically: 45 students total in three credit courses — Criminal Procedure, Conflicts, and Environmental Law — and 15 students in Law of the Poor at two credit hours equals a total of 165 student credit hours necessary to produce the $9,900 at $60 per credit hour. It is not clear whether the summer session committee started with the $60 per credit hour charge and came up with a minimum of 15 students or whether they decided that 15 students were all about what they could attract and then decided upon the $60 or whether they used a convenient combination.)

What are the actual results of the summer session agreement? The following figures are from Dean Meyer's Office.

Tenants Rights Investigated

by Dave Bangert

In the past few years this community has seen a marked increase in discontent among apartment dwellers, particularly low-income tenants and students. The primary cause of such discontent is the shortage of decent housing. While the community population has been expanding, the supply of adequate housing has not kept pace.

This wide discrepancy between supply and demand has produced a seller's market. The tenant has little or no bargaining power. If he complains about inadequate maintenance or high rents, he can easily be replaced, and it will be difficult to find another place where conditions are better. The tenant knows this, so he reluctantly accepts poor maintenance, high rents, and landlord abuse.

We have a situation which has been crying for attention and for some sort of action. This year a group of law students, operating through the Legal Aid office, are attempting to mold a response to the problems. A requirement of Professor Boden- steiner's Law of the Poor class this semester is to become involved in actual work in an outside project. A number of students expressed an interest in working with housing problems in Valparaiso, while exploring the possibilities of organizing a Valparaiso Tenants Union. Bodensteiner approved the project, and under his guidance, along with that of Professors Gromley and Willis, the fledging group has begun to tackle some of the problems.

The idea of a Valpo Tenants Union looms as one of the more dramatic responses to the various housing problems. The growing discontent among low-income tenants has combined with their increasing awareness that collective action is necessary. The
EDITORIAL

Corporations: 5, People: 0

Looks like we’re in for another dry spell, friends and neighbors! We are, that is, if the number of names on the Curriculum Committee’s sign-up sheets is any indication of this school’s educational and professional priorities.

If there had been more spaces available for names on the Corporate Taxation/Capital Gains sheet, there probably would have been thirty more signatures on it; on the other hand, the Prisoner’s Rights and Sex Discrimination sheets may as well have been typed with invisible ink.

Why the existence of such a large, healthy herd of aspiring young corporate lawyers here at V.U.?

First, no law school can attract non-money oriented, non-Bar Exam fearing, non-big business student types until its commitment to these kinds of students is made clear through its course offerings, admission and recruitment policies, financial aid priorities and general atmosphere. If this commitment is not obvious from the outset, it should not be surprising when response from the current student body is so pathetically slow and uninspired.

The vicious circle which results is easy to see: With no input from issue-oriented students and faculty, nothing changes inside a school; and as long as nothing changes inside a school, only tradition-bound persons will remain comfortable and set the pace there.

The only way for this circle to be broken is for either the students on the outside or students and faculty on the inside of the school to have the guts to move forward. There’s little that a lone prospective student can do to force a law school to accept him or her: therefore, the most logical source of activity and change must be from within the school itself.

This answer isn’t easy, however. There seems to be great reluctance on the part of administrators, faculty and students alike to use the resources at disposal to move above and beyond attitudes and activities hanging over from the 1950’s.

One wonders, for instance, why not a “timely” curriculum which would deal directly with current social problems considered “faddish” by nature. With this reasoning, it would seem to follow that any programs designed to encourage certain groups of people, only recently recognized as having been oppressed by our society, are necessarily temporary or lacking in substance simply because they have grown out of contemporary thought. In other words, “non-traditional” must be synonymous with “non-academic.”

Personal and collective priorities change periodically, as (hopefully) do the goals and objectives of professional fields such as law. If change is in the wind, and has been for some time, why fear it? Why not welcome it as an opportunity for growth and possible improvement? More specifically, why fear expansion of the law school’s curriculum to include more non-traditional courses simply because Bar Associations drag their feet and state Bar Exams are out of step with reality as we currently perceive it?

For example, the Valparaiso community was hit over the head with just such reality on the evening of October 20 when fire gutted an apartment building on Old Campus, killing one woman. This could have been viewed as just another tragic fire; however, a number of law students began to see this particular fire as the symptom of a larger disease, a small piece of a large complicated jigsaw puzzle involving the rights and protection of students and poor people as tenants.

Steps are currently being taken to tackle this problem as it exists in Valparaiso – steps which can and will directly involve law students’ working knowledge of and interest in the law. It is beyond this editor as to how this kind of work can be labeled “non-academic”, ergo irrelevant. And further, it is difficult to understand how any direct application of legal principals, by law students of any level, can be ignored simply because the problems they care to deal with were not present, or recognized as being present, when traditional law school courses were being developed.

In other words, how can a law school pretend to be training students to “think like lawyers” when today’s clear-headed and perceptive lawyers are being faced with issues barely touched upon in their classes – namely, social protest; pollution; tenant’s rights; abortions; amnesty; women’s, students’, poor peoples’ and prisoners’ rights; illegal and immoral wars; urban problems and governmental corruption? What right does any law school have to delude students into believing that there is any direct correlation between Bar Exam questions and legal and social realities?

Hopefully, some answers will be forthcoming before another long dry spell sets in.

Just Voting For Good Men Is Not Enough

Charles E. Doyle

Recently, I was visiting a woman recovering from surgery in a hospital. The conversation turned to politics. “I never vote in the primaries”, she said. “I don’t believe it is anyone’s business what my politics are.” I would not have thought it more out-of-date had she said, “I never walk down town on windy days. Someone might see my ankles.”

Lady, you may think your politics are private, but politicians are acting publicly every day in your behalf. They are making decisions, passing laws, giving out orders, printing up rules, enforcing regulations, setting policies, taking money out of your husband’s paycheck. They can either diminish the quality of your life by narrowing your zone of privacy, by taking more of your liquid assets and spending it on causes and projects you don’t believe in, by neglecting the services you need and want; or they can expand the quality of your life by working for a better balance between your individual right to freedom and the commonweal, by putting the power of the government behind good air, good streets, good jobs, good housing, good recreation, good protection and a good life for the deprived.

There was a time when I used to be satisfied with esposing the usual election time reminder of our American privilege and our Christian duty of voting for good people for public office. I now believe that voting fulfills about as much of our patriotic and Christian duty to participate in the functioning of our democratic society as the addressing of an envelope is to the sending of an important letter.

If you want a good person in office, you’ve got to get out and work for him. And you’ve got to dig into that pocketbook and find some campaign contributions. How do you think a person gets into office? He finds some people who will back him, either because they believe in him, or because they believe that it will be in their personal interests to back him.

Recently I visited the state campaign headquarters of one of the Indiana gubernatorial candidates. A young student friend of mine who had taken off a semester from studying political science to work in the campaign, confided in me, “I’m getting out of this politics thing. I’m really disillusioned.”

“What do you mean?” I asked.

“Well, I see the people who come here. Today the vice-president of Indiana Bell Telephone company came in. Don’t you think my man is going to be obligated to him if he wins?”

“Of course, I do. But you can’t win an election without support.” I replied. “And if there isn’t enough grass roots support, you get it where you can. It’s either the Million Member Club or FTT.”

Since I have become more politically active in the past four years, I’ve generally backed loosers (except myself, when I ran for delegate to the state convention in May). There were certain people, who decided to put their bodies where their mouths were, that I came to believe in. These people realized the great need for change in the direction of our public priorities. You can’t just back “winners”: you back good men and women!

Law students become lawyers. Lawyers are potentially persons of great influence in their communities. If you care about your community, your state, your country, get active in politics now! And I mean party politics. Parties get people elected. If your party doesn’t live up to its ideals, make it! “I vote for the man not the party” is a cop-out.

Law students, there’s a campaign on! One that will radically effect the quality of your lives for many years to come. If you aren’t as outraged as the lady who thinks her politics is her own business, get out and work. Contribute money; wear buttons, plaster your car with stickers, attend rallies, have coffees in your home for the local candidates; get commitments from your relatives and friends. Dedicate election day, Nov. 7, to your party: get on the telephone committee; drive people to the polls; hand out literature; serve refreshments to the workers.

Mayor Daley, at a fundraising dinner for Senator McGovern last week, told his audience: “Speeches will not elect a candidate. We must work and work and work hard.”

WE SUPPORT:

1) Banning through-campus automobile traffic.
2) A one week Fall mid-term study break as opposed to a one week Thanksgiving break.
3) Smaller section sizes for courses offered.
4) Reducing the number of sign posts on campus.
5) Any more suggestions?
Faculty Reps Outline Decisions

by Jack Friel

Your representatives to the faculty welcome this opportunity to present a somewhat more detailed report to the student body. We all recognize the inadequacy of tacking a list of motions to the bulletin board; hopefully each issue of the Forum will carry a report from one of the four student representatives. (In addition to the third and second-year reps, both BALSA and the Women's Reps have non-voting student representatives to the faculty.)

MINORITY STUDENTS: The small number of black, brown and female lawyers in America is a disgrace to the American legal profession. Conscious of this problem and of the particular needs of neighboring communities, our faculty voted last year to actively recruit women and minority students even beyond the date when admissions would normally be closed. The policy was not without its problems, and it was terminated in July.

The Minority Students Committee is now suggesting that such confusion could be avoided and many problems resolved if a certain percentage of the seats in the 1974-75 class were set aside for minority students. Such a policy would make it possible to achieve our goal of increasing the number of minority students in law school without leaving the size of the incoming first year class open-ended.

More on this and other activities of the Minority Students Committee will be forth coming in future reports.

GRADES: The debate has ended. The decision has been made. The report has been read, analyzed, scrutinized — and still no one seems to know what happened.

Ostensibly the problem to be resolved was that of having to use two different grading systems on one set of test papers in those classes in which both second- and third-year students are enrolled. The simplest solution — one advocated by the SBA executive board — is to separate the second- and third-year papers, giving numerical grades to the former and letter grades to the latter. This the faculty refused to do. Instead they insisted on redefining the relationship between the old letter system and the newer numerical system.

How will it work? Seniors will continue to be graded on a numerical system in which numbers 66-75 will be equivalent to a letter grade of "C". Other seniors will continue to be graded on a system in which numbers 70-79 indicate satisfactory work. Yet, for second and third-year students, the numbers 66-75 will be equivalent to a "C". Of course this doesn't make sense. What, then, does it mean?

It's just possible that no one knows. Apparently some members of the faculty who voted for this scheme simply see it as a way to help the seniors. According to this view neither first nor second-year students would be affected by the new equation. Other members of the faculty view it differently. They sought from the outset to have a numerical average of 75 rather than 70 required for graduation. They now seek to achieve this same end, even if it means lowering all numerical grades that are given by five points. Obviously, if this view carries the day, all students will be affected, whether they are enrolled in the law school or not.

Which view will prevail? What happens now? Some students recommend that we simply wait and see what happens in December. Others advocate alternative courses of action. In any event, it appears that student representatives to the faculty can do no more!

WOMEN STUDENTS: A discussion concerns in particular issues relating to women students in the law school resulted in the establishment of a faculty committee on women students composed of Professors Willis and Bodensteiner and a second-year student, Dee Bruning. This committee was formed with the purpose of making positive recommendations in the areas of financial aid for needy women students, a recruitment program for women students and women faculty members, admission policies for women and, most importantly, the role of the law school as a leader in the field of women's rights.

In spite of this discussion and the formation of the new committee, the faculty (via the Curriculum Committee) decided that it was unable, or unwilling, to send a faculty representative to an AA.L.S. New York University national conference on Women's Rights and the Law School Curriculum.

LIBRARY COMMITTEE: Professor Hiller submitted the following recommendation for a library vandalism policy, and it was adopted in this form.

Whereas loss, theft or destruction of books in the law library collection is an offense to the entire law school community, and

Whereas both students and faculty have pointed to the need for the establishment of sanctions for the commissions of such offenses,

Therefore, the faculty of the School of Law hereby resolves that

Borrowers of library materials are responsible for their return. Who ever fails to return materials charged to his or her name must pay the replacement cost of such materials as follows: 1) current retail price (or, if irreplacable, the original purchase price) of the materials and 2) a $10.00 processing charge.

Persons suspected of theft or willful damage to books in the law library collection will be reported to the Law School Court and upon being found guilty shall be subject to a minimum penalty equal to the value of the book plus a $20.00 fine and a maximum penalty of expulsion from the School of Law as determined and recommended by the Law School Court to the appropriate authorities.

Their recommendations were also amended to include the clause that "persons catching books without checking them out shall be fined $5.00 for students and $10.00 for faculty members."

PART-TIME STUDENTS: Valparaiso Law School is open to full time students only. The faculty shows no inclination to alter that policy at this time. Dean Meyer has assured us that this does not necessarily preclude individual student petitions for course loads of less than fourteen hours.

Nevertheless, both petitions for a reduced course load submitted by second-year students this fall were denied. Requests by second-year students to postpone Constitutional Law to their third year were also denied. (They are currently enrolled in the course but unable to attend classes.) Their decisions reflect — in the opinion of this representative at least — an undue inflexibility.

As it now stands, an exception to a given policy can be made only after the same procedure has been followed which is required to effect a change in the policy itself. Perhaps this needs some rethinking. It may be that the Dean could be authorized to exercise a greater degree of discretion, but whatever the answer, the procedure should continue on a pass-fail basis for now, but plans to re-examine the S/U grading system for all courses.

Several new courses are currently being considered by the curriculum committee: Corporate Taxation (or rather, its environs) and Private Law. Land Acquisition and Use, Medicine and the Law, Prison Reform and Prisoner's Rights, and Sex Discrimination and the Law. A decision to make an addition to the course offerings of the law school is based on many factors, not the least of which is student interest. Students should make their views known.

Delta Theta Phi

by Mark Ilten

Are you looking for someone to discuss cases and pros with over a beer? Searching for some interesting and practical aspects relevant to your study of law? Wondering where you fit in on the campus? These are just a few of the things that Delta Theta Phi, one of Valparaiso's law fraternities, can go a long way toward answering.

Here at Valpo, Delta Theta Phi provides a unique graduate-undergraduate relationship. The undergraduate division owns and operates one of the two actual fraternity houses within the national fraternity. The fraternity provides the undergrads with a social program comparable with the other fraternities at Valpo in addition to a pre-legal atmosphere which encourages them to continue their studies at a law school of their choosing.

For the law students, the fraternity provides a place to meet socially, a legal program which attempts to make their views known.

The program at Delta Theta Phi is the direct result of work by its members. If you would like to get involved in an organization which is active in a number of areas, drop by the house (607 Lincolnway) any Friday afternoon during our "happy hours" and talk with the brothers (sisters welcome too!) Or leave your name and phone number in Prof. Berner's office or in S-3. We certainly would like to talk with you.
CHECK OUT A TRIAL

The following is a list of tentative dates for jury trials at the Porter County Courthouse. Persons wishing to attend a trial should check with the judge's secretary to be certain that the trial has not been rescheduled or the action settled out of court. Case files may be read at the Clerk's Office in the Courthouse.

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Wed. 6 Dec. 72

|          | 69 PSC 1003 |            | Property damage - auto accident. |
| Thurs. 7 Dec. 72 | 70 PSC 962 | Halcomb v. Weaver | Damages for personal injury - hit by auto |
|            | 71 PSC 1378 | Deutsch v. Ottermann | Damages for personal injury, negligence - auto accident. |
| Mon. 11 Dec. 72 | 71 PSC 1885 | Stewart v. Belton | Damages for personal injury - auto accident. |

SOFTBALL TEAM VICTORIUS

by Ed Eich

The 1972 edition of the Young Lawyers slow pitch softball team ruled to a tie-for-first-place finish in the Valparaiso City League, D division, after thrice muffing opportunities to nail down sole ownership of the top spot.

Although slick-fielding Bruce Berner was sidelined most of the season with a knee injury, and Hamstring Hoehner played third base with a pulled muscle, the team rallied behind the pitching of Pat Fred (the piano man) Davison and the hitting of Germann. Sigler, Manning and Hoehner to garner a respectable 9-5 record.

Coach Lloyd Bierma deserves a round of thanks for organizing the team and bats off to the S.B.A. for supplying the bats and balls.

Averages:
Fred Davison .636
Dan Sigler .628
Ken Manning .595
John Stoller .590
Gary Germann .571
Steve Meyer .540
John Hoechner .500
Morris Surikel .487
Bill Herrbach .434
Lloyd Berma .397
John Burke .394
Mike Deardorff .285
Jim Miller .166
Bruce Berner .700

Home Runs: Hoehner 1, Stoller 1, Berner 1.

FOUR NO-TRUMP

The SBA and the American Contract Bridge League (ACBL) are sponsoring duplicate bridge games to be held on Sunday afternoons throughout the school year at 1:00 PM in the Law School lounge. All law students and faculty members are invited to play every Sunday afternoon, and the games are open to the public.

Come alone or bring a partner (if you come without a partner, the director will arrange a partnership for you). Herman Bud, an ACBL-certified director, will be in charge of each game and will give fundamental instructions on duplicate play.

There is a one dollar entrant's fee for each player each Sunday. Small cash prizes and ACBL Master Points will be awarded to the top teams each week.

The dates on which duplicate games will be held, through the rest of this semester, are as follows:
Nov. 5, 12, 19; Dec. 10 and 17. Some dates are omitted due to holidays or due to Sectional Tournaments in nearby cities.

The results of the three games held thus far this year are as follows:
Tom Kidd and Jean Benton won the season opener and Charlie and Jan Dobre won the second and third weeks' games.