Approximately fifty students attended Dean Ehren's seminar held November 1 in the courtroom. Student complaints concerning the lack of communication between the students and the administration prompted the seminar. Dean Charles Ehren expressed a hope, in his opening statement, that students would avail themselves to these seminars.

Dean Ehren discussed this year's positive developments which include: an increased faculty, more space in Lembke Hall, the rearrangement of the library facilities, the availability of the Placement Services, the implementation of the Problems & Perspectives course, and the Steven's Lectures.

Dean Ehren perceives the P&P course as a "cutting edge" and he believes its success will "enhance" the law school reputation. The Steven's Lectures on the 'Valparaiso Experience' will also work to strengthen the school's image.

The new path placed along the west side of the building was another development and is "essential" to the library reorganization. The University has assured the Dean that the path will be plowed adequately and promptly when needed. The new fire lock system has been "tentatively" implemented to see if the University commitments are upheld.

New chairs and tables for the library are expected to arrive soon. All the old books piled up are to be removed and stored on campus and upon request will be made available within 24 hours. There also is a new senior librarian expected to join the staff on July 1 or September 1.

Lesser known developments include the near tripling of financial aid available and increase of gifts and grants by 15 percent. A fundraising program is under consideration, but must be approved by the University administration.

The Dean said that there will be a new faculty evaluation procedure which will include teams of senior instructors visiting the classrooms. He also acknowledged the many writing projects that faculty members are involved in. In the past six months five faculty members have written law review articles, 10 professors are presently writing articles, and six professors are writing or editing books.

The Law School Administration is in continuous contact with the ABA, and is making "much progress towards attaining ABA standards", especially regarding the library.

The Dean also talked about the parking lot situation. Since the School of Business moved into the new building there has been an influx of 700 students to compete for the limited parking. Present negotiations include discussion of restricted campus parking as a possible solution.

A new plan is being formulated for the student numbers on final exams. The purpose is to protect the anonymity of the student and to utilize the computer. The Dean feels this plan will benefit both students and faculty.

Dean Ehren concluded by saying that the students must realize that "the law school is not a self-controlling entity!"

NOTE: This article was submitted to Dean Ehren for cursory personal before publication.

### The Forum

**The Valparaiso University School of Law**

*Volume 9 Number 3*

**SBA Announces 1979-80 Budget**

The SBA prepared its 1979-80 budget during the second and third weeks of October. All student groups which wished to receive any funds through the S.B.A. were required to submit budget requests by Oct. 9. Then the SBA Executive Board held hearings during the evenings of October 9 and 10. Each group that submitted a request was allowed 15 minutes to explain its budget and to answer any questions regarding the budgets.

During the SBA meeting on October 11, a preliminary budget was arrived at following a lengthy discussion. This preliminary budget was posted and each group was allowed one week to appeal the decisions in regards to their budget requests. Since no appeals were made, the budget was approved by the final vote on October 18.

**Berner Suffers Appendicitis**

Professor Bruce Berner suffered an attack of appendicitis on the morning of Monday, October 29, while playing a round of bridge at his home.

Berner was immediately rushed to Porter Memorial Hospital in Valparaiso by former Dean Al Meyer, one of the participants of the game. Medical staff immediately underwent surgery and recovered without complications.

When Dean Meyer was reached for comment, he stated, "Man, some games will do anything to get out of a game, just because of losing a few points.

Berner returned home after a brief stay at the hospital on Saturday, November 3. By Wednesday of last week, he was back at Westem teaching his normal course load.

Professor Berner confirmed the rumor that he is initiating criminal action in the Porter County Superior Court for alleged defective design. "If your career and caring don’t kill you, neither should your appendix," he said.

Defendants in the action include Berner’s parents, and process was served on God last Sunday when Berner dropped the summons in the offering plate at church.

**SBA Budget Accounts:**

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It should be noted that all of the student activities fees have been allocated directly to S.B.A. activity accounts, namely: Executive Board, Forum, Professional Activities (Law Day), and Social Committee. The remaining allocations have been made utilizing estimated vendor commissions and locker rentals.

Copies of the budget are available to interested persons in the SBA office, L-4.

In other SBA activities: Professional Activities Committee is responsible for Law Day and is chaired by Pat Schuster, SBA Vice-President. As you can tell by the final budget, we are planning an exciting week-end with the opportunity for everyone to participate. We encourage you to plan to attend every activity on March 21 and 22.

**Moot Court Team Competes in Chicago**

On Wednesday and Thursday, November 14 and 15, Valparaiso Law School will be competing in the Thirtieth Annual National Tri-State Moot Court Competition at the Civic Center in Chicago. Representing our school this year is Michael Drayton, Steve Malach, both third-year students, and second-year students Kathy Molnar, Steve Gerken and Joe O'Hara.

Havening received the topic a week before school began, these people have been working frantically to prepare an appellate brief, due October 31. The brief will count for 40 per cent of the total score received in each round of competition. The other 60 per cent of the score will be from oral arguments presented before a panel of three judges at the competition.

Each team is designated either "petitioner" or "respondent" and must prepare a brief in support of that position. However, once oral arguments are completed, both teams must argue both on behalf of the petitioner and the respondent. Therefore, preparing a brief for one side is only part of the work necessary in preparation for the competition.

The topic this year pertains to whether or not one has a Seventh Amendment right to a civil jury trial in cases involving complex issues of fact.

The competition rounds are open to the public and, because of the close proximity of the tournament (Chicago), Valparaiso students have the opportunity to attend and experience appellate advocacy, while also showing support for our teams in the competition.
The Dean, furthermore, does not feel that accepting more students would lessen the quality of the students admitted. He states that under the school's new admissions policy, students with GPA's and LSAT scores above a number found in the past to represent a high rate of success in law school are now automatically accepted after their applications have been reviewed. The time saved by the admissions committee by automatically accepting these students can then be used to closely examine the applications of the remaining students to see which of them will offer the school the best diversity of background and level of experience. This was one of the reasons why Valparaiso University's long-standing policies of equal opportunity and affirmative action for people in different classes and different bodies which result from this method of admission is far more beneficial to the school than would be an admission policy based solely on numerical scores.

It should be noted that the growth of the student body is not something peculiar to this year; the vast majority of the law school's living alumni have graduated within the last decade. In 1963, the law school's graduating class consisted of about twenty members, but this year's graduating class is expected to be nearly five times that number. According to Dean Ehren, the larger the student body, the larger the staff can grow, and the greater the learning experience of the students. With a larger curriculum, the diversity of instruction will increase and thus benefit the students.

Of course, it cannot be denied that a larger school will not have the same degree of personal contact with students as a smaller one does between the students themselves. We can only hope that proper administration, not just numbers, will be the determinative factor, and that students and faculty as well, will prevent the complete loss of that intimacy. Dean Ehren seems to think that the small school atmosphere at Valparaiso will remain even after its admission roles are increased. He believes that this is an area of strength for smaller schools.

What is more commendable, however, is that John Farago has decided against teaching any class until he feels that the three new faculty members are prepared to properly prepare for the class each day. At this time he feels that the time saved by the admissions committee by automatically accepting these students can then be used to closely examine the applications of the remaining students to see which of them will offer the school the best diversity of background and level of experience. This was one of the reasons why Valparaiso University's long-standing policies of equal opportunity and affirmative action for people in different classes and different bodies which result from this method of admission is far more beneficial to the school than would be an admission policy based solely on numerical scores.

The current library situation also emphasizes the smallness of the school. Inadequate study space, overtaxed xerox machine, and furniture and staff shortages are the most serious the ethical considerations... that shape the priorities of the future. "These critical problems... that shape the admissions process." Farago seems to think that the situation in the library will be improved by the establishment of the Howard C. Schwab Memorial Research Fund created by the Toledo Bar Association and a research consulting firm and paid for by a research grant made available to the school, said Farago.

The Howard C. Schwab Memorial Award Essay Contest is conducted annually by the Toledo Bar Association in cooperation with the Toledo Bar Association and the Ohio Bar Association to assist law students of outstanding ability. The Howard C. Schwab Memorial Award Essay Contest is conducted annually by the Toledo Bar Association in cooperation with the Toledo Bar Association and the Ohio Bar Association to assist law students of outstanding ability. The Howard C. Schwab Memorial Award Essay Contest is conducted annually by the Toledo Bar Association in cooperation with the Toledo Bar Association and the Ohio Bar Association to assist law students of outstanding ability. The Howard C. Schwab Memorial Award Essay Contest is conducted annually by the Toledo Bar Association in cooperation with the Toledo Bar Association and the Ohio Bar Association to assist law students of outstanding ability. The Howard C. Schwab Memorial Award Essay Contest is conducted annually by the Toledo Bar Association in cooperation with the Toledo Bar Association and the Ohio Bar Association to assist law students of outstanding ability.
WHAT THE HELL AM I DOING IN LAW SCHOOL? I MUST HAVE BEEN CRAZY THINKING I COULD GO BACK TO SCHOOL AFTER BEING OUT FOR SO LONG. ALL THIS READING AND BRIEFING... WRITING MEMOS AND RESEARCHING...

FRED WAS RIGHT... I’VE GOT NO BUSINESS TRYING TO COMPETE WITH THESE YOUNG PEOPLE. I SHOULD HAVE STAYED WHERE I BELONGED... BACK AT HOME WITH THE KIDS...


SIT ON IT F$!!

Valpo Grads Place High

by Roy Portenga

The overall quality of a law school is frequently measured in terms of the success its graduates have in passing the bar and in finding professional employment. Gauged by these criteria (and there are, of course, others), tin continues to be, in the view of this writer, very successful. Placement Office statistics indicate that in 1977, 94.5 percent of the graduates passed the bar exams on their first attempt, and in 1978, 89.4 percent of the 97 graduates in the class of 1979, the figures are yet incomplete. (It should be noted that these figures reflect examinations taken in over 22 states.)

In recent years, 93 percent of our graduates have had in finding professional employment, and, as of July 3, approximately one and a half months after graduation, 60.8 percent of the 97 graduates were employed, and the status of the remaining 39.2 percent was yet to locate national bar success statistics. The law school has been and continues to be engaged in research on the success of its graduates in finding professional employment, and, as of July 3, approximately one and a half months after graduation, 60.8 percent of the 97 graduates were employed, and the status of the remaining 39.2 percent was yet to locate national bar success statistics.

Among the top-producing candidates are researching: constitutional issues surrounding preservation of lawyer-screened amicus, access to the press to suppression hearings, denial of Medicaid funding of abortions, guilty pleas, and dog-assisted drug searches in schools; public access to meetings and Indian-open-door legislation; the legality of political patronage hiring; and the freeing of spousal's rights to an interest in the future earning capacity of the other spouse, whose advance degree was obtained after the marriage; disclosure of information under the Atomic Energy Act; the implications for tort liability of parental supervision of their children's acts. Remaining topics were unobtainable by The Forum from other, super-sequenced writers.

Candidates embarked on these precarious tasks include those of the top fifteen students in last year's first-year class and the top five students in the legal writing class who accepted the invitation to write, plus those whose case comments were selected from the Law Review for the upcoming Comment Competition. Provided editorial assistance to them are Editor-in-Chief Don Seberger, Executive Editor Beth Brown, Note Editor Bob Palmer, Managing Editor Don Way, Articles Editor Gene Schoon, and Assistant Editors Pam Price, The Associate Editors are Judy Haler, Rich Cagen, Dan Coy, Cliff Johnson and Tom Thanas.

Students may obtain one-year subscriptions to the Law Review for $3.

L. Rev. Candidates: Ready First Issue

Downstairs at Wesemann eleven third-year editorial board members of the Valparaiso Law Review ready the first issue of volume 14 for the printers. In various cubbyholes upstairs, thirteen second-year candidates test their research and writing skills, with two more students scheduled to write second semester. The end products of both groups of speculative efforts will be clipped in the United States Supreme Court in each of its next fifteen landmark cases.

All though the process is painful (I), the substantive work in progress on both levels covers a wide range of current legal issues, ranging from the law school's acting clinical psychologist, recently completed a series of typically unsuccessful experiments in P & P, Paramark and Perlaiticism. These experiments were designed to discover the parameters of frustration levels of the legal bookworm. Legal bookworms were given various problems to solvize and an equation which they were to run through at top speed carrying a full classload on their back.

Some of Matt's experiments included random rearrangements of the maze whenever the bookworms solved two problems in a row without dropping any grade points, placing books in different places in the maze traditionally reserved to dead-end corners or miscellaneous lottering, and sometimes removing books altogether.

When asked to comment on the results of his experiments, Matt responded that they were a total success. Many of the bookworms were able to do almost as well as the control group of rats which Matt keeps in his desk. When asked if he had any words to other would-be researchers who would like to carry on his work, Matt had only one warning. Memos and notes are the key to the law review keys to get through the maze early in the program. Law review types are very sensitive, and it was only after Matt discovered several of them in the lower levels lying and asking to run through them at top speed carrying a full classload on their backs.

The law review editors have given the wining essays and any other essays written and double spaced, on 8 by 10 paper, should be submitted. Footnotes of words in length. An original copy.

The members of BALSA would like to thank the entire law school and neighborhood for helping to make their kickoff bake sale a tremendous success. Proceeds from the sale will go towards the general fund to help students in last year's first-year class and the top five students in the legal writing class who accepted the invitation to write, plus those whose case comments were selected from the Law Review for the upcoming Comment Competition. Provided editorial assistance to them are Editor-in-Chief Don Seberger, Executive Editor Beth Brown, Note Editor Bob Palmer, Managing Editor Don Way, Articles Editor Gene Schoon, and Assistant Editors Pam Price, The Associate Editors are Judy Haler, Rich Cagen, Dan Coy, Cliff Johnson and Tom Thanas.

Taco's Our Specialty

Monday - Taco Day

All the Tacos

You Can Eat

Only $3.50

Buy One Pitcher

Get One Free

Come and enjoy the best tacos in the city.
In the last decade or so, and largely as a result of its use by everyone from the new Left, the term "elitism" or "elitist" has been burdened down with heavy negative connotations. "Elitist" thus is the converse of another word whose negative aura is of much long standing, "egalitarian".

Whereas, however, the everyday speaker who would avoid the negative of "egalitarian" may quite safely use the word "democratic," the American lexicon seems not to offer a respectable, decent, humane alternative to "elitist," "aristocratic," and the like. It seems paradoxical, then, to turn to "aristocratic" or, if the context permits, perhaps "aristocrats"; but in this context even those terms are hardly even neutral, much less "good" in their generally accepted meanings. Perhaps the absence of a respectable alternative to "elitist" in the American language may be related also to some of the central thrusts of our history—rejection of the Crown, waves of immigration, pursuit of the American Dream. Does that mean, however, that the emphasis on the judiciary and the lawyers as vitally important mechanisms indeed they do not denote, strong appropriate affirmative linguistic tool with unwary. Those three non-democratic balance, stability, and dynamism of our realities.

Among those ignored realities, at least two are germane here and now. They are, first, the very early American emphasis upon excellence; second, the emergence of the judiciary and the lawyers as vitally important mechanisms of American democracy. While they are critically important servants of democratic society, neither the university nor the judiciary nor the legal profession is, itself, democratic. Does that mean, however, that each of those three non-democratic stems directly from the populism that democracy.

At this point, we are faced with the problem of sorting out the intellectual process of discriminating among "aristocratic," "egalitarian," or "elitist"?

Since all three of those words connote, if indeed they do not denote, strong anti-democratic qualities, the absence of an appropriate affirmative linguistic tool with which to discuss the professions involved is not a happy sign. University, the judiciary, and the bar in our society becomes a trap for the intellectually unwary. Those three non-democratic institutions have contributed immeasurably to the balance, stability, and dynamism of our democracy. But it seems to me the epithet of unwise to demand that each of those sectors of the democratic society, even in its reformist or problem-solving phase, constitute, in itself, a paradigm of democracy.

Let me give an extreme example. I think it patent that the current disintegration of the once-splendid California Supreme Court stems directly from the populism that subjects its sitting justices to an electoral process, while as a political democrat, I am bound both intellectually and emotionally to recognize that reasonable people may disagree. Since that is not in the quality of the discourse, the effectiveness of the intellectual process of sorting out such disagreements, agreement, becomes critical.

At this point, we are faced with the problem of assessing the professions. One might turn to "aristocratic," "egalitarian," or "elitist." The linguistic tool is arguing with the person of wealth, perspective, or tenure can possibly serve and enhance the operation of democratic society—or that university professors, similarly tenured, can do so either. In the same way, the deck is stacked against the proposition that the legal profession should be self-governing—and against the much more significant claim that the law faculty itself have made it clear that elitist goals—that is, the seeking after intellectual and curricular excellence—now are expected, will be demanded.

On the student body side, resource increases have led to substantially improved placement and admissions processes. I anticipate that the placement program, particularly when augmented by curricular advances, will go far toward enhancing our students' professional horizons. While actual results here necessarily will be slower in being demonstrated (than, for example, the increase in faculty scholarship), I believe I detect already a rising spirit within the student body based upon the mere working of the program placement. Certainly, however, the great enthusiasm—as well as the number—of this year's entering class can be traced directly to the improved admissions process. On the other hand, resource increases have not yet flowed toward the Law Review, moot Court, and Mock Trial programs.

But what of our expectations of the student body? The School of Law can encourage higher horizons in various ways, such as those mentioned immediately above, but how can it demand the seeking after excellence, the elitist goals? I have suggested already my belief that it is every law teacher's responsibility to prod his students toward excellence; and the teaching mechanisms for that task are well known. For the School as an institution, it is necessary to push students as we are attempting to do in the new first-year Problems and Perspectives course, to stretch them, to inspire them. But it also seems to me quite essential to make them aware that their accomplishment will be recognized, that excellence of professional performance will be accorded respect, honor, and reward. Those things the School of Law intends to do. And it will not be inhibited by charges of "elitism." Nor will it concede that the pursuit of excellence contradicts the seeking of elitist goals. But those needs are resource increases have not yet flowed away. When I hire a physician, I seek the best I can obtain—1

And it seems to me that that is the job of every law teacher, in the classroom and out. And it seems to me quite essential to make them aware that their accomplishment will be recognized, that excellence of professional performance will be accorded respect, honor, and reward. Those things the School of Law intends to do. And it will not be inhibited by charges of "elitism." Nor will it concede that the pursuit of excellence contradicts the seeking of elitist goals. But those needs are resource increases have not yet flowed away. When I hire a physician, I seek the best I can obtain—1

I must say that those at Valparaiso who