

## William Mitchell Opinion – Volume 21, No. 6, April 1979

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### STATEMENT OF POLICY

The William Mitchell Opinion is published by the Student Bar Association of the William Mitchell College of Law for the purpose of educating and informing Mitchell students and alumni of current issues and affairs of law and the law school in furtherance of that purpose. The Opinion will present the views of any student, faculty member, alumni, or the administration. Because of space limitations in a tabloid newspaper and because the Opinion strives for factually and accurate and stylistically uniform copy, all contributions are subject to editorial review and possible abridgement, although every effort is made to maintain a writer's original style.

The Opinion will endeavor to consider fully and thoughtfully all material to determine its relevance and appropriateness before publication. Such consideration will be made with the assumption that freedom of the press within the law school is no less a fundamental right than outside the law school. and in view of the Opinion's recognized responsibility to the members of the student bar, practicing attorneys, and faculty and administration of the law school. Editorials represent only the opinion of their writers.

### Student of the Year: Al Bonin

Fourth year student Al Bonin is the 1978-79 recipient of the William Mitchell College Award of Excellence. The award is presented annually to the student "who has done the most the preceding academic year to enhance the good name of the college in and among the legal and lay communities."

Bonin has been heavily involved in student government for the past three years. As a three-term SBA Representative and two-term SBA president, he co-authored the Student Conduct Code, started the fund drive at William Mitchell, wrote the registration procedure, started faculty evaluations, and organized the blood drive during its first 2 years. Bonin also worked on the William Mitchell Opinion for 3 years.

Bonin was selected outstanding student by the SBA at its April 7 meeting. Nominations for the award were made by William Mitchell students: Other students nominated were: Patricia Bartlett, Law Student Division Representative; Lori-jean Gille, editor-in-chief of the William Mitchell Law Review; Bob Gjorvad, SBA representative and officer and director of the athletic program; and Kathleen Meyerle, registered lobbyist for the Minnesota State Pharmaceutical Association and active in pharmacy law .

Image

Al Bonin

### Professor of the Year: Michael Steenson

Professor Michael Steenson has been named 1978-79 Distinguished Professor of the Year. The award, made by the SBA from nominations received from William Mitchell students, is an "honorary recognition of the faculty member who has best served the needs and interests of the student body from the students' perspective."

Nominated by several students for his ability to "fill the various roles of instructor, advisor, and sometimes father/confessor," Professor Steenson developed William Mitchell's Appellate Advocacy Program, to which he is now faculty advisor, and provides invaluable assistance to other student groups including the William Mitchell Law Review and the Student Bar Association.

Professor Steenson's commitment to the educational process is illustrated by his availability to students and his careful preparation for every class. A graduate of the University of Iowa Law School, Professor Steenson presently teaches torts, products liability, and legal history.

Professor Melvin Goldberg and Professor William Green were also nominated for the award.

This is the second year that the Distinguished Professor of the Year award has been given. Last year's recipient was Professor Kenneth Kirwin.

Image

Photograph of Professor Michael Steenson

### Sonsteng Joins Faculty Ranks

John Sonsteng will join the full-time faculty at William Mitchell next fall and leave his position as Dakota County Attorney, a job he has held for the past seven years.

Sonsteng, who taught trial skills at Mitchell for the past two years, will teach juvenile law, trial skills and run the juvenile law clinic next year.

"I am very excited about teaching," Sonsteng said recently. "I can't think of a better thing to do than teach at Mitchell. It's a fine place, I'm excited about it."

Sonsteng received his B.A. degree from the University of Minnesota and graduated from the U of M law school in 1967. He spent two years with the Hennepin County Attorney's office and three years as Assistant Dakota County Attorney.

When asked why he decided to leave his present job, Sonsteng said; "The students here are excited about learning and the faculty members I know are remarkable people. I've been a trial lawyer for 12 years... and this is also a chance to learn for me."

Sonsteng, 38, is married and has two young children. He lives near the Cannon River, south of Hastings, Mn., in a house he constructed and which is patterned after an 18th Century New England home.

He taught trial skills at the U of M law school this year and has taught criminal law and evidence at Inver Hills Community College for the past six years.

He is a member or the National and Minnesota Institute of Trial Advocacy, the National District Attorneys Association, the State Crime Control Planning Board, The Judicial Planning Board and is current president of the State County Attorneys Association and the County Attorneys Council.

## RETIREMENT PARTY

for PROFESSOR WILLIAM GREEN; PROFESSOR KYLE MONTAGUE

Friday, April 20 8:30 to 10:30 p.m. The Student Lounge

## City agency considers parking complaint

By Sally Oldham

The continuing saga of the William Mitchell parking controversy took another step forward on April 16 as administration officials and complainant John Pecchia held a conciliatory meeting with the St. Paul Human Rights Commission.

Fourth-year student Pecchia charges that the school policy which has allotted 100 plus parking spots to women only violates §74.04 of the St. Paul Legislative Code. The Code provides that, "No person shall discriminate on grounds of \*\*\* sex \*\*\* with respect to access to, use of, or benefit from any institution of education or services and facilities rendered in connection therewith \*\*\*"

Fourth-year student Dan Butler has filed a similar complaint with the State Human Rights Department which won't see daylight for several months due to the Department's backlogged calendar.

The Human Rights Commission scheduled the settlement meeting after finding that there were grounds for believing that the school policy violated the local ordinance. In the words of Commission Director Donald Lewis, "the language of the ordinance is crystal clear in our opinion."

If the parties fail to come to an agreement, the Commission has two choices: to proceed against the school on a criminal charge or a civil charge. If the criminal route is chosen, the case would then move to litigation in St. Paul Municipal Court and would be prosecuted by the City Attorney. If the Commission chooses to proceed civilly, the next step would be a fact-finding hearing before a panel of Human Rights Commission members. In that situation, the respondent [William Mitchell] would have the right to bypass the Commission bearing and proceed directly to district court. The panel would have the same powers as a district court and could issue any appropriate order, including an injunction. Mr. Lewis stated that the Commission would pursue enforcement action within thirty days after the conciliation

meeting if a settlement is not reached. Neither the settlement meeting nor the Commission file on the case is open to the public under the state's data privacy act.

Complainant Dan Butler has long been active in the parking controversy and views the policy as an example of administration high-handedness. Butler contends the preferential policy is a "harm to the reputation of the school" and is a product of the "arrogance of the administration. The administration will not and cannot be challenged and is as obstinate on the parking matter as it is on other issues." He further pledges that he won't settle his suit unless there is "immediate access to the parking lot." According to Butler and Pecchia, some underclass students are also planning to file complaints so as to avoid the mootness issue. Pecchia and Butler are both graduating this spring.

Assistant Dean Marvin Green represented the school at the be representing the school in the April 16 meeting. Although reluctant to comment on the case since it is still being litigated, Dean Green did state that the school will stand by Dean Stine's affirmance of the policy in his capacity as an HEW-appointed hearing examiner last year. Contrary to rumor, Dean Green said that the parking policy is still being enforced despite the Commission action. The school has no plans to expand present parking facilities.

The parking policy was initially established by the SBA in 1977 when the administration gave the student government the parking spots and the power to determine their allocation. New SBA President Sue Bates said that the SBA "doesn't plan to change the policy," citing the survey taken last fall which showed overwhelming student approval for the policy.

## EDITORIAL

### Power and Trust

"One of the best ways to safeguard yourself from being deceived is always to form the habit of looking at things for yourself, listening to things for yourself, thinking for yourself, before you try and come to any judgment. Never base your impression of someone on what someone else has said. Or upon what someone else has written. Or upon what you read about someone that somebody else wrote. Never base your judgment on things like that. Especially in this kind of country and in this kind of society which has mastered the art of very deceitfully painting people whom they don't like in an image that they know you won't like. So you end up hating your friends and loving your enemies."

-Malcolm X

Recently one of my professors began class by talking about the Harrisburg incident. He observed that a common characteristic among people who were interviewed on TV in that town was that they all distrusted what the government was telling them about what was happening. He said that it was a tragedy when the people did not trust their government in such a time of crisis. He acknowledged that lately our government has a poor record with regards to honesty but he still felt that this belief that our government was lying was a tragedy. He asked what was the responsibility of lawyers to address this problem?

No one in class answered this question. Everyone who spoke, including myself, said that there were good reasons for people not to trust their government. But that doesn't answer the question.

People don't trust government in the same way that they don't trust lawyers. The problem is not the lack of trust but the powerlessness people feel when up against those in authority who have access to

more information than they do. The answer to this problem of feeling powerless is not resolved when people feel powerful but only when people exercise power.

The pointed question which the professor might have asked was, what is the responsibility of the lawyer toward people who are feeling powerless in a time of crisis?

Malcolm X's words above are a helpful guide. Lawyers can use their training to pry open as much as possible from tight-lipped officials and a secretive government. Let people have the ability to think for themselves and form their own judgments. In a time of crisis, the responsible lawyer tries not to be deceived and recognizes that the people who feel powerless are their friends and not their enemies. T.C.

## SBA PRESIDENT SUE BATES

### Love us or hate us, but don't ignore us

The Student Bar Association: to some it's a nuisance, to others, a non-entity but to all it still serves as the major source of student activity at Mitchell.

While hardly cosmic, it does attempt to deal with almost any contingency that is presented to it. This next year will be no different. Already the agenda is too long and no issue is so small that it won't potentially be hotly contested. Some ideas will fly and others go down as colossal failures but the bottom line for each Board member is to make an honest attempt to have student life at Mitchell more reasonable.

With that in mind (and because stream-of-consciousness writing is not my forte) I would like to use this column through next year as a vehicle to present proposed SBA activities, to discuss problems that students feel need airing, and to solicit your help and opinion.

The Board does not concede to Leahy's Law that "If a thing is done wrong often enough, it becomes right." So Rich Ruvelson and Dennis Brown are working on an interest survey that will be distributed to you before the end of the year to give us a starting point from which to develop programs.

The Board does, however, concede to Dean Green's Uncle's Law - "If it ain't broke - don't fix it!" Consequently we will continue to offer programs that have had good student response in the past. We also plan to move outside the Board toward more student involvement in the activities of the standing committees. Please take a look at them and let us know if you would be interested in working on either the Social, educational or Finance Committee projects.

The Finance Committee deals with the budget, scholarship, student loans, the Used Book Store, The Opinion, elections, registration, fundraising and the student lounge.

The Social committee handles the speaker's program, orientation, symposiums, intramurals, counselling, the blood drive, smokers, parties, theater night, student and faculty awards, parking, and student organizations.

The Education committee concerns itself with faculty evaluation, library facilities, grievances, curriculum offerings, facilities, grades, minority recruitment, code of conduct, Bar Association committees and conventions.

These serve only as a starting point from which other ideas can develop so please tell us if you would like to be involved.

It may be of interest for you to know some of the current proposals and projects. Jody Bettenberg has suggested that we pursue the possibility of establishing a recorded telephone message service that would inform students of cancelled classes. Bob Birnbaum and Bob Groth are taking a look at the present lottery system for registration to evaluate its fairness and offer suggestions for its improvement.

It would appear at this point, although all details are not finalized, that the new food service will be under construction soon. It is our intention to try and have it completed before classes begin again in the fall. When opened, the service will be expanded to include salads, soups, grilled sandwiches, french fries and daily specials. The facility will occupy the front ten feet of the present kitchen. The remaining portion of the kitchen area will be walled off and renovated and by fall should be the new location of the Used Book Store and SBA office. Access to it will be by a door across from the distribution center. While it could be characterized as a bit too cozy - perhaps even claustrophobic - in actuality there seems to be sufficient room and it will be much more convenient to students. Julie Gruber will be back to operate the Used Book Store which come as a great relief to all of us who know her as competent patient and the only one who really knows where anything is in that place!

Each year the faculty has a two day seminar in the spring. It used to be known as Springhill because it took place at the Springhill center. This year it will be held on campus and consequently has come to be known as Summithill. The Summit 'summit' will include students for the first time. Seven students have volunteered to attend the conference which is scheduled for April 28 and 29. The faculty will take this time to look at the curriculum and evaluate it. Student input should certainly be an asset.

The Dean Search Committee will be organized similarly to the last one and will include 5 students, 6 members of the Board of Trustees, 4 alumni and 5 faculty members. The Board of the SBA is presently setting up a 'Search for the Search' committee and when it has developed guidelines it will interview interested students. The present feeling is to choose one student from each year and one from the three year program.

Student interest has been incredible this year with regard to positions on the faculty committees. A large number of requests have come in which will make appointments more difficult to make but it certainly seems to be a sign that apathy does not run rampant at WMCL. These appointments will be approved at our next meeting which is scheduled for Wed, May 16 at 6:30 (p.m.!) We will not be meeting during finals.

I have always felt that it is great to be liked, understandable to be disliked but intolerable to be "nothing-ed" to death: The Board needs to know what you like and/or dislike or all of us - most significantly you - end up getting "nothing-ed". The Board will work hard to try and make certain that that doesn't happen.

P.S. If this column is not destined for a Pulitzer Prize it is because 1) as a writer, I suffer from delusions of mediocrity and 2) as a student, I am torn between doing this and "tabbing" my UCC!

[Image](#)

Photograph of Sue Bates

By Mike Weiner

## LETTERS

### Lottery Adjustment

To the Editor:

This letter is written in response to an inquiry by the SBA. Students who did not turn in survey cards will not be included in the lottery for next fall. On registration day, a time will be set aside at the end of the lottery-assigned times for each category of students and non-lottery students in that category may register at that time. Specifically, after all lottery students who will be graduating at the end of the first semester have registered, non-lottery students who will be graduating at that time will be allowed to register on a first-come, first-serve basis. At the end of registration for lottery students who will be graduating at the end of the next academic year, non-lottery students who will then be graduating will be allowed to register.

Curtis L. Stine

Assistant Dean

### A FIRST AMENDMENT RIGHT

To The Editor:

"Don Fraser and Mayor George Latimer will speak at the St. Paul Labor Center on May 18th at 7:30," the 8" x 11" notice posted on the mail bulletin board at William Mitchell stated. Within two days this notice was torn down and either destroyed or taken three times. Yet notices for other events remain posted for several weeks after the events have occurred.

Don Fraser has opinions on certain issues that some people do not want to hear and now apparently some people feel others shouldn't hear his views either. Why else did a small group of anti-abortionists, using threats of disruption and violence, force cancellation of Fraser's scheduled speech at the Basilica of St. Mary in Minneapolis on February 24th?

There are many more incidents like these occurring in Minnesota and throughout the country that indicate to many of us that we are facing a growing threat to first amendment freedoms from right-wing political action organizations to whom any point of view other than their own is heresy, and a who would limit the freedom of speech of all who disagree with them.

In the words of Madison, "It is proper to take alarm at the first experiment on our liberties."

Denny Strand

3rd year student

Statewide Organizing Committee "The Coalition for a Progressive DLF"

### Montague looks forward to 'routine-free' lifestyle

By Diane Dube

When Kyle Montague retires this spring, he plans to "see what a routine-free life is like, for a while." He says he's spent all his life planning - and he's going to stop that for a while. A member of William

Mitchell's fulltime faculty since February 1960, Montague's name has become synonymous with contract law. Asked how he happened to come to Mitchell, he replied, "I have no idea."

Born in Yankton, South Dakota, Montague grew up in Wilmer and received his bachelor's degree in history at Gustavus Adolphus College. He taught the social sciences in high schools in Minnesota and Wisconsin before enrolling at Marquette University to study the law.

Why law? "It's probably because I had no talent for the arts and sciences," he said with a twinkle. "I always wanted to study law, but I began rather late in life (at age 32)," he added. Montague was teaching business law and insurance at Gustavus College when former Mitchell Dean Steve Curtis asked him to teach bills and-notes. That was the beginning of Montague's 20 years at Mitchell. He confirmed teaching at Gustavus, commuting from St. Peter to St. Paul for his contract law classes at Mitchell.

While at Mitchell, Montague noticed some changes: the faculty is younger; the student body is younger; there is more emphasis on clinical education in legal training as a whole.

"When I first came here, the students were older and a vastly higher percentage had fulltime employment," he said. "Most, by far, were here to prepare for the practice of the law. Now the students are younger. More come [directly] from undergraduate studies with less experiences with the work-a-day world. That is neither a plus nor minus," he added. The difference, though, isn't perceptible to him in his classes.

Students of Montague's, both past and present, will tell of his command of contract law - his ability to quote at length sections of the Restatement and applicable sections of the Uniform Commercial Code verbatim, and to make sense out of the seemingly infinite rules and exceptions that form the basis of contract law. It may come as a surprise to some, how Montague ended up as a contract law specialist: "I was just asked to do it." Montague said if it appears he has a command of contract law at his fingertips, it's because "I've been at it awhile." He also readily admits. "I enjoy it so much. I wouldn't teach any course unless I could do it well."

Many a first-year student's voice has quivered when called on to recite in Montague's classes, beckoned by the professor's booming voice. And it is often weeks into the semester before the students catch the twinkle in the professor's eye and learn that their image of Montague as the Professor Kingsfield of Mitchell is false.

"Whatever image one has of me is a matter of his own creation," Montague said. "And I have no way of knowing what it is." One fellow professor has said Montague is one of the last of Mitchell's traditional law professors, an image Montague likes-with the emphasis on traditional.

"There are many other approaches to the study of contracts than mine," he said. "Mine is a very traditional approach. It's the only way I know how to do it - and they let me do it that way. I teach the way I think it should be taught."

What is the law to him? Montague paused a moment and responded that the question can't be answered without clichés? "It's the guarantee or individual rights and consequently it's the... it has to present contradictions: a guarantee of rights of the individual, at the same time it's the cementing force of society. It's a necessity, a mixture."

It was the students that Montague enjoyed most about Mitchell - and it is the students he's going to miss.

My colleagues, I can see them anytime," he said. "But the students... the students are stimulating. I never had a class but somebody didn't come up with an idea I had to think through. There wasn't a week that went by without a question coming up where I hadn't a notion of what the answer was. The answers are less important than the questions." he added. "You can find the answer to the question but not when you don't know what the question is."

### Images

First year student Cynthia Capouch photographed Professor Montague for West Publishing Company's "Law '79" art contest, which consisted of entries depicting the law in two-dimensional mediums. Capouch's entry was a series of photo of Professor Montague, taken during class one evening. The contest was held in conjunction with the Minnesota Museum of Art.

## Prof William Green Retires

By Al Bonin

When the incoming freshmen begin classes this fall, they unfortunately will not know the same William Mitchell that graduates have come to know over the past 21 years. The big difference will be the absence of William Green and Kyle Montague, two professors whose names have become legend at William Mitchell.

William Green began his teaching career at William Mitchell in 1958. The college had just moved to 2100 Summit Avenue. Prior to that time, Green practiced law for 15 years in New York City and then 8 years in Minneapolis. A Member of the board of the Minneapolis legal Aid Society from 1959 to 1973, Green helped lay the foundation for one of the better legal aid systems in the United States.

In his first year at the college, Green set up the legal drafting course and was the sole teacher and grader.

His colleagues in those early year were William Danforth, Jack Scott, Gordon Johnson, and Patrick Fitzgerald. Having taught at the college longer than any other member of the-full-time faculty some of his students included Walter Anastas, Marvin Green and Douglas Heidenreich.

After twenty-one years of teaching such subjects as wills, trusts, property, contracts, future interests, taxation of trusts and estates and legal drafting, Green believes it's "just a good time to retire."

In addition to his three great loves: his wife, travelling and traditional Dixieland jazz. he has added a fourth great love, the Arizona climate. This summer he and his wife will be moving into a house, which is near completion, in Green Valley, Arizona.

When asked what he will miss most about the college, his response was the students. He not only feels he will miss the contact he has with students in the classroom, but he will also miss the interchange and communication with students on a one-to-one basis.

Green noted changes he has seen in the student body as well as the faculty over the years. The general trend has been fewer married students, fewer full-time workers, younger students, fewer G.I. bill students, and a large increase in women students. He also noted the significant increase in the number of full-time faculty members which he feels will add a broader range of interests to the faculty at the college.

Professor Green has no regret whatsoever about his years at the college. He thoroughly enjoyed the teaching experience and working with his fellow colleagues.

William Green's contribution to the college goes far beyond his many years of teaching. Over the past two decades, he has either chaired or served on all the major faculty-student committees. These committees have had a tremendous impact on the development of the college.

The tremendous growth of William Mitchell is a result of the endless efforts of educators like William Green who are dedicated to serving the legal profession by improving the academic institutions responsible for training the lawyers of tomorrow.

Image

Two photographs of Professor William Green.

By Mike Weiner

## J.D. Augments Student Careers

By Scott Carlson

Bill Bloyer says it's an "invaluable" experience.

Meanwhile Garry Peterson says his graduation will provide him with the "ultimate credential."

Both men are talking about their schooling at William Mitchell College of Law and their plans to graduate with law degrees. However, neither Bloyer nor Peterson plan to practice law once they graduate.

In fact, Peterson isn't sure he will take the bar exam and Bloyer says the bar exam won't be a "break point" for him. "It's not a matter of going into practice after I graduate," Bloyer said. "My question is what I'm going to do when I leave the job I'm in."

Bloyer works for senate research in the Minnesota State Legislature. He says he helps in drafting bills and writing cases in support and opposition to legislation. The third year student says he covers subjects from "A to Z" but tends to specialize in criminal justice.

"Law school has assisted me in my job," Bloyer says. "But I have had an interest in public policy. Where I am right now is a tremendous opportunity."

Bloyer says he gets a tremendous personal satisfaction seeing words enacted into statutes that he helped draft. In real practice, he contends, the average attorney is lucky to get a case that can shape the course of law.

The thought of being in general practice "bores me to tears," Bloyer admits. Bloyer has an interest in constitutional law "but you don't hang out a shingle as a constitutional lawyer."

Still, Bloyer says he would consider private practice if the right offer came along.

Meanwhile, Peterson, a forensic pathologist with the Hennepin County Medical Center, says a law degree will give him the "ultimate credential" when testifying in trials regarding homicides and working with attorneys in other areas. In his job as a death investigator, Peterson says he's had constant exposure to the courtroom.

"I'm debating now whether to take the bar exam," he says. "I view it more as a credential (in my field) rather than a license."

How can one force himself to go through school knowing they probably won't practice law?

"I think it's more a personal motivation," Peterson says. He says he's free of the pressures to take easy courses, and avoid difficult ones, in order to get a good grade average. "I work pretty hard," he continues. "But the pressure, I don't worry about that."

Peterson will have put in 17 years of schooling by the time he graduates. That includes four years of undergraduate work, four years of law school and nine years of medical school and specialty training.

And when he graduates, Peterson says he will be one of 300 to 400 people in the United States that has both a law and medical degree. Peterson jokes that he's been told once he has both degrees "neither profession will trust me."

Image

Photograph of Garry Peterson

Photograph of Bill Bloyer

## [AALS Accreditation will loosen transfer obstacles](#)

By Mark Ginder

Have you ever thought of transferring to the University of Minnesota Law School and received a closed door reply?

Have you ever wondered what it is that the University has that William Mitchell doesn't?

Have you ever stayed home to watch television and wondered about Mitchell's required attendance policy?

If you have, you might be interested in knowing that all these questions have something to do with Mitchell's bid for accreditation from the Association of American Law Schools (AALS). The AALS exerts some control over its member schools' transfer policies, and according to the speakers at this year's freshman orientation program, requires William Mitchell to take attendance in class during this time in which the school is seeking accreditation.

According to Dean Burton, this period of seeking acceptance from the Association should be soon drawing to a close. In September of this year an inspection team from AALS will be visiting the College and, shortly thereafter, writing its report. The actual vote on membership should then follow sometime early in 1980. At this time all signs appear favorable to Mitchell's acceptance by the Association.

The most immediate effect AALS accreditation will have for Mitchell students will be to render them more acceptable for transfer to AALS approved schools should they decide to finish their legal elsewhere.

According to Associate Dean Robert Grabb of the University of Minnesota Law School, current AALS guidelines restrict acceptance of credits from non-member schools. Thus, although Mitchell has accepted some transfer students from the U, Mitchell students have been denied transfer consideration at the U because the school lacks accreditation.

When asked about the possibilities of Mitchell students transferring after AALS approval, Dean Grabb stated that they would measure each applicant's credentials against their usual transfer requirements. There are four basic requirements that must be fulfilled: (1) Is the candidate currently attending an AALS approved institution? (2) Has he or she maintained a "B" average? (3) Would he or she have been originally admissible according to their standard admission policies? and (4) Will there be room for him or her without upsetting the student/faculty ratio? Most other schools would have similar requirements for transfer applicants. Although AALS approval would remove one of the barriers to transfer to another school, it would do little to assist the potential transferee in hurdling the others.

Aside from making it possible for our students to transfer to the U of M, will AALS acceptance bring about any further changes in the relationship between the two schools? When asked about the possibility of future academic cooperation between the two schools (e.g., shared clinical programs or classes), neither Dean Burton or Dean Grabb ruled out the possibility of a cooperative venture. However, both indicated that no plans were currently being considered, and, aside from an occasional sharing of professors to teach classes, the possibility seemed remote.

In the long run, AALS approval will probably bring little weight to bear on an applicant's decision to attend Mitchell; nor will it be of much assistance to graduates seeking jobs. It will be a bonus for students who, for relocation or other reasons, decide to transfer to another school or go into graduate work in law. Additionally, even though graduation from an ABA approved school satisfies the legal education requirements for admission to the bar in all jurisdictions, AALS approval means that Mitchell will join the 85% of ABA approved schools that have also received AALS accreditation.

The only question that remains unanswered is, once we receive AALS accreditation, what new reason will be given to the entering class for the school's attendance policy?

### [Pregnancy Workshop Set](#)

"Before You Get Pregnant... Information You Need To Know" is a workshop being offered by The Family Tree April 21 at the Hamline University Student Center. It is for persons and couples planning a pregnancy who recognizes the need for health education prior to conception.

The one day workshop will cover decision making about parenthood, importance of exercise, proper nutrition, and the risks of alcohol, smoking and drug use. Also included will be identifying ovulation and safe discontinuation of contraception.

The fee is \$5 for individuals and \$10 for couples. Call The Family Tree 645-0478 for registration information.

### Juvenile Law Clinic Grows

William Mitchell students will have an opportunity next year to participate in an expanded Juvenile Law Clinic offering. John Sonsteng will be joining the full time faculty to teach the Juvenile Law Clinic and related courses in juvenile law.

This past fall William Mitchell received a Federal HEW grant to institute a formal Juvenile Law Clinic program. Professor Becker initiated that program this semester teaching both a Juvenile Law Seminar and the Clinic. Students in the Clinic have prosecuted cases through the Ramsey County Attorney's office and have defended juveniles through the Hennepin County Public Defender's office. One primary reason why William Mitchell applied for the HEW grant was to expand the opportunities Mitchell students had to participate in hearings and trials. The present clinic succeeded in providing students with that opportunity and next year's clinic plans to provide more students with that experience.

Professor Sonsteng will become the third full time "clinical" professor joining Clinical Director and Professor Roger Haydock and Professor Phebe Haugen in the Law Clinic.

### SIGNIFICANCE

Having a friend take a drug overdose and die in a burning house years earlier having another place his lips on a gun and pull the trigger

wondering how I was ever strong enough to leave that world

reading 100 pages of commercial transactions getting a high grade on an exam not appearing to be a fool when called upon in class

...kicking a clump of snow on the walk home...

### Ramsey Clark Speaks Against Secrecy

Former Attorney General Ramsey Clark addressed the LSD evening banquet on the subject of Secrecy and the Freedom of Information Act. The following is an edited selection of those remarks.

I worry about our profession. I think that too often we are part of the problem and not part of the solution. Edmund Burke was too close to the truth when he said that the law sharpens the mind by narrowing it. And so accordingly we are interested in fat fees and litigious contentions. Perhaps Ambrose Bierce was right that a lawyer is a person skilled in evasion of the law.

The Freedom of Information Act contains an enormously important idea to survival. Harry S. Truman was coming back from the Potsdam Conference in August of 1945. He was on the USS Augusta, He was

sitting in the galley with a bunch of sailors. And this is the description from his memoirs. A message is brought from the bridge. It was from the Secretary of War. It said, "Big bomb dropped on Hiroshima. Results incredibly beyond first test." And Truman records that he turned to the sailors and he said, "Boys, this is the greatest thing in history. Let's hurry home."

I not only don't believe that Harry Truman was an evil man, I believe he was a good man. What could he have meant? He probably didn't know that 85,000 people were cremated that day, but he knew a lot of people were killed. How could this be the greatest thing in history? His words. I think it's because like most of us he believed that we're good and they're bad. That if we have absolute power we will do absolute good with it, and that finally we had it and from now on we would have our way. Nobody would mess with us. We had the big stick so we could walk as softly as we wanted to.

"Our right to know is essential to our right to survival."

Five years later William Faulkner accepted the Nobel Prize for Literature in Oslo in December of 1950. He opened by saying he was just a farmer who liked to tell stories, which should put you on your guard. He went on to say that the tragedy of our time is a universal physical fear. The question is no longer one of spirit. The only question is when will I be blown to bits. What had happened? The Russians had the bomb. We had to kill the Rosenbergs to show how angry we were about it. The mystique of secrecy had failed.

Obviously, I hope, information is essential to democratic institutions. An uninformed public is no better than a coin for decision-making. Toss it, you got a fifty-fifty chance. In fact it's better to toss a coin because you've got a fifty-fifty chance. But democracy requires a knowledgeable public. The assumption is intelligent decision-making with informed opinion.

But even if you didn't want democratic institutions, there's quite a bit of evidence nearly any place you go that that's a prevalent attitude, if you simply want sound decision-making and effective government, secrecy is terribly dangerous. We are doubling our knowledge of the physical universe every six to eight years and the ability of the public to make judgments about military defense or agriculture or anything else is growing more limited constantly.

Our right to know is essential to our right to survival. The dangers of not knowing are enormous. First is the coverup which is the most obvious. You have to trust big brother if you don't really know what he is doing, do you? What do you know about the overthrow of Mossadegh of Iran in 1953? When did you hear that Allen Dulles, the director of the CIA and the brother or the Secretary of State, was on the plane that returned the Shah from Rome to Teheran? And did you hear William Colby say we helped restore the Shah to his throne? That's a business for the land of the free and the home of the brave. Should you have known? Would it have made any difference?

Why did we have to keep it secret that Cambodia was being bombed? Do you think the Cambodians didn't know that? It was the American people that weren't to know. And ask yourself what's that had to do with the subsequent developments in that poor, poor country.

If this is a free society, governed by democratic institutions, agents of the government are your agents and mine and we have a responsibility and we have to decide. Why do we have secrecy like that in the director of the CIA and the Chairman of the Joint Chiefs of Staff and the Commander in Chief (the most dangerous clause in the Constitution) who constantly have to tell us "if you knew what I knew, you would do what I do"? It's called absolute obedience to authority. You have no choice but to rely on your instincts because you are ignorant.

Third, and equally dangerous, is the effect that secrecy has on those who handle the internal information. It forms conditions, indeed, coerces ideologies. Secrecy permits ingratiating. Ideology is the antithesis of free inquiry. It tells you what you want to find, not to look to see what's there. It's very, very dangerous. And all of this leads to authoritarianism by necessity. You have no real choice. Your capacity to make a decision depends upon access to knowledge that only a few have. So stop talking about free democratic institutions. I have come to see that the desire for secrecy is essentially the desire for power.

Now if people were angels we wouldn't have secrets, as I see it, but since they aren't perhaps, how can we afford secrets?

I think lawyers who believe in the possibility of democratic institutions and rational decision-making should work in all the ways that they can, through all the techniques and remedies that they have, to first impose the primary obligation on the government to inform the people on its own initiative. Second, when they fail, to compel them to divulge upon request of the individual. Then we would face reality and frame institutions that cap protect us from technology that doesn't make moral judgments.

"I have come to see that the desire for secrecy is essentially the desire for power."

Faulkner ended his Nobel Prize address, which was one of the more remarkable in American public statements, by saying that, "humanity has an inexhaustible voice. It has a soul and the capacity for sacrifice, for perseverance, and for compassion. It can pursue truth and through truth find freedom. I believe that mankind will not just survive, she will prevail." Thank you.

Image

Photograph of Ramsey Clark

### LSD Honors Patti Bartlett

Because of her national liaison activities, Patti Bartlett, third year student, received the Silver Key Award at the Law Student Division's 8th Circuit Spring Conference held in Minneapolis on March 31.

The Silver Key Award is the highest award given to LSD representatives except for the Gold Key which is given to Governors and officers.

Bartlett also received a Certificate of Appreciation and Recognition for her work done in the 8<sup>th</sup> Circuit.

Bartlett was recently reelected to serve as LSD representative for the next academic year.

Hamline student Mike Hurley was elected 8th Circuit Governor at the Spring Conference. As governor, Hurley will coordinate LSD programs such as Client Counseling and National Appellate Advocacy and be instrumental in implementing new bylaws that will take effect next year.

Both Bartlett and Hurley will attend the annual ABA/LSD convention that will be held in Dallas this summer.

### Eliminating Bias at Trial is Forum Topic

An educational forum entitled ELIMINATING BIAS AT TRIAL: A COMMUNITY APPROACH is scheduled for Saturday, April 21, 1979, in Room 25 at the University of Minnesota Law School (West Bank).

Registration begins at 9:00 a.m.; the program runs from 9:30 a.m. to 4:30 p.m. Refreshments will be available in mid-morning and mid-afternoon, but the lunch hour is "on your own."

Eliminating bias at trial has both philosophical and practical components. Most law schools offer a traditional approach to "lawyering." The purpose of this seminar is to explore an alternative legal philosophy which includes significant client involvement in the decision making process, team support and cooperation, community involvement, use of the social science expertise, and a political awareness of factors outside the courtroom affecting the case. The practical aspect of eliminating bias at trial involves certain skills. Trial strategies for educating judges and juries to the important issues in discrimination cases encompass special jury selection, community analysis, client counseling, and organization and utilization of community resources.

It is our purpose to raise and discuss the issues of providing effective and meaningful legal representation to those groups who have traditionally faced discrimination in the legal system, especially minorities and women. We believe this alternative legal philosophy and practice may assist in the struggle for significant social change. Therefore, this forum should be exciting and relevant to a broad range of people - law and social science students, lawyers, social scientists and community people. We particularly encourage members of minority and feminist communities to attend and participate.

Team Defense members will be joined by local organizations and individuals who are knowledgeable and experienced with the issues of eliminating bias in the legal system. These groups include the National Jury Project, Legal Rights Center, Oficina Legal, the Southside Office of Minneapolis Legal Aid, and Legal Aid of Ramsey County. Several individual attorneys and social scientists will also share their expertise.

The Saturday morning session (9:30 -12:00) features Team Defense discussing the legal philosophy of the team approach, a general perspective on eliminating bias at trial, and information from their work at various trials. The afternoon session (1:00-4:30) emphasizes skills/strategies workshops, including: 1) specific strategies dealing with bias in the courtroom, 2) jury selection, 3) involving the client in the team, 4) community involvement in the legal process, 5) use of social science data and skills, and 6) how to establish a community legal services organization.

This educational forum is jointly sponsored by the University of Minnesota Law School's Third World Caucus, Women's Caucus, and the student chapter of the National Lawyer's Guild, as well as the American Bar Association/Law Student Division, and the Minneapolis Foundation. For more information call 373-1922 or 373-2717. An admission charge of \$10.00 for attorneys and \$1.00 for all others will be charged at the door. CLE credit has been applied for.

### Mitchell Bar Results

86% first time

52% second time

## Moot Court Competition Closes Successful Season

By Cass Weil

On Saturday, March 31, the team of Regina Chu, Ann Cowie and Jean Walz defeated the team of Bob Gjordvad and Tom Lovett by one-tenth of a point to win the Rosalie E. Wahl Spring Appellate Advocacy Competition. The winning margin was the smallest in the competition's history.

The Appellate Advocacy Competition is held every spring and fall and is open to all interested students. Participants write an appellate brief based on a problem prepared by the faculty supervisor Professor Steenson and the Appellate Advocacy problem in the fall. Participants then argue both their briefed and unbriefed positions against other teams before panels of judges who simulate actual oral argument conditions. Participant teams may consist of two or three members. The top two teams in the fall competition represent William Mitchell in the regional Appellate Advocacy Competition and may go on to compete in the National Competition in New York City.

This spring's problem involved two issues. The first was whether a resident plaintiff can assert quasi-in-rem jurisdiction over a nonresident defendant in a slander action by attacking the obligation of defendant's insurer, who does business in the forum state, to defend and indemnify defendant in such an action.

This issue parallels the issues being dealt with in the celebrated case of *Savchuk v. Rush* which is in the process of being appealed from the Minnesota Supreme Court to the U.S. Supreme Court for the second time. (The U.S. Supreme Court remanded *Savchuk I* to the Minnesota Supreme Court for reconsideration in light of *Schaffer v. Heitner*.) The second issue dealt with in the spring's problem is whether the constitutional privilege set out in *Gertz v. Robert Welch* should be extended to non-media defendants.

Congratulations are certainly due to both of the teams who made it to the finals and to the teams of Janet Polish and Dan Miller and Gay Urness and Dave Hoiland who tied for third place. Eleven other teams also participated in the largest Appellate Advocacy Competition thus far.

All who participate in at least one spring and one fall Appellate Advocacy Competition earn two credits and satisfy their long paper requirement. William Mitchell graduates who have participated in the competition have universally characterized it as a valuable experience. Pat Maloney, William Mitchell '77, said it was the most rewarding experience she had in law school.

Persons wishing to find out more about the competition should contact members of the Appellate Advocacy Board whose names are posted on the bulletin board outside room 318.

The Appellate Advocacy Board wishes to thank all of the student participants who made this competition the success it was. We would also like to thank the judges, attorneys and William Mitchell faculty members who served as judges and consultants. Special thanks are due to Professors Goldberg, Heidenreich, Prince and Stevenson for reading and grading fifteen briefs in less than two weeks.

### Images

Photograph of Jean Walz arguing her case.

Photograph of Moot Court judges looking on.

Photos by Mike Weiner

## Al Bonin: A Profile

By Jennifer Bloom

What makes a native New Yorker leave New York, where the average January temperature is 32 degrees, to come to Minnesota where the average January temperature is 20 degrees less?

Al Bonin says he likes Minnesota. "The Twin Cities have all of the big city advantages without the problems: nice restaurants, clean cities, good politics. And the people are good. What is a good person? Well, for example, when I first moved here, I went to a hardware store to buy a yardstick. The owner said 'here, borrow it, bring it back tomorrow.'"

Bonin, 25, grew up in New York City. He received his undergraduate degree from Queens College of City University of New York. Bonin "always planned to go to law school."

Looking at Bonin's involvement in William Mitchell student government, one could reasonably assume that he found a place in student government in college and high school as well. Bonin claims not. He chose, instead, to remain uninvolved until he entered William Mitchell.

Asked to reflect on his experiences as SBA president, Bonin quickly filled in the "mosts": most exciting - organizing and conducting the bar survey; most time consuming - working on-the student conduct code; most difficult - drafting a letter to the administration concerning Professor Haines. "I lost three nights sleep on that one," Bonin explained.

Bonin explained the time he addressed the student convocation at last year's William Mitchell dedication. "I got hissed for calling Mitchell a 'workingman's' college," Bonin admitted. "Loretta Frederick, who was the editor of the Opinion at the time, read my speech over and said I should change it. But I couldn't think of another way to say it and still convey the same feeling."

Bonin chuckles about the laugh that he and Professor Marino, who is also from New York, share. New York McDonald's don't serve mustard on their hamburgers. "The first time I ate one here, I brought it back; I thought there was something wrong with it," Bonin remembered. Marino feels the same way.

When asked if he was as successful in his academic pursuits as he was in his political pursuits, Bonin recalled the time that he was introduced as a "'great humanitarian' or something like that." "Bonin goodnaturedly explained that a friend of his said "that's what they call students who aren't great scholars!"

When asked if he plans to move back to New York after he graduates, Bonin said that he really doesn't know. "My only concern now is to graduate and pass the bar."

## Guthmann named Law Review editor

By Ann Eckberg

After many long hours, Volume Five Issue One of the William Mitchell Law Review has arrived from the printer. Look for a distribution notice in a future Docket. Work on Issue Two is progressing smoothly towards its expected publication at the end of the summer. In the past year the Law Review has continued to receive recognition from the legal community. The Minnesota Supreme Court has cited several articles from a number of issues. For example, in *Kossak v. Stalling*, No. 48648 (Minn., filed Mar. 1979), the court relied upon a student Note from Volume Four, Issue One in holding unconstitutional the one year notice of claim requirement under the Municipal on Liability Act when the municipality has actual notice of the plaintiff's claim.

The lead article in Volume Five, Issue One is a work of considerable length by Leon R. Goodrich, a member of the St. Paul firm of Oppenheimer, Wolff, Foster, Shepard and Donnelly. In the article, Mr. Goodrich deals with the numerous Minnesota statutes prohibiting price discrimination and sales below cost. Extensive analysis is lent to the many conflicting and overlapping statutes, and to the propriety of these depression-era laws in today's economy. In order to facilitate use of the ideas expressed within the Article by practitioners across the country, the Article contains an appendix surveying similar laws throughout the United States and its possessions.

Issue One has two student Notes. The first, by David J. Moskal is entitled Contribution and Indemnity - An Examination of the Upheaval in Minnesota Tort Loss Allocation Concepts. The Note traces the historical development of contribution and indemnity through the changes created by the recent upheaval in Minnesota law. In addition, this Note examines the future of contribution and indemnity in Minnesota.

The second Note was authored by Robert P. Schwartz, a January graduate of William Mitchell. The Note deals with the problem of compensating landowners whose property has suffered a loss in value as a result of condemnation activities. After reviewing the past and present law in the area, the Note suggests a standard by which more equitable resolution of the compensation question can be made.

Perry M. Wilson, III recently completed the only Case Comment in Issue One. The article discusses the standard of care applicable to children age seven and under and the two principle rules applied by state courts in light of the Minnesota case of *Toetschinger v. Ihnot*. The article also offers a suggested modification of the Minnesota rules that would clarify current ambiguities in the law.

In addition to the long student work, several Case Notes dealing with important supreme court cases are included in the issue. The Case Notes deal with: administrative law, *Durfee v. Rod Baxter Imports, Inc.*, 262 N.W. 2d 349 (Minn. 1977); election law, *Ulland v. Grove*, 262 N.W. 2d 412 (Minn.), cert. denied, 436 U.S. 927 (1978); environmental law, *MPIRG v. White Bear Rod & Gun Club*, 257 N.W. 2d 762 (Minn. 1977); and remedies, *Leoni v. Bemis Co.*, \_\_\_ Minn. \_\_\_, 255 N.W. 2d 824 (1977).

In the last several weeks the annual elections for the Law Review Editorial Board were conducted. Lori-jean Gille, Editor-in-Chief of Volume Five reports that the following people were elected to the Board of Volume Six: John H. Guthmann, Editor-in-Chief; Perry M. Wilson, III, Executive Editor; David S. Bartel, Elizabeth V. Cutter, Stacey A. DeKalb, Gary L. Greenberg, Mary W. Mason; Leonard S. Rice, Gregory J. Stenmoe, Christine L. Stroemer, and Teresa J. Wagner, Editors; and Ann Eckberg, Business Manager.

An organizational meeting for persons interested in writing for Volume Six of the Law Review will take place shortly after finals are completed. For interested first and second year students, an announcement

regarding Law Review will be made in each section during the next week. Third year students should sign up in the Law Review office. The Law Review has an open door policy, and all students are invited to participate in its publication.

#### Image

Photograph of Law Review editorial board, from left to right (front) Perry Wilson, Mary Mason, Stacey DeKalb, (back) Elizabeth Cutter, David Bartel, Gary Greenberg, Terri Wagner, John Guthmann, Chris Stroemer, Leonard Rice and Greg Stenmae.

By Mike Weiner

#### Mitchell grads part of renewed interest in ZPG

By Diane Dube

In the '60s, ZPG (Zero Population Growth) was one of the many organizations which were active in the environmental movement. Concerned with the social, economic, and political impact population numbers have on the earth's ability to house, feed and accommodate these multitudes, ZPG directed its efforts to educating citizens about the need for population control and supporting measures to reach the goal of zero per cent growth in the world's population.

The organization's activities slowed down for a while but two William Mitchell graduates are part of a group of Twin Cities residents who are trying to revive the organization.

Ken Kadlic, Mitchell class of 1978, is president of Minnesota ZPG and a board member of the national organization. Frank Mabley, Mitchell class of 1974, is chairperson of the grass roots committee.

Kadlic's involvement in ZPG grew out of his environmental concerns in the '60s. As a student at Mitchell, he was on ZPG's speakers' bureau, telling of the need for control of the geometric increases in population. In a recent interview, Kadlic said he believes individual involvement is very important and that he finds ZPG is at the center of most social issues - the environment, reproductive freedom, economics, human rights and individual freedoms.

"I see it as the central organization in terms of focusing on a wide variety of problems," he said. "We, as a society, have a very difficult time comprehending the cumulative impact of our actions, the significance of large numbers. We think in terms of the here and now existence - as opposed to a larger scale. Few people have a futuristic world concept. To a degree that's necessary, but one still has to have a sense of the future, the total picture. We have to tan looking at the impact [our actions have] on the future and society.

Mabley, in a recent interview, pointed out that few organizations address the population explosion problem, and only ZPG is a member-type organization concerned about overcrowding.

ZPG is a non-profit organization which works in both the political and educational fields. Part of the group's work is to lobby for a population policy on the national level and support family planning legislation at both the state and federal levels.

But the primary objective of ZPG, according to Mabley, is to draw people's attention to the impact of population and population growth - how population affects all kinds of local, national and global problems. The concern, he added, is that issues are not examined in population terms when decisions

are made by public officials. The world can't support an infinite number of people; The population rate is going up – not down - and the world is approaching infinity at an ever accelerating rate.

ZPG's educational efforts are through the schools, advertisements, civic groups - anybody we can get to talk to, Mabley continued. The message is that it's easier to change by rational choice, not by environmental catastrophe. Rational choice means fertility control, education and reduction in births. Environmental catastrophe means food and water shortages because the world is a finite universe which can only give so much.

Other ZPG committees in Minnesota's chapter are the legal and legislative committee headed by Dan Wall, an attorney; the membership committee headed by Kadlic, who is with the Army Corps of Engineers' general regulatory board; the education and media committee headed by Patty Todd, a graduate student in population studies at the University of Minnesota; and the internal organization committee headed by Bob Schauerhamer, who is on the health staff at Cambridge State Hospital.

Each committee is presently working on its game plan. Regular meetings will be scheduled in the future. One idea being discussed is a work-study program for students who want to research legal issues for ZPG.

Persons interested in joining ZPG or seeking more information about the organization should contact Kadlic (762 Holly Avenue, St. Paul, 55104; (wk) 725-7714 or (h) 298-1330) or Mabley (636-7696).

## REVIEW

### Hamburger Heaven

By Doug Seaton

The next time you're down Edina-way, try convening at the Convention Grill. You won't be disappointed. The Grill is one of a series of Twin Cities places cashing in on the Fifties Boom, so you might expect to find nostalgia covering for poor performance. But this is an honest effort - not too cutesy - and the burgers are fit to write home about.

Though the name Convention Grill suggests an enormous, old-fashioned hotel restaurant specializing in lamb chops arid kidneys (the menu cover - a real classic - looks that way too), this Grill is more like Archie and Jughead's Maltshop. Arthur Fonzarelli would be right at home, though Dobie Gillis might be a little more welcome, this being Edina and all.

There has been a restaurant on the premises at 3912 Sunnyside Avenue since 1949, so the Fifties ambience is the genuine article - little wooden booths with hooks for coats, anodized aluminum fountain stools, pure-Fifties restaurant supply light fixtures (sort of warmed-over Art Deco) and the standard fountain equipment. The juke box is new, though, the cash box from IBM instead of National Cash Register and the clientele, hard as they may try, is unmistakably 1979. No one even has Lucky Strikes rolled up in his T-shirt sleeve.

The Convention Grill itself dates from 1977, when the current owner took over from the original proprietor. Continuity is maintained in the faintly-Greek Christine Salad, named not for a certain shipping magnate's daughter, but for the first owner's wife. Apart from a few such exotic touches, the Grill is an unabashed, unadorned hamburger joint.

The burgers run the gamut from \$1.45 to \$4.95 and they are good, good, good. Regular cheeseburger and California varieties are served, along with a Hamburger Steak with mushrooms, onions, toast, salad and french fries (\$4.95). The unusual Plazzaburger, anointed with sour cream, chives and onion, is a cross between a hamburger and beef stroganoff (\$1.65, \$2.65). The hamburgers all come in two sizes, 1/3 and 2/3 pounds, with appropriate price differentials, so you can gauge your appetite and your purse.

There is a simple test for burgers: Does it rise evenly from center to edge? Is it nice and uniform in diameter and width? If it isn't don't eat it, because it's probably made from soybeans, fish paste and earthworms assembled 3 weeks ago in Perth Amboy, New Jersey. The Grill's burgers "fail" this test and go on to taste like the archetypal hamburger - seared on the outside, medium done on the inside and succulent all around. The rolls, too, are excellent. They were out of the standard white rolls but the pumpernickel was super, and my guess is the white roll will stand up to hamburger juice and catsup too, unlike the nasty store-bought/fast food variety.

Thick, peppery pastrami on crusty rye is also served (\$2.25), along with a huge grilled cheese (\$1.95), a BLT with Canadian bacon (\$2.35) and a half dozen other sandwiches. French fries come in two sizes also (75¢, \$1.10) and there are four refreshing salads to choose from. No choice on the first course, however. It's invariably chicken soup - very good chicken soup - with homemade noodles. At \$1.25 with free seconds it's a bargain guaranteed to cure your "why isn't it spring yet" cold.

The fountain is hard to resist at the Convention Grill. There are ten flavors of malts (\$1.50). I sampled vanilla, strawberry and chocolate-banana. They were ambrosial and enormous. If you feel extra sinful get an egg in your malt (\$.15). Sundaes (though not malts) come in two sizes (\$1.20 and \$1.50). We were desolated to learn that the Grill had run out of hot fudge, but even the butterscotch took a long count to run down the ice cream and it tasted like melted Callard and Bowser. The specialty is The Islander, which is rum sauce over ice cream, fruit and slivered almonds (\$1.85). Fifties favorites such as lemon, cherry and chocolate cokes, or phosphates are available (\$.50), as are root beer floats (\$.95) and the standard beverages. A nice feature at the Grill is a promise to reduce the size and price of any menu choice for kids if the items on the childrens' bill of fare don't strike their fancy.

The Convention Grill is a plain, old hamburger joint and fountain. If you liked them in 1959 and don't mind showing your age - or if you just like good hamburgers, malts and sundaes - this is the place. P .S. There are seldom lines such as there are at their insufferably chic competitor, The Malt Shop.

The Convention Grill is located at 3912 Sunnyside Avenue in Edina (920-6881). They are open from 11 AM to 10 PM every day but Sunday, when hours are Noon to 10 PM. They accept neither credit cards nor reservations. (For the record, the Convention Grill is owned by the same people who run Annie's Parlour and Pumpernick's in Cedar-Riverside and Greenstreets in Dinkytown.)

[Image](#)

Cartoon of Wimpy from Popeye eating a hamburger

## SPORTS

### Mitchell Skaters Net Res Ipsa Loquitur Cup

(Soon to be on display in the trophy case on the first floor will be the Res Ipsa Loquitur Cup. The following is an eyewitness account by Tim Sullivan, editor of Quaere, recounting the acquisition of this coveted prize.)

The ice at Williams Arena was still scarred and slushy from the fight for the college hockey title the night before when the Fraser Flyers from the University of Minnesota Law School took to their blades in defense of the Res Ipsa Loquitur Cup, emblem of law school hockey supremacy.

The tough, rink-wise players and their sleek powerful Wm. Mitchell All-Star opponents put on a show that this reporter and the six other fans won't soon forget. The shooting, skating and checking exceeded all expectations. When the smoke cleared, the Mitchell All-Stars had triumphed 9-7 but that score isn't even the tip of the iceberg of this story.

Early in the week, before the finals the so-called hockey experts had said that the match would be a low scoring defensive battle by some over the hill hackers who'd never been more than Ice Mite has-beens. Experts, bah.

Their predictions exploded in their faces. The slick offensive passing and the barrage of shots kept the fans on their feet. One fan at least was heard to scream wildly on several occasions.

But this is not just a story of color and commotion. It is a story of men, particularly one man, Wm. Mitchell's, Bernie Dusich who saw a job that needed doing and did it. Dusich, a one-time Little All-American from Gustavus Adolphus College, was a lion on the ice. And it was his third period hat trick that finessed the title away from the awestruck Flyers, who led 7-3 going into the final period of play.

In the early goings, the game had been all Flyers. Goalie Dave Strand foiled breakaways, tip-ins and power blasts alike. Three goals were scored for the Flyers while strong forechecking held the All-Stars to only five shots and one goal, by Gary Hansen, another Gustie All-American.

Finley and three other Flyers all drove shots past All-Stars goalie Rod Cosgriff, a loaner from the Flyers, in the second period. Hansen notched another goal for Mitchell, and Plunkett blasted a shot from the left wing to-run the score to 7-3 at the end of the period.

Despite the four goal disadvantage there was something in the second period All-Star play that said this was a team getting on track. When Cosgriff made a point blank save of Bender's wrist shot at the 12 minute mark, the defense seemed to solidify and those powerful Gustie horses began to go to work.

The Flyers came out flatter than the ice for the third period and, frankly, the All-Stars and Dusich blew them right off the rink. It was Dusich from Mike Weiner, then Joe Flom from Floyd Pnewski on the power play after a Flyer had been banished for tripping. Not even a minute passed before Tim Ridley scored with Pnewski's breakaway pass.

At the 13.00 minute mark the Gusties combined for a goal with Dusich tipping in Hansen's powerful slapshot from the blue line.

Offsides were frustrating the Flyer attack. They couldn't seem to get started. But it wouldn't have mattered, the All-Stars were now a rolling thunder revue, blasting shots, chasing their opponents down and gunning for the puck in every corner.

Plunkett, assisted by Bob King, scored the go ahead All-Star goal with three minutes left to play. Even the carrot of possible victory couldn't rouse the now hapless Flyers. In desperation they pulled their goalie with a minute to play only to see the mercurial Dusieh take an outlet pass from the scrappy Pnewski and anoint the Flyer net with a final blistering.

At the end the Flyers, game and gracious losers, could only look on in envy as a dapper John Cound presented the Res Ipsa Loquitor Cup to the amazingly resurgent Wm. Mitchell All-Stars and their star of stars, Bernie Dusich.

## Softball sign-up signals start of summer season

By Rob Plunkett

The William Mitchell softball season will soon be upon us.

The league has traditionally held an organizational meeting the last week of school, with play commencing the week following the Memorial Day weekend. The season runs from June until early August and playoffs occupy the final two weeks.

This summer the games will be scheduled on Thursday and Sunday evenings and will be played on the fields between Derham Hall and Cretin High Schools in St. Paul. Game time is 6:00 PM and each team will play twice that evening. A team may elect to play on either Thursday or Sunday.

The rules generally provide that ten players are on the field, of whom two must be women. No cleats may be worn. Each team manager is required to submit a twenty dollar entrance fee to cover equipment costs and partially to serve as a bond guaranteeing the appearance of their team. This last concern is the major difficulty in running the league. Team no-shows cause great irritation to the opposing players and problems in finding other available teams to the league Commissioners. Commissioner Linda Krohn has indicated that remedial measures will be taken which may include dropping the team if a specified number of defaults is exceeded. Thus, team managers are strongly encouraged to recruit a sufficient number of players to cover their player absences.

The competition this summer should prove to be particularly keen. A number of aging, yet still potent, powerhouses return. Mike Burke has indicated that the Running Rebels will be back and intend to repeat their championship ways. Lurem, Cheatum and Run and the Como Bombers, both perennial challengers, are expected to return as are the Learned Hands, a team whose quality of players almost equals their quantity. Jim Wejner is bringing back a team known for its strong hitting, fielding and drinking.

Sally Oldham's Bombo Riveras will be back featuring their "equal rights" infield, composed of five talent-laden women. This heterogeneous collection was the surprise team of last year's playoffs, knocking-off two heavily favored teams. Rob Plunkett will be returning with his assorted collection of ringers, love-slaves, and discophobes. An especially inept assortment of Ramsey County B/LC's is rumored to be coalescing under the name of the Duck-wipers. This development is wholesome in that greater league contrast will be provided by these assured "doormats".

The first year sections can be counted on for three or four green, yet eager, outfits to render solid competition. The second year sections should provide some spirited play as they work off the frustration built up by their experiences over the past year.

Finally, a note of gratitude is extended to retiring Commissioner, Bob Gjordad for his distinguished past services. He has toiled diligently and successfully to make softball season a pleasant experience for all. We thank him.

### Parenthood is group's topic

Family Tree, a community health clinic at 1599 Selby Avenue, St. Paul, is offering a discussion group for interested people to explore the elements of the "baby... maybe" decision - the decision whether or not to have children.

The group will focus on motivation for parenthood or non-parenthood and look at some societal influences regarding the parenthood decision. There will be opportunity for discussion and idea sharing about these or other issues the group wants to discuss.

The group will meet from 7:30-9:30 p.m., May 7, 14 and 21 and June 4 and 11. The fee is \$25 for couples and \$12.50 for individuals. For further information or to register call Sandi at the Family Tree, 645-0478.

## Billy Mitchell Biased Opinion

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875 Summit Ave. St. Paul, Minnesota 55105

Our Motto: Today's Rumors Are Tomorrow's Headlines

### The Billy Mitchell Biased Opinion

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With the help of: the Iranian people

### STATEMENT OF POLICY

The Billy Mitchell Biased Opinion is published by the Source of all Bucks Association (SBA) of the Billy Mitchell School of Law, for the purpose of educating and informing Mitchell students and alumni of current issues in the field of slander and libel law. In furtherance of that purpose, the Biased Opinion will

present the views of any student, faculty member, alumni, the administration, or anyone else who wishes to remain anonymous. Because of space limitations in a tabloid newspaper, and because the Biased Opinion strives for factually accurate rumors and increased circulation, all contributions will be significantly altered and every effort will be made to hide the authorship of each article.

The Biased Opinion will endeavor to consider fully and thoughtfully all the various facets of slander and libel to determine the inappropriateness of articles before publication. Such consideration will be made in view of the Biased Opinion's recognized irresponsible and unprofessional work, and its duty to continue to uphold such traditions.

[This is a parody newsletter attached to the back of the William Mitchell Opinion, originally printed upside down.]

## New Requirement Prevents May Graduation

By Betty Bloom

There will be no graduation this May for fourth year Mitchell students because of the addition of a new graduation requirement which goes into effect April 19th. Administration spokesperson Frank Sparrow made the announcement to the Biased Opinion at a recent press conference.

The new required course will be known as Advanced Moot Court III in which students will participate in an actual trial as the defendants in a felony case.

Sparrow explained the reasons behind offering this new requirement: "Too often law students who graduate from Mitchell have little or no experience in the courtroom as a defendant in a serious criminal case. With the recent concern expressed by Chief Justice Ronald MacDonald about the inadequate trial experience of many lawyers, we felt our new course would help change this."

Sparrow was careful to point out that students can not sign up for this course until they have been formally charged with a felony. "Each student must turn in a copy of the exact charges made against him to the front office," chirped Sparrow.

The six credit course will be deemed completed when any one of the following has occurred: 1) the charges are dropped, 2) the student is acquitted by a jury, or 3) the student has served at least six months in any jail or prison following conviction.

Student reaction to the new requirement was mixed. "I'm looking forward to experiencing the courtroom experience from an entirely different perspective," said third year student Felix Footnote. "It's a lucky break for me since I committed a felony last summer and expect to be charged within the month," said a first year student who did not wish to be identified. "I plan on taking some time off from my clerking job this spring and study real hard for the trial. I'm confident of getting an acquittal."

Other students were not so happy. "I don't like it one bit, but what can I do?" complained one student. "Why didn't they think of this two years ago when I beat a manslaughter charge?" moaned Sarah Steel, a fourth year student.

Although the short notice given to students who were about to graduate has upset the plans of many, Sparrow expressed hope that students would understand the value of such a requirement and appreciate how much of a boost this will be to the school's reputation.

One consequence of this new requirement is that no fourth year students will graduate in May this year. Sparrow anticipates that by next January, however, enough students will have fulfilled this new requirement to have a small graduation ceremony.

#### Images

Photograph of Surprised students studying announcement of the new graduation requirement, Advanced Moot Court III.

### Mitchell Seeks NCAA Accreditation

By Sally Slander

In an attempt to upgrade the quality of law school education offered at Billy Mitchell, the board of trustees, at its April 2nd meeting, have decided to seek accreditation from the National Collegiate Athletic Association (NCAA).

"The only way we're going to compete with the big day law schools is to have our own sports teams that we can root for," said trustee Baker Brandon. He added, "There's no reason why Mitchell cannot produce well trained lawyers as well as competitive basketball and football teams. A little school spirit is just what Mitchell needs." One trustee, who wished to remain anonymous, told the Opinion that the trustees also hope that NCAA accreditation will bring big money into the school from radio and television revenues. "We'll be the first night law school with national recognition for its sports programs," said board president Max Traven.

A tentative team name, the Mitchell Malpractitioners, was also chosen at the trustees meeting. The Mitchell mascot will wear a dark blue three piece suit and carry a briefcase full of money. The date for the intra school competition to pick cheerleaders will be announced later.

Steps have already been taken to meet the stiff NCAA accreditation requirements. Most of the books in the library basement have been removed to make room for the new basketball court. Plans to have the cross country team run a course down the hallways and through selected classrooms are now being made.

With Mitchell's anticipated acceptance into the NCAA, the current Big Ten will be renamed the Big Eleven. The admissions office will oversee the new athletic scholarship program and construction of a football field on Summit Avenue will begin shortly. Trustee Brandon admitted to the Biased Opinion that parking will be somewhat of a problem on the days when football is being played but he added, "I'm sure students will cooperate as they have in the past and not park on Portland or Ashland Avenues."

#### Image

Photograph of Library books moved to make way for the new basketball court.

Photograph of an empty auditorium captioned: Graduation ceremonies took on a new look this year without any fourth year students present.

## Woody Allen Accepts Position as New Dean

By Linda Libel

The Mitchell hallways are abuzz following the recent announcement that filmmaker Woody Allen has accepted the offer to be dean of Billy Mitchell School of Law.

Allen was the unanimous choice of the dean search committee which reached its decision after its first meeting. "I've seen all of Woody's movies and I loved every one," said student committee member Jane Bradshaw. "I'm sure he'll make a great dean even though his background is not in law. Maybe our decision was a little unorthodox, but the committee thought it would be a real thrill to have America's foremost comedian as Mitchell's new dean."

Allen talked briefly with the Biased Opinion by phone from his home in New York City and indicated that he is very nervous about his new job. "I'm scared to death," he said. "I've never performed before an audience of somber law students before, Do I have to wear a tie?" When assured by the Biased Opinion that a tie was only required when in court, Allen was relieved. "I hate dressing up. Ties never agreed with me. Once I was so depressed that I tried to hang myself from the chandelier with my only blue nylon tie. But the tie let me down... Since then I've lost all faith in ties.

In addition to his duties as dean, Allen will also teach a course in Juvenile Law and a course about the difficult ethical and legal questions facing the born again lawyer. Must he or she go through law school again? Are the contracts they signed still valid? What about the tricky issue of how to handle the will of the born again lawyer? The tentative title for this new course is Heaven Can Wait.

Allen will arrive at Mitchell by the end of April. Filming will begin shortly thereafter.

## EDITORIAL

### Take My Advice

Grades are an important and accurate measure of individual worth.

Professor Harrison deserves to be bitched at.

Don't join the National Lawyers Guild.

Become a prosecutor.

Professionalism is a healthy thing.

Getting a highly paid job should be a law student's major concern.

The Opinion can never make a mistake.

Trust the government and lawyers.

## LETTERS

Knock it off!!!

To the Editor:

As a faculty member I must speak out. All I hear from students these days is criticisms and complaints. This professor demands too much, that one is boring; another one is incompetent. Picky, picky, picky. You think it's easy being a professor? I'll bet few of your young hotshots know how hard we professors work for a living.

Do you know what it's like to face 75 indifferent students and try to get an answer to some question that is so simple it's ridiculous? Have you smart puppies any idea how difficult it is to prepare interesting lectures on subjects like Wills or Real Property week after week?

Just once I'd like to hear some student in my class say before answering my question, "You know professor, you're really doing a bang up job so far on your lecture tonight. Your explanations are very clear, your mastery of the cases is impressive, and I just wanted to let you know how much I appreciate the thought you've given to this area of the law." Wow, wouldn't that be terrific? But no, all I get is bitching about every little thing.

So knock it off! I can only take so much. Before anyone of you sharp blades say anything bad about my teaching, I first want to hear something you like about it.

Professors were once students too.

Name withheld upon request

[Eat and Sleep Law](#)

To the Editor:

Is it true that Billy Mitchell will offer a two year day-and-night law degree program starting next fall? And that the LEC building is being converted into dormitories for students in the program?

A Concerned Trustee

Biased Opinion reply:

This rumor has been spread widely during the past month but so far we have been unable to confirm anything, so we assume that it's accurate.

[Praise Be!](#)

To the Editor:

I just wanted to say that you're doing an excellent job. The paper looks good to the eye, the articles are well written, and your editorials are thought provoking. Congratulations on a job well done!

Larry Flynt

[Images](#)

Two panels of the Spiderman comic strip

The first one features Peter Parker stressed and thinking "How can I concentrate on Today's Exam- When I'm worried about losing my mind?"

The second features another panel of a stressed Peter thinking "It's no use, I couldn't concentrate! If I passed that exam, it's a miracle!"

Photograph of a building captioned: Beginning next fall the law clinic will hold all of its courses in their new building pictured above. At press time the exact location of the building was not known.

## SCHOOL NEWS

### SBA Takes Decisive Action

By Elmer Edwards

In an unusual about-face maneuver, the SBA voted at its last meeting not to distribute the Biased Opinion to students on campus but to instead mail them out only to those Mitchell alumni who graduated before 1950. The Biased Opinion was ordered to make sure that no copies of its last issue are found in the building. Any student seen holding or reading a copy of the paper will be reported to the administration and will lose their voting privileges in the next SBA election. No reasons were given for this decision. "It seemed like the right thing to do at the time," said third year representative Oakley Okerlund.

At the same meeting the SBA signed a contract with "Dave's Deluxe Diner" finalizing plans for the new food service that will be in operation next fall. Dave's manager, George Engels, stated that he intends to remodel the student-lounge to resemble one of his distinctive chain diners. The Mitchell diner will be open all night to better serve students and also truck drivers who George hopes to attract to the area. George allayed fears by some members of the SBA board that there wasn't enough parking available for the some fifty to seventy-five semi trucks expected each night, by indicating that since the truckers weren't students at Mitchell, they could park on Portland and Ashland Aves.

Other SBA actions included the appointment of a sergeant at arms to control the large and lately unruly crowds in attendance at SBA meetings. Recent meetings have had to resolve several divisive issues including the election of parliamentarian, the decision to change the name of next year's fall Smoker to a party in order to attract more first year students. and the controversial action to call upon the administration to refuse to admit any first year students next fall who are from Harrisburg, Pennsylvania.

### Images

Photograph of SBA members and their new president, Cindy Carlson, pose after their first meeting last week. The first item on the agenda was a mandatory dress code.

Photograph of Remodeling work progresses and soon the student lounge will be transformed into "Dave's Deluxe Diner."

Photograph of The Como Clowns are seen here causing some initial confusion during the first summer softball game as they try to score from third base on a forward pass.

## SBA Used Bookstore

### Final Exam Sale

The Spring 1979 Models Have Just Arrived! Some Used Models Available Are Still Good! These Items Are Sure to Move Fast so Hurry!

\$2.50 per page while they last! Don't Be Caught Unprepared!

## Advertisements

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### IN DETERMINING THE VALUE OF CLOSED CORPORATION SECURITIES

#### EVALUATION PROBLEMS

##### Case #44

Decedent's majority ownership (59%) of his closed corporation was valued at \$12 per share in the estate tax return timely filed. The IRS claimed that the fair market value of said stock was \$35 per share.

Upon counsel's recommendation, The John Hawthorne Company was employed to prepare an objective, professional evaluation. Our 34-page Evaluation Report, complete with extensive schedules and exhibits, concluded that the subject stock's fair market value was \$15 per share on valuation date.

Counsel and the estate settled with the IRS at a per share value of \$18, thus reducing the gross estate value some \$950,000 from the IRS' original claim. Cost of our Evaluation Report was approximately \$6,500.

If determining the fair market value of your client's closed corporation stock is a problem, call us to learn if our evaluation expertise' can provide the solution.

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