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Peters Resigns Amid Controversy

By Steve Patrow, Kathy Heaney and Brad Colbert

Geoffrey Peters, dean of William Mitchell College of Law, resigned as dean and president of the college on Sunday, Nov. 6. His resignation was accepted by the Board of Trustees at a meeting of the full board.

Peters, who is a tenured faculty member did not resign from that job; however, he did ask for and was granted by the board an indefinite leave of absence with a financial arrangement to be made by the board. Associate Dean Melvin Goldberg was named by the board as acting dean of the college until a search committee is formed and makes a selection for Peters' permanent replacement.

Peters' resignation follows the revelation of other sexual harassment allegations made by women who worked with Peters at his former job as deputy director of the National Center for State Courts in Williamsburg, Va.

The allegations were published on Friday, Nov. 4 in the Minneapolis Star & Tribune. Peters was on a business trip in Florida at that time and could not be reached for comment, nor could he be reached for comment on Sunday.

Lloyd Shervheim, vice chairman of the Board of Trustees, asked Peters to cut short his stay in Florida in order to attend the Sunday meeting. He said he wanted the board to discuss with Peters if the dean could function as an effective administrator in light of the new allegation. Peters, however, was not present at the board meeting but resigned by a letter to Shervheim. In that letter Peters gave as his reasons for resigning as the pressures the controversy has put on his family and the "unceasing harassment by the press." Throughout the controversy Peters has denied sexually harassing anyone in the college and that some of his actions has been misinterpreted by the women complainants. He also said that there were many instances of personality conflicts between him and some of the staff that may have intensified over the tenure of his administration causing the controversy to arise.

Acting Dean Melvin Goldberg, when asking how Peters was selected as dean if his background showed a history of sexual harassment or misconduct said that the committee that searched for a new dean several years ago had no notice that Peters may have such a background. Goldberg, who was a member of that committee, said that the committee, made up of students, faculty, administration and board members, followed an in-depth background study on each candidate for the office before making a selection.

"We wrote to every reference he (Peters) supplied to the committee," Goldberg said. "We wrote to each place where he had worked and got a favorable response from all of them. There were pages of references supplied by Geoff and we were careful to ask many, many questions on the qualifications of the candidate as well as for information on his relationships with others in the workplace."

Peters resignation will most likely not stop the investigatory process instituted by the Minnesota Department of Human Rights following charges filed with that department by the complainants alleging sexual harassment and discrimination. There is also an independent investigation being instituted by the college and complainants in the form of selecting an independent evaluator to determine the validity of the charges. William Mitchell Comptroller Mike Carlson has also been named in the harassment complaints and still retains his administrative office.

Charles Faulkner, attorney for the complainants said that he is ready to file suit against the college.

"I intend to continue my investigation," Faulkner said. "I don't think the Board of Trustees took the charges seriously nor me seriously. I am prepared to file suit as soon as practicable if there is no affirmative action by the board. We're not done yet; there is a lot more out there."

Willis Forman, chairman of the Board of Trustees, said that the board has always taken the charges seriously. When asked why he was quoted recently in the Minneapolis Star and Tribune as saying the charges were a "minor incident", he said that quote was taken out of context. In an Aug 22 meeting two editors of the Opinion had with Forman, he said that the board and the college did, in fact, consider the charges to be very serious.

For Peters, his resignation is the culmination of months of controversy surround his tenure as dean. some of the major events that led up to his resignation were: Late May, 1983 - Greg Corwin, the first attorney for the complainant, contacts the colleges' attorneys alleging incidents of sexual harassment at

the college. He called for an investigation which Thomas Kane and Carol Ellingson, attorneys for the college, started. A nondisclosure agreement was signed by Corwin and Kane which allowed the colleges' attorneys to reveal the names of the complainants and the charges to the Board of Trustees, but not to the administration. - Early Carol Ellingson and the complainants and their attorney were Ellingson stated she had completed an initial investigation and requested that she be allowed to disclose the charges and complainants' names to the administration so that the investigation could proceed. At this time the colleges' attorneys said they were given oral permission to proceed, that nothing was signed granting such permission, but that the agreement was based on trust. The complainants contended that the nondisclosure agreement was breached at this time and no permission to disclose was granted. - June, July – Investigation continued by the college's attorney. - Aug. 23-29 - New Sexual Harassment Complaint Procedure and Policy passed by the Board of Trustees and published in the "Docket". - Aug. – Complainants retained Charles Faulkner as their new attorney; Greg Corwin no longer represents the complainants. - Sept. 29 - Complainants make three demands on the Board of Trustees asking that Dean Peters and another member of the administration resign by Sept. 30; adoption of the University of Minnesota sexual harassment policy; and payment of the complainants new and old attorney's fees. The Board of Trustees rejected these demands and said that there was no evidence of any employment decision or administrative action caused or influenced by sexual harassment or discrimination. Dean Peters gives statement denying charges against him of sexual harassment. Board responds to demands by continuing investigation.

Oct. 12 - Allegations of sexual harassment at college come out in the local media. Support groups form for complainants. - Oct. 13-17 – Charges filed by the complainants against the college with the Minnesota Department of Human Rights. - Oct. 27 – Faculty meets, drafts and makes recommendations to the Board of Trustees to set up a committee to select an independent investigator to investigate the charges. That committee was to represent most of the interest groups of the college, including students. - Oct. 28 - Members of the Board of Trustees met with Faulkner and agreed with him to meet in two weeks to name an independent evaluator. - Oct. 29 - Student Bar Association resolution to appoint independent investigator. - Nov. 3 – SBA member John Mahoney is appointed by the SBA to represent that group on the committee to select an independent evaluator. - Nov. 4 – Minneapolis Star & Tribune prints story on sexual harassment allegations against Peters made by women he worked with at the National Center for State Courts in Williamsburg, Va. - Nov. 6 - Dean Peters resigns; Associate Dean Goldberg named by Trustees as acting dean. - Nov. 7 - Deadline for recommendations of names of individuals for position of independent investigator to be submitted to the search committee.

The investigations into the complainants' allegations will continue. The Department of Human rights investigation could extend over a period of months before a report or determination is made.

[Image](#)

Photograph of Geoffrey Peters; Peters' faculty position remains in doubt after resignation as dean.

Photo by Steve Patrow

[Investigation begins](#)

By Steve Patrow

When charges of sexual harassment against the college were filed with the Minnesota Department of Human Rights during Oct. 13-17, a process of formal investigation started at the department which could take several months before completed and a determination is made.

Mary Hartle, spokesperson for the department, said that investigation of the complainants' charges is just an initial step in the procedure the department uses.

"It can take up to several months," Hartle said. "After collecting all the evidence that is possible to obtain, and if we find some basis of support for the allegations, we proceed to the next step of the procedure and refer the complaints to a department conciliator."

The first step in handling the charges after they have been filed is to appoint an investigator to the case. Formal charges are then drafted and set out to the respondent, the college in this instance. The college is then given the opportunity to respond to the charges. The department then requests other appropriate documents from both parties of the case that may be appropriate to establishing fact. After the investigation has been completed the department holds a fact-finding conference, with both the complainants and the respondent if needed; the investigator will ask questions of both sides at this meeting.

Once the case is referred to the conciliator, that person can make a determination on the case and, if appropriate, award to the complainants compensatory damages, monetary damages for pain and suffering, or reinstatement. If no conciliation is reached by the parties, the case is referred to a special assistant to the Attorney General's Office where a public hearing is held.

If the case reaches the Attorney General's office, the parties prepare their respective cases and a hearing is held under the regulations of Minnesota Administrative Procedure Act. The hearing examiner can assess compensatory and punitive damages up to \$6,000 and a civil penalty is imposed which is payable to the state by the losing party.

If either of the parties involved disagrees with the finding of the hearing examiner, they can appeal the case to the Minnesota Court of Appeals and then to the Supreme Court.

"Every case is very individual in how we handle it," Hartle said. "That is the reason for the delay in reaching a final determination."

Image

Photograph of Acting Dean Melvin Goldberg

Editorial

Harassment issue teaches lesson

It's been a long and trying year for everyone concerned with the issue of sexual harassment at William Mitchell - for the students, the faculty, the staff, the Board of Trustees, the alumni, the persons charged and most of all, the complainants. It is tempting now that Dean Peters has resigned to say "Let's move on." But to do so now would be a big mistake.

This experience, as with most painful experiences, has the potential for growth in a large number of areas.

First and foremost is in the area of sexual harassment. Sexual harassment is not unique at William Mitchell. It is a fact of life for most women at most jobs. Everyone at William Mitchell has observed the traumatic consequences of sexual harassment. With this first hand knowledge, we are hopeful people will learn from this experience and be more aware and sensitive to problems of sexual harassment.

The growth need not be limited to raised consciousness concerning sexual harassment. This experience has once again revealed the positive attributes of a free flow of information. When the news first appeared on television and in the newspapers there was much talk of "being tried in the press." But is there any doubt that without the press, that this issue would have been swept under the rug?

This experience can also be an example of how not to deal with problems. If the issues had been dealt with openly and forthrightly from the beginning, the problem could have been solved with little fanfare and with superior results for all concerned. By dealing with the problem by not dealing with the problem, the result has been a television mini-series with what could have been a one-act play.

The complainants have also shown what courage and perseverance can do. While people may question their tactics, there can be no doubt that the complainants, by bringing the charges to light acted with considerable courage. And that their perseverance, after several setbacks, eventually, forced everyone, students, faculty, and the Board of Trustees, to recognize that what was going on was a serious matter, that needed more than a cursory investigation.

Yes, it is important to move on to bigger and better things. But to do so without reflection and without changes would be a very serious mistake.

Basic fairness is lacking

By Steve Patrow

The content of the Opinion's editorial page is carefully thought out by all the members of the staff. One editor writes the editorial and the result is reviewed by each editor for comments, additions and deletions.

However, when there are strong feelings of dissent with the general editorial stance, any editor can write a personal editorial the same way any reader can submit an unedited letter to the paper for publication. This is one of those instances. I believe the editorial did not deal with a problem that arose in this college as a result of the controversy.

The sexual harassment controversy that clouded and continues to cloud the process of legal education at this college is serious to say the least. However, every person involved in the controversy has made severe mistakes in handling the situation - including the editorial staff of this newspaper.

It seems that many, individuals and organizations, if not all of the people involved with the controversy, forgot about the fundamental right of due process that is provided to every person guilty or not.

When the sexual harassment story came out on the 5 o'clock news and in the headlines of the print media, the reaction throughout the school was that of either war-frenzy, indifference or deep, thoughtful concern. Accusations abounded from people who knew little, if anything of the facts involved.

Suddenly support groups organized, battle lines were drawn and groups were isolated. It is too bad these people needed the impetus of airwaves and print on paper to get on the ball. There was general knowledge of the harassment controversy before the media hit. Where were the support groups then? Where was the frantic pace to reach some kind of just solution to a problem that was eating away at the foundations of this college.

It was remarkable for me to hear people who I thought were fair-minded individuals to condemn, not out of jest, one side or the other.

In covering the story, lies were told about individuals that seemed to grow each time the story went around. One member of the school's staff wanted the story kept out of this newspaper's coverage because of the adverse effect it might have if it "got out."

I agree the subject of sexual harassment was something that could not be dealt with merely by the parties without it coming out into the open. I am not questioning the complainant's need to go outside the college to find redress in the media; I am not questioning the Board of Trustee's attempts to minimize the damage that could be caused to the school. However, throughout this entire controversy, the presence of level-headed thinking was hard to find. No one seemed to want to take an affirmative step until he or she thought it was safe or until the urge to jump on the bandwagon and get on the airwaves became overpowering.

As the other editorial states on this page. I hope everyone can learn from this experience. I also hope that those who let their uninformed minds race away with them will realize in the future that in order to serve the fundamental right of due process, they must constantly be aware of "fairness" - fairness that seems to have been lacking in this college community in the last few months.

Letters to the editor

To the Editor:

I laud the comments made by Professor Douglas Heidenreich and Chief Justice Douglas Amdahl concerning the recent sexual harassment complaint. Both have taken a reasonable approach to a very uncomfortable situation. One called for an independent investigation, and the other called for a "full airing someplace so that we can find out what really happened." It is time for the rest of the faculty and Board of Trustees to take a similar stand.

Whether the outcome of an independent investigation would prove favorable to the two school officials involved or whether it would be favorable to the complainants is not the issue. Rather, the importance of an independent investigation is that both sides be given fair, impartial hearing on the facts in the case.

William Mitchell College of Law, the institution, has a solid history of leadership in the Minnesota legal community. The school will weather any temporary embarrassment that may result from public disclosure of the allegations. Moreover, the end result may be to put the school in a more prestigious position in the community. That will happen, however, only if the Board of Trustees and the faculty support a position of complete and independent investigation. Anything less than that will be interpreted as a whitewash.

Charles L. Friedman; Attorney at law

To the Editor:

The women who filed the sexual harassment charges have forced the William Mitchell community to take notice of only one problem faced by a significant portion of people in today's society.

The members of B.L.S.A. (Black Law Students Association) share their frustrations. As black Citizens. we experience daily inadequacies others may only experience in a few isolated incidents in the course of their life.

All forms of discrimination dilute the potential future of our society. Therefore, the members of B.L.S.A. urge the administration to do two things: 1. Be willing to eradicate any discriminatory effect in principal and in practice. 2. Be willing to reshape, redefine or discard antiquated policies.

The rights of minority participants in any situation must not be dissipated to perpetuate the desires of the majority. Each of us within the legal community must actively work toward equality and a just result. whenever and wherever we can.

We owe ourselves and our society nothing less than our best.

THE MEMBERS OF B.L.S.A.

To the Editor:

Our school's reputation has been clouded by allegations of sexual harassment. You have the power to remedy this by dealing with the problem swiftly, sensitively and fairly.

Therefore, we respectfully request that you:

1. Make clear that sexual harassment is not tolerated at William Mitchell College of Law. Sexual harassment is a serious offense: it violates the law and it violates any code appropriate behavior in an educational institution. Regardless of the outcome of the current controversy, this policy must be set forth firmly.
2. Because the investigation by the Oppenheimer firm is perceived as tainted, employ an independent agency to investigate the claims of sexual harassment. Then, take action consistent with the findings of that investigation.
3. Share information with the student body on a continuing basis about progress toward a resolution of this controversy. The charges against our Dean and Comptroller are now public knowledge. Rumors and misinformation are more damaging at this point than open and honest communication.

Second year Section 4

Faculty approves Masters of Law at Mitchell; not all agree on program's merits

By Karen Kingsley

Chances are very good that William Mitchell will implement a two-year Masters of Law in Taxation program in the fall of 1985. The faculty approved the proposal by a fourteen to eight margin.

Associate Dean Melvin Goldberg said the proposal "was approved in principle and direction was then given to the Appointments Committee to begin the search for the director of the program. The Board of Trustees Executive Committee has approved our search for the director and the full board will decide this matter in December in terms of the formal program."

Goldberg doesn't see any obstacles in the way of implementing the program. "I understand it was a very strong support vote in the Executive Committee and I believe there is strong support in the Board of Trustees for the program," he said. "The most important part now is to find a director," Goldberg added.

Dean Geoffrey Peters said the school started its nationwide search for a program director over a year ago. The director will begin working during the 1984-85 school year. Since the program will not start until 1985, the director will most likely teach some undergraduate courses for at least the first year, Peters said.

Goldberg said it will be important to "have the director on board next year developing the fine points of the program and the curriculum and then also putting that program through the normal curricular processes of the faculty."

Thirty students will start the program in the fall of 1985 and thirty more will be added the next year. "We think we're starting small enough so that we're not embarking on any kind of risky venture," Goldberg said.

At the present time there is not a comparable masters program in the state.

An admissions committee, comprised of the tax faculty and the director of the LL.M. program will screen the applicants, Peters said. Graduates of American Bar Association (ABA) accredited law schools will be eligible for the program, and there will be some requirement that they've taken tax courses, Peters said. All William Mitchell students will be eligible because of the school's required tax courses, he added. The written discussion of the proposal also stipulates that applicants must have ranked in the upper half of their class.

The discussion provides that each LL.M. student take 24 credits, six per semester. All classes will be offered in the evening and "a three-year limitation on completing the degree requirements will be imposed to assure satisfactory progress in the program by all students."

Goldberg, however, cautioned that the written discussion of the proposed program is just that - a broad-based discussion of the area. Nothing will be certain until a director has been hired and had some input into the program, Goldberg said.

"What we think is the demand for the program is a part-time program; approximately six credits per semester," Goldberg said. "The question of whether we'll have alternative, flexible, approaches as we do in our undergraduate program will depend on the demand for alternatives and the problems we would have in implementing the flexibility. Particularly, we're concerned with the resources of the college not in any way being diluted in running this program. So it's a question of available rooms and instructors and so forth. This program is designed to in no way interfere with our undergraduate program, but only to strengthen it," he said. Flexible scheduling will also depend "on decisions of the LL.M. director who will then put forth the proposals in more detail to the faculty," Goldberg said.

Decisions regarding the taxation program's faculty will also depend upon the director. It is not yet certain if the present undergraduate tax instructors will also teach in the graduate program. The director is expected to teach in the program, as are adjunct faculty members.

The idea of a Masters of Law in Taxation program is not a new one. Professor Curtis Stine said, "The program was talked about as long ago as 1978." Goldberg said the idea has "been kicked around in various forms" for a long time. "This year was simply a refinement of and an improvement on our original proposal that Professors Brooks, Stine and I, and Professor Hamilton, who did a little bit of the market study, put together and sent to the faculty through the curricular process."

Peters said there are several reasons the program was initiated. First, this is the first year that the projected decline in law school enrollment has started to take effect. Fewer high school students have meant fewer college students and fewer applying to law school. Although applications to William Mitchell were up, other schools are starting to experience a decrease in applications. Peters said William Mitchell is less affected than other schools, because it draws people who have already been out in the work force. The average age of William Mitchell's first year class is higher than that of other area law schools. Also, fifty-three percent of the people who apply here don't apply anywhere else," he said.

Peters believes, however, that "the decrease in applications may eventually hit William Mitchell." He said that although there will be more people applying to the college than it can place, "it's a question of maintaining quality." Fewer people applying could mean fewer quality students to choose from. The LL.M. program would help alleviate this problem because the school's enrollment would remain at 1150 but part of that number would be graduate students, Peters said.

Eventually as many as 200 of the 1150 students might be graduate students when the school has implemented more LL.M. programs. Peters said similar programs in employment and labor law and trial advocacy, among others, are not unlikely in the future. The program will also "make William Mitchell more attractive to those considering law school and it will bring lawyers back to school," Peters said.

Another reason for the LL.M. program is the change in the job market. "Some people foresee that the job market for lawyers will get tighter and tighter," Peters said. Although he does not altogether agree with those projections, he sees no harm in taking precautionary measures that will insure William Mitchell students of future jobs. An LL.M. will give the college's students an advantage when competing for jobs, Peters believes.

Peters said the program was also initiated because of a need for specialization in complex areas of law. Such an advanced educational program "is increasingly viewed by the profession as a way you can become an expert in a field," Peters said. "The American Bar Association has called for advanced education in specialization.

Stine said that the trend around the country seems to be to provide more LL.M. programs in taxation. Although there are LL.M. programs in other areas of law, taxation is the most offered LL.M. program, Stine said. "Tax is an area that requires perhaps more specialized training.

Despite Peters assertions that the program will be self-supporting and not take funds away from the J.D. program, Heidenreich said, "The first year of preparation, by everybody's standards, will be a losing proposition. We'd spend money anticipating we were going to recover at some point, but nevertheless, we'd be spending money out of our pocket."

"I think the initial expenditure will be much greater than the proposal contemplates because a lot of things were just not included. It's not an accurate budget, I don't think," Heidenreich said. He believes more money will be spent and less money will be taken in than projected.

Even if the program was financially sound, Heidenreich said, he's "still be opposed to that program." because the tax faculty will be spending its time and energy on the LL.M. program and that's going to be energy that's taken away from what they should be doing in the J.D. program." He said other faculty members will also have to put some energy into the program, "that is, the curriculum committee, placement services and financial aid people."

Heidenreich also expressed doubt about the level of interest in the program. "I have serious reservations and the people who've proposed the program have been unable or unwilling to allay those reservations about the continuing source of students for such a program." No adequate study has been done of this market, Heidenreich said. Because the program proposal calls only for students who graduate in the upper half of their law school classes, the number of possible candidates for the program is immediately cut in half. "I don't know if there is likely to be, on a continuing basis, enough people who are able and willing to participate in such a program," he said.

Heidenreich discounted the belief that the tax faculty will benefit greatly from the interchange with students. He said the theory is "a lot of hogwash" because the program's participants, he believes, will be primarily young people just out of law school or younger associates from law firms with limited knowledge of the subject.

Heidenreich also objects to the program because he believes it will crowd the J.D. program. "We're crowded already," he said. Although we'll be graduating a large group of students this year the number of students will build up again over the next three to four years, he said.

"I don't think even with a fewer number of students we're going to free up a lot of extra rooms." The loss of students will balance out over the classes, meaning a few less students in each class. The LL.M. program will mean that J.D. students won't get the smaller classes and that's just an example of the J.D. program suffering because of the LL.M. program," Heidenreich said.

"It seems to me the logical thing for us to say is 'Okay, we got a little more elbow room. If that's the case then let's try to find ways to have smaller classes for our J.D. students and to enrich their program,' rather than to try to put a program which accomplishes really nothing in the school," Heidenreich said.

Goldberg agreed that there is a need and a demand for this kind of training. Particularly the area of tax law is changing rapidly and is in need of constant discussion."

Peters said several methods were used to ascertain the interest level in an LL.M. tax program. First, the idea was "floated by" people in major law firms in the Twin Cities. This showed a high degree of interest, Peters said. Some area firms now pay to send their employees to such programs in other states. The William Mitchell program would allow them to send their employees here and still keep these people in their work force during the day.

Secondly, a survey was conducted by Peter Hamilton of other schools with existing LL.M. taxation programs. The populations of the areas were compared to that of the Twin Cities area. Placement problems as well as the demand for such programs were also studied.

Practitioners in the community were contacted on an informal basis to see how well this program would be received. Goldberg said the practitioners "almost unanimously welcomed" such a program.

Peters believes the program has many advantages. At the present time there are many lawyers who practice in the community who are not William Mitchell graduates. "They don't have strong ties with William Mitchell," Peters said. These people will find out about the quality of the institution and have a direct chance to experience the program, he said. Building ties with the legal community "will affect the market for our students." Having classes with William Mitchell students might make community lawyers more apt to hire these students, either because they recognize the quality of the institution, or perhaps because they met the students in class, Peters said.

Other clear advantages Peters sees in the program are the staff addition of a program director and the "strengthening of the business area of the curriculum. We've not had a lot of people teaching in that area" until recently, Peters said.

Not all faculty and staff members are as supportive of the proposed program as Peters, Goldberg and Stine. Professor Douglas Heidenreich sees no great advantages to the program and believes it will interfere with the school's J.D. program. Heidenreich was dean of William Mitchell from 1964 until 1975 and now teaches courses primarily dealing with the Uniform Commercial Code.

"Our primary function is to provide first degree education in law. That doesn't mean we shouldn't ever do anything else. It means that we should devote our primary effort, money, time and energy to making the best possible program we can for our J.D. students," Heidenreich said.

"Given the fact that we have a lot of problems to solve with our present program we need to work on things like classroom space, library problems, classes that are too large and crowded that's where we ought to be spending our time and money and not to establish a program which, in my judgment, will not have any benefit to the J.D. program," Heidenreich said.

"The original proposal was so vague as to be almost meaningless. After a lot of pushing and arguing, the group that was presenting the proposal came up with some more detail and answered some other questions. But, in fact, it's not clear, to me at least, exactly how the program will function," he said.

Image

Photograph of Prof. Douglas Heidenreich who doesn't approve of the LL.M. program.

Photo by Joanne Schuler

College looks good, library needs work

By Steve Patrow

From April 13-16, 1983, an inspection team from the American Bar Association and the American Association of Law Schools toured the William Mitchell Campus. The team inspected almost every part of the college, including the curriculum, student facilities, student to faculty ratio, administration, and general student perceptions of the college.

Although the inspection team was essentially a fact-finding body and neither the ABA nor the AALS will make a final determination on the college's certification until this winter, a preliminary, confidential

report has been received by the college from the ABA. Dean Melvin Goldberg said that the report detailed no significant problems for the college.

"A point of concern raised in the report was the library," Goldberg said. "They are concerned about the limited space in the library and the need to expand."

Goldberg said that the college responded to the report and concern about the library by sending a copy of a plan to improve the space requirements of the library to the ABA. That plan includes a feasibility study by an architectural firm to be selected by the Board of Trustees.

"There has been affirmative action by the board to improve the library," Goldberg said.

The site evaluation report sent by the inspection team to the college is not a binding report of fact on the college. There are opportunities for the college to appeal any finding of the team before it is reviewed by the House of Delegates of the ABA who make the final determination on accreditation.

"If there was any major concern about the report it is a policy of the ABA to allow a representative of the college to attend evaluation meetings at the committee levels," Goldberg said. "These committees usually notify the college if there is a serious problem in the report that may affect accreditation status. The college can then send a representative to the committee to present the colleges argument. We have not been informed of any problem, however, so I assume we did all right."

Goldberg said that if the college's report makes it through "the first layer" of committees for the ABA and AALS the college will have little problem retaining its certification. That procedure starts with the inspection of the college and the inspection team report. That report is presented to the Legal Education Committee for the ABA. The LEC recommendation to the house delegates of the ABA who make the final determination on accreditation.

The ABA house delegates meet early next year. Goldberg said that since the college has not been notified by any of the various committees about serious problems at the college, there should be no problem getting approved by the delegates.

"It doesn't mean we may not be surprised," Goldberg said. "I don't believe there will be any problems, however."

"They don't say we're the world's worst library," Goldberg said. "Essentially they're concerned about the space problem in the library - there is no room for expansion. They did comment favorably on the addition of Matt Downs and the ideas he has on improving the library. You can see some of the improvements he had made already."

The ABA part of the inspection was a full inspection for accreditation while the AALS inspection was just a reinspection, Goldberg said. He said the college had undergone three or four inspections before the college was certified by the AALS last year. The AALS has more stringent standards than the ABA but a law school in most states, including Minnesota, must be accredited by the ABA before a graduate from that school can take the bar exam.

Goldberg said that the site evaluation report listed some of the strong points of the college as the college's recognition of its commitment to part-time legal education, the faculty evaluation system, the clinic programs and the legal writing program.

Want a loan? Have you registered?

By Brad Colbert

Anyone who applies for money from the government subjects themselves to a barrage of personal questions. This year the 2.5 million applicants for educational loans from the federal government were asked to fill out one more form, the draft registration compliance form.

The focus of the form is to determine if the applicant has registered with the Selective Service. If not, the applicant had better have a good reason; such as being female, being in the armed services, not being 18, being over 23, or residing in the Trust Territory of the Pacific Islands or the Northern Mariana Islands.

According to the proponents of the law, its main purpose is to encourage young males to register for the draft. It also assists the Selective Service in its enforcement of the country's registration laws and promotes a just allocation of government resources by giving money only to those who obey the law, according to the advocates of the bill.

The opponents of the bill say the registration compliance is an unconstitutional Bill of Attainder because it legislatively determines guilt and inflicts punishment on an identifiable group of people. It is also alleged that it violates an applicant's 5th amendment right against self-incrimination and is discriminatory on the basis of wealth, sex, and age. In addition, the detractors of the bill say that it violates the Federal Privacy Act and subjects a person to additional punishment for a crime for which there is already sufficient penalties. (The maximum penalty for failing to register is five years in jail and a 10,000 dollar fine.)

The registration compliance law was passed as an amendment to the 1983 Department of Defense Authorization Act. The author in the Senate was S.I. Hayakawa, R-Ca. and in the House, Gerald Solomon, R-N.Y.

Since its enactment, the law has been the subject of lawsuits and repeal efforts. Three students at the University of Minnesota, with considerable help from the American Civil Liberties Union and the Minnesota Public Interest Research Group, were able to obtain an injunction from District Judge Donald Alsop. The injunction was later stayed by the United States Supreme Court. The whole case is now in front of the Supreme Court with oral argument occurring sometime between December and February. (For civil procedure buffs, the case went directly to the Supreme Court rather than to the Court of Appeals because of an obscure procedural rule, 28 U.S.C. 1252.)

In the legislative realm, Sen. Dave Durenberger, R-Mn., sponsored a bill to repeal the law. That repeal was defeated in the Senate, 73-21. He has since added an amendment to the Defense Authorization Bill of 1984 which provided for a 60 day delay. However, since the delay would expire on October 1st and the Authorization Bill probably won't be signed until after that, the delay most likely won't have any effect.

Amidst this flurry of activity, William Mitchell has been quite calm. Although other universities have complained of the added administrative chores.

"Complying with the requirements has been no problem," according to Margret Riehm, director of Financial Aid and Placement. "We just have to have the student sign the compliance form and then we

just hold it in our files. Then when they (the Selective Service) come to audit our files, we'll have them in there."

Somewhat surprisingly for a school full of prospective lawyers, the students have acquiesced with the requirements. 100% of the students have complied with the form and Riehm hasn't had any flack whatsoever."

As one might expect because of the age and/or sex of the typical Mitchell student, most students simply check that they are not eligible for draft registration.

"There have been a couple of people who have checked that they are registered, even though it is kind of an odd age for our people," Riehm said.

Social protest is not dead, however.

"There have been maybe two people who have written across the bottom that they were signing the form under protest because it was a violation of their constitutional rights," Riehm said.

At-Will employment

By Beth Culp

In April the Minnesota Supreme Court sent shock waves through the state's business community by indicating that it was in the process of redefining the doctrine of "at-will" employment.

In *Pine River State Bank v. Mettille* the court held that a bank's personnel handbook met the requirements for a unilateral contract and that the bank breached that contract by discharging an employee without first complying with the procedures recited in the personnel manual.

On October 3, 1983, 42 general counsel, representing many of Minnesota's largest corporations and 30 staff attorneys met at the Minnesota Club to listen to two experts in employment law discuss changes in the "at-will" doctrine and other developments in the field. The Seminar for Corporate Counsel was organized by Professor Neil Hamilton as the second in a series of programs designed to provide the participants with the opportunity to discuss, with recognized authorities, developments of particular relevance to their corporate practices.

The Honorable Harry T. Edwards, of the District of Columbia Court of Appeals, was the first speaker at the October seminar. Judge Edwards has written extensively in the area of labor law and has been recognized by "The American Lawyer" for the outstanding quality of his judicial opinions involving labor law issues.

The subject of Judge Edwards' presentation was "Recent Trends in the Supreme Court's Employment Discrimination Cases." In his address Judge Edwards offered an overview of equal employment law before launching into a discussion of the Supreme Court's developing standards under Title VII of the Civil Rights Act. Judge Edwards also touched upon trends in equal opportunity law outside of Title VII and offered some suggestions to the audience for evaluating and formulating equal opportunity practices and policies.

The second speaker at the seminar was Professor Theodore St. Antoine. A former dean of the University of Michigan Law School and a member of the faculty there since 1965, Professor St. Antoine has

published 15 articles and a major text on the subject of labor relations. Professor St. Antoine's presentation, "Unjust Discharge and the Changing Doctrine of At-Will Employment," was of particular interest to those in attendance in light of the Minnesota Supreme Court's decision in the Pine River case.

In his speech Professor St. Antoine started from a statement of a traditional American rule about employment: That an employment arrangement of indefinite duration is a contract "at-will," terminable by either party, at any time, for any reason.

The statistics as reported by St. Antoine, reveal the significance of the at-will rule. Seventy to seventy-five percent of the country's 100 million workers are subject to the "at-will rule. These workers do not have the protection of a "just cause" limitation on their employer's right to discharge them. St. Antoine estimated that of the one million workers discharged each year, approximately 100,000 would be entitled to reinstatement or damages if their discharges were tested under a "just cause" standard.

Professor St. Antoine reported that twenty jurisdictions, including Minnesota, had modified the application of the "at-will" rule based on two emerging theories.

Under the tort theory, an employee may be entitled to reinstatement and/or damages if it is found that his discharge was contrary to public policy, that it was in response to the employees "whistle-blowing," or that it was abusive or retaliatory.

In contrast, the contract theory relies on a finding that there was an express or implied guarantee of continuing employment, and that the employee would be discharged only for just cause. In some cases, the courts have implied a term in the employment agreement requiring good faith and fair dealing and have found a breach of this term where the employee is discharged without just cause.

The Seminars for Corporate Counsel represent an effort by Professor Hamilton to use his recently created Administrative Law Chair and the funds which support it to sponsor programs which provide an opportunity for the corporate legal community to meet with one another and learn of developments in the law while heightening their awareness of William Mitchell and the services and resources it offers.

Child Care Center Operates at profit

By Rolf Peterson

The William Mitchell Child Care Center has begun to operate at a profit making about \$200 this past month according to Betsy Hilligoss, the Center's director.

The Center is located in the east wing of the main building at William Mitchell. They made about \$200 the first two months of school this fall and have begun to pay their debts from last year and the year before. They first turned a profit in May of last year, when they made \$8.00.

The Center received money from the SBA last year to subsidize current William Mitchell students' children who stay at the Center. Instead of the normal \$2.00 charge per hour per child, "the Center charges \$1.00 to students and matches it with funds from the SBA until those funds run out," said Hilligoss.

Last year the SBA gave the Center \$1000 in the fall and another \$1000 in the spring. The Center approached the SBA requesting \$4000 for subsidies this year. They were given \$1500. "I don't know what we're going to do with it," said Hilligoss. "It won't go very far at all towards subsidizing the student's cost. They said we won't get anymore. It could present a problem." But she went on to say

that last year the Center was told that their fall allocation was all they were going to get for the year and they did receive another sum in the spring. "We're going to ask the parents what they want us to do " Hilligoss said.

When the Center started they had a start-up fund which bought some of the larger things in the Center for the kids, but most of the toys, the cribs, and the swings were all donated. "Everything you see is gifts and loans except for a few of the bigger things," said Hilligoss. She said she hopes to organize the parents who are going to William Mitchell so that they can have some affect on the decisions of the SBA.

"Right now there is no one who is doing it except us," said Hilligoss. "There should be some representative group who would be requesting money, some group among the students themselves.

"It is a necessary expenditure for a lot of students whereas intermural sports may not be." The SBA gave intermural sports about \$2200 this year. "On the other hand intermural sports may serve a larger group of students than the Center."

While there is some competition for day care locally, Hilligoss doesn't think it affects the Center. The Center is open from noon to 11:00 p.m., Monday through Thursday and noon to 9:00 p.m. on Fridays. While most day care centers have a requirement for permanent reservations, the Center here does not.

"Most students do have a permanent reservation," Hilligoss said. "But if there is room the Center will take a child."

The Center is licensed for four infants and a total of 16 children. "We have a waiting list for infants," Hilligoss said. "One of the students has a child expected in May. This child is on the waiting list."

[Image](#)

Photograph of a child on a slide.

Photo by Joanne Schuler

[Moot Court promotes student development](#)

By Kathy Heaney

Moot Court provides an opportunity for law students to refine and develop their communication writing, and research skills. The process lasts approximately two months from the introductory meeting to the final round of competition. This fall the requirements included a memorandum, an appellate brief and the speaking competition itself.

The memorandum for the fall competition was three pages in length. Both the cases and issues were given to the interested students. The memo was then judged on writing clarity and construction. Organization, citation, and analysis were some of the established criteria. The memos were scored and the top sixteen papers and students were selected.

The top sixteen candidates were then required to write an appellate brief. The brief topic was negligent infliction of emotional distress. The cause of action existed in the fictitious jurisdiction of "Mitchell" and was a case of first impression. The briefs were from eighteen to twenty-two pages in length and all jurisdictions were to be considered.

The briefs were graded by the Moot Court faculty advisors, Professors Heidenreich and Pannier. Gregory Wald received the highest score on the brief. The same criteria that was used in the grading of the memos was used to grade the briefs.

On October 15th, the sixteen participants were paired, and elimination rounds were argued. In the succeeding rounds, the pairings were done randomly with the final round taking place on October 22. The two finalists were Jim Halbrooks and Jim Murphey. The distinguished judges for the final round were Minnesota Supreme Court Justices John Simonette and George Scott, Federal Court Judge Robert Kressel, attorneys William Kampf, Cliff Greene, Mike Schwartz, and Professor Mike Steenson.

The finalists of both the fall and spring competition have an opportunity to go on to the regional competition. All sixteen finalists in both the fall and spring earn a credit for the competition and the finalists who compete in the regional event can earn another credit.

The Moot Court competition was organized by the Moot Court board which is comprised of past participants. The current Board members are Joe Paulus, Eric Boe, Sharon Fullner, Connie Crowell and Stuart Goldenberg. The members of the Board organize the competition, write the problem for the brief make any necessary changes in the roles write a memo for the judges on the brief topic and other tasks.

Moot Court, like any extracurricular activity, can lend itself to both advantages and disadvantages. Jim Young, one of the participants in the fall competition, said, "I was able to gain a credit, writing experience and learned a great deal about research. I also learned about judges' expectations. Unless you know the judges background, you do not assume anything."

Jim Murphey, one of the finalists said that you learn to "stand up under a tremendous battery of questions" and that it was a "useful experience to learn from."

Eric Boe, a current member of the Moot Court Board and a past participant, explained that there is no other competition in school which give you an opportunity to present oral arguments. The presentation of a case is different than just writing a brief. It is a different mode of expression.

The disadvantages of joining Moot Court are similar to other school related activities such as consumption of time, use of emotional energy, and falling behind in other work. The consensus seems to be that the advantages definitely outweigh the disadvantages.

For those who wish to join Moot court. the next round of competition begins in January. Questions should be directed to any Board member or to Professors Heidenreich and Pannier.

[Images](#)

Photograph of Moot Court board member Stuart Goldberg talking with finalists Jim Halbrooks and Jim Murphy.

Photo by Joanne Schuler.

[Jobs, Jobs, Jobs... Where to look and how to find](#)

[Interviewing](#)

By Deb Schmedemann

(Schmedemann is an Assistant Professor who has been on both sides of the interviewing process. She interviewed candidates for associate positions while working at Oppenheimer, Wolff, Foster, Shepard and Donnelly and did a lot of interviewing herself as a second and third year student.)

The lore on interviewing for jobs is extensive. For instance, not long ago, the TWIN CITIES READER reported that Monday is the worst day for a job interview, and Friday is only slightly better. Interviews before 9:30 a.m. or after 4:00 p.m. are less likely to yield job offers than interviews during the middle of the business day.

Unfortunately, you may not be able to determine when your job interviews will occur. On the other hand, there is a lot you can do to make interviewing for jobs less nerve-racking, more pleasant, and, one hopes, more productive.

Keep in mind that there are really two interviewers - you, the job seeker and the employer's representative. Just as the employer evaluates you and what you have to offer, you should be evaluating the employer and what it has to offer. An interview should be a two-way street. You should not only answer questions, but also ask them; indeed, the best interview is a discussion, not a question-and-answer session.

What do local law employers look for in interviews? The answer no doubt varies somewhat from interviewer to interviewer. I looked for the following characteristics when I was interviewing candidates for associate positions, and it seemed to me that employers with whom I interviewed in the Twin Cities also looked for these characteristics:

PREPARATION. A lawyer's business is to provide research, careful thought and analysis, and an organized presentation on behalf of a client. An employer can detect these skills in a candidate by evaluating your preparation for the interview. An employer looks, for example, for a candidate who has researched the employer before the interview, has thought through whether he or she and the employer would be a good match, and comes to the interview prepared with questions to ask.

CONVERSATIONAL SKILLS. Your resume and transcript cover your background and law school performance. The interview provides information written documents can't provide - insight into how well you communicate in person. I always looked for candidates who were articulate and direct in their speaking, who were interesting to talk with, and who conveyed credibility. I disfavored pretentious candidates, as I think most Minnesota employers do; down-to-earth candidates generally struck me favorably. Keep in mind that an employer is concerned about how well you will deal with clients and opposing parties, as well as your ability to update statutes.

SELF-CONFIDENCE. Law is enough of a rough-and-tumble business that self-confidence matters a great deal. An over inflated ego is not desirable, however. While an employer doesn't expect you to be convinced at this point of your ability to try felony cases or write corporate indentures, he or she does look for confidence in your raw talent and ability to learn. The key is to convey that you know your strengths and weaknesses, have learned from your successes and failures, and believe that you have something special to offer.

ENERGY, INTEREST, AND ENTHUSIASM. Law is a competitive business. Thus, employers seek energetic enthusiastic, ambitious, dedicated people who have an abiding interest in the law and law practice. These qualities should come through in an interview. On the other hand, try to avoid leaving

the impression that you are driven only by law. Most local law offices are still sane enough places to work that a sense of balance is valued.

A CLOSE MATCH. Ultimately, an employer chooses employees who "fit" well into the law office - whose interests, backgrounds, styles, and ambitions mesh well with those of the employer. While research about an employer can yield some insight into how close a match you and a potential employer will be, complete insight often comes only during the interview (if not later). Since different employers have different characters, you may be tempted to be a chameleon reflecting whatever character the employer conveys. This is a singularly bad idea.

The most important piece of advice for a candidate is: **BE YOURSELF** (a poised, articulate, thoughtful, version of yourself). Trying to be someone else probably will not work in the interview anyway; you will appear stiff and uncomfortable.

Even if it does work, you will find that the employer who hires you based on misimpressions will become dissatisfied when the truth comes out, or that you are not comfortable working there after all.

If you are inexperienced in interviewing, you may wish to take a look at the resources in the Placement Office, practice with a friend, or talk to your friends about the interviews they have gone through. The Young Lawyers Division of the Bar Association has offered to conduct practice interviews with Mitchell students; contact the Placement Office for more information.

Interviewing may be an art, but it's one most people can master.

Image

Photograph of Professor Schmedemann showing her energy, interest and enthusiasm in helping students.

Photo by Joanne Schuler

Lottery

By Judy Schermer

William Mitchell is in the midst of its first-year with a computerized job lottery. The number of jobs this fall's interviews garnered is not available yet, but since September nineteen firms and businesses have interviewed on campus for the position of summer clerk, twelve for associate or attorney openings, one for school year clerks, and four for tax specialist opportunities.

Peg Riehm, director of placement and financial aid, is in charge of the new job lottery system. The system randomly selects which interested students will be scheduled for the limited number of interview slots. Information on the new lottery system was mailed with registration materials in July. Riehm said a table at registration and announcements in the first few issues of the DOCKET supplemented the announcement in the registration materials.

In August, juniors and seniors were asked to fill out a form indicating the positions for which they were interested in interviewing. Each position on the placement lottery questionnaire described the requirements of the interviewing firm and the date on-campus interviews would be held. Past

interviewing systems have included a "first come, first served" policy which created long lines outside the placement office whenever news that a new sign-up sheet was about to be posted. Another method included drawing names from a hat. Riehm criticized the first system as unfair to working students who complained that they had to leave work early to participate in the sign-up.

Now, after students have signed up for a firm, their names are given to Toni Gladbeck, student records and registration coordinator. The names are entered into the computer which randomly assigns them a number. Gladbeck then gives the Placement Office the list, alternating between an ascending and descending order. According to Gladbeck the lists which are generated separately for each firm, contain the student's name and class rank. Although the list contains class rank, that information is not given out to any of the recruiters, Riehm said.

The interview schedule is produced from the list with time preferences awarded in the order of position on the lottery list. Riehm sends the schedule with corresponding resumes to the recruiter. At the same time, all the resumes of students who did not get selected for an interview slot are sent to the firm, with a letter explaining that William Mitchell is on a computerized random lottery system and asking them to consider the extra people. No reference is made to class rank in that letter. Riehm said that most firms consider the overflow-group, and then set up interviews with students they select from that group. Several firms scheduled a second day on on-campus interviews or asked additional students to be seen at their offices.

In addition, students who are unsuccessful in securing a job interview lottery slot can contact a firm on their own.

In addition to establishing the computerized lottery system, the Placement Office maintains an active recruitment policy. Riehm said she hopes to increase the number of firms that are willing to participate in the job lottery. While the program is being developed, the school honors the requirements set by the firms who are considering participation. Many firms don't want to waste time interviewing students who they wouldn't consider hiring. Riehm said, and they impose a class rank restriction or pre-screen resumes before coming on campus to interview. The firms that prescreen do not participate in the computerized job lottery system.

Riehm said she is attempting to recruit more medium-sized firms to campus and is also making an effort to draw prospective job opportunities from the business community. Riehm said that this was the first year Dayton/Hudson Corporation interviewed on campus. Traditionally, many businesses have cross-fired and looked for attorneys with at least three years experience, but Riehm says more are beginning to consider new graduates and she is pursuing their participation in the lottery.

Since approximately forty students were hired for associate or summer clerkship positions as a result of the on campus interview program last year. Riehm said she feels alternative employment sources are needed. Riehm said clerkships are a good source for obtaining jobs after graduation. Riehm said evening students have an advantage because they are not limited to working ten hours a week as are full-time law students. She reminds students that "contacts" with practicing attorneys are also important and are still the most prominent job source.

Criticism from students has centered in the area of seeing the same names over and over again on the posted interview lists, with some students complaining of not receiving any on-campus interview. With the majority of firms requiring a class ranking requirement, which ranged from top ten percent to top

half, the number of students eligible is limited. Riehm said that some firms are interested in work experience, interests, or undergraduate degrees, and it is hoped that sending the firms resumes through the lottery system might help in this area. If you come across great in an interview, but your record isn't so good, it's going to be difficult getting an interview said Riehm.

Another complaint was that it doesn't pay to be selective because the more interviews you sign up for, the better your chances are at getting an interview. As a result, students may interview with firms they aren't interested in.

Unfortunately, said Riehm, the placement office can't guarantee every student a job interview as they do at the University of Minnesota Law School. Students at the University are each allowed to choose three firms as their top interview priorities. The placement office at the University of Minnesota Law School said that if all the interview slots for a firm are exceeded, those students who listed the firm as one of their three priorities will get the slot. Students are assured of at least 3 interviews. Approximately 125 firms interviewed at the University of Minnesota Law School during the fall interview season, while only thirty-five firms interviewed at William Mitchell.

It is the William Mitchell placement office's hope that the active recruitment of more firms and businesses will increase the interview opportunities on campus, Riehm said. The computerized job lottery system is being used to facilitate the scheduling of interviews that are currently coming on campus and the placement office believes that the new system will allocate these opportunities in the most equitable way possible.

Helpful hints

By Peg Riehm

(Riehm is Director of Placement and Financial Aid)

The end of October also marks the tapering-off of the most visible function of the Placement Office: the on-campus interviews. While potential employers continue to use our on-campus interviewing facilities sporadically throughout the year, the months of September and October mark the two busiest months of on campus recruiting, with recruiters here five days a week. Virtually all of the Twin Cities law firms and other recruiters which maintain annual recruiting schedules were guests on our campus this fall. Many of those recruiters went to special effort to report back very favorable impressions of William Mitchell students.

But the perception that the on-campus interviews are the primary method by which one lands a job is far from accurate. While an average of forty students are hired each year through this process, the on-campus interviewing season constitutes only a very small part of the overall hiring process. Only the very large employers have the luxury of being able to predict hiring needs a year in advance. The majority of employers, particularly small and medium size firms and companies, find their businesses too unpredictable to make offers a year before the employment is to commence. Those employers often hire on an "as needed" basis, when a vacancy occurs -- usually a month to two before the start of employment -- or when their workload unexpectedly becomes heavier than existing staff can handle. Some small law firms wait until bar exam results are released.

How then does a student go about finding employment with an employer which does not have a predictable hiring pattern? The variety of methods used by successful applicants can best be categorized

as follows, in the order of proven success: 1) Clerkships; 2) Word of Mouth; 3) Advertised Positions; and A) Unsolicited Applications.

CLERKSHIPS. Clerkships constitute the most important method for obtaining a position as an attorney. Clerkships add a practical perspective to a law student's education. While good academic credentials are essential to obtaining a position with the very large firms and corporations (and would quite naturally impress any employer), the small and medium sized firms and governmental offices repeatedly indicate that they are interested in those applicants who have law related work experience.

In many cases when a law firm employs a clerk, that person is the first to be considered for any attorney openings that may arise. This is true no matter what the nature of the employer. The employers who recruit annually rely almost exclusively on their summer clerkship programs for selecting associate candidates. Any law school graduate who has been in the job market will confirm that clerking experience is essential.

WORD OF MOUTH. As in any profession, information about job vacancies travels faster by word of mouth than by any other means. Many employers for one reason or another hesitate to publicly announce that they are looking for applicants. This type of employer will put out feelers to colleagues in the legal profession and hire through a networking process. For this reason it is critical to develop as many good, solid contacts as you can in the area that you wish to practice. Don't overlook faculty as a valuable resource. Our faculty are well known and respected locally and nationally, and often can provide advice and suggestions on where to begin.

The "word of mouth" method also reinforces the importance of holding a clerkship. Many contacts are made by students who work for law firms, corporations, county or state offices, judges, and other employers of law students. Building a contact base is not always an easy thing to do, but efforts to do so are guaranteed to pay off.

POSTED NOTICES. While the majority of clerkship positions are obtained through posted notices, the majority of associate/attorney positions are not. Although our office publishes a weekly bulletin for alumni listing available attorney positions, the majority of associate positions are filled by the first two methods described above. When answering posted notices you should also tie in, to the extent possible, the contact/word of mouth method. Once you have applied for a position you have seen advertised, find out if you know anyone who might have some influence with that employer. When an employer is faced with applications from 100 faceless resumes, a phone call from a respected colleague will encourage that person to look more closely at you as a candidate.

When responding to a posted notice, an applicant should submit a cover letter and a resume, and any other materials requested by the employer. Occasionally a writing sample and/or transcript will also be requested. Every attempt should be made to tailor the cover letter so that it does not appear to be a form letter. Any positive reference to facts that you have about the firm or its attorneys will generally set your letter apart from the others. Once you have had an interview, it is considered thoughtful to follow up with a letter thanking those who interviewed you. The follow up letter allows you one final opportunity to put before the employer important facts that make you the most desirable candidate. Detailed information about cover letter and resume writing and interviewing skills is available in the Student Services Office, Room 103.

UNSOLICITED APPLICATIONS. When handled properly, this method can also uncover unadvertised position openings. Most applicants who have attempted a "mass mailing" approach, using a standard cover letter with no personalized touches, find that it generates nothing more than standard rejection

letters. In order to use this method effectively, the applicant must carefully research the types of employers whose practice coincides with the applicants interests and strengths. Attempt to locate a person in the firm or department with some common denominator in his or her background, be it the same undergraduate college attended, the same hometown of birth (in the case of a small town), some mutual acquaintance or even the same law school attended. Point to your academic achievement in the area practiced by the firm and/or experience that you might have in that area.

Related clinical experience is also important, and through the clinical courses students often make new contacts in the legal community. If you can use the name of a respected college in your introductory paragraph, so much the better. The point is, you must be a good salesperson when using this approach, because your cover letter and resume may be the only impression of you by which the employee can measure your potential value as an employee. The Placement Office maintains resource materials for your use, and we encourage you to visit us in the student Services Office, Room 103. We especially encourage students in their first and second year to visit and ask questions, because career planning must begin early.

Image

Photograph of Peg Riehm, the one to turn to for the student job hunter.

Photo by Steve Patrow

Sonsteng lends his expertise to media

By Tsippi Wray

The distinguished looking white haired professor seen walking the halls at William Mitchell may look familiar to many new students. Although at times professors begin to all look familiarly the same after four years of college, Professor John Sonsteng looks familiar because he appears in a familiar medium - he is the KSTP Legal Specialist.

The idea to do these "spots" at KSTP occurred to Sonsteng last summer. "I realized that although the news are full of legal material, there is no legal explanation to any of those esoteric terms," said Sonsteng. To fill a need he saw he "simply phoned up KSTP and told them that I would be interested to give them spots to explain some of the legalistic jargon that appears on the news."

KSTP accepted and Sonsteng periodically changes his role to become a newscaster explaining to a wide audience that "in Minnesota, a person can use reasonable force to defend himself against an intruder..."

Professor Sonsteng's office at KSTP is in sharp contrast to his office at William Mitchell. This contrast illustrated the different roles he plays in each setting. While exerting a somewhat authoritative presence in his office, KSTP provides Sonsteng with a small carrel and a manual typewriter to type up his text.

"Here, I am learning, I am their student," he said. Refining the text required many drafts and retyping "to make it clear to the audience," he said.

Although the Minnesota audience has not been privileged to view Sonsteng frequently on the Channel 5 News, the cast members in the studio sounded enthusiastic about the newcomer.

“We certainly do not know all this mumbo-jumbo.” one reporter said. It always helps to have an expert around us. We cannot expect to educate everyone as to the legal meaning of all news, but we can add a dimension. And I am sure we are doing it.”

Although he finds himself in the attitude of a student at the news station, Sonsteng is pleased. “I like doing this. It educates me and I hope it will bring some of the mystery of legal jargon down to earth. The whole thing - excitement, cameras, pressure - is charging,” he said. “It reminds me of my experience as a young actor. And I loved that.”

Sonsteng not only teaches at William Mitchell and appears on KSTP but is involved in several other projects as well. He is currently finishing a comprehensive Trial Note Book in collaboration with Professor Haydock a Practical Manual on the Juvenile Rules, and a cook book coauthored with his wife called Menus for Dining and Loving. This last he says will focus on family dining and will “actually be a menu for food as well as for atmosphere.”

Teaching was a long time dream for Sonsteng. A graduate of the University of Minnesota Law School, he practiced for about seven years as a Dakota County prosecutor. “Seeing the office growing from a very small staff to a large office was very reinforcing,” he said. But the dream of teaching was still there. “While I worked as a prosecutor I taught in a community college, always dreaming of ending up in an academic institution like this one. My persistence paid off.” he said.

Sonsteng credits the energy and stamina he has to produce so much at such an incredible rate to his teaching. It is “because I like being here,” he said. “Teaching is fun, enjoyable. I am thrilled to be teaching here. For me every day is exciting.”

“We have a wonderful school here,” he continues “with a supportive and warm faculty and staff. We have a great mix of people, those who produce on the more traditional academic level, and those who produce the non-traditional materials. But no matter what each does, they are incredibly supportive and encouraging.”

Although his enthusiasm and productivity is prodigious, Sonsteng isn't perfect. “I probably don't do as good a job on something because I am trying to get something else done. I am not a law-review article scholar and this disappoints me. But” he adds, “I do get things done!”

He feels the secret is to “Never lapse into a state of complacency. If we ever stop thinking and asking questions and exploring our environment, we are finished. Always ask, probe, doubt and question. This will keep you going.”

Image

Photograph of Sonsteng fulfills dream of teaching and pursues other interests.

Photo courtesy of Publications Dept.

[Pelude loses her country, Finds home at Mitchell](#)

By Rolf Peterson

In September this year Austra Pelude completed her twenty-fifth year working at William Mitchell. Today she works as the faculty secretary on the third floor one of many support staff for the school; but when she began she was one of three women on the staff, the only one who worked evenings.

"Everybody helped with everything," she said. "The mimeographing was all done by hand. The first copy machine was such a nuisance, the ink had to be a certain temperature." Soon another staff member joined the three.

Pelude came to the United States from Latvia after World War II, in 1949. After the war Latvia was divided into zones under the control of the allied countries. "So, we lost our country," she said with a hint of sadness. She lived for four and one half years in a refugee camp in Augsburg, 20 miles from Munich. In 1948 Congress permitted 100,000 refugees to immigrate to the United States. Pelude, her husband and her daughter came to Wells, Minnesota.

Both Pelude and her husband graduated from law school in Latvia, "In Latvia it was civil law. In the U.S. it is so much common law," she said. "I wanted to work at some place I could be closer to the law," she said, so she began working for West Publishing Company in 1950. She stayed with them for five years.

Pelude did not take up law again here. "Financially I could not do it; and my language was inadequate at the time. One needed a good command of English. The field of law cannot be divorced from language. Friends who were doctors could go to school for another year here and begin practicing. You didn't need the language like you do in law."

But Austra did take classes at William Mitchell from 1974 through 1976. "I wanted to know what was going on behind the doors in American law schools," she said.

Pelude, 65, has no plans to retire. "They will know in plenty of time," she said. "Isn't Professor Pirsig in his seventies?"

Pelude began working for William Mitchell in September 1958. A month later the new building was dedicated, and Steve Curtis started as the new dean. There were three support staff at that time: a secretary for the dean, a bookkeeper, and Pelude, who described herself then as a "girl Friday." When the school moved, the former Minneapolis College of Law students began attending classes in the new building. The two schools had merged earlier, but classes were held wherever classrooms could be found.

Pelude has seen the movement from manual typewriting to word processing. "They didn't have the money for anything extra then," she said. She feels the alumni support has been instrumental in helping the school grow financially.

The real change occurred when the school moved into its present building. Austra says that at this time there was "unbelievably" fast growth. When the student body began to grow before the move, Pelude said she felt that alumni were disappointed, feeling the student body was getting too large, and that the school was losing its "night school" image.

Pelude has worked for four deans since she's been here; Curtis, Heidenreich, Burton, and Peters.

"Each one had of course many good things to be said about them, and of course you could gripe about them all, too. None of us are perfect."

Under Dean Heidenreich Pelude worked a four-day week, sharing her time off with the other staff. "I would rather work a ten-hour day and a four-day week. We have to take our vacation time to do personal business during the week," she said.

Today she says her relationship with the faculty is good, "there is such a camaraderie among the people. Of course sometimes you feel you could clobber them." For example when they edit with pen instead of pencil she has to type the entire page over again. But she likes it where she is. "I would not want to move away from the third floor," she said.

Image

Photograph of Austra Pelude, who celebrates 25 years at Mitchell.

Photo by Joanne Schuler

An interview with 'Skip' Humphrey

By Pete Halbach

Q: You have been Attorney General for a period of time now approaching a year, and must have some feel for the job. How do you like being Attorney General?

A: It has been very enjoyable. It is exactly what I wanted to do. It gives you the combination of full-time law practice with the kind of capable, competent people around you that any person with the kind of responsibilities that go with this office would want. It really is a pleasure to be able to work with people with the calibre that are in the office. So I, from a professional standpoint think it is really one of the finest offices of public service that the State of Minnesota has to offer.

Q: What have been the major changes in the Attorneys General's Office since you took over?

A: Well, we've done some structural changing, I'm not exactly certain I can compare from the previous administration any of the other changes but a highlight change I think the public is aware of is the change of adding in the consumer services unit to our consumer protection division. Prior to my administration, the legislature had separated the consumer protection services that the Attorney General's Office has, and then the non-litigative consumer mediation services which was in the Office of the Governor. The legislature in its last budget term changed all of that. We now have them all unified under one consumer division. So that is one structural change.

As I said, I'm not certain I can compare my administration adequately with Mr. Spannaus' administration, but what I've tried to do is to emphasize the public safety role, the criminal justice role, the cooperative effort we have taken with the county attorneys in the area of criminal justice. We've tried to emphasize certain things in the legislature, i.e., home burglary. Subsequent to the legislative session we have become involved in the public debate relative to sentencing guidelines and the proposed changes that were made in those areas. I have tried to become visibly involved in the public utilities regulation area, particularly as it relates to the Northwestern Bell rate hike case, just one of many cases throughout the country that are a result of the AT&T breakup. So these are areas I suspect I would probably give some different emphasis than maybe would have been given by a prior

administration, but I have difficulty in comparing that because I'm not fully aware of where their highlighted interests were.

Q: What do you think have been the major accomplishments of the Attorney General's Office in the Past year?

A: Well, of course I think we've continued. the good record already in place of very positively enforcing the law. We have for instance, taken some good actions in the area of consumer protection. Whether it be pyramid sales or agricultural sales fraud. We have tried to protect the public in other areas. In the medicare supplemental insurance fraud area, we have established a medicaid fraud unit in cooperation with the federal government I think the record is one that shows that we've done a good job in enforcing. For example, the D.W.I. laws, the implied consent laws particularly, we've given some uniformity to the application and enforcement of those laws which I think are very necessary. I count that as a positive part of our record. And this Office has spoken out on major concerns that affect the public and public's interest and I think that's a terribly important area.

One area, I haven't mentioned as yet is the area of environmental enforcement and working with the legislature to adopt superfund legislation, working with various companies including 3M, F.M.C., and several others to negotiate settlements in which we now have some active cleanup going on with very highly toxic waste sites. I think those have been some of the hallmarks of the current administration.

Q: Has your Office had any disappointments in the past year? Things you think your Office needs to improve on?

A: That's hard. I would love to say "no." I think one of the things that I'm trying to improve on is the communication link between the Office because we're a very diverse office, both in the areas of the law that we practice and in the physical location and I find one of the difficulties that this office has in having a sense of a single united office and a united effort is the actual physical dislocation of individuals in various smaller groups and physical location settings. I try my best to get to every area of the office and to try and do it on a regular basis, but I must say, I don't think I've really accomplished if as well as I would like to have done.

I guess I'd have a hard time identifying some of the short-falls there are still things to be done, we haven't satisfied every interest.

One of the things I was a little frustrated at is that I wanted to see our budget enhanced so that we would not only stay merely at the same level of competition with other public law agencies but I wanted to see it gain back some of the lost ground that we had in terms of salaries. One of the problems we have in trying to retain good attorneys for a period of time so that the public gets the benefit of the investment that they make is to see that when we hire attorneys, they stay on staff for a number of years so that we get a good return on the dollars that are invested during the period of time when they are training themselves in. We were somewhat successful in that, but not to the extent that I would like to see. I know that we are never going to be able to compete directly with the private sector lawyer and law firm area, but I would hope that we could at least stay even with the larger public law firms of Hennepin and Ramsey County, the City of Minneapolis, City of St. Paul and the like.

Q: You served as State Senator for ten years before becoming Attorney General. Did you prefer being a State Senator in any way to your current position?

A: Well, no, if you put it in total I'd say "absolutely not." The legislature is an exciting, wonderful place to be and in my opinion, probably the finest place to begin a public service career. You get so much information. There is a flow and a rush of information about every single issue you could ever conceive of and you're in the middle of it and you have colleagues around you that are also involved in these issues and the background information and meetings of various individuals who are the decision makers in these areas. You have the full opportunity to learn while making important decisions and yet the security of knowing that you are having to reach consensus and work by majority rule. That is I think, an extremely important element in anybody's background and effort of education of public service.

The day to day decisions that have to go on here range anywhere from where do we move a particular office, what do we do with a particular individual either hiring or firing, all the way up to the major policy decisions that have to be made on an ad hoc basis as the events unfold and as circumstances unfold.

All in all I would say that my stage in life where I am right now is the preferable position. It is a full time position. It doesn't have all of the time constraints and there is a wide latitude of discretion of action that perhaps is much more wide than there is as a legislator.

Q: The Attorney General's Office has lobbied in the past for new legislation. Are there any legislative goals you have for the next legislative session?

A: Well, I'm not really at liberty to discuss them with you because we haven't reached consensus on them at this point, but there are. I think of areas in which both our legislature and the national legislature, Congress, is going to have to look to. I will just give you a very broad perspective.

I think the area of financial institution regulation is one that is going to be on the front burner of the next legislative session and one in which we will have responsibility because we enforce the laws, we protect the consumers, we work with the agencies that are the regulatory agencies. I'm talking about telecommunications industry, I'm talking about the banking industry, insurance industry, securities, all of those things, and those areas of commerce are both state and interstate national and frankly, international. Our office's responsibility relates in each one of those areas so I think that we may very well have some priorities to be dealing with in that area.

In the area of public safety we're probably going to be looking at being involved with the question of prison reform, of involvement in the criminal law areas. Bringing some further recommendations in areas that we see concerns in those regards. In the area of environment, we're going to have to continue to do some work in the area of acid rain. We're going to have to do some work in the area of hazardous and toxic waste sites. I think the legislature is going to have to be apprised of the circumstances surrounding decommissioning the nuclear power plant. That's a long way off. That's not necessarily an issue for tomorrow. It's something that I'm interested in and I want this Office to be interested in. I want the legislature to begin thinking about it because all of these matters are issues that if we wait until they actually are upon us we are going to be in very serious situation of not having all the options available to us. Those-are just-some of the examples. The area of health care for example.

I think we need to be looking to see whether or not we're adequately monitoring and providing the assistance to those that are entrusted to the State's care. For example, the State Hospitals. For those recipients who are receiving assistance from us, I want to look into those areas. Now those are very broad terms, but these are some of the thoughts I have and some of the things that we have been discussing internally. We have not come to any specific legislative agenda conclusions.

Q: This question refers to a portion of a response you gave before to another question. It is usually accepted as a given that compensation in a private law practice exceeds that given to attorneys in the public sector. How does it affect the calibre of attorneys hired by the Attorney General's Office? How does it affect keeping those hired from leaving for private practice?

A: Well, it's a good point. We have tried to document before the legislature in our budgetary hearings the disparities between private law practice both large size firm, medium size firm and sole practitioner, and other public law offices and our office. Frankly, we are in the middle to lower range of all three. We have been able to, in this past session, sustain our current position. We were not able to gain back earlier positions of competition with other public law fields. One of the differences, of course, is that many other public law firms, county firms and others, some are unionized, others are civil service, and where you have the collective bargaining process in effect, sometimes the negotiations for salary have raised the level of those salaries. In that situation, this office is not organized in that fashion and we have not had a legislature that has been able or at least willing to return the resources to us that we feel are necessary in order to sustain people.

I have not been able to fully calculate the fact that people are leaving on an earlier scale because of the lower salaries. But there has been a rather constant attrition. One of the things that in the past several years we have been able to do is to sustain individuals here on a longer basis. If I recall correctly, the testimony that was given to me when I was a legislator was that when Mr. Spannaus came into office the normal tenure of an individual was anywhere between three and four years and then out of the Attorney General's Office into private practice. It may have even been shorter than that. Several years ago three or four years ago, when we came before the Finance Committee of which I was a member and I was chairing the subcommittee that he had to respond to, the testimony was that the average stay time was between seven and eight years. There had been more than a doubling, or at least a doubling of the time. That in itself, was I think, in response to the increased salaries and the different organization of the office. I would like to see that level sustained.

I don't think that we can hope that everyone will stay forever. There is never going to be a situation in which an individual working for the State government as an attorney is going to be a wealthy person on the basis of their salary being paid by the State. I do think there are some benefits, some side benefits.

First of all I think the areas, that people are involved with are very exciting. They are kind of specialized areas. Many individuals here play a very important role in the development and implementation of public policy. For some individuals in the practice of law, that is a very important factor in where they're going to work, whether or not they can be involved in that process. There is, I suppose a darn good medical program here. There are some various other things. I think the colleagues that they work with are good in their areas and are the kind of people that are enjoyable to work with.

I think that there are some things that will lure people here but it takes kind of a special person to be dedicated to legal public service. I just want to make certain that the taxpayers are getting the value for their investment. I think today we can say they are. Whether or not that will continue as the disparity between even other public offices and our office grows, is a very serious question. On the other hand, we have to respond also to our legislature that wants to see a balanced budget and does not want to have to go to special session to raise taxes and cut other services. And we have to, to be very honest about it, fight off a certain amount of assumption that it's lawyers that just want to get rich. There is, to a certain extent, I think, I wouldn't want to call it distrust, I would call it at least a hesitation, when it

comes to what are the lawyers asking for. Because we do have some of the individuals in state government that are probably some of the higher paid individuals in state government.

I think they deserve every ounce that they get. In fact that's the quid pro quo for my efforts of pursuing better salaries and better remuneration for their services is that I get good, solid hard-working people and I think I've gotten that part of the bargain, and I hope that the office has gotten their part of the bargain, at least from my advocacy.

Q: Since you're a graduate of the University of Minnesota School of Law I won't ask you to rank the law schools in Minnesota. Rather, I'll ask you what you think about the lawyers that come out William Mitchell College of Law and what are their chances of getting employment in the Attorney General's Office?

A: Well, first of all, of course, unfortunately, lawyers from every law school in Minnesota, as well as others, we have a great number of people that apply. Not everybody, in fact only a relative few, are taken because of the limited number of positions that are available and open. This office also has an aggressive recruiting program which includes not only the law schools in Minnesota, but law schools on both coasts of this nation and in either parts of the nation. We have done that because we feel that we should try and reach out and reach for the very best on a national basis and to allow students to compete.

My understanding of our recruitment program is that the schools in Minnesota do very well in the competition nationally and we're going to such schools as Harvard, Yale, some of the others, Chicago and Michigan, other top-notch named law schools as well as the three law schools here.

From my own particular background and perspective, I think that graduates of William Mitchell, both in full time school, day school, as well as those going to night law school, have a particular specialty to give to this office. Those that have had experience of working part time either with our law clerk program and intern program, or in other law clerk programs and intern programs, really have the leg up on a number of individuals who are applying because I think that the background of some practical experience is very important. It helps us pick up to speed right away without having to spend quite as much time training people in to do their jobs and to supervise. I think that's an important element and I would encourage individuals at the school to seek out the part time, the summer time jobs that give some practical experience in the legal and law related areas. I would not say that that is some kind of a hindrance if somebody has some other kind of experience because we have found that in our office we have such a variety of responsibilities that quite often the nonlegal experience can be just as helpful as any legally related.

Q: In recent years, women have entered law schools and the legal profession in greatly increased numbers. How is this reflected in the hiring practices of the Office of the Attorney General?

A: Well, it's our hiring practice is I think is running parallel to the demographic statistics that are shown on individuals entering the school and graduating from school; the fact is that our hirings in the last couple of go arounds have shown a significant increase in women being hired, in fact if I recall correctly, they are in the majority of individuals being hired. Now, I'd have to check specifically on that. I know that between women and minorities, we are definitely seeing the majority of people being hired of those areas. I would hope that our hiring practices are one that does not necessarily taking into account

that kind of effort. I want to see qualified people first, and when the numbers are there when individuals apply. I want them to be looked at first on the basis of their qualifications. I do believe in affirmative action. I do believe that we have to take into account some of the impacts as to who we are hiring, but first is qualifications. What I'm finding is that those individuals that are qualified run right across the gamut and we have no problems whatsoever and we cannot distinguish from the qualifications. Minorities, white males and anything else. They seem to be all equally qualified.

Q: Most people agree that your name has helped you a great deal as a candidate in public office. Does your name help you in performing your duty as an office holder?

A: I don't know if I can answer that. I don't know a situation in where, which the name has become a significant factor. Even if it was, I'm not sure that I would be able to fairly judge that. I guess going back to a general position, if in fact the name is identifiable to the public and if the public attributes certain strong actions taken by our office through that name and identify it with the office, then I suspect it has helped us. I suppose it can work just the opposite. If we make a substantial error maybe that's going to make all that more clear as to who caused the trouble and who didn't get the job done. So we'll just have to see. But I'm not sure you could separate the name out and say yes it was a factor that improved or didn't improve the situation.

[EDITORS NOTE: On November 3, 1983, Attorney General Humphrey announced that he would not be a candidate for the United States senate in 1984.]

Image

Photograph of 'Skip' Humphrey, who plans to stay on as Attorney General – for now.

Bar (Review) Wars - two to choose

By Margaret Hepper

The most important test law students face in their quest for "attorneydom" is the infamous Minnesota State Bar Examination. Obviously, the bar exam is not to be taken lightly, which is why an overwhelming number of students enroll each year in various bar review courses. In Minnesota, the two bar review courses available to the nervous law student are BRC (Josephson's Bar Review Center of America) and MBR/BRI (Minnesota Bar Review/BRI, Inc.). Two questions should immediately pop into the minds of unsuspecting law students. Why, after three or four grueling years of law school; do students need to enroll in bar review courses, and how do these two bar review courses compare with one another?

The answer to the first question, concerning the necessity of bar review courses, is relatively simple, Bar review courses help law students to review those areas of the law which they may have forgotten and to learn new areas which may not have been touched upon in class.

The essay section, which covers Minnesota subjects, and the professional responsibility section allow students to apply legal principles learned in the classroom. The multistate section is a different story. Subjects such as torts, contracts and real property are tested, based upon federal common law principles, many of which are not covered in the classroom. Without the aid of a bar review course, many students would not learn these somewhat archaic principles.

The other major reason students enroll in bar review courses is to gain confidence and to feel secure in their preparation for the bar examination.

The second question, as to how BRC and BRI compare with one another, can only be answered by potential enrollees, but here are the cold hard facts:

PRICE: BRC's tuition for the 1984 Summer and Winter courses is \$495, plus a \$50 refundable book deposit. The price includes lectures, law summaries and capsule outlines, BRC's Programmed Learning System (PLS), and the separate professional responsibility course. A \$50 course deposit will freeze the current tuition price for students taking the Bar in 1985 and 1986. Also, a \$70 discount from the current tuition price is available to those who pay their course deposit through November of 1983. Underclass students who make the course deposit as well as a \$50 book deposit will receive a one volume book which covers the core courses covered during the first and second years of law school. Upon completion of the BRC course, the book deposit will be refunded.

BRI's tuition for the 1984 Winter and Summer courses is \$475 plus a \$30 refundable book deposit. The price includes lectures, outlines, testing programs and the mini-review sessions. The professional responsibility course is charged separately.

Both BRC and BRI guarantee their students the opportunity to take the course over again, free of charge if they fail the bar examination.

AREAS COVERED: BRC and BRI course materials cover all the substantive areas of law tested on the Minnesota Bar Examination. These areas include the multistate subjects such as torts, contracts and criminal procedure and Minnesota subjects such as civil procedure and wills, estates and trusts. Professional responsibility is covered in separate courses.

COURSE MATERIALS: BRC's course materials consists primarily of law summaries and capsule outlines. The law summaries are extensive outlines covering each substantive area of the law to be tested. They are textual in form, and contain many hypotheticals and catch phrases which aid students in learning particular sections. Capsule outlines are short outlines which correspond to their respective law summaries. These are considered useful for those areas in which the student already feels confident. Capsule outlines also serve as indexes to the lengthier law summaries.

BRI's course materials consist primarily of outlines covering each substantive area of the law to be tested. These outlines are in strict outline form and are very concise. Emphasis tends to be on those areas hit hardest on the bar examination.

The differences in length between BRC and BRI course materials is substantial and a primary distinction between the two courses. Michael Nye, BRC's Campus Coordinator, said he feels that the lengthier course materials are a definite advantage over BRI.

"Law students don't always read everything in a given area of law, nor do professors touch on everything," he said. The Bar Exam will touch on unknown areas and BRC's lengthier, in depth law summaries allow students to learn these areas and, because capsule outlines are available, students may either study an in-depth law summary or merely review a capsule outline, an option not available with BRI."

BRI is quite the opposite on this point. Bruce Singer, Executive Director of BRI in Minnesota, feels that length is not very productive.

"Our outlines are concise because we think it is important to get through the outlines three or four times before the bar exam, Singer said. "We don't have as much material, keeping in mind that passing the Bar is the ultimate goal."

Peter Dahlin, BRI's Campus Coordinator said that "BRC provides more material, but BRI gives you enough information to pass the Bar, which is really the purpose of a bar review course."

METHODOLOGY: BRC's six-week course begins with a diagnostic pre-test, which uncovers a student's strengths and weaknesses in any given area to be tested. Throughout the course, students are responsible for reading the law summaries, completing homework assignments, and taking reinforcement tests. Both the reinforcement tests and the pre-tests are sent to California to be graded and are returned along with a "norm" score of past BRC students.

Essay tests, which are given periodically, are handled much the same way. A "model answer" is returned to the student, indicating what type of answer is necessary to pass the bar.

Lectures round out the BRC review course. The lectures are given by law professors and are scheduled four times a week for three to four hours. Video and audio tapes of the lectures are available the following morning for those students who either missed the lecture or wish to view it again, BRC will send audio tapes to absentee students for an additional charge. Nye said he feels that BRC's lectures are a big benefit in the review process.

"The quality of lecturers is high. Many have national reputations in their respective areas of the law," said Anne Henning, a BRC Campus Representative. "The lecturers highlight course materials by using hypotheticals, instead of merely reading the outlines."

BRI's six-week course structure focuses mainly on live lectures and a directed testing program. Homework assignments are not required, primarily because BRI feels that law students are capable enough by this point to study the materials effectively on their own. BRI holds periodic multistate practice exams on the areas covered each week. These tests are designed for review purposes and are also helpful in acquainting students with actual test-taking circumstances. The Multistate testing volume also provides actual Multistate Bar Exams from previous years.

Practice essay tests are held periodically and are critiqued by former Minnesota Bar Exam graders. These same exam graders hold writing seminars, which concentrate on the organization and style necessary to pass the bar.

The live lectures play a very important part in BRI's course review, the quality of lecturers is high, Singer said.

"We think we clearly have the best lecturers available," Dahlin said. The lecturers generally use hypotheticals, and hone in on what you need to know to pass the Bar. In BRI's lecture format, the lecturers give you dozens of hints on how to pass the multistate section of the bar, which is the most difficult part. Substantive questions which repeatedly appear on the test are analyzed, and the answers are given. This was very helpful to me."

BRI uses live lectures for both their summer and winter courses, and video tapes are available the following morning. Audio tapes are available at any time, and can be sent to absent students for an additional charge.

Additional information concerning BRC or BRI bar review courses can be obtained from the campus representatives at William Mitchell, or from the regional offices in the Twin Cities.

Images

A cartoon hand rolling a pair of dice.

Bar Reviews: A real choice or a roll of the dice?

NEXT OPINION DEADLINE: JANUARY 25

Firm to be selected to evaluate library needs

By Jim Crist

The William Mitchell Board of Trustees will select an architectural firm from a group of five finalists to perform a \$50,000 feasibility study examining options for a new law school library.

The existing facility cannot meet the library's future needs, which include an expanded collection and automated research services.

Heading the list of five architectural firms is the Boston firm of Dober and Associates. Dober specializes in Academic Planning and has worked on several St. Paul area colleges.

Once a firm is chosen it will examine several building options. Three possible options are building a new wing, renovating the existing library and renovating the Legal Education Center. In addition to the actual construction costs, the study will consider how well the proposed construction would serve the library's future needs and to what extent it would limit student access to the library's collection.

"We will encourage the architects to submit a large number of options to the Board for their consideration," Downs said. "We hope that the option ultimately chosen by the Board will significantly increase the square footage of the library to accommodate the adding of emerging technologies needed for an efficient law library."

Downs said that the actual building design will be done by another architectural firm after the Board of Trustees initiates a capital fund drive.

The college plans to expand its development activities to meet future capital needs.

The college's Ad Hoc Building Committee plans to meet in November to outline suggestions to be submitted to the firm performing the feasibility study. "We hope to receive input from students and faculty concerning improvements they would like to see incorporated in the new library," student committee member Brian Batzli said.

Construction could be completed as early as 1985. Downs said, however, that it might take four or five years.

Environmental Law Society Roundtables, Journal planned

By Jim Gasparini and Norine Olson-Elm

The William Mitchell Environmental Law Society has scheduled an Acid Rain Roundtable for Thursday, November 17th at 8:30 p.m. in room 225. It is the second roundtable for this year and will include a showing of the film *Requiem or Recovery*, followed by a general discussion. As with all the round tables, refreshments will be provided and everyone is welcome to attend.

The first roundtable this year was on the Minnesota Superfund. It was an informative session which featured Senator Ronald Sieloff and Professors Marcia Gelpel and Dave Prince. Senator Sieloff and Professor Gelpel were involved extensively in the superfund legislation and Professor Prince is currently doing research in the area. The differing opinions of the speakers provided valuable insight into the complex problems involved with the legislation. Approximately thirty people were in attendance.

The Environmental Law Society was established at William Mitchell approximately six years ago and has been developing and growing ever since. It began with a group of students providing research on environmental issues for practicing attorneys. The group was also involved in litigation over the powerline dispute and worked with environmental agencies such as the Environmental Quality Board and the Minnesota Pollution Control Agency.

In an effort to increase student participation and provide information for students and faculty, the group began inviting speakers to discuss environmental issues. One of the first such presentations was on the effects of radiation, toxins and pesticides. Since then the E.L.S. has continued to invite speakers and to sponsor informative sessions in the form of roundtables.

The history of the E.L.S. includes the evolution of an environmental newsletter into the William Mitchell Environmental Law Journal. The Journal provides an opportunity for students, faculty and interested persons to publish articles on Minnesota and regional environmental issues.

Volume one of the Journal was published last spring and includes articles on nuclear waste, barriers to solar development in Minnesota, hazardous waste, acid rain remedies and legislation in Minnesota, and a commentary on the Sysco Settlement. Copies of volume one are available in the communications Center. The price is \$4.00 for students and \$6.00 for non-students.

This spring the E.L.S. will be publishing the second volume of the Environmental Law Journal.

It will include articles on cogeneration, toxic torts, groundwater pollution and the Minnesota superfund. One does not have to be an E.L.S. member in order to have an article published in the Environmental Law Journal so everyone is welcome to submit articles for publication.

E.L.S. business is conducted by informal meetings held biweekly in the student lounge. Anyone interested in writing for the Journal or becoming involved with the Environmental Law Society is welcome to attend.

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That's the glory of our all-new Sunday Brunch. It changes every week because we leave the menu up to the whims of our chef and the phases of the moon.

But some things never change. Our fruits and veggies are naturally fresh, not sprayed with preservatives to look that way. Our meats and cheeses come from small, family-owned processors in Wisconsin (they aren't shot full of preservatives either). There's lots of variety. And you can tell that our chef likes his job.

Our Sunday Brunches run from 10 a.m. to 2 p.m. Join us this week and enjoy complimentary champagne or fresh-squeezed O.J. as you survey the spread. You won't believe you can eat the whole thing for just \$7:95!

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