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POLICY STATEMENT
The objectives of THE ADVOCATE are to publicize the activities and outstanding achievements of the Law School and to present articles by students, faculty and guest writers on timely subjects pertaining to the law.

All articles and editorials reflect the personal views of the authors and are not necessarily the views of the administration or faculty of Suffolk Law School.

Guest editorials by students and faculty are welcomed by THE ADVOCATE which recognizes its obligation to publish opposing points of view.
Senator John V. Tunney has served as United States Senator from California since January 2, 1971. He earned his Bachelor of Arts degree from Yale University, and a Bachelor of Laws degree from the University of Virginia Law School.

Prior to his election to the Senate, Senator Tunney served for six years in the United States House of Representatives.

Senator Tunney was the principal speaker at the Law Day Dinner sponsored by the Student Bar Association of Suffolk University Law School. Senator Tunney's address, which was presented on April 30, 1971, appears in its entirety.

**CONTROLS ON SURVEILLANCE**

by U.S. Senator John V. Tunney

A vast change is occurring in America, a change that is affecting the very soul of our nation, reshaping our attitudes about ourselves and about our country, change that is putting our lives and our liberties in a tightening noose of control and intimidation.

America used to regard herself as a star-spangled land, the land of freedom and of opportunity, and she is. But there is the increasing threat she will not remain so.

Our old optimism about our country is diminishing, bloodied by a tragically endless war that most Americans oppose, sullied by the wanton barbarism revealed in the Calley trial, reduced by continuing despair of our cities and by the lengthening lines at unemployment offices.

Our old Fourth of July confidence is breaking down. Confusion and uncertainty are sweeping across the nation, propelling brushfires of hostility, touching off confrontations, heightening anxieties between those who want change, and those who do not.

In some regards, this process is healthful, for no longer is America wearing rose-colored glasses that deceive her about deep inner problems. She is discarding false conceits about herself and viewing more realistically our stagnant ghettos, our polluted skies and waterways, our strangled traffic, our inadequate schools and health facilities and, of course, our continued commitment to spend American lives and treasury in the jungles of Southeast Asia.

But this new realism is by no means universal, and is, in fact, accompanied by a rigid resistance, by suspicions and lingering prejudices that constrict the opportunities for orderly change, that constrain our liberties for the sake of security.

These conflicting currents are manifest in how, as a nation, we handle our laws, enforce them, change them, interpret them, discard them.

And there is growing indication these days that many of our laws, indeed our very Constitutional liberties are being manhandled.

It may be that we have not reached that Orwellian nightmare where Big Brother constantly scrutinizes our private lives, but it is getting so that he can listen in almost constantly. As someone pointed out to the Senate subcommittee on Constitutional Rights, of which I am a member, "we're at 1984—minus 13, and still counting."

There have been many warning signals in the air in the last few months with regard to what type of America we might be faced with in the near future if we are not ever vigilant with regard to preserving and
maintaining our liberties and our personal freedoms. Democracy is a very fragile balance between freedom and order, and, apparently, there are those in the administration in Washington, D.C. who are willing to sacrifice freedom in their efforts to preserve order. The impetus for this seems to come directly from the agency in the administration charged with upholding our laws, the Justice Department.

It seems to me that judgments made within the Department as who is and who isn't a threat from within, what laws should be enforced, and what laws, particularly in the civil rights field, should not be enforced, whose telephone lines should be tapped, and whose shouldn't are influenced and guided by politics.

Item: Attorney General John Mitchell's refusal to rule whether Mississippi's new primary election law violates the voting rights of Blacks, a refusal, by the way, that drew a deserving rebuke from a three-judge panel in Mississippi.

Item: The administration's refusal to give full funding to the California Rural Legal Assistance program, a political capitulation to Governor Reagan, who deplazes CRLA for the quality of legal services it is providing California's poor. By the way, the Governor leveled more than 300 pages of wild charges at CRLA. Now he refuses to support the charges either by presenting witnesses or by submitting evidence to three judges whom Washington appointed to investigate them. Obviously, like too many others who rant for law and order, the Governor would prefer his order, his star chamber, to the law imposed in a courtroom.

Item: The leaking from various units in the Justice Department of raw, totally unverified files on a political figure, as happened against San Francisco's Mayor, Joseph Alioto; vicious material that, because it came on FBI and other official letterhead, became the substance of a national magazine article.

Item: The Department's incredible procrastination, for months, in appointing a Director for the Law Enforcement Assistance Administration, the agency that trickles some Federal money to local police. And then the Department boasted in its annual report of helping cut crime in 23 major cities. The cuts were achieved not because of anything John Mitchell did, but rather because the residents of those cities paid the tax dollars to increase and professionalize their police departments.

Item: The frantic efforts by the Justice Department to bar Vietnam veterans from camping on Washington, D.C.'s Capitol Mall during their protest against the war. The Department went all the way to the Supreme Court, and its only conceivable purpose would seem to have been to provoke a confrontation in which it could posture as being tough on law and order. The D.C. police, with their customary good sense, refused to act unless John Mitchell himself issued a written order, and he backed down.

This vacillation blurs the distinction between legitimate and orderly dissent, as the veterans' protest clearly was, and disorderly and disruptive actions, as the May Day protests clearly were. It confuses the vast differences between those who seek orderly change, and those who seek it through revolution and upheaval. It encourages those who would destroy our institutions to believe they can step beyond the law with impunity. And it makes the work of the police all that much more difficult.

The Attorney General's vendetta against the veterans, men whom the administration found ample bivouac in Vietnam but could suggest none in the Nation's Capitol city, was terribly misguided. As the nation's chief law enforcer, he could better have spent his time in delineating the differences between dissent, the right to speak out and to assemble peacefully as fully guaranteed by our Constitution, and disorder and lawlessness, which this nation will not tolerate and will put down. Disorder will be put down by police with whatever force is necessary, with full recognition of individual rights, of course, but resolutely.

Out of these and other episodes, a National paranoia is developing, a growing fear that the government is trampling on rights, trespassing on privacy. Many Congressmen believe their phone lines are tapped. I don't know whether mine are or not, but the idea that they may be is chilling. The President of the Massachusetts Institute of Technology told the Constitutional Rights Subcommittee he has long assumed that his activities were monitored by government agents. Suddenly, throughout the United States, the phrase G-Man suggests the iron ring of hobnails. And the impression gains substance in the revelations of the unrestrained scope of government surveillance and in the sheer volume and number of dossiers kept on individual Americans. The Defense Department has files on 25 million persons, the Immigration Service on 40 million, the Department of Transportation on 2.6 million; the FBI has finger-
print cards on 199 million; and the Civil Service Commission has security files on 10 million. Obviously, much of this data was collected by legitimate means for legitimate purposes. Obviously, the government has the obligation to keep track of persons who violate our laws and threaten our security. The government has no right; it has no excuse, to inquire into the politics, into the associations and activities of individuals and organizations. Yet the broad and unrestricted nature of the surveillance suggests such inquiries are common-place. This seems particularly evident in the disclosures about Army snooping. The Army blanket ed such political figures as Senator Adlai Stevenson of Illinois and such respected organizations as the NAACP and the American Civil Liberties Union in its network of spies and operatives. The Army's snooping amounts to an intolerable invasion of individual rights, and amazing transgression from the Constitutional principles it is charged to uphold, and, personally, I am delighted that the U.S. Court of Appeals ordered a full-dress hearing in federal court of the Army's spying on civilians.

By court directive, and by meticulously-drawn legislation, limits must be clamped on government surveillance, forceful limitations that restrict snooping only to those cases in which there is an overwhelming national interest, cases involving crime or subversion, not philosophy or political activity. The restrictions must bare down in another area, they must prohibit government agents from using, or threatening to use, coercion to compel individuals to disclose data they are not legally required to give. They must limit access to files and to the fantastic computer banks that store much of the data to authorized personnel. They must prohibit these officials from leaking confidential material. They must insure that the files are periodically culled for rumor and other unsubstantiated materials so that the files contain fact, not conjecture. The restrictions must establish systematic criteria for surveillance, what agencies should be involved, supervised by whom, to gather what information, on whom, for what purposes. Eliminated should be the loose and highly subjective standards employed by the Army in building its vast files, standards that tried to catalogue on punch cards the zip codes, sex life, ideology and "derogatory information" about persons under surveillance. Such persons were vacuumed from mailing lists, from lists of persons who attended rallies, spoke out against the war in Vietnam, joined a political advertisement, or simply offended the politics or prejudices of the anonymous colonels in charge of the various spy headquarters around the nation.

The restrictions must be spelled out by Congress in a precise and comprehensive law, and, clearly, cannot be left to the agencies in the self-imposed discipline the Justice Department has proposed. The Justice Department's slippery and self-serving standards became obvious recently when the department denied that it bugged a Congressman and then acknowledged that it had secretly recorded the conversations of at least one Congressman. Of course, it had one of those boggling, 1984-ish explanations that surveillance really isn't surveillance when at least one party in a conversation knows the whole thing is bugged. If any time, the Department, in fact the administration as a whole, has disregarded discipline and restraint in John Mitchell's claim of authority to issue orders for wire taps without authorization from a court, in Vice President Agnew's rhetoric of arson, and in his uninhibited attempts to intimidate the free press of our nation, his blast at CBS for its muckraking report, "The Selling of the Pentagon," being the most recent example.

In this effort to legislate some sense into the surveillance, the most august and impressive of all our law enforcement agencies, the Federal Bureau of Investigation, must not hold itself aloof or be held immune. I have high regard for the FBI and for the long years of service by its director, J. Edgar Hoover. But I believe the time has come for the Congress to look into the activities of the FBI. Such an inquiry, I believe, is vital for the FBI and for the nation. Faith in the FBI has been shaken. It's now under a cloud of doubt and suspicion and there are legitimate questions about its activities. Are its activities politicized, so more time is spent monitoring "Earth Day" and other clearly legal activities than it is trying to crack down on organized crime? Is it really tapping Congressional telephones? These and other questions are of legitimate concern to every American and fully within the legitimate purview of Congress to explore. From all this, it may be that Congress may want to create a quasi-judicial watchdog commission, a review board, independent both of Congress and the administration, to oversee our surveillance agencies.

There is one other important area in which Congress must act in order to restore respect and confidence in our system of laws. It is in the area of judicial reform. The statistics on the backlog in our courts are staggering, but I am hopeful a bill I am co-sponsoring may offer some relief. The bill would create a national center for state courts and provide $15 million to study and to implement needed reforms.

The issues I've cited, controls on surveillance and court reform, are enormously complicated and will require the imagination and the skill of our law schools to resolve, the determination of our Congress to legislate, and the staunch idealism of all Americans to implement. Their resolution depends on how staunchly we Americans believe in the fundamental freedoms set forth in our Constitution, and how willing we are to defend them.
Congressman Parren J. Mitchell was born in Baltimore in 1922. He earned his Bachelor of Arts degree from Morgan State College in 1950 and his Masters of Arts from the University of Maryland in 1952. He was elected to the United States Congress on November 3, 1970.

BLACK AMERICA AND THE LAW

by The Honorable Parren J. Mitchell

The law is such a broad subject. It begins with the beat patrolman, and ends with the prison guard. The face of the law for Black America is strictly white. The arresting policeman, the trial judge, the state's attorney and the court-appointed defense attorney, the prison administrators, guards, teachers and social workers, members of the parole board and the probation officer—all are likely to be white while he is Black. There are no shared bonds between the accused and the perpetrators of justice, no common experiences. Consequently, the dehumanization of the arrest, trial and incarceration procedure is intensified. No other aspect of our society so clearly demonstrates the violent impact of institutional racism as does the American legal system.

The history of Black victimization at the hands of the American legal system may differ only in intensity from that of other minority groups. (Victimization is not too strong a word for any system which first creates 'criminals', and then incarcerates them in intolerable conditions necessitating revolt, and which finally countenances their ruthless massacre. Victimization is a mild word for this process.) Certainly, the matter is the subject of much useless debate back and forth. The relevant point is that Blacks in America are currently bearing the brunt of the failings of the American legal system. It serves no good to inform a youth of 19 who has just received a twenty year sentence for a $100 armed robbery, that there are historical precedents for his predicament in the Irish experience of the 1850's. He would show an understandable lack of interest. Rather, discussion should center around strategies for ending the victimization of Blacks, and other minorities.

A Report by the President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society, in describing the criminal court procedures it had investigated, made a judgment that may be usefully extended to the entire legal system.

The Commission found overwhelming evidence of institutional shortcomings in almost every part of the United States. A survey of the lower courts operations in a number of large American cities found cramped and noisy courtrooms, undignified and perfunctory procedures, badly trained personnel overwhelmed by enormous case-
loads. In short, the Commission found assembly line justice.

The same over-bureaucratization, with its resultant inefficiency, can be found in both the police and prison systems, and in the courtroom system where the vast majority of lawyers and judges are white.

There are no magic remedies to be suggested. Money is required, to improve and expand correctional facilities, to increase the pay and the training of law enforcement officers, to increase the pay and the number of judges and to decrease the overflow in court dockets. But money is a sterile remedy, which can only serve to enlarge a system that is already failing. Improvement would require some basic changes in institutions, to go along with the increased supply of money.

One opinion suggests a complete top to bottom change in the face of law enforcement in the Black community. In a sense, the coming debate in law enforcement and administration will mirror the present debate in education, i.e., the debate over community control. Law enforcement must be made responsible to the people it is designed to serve. Moreover, the administration of the law must reflect the attitudes and desires of the community to which they apply.

Black Americans are this nation's greatest victims of crime. And yet Black distrust of the legal system is so great as to make them fear it more. Faith must be established in the system but the system must change for that to happen.

For as President Johnson worded it in his message to Congress, March 9, 1966:

"Ancient evils do not yield easily to conquest. We cannot limit our efforts to enemies we can see. We must with equal resolve, seek out new knowledge, new techniques and new understanding."

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THE MULTISTATE BAR EXAMINATION

As Explained By
NATIONAL CONFERENCE of BAR EXAMINERS

The National Conference of Bar Examiners will offer to the board of bar examiners of each state a bar examination which can be given on February 23, 1972 and a second test which can be given on July 26, 1972. By May 1, 1971 eight states had notified NCBE they planned to be a participating state and use one or both forms of the test. It is expected the program will be a continuing one and that NCBE will provide two tests each year.

The multistate bar examination resulted from the appointment in the fall of 1968 of a NCBE Special Committee on Bar Examinations. This committee, which consisted of bar examiners from California, Connecticut, Florida, Illinois, New York, Ohio, Pennsylvania and Virginia, a law school dean, a law professor and two professional testing experts, made studies and held many meetings.

The committee found there was a universal concern over the mounting burden for bar examiners caused by increasing applications for admission to the bar. Its studies revealed that in the past decade or two tremendous progress has been made in the science of testing and that techniques as modern as current electronics have been developed. The committee was impressed with the bar examination procedure used by the Florida Board of Bar Examiners. Since 1965 the Florida bar examination has included multiple-choice questions on certain subjects. By 1968 Florida was using a two-day bar examination with multiple-choice questions for one day and essay questions for one day. Testing experts helped plan the procedure and the tests.

The committee made a careful investigation of state cooperation in testing for licensing by other professions. About a dozen professions, including doctors, nurses, professional engineers, veterinarians, pharmacists, accountants and architects, use uniform tests. It was found that in every instance they are using multiple-choice tests and are very happy with the results.

To obtain the best technical advice and administration on testing, specifications were prepared and bids were submitted by three of the largest and best known testing agencies. As a result, NCBE contracted with the Educational Testing Service of Princeton, New Jersey, the organization which ad-
ministers the Law School Admissions Test, to provide technical assistance. NCBE believes it has obtained the assistance of the best testing organization in the nation for its purposes.

Based on its studies, the NCBE Special Bar Examination Committee recommended to the NCBE Board of Managers that a one day test of multiple-choice questions on five subjects be made available to all states. It would be a six hour test. The Board of Managers accepted the recommendation, established a standing Bar Examination Committee to insure the continuity of the program and directed this committee to proceed with the plans. It was designated the Multistate Bar Examination.

The American Bar Endowment made a substantial grant to finance the planning and preparation of the first tests.

It is planned to provide two tests each year as a continuing program under the direction of the NCBE Bar Examination Committee. The first test will be given on February 23, 1972 and the second test will be on July 26, 1972. These dates were selected after a careful review of the dates of bar examinations in all states. The committee will soon adopt a formula for the dates of the examinations, such as “the last Wednesday in February and the 1st Wednesday in July.” There has been no decision for a permanent formula.

Examinations will cover the subjects of contracts, criminal law, evidence, real property and torts. NCBE requested suggestions on subjects from all bar examiners and all law school deans. On the basis of these replies, the five subjects were chosen. These subjects are examined on in all jurisdictions and are thought suitable for multiple-choice questions. A brochure for candidates to be released in the fall will contain a short outline of each of these subjects used in drafting the questions.

There will be forty “items” on each of the five subjects. Each item consists of a question or “stem” with four alternative answers, a “best answer” and three “distractors.” (See sample questions at the end of this article.) There will be two hundred items in the NCBE test to be given in six hours of testing on one day. For security reasons it must be given on the same day in all states.

It is expected that each participating state will prepare a separate essay examination which could cover a wider subject area and local law. This could be one or more days of examination as the state board desires and could be administered immediately before or after the Wednesday multistate examination. The state examination can be prepared, administered and graded under the state board’s customary procedures.

How the Multistate Examinations are being Prepared:

Five committees of five persons each, bar examiners and law professors, were selected, one committee for each of the five subjects. Each committee met for a day and a half for instructions by ETS personnel on writing multiple-choice questions. Back in his office each member prepared questions and sent them to the director of testing, who submitted all questions on each subject to two law professors with long experience in teaching the subject. These reviewers made extensive comments on the proposed questions. ETS personnel reviewed the questions from the viewpoint of testing experts. Each committee then met with ETS personnel for a two day work session during which many long hard hours were spent analyzing and re-writing questions submitted. At this session questions for the first examination were put in fairly final form, lacking only a final review by ETS experts at Princeton. The test will then be assembled with random questions and not labeled by subject. It will receive a final over-all review by representative members of the committees and the final form prepared.

This demonstrates that the examinations are being prepared with the utmost care. It is believed that it will be the most expertly and carefully prepared law examination ever administered.

Administering the Test and Reporting the Scores:

State boards participating in the program will register through the NCBE Office of Testing and receive the test materials from ETS, which will also provide a manual containing instructions for administering the examination and protecting its security. Immediately after the examination, each board will return the test books and answer sheets to ETS.

ETS will score the answer sheets and, within fifteen days of their arrival at ETS, will report the scores to each state board of examiners. Each board will receive the scores of its candidates, the number and percentage of right and wrong answers each candidate made on the total examination and on each subject, the distribution of total scores of the board’s candidates and the median score of the group. A distribution of scores for all candidates taking the examination, but without individual or state identification, also will be provided.

A score interpretation manual will be sent with the reports. In addition to explaining the score, the manual will offer suggestions for combining multistate examination scores with grades on local examinations and for setting the pass-fail point. Neither the NCBE Office of Testing nor ETS wishes to influence decisions about where to set passing scores. This is the responsibility of the state boards. The report of scores on each subject will enable a board to weigh each particular subject.
Questions on the NCBE examinations are not to be disclosed to any applicant after the examination.

Why Multiple Choice Questions?

1. During the last fifteen years multiple-choice testing techniques have been developed to the point where much more sophisticated intellectual processes can be measured than was the case in the past. In the Law School Admissions Test, reasoning ability, is the ability to define and analyze problems, and to reach decisions through the application of legal principles, is measured with a high degree of success. See, Winterbottom, The Use of Essay and Objective Techniques in Bar Examinations, 38 The Bar Examiner 5 (1969). See also, Goolsby and Wray, An Annotated Bibliography Related to Bar Examinations and Admission To Legal Practice, 39 The Bar Examiner 93 (1970).

2. Objective questions allow broader coverage of the subject matter in the test.

3. In most states test results will be available more quickly and earlier admission to the bar will be possible.

4. Subjective grading, which is inherent in the use of essay questions, is not present in the NCBE test.

5. Multiple-choice questions serve to balance in one part of the test the advantage of a fluent articulate writer over the applicant who has a good command of the law, but may suffer because of inadequacies of style.

6. Machine scoring will lighten the burden of grading.

Will Local Law be Considered in Answering Questions?

Will the applicant consider local law in answering questions on the multistate examination when the local law may be at variance with general rules of law?

The answer sheets will be machine graded exactly the same regardless of the state in which the applicant marks his answers. The applicant should not take into account local law. The examination will be based on the general law of the subject as it would be taught in a so-called “national law school”.

In preparing the questions the committee had in mind the content of the first year course in contracts, torts, criminal law and real property, as normally taught in law schools. The regular course in evidence was the basis for the questions on that subject. The questions were prepared after a careful examination of the tables of contents of casebooks on these subjects frequently used in law schools.

A brief outline of each subject will be contained in a brochure for applicants to be distributed in the fall of 1971.

Only One “Best Answer” Will Be Scored As Correct.

Each item will contain four choices and the “best answer” will be scored as correct. There will be no credit given for a second best answer though it is not absolutely incorrect. In the view of the committee of experts on the subject who prepared the items, one of the choices is clearly the “best answer”.

SAMPLE QUESTIONS

Questions on the multistate bar examination will be in the following form. Several “items” will be based on one fact situation. Each “item” will consist of a “best answer” and three distractors.

Items 1-5 are based on the following fact situation. Husband was driving his auto with Wife in the front seat, and a neighbor, Mrs. Young, in the back seat. Mrs. Young suffers periodic headaches of extreme intensity, and one suddenly developed during the drive. Mrs. Young leaned forward and reached for her forehead. In doing so she struck Husband on his back, causing him to turn around momentarily and thereby fail to see a large powerful car coming out of a side street. The car sped across the street in front of Husband and was struck behind the rear wheel by the front of Husband’s car. The car was driven by Zorba, an adult male, who had not stopped at the stop sign, an act that violated a state law. Husband’s car was damaged in the amount of $500 and he sustained personal injury damages in the amount of $300. Wife sustained personal injury damages in the amount of $300. Zorba’s car was damaged in the amount of $1,000, and he sustained personal injuries in the amount of $700.

1. In a claim based on negligence brought by Husband against Zorba, Husband in a negligence per se jurisdiction would

(A) recover from Zorba, since Zorba did in fact go through the stop sign in violation of state law

(B) obtain from the judge a conclusive ruling that Zorba was negligent, but Husband would have to answer to other defenses that Zorba might assert.

(C) obtain a ruling from the judge that Zorba’s behavior was some evidence of negligence, but that Zorba could offer additional evidence to go to the jury on the issue of whether Zorba acted reasonably under the particular circumstances

(D) be assured of a recovery as a matter of law although it is also a comparative negligence jurisdiction

2. In a negligence action by Husband against Zorba
and assuming for the purposes of this question only that Zorba was negligent, the defense most likely to prevail is that

(A) Husband was guilty of contributory negligence
(B) Mrs. Young's conduct was the sole proximate cause of the accident
(C) Husband, in turning his head, was guilty of gross negligence
(D) the type of accident that occurred was not foreseeable since Zorba could not anticipate that Husband would be looking into the back seat of his car

3. In an action brought by Wife against Zorba, Wife is likely to

(A) be treated as an innocent person and recover her damages
(B) be treated as a guest who assumed the risks of the journey
(C) be treated as a guest, and have to prove that Zorba was grossly negligent
(D) have the contributory negligence, if any, of her husband attributed to her

4. If Husband asserts a claim for relief against Mrs. Young, the theory most likely to prevail is that Mrs. Young

(A) committed a battery on Husband, and is legally responsible for all causally connected consequences
(B) committed an assault on Husband, and is legally responsible for all causally connected consequences
(C) was negligent in getting into the car knowing that she suffered from acute headaches, and is legally responsible for all reasonably foreseeable consequences
(D) was negligent in striking Husband, and her negligence was a proximate cause of his injuries

5. If Husband and Zorba each sue the other and each is found to have breached his duty of due care

(A) damages would be prorated on the basis of the percentage of harm sustained
(B) neither party would recover
(C) special damages would be prorated, but neither party would recover for pain and suffering
(D) each party would recover all his damages from the other

Items 6-9 are based on the following fact situation.

Testator, the owner of Blackacre, left a will by which he devised the same in the following order: "I leave Blackacre to my grandson, Sam, in fee simple forever, title to vest in Sam only at the expiration of 20 years from the time of my wife's death." The will contained a residuary clause. Testator was survived by Sam and also by Testator's wife and by Bob, Testator's only son and sole heir. Bob entered into possession and began drilling for oil.

6. Sam brought his petition in equity to enjoin Bob from continuing the drilling. Indicate which of the arguments listed below you consider the strongest one in support of Sam's petition.

(A) Bob is a trespasser having no right to possession of Blackacre
(B) Neither a tenant pur autre vie nor a tenant for years has any right to remove oil or other minerals from the land
(C) Sam has an estate or interest that is certain to vest and the removal of oil is a deliberate waste or destruction of the value of that estate or interest
(D) The owner of a future interest, whether the interest is vested or non-vested, is entitled to an injunction against waste being committed or threatened by a possessor or owner without regard to classification of the present interest involved

7. Indicate which of the arguments listed below you consider the strongest defense Bob could offer to an action brought by Sam to enjoin Bob from drilling for oil on the premises.

(A) Whether his Estate is absolute or defeasible, the owner of a fee simple has a right to extract minerals
(B) The owner of an executory interest has no standing to enjoin the actions of the owner of the preceding estate
(C) The owner of a non-vested interest is not entitled to maintain an action for waste prior to the vesting of his interest
(D) The social interest in promoting the most economic use of land would be frustrated by an injunction against the development of the oil interests in Blackacre

8. Sam's interest in Blackacre could best be described as:
(A) A contingent remainder  
(B) A vested remainder  
(C) An executory interest  
(D) Nothing  

9. Bob's interest in Blackacre could best be described as:  
(A) A reversion  
(B) A fee simple absolute  
(C) An estate pur autre vie plus an estate for years  
(D) A fee simple subject to an executory interest  

The answers to the sample questions can be found on page 18.

Communications should be addressed to:  
Director of Testing  
National Conference of Bar Examiners  
Tate Hall  
Columbia, Missouri

New Briefs

LAW DAY 1971

Over 700 persons attended the annual Law Day dinner of the Suffolk University Law School Student Bar Association at the Chateau De Ville in Framingham. Senator John V. Tunney of California was the principal speaker. The Student Bar Association presented its annual Frederick A. McDermott award to Abner R. Sisson, a 1928 graduate of the Law School.

The award, presented in the memory of the late dean of the Law School, is given for distinguished achievement in the legal field and for vital interest shown in Suffolk University Law School. Careful planning, interesting music and a copious assortment of libations made for another successful and most enjoyable evening.
On the right is Abner R. Sisson, Boston Attorney, receiving the Frederick A. McDermott award from Law School Dean, Donald R. Simpson.

304 GRADUATE

Thomas A. Fulham, president of Suffolk University, conferred degrees of Juris Doctor on 304 graduates of Suffolk University Law School at the John B. Hynes Civic Auditorium in Boston. The call to commencement was made by Judge John E. Fenton, Chairman of the Board of Trustees of Suffolk University. University marshal was the late State Senator Charles V. Hogan of Lynn, a 1921 graduate of the Law School. Governor Francis W. Sargent, commencement speaker for the 734 degree recipients from the colleges and the Law School, was awarded the honorary degree of Doctor of Public Administration.

ENROLLMENT UP

740 new faces appeared upon the Hill this September, ready, willing and hopefully able to pursue the study of law. This large first year class brings the total enrollment of the Law School up to 1,900, as opposed to 1,760 of a year ago. The first year class

Governor Francis Sargent, center, is awarded the honorary degree of Doctor of Public Administration by President Fulham as Judge Fenton looks on.
is equally divided between day and night students as is the total enrollment of the Law School.

The day and evening sections were greeted separately in the University auditorium. The new students were congratulated for having come this far. For Suffolk, like all schools, has seen an ever increasing rise in the number of applications. On April 1, 1971 when the registrar's office stopped accepting applications, 3,600 had been received. This figure does not include the many more which were received after April 1 and were not considered. Thus the competition among law school aspirants becomes keener, with no end in sight. Gone are the days when tuition was the primary concern.

Although the majority of students are Massachusetts residents, the first year class shows a wider distribution, representing 23 states and 2 foreign countries, from 251 colleges and universities.

**ACQUISITION OF NEW BUILDING**

In his inaugural speech this September, President Fulham announced that the University had reached substantial agreement with the Massachusetts Teacher's Association for the acquisition of its eight story office building at 20 Ashburton Place, a block from the Derne and Temple Street buildings.

Later in an exclusive interview with The Advocate's "on the spot reporter", Jack "Scoop" Donoghue, President Fulham explained what significance the new acquisition would have for the Law School. He said that the purchase had been made and was well on its way toward consummation, with December of this year, an optimistic date for the passing of title.

President Fulham proposes to transfer the liberal arts and the business schools into the new building. This would be done as soon as is physically possible on a piecemeal basis. It was President Fulham's original intention to provide the Law School with a building separate and apart. This goal has been found to be practically impossible for the immediate future. However, the proposed moves of the liberal arts and business schools will allow the Law School to take over the newer of the two present buildings. President Fulham indicated that the newly acquired building on Ashburton Place was not physically large enough to facilitate the Law School. Considerations such as the law library, the moot court room, and the large lecture halls in the Donahue Building make it more appropriate for the Law School to remain where it is. The first floor of the Donahue Building will remain as administrative offices for the University; however, the Law School will gain control of the remaining floors. It is not known how soon such moves could be made.

**PAD**

Phi Alpha Delta Law Fraternity, beginning this year's round of activities early, organized and coordinated the first year orientation program. Service to the Law School and the first year class will not end with orientation. PAD is busy forming a tutorial system in preparation for the forthcoming mid-year exams. All first year students are eligible for this program.

In launching this year's Speakers Forum, which brings to the Law School various distinguished members of the bar, PAD presented Francis X. Bellotti, noted Boston attorney and political figure. In a question and answer period, Mr. Bellotti aired his views on a variety of subjects. Mr. Bellotti expressed his low regard for local bar associations for their failure to speak out against proposed legislation which has cut deeply into the case load of many Massachusetts lawyers.

PAD has made plans once again to bring to the Law School, the American Trial Lawyers' mock trial presentation in the spring. The attorneys involved in this program are among the most distinguished trial lawyers in the Commonwealth. In other areas, tentative arrangements have been made for a field trip to one of Massachusetts' county prisons, during the second semester. Also in the planning stage is a legal aid service to be offered through the Law School.

Although PAD is basically a service organization, founded to develop legal professionalism, the social aspect of the Law School is not forgotten. This fall promises a series of cocktail and dinner parties highlighted by the celebrated Christmas party.
SECOND YEAR MOOT COURT COMPETITION

The second year Voluntary Moot Court Competition is a most important extra-curricular activity available at the Law School. By participating in the competition, the law student seizes the all important opportunity to refine and master the two most valuable skills, oral and written advocacy. In keeping with the established tradition of making the second year competition a challenging intellectual exercise, this year's problem will involve issues of topical interest in an area of unsettled Constitutional law. The problem is designed to provide educational benefit for the student, and to give him an opportunity to argue his case as a pioneer in an untraveled territory of law.

Some of the most respected law professors, attorneys and jurists in the Boston area will sit on the appellate bench to hear the arguments in the 1971-72 competition. In previous competitions, the members of the outside legal community have expressed the utmost praise for the work of the second year students participating in the program. It is certain that there will be as many compliments forthcoming as a result of the 1971-72 competition. The winning team in this year's program will receive a silver bowl and a $500.00 scholarship.

The Moot Court Executive Board that will supervise the second year competition is made up of the following senior students:
Leonard J. Henson, President
Barry S. Weinstein, Vice President
Alfred J. Carolan, Jr., Chairman,
Second Year Program
David C. Williams, Chairman,
First Year Program

VOLUNTARY DEFENDERS

Beginning its second full year of operation, the Voluntary Defenders Program has seen a large increase in participation. At the start of the semester, the program's advisor, Professor Wilbur G. Hollingsworth recommended for certification over 70 third year students to the Clerk of the Supreme Judicial Court. Under Rule 3.11 of the Supreme Judicial Court, these students may be appointed as counsel in criminal proceedings for any defendant who may lack funds necessary to hire an attorney. This year it is

the hope of Professor Hollingsworth to have each student in either the East Cambridge, Dedham, Lynn or Salem District Courts at least once every three weeks.

NATIONAL MOOT COURT TEAM

Each year three third year students are selected to represent Suffolk University Law School in the National Moot Court Competition. The competition is set up on a regional basis with the winners of each region going on to the national finals. This year the problem centers around the Constitutional rights of servicemen accused of killing Viet Nam civilians. Leon Lemaire, Edward Kellman and Gary Pappas will represent Suffolk this year.

ENVIRONMENTAL LAW CLUB

The Environmental Law Club envisions a three-fold program for this year. Initially, it has established an intern program whereby members are working with various state and federal agencies concerned with environmental protection. Presently there are six members working on projects with the United States Attorney's Office. The work consists of investigating pollution abatement schedules, deciding where bad faith has been displayed, and assisting in preparing indictments. A similar program is underway with the Environmental Protection Division of the Massachusetts Attorney General's Office. At least three members will be involved. In addition, the club has several members working with the Conservation Law Foundation to help compile a complete revision and updating of the Open Space Law Manual for Massachusetts. Projects are also envisioned in conjunction with the newly created Massachusetts Agency of Environmental Affairs, Massachusetts Department of Community Affairs, and the Massachusetts Department of Natural Resources. Contact has been made with these agencies, but as yet, exact project details have not been established.

The second phase of the club's operation is a so-called legislative program, headed by Bill DeVore. The specific objects of the program will be a scrutiny of the Hatch Act, with the aim of rewriting certain sections of that act, and drafting of legislation concerning the regulation of power plant location.

The third phase of the activity will involve actual litigation in environmental suits when the opportunity arises.
LAW REVIEW

Law Review begins its sixth year of existence with the publication of this year’s first issue. In the past five years the Suffolk University Law Review has established itself as one of the finest legal periodicals in the country. It has been cited by the United States Supreme Court and by numerous State Supreme Courts. Various articles from Suffolk University Law Review have been reprinted in other legal journals throughout the nation.

Volume Six of the Law Review is composed of an editorial board of eleven members and a staff of forty-four members. This is one of the largest staffs in the Law Review’s brief history. Competition for a position on Volume Six was very intense. Over eighty invitations to compete were extended this year. Of these eighty, only thirty-five candidates were selected as staff members. The Editorial Board is pleased to announce the selection of the following second year students as staff members of Volume Six of the Law Review:

Lawrence P. Army
Ken Bagley
Ronald Bell
Arnold Bennett
Robert Brady
John A. Brennan, Jr.
Kenneth P. Brophy
Francis Buckley
Alan Cantor
Robin Carter
Joseph Connolly
William Cooke
Coleman Coyne, Jr.
Paul J. Demoga
Dennis P. Derrick
Michael F. Farrell
Predda Feder
Eileen Fennessy
Marshall H. Fishman
Carmen A. Frattaroli
Richard S. Gordon
H. Scott Haskell
Thomas A. Hensley
Paul C. Kilian
Gerald P. May, Jr.
Dante G. Mimmolo
Michael Noble
James O’Dea, III
John R. O’Malley
Kenneth C. Robbins
Albert A. Russell, Jr.
Kenneth Sherman
William Simon

In addition to the above second year students, the following two third year students have also been selected as staff members of the Review: Timothy McKenna and Philip Mortensen.

Publication of the first issue of Volume Six is scheduled for the first week in December. Among other things, the Law Review has scheduled to devote the entire third issue of Volume Six to a Symposium on Judicial Reform. The Editors and Staff anticipate that Volume Six will be the most comprehensive Volume to date.

DELTA THETA PHI

The Delta Theta Phi Law Fraternity is presently embarking upon what should prove to be its most fruitful and productive year. The Frank L. Simpson chapter was chartered during the 1969-70 academic year, but has already contributed greatly to the improvement of the educational and social climate at the Law School. It is the intention of the brothers to strive for even more success in 1971-72.

The tutorial program conducted by the fraternity last year will be continued on an expanded scale in order to assist first year students studying for mid-year examinations. Faculty cooperation, together with the interest shown by the involved students, contributed toward making the tutorial a most valuable educational experience.

Probably the greatest achievement of Delta Theta Phi has been the establishment of a fraternity sponsored legal aid office in Beverly. Through this project, Suffolk students under the supervision of local attorneys, represent citizens lacking financial means, in legal matters of a civil nature. All the courtroom work is being handled by third year students under the authority of Rule 3.11 of the Supreme Judicial Court, but there is work which can be done by first and second year students interested in interviewing clients and doing legal research. It should be noted that this program is not limited to fraternity members exclusively, but rather is open to all interested students in the Law School.

Socially, among the events being planned by the brothers is a Christmas party and an interfraternity touch football game with Phi Alpha Delta.

The fraternity receives continued support from its National headquarters in Washington, D.C. The Supreme Senate maintains a placement service which supplies job opportunities for all the brothers on a nationwide basis. National is also a source of scholarship aid for fraternity members who achieve academic excellence and indicate the financial need.

Delta Theta Phi will be taking new members early this semester. The initiation ceremony will be followed by a banquet, featuring a noted guest speaker. It is hoped that the initiates will help maintain the vitality of the fraternity with fresh ideas and dedication to the ideals set out in the National Charter.

EDITOR’S NOTE

Much of the success of The Advocate depends upon you, the reader. Whether you are student or alumnus, your participation is sincerely encouraged. The Advocate represents no one faction, but is a publication of the entire Law School community. Alumni are urged to make use of the “Where are you now?” form provided in each issue, and forward any and all alumni news to The Advocate for publication. Students are again reminded to submit material either directly to the staff or through the Registrar’s Office.

FALL 1971
IS NUMBER TWO TRYING HARDER?

by JOHN DELISO

As of the 1971-1972 academic year, Suffolk University Law School is the second largest Law School in the United States and Puerto Rico. Using the current enrollment of 1,900 students at Suffolk Law computed against the latest official statistics of the American Bar Association (Fall 1970 A.B.A. Review of Legal Education), we are now officially the second largest Law School in the U.S. To live up to this new position, we should become a leader in legal education in the U.S. A Law School in a large urban center such as ours should set the pace for legal education in the U.S., not follow in the tracks of other institutions.

As the second largest Law School out of both the 148 A.B.A. accredited Law Schools and the 12 additional non-accredited Law Schools within the U.S. and Puerto Rico, we should look upon ourselves as potential pacemakers in legal education. However, before we can set the pace for other Schools, we must first put our own house in order. There are several steps that can and must be taken not only so that this Law School can become A.A.L.S. (American Association of Law Schools) accredited, but so that this Law School can stand as a nationally known institution.

The Law School's most urgent problem, space, appears to be on the brink of a solution with the University's acquisition of additional facilities in September of 1971. Once the Law School can physically occupy its new quarters, several, if not all of the following plans, should be implemented so that we might some day be first or second in a category other than number of students.

The first step in improving the quality of education is the improvement of the Student-Faculty ratio. Currently there are 13 A.B.A. accredited Law Schools in the U.S., with 1,000 or more students. Out of these 13 we rank 12th in terms of Student-Faculty ratio. The problem is not one that is a direct result of our size, or one that cannot be solved. The largest Law School in the U.S., New York University Law School, ranks second in Student-Faculty ratio out of the same 13 Law Schools cited above. They have achieved this admirable position in spite of their size by largely augmenting their full time faculty with part time Professors just as we have done here, but not in sufficient numbers.

Secondly, more emphasis should be placed on clinical education. Suffolk Law School currently has an excellent clinical program in its Voluntary Defenders program. However, this program should be thought of as a beginning of a new concept in legal education, not an educational extra. The curriculum should contain a provision whereby at least every Third Year student should be required to witness one trial, if not take part in the prosecution or defense.

The third area which should be enlarged upon is the curriculum. This will or should automatically follow once the Student-Faculty ratio comes down. This is so simply because the more Faculty there are, the more likely Professors with different areas of expertise will be available to teach.

The last area in which change is necessary, and some change should be made immediately, is the area of grading and the resulting rank in class statistic. A suggested system includes:

I. Required Courses — Establish a "core" curriculum for the First and Second Years only. Make all courses in this "core" required for all students and allow no waiver in these courses. Numerical grades in all "core" courses should be given, and rank in class be based on "core" courses only.

II. Elective Courses — Should comprise the entire Third Year, and part of the Second Year. A Grade or Pass-Fail system, should be used at the student's option. In either case the Grade, Pass or Fail would not be averaged in for rank-in-class purposes. Waivers would be allowed in these courses only.

This system would result in a more equitable picture of an individual's relative position in the Law School to the world of potential employers. It would also let a student take any course he desired without having the fear or hope of the exceptional grade and the accompanying drastic change in the all important rank in class statistic.

The criticism and suggested changes stated herein are offered with the realization that all cannot be done at once. If we as students are to leave this Law School a better place than it was when we arrived, we have an obligation to make responsible suggestions, a few of which I have outlined above.
The new Director of Law Placement, Anthony J. De Vico, received his B.A. from Boston College. He received an M.A. in Science and Education from Boston University before returning to Boston College, where he received his LL.B. Before joining the Law School faculty, Captain DeVico had a long and distinguished Naval career in the Judge Advocate General Corps, holding such important positions as top personnel recruiting and planning officer for Navy lawyers, Commanding Officer of the United States Naval Justice School in Newport, R.I., where he was awarded the Navy's Meritorious Service Medal, and chief legal officer for the Commandant, First Naval District, Admiral Wylie, here in Boston.

The Law Placement Office, located on the third floor of 56 Temple Street, is open from 8:45 a.m. to 4:45 p.m., Monday through Friday. So that Mr. De Vico will be available to meet with evening students, he will be in his office from 1:00 p.m. to 9:00 p.m., Mondays, Wednesdays and Fridays. On the remaining Tuesdays and Thursdays, Mr. DeVico will follow the normal nine to five working hours. Students should feel free to contact the Placement Office for information or appointments at any time. Placement notices of general interest will be posted on the Law School Bulletin Board.

The Advocate contacted Mr. De Vico and invited him to comment on the law placement subject. The following is in response to that invitation.

WHAT SHOULD THE LAW STUDENT DO, AND WHAT WILL THE LAW PLACEMENT DO?

by ANTHONY J. DeVICO

Every student, especially seniors, interested in obtaining employment should first prepare a resume. This word should not create a mental block. A resume is simply a device whereby YOU interest a prospective employer in YOU. You tell him about yourself, especially about those characteristics which relate to what he is seeking. The arrangement of the data should be according to your individual style. The resume most certainly should include information as to where you may always be contacted, i.e. complete addresses and telephone numbers. Set out your job objective. Set forth your draft status. If you were involved in school activities or if you achieved honors, so indicate. If you have held law-related positions, set out a brief description of them. List any articles you may have authored. Performance of any form of professional work should appear. As to references, list two or three, or state that they will be furnished on request.

The resume should be brief, coming to the point and highlighting the milestones. When preparing it, keep in mind that the prospective employer is "meet- ing you" for the first time when he reads the resume, and he wants to learn something about you. Should grades be included? Without question, most employers are interested in how well you did, and grades give an indication of this. My advice here is: if your grades in law school are high, by all means include them; if your grades are on the poorer side, it might be best to omit them in your resume. In the latter case, if you do obtain an interview, you will then have an opportunity to offset any negative implication stemming from your scholastic record.

The Law Placement Office stands ready to offer suggestions and assist you (short of typing) in putting together your resume. We will arrange interviews for you with prospective employers. We will, with
your cooperation, maintain an up-to-date file on you, and contact you when job opportunities for which you are fitted become available. In short, we will be your agent in the employment market, and in the fashion of an agent, we will aggressively pursue a policy of ferreting out job opportunities, i.e., we will not sit back and wait for firms, companies and government agencies to call us.

Suffolk University Law School is a charter member of the recently formed N.A.L.P., National Association for Law Placement. Both President Fulham and Dean Simpson enthusiastically approved the Law School’s membership in the association. Among the stated purposes of this association are:

1. the exchange of ideas, information, and experience pertaining to the recruitment, placement, and maximum utilization of law school graduates;
2. the creation and maintenance of standards and ethical procedures to guide law schools and employers in placement and recruitment activities;
3. encouragement and assistance to those law schools requesting aid in initiating or expanding placement services;
4. enlisting employers and law schools in recognizing the importance of well-coordinated placement.

My remaining remarks are directed toward the alumni. You will soon be hearing from me. I would like to meet you, either in your office or mine. Have YOU been to the Law School recently? If not, why not take a break from the daily routine to visit the Law School and see the changes, especially the additions. Visit my office. Perhaps you may have some ideas to offer me as I go about setting up the office.

You and I should share similar interests, placing our Law School graduates. And incidentally, if you are considering moving to another city or state, perhaps I can be of assistance to you by virtue of the Law School’s membership in N.A.L.P. I will have up-to-date information as well as salary scales of job opportunities in various states and cities. In the meantime, let me know of any and all job opportunities for our graduates. How about YOU? Have you considered taking on an assistant? Don’t wait until you experience an emergency.

Wish me luck.

Answers to the MBE sample questions on page 11.

1. (B) 5. (C)
2. (A) 6. (C)
3. (A) 7. (A)
4. (D) 8. (C)
9. (D)
Editorial

MBE, CURSE OR CURE?

by James Byrne Callahan
Editor-in-Chief

Don't throw away those number two pencils, boys and girls, the men from Princeton are at it again. Yes, those lovable, laudable folks who brought you the SAT, the LSAT will once again brighten your lives with the all new MULTISTATE BAR EXAMINATION.

At this point in time, most Suffolk Law students may yawn and turn the page. For as yet, Massachusetts has declined to participate in the MBE. However, according to a letter recently received by The Advocate from the National Conference of Bar Examiners, twenty five states* (four from New England) plan to use the MBE. Because the examination dates of the MBE do not necessarily coincide with traditional testing dates, students affected by this new development are urged to check with their local Boards of Bar Examiners. It is to be emphasized that not all of the twenty five states planning to use the MBE have firmly committed themselves to the new exam. But, lest there be any confusion, investigation is advisable. If the MBE is successful, it is doubtless that the list of participants will grow. So perhaps for local students, these events are not so foreign, these remarks, not so inane.

When the National Conference of Bar Examiners recognized the opportunity and solicited bids, it was not surprising that the Educational Testing Service of Princeton, New Jersey, coffers swollen from previous triumphs, rose, licking its chops, to extend a helping hand. The experience of ETS cannot be faulted. It has been successful in convincing hundreds of Admissions Directors of its "merit" and value. Its prestige among students is not nearly so high. Its service to the tester, not the tested.

The principal objection to the multiple choice, machine corrected exam is the impersonal way in which one's future is unmistakably determined. There is no feeling quite like that which one has when he draws no distinction between two of the four possible choices. The machine responds only to answers, correct answers. Reasoning is not a factor.

MBE is designed to supplement, not replace the standard format used in most states. In other words, law students can still look forward to proving themselves on essay type questions. Thus the principal objection cited above, is softened. But before dismissing this innovation as just another chapter in the conjugal bliss between IBM and America, one can find some good.

Besides the anxiety that pervades the preparation and confrontation, there is the worry and waiting for final results. During this period of expectation, a certain suspension sets in. Earning a living under such conditions can be quite an experience. Therefore, anything which could serve to shorten this period and hasten the results would be an improvement. If the MBE can do this, then impersonality will be the price for expeditiousness.

It is hard to imagine the MBE becoming any more than a supplement to the locally prepared examination. As long as laws differ from state to state, there will have to be a local aspect to the state bar exam. However, this does not mean that that part of the exam which deals with local law, would have to be prepared locally, nor that it would have to be of an essay type. If ETS can sell one big package to the country, why not fifty small and individually tailored packages to the states? Incredible. Not to the R and D boys at Princeton.

This is where the line must be drawn. Although the Boards of Bar Examiners may be slow and arbitrary, they are at least human. They are able to see beyond the conclusion, Reasoning is a factor.

The hypocrisy of such a system, where advocates are chosen by machine, is obvious and needs no further discussion. If time and money are what is needed to keep ETS from advancing any further, let there be the wisdom and the effort to provide them. As servant, MBE can make a valuable contribution; as master, it can only make a mockery.


FALL 1971
CLASS OF 1918

MANUEL M. MARGET, of Fargo, North Dakota, is presently the News and Sports Director of KVOX Radio in Fargo. Mr. Marget has been in radio for the past 41 years in the Fargo area, and at the age of 75, is the oldest active sportscaster in the business. He enlisted in the U.S. Navy after his graduation from Suffolk choosing not to pursue a law career following World War I.

CLASS OF 1927

JOSEPH M. MAGALDI, of Braintree, has been named Executive Director of the Massachusetts Federation of Planning Boards.

CLASS OF 1929

GEORGE H. TOOLE, of Vienna, Virginia, is presently serving as economic advisor to the Federal Maritime Commission in Washington, D.C. Mr. Tooie is also a professor of economics at Benjamin Franklin University, Washington, D.C.

CLASS OF 1941

NORMAN CLARKE, of Deerfield, Mass., has been promoted to the position of Commercial Staff Supervisor at New England Telephone Company division headquarters in Springfield, Mass. Mr. Clarke has had 34 years of service with the company.

CLASS OF 1949

JOSEPH T. WOOD, of Quincy, a partner in the law firm of Nolan and Wood in Quincy, and New England Counsel to the Empire Group of New York, has been named a lecturer to the Drug Education Bureau — Norfolk Board of Directors of the Massachusetts Drug Advisory Committee.

CLASS OF 1952

DAVID J. SALIBA, of Boston, is the author of a new text entitled, Real Estate Valuation In Court. The book, slated for publication this winter, has been termed “A real estate law library in one volume.” Mr. Saliba is a Boston attorney specializing in property tax litigation.

CLASS OF 1955

SAMUEL SPIVACK, of Everett, has been elected the seventh President of the Congregation Tifereth Israel and Community Centre. Mr. Spivack is Assistant Treasurer of the State Street Bank and Trust Company of Boston.

CLASS OF 1956

WILLIAM B. PARRY, has been named President and Publisher of the Framingham News.

CLASS OF 1958

PAUL FITZPATRICK, of Washington, D.C., is presently an attorney in the Office of General Counsel of the Federal Maritime Commission, appearing for the Commission before the U.S. Court of Appeals for the District of Columbia and the Supreme Court of the United States.

JAMES T. REGAN, of Medfield, who has served as Treasurer and Vice President of Operations at Spiras Systems, Inc., has been elected President of Spiras Systems, Inc.

CLASS OF 1961

JAMES J. LONGOLUCCO, of Westerly, R.I., has been elected Chairman of the Westerly Republican Town Committee. Mr. Longolucco previously served two terms as Town Solicitor, was a former town meeting moderator, and has been a special assistant in the Rhode Island Attorney General’s Office.

CLASS OF 1962

EDWARD J. EARLY, JR., of Lowell, a former Mayor and City Councillor in Lowell, has been named Director of the Lowell Bank and Trust Company.

SAMUEL E. ZOLL, of Salem, was elected Mayor of Salem in November, 1971. Mayor Zoll was formerly a practicing attorney in Salem.
CLASS OF 1963

MARGARET M. BLIZARD, of Norwood, Mass., was elected to the position of Assistant Corresponding Secretary and Director of the Massachusetts Association of Woman Lawyers. Mrs. Blizard is presently in the practice of law with the Department of Health, Commonwealth of Massachusetts.

CLASS OF 1966

ALBERT A. GAMMAL, JR., of Worcester, has been elected Vice-Chairman of the Federal Executive Board for Boston. He has served as State Representative from Worcester's Ward I, and also as administrative assistant to Senator Edward W. Brooke. He is presently Regional Administrator, General Services Administration.

CLASS OF 1967

CHARLES P. MULLANEY, of Nnedham, has recently been named Corporate Counsel to the Jordan Marsh Company.

CLASS OF 1968

JAMES L. BARRY, JR., of 48 Mammoth Rd., Manchester, N.H., who is currently serving with the U.S. Armed Services in Da Nang, Vietnam, has been recently certified as a Military Judge.

JAMES J. CANNON, JR., of Wayland, Mass., has recently opened offices at 30 Boston Post Road, Wayland.

JAY L. CHERRY of Hartford, Conn., has been named assistant director, sales promotion, in the marketing operations of the life, health and financial services department of the Travelers Insurance Companies in Hartford.

SHELDON A. FINE, of Medford, Mass., has recently announced his association with the law firm of Solomont and Bernstein of 170 Merrimack St., Lowell.

EDWARD H. MASTERTON, of Chelsea, has received an LLM in taxation from Boston University Law School in June, 1971. Mr. Masterson is self-employed.

CAPT. FRANCIS S. MORAN, JR., of Worcester, has become a "circuit rider" in a new U.S. Air Force military justice program implemented recently at Keesler A.F.B., Mississippi.

Captain Moran has been named a military judge for the Keesler district in a pilot program to increase trial proficiency and qualify a selected number of U.S.A.F. lawyers as specialist in court-martial procedures. The Captain lives with his wife and three children in Mississippi.

GUNNAR OVE RSTROM, of Hartford, Conn., has been named Assistant Secretary of the Securities Department of the Travelers Insurance Company in Hartford.

GIRARD R. VISCONTI, of North Providence, R.I., has been named an associate with the law firm of Abedon and Abedon of Providence.

CLASS OF 1969

WILLIAM A. BROWN, of Hingham, Mass., who is presently an Associate Professor of Law at Suffolk, and a former law clerk to Judge Frank J. Murray, has been appointed an assistant U.S. Attorney.

WILLIAM H. KIRBY, of Woonsocket, R.I., has been recently named Tax Counsel with the Internal Revenue Service in Washington, D.C.

VINCENT J. MONTECALVO, of Providence, R.I., has been appointed a staff attorney with the Rhode Island Legal Services, Inc.

CLASS OF 1970

FRANK R. COTE, of Burlington, Mass., has been appointed to the Finance Committee in Burlington.

CHARLES N. STECZAK, of Perth Amboy, N.J., has been appointed House Counsel of the New Jersey Workmen's Compensation Division of Manufacturer's Insurance Company of Trenton. Mr. Steczak was admitted to the New Jersey Bar in December, 1970. He was married to the former Mary Wadnik on April 17, 1971.

CLASS OF 1971

PHILIP J. ADAMS, JR., former Editor-in-Chief of The Advocate, has been awarded an Appellate Advocacy Assistantship for the Academic year 1971-72, from the University of Missouri School of Law at Kansas City, Missouri.

RICHARD P. COURCHESNE, of Roslindale, has been appointed a lecturer in collective bargaining with the management curriculum of the School of Business Administration of Wester, New England College in Springfield, Mass. Mr. Courchesne is a former editor of The Advocate and also a former member of the Suffolk Law Review. He is married and has one child.

THOMAS P. DE VITA, of Clinton, New Jersey, is presently serving as law clerk to the Honorable Joseph M. Harrison and Honorable Peter Ciolino of the Passaic County District Court in Paterson, New Jersey. Mr. DeVita lives with his wife, the former Donna Casapulla in Clinton.

PHILIP R. FOSTER, of Easton, Maine, a former Managing Editor of the Suffolk Law Review, has recently been appointed law clerk to Judge James P. Archibald of the Maine Supreme Judicial Court.

WILLIAM P. MONAHAN, of Belmont, has been appointed assistant clinical professor at the Tufts University School of Medicine, Dept. of Psychiatry.

ARTHUR L. TROMBLY, of Keene, New Hampshire, has joined the law firm of Cristian and Kromphold.
Necrology

It is with sadness that The Advocate reports the deaths of the following alumni:

CLASS OF 1921

SENATOR CHARLES V. HOGAN of Lynn, died on August 7, 1971 at the age of 74. Senator Hogan was the Dean of the Massachusetts Senate and President Pro Tem of the Senate for the past several years. He was also Chairman of the Senate Committee on Government Operations. A distinguished and loyal alumnus of Suffolk University Law School, Senator Hogan was a classmate of the now Senior Justice of the Massachusetts Superior Court, the Honorable Frank J. Donahue. He was an active member of many organizations, including the Essex County Bar Association, the Boston Bar Association, the Ancient Order of Hibernians and the Knights of Columbus. The community spirit, kindness and wisdom of Senator Hogan will be greatly missed by Suffolk University Law School and the Commonwealth of Massachusetts.

CLASS OF 1939

ALFRED H. DWYER of Arlington, died on June 18, 1971.

CLASS OF 1971

JOHN J. LABANARA of Belmont, died on October 20, 1971 at the age of 26. Mr. Labanara was fatally wounded by gunfire as he attempted to drive away from the curb on Newbury Street in Boston. He was rushed to City Hospital where he was pronounced dead on arrival. Only hours before his tragic death, Mr. Labanara received the news that he had passed the Massachusetts bar exam. On behalf of Suffolk University Law School, The Advocate expresses sympathy and regret to the family of John Labanara.
WHERE ARE YOU NOW?
Help Keep our mailing list and records up to date

NAME______________________________________________

NEW ADDRESS________________________________________

CITY_____________ STATE__________ ZIP______________

FORMER ADDRESS____________________________________

CITY_____________ STATE__________ ZIP______________

FIRM NAME__________________________________________

POSITION____________________________________________

NEWS INFORMATION FOR THE ADVOCATE:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Names of other alumni who may not be on the mailing list.

NAME______________________________________________

CITY_____________ STATE__________ ZIP______________

Who is John Desmond, and why is he saying those terrible things about me?
IF YOU ARE LOOKING FOR COMPETENT AND WELL-TRAINED LEGAL PERSONNEL, THE SUFFOLK UNIVERSITY LAW SCHOOL PLACEMENT OFFICE CAN BE OF INVALUABLE ASSISTANCE TO YOU.

The placement office is designed to provide law firms and other prospective employers with information concerning law graduates and students. This office will be pleased to recommend persons for your consideration.

The Law School graduates students once a year in June. Since most students conduct their search for employment early in their final year, prospective employers should inform the placement office of their needs as early in the year as possible.

The placement office will be pleased to arrange interviews on campus by prospective employers, and will be happy to make all arrangements. If interviews at the Law School are impractical or inconvenient, provisions can easily be made for a visit to the employer's firm.

The placement office will also be pleased to provide employers with students desiring summer employment in law. This can prove to be a valuable means of evaluating persons for employment subsequent to graduation.

For full details, write or call:

THE PLACEMENT OFFICE
SUFFOLK UNIVERSITY LAW SCHOOL
56 TEMPLE STREET
BOSTON, MASSACHUSETTS 02114
227-1040
EXT. 352