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## Res Ipsa Loquitur

Seton Hall University School of Law

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# Res Ipsa Loquitur

 (201) 642-8201  ONE NEWARK CENTER  NEWARK, NJ 07102

## New Name Reflects Moot Court Board's Mission

Theresa M. DiGuglielmo, 3D

What is the most valuable course offered at Seton Hall Law School? If seriously proposed, this question would open the floodgates of debate among both faculty and students. Nonetheless, there should be universal agreement that Appellate Advocacy is an indispensable facet of the law school curriculum. Weighing in at a scant one credit, it offers students the opportunity to cultivate both written and oral advocacy — a combination rarely found in the law school classroom. As a modestly credited course that actually teaches real-life lawyering skills, students may view Appellate Advocacy as a comparative "bargain" among the required courses.

The group responsible for developing the problems that form the curriculum for the Appellate Advocacy classes was formerly known as the Intrascholastic Moot Court Board. Recently, the board adopted a new name - the

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## Msgr. Sheeran Becomes New SHU President

James B. Johnston, Co-Editor-in-Chief

Our university's Board of Regents recently named Msgr. Robert Sheeran president of Seton Hall University. While Msgr. Sheeran will handle the day to day operations of the university, Rev. Thomas Peterson, O.P. will remain as Chancellor and Chief Executive Officer and maintain his duties over external initiatives and communications.

Msgr. Sheeran's relation with SHLS goes back many years to when he served as chairman for the search committee for the law school dean in 1988. A committee which eventually picked Dean Riccio as the head of SHLS. A choice Msgr. Sheeran calls, "terrific."

"Commitment to students as #1 will be the primary theme of my presidency," Msgr. Sheeran told *Res Ipsa*. "I take great pride in seeing the progress Seton Hall Law School has made over the past few years. I see no reason why it cannot move into the top tier of American law schools."

"Msgr. Sheeran will be a superb president for our university," said Dean Riccio. "He has all of the talents needed to fulfill his responsibilities. More importantly, he is a sensitive caring individual who is respected and admired by everyone who knows him.

I could not be happier with his selection. He is a perfect complement to Father Peterson."

Msgr. Sheeran attended Bergen Catholic High

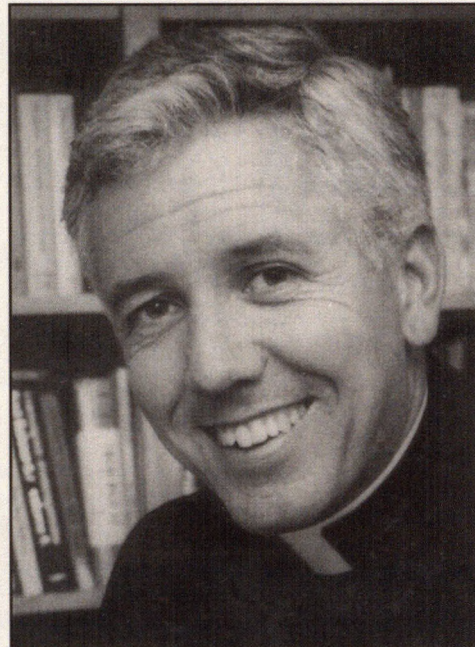
School where he presently serves on the Board of Directors. Later, he studied at Seton Hall University graduating in 1967 with an undergraduate degree in classical languages. He then began studies at the United States seminary in Rome. Ordained in St. Peter's Basilica in 1970 he served as associate pastor of St. Michael's parish in Cranford. During this time he earned a master's degree from Princeton Theological

Seminary. He was awarded his doctorate from the Angelicum University in 1979. He later was named Rector of Seton Hall's College Seminary, remaining there until his 1987 appointment as Assistant Provost of the University.

At SHU, Msgr. Sheeran has been involved in many initiatives and activities. He oversaw all student retention efforts as chair of the University Retention Committee and Academic Advising Committee.

He has chaired committees on Faculty/Administration Compensation and the

Academic Program Review Committee. He is chair of the 40 member University Human Relations Committee, Seton Hall's major initiative to monitor and promote diversity and multiculturalism. On behalf of the entire Seton Hall family, congratulations to Msgr. Sheeran and best wishes for the future. ☪



Monsignor Robert T. Sheeran

## Riccio named to Professionalism Board

Dean Ronald J. Riccio was recently named to serve on the New Jersey Commission on Professionalism in the Law. The commission is a newly formed venture between the New Jersey State Bar Association, the state bench and New Jersey's three law schools. It is aimed at improving the quality of lawyers and lawyering, and restoring public confidence in the bar and administration of justice. ☪

## SHLS Students Get Fellowships

Three SHLS students have been accepted into the Merck Patent Fellowship Program. They are Diane Pecoraro, Elizabeth Francesco and Davis Schramm. The fellowship is awarded to first year law students who possess a science background and an interest in pursuing patent law after graduation. The fellowship consists of a \$5,000 scholarship and internship at Merck & Co. in Rahway. ☪

**Res Ipsa Loquitur**

Since 1970

SETON HALL SCHOOL OF LAW  
ONE NEWARK CENTER  
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*This newspaper is produced by the student editorial staff and all comments, questions and criticisms should be directed thereto. Any opinions expressed herein are solely those of the writer and should not be construed as those of the University, law school administration or faculty.*

## Federalist News

### Federalists To Start Newsletter

This week, the SHLS *Chapter of the Federalist Society* announced plans to develop a student newsletter to keep the law school community informed about the events and opportunities their members are experiencing.

"Since the SBA re-recognized our organization in September, our members have met a Supreme Court Justice, prominent political figures, attended a national convention in Washington, D.C., and this month we're travelling to Stanford Law School in California to represent Seton Hall at the national student convention - its about time we informed the SHLS community of our success," said David V. Calviello, 3D, current president and responsible for re-activating the organization two years ago.

The newsletter entitled, *The Federalist Pages*, is expected to come out four times a year and feature editorial commentary as well as student articles and job opportunities. "I wanted to develop a newsletter that would be useful to our members and at the same time be interesting and informative for Seton Hall students overall," said Gene Brenycz, 2E, chapter vice president.

The *Federalist Society for Law and Public Policy Studies*, founded in the early eighties by law students, is a national organization of conservatives and libertarians interested in the state of legal order. Calviello said, "Since conservatives gained inroads on Capitol Hill in 1995, Federalist Society members have been at the forefront of national policy-making. It is important that we let SHLS students know about the increased opportunities our members can now experience."

Calviello commented, "Our goal at this institution has always been to offer policy-minded law students a serious organization intent on analyzing controversial issues of our day. *The Federalist Pages* will help us carry-out our goals by improving communication among members and the law school generally."

Students can expect the inaugural issue of *The Federalist Pages* to come out sometime in February. Anyone interested in submitting brief articles can contact David V. Calviello, 3D, or Gene Brenycz, 2E. ☪

### Federalists To Attend National Symposium at Stanford Law School

David V. Calviello, 3D President, SHLS Federalist Society

Tired of the new semester already? Come join the SHLS *Chapter of the Federalist Society* as they travel to the San Francisco area to attend the 15th Annual National Symposium on Law and Public Policy on February 23rd and 24th at Stanford Law School. This year's symposium will address the topic, "**Justice and the Criminal Justice Process.**" It will feature prominent scholars, federal judges, and policy leaders such as, former Attorneys General Edwin Meese, III, and Richard Thornburgh and ACLU president, Nadine Strossen.

The speaker panels will address the following topics: *The Role of Exclusionary Rule and Victim Participation; Protections Against Self-Incrimination: A Path or a Roadblock to Justice?; The Role of Lawyers; and the Search for Truth: Reexamining the Adversarial System.*

Everyone is welcome to attend what is sure to be a fun and eventful weekend. The student registration fee is \$5.00 and Federalist Society members are entitled to 1/3 off their air fare. Also, the SHLS *Chapter* is making arrangements for free lodging on the Stanford University campus.

SHLS *Chapter of the Federalist Society* is eager to attend what will be their first national student conference. Last year, the convention was attended by over 600 students from fifty law schools.

Anyone interested in learning more about the trip to Stanford or the Federalist Society in general should contact **David Calviello, 3D, this week** via e-mail or leave a message in his mailbox #879. Information will be delivered to you. ☪

# Remembering Barbara Jordan

Athina Lekas, 3D

Hundreds gathered to mourn the loss of Barbara Jordan, who died on January 17th of pneumonia and complications from leukemia. Although she is gone, the resonance of her voice and her groundbreaking political achievements will remain.

Despite growing up in poverty during the Depression, Ms. Jordan became a political pioneer when she was elected in 1966 as the first and only African American woman in the Texas State Senate and in 1972 as the first Southern African American woman in the U.S. Congress since Reconstruction. Ms. Jordan received national acclaim for her defense of the Constitution in the 1974 Watergate impeachment hearings. Although a junior member of the Judiciary Committee, she used her oratory skills and love for the Constitution to persuade Congress to pass articles of impeachment. Her love for the Constitution was inspiring, considering, as she noted, that African Americans were originally excluded from its protections:

"We, the people. It is a very eloquent beginning. But when that document was completed on the 17th of September in 1787, I was not included in that, We the people. I felt somehow for many years that George Washington and Alexander Hamilton just left me out by mistake. But through the process of amendment, interpretation and court decision I have finally been included in We, the people."

Ms. Jordan continued to mesmerize the American public with her Keynote Address at the 1976 Democratic National Convention. She urged the country to restore its sense of national community and noted that "For the American idea, though it is shared by all of us, is realized in each one of us."

It was this statement that I quoted back to her when I had the honor of introducing Ms. Jordan as the 1994 recipient of the Sandra Day O'Connor Award at Seton Hall Law School on November 14, 1994. When she arrived that day, the students were completely awestruck by her presence and when

she spoke, everyone listened. She repeatedly urged our generation to serve in political life because it was the only way that we could change things. Lastly, I remember one of her initial comments when she addressed the Law School- she began with a baseball analogy. According to many, she had three strikes against her: she was African American, she was a woman and she was confined to a wheelchair by multiple sclerosis. Yet, her eloquence and unconditional service to the public and the Constitution illustrates that she was never "out."

Ms. Jordan is survived by her mother and two younger sisters, and hopefully, by her ideals. ♣



Barbara Jordan with Professor Rodino, Dean Riccio and Members of the Women's Law Forum: Receiving The Sandra Day O'Connor Award. November 1994

## BLSA Celebrates National Black History Month

Dear Seton Hall Family;

In commemoration of National Black History Month the Black Law Students Association (BLSA) has scheduled numerous events open to the entire Seton Hall community. Kevon Chisolm (Events Coordinator), Stephen Chukumba (Correspondence Secretary) and I have worked with the BLSA board and its members to present a month-long celebration of the rich heritage of people of color. Our focus this year is on the professional contributions that our race has made to the legal field, as well as the cultural diversity that we bring to Seton Hall.

The following is our itinerary:

DATE	EVENT/SPEAKER	LOCATION	TIME
2/1	Kick off ceremony	Atrium	4:00 p.m.
2/3	Spring Mixer	Visions*	9:00 p.m.-until
2/5	R. Scott McLaughlin	TBA	4:30 p.m.
2/13	Environmental Justice Forum	Auditorium	4:00 p.m.
2/21	Rev. Joan Parrott	TBA	4:00 p.m.
2/22	Andrew Munroe	TBA	4:00 p.m.
2/27	<b>Sankofa!</b>	TBA	4:00 p.m.
2/29	African-American Entertainment Law Forum	4:00 p.m.	

We hope to have the entire Seton Hall Family present at all of the aforementioned events. "Black history is American history".

Yours truly,

Nashon Hornsby  
President

# Focus on the Bar Exam

## Pennsylvania

### Fees

Exam Fees: \$400  
Admission on motion: \$500

### Filing deadlines:

July Exam: Applications should be filed by May 1, 1996

### Dates and Location:

Philadelphia, Pittsburgh, Harrisburg-  
July 30-31, 1996

### Subjects Tested:

Multistate: Contracts/Sales; Torts, Constitutional Law,  
Criminal Law/Procedure, Evidence, Real Property.

### Essay:

Pa. Corporations, Federal Civil Procedure,  
Decedents Estates, Pa. Professional Responsibility,  
Commercial Paper, Sales, Secured transactions,  
Pa. Family Law, Federal Personal Income Tax,  
Conflict of Laws, Pa. Civil Procedure, Pa. Evidence,  
UCC Article IV, and all Multistate Topics.

### MBE

Minimum MBE scaled score of 135 or better  
required to have essays graded.

### Essay

Eight essay questions, minimum scaled score of  
135 required to pass.

### Results

Results for the July exam are released in  
mid November.

### MPRE

Not Required

### Reciprocity

State in which attorney is admitted must have  
reciprocity with Pennsylvania.

First time Passing % for 1994 July Exam -90%

For info call (215) 627-3246.

## New York

### Fees:

Exam fee: \$250

### Applications and Deadlines

For exam, applications may be obtained upon  
request from the state board. Must be filed at least  
60 days but not more than 90 days prior to exam.

### Dates and Locations

Manhattan, Albany, Buffalo July 30-31, 1996

### Subjects Tested

Multistate- Contracts/Sales, Torts, Constitutional  
Law, Criminal Law/Procedure, Evidence,  
Real Property.

### Additional Subjects

Agency, Commercial Paper, Conflict of Laws,  
Corporations, Domestic Relations, Equity,  
Federal Jurisdiction, Insurance, NY Practice and  
Procedure, Partnerships, Personal Property,  
Sales, Secured Transactions, Taxation, Trusts, Wills.

### MBE

The MBE (weighted 40%) and the essay and NY  
multiple choice scores are combined to determine  
if applicant has received a passing score.

### Essay

Six essay questions covering more than one area of  
law, account for 45% of total score, 50 NY multiple  
choice questions are weighted 15%.

### Results

For the July exam results are released in November.

### Reciprocity

May be admitted from states admitting  
attorneys from NY without exam. Must have  
practiced 5 of the last 7 years and be a graduate of  
an ABA accredited law school.

First Time Passing Percentage for 1994

July Exam 86% For info call (518) 452-8700.

Source: National Bar Exam Information 1996, Harcourt Brace Legal and  
Professional Publications, Inc. Many thanks to Robert Cohen of Bar/Bri for  
his assistance.

## New Jersey

### FEES

Exam Fee: \$250.00 plus \$49.00 for fingerprints.

### FILING DEADLINES

Must file written notice of intent to take the bar  
exam between February 1 and April 30 for the July  
exam; between September 1 and November 30 for  
February exam.

### DATES

February 28-29, 1996, July 31-August 1, 1996

### SUBJECTS TESTED

Contracts/Sales; Torts; Constitutional Law; Criminal  
Law/Procedure; Evidence; Real Property.

### MBE

MBE accounts for 35% of passing grade. The MBE  
and essays are combined to determine if applicant  
has achieved a passing score.

### ESSAY

Six questions graded on a point scale,  
weighted 65%

### RESULTS

For the February exam generally released in mid  
May; for the July exam mid-December.

### MPRE

Scaled score of 75 or a "C" in  
Professional Responsibility.

For information call the New Jersey Board of  
Bar Examiners at (609) 984-7783.

Source: *National Bar Exam Information 1996*, Harcourt Brace Legal and  
Professional Publications, Inc. Many thanks to Robert Cohen of Bar Bri for his  
assistance.

# IALSA to Kick Off "Partners in Peace Campaign"

## Archbisiop McCarrick Named Honorary Chairman

Since March is the month of the Glorious Apostle of Ireland St. Patrick, *Rés Ipsa Loquitur* and IALSA have joined forces to conduct a month long fundraising campaign for Project Children. The name of the drive will be the "Seton Hall/Project Children Partners in Peace Campaign." While the primary fundraising event for the campaign will be the IALSA dance on March 9, volunteers from throughout the law school as well as alumni will be soliciting donations from students, staff, faculty and friends of SHLS. This year our Law School is blessed with the assistance of Archbishop Theodore McCarrick, who has been named the Campaign's Honorary Chairman.

Making a difference in war torn Northern Ireland- one child at a time- is the essence of Project Children. "For twenty-one years, the members of Project Children have brought youth from Northern Ireland to the United States for a summer holiday free from violence and fear," President Bill Clinton once wrote. "The cease fire in Northern Ireland gives people everywhere new hope. Project Children, accepted and supported by both Catholic and Protestant communities, will play a crucial

role in helping to realize their common goal of a lasting peace." Irish Prime Minister John Bruton also wrote of Project Children, "Over the years Project Children has made a real difference to thousands of young people from both sides of the divided community in Northern Ireland, bringing them together with their host families in America at this time of great hope for Ireland."

Perhaps more important than the words of any government official are the words of Tommy Pritchard, a Protestant from Belfast and father of 12 year old Thomas. "When I grew up there in the Springfield Road area, it was all mixed up. We all ran about together. Now its different for Thomas because with "the Troubles", Protestants live on one street and Catholics live on another.

When Pritchard sent his son to America with Project Children, young Thomas not only played with Catholic children he shared an American home with Phillip O'Reilly, a Catholic boy from Belfast. It was an eye opener for both boys. "When I was with Thomas in America," says Phillip, "he was like my brother- just like another Catholic. Over here in Northern Ireland, you would not be friends with Protestants, but over in America with Thomas we were the best of friends."

"It was the best thing that ever happened to Phillip," said his mom Liz. "It broadened his outlook. It showed him that people can live together."

Project Children does not claim to have the answer to the Irish "Troubles". But it does provide a way for concerned SHLS students staff, faculty and alumni to make a difference-one child at a time.

As New Jersey's catholic law school, it is more than appropriate that we do so. For information or to make a donation see IALSA president Walter Scott or *Rés Ipsa* Co-Editor-in-Chief Jim Johnston. ☪

## IALSA Schedules Project Children Benefit

The Irish American Law Students Association will be holding its annual fundraiser for the humanitarian organization, Project Children, on Saturday March 9 at the student center on Seton Hall's main campus in South Orange. Festivities begin at 6:00 p.m.

This year's guests of honor are former New Jersey Governor Brendan Byrne who will receive The Honorable Richard J. Hughes Lifetime Achievement Award, Sister Patricia Codey, S.C., Esq. of the Federal Public Defender's Office, and our law school chaplain Msgr. Harold Darcy. Sister Codey and Msgr. Darcy will be receiving the St. Brigid and St. Patrick's Medals of Honor respectively.

As usual, all net proceeds from the affair will be donated to Project Children to assist in their efforts on behalf of the youngsters from war-torn Northern Ireland. This group of U.S. families sponsor American vacations of freedom for Northern Irish youngsters, many of whom have been victimized by the age old tradition of violence and hatred between its Protestant loyalist and Catholic nationalist citizenry. While the current peace process in Northern Ireland is struggling along, long term peace has not and will not be easy since mistrust between Catholics and Protestants in Northern Ireland is so deep and abiding. By giving kids, both Catholic and Protestant, a chance to live, work and play with each other in America, Project Children's organizers hope to tear down the walls of suspicion these two faiths have for each other, so a lasting peace will be a thing of Ireland's not too distant future.

For tickets and info see IALSA president Walter Scott or Noreen Giblin, ID. ☪

# VALENTINE'S DAY SPECIAL FROM PIEPER BAR REVIEW

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## PIEPER BAR REVIEW

### THE EDUCATED CHOICE!

# The U.S. Senate Prepares For a Face Lift

Joseph S. Kavesh, 3D

As the 1996 campaign season gets underway, most attention will be focused on the Presidential election. Among the stories to watch early on are (i) whether any Republicans emerge after Iowa and New Hampshire to challenge Senator Bob Dole for the party's nomination; (ii) whether the Whitewater and Travelgate hearings significantly impact President Clinton's approval ratings; and (iii) whether a third party candidate enters the fray.

Political pundits and C-SPAN addicts will be following U.S. Senate races just as closely. The 105th Congress will scarcely resemble the current legislature, particularly in the upper house, where a record number thirteen incumbents have opted against seeking re-election this fall. Among the notable retirees are Democrats Bill Bradley (NJ), Sam Nunn (Ga.) and Claiborne Pell (RI), and Republicans William Cohen (Me.), Nancy Kassenbaum (Kan.) and Alan Simpson (Wy.).

Nick Poor, a Chatham-based media consultant whose clients have included Bradley and Diane Feinstein, attributes the mass exodus to "an all-time level of meanness and cynicism. More and more, the Bill Bradleys and Bill Cohens of the world are asking themselves, 'Do I *really* need this anymore?'" Poor noted that being a U.S. Senator "doesn't hold the allure it once did," adding that, "ironically, Bob Dole may be the last true statesman in the Senate."

The Republicans currently hold a comfortable 53-47 majority, and many Beltway analysts expect this number to increase. "Based on recent political trends in the South and Midwest, I'd be surprised if the Republicans don't gain at least four seats," says veteran fundraiser Alan Zakin. Zakin predicts the GOP will pick up the open seats in Alabama, Georgia and Louisiana, "and have tremendous opportunities in Massachusetts, Minnesota and New Jersey." Zakin lists Jesse Helms (NC) and Strom Thurmond (SC) as the two most vulnerable Republicans facing re-election, but gives them the nod based on fundraising advantages.

Poor anticipates split-ticket voting will be prevalent. "It is very conceivable that President Clinton will carry states like Georgia, Minnesota and Oregon, while the Republican senatorial candidates [there] win as well." Poor referred to 1992, "when Bill Clinton won New York state convincingly, yet [Republican] Senator D'Amato won re-election, too." Incumbency, therefore, will be a critical factor for Democrats and Republicans alike.

Zakin sees several senate races having big expenditures. "While we won't have any Michael Huffington \$20 million varieties, keep an eye on New Jersey and Massachusetts." Zakin predicts that New Jersey Reps. Bob Torricelli and Dick Zimmer, vying to succeed Bradley, will spend upwards of eight million dollars each. Similarly, Zakin sees Massachusetts incumbent John Kerry spending as much as ten million dollars against popular challenger, Governor Bill Weld. "You'd think we were still living in the 1980s," Zakin quipped.

Both Poor and Zakin agree that an "x factor" may well be Newt Gingrich. "Gingrich's honeymoon is over, and every Democratic candidate for office will attempt to portray his or her Republican opponent as 'another Newt Gingrich,'" says Poor. Ultimately, then, the success of such a strategy will depend on "how sophisticated voters are in recognizing that Newt Gingrich presides over the House, not the Senate." Zakin foresees an election cycle "that appears to pit President Clinton against Newt Gingrich, with Bob Dole almost as an after thought."

Regardless of the results, one thing will be certain of the composition of the U.S. Senate one year from now: there will be many unrecognizable faces. ♪

Just a few random thoughts from a law student on the edge of insanity:

It is amazing the effect a **Newark-free** three weeks has on a person. My **alcohol tolerance** has risen to an acceptable level, the bags under my eyes have shrunk to the size of carry-ons, and I am up to speed on my favorite social commentary: **Days of Our Lives**. However, it is good to see that the **professors** were not thrown off their schedule by the new and improved break. For all the **moaning** and **whining** some professors did when presented with this shockingly **student friendly** proposal, the **faculty** has not lost a step: the grading of exams is still hopelessly behind schedule. The deadlines for submitting grades more resembles a punchline. Is there a way to be a tenured student? (By the way, it is really wonderful how the **first amendment** and **anonymous grading** complement each other so well.)

The **French**, generally known for their trend-setting ability, have stumbled upon a bizarre new fad that has swept the entire **European** continent by storm over the past few months. It seems that, according to the old tribal custom, **Malaysian termites**, when fried and ingested, are a sure fire cure for **impotence**. Interesting. I guess the **French** will go through any lengths necessary to get a rise out of people. But then again, the **French** aren't exactly the world authority when it comes to setting a mood for a night of naked twister. These are the same people who think perfume is an adequate substitute for a shower and idolized **Jerry Lewis** for his comedic talent. If you think about it, the whole concept makes no sense. I thought termites ate wood.

To the surprise of no one, (well, maybe to **Diane Sawyer**) **Michael Jackson** and **Lisa Marie Presley** have decided to split up. I wonder what was the final straw. The fact that no one bought the snow job that the **lovely couple** tried to put over **America** during the **ABC** interview. The fact that the **newlyweds** were so head over heels in love that they needed two bedrooms in their mansion, one for each of them. Could it be the attempts of **Mike's** loving family to show their affection for the couple through various **1-900** lines? Could it be the fact that **Bubbles the monkey** was more qualified to preside over the wedding than the pencil pusher Mike paid handsomely in the Dominican Republic? Or, could it be those little boys that Mike likes to bring home and play house with? I don't get why everyone is making such a big deal over it. **Anna Nichole Smith's** unholy union made this couple seem like **Ozzie and Harriet**.

If it's possible, **CBS** is starting 1996 worse than it ended 1995. Not only are they miserably behind local access channels in the ratings, but they also have had personal problems. First, they had to resign **Ben Wright** from his ladies golf coverage after he recently commented that the reason why women are not better golfers than men is because their breasts get in the way of their swing. Gee, **Ben**, no one can slip anything past you, now can they? Secondly, the **Big Eye** recently canceled **Andrew Clay's** short lived sitcom, **Bless This House**. It seems that

## Res-Ispa Needs Writers

the net execs wanted the **Diceman** to tone down his stage act using family themes with the hope that families will watch the show. **Dice** proceeded to comment that he taught his son about sex by, among other things, sitting down and watching porno flicks with him. Call me crazy, but I think that horrible writing and **Dice's** acting ability had more to do with the cancellation of this show than **Dice's** stage routine. (see **Ford Fairlane**) Also, an investigation is being launched into alleged statements made by exec **John Pike**. Reportedly, **Pike** made remarks to cast members of a new **CBS** late night show stating that blacks were a big part of the late night audience because they have no jobs to go to in the morning and they can't afford cable TV. Hey **John**, why don't you just tell them to wear black face paint? With leadership like this, people can understand why **CBS** gets routinely thrashed in the ratings by **Jenny Jones** reruns on Channel 9.

■ ■ ■ ■ ■ ■

Consider this reason number 2131 why I am proud to be a lawyer. Last May in lovely **Wallingford, Connecticut**, nine year-old **Johnny Lipoli** was throwing warm up pitches before his little league game when he overthrew the catcher and struck **Carol LaRosa**. Two weeks before Christmas, **little Johnny** was served with a Complaint, informing him that Mrs. LaRosa was suing **him** for \$15,000 and that her husband, **Thomas**, was suing him for loss of consortium. I don't think little Johnny believes in Santa Claus anymore. Are you kidding? It's not **little Johnny's** fault **little Tommy** isn't getting any action. How do they propose to get \$15,000 out of this kid, garnish his **allowance** for the next sixty years, or conduct a forced sale of the kid's baseball collection? I think even **Jacoby and Meyers** might have passed on this case. (Then again, maybe not, depending on how much it costs them to make those high-tech commercials). Anyway, it's always nice to see two of **America's favorite past times** come together during the holiday season.

■ ■ ■ ■ ■ ■

**Sen. Robert Dole** kicked off his last gasp effort for the presidency with a speech thinly disguised as the response to the State of the Union Address. **Candidate Bob**, unfortunately, is back to his old tricks again. In a delivery that was about as smooth as broken glass, **Candidate Bob** accused **Slick Willie** of clinging to the past and not evolving into the future. In the next breath, he promoted a government led return to old values and morality. You would think that a man who has been trying to get on the Republican ticket since **disco** was the rage would have acquired more political savvy by now. At least when Bubba Clinton lies to us, he does it with a smile on his face and a twang in his voice. Anyway, do we really want a man in the White House who could not beat **Gerald Ford** in a primary? Another theme within the air assault was a "refusal to compromise" in **Congress**. Now, I only took a couple of years worth of political science classes, but I thought the whole idea of our government was to serve the best interests of the most people through compromise. Silly me. ♪

## OP-ED

# Perhaps I'm missing something, but...

Brian Kernan, 1D

Perhaps I'm missing something, but shouldn't the "Notes" section of Seton Hall Law Review actually be entitled, "Footnotes"? Maybe it's my journalistic background but it's difficult to take a writing seriously where the footnotes take up considerably more space than the actual text.

Perhaps I'm missing something, but hasn't the great Professor E. Judson Jennings tarnished, at least slightly, his truly dignified persona with that pony tail he's sporting? This column has no objections to that hairstyle, mind you, but we're talking about one of our school's great professors whose formal demeanor is the stuff of legend. Hopefully, he's just tired of strangers constantly remarking, "Hey look, it's Newt!"

Perhaps I'm missing something, but doesn't the latest round of art work adorning the walls of our school actually look like real art work? My art appreciation skills are no doubt rudimentary, but some of the previous selections just didn't seem to be the product of creative genius. And, by the way, what happened to the slab of concrete that previously stood on the fourth floor balcony? Did Belle Mead Construction finally complete its clean-up work?

Perhaps I'm missing something, but if the framers of the 14th Amendment truly intended a fundamental shift in the Federal structure of the American government, wouldn't they have drafted the second sentence of Section 1 to read, "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States *and of citizens of the State wherein they reside*"? They did it in the first sentence; why not the second?

Perhaps I'm missing something but no one should have to wait almost 70 days for an Appellate Advocacy grade, as did some this semester. Clearly an Eighth Amendment violation.

Perhaps I'm missing something, but aren't the 1995-96 Chicago Bulls the best team in basketball history?

Perhaps I'm missing something, but don't the very same people who previously advanced the notion that the immutable characteristics of race should *not* be taken into account by government actors now consistently call for government actors to do the complete opposite and take into account those immutable characteristics? Could this be political opportunism?

Perhaps I'm missing something but if we add up all the groups who claim past discrimination in this country, don't we have more than 80 percent of the population? Isn't that ridiculous? Why can't we just treat people as individuals and why can't people think of themselves as individuals instead of part of some group whose prior oppression at the hands of another group precludes any success or achievement for the individual? I know why. Because if folks couldn't blame white males, or the rich, or the Muslims, or the Jews, or the Hutus, etc., for their problems, then they would have to take personal responsibility for their successes and failures, too daunting a task for most.

Perhaps I'm missing something but doesn't Professor Paula Franzese conduct a clinic on how to teach every time she has a class?

Perhaps I'm missing something, but to those of you who have faith in the federal government to protect civil liberties, have you ever heard of J. Edgar Hoover? Not exactly an ACLU poster boy. And do you think that Louie Freeh is any less susceptible to the temptations of power? (see Waco, Ruby Ridge).

And finally, why do those referring to the Southern States before the Civil War (i.e. The Confederacy) routinely just say "the States" as if that includes Pennsylvania or New Hampshire? Wasn't there a group of people who strongly opposed the world view of the pre-Civil War Southerners (and who actually did something about it other than forming a symposium discussion group). Yes there was! In my house, we've always referred to it as the Union Army. ♪



# By Virtue of an Education

Beverly McNamara Liposky, 3D

The auditorium was crowded; I sat in the velvet-cushioned chair waiting for the ceremony to begin. Looking around at the impressive old building and the proud parents gathered there to see their sons and daughters graduate from law school, my mind drifted to another time...

My father, the oldest of eight children, was raised in poverty and left school after the eighth grade in order to help support his family. Although limited by his lack of education, he was a determined person and started a painting business - in the beginning by carrying his ladders on a bicycle. Finally he was able to buy a white panel truck with the words *McNamara the Painter* printed in bold red script on the side.

He drove to Rumson, an affluent town in the area, and began searching for work. He had developed a gift of gab which enabled him to convince homeowners that he should be employed to paint their house. He took pride in his work and he did not let apprehension stop him from approaching potential customers. One story he loved to tell was about the time he knocked on the door of then State Supreme Court Justice William J. Brennan, Jr. He pointed out to Justice Brennan that his house needed to be painted and was hired to do the job. From that time on, Justice Brennan called my father whenever his house needed painting and continued to keep in touch with him even after he went to Washington, D.C. in 1956, after being appointed to the Supreme Court of the United States. My father proudly displayed letters that he received from Justice Brennan; his own desire to have become an attorney was never within his grasp — but his pride in his acquaintance with someone so knowledgeable about the law was obvious.

Music began; the Graduation March filled the hall as the graduates began to enter. I saw my son Joseph, black-robed with tasseled hat, marching with the others. Joseph, as my father had done, dropped out of high school to work because of our economic situation. Distressed because I wanted him to have an education, I contacted schools, trying to find a way to send him to college. Then, from Kean College, I learned about a program - the Educational Opportunity Fund - which was geared to students from an educationally disadvantaged background. I took Joseph to the interview and he was accepted into the program. Two years later he transferred to Rutgers University; after graduation from college he was accepted at Rutgers School of Law in Newark.

Joseph worked hard to complete law school; I was financially unable to help him, so he worked his way through and we were all proud of him. But I think my father was proudest of all - when

Joseph sent him a red sweatshirt which said "Rutger's Law" he was elated. He wore the shirt constantly, bragging to all who would listen about his grandson. When Joseph's graduation neared, my father began making plans to attend.

It was not to be. Harold F. "McNamara the Painter" died suddenly while working on January 20, 1989, four months before Joseph was to graduate. We buried him in the Rutgers shirt which he so loved to wear. At the funeral I looked at his hands - the hands of a manual worker; his nails were still covered with flecks of paint. As I looked at him I thought, he is only twenty-three years older than I am and he is gone and never had an opportunity - because of a lack of education - to accomplish his dreams.

The curtain opened and the speaker chosen by the class to address them was introduced. The speaker was Justice Brennan, who spoke eloquently, encouraging the graduating students to use the education that they had received for social justice, to give back to the world that which they had the opportunity to receive. I thought how ironic, and how wonderful, that the cycle of poverty had been broken, and the grandson of a house painter could come this far because of the opportunity given to him by virtue of an education; and that opportunity - along with the determination shown by my son - will forever change his life and the lives of his children.

*Cont'd on page 10*

## **BEGIN A CAREER IN LAW ENFORCEMENT NEW JERSEY TESTING SERVICES ANNOUNCES**

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# Senator DiFrancesco to be Honored at Alumni Dinner Dance

The SHLS Alumni Association's 18th annual dinner dance has been scheduled for Saturday night February 10 at the Radisson Hotel in Somerset. The Mass for the black tie affair will be at 5:30 p.m. while the reception and dinner begin at 6:30 p.m. Distinguished Alumnus of the Year honors will be bestowed upon New Jersey State Senator Donald T. DiFrancesco '69.

DiFrancesco is president of the Senate and partner at the law firm of Bivona Cohen Kunzman Coley Yospin Bernstein & DiFrancesco. He was also a 1995 recipient an award by the Peter W. Rodino, Jr. Law Society here at SHLS. Senator DiFrancesco began his legislative career in the New Jersey General Assembly. He was elected in 1976 and served as an Assemblyman until 1979. He was then elected to the State Senate in a special election and has been reelected five times. He has been responsible for the enactment of several important state laws addressing issues ranging from consumer protection to crime to health care and education.

Proceeds from the affair's commemorative journal are earmarked for the Rodino Law Library. For tickets and information drop by our Office of Alumni Relations on the third floor. ♪

# Mercer County Bar Offers Scholarship

Applications are now available to SHLS students who wish to be considered for one of the four scholarships awarded annually by the Mercer County Bar Foundation. Since the early 1960's this organization has awarded scholarships to Mercer County residents, thereby assisting them in their academic pursuits while in law school.

Of the four awards given, three are named for attorneys who have made valuable contributions to the community, their peers and to the Mercer County Bar Association. The John's Prior, Jr., Esq. is based on scholastic achievement. The honorable, George Y. Schooh Scholarship is based on financial need and academic performance. the Burton Peskin, Esq. Award is based on financial need and involvement in civic and charitable activities.

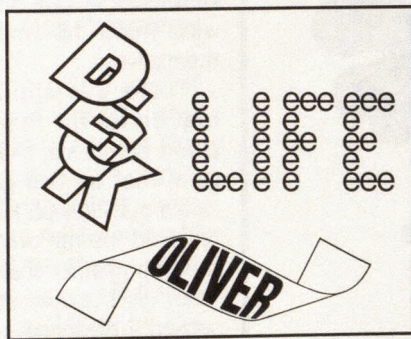
To be considered for an award, applications must be completed and returned by march 1, 1996. For info call the Mercer County Bar Foundation at (609) 585-6200. ♪

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## "Sports at the Hall"

# Pirate Blue Fund Begins '96 Membership Drive

The tradition of excellence at Seton Hall in all aspects of the University experience is over a century old. But this tradition of excellence is as new and vibrant as it was when Seton Hall was founded in 1856. Nowhere is this tradition greater exemplified than on the playing fields and arenas where Seton Hall's student-athletes compete on the intercollegiate level.

To help Seton Hall's student-athletes and varsity teams to continue to strive to be the best, the Pirate Blue Athletic Fund was established. It provides immediate funding support for individual sports, generates new athletic scholarships, helps renovate and expand athletic facilities and helps provide necessary funding for major athletic projects.

Contributors to the Pirate Blue Athletic Fund are more than just spectators; they are valued participants in the Seton Hall athletic family. Join now so you can help Seton Hall's student-athletes continue to strive for excellence. For information call the fund's executive director, Richie Regan at (201)378-9814. ♪

## New Name Reflects Moot Court Board's Mission

*Cont'd from cover*

Appellate Advocacy Moot Court Board - to better reflect its contributions to the school and to avoid confusion with the Interscholastic Moot Court Board.

The Appellate Advocacy Moot Court Board is comprised of 17 student members. This year's board members are: Catherine Cress (Fall Student Director), Arlene Cohn, Theresa DiGuglielmo, Pauline Foster, Marc Goldberg, Robert Gonzalez, Robert Gunning, Jodi Hudson, Michael Lynch, Patrick Lyp, Rebecca Nelson, Paul Norris, Karen Prelich, Kristine Ryan (Spring Student Director), Christine Salimbene, Dan Silberstein, and Michelle Struble.

Once selected, board members spend many summer hours working closely with the program directors, Professor Margaret Mullins and Professor Barbara Hoffman, to transform a complex legal problem into a Record on Appeal and Bench Memorandum for use by students and attorney judges. Though demanding, the process is very beneficial to the individual board members. They become veritable experts in the area of law addressed by their problems, and their ultimate work product makes a creative writing sample for use in their employment search.

Members receive 2 credits for their year-long participation on the board. In addition to the development of the problems, board members act as teaching assistants to the Appellate Advocacy professors. Responsibilities include assisting at the fall semester graded round of oral

arguments and acting as bailiffs during the spring Eugene Gressman Appellate Moot Court Competition. The student directors are responsible for coordinating these events, which include the participation of many practicing attorneys and judges. The opportunity to interact closely with these professionals is yet another benefit of membership on the Appellate Advocacy Moot Court Board. Additionally, many legal employers strongly favor applicants whose resumes include moot court board membership.

During the spring semester, interested second year day and third year evening students may submit an application, resume and writing sample. Applicants should possess exemplary research and writing skills, superior grades in Appellate Advocacy and Legal Research and Writing, and the ability to meet demanding deadlines. Interviews are also conducted to assist the selection of the final board. Applications for the 1996-97 academic year will be available in mid-February, and may be located on the rack of course materials near the fourth floor elevators. Questions concerning board membership or any aspect of the Appellate Advocacy program are welcomed by Professor Mullins, Professor Hoffman and any current member of the board.

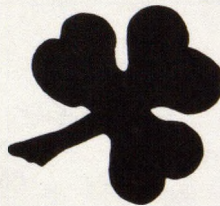
*Good Luck to all participants in the Eugene Gressman Appellate Moot Court Competition! ☺*

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DON'T WANT TO PASS"**

**Bill Scully, Prop.**

## By Virtue of an Education

*Cont'd from cover*

Education opens the doors of our minds, giving knowledge that leads us to our potential. Only knowledge can help us to truly understand our humanity - knowledge to enter the minds of those who do not understand that all humans created by God are equal - knowledge to give hope and strength to those who need to find the equality within themselves.

There was applause, then a standing ovation for the Supreme Court Justice who stood before us, telling us to help others to gain what we had gained. I heard the name called out, "Joseph Harold Orlando," as my son received his diploma, and I thanked God for the opportunity that Joseph had been given. Then, as I turned and left the auditorium I sensed a presence, and I knew that there was someone watching proudly, wearing a red sweatshirt and applauding with paint-splattered hands. ☺

**Q.**

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# ILS Bulletin

Alexandru Rus, 3D, President International Law Society



The International Law Society (ILS) would like to thank all students and faculty members who contributed to the club's success during the fall semester.

In September, ILS organized the annual International Food Fest, bringing together the entire SHLS community to celebrate cultural diversity at our school. BLSA, APALSA, LALSA, IALSA, the Jewish and Rodino Societies participated. Also in September, at the initiative of Judge Gibbons and in collaboration with IALSA, we hosted a symposium entitled "Constitutional Rights in Ireland." Mrs. Jane Winter of the London-based British-Irish Human Rights Watch was the keynote speaker.

During the month of October, the ILS arranged a report on the third United Nations World Conference on Women, which took place in Beijing between September 4 and September 15. Professor Defeis, who attended the conference, made this event possible.

In November, the ILS had the privilege of welcoming Anatoly Sobchak, the Mayor of St. Petersburg, Russia, who spoke to the SHLS community about legal and economic reform in Russia. Special thanks to Dean Riccio and to Professors Baker and Kaye for their help with this programme. Towards the end of the fall term, we also had a brief informative session on study abroad programs.

We anticipate great events and continued support in the upcoming months. There will be a **general meeting** on Tuesday, February 6, at 3:30 p.m., in the small Moot Court Room (101), at which time we will discuss spring activities. Hope to see you! ♣

 Please give to   
**the Partners in Peace Campaign**

## Dance Marathon Is Scheduled

On March 22 & 23 the SBA will be holding its annual dance marathon. For the past couple of years numerous civic, educational and charitable organizations have benefitted from donations raised during this fun filled weekend. This year all net proceeds from the affair will be given to the Link Community School.

An institute located in the heart of Newark, the Link School consists of a dedicated staff working hard to educate kids from the inner city. The students are chosen primarily because their 6th grade test scores demonstrate that they have the potential to achieve at a higher level than their current performance and that they can benefit from a small classroom setting. Most of the students live in multi-dwellings or housing projects in Newark's Central Ward. Link seeks to provide its students and their families with a firm appreciation of the power they possess to use their minds well and create opportunities which can direct them and the world toward fulfillment. Parents are required to be involved and participate in their child's education. The school is run by The Sisters of St. Dominic.

More information on the danceathon will be posted in the next few weeks. Anyone with questions should contact the Associate Director of Law School Development, Paul Flynn. ♣

# PIEPER



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\*\*\*NOTE: All classes will run from 9:00 a.m. to 5:30 p.m.

### LIVE LECTURE

Fashion Institute of Technology

**Sunday, February 11, 1996**

Amphitheater - Main Floor  
\*Enter at 7th Ave. and 27th Street

### VIDEOTAPE LECTURES

Albany Law School  
Buffalo Law School  
George Washington  
Hofstra Law School

**Saturday, February 17, 1996**

Law School - Room 17  
O'Brian Hall - Room 212  
To be announced (ten.)  
Law School - Room 238 (ten.)

### VIDEOTAPE LECTURE

NYU Law School  
Syracuse University

**Saturday, February 24, 1996**

Vanderbilt Hall - Room 110 (ten.)  
Mehlman Hall - Room 030

Walk-ins are welcome or call 1-800-635-6569 to reserve a seat.  
Each student that attends will also receive a free 250 page M.P.R.E. Review Book containing text and 150 M.P.R.E. questions.

### Test Date:

Regular Application Deadline:  
Late Application Deadline:

**Friday, March 8, 1996**

February 9, 1996  
February 28, 1996

# \*BAR/BRI SCHOLARSHIPS\*



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Applications may be obtained at the BAR/BRI display table, from a BAR/BRI representative or by contacting the BAR/BRI office at (800)472-8899.

Scholarship applications will be reviewed and awards accepted on a first-come first-served basis, until the funds are depleted.

These scholarships will be honored in CT, ME, MA, NH, NJ, NY, PA, RI, VT, VA and DC