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### The Opinion Volume 37 Number 4 – October 30, 1996

The Opinion

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Bringing the issues to the students since 1949

# THE OPINION



Volume 37, No. 4 STATE UNIVERSITY OF NEW YORK AT BUFFALO SCHOOL OF LAW October 30, 1996

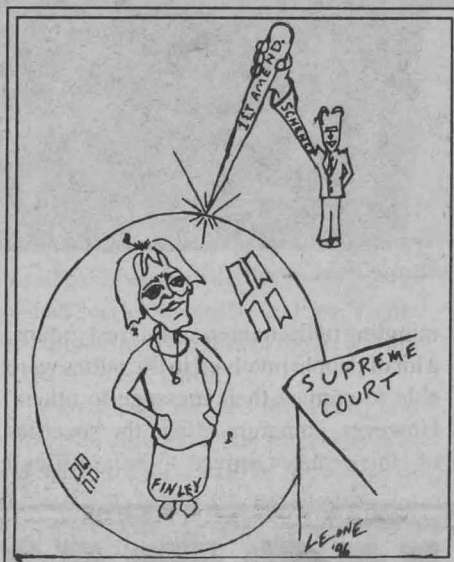
## Finley a stalwart Pro-Choice defender Scalia especially tough on Pro-Choice Advocate

by Kristin Greeley, News Editor

UB Law Professor Lucinda M. Finley represented the Pro-Choice Network of western New York before the Supreme Court of the United States in the case of *Schenck v. Pro-Choice Network of Western New York*. Arguments were held on Wednesday, October 16.

2Ls Cecily Molak and Rita McKenna travelled to Washington D.C. to hear the arguments. They were two of only thirty-seven spectators from the general public to watch the arguments. The two left Buffalo at around 3:30 Tuesday afternoon and arrived in Washington at 10:15 p.m.

Molak and McKenna were told that



people could not begin assembling outside the Court before midnight, but at 10:30, there was already a small group assembling, so they decided to forego dinner and begin their camp-out early.

When they arrived, Molak and McKenna were twenty-first and twenty-second in line. Security guards told them that people camp out on the steps the night before an argument only once or twice a term.

Many of those already assembled were supporters of Schenck's attorney, J. Allen Sekulow, and students at Regent Law School in Virginia Beach. Sekulow is a professor at Regent, and some of the students helped him draft the brief in the case. He also heads a non-profit conserva-

tive, pro-life organization, the American Center for Law and Justice.

See *Finley*, page 10.

## SBA meets sans quorum

by S.A. Cole, Assistant News Editor

The Student Bar Association convened for their second meeting on Thursday, October 17. Lacking a quorum with which to conduct any financial business, the meeting focused on party plans and how to keep Bar Review organizations from subjecting students to harassment more than two times per week.

President Prudence Fung began her report with the Bar Review issue, saying that the school might soon adopt a policy of limited access for the Review tables that perpetually choke the halls.

The idea was well received by the few representatives in attendance; however, 1L Brenda Torres did mention the possibility of Review Reps being unable to make their tabling quotas. This concern was countered with the point that most schools have a limit on Reviews' tabling, yet reps meet their obligations.

After announcing the upcoming Blood Drive, Fung then informed members about a program developed by Kids Voting USA, a polling exercise designed to teach children the importance of voting. Despite the fact that there were not enough people present at that point to vote in their own organization, the members seemed generally enthusiastic when Fung asked reps to urge their constituents to participate.

With no voting to take up extra time, the meeting adjourned after a little more than an hour.

## Public interest law alive and kicking

by Kim Fanniff, Staff Reporter

Education is a journey, and listening is the passport. The University at Buffalo Law School's Public Interest Law week began with a lecture entitled "Public Interest Law: Present and Future". The panel discussion and Public Interest Law Week were sponsored by the Career Development Office.

The panel included Keith Morgenheim of Neighborhood Legal Services ("NLS"), Robert Elardo of Volunteer Lawyers Project (VLP) and Kathleen Carmody of the Women's Law Center. Panelists spoke about their organizations' work and funding.

Despite devastating budgetary cuts, the status of public interest law organizations at UB Law is not bleak. According to each panelist, their organizations are continuing to provide quality legal services to the needy of western New York.

Morgenheim, Interim Executive Director of NLS, stressed that his organization, "... is the largest provider of civil legal services to the poor in Erie County and upstate New York." Financial eligibility for NLS is set at 125% of the federal poverty guidelines. In 1993 that meant a family of two could earn up to \$11,800 and still meet NLS requirements.

NLS has four units which focus on the areas of law most needed by their clients: Public Benefits, Family, Disability, and Housing Law. One of NLS'

innovative programs involves their work for the handicapped. Under a grant from the Cerebral Palsy Foundation they are litigating cases involving assistive technology (motorized wheelchairs, etc.).



Keith Morganheim, Robert Elardo, & Kathleen Carmody

Morgenheim stated, "With this grant we are advocates for technology that improves the quality of life for our clients."

Another program the NLS is involved with is a joint venture with the Volunteer Lawyers Project, the "Attorney of the Morning" program. This program stations a lawyer at the court to provide on-site services for those being evicted from their homes. This program is currently being copied in other states.

The Volunteer Lawyers Project ("VLP") was created in 1982 by the efforts of the NLS and the Erie County Bar Association. The group handles family law, bankruptcy, immigration and landlord-tenant issues.

One goal of the VLP is to involve the private bar in public interest. Many of

their cases are farmed out to private lawyers on a pro bono basis.

Managing Attorney Robert Elardo spoke of the many volunteer opportunities available at the VLP. The organization functions with 25-30 in-house volunteers. They also have a student-run clinic every Tuesday night at Haven House, a shelter for battered women. "The program teaches women how to use the system to their advantage," Elardo stated.

Kathleen Carmody, Administrative Director of the Women's Law Center, works with a mission similar to that of the Haven House program. Carmody said, "The biggest part of what we do is to educate women and provide them with the support of advocacy. I get 10-

See *Kicking*, page 8

## Out of the closets and onto the walls



Photo by Sami Manirath



# Thousands throng through DC in search of social justice

by Cindy Huang, Staff Reporter

Thousands of people marched to the White House and the Capitol from different areas of Washington, D.C. to seek justice. On Saturday, October 12, 1996, participants of the marches represented a multitude of both public and private interest groups.

One of the most visible groups present sought to have minorities more widely represented in governmental processes. They emphasized that minorities are not being adequately represented in the legislative and judicial branches of government.

Ben Wendell, a march organizer, stated that, "We are sick and tired of being excluded from making important decisions. We will not put up with being locked out of the Capitol any longer."

A second group of protestors expressed their view that Latinos are specifically being discriminated against via the recently enacted anti-immigration laws. When asked how he felt about the event, Jose Garcia, a student from Columbia University said, "It's wonderful to see so many people here supporting our cause."

Many female demonstrators were present to encourage more women to have a larger voice in government. Their main purpose was to promote women

voting in the 1996 elections. Jenny Dreimer, a Howard University graduate, said, "The vote of one woman will not be enough, the votes of many will make a difference."

a small-scale protest criticizing society for not being more receptive to their needs and pushing for more research to find a cure for AIDS.

Because the day ended with an inter-



Cindy Huang stands outside the Capitol

Many people were also present to mourn the loss of their loved ones to AIDS. Although the gathering began as an occasion to look at and add patches to the AIDS quilt, some attendees organized

mingling of the numerous interest groups, a lot of people involved in the rallies were able to convey their message to others. However, communicating the specifics of their causes proved to be a difficult

task for each of the groups. Many participants focused solely on their own agendas. Demonstrators began mixing with one another when the large size of the crowd pushed them closer together.

As the hours dragged on, it became impossible for all the groups to voice their opinions at once. Out of necessity, protestors began taking turns at disseminating their messages. Only at this point did the crowd begin to consider the significance of what was being said by others.

Linda Shorsenski, a graduate of Emory University, had originally travelled to Washington to try to convince more women to vote. Yet the protest allowed her to empathize with the Latino community, and she returned to Georgia a less ignorant citizen. "Everyone should be given equal opportunity. Women or Hispanic, we are all living in this society together," she said.

Mike Hernandez, a student at Florida State University, summarized the consensus among the groups by saying, "If you ignore us today, we will return tomorrow. We will keep on coming back until our concerns are acknowledged and some steps have been undertaken to start meeting our needs."

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# BRIEFS... In and Out of the University

## UB News

### Law Firm Donates Art to UB

The New York City law firm Sidney & Austin has donated a seventy-four piece artwork collection to the University at Buffalo Art Gallery. The collection is valued at \$80,000 and includes works by Dennis Oppenheim, Michael Kenna, Lita Albuquerque, Grace Knowlton and Dan Graham.

Recently, an exhibit of photographs, prints, and textiles from the collection was held at the Gallery, which falls under the auspices of the UB Faculty of Arts and Letters.

"The academic and surrounding community will have the opportunity to view various distinctive pieces by many outstanding artists. Sidney & Austin is committed to supporting higher education," said Jack Brimm, director of administration for the New York branch of Sidney & Austin.

Sidney & Austin is one of the largest firms in the U.S., with 750 lawyers. The firm represents Fortune 100 businesses, associations, and prominent individuals.

### UB Law Creates Center for Study of Criminal Law

UB Law has established the Buffalo Criminal Law Center in order to advance the study of criminal law. According to Professor Markus Dubber, Center organizer, the Center has a threefold purpose: to provide support for legislators in matters of criminal justice policy, to attempt to rejuvenate the study of criminal law in the U.S., and to provide an intensive learning experience for students who have a concentration in criminal law. Students in the criminal law concentration will edit the Center's journal, *The Buffalo Criminal Law Review*, plan conferences, and prepare policy analyses for New York State and federal legislatures.

According to Dubber, the study of criminal law has declined in the U.S. since many states, including New York, revised their penal codes in the 1960s. The Center "provides us with a unique opportunity to be national leaders in the study and future evolution of criminal justice policy," Dubber said. The Center will sponsor its first event, a conference entitled "Rethinking Federal Law," on Saturday, November 23.

The conference will feature ten scholars from the U.S. and Europe. Topics to be discussed include: Federal Criminal Law and Sentencing Today, Federal Criminal Justice Policy and Politics; Women, Minorities, and Federal Criminal Law; Comparative Perspectives on Federal Criminal Law; and Reforming Federal Criminal Law

and Sentencing.

The conference proceedings will be published in the first issue of *The Buffalo Criminal Law Review*. The Conference is sponsored by the Mitchell Lecture Fund, the Conferences in the Disciplines program, and the Baldy Center for Law and Social policy.

### Campus Crime Report

In 1995, there were no murders reported on either of the two UB campuses. The same is not true for less serious crimes, however.

The most prevalent campus crime was burglary, with 220 cases reported in 1995. Many of these burglaries were not forcible entries -- most were of unlocked student dorm rooms.

In addition, there were 19 reported aggravated assaults, and 24 motor vehicle thefts. Only one forcible sexual offense was reported.

The crime with the largest increase was bias related crimes, with 16 reported cases, up from 4 in 1994.

## Local News

### State Bar Association Honors Farrell

Amherst Town Justice Mark G. Farrell has been awarded the 1996 Distinguished Service Award by the Law, Youth, and Citizenship Program of the New York State Bar Association.

Farrell will receive the award at a statewide conference this week. He was nominated for the award by the Amherst, Williamsville, and Sweet Home Central School Districts, the Amherst Police department, and other members of the legal community.

Farrell is a leader of a new plan in Amherst to battle drug and alcohol abuse among young people. He also implemented the state's first "drug court," which is the backbone of the program. In addition, he has also instituted progressive efforts that focus on court responses to youthful offenders, including alternative sentencing programs, drug and alcohol rehabilitation, and DWI impact panels.

Farrell was also responsible for educational forums on the juvenile justice system for youths and educators in the three school districts in the Town of Amherst.

Farrell has been an Amherst Town Justice since 1994. He is special counsel to Damon & Morey attorneys specializing in medical and professional malpractice, product liability and environmental litigation. He is a graduate of UB Law.

## Across the U.S.

### Law School Applications Drop

There was a 7% drop in applications to law schools during the 1994-95 school year, according to a report by *U.S. News and World Report*. The decline is part of a four year trend.

In 1994-95, 78,800 applications were filed to the 178 accredited law schools in the U.S. In 1990-91, 94,000 applications were filed.

This decline in applications means that schools are forced to admit less qualified students, according to the report.

"The best and the brightest in the late 1980's and early 1990's used to go to law school, and it isn't happening anymore," said Andrew Cornblatt, Dean of Admissions at the Georgetown University Law Center.

### Kennedys Sign Prenup

The *London Mail* has reported that John F. Kennedy, Jr., and wife Carolyn Bessette signed a prenuptial agreement that guarantees Bessette a minimum of \$1 million in the event the couple divorces.

The agreement establishes a sliding scale of payments that increases with the length of time the couple is married. If they divorce after less than three years, Bessette gets \$1 million. If they last more than three years but less than ten, Bessette is guaranteed \$2 million. After 10 years, the figure increases to \$3 million.

The newspaper says that Kennedy's advisors insisted on the agreement, supposedly to shield him from a California law that would allow Bessette to sue Kennedy for half of his wealth in the event of their divorce. The couple is reportedly house-hunting in California.

Kennedy's wealth is estimated at \$32.7 million.

### Sixth grader's knife nabbed

When eleven-year-old Charlotte Kirk of Columbia, South Carolina, thought she would help her mother by packing her own lunch for school, she never bargained for criminal charges. The sixth grader put a steak knife in her lunch box so she could cut the chicken she had included in her lunch, the school interpreted the knife as a weapon instead of a culinary utensil.

A friend in the cafeteria suggested to Charlotte that the knife might not be allowed in school. Charlotte then asked a teacher if she could use the knife. This resulted in her being suspended from school, arrested on a charge of possessing a weapon at school, and threatened with expulsion. Charlotte was taken from Hopkins Middle School in a police cruiser -- her father was not allowed to ride along with her.

The school district decided not to suspend Charlotte, but she still faces a hearing in family court on the possession charge.

Charlotte says she packed the knife for herself because "Mom was busy, and dad had gone to work."

"I never took it out of the box," she said.

### On Line University Created

The creation of the World Learning Network, was announced by Peterson's, the nation's leading provider of college and career information in print and on-line, and the Electronic University Network, which has helped colleges, schools and organizations for the last ten years offer instruction on-line. The two organizations will work together in a cooperative agreement to establish the first global virtual education community offering short-term courses and credit-bearing courses for those individuals who need or prefer to study at a distance. The World Learning Network will be available on the World Wide Web at <http://www.worldlearning.com> on January 1, 1997.

The World Learning Network will provide colleges, schools, corporate learning centers and professional associations with their own virtual campuses. The Network will serve those who cannot now be taught through traditional on-campus education, such as the homebound, military service members, the disabled, and the institutionalized. Peterson's and the

### Computer brief cont'd

Electronic University Network is also organizing World Community College and World University to create international outreach opportunities for U.S. academic institutions.

The World Learning Network will give each member its own on-line campus. Each campus will be comprised of the basic buildings housing the core functions of a complete learning center: academic buildings, a library, an administrative center and admissions office, a counseling center, a student union, a continuing education center, a lecture hall and a college store. The Network's creators attest that the campus and its buildings will be "furnished" and ready for immediate use. The classroom building will provide tutorials and seminars. The library will possess basic collections, as well as facilities for student research and independent study. The student union will have chat rooms and game facilities. The lecture hall will feature forums, discussions, conferences and workshops. The bookstore will sell a full array of learning materials.

### Law School to Provide Hands-on Environmental Law Experience

Here's an opportunity to get your hands dirty! Vermont Law School will offer hands-on experience working with leaders in environmental law. Vermont Law School is inviting students from to enroll as visiting students in the Environmental Semester in Washington, DC.

This 13-credit externship in Washington, DC offers students a two-credit class in professional responsibility and practical environmental experience working with mentor attorneys in a number of exciting settings. The following is a sample of the many disciplines in which experienced mentors work with students in the Environmental Semester:

Government Agencies: United States Department of Justice, White House, Environmental Protection Agency, Department of Interior, Department of Agriculture, and Department of Energy.

Environmental Groups: Environmental Defense Fund, Environmental Law Institute, Natural Resources Defense Council, Center for International Environmental Law, National Wildlife Federation and Sierra Club Legal Defense Fund.

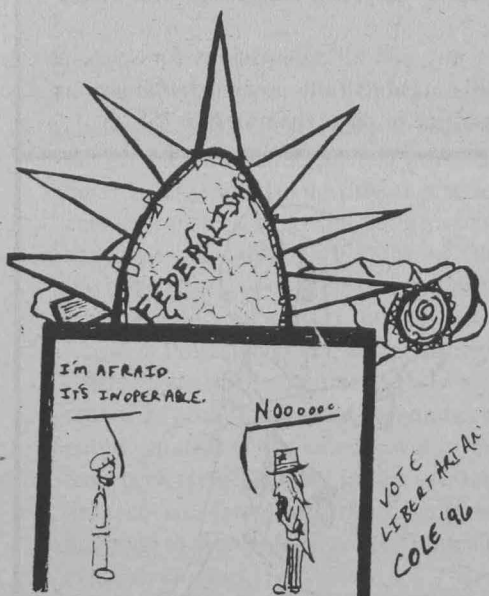
Congress: Key committees in the House and Senate.

Other Groups: Law firms, trade associations and consulting firms.

"This past semester I gained something that only experience could give me: confidence...Just the opportunity to do work that a practicing attorney also did was exciting, and it proved to me that I could do this - and do it well," said one student who worked in the Environmental Enforcement Section of the Department of Justice.

For more information and application materials, call Professor Martha Judy (ext. 2345) or her staff assistant, Vicki Campbell (ext 2259), at 1-800-227-1395 or 1-802-763-8303.

Sources for briefs are: *The Buffalo News*, *The Reporter*, *The Spectrum*, *The New York Times*, and *The Syracuse Post Standard*.





Bringing the issues to the students since 1949

THE OPINION



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Submissions may either be sent to The Opinion at the above noted address, dropped off under The Opinion office door (room 7 O'Brian Hall), or placed in Box #755 on the third floor of O'Brian Hall. All copy must be typed, double-spaced, and submitted on paper and on a computer disk (IBM-WordPerfect 5.1). Letters are best when written as a part of a dialogue and must be no more than two pages double-spaced. Perspectives are generally opinion articles concerning topics of interest to the law school community and must be no more than four pages double-spaced. The Opinion reads and appreciates every letter and Perspective we receive; we reserve the right to edit any and all submissions for space as necessary and also for libelous content. The Opinion will not publish unsigned submissions. We will return your disks to your campus mailbox or to a private mailbox if a self-addressed stamped envelope is provided.

The Opinion is dedicated to provide a forum for the free exchange of ideas. As a result, the views expressed in this newspaper are not necessarily those of the Editors or Staff of The Opinion.

"Congress shall make no law ...abridging the freedom of speech, or of the press;..."

-- The First Amendment

## EDITORIAL:

Now that it's the nineties we've all had our consciousness raised, and everyone is aware of the fragile inner child that lurks within our aging, outwardly mature bodies. Hence, we now feel justified in cutting loose and making the world our playpen, the office our Romper Room. Which I guess is a curt nod in the direction of puerile behavior. And which...I guess...means it's okay to huck mud at any of your little friends who sasses you with one too many "nyah nyah nyahs." But, there's a problem.

If you're going to throw mud, folks, Do It Right!

Watching the presidential debates that have pockmarked this year's election campaign has been a peculiar kind of sado-masochism for just about everyone involved. Those whose sensibilities are easily offended found the character attacks and finger pointing to be thoughtless, pointless, and tasteless. Those whose sensibilities are shod in iron, and who love a good romp through the carnage of political debate, were equally offended, because they turned on the tube to see virtual guts spilled on the floor, and were rewarded by Bill-Bob tiptoe-ing through the tulips of a debate choreographed by Emily Post.

As for those who don't give a damn about politics, well, their prime time shows and sports were pre-empted by something pointless, and thus their viewing pleasure died in vain.

There's a lot of talk about returning politics to the niche in polite society from which it was once supposedly ensconced. There are only a few choice words needed to nip this sort of yap in the bud. Congress. Cane. Sumner. Head. Smoosh.[This is a reference to a caning in Congress prior to the Civil War involving Senator Charles Sumner.]

Politics is war without blood, not war without casualties. We all know this, yet we hold our politicians to an impotent standard of amiability that would have been a challenge for the "Little Women" to achieve, even on a day when Marmee made pancakes and didn't give them away to the poor. We watch the candidates debate, ready to pounce on a slightly disdainful syllable, or just-too-pointed comment. We publish countless articles that analyze the wording and intonation of everything they utter, because the initial message is lost in the tea-time talk. And thus we are not only cheating ourselves out of a lot of fun, we're depriving ourselves of any clue as to what really beats and lusts inside the hearts and minds of the people who would lead us.

At age four, mud is a mere amusement. At any age past eighteen, it should be something we revel in. It's sad that the most cutting debate snippet of recent memory is the slightly biting, "Senator, you're no Jack Kennedy." That's just weak.

Sticks and stones will break our bones, but names will never hurt me. Sure, it's the first bromide that any child learns to debunk, but it also trains us in the mind set that it's better to say it than imply it. We're Americans, people. Aside from the French, we're supposed to be the ruling class of rude. Sling mud. Sling it hard. Just don't try to hide it; Do It Right.

Don't forget to vote on  
November 5th!

LETTERS TO THE EDITOR  
You Don't Get IT

by 2L's Carlisle F. Toppin  
and Martin C. Raikes

The blueness of the sky, the wetness of water, the subliminal images in those colorful billion dot pictures, the exorbitant salaries of today's athletes, the winning lottery numbers before the drawing, why Barney does not just simply ask Fred for some Fruity Pebbles.... What do the elements in this list all have in common? They are things that some people just do not get. The Tiger Woods Nike commercial can be added to this list for Greg Mattacola.

In The Opinion dated October 9, 1996, Mr. Mattacola wrote a scathing criticism of Tiger Woods and his Nike commercial. The commercial in question features Tiger Woods saying, "There are still courses in this country that I can't play on because of my color." Mr. Mattacola had the temerity to suggest that Woods' exclusion from certain golf courses on the basis of race is not a legitimate reason to complain since he has a lucrative contract with Nike. In fact, his article states that Woods "should be singing the praises of the good old USA at the top of his lungs."

Greg, you miss the point of the commercial entirely. The ad is an attempt to sensitize the American public to one of the many indignities that people of color suffer. Your article trivializes the important message of the commercial since this problem goes beyond Tiger Woods and even golf, for that matter. It effects millions of people in the United States and that is something no one should be singing praises about.

According to James Small, a Nike Public Relations Director, the ad was not supposed to be taken literally, but was intended as a "metaphor", with Woods as a stand-in for other black golfers. Sure, Tiger Woods would be welcome anywhere because of his celebrity and stature in the game. However, less prominent black people would be and have been denied playing privileges because of their race. To give a few examples: In 1993, Sabres goalie, Grant Fuhr, was denied golf membership to the Transit Valley Country Club

in Buffalo on the basis of his race; in 1991, St. Frederick High School golfer Dondre Green was excluded from a three-team regional playoff at the Caldwell Parish Country Club in Columbia, Louisiana because he was black; in 1990, the Professional Golfers Association (PGA) had to deal with an incident at Shoal Creek Country Club in Birmingham, Alabama when the country club's founder told a reporter that there was no way a black person would be considered for membership; until 1962, the PGA's constitution had a "Caucasian clause", which limited PGA-sanctioned competitions to whites only. The purpose of the commercial was to spotlight such issues and raise awareness that golf is not an inclusive sport.

It is absurd to suggest that pointing out one of the ills in American society is exclusively the province of civil rights activists. While Nike is undoubtedly using Tiger Woods to expand its market, the underlying message does not detract from Dr. King's ideals. Dr. King was against segregation and the message of the commercial is consistent with his work.

UNDESERVING? WE THINK NOT!

No other golfer has turned pro with the notoriety of Tiger Woods. When he was three years old, Tiger appeared on the "CBS Network News" and "Mike Douglas Show" putting with Bob Hope. At that age, he also shot a score of 48 for 9 holes on the U.S. Navy golf course. By the age of five, he appeared on TV's "That's Incredible".

In 1995, he competed in the prestigious Masters Tournament in Augusta, Georgia, his first pro major, and was the only amateur to make the cut. At the age of 18, Tiger Woods was the youngest player to ever win the U.S. Amateur Tournament. Since then, Woods has won an unprecedented third straight U.S. Amateur Championship. He recently turned pro on August 28th of this year,

See letter pg 6.

## Tell us your opinion!

If you have an opinion on anything published in our newspaper or on any current events topic that concerns the law school community, write to The Opinion.

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Send your submissions to The Opinion office or place them in box 755.





# Follies and Fumbles

Greg Mattacola

Columnist

## Listen for a Change!

You guys remember Bob Dole, right? He's that really mean looking old guy who does not have a clue of what the young people of this country are about or need. He's also that same guy who, not too long ago, rattled off a bunch of movie titles stating that they were bad for this country's morals. (I think *Showgirls* was one, possibly the only movie I've ever watched where I'd seen better plots in a porno.)

Yet, when asked if he'd ever seen any of these 'harmful' movies, the former Senator said, "Well, no." And I'm supposed to vote for you? Someone who just says what he thinks parents want to hear without knowing what he's talking about? I don't know why I'm so surprised. This is the same Bob Dole who once said in an interview, "Tell me what you want me to be and I'll be it."

Now, there's someone with character. Someone who really sticks to his guns. And speaking of guns, it seems now, after Bob Dole already got himself in trouble using the song, "Soul Man" as part of his campaign (*I'm a Dole Man!* I know, pretty sad.), without permission, he's gone and done it again. It appears that Mr. Dole has been cranking "Born in the USA" from his campaign bus as he makes his way around

the nation.

Once again, he did not have permission and got scolded from Springsteen. But, you see, there's an even bigger problem here. First of all, there are very few things that I believe strongly in. One is my absolute hatred for Astroturf. Another is a cold beer after a round of golf.

My marriage, black coffee in the morning, and mountain biking pretty much round out the list. Except for one other thing. Bruce Springsteen. Tell me something Mr. Dole, have you ever listened to "Born in the USA"? I don't mean the beat, Mr. Dole, I know it's a catchy beat, I'm talking about the words. Because if you had, I don't think you'd be playing it on your campaign.

You see, Springsteen, in my humble opinion, is the most prolific song writer of our generation. Yet, he doesn't write about 'counting blue cars' or 'going down on you in the theater'; the man writes a social commentary about the life of the regular Joe in today's America. And quite often, it's not a pretty picture. Go and listen to the song, Mr. Dole.

Then tell me if you want to use it. And after you're done, go and find your old pal Ronald Reagan who also used this song without having a clue of what it's

about. The two of you can turn your hearing aids up and realize together what jackasses you are. And I never thought I'd have to vote for Clinton again. Vanna, can I buy another candidate? Please?

### SPORTS SHORTS!

Well, the baseball race is a lot clearer now, unfortunately. The Yankees have refused to die or go away; much like the cockroaches of their crack ridden, pollution infested home. Come to think of it, when looking at the makeup of the Yankees, it's much like a line up on NYPD Blue.

You've got your crack heads, your cocaine addicts, your hired guns, your wife beaters. All that's missing is the overweight cop who yanks people around by their necks and has absolutely no respect for anything that's sacred. Oops, forgot about Steinbrenner. Now the picture's complete.

Speaking of baseball, what would happen if you combined Brady Anderson's sideburns, with Rollie Fingers' old handlebar mustache? Would that be the most outstanding presentation of facial hair that you've ever seen or what? I've got to stop watching so much sports. Nahhh.

The football season is as great as ever, not that football ever really disappoints me. But I'll tell you one person who has completely stood out this year, **Rookie linebacker for the Dolphins, Zack Thomas.** I have not seen this guy play one game where he didn't completely dominate it defensively.

I've never seen a Rookie come in on defense and just take over games like Thomas does. He's a Spielman-Conlan type linebacker, yet without extraordinary size. If Thomas continues like he is, he's in the running for Defensive Player of the Year, not just Rookie Defensive Player of the Year. He's already won that. Gottta love this sport!

*We want to hear what you have to say... Tell us what you think... Send a letter to the Editor. We're located in Rm 7 O'Brian Hall.*

## Dear Audrey...

by Audrey A. Kocscielniak, Assistant Dean for Career Development, Special to the Opinion

Dear Audrey:

CDO's October programs all have a public interest focus. Why so much effort for 5% of a class?

Signed,  
Private Firm Oriented

\*\*\*\*\*

Dear Private Firm:

Whether you call it public interest, public practice or public service, it is more than working for legal services and legal aid. It is working for not-for-profits, cause specific organizations, government and even private law firms (clearly, more than 5% of a class). Public service also involves representation on all sides of an issue.

Several of this month's attorney-panels described the interaction between the private and public interest practitioners. Skills learned in the private practice can be transferable to the public sector and vice versa. Also, it is only through the *pro bono* efforts of over 800 private attorneys in Erie County that the Volunteer Lawyers Project has been able to provide legal assistance to area citizens who would otherwise go unrepresented. A number of public interest achievements would not have been possible if not for the substantial resources large law firms have given *pro bono* to more intensive (i.e., long and expensive) cases.

The following article published in the October 1996 NALP BULLETIN by

Robert E. Precht, provides a further definition of public interest/public service practice. It further confirms that our "Focus on Public Practice" is worth the effort.

### WHAT IS PUBLIC SERVICE ?

One night, after a day of cross-examining witnesses in the World Trade Center trial in 1994, I was riding the subway home when a well-dressed man came up to me with a puzzled look on his face. "You're one of the lawyers for the Arabs, aren't you?" he asked. I said that yes, I was. Becoming red, he yelled "They killed innocent people. They killed a pregnant woman. How can you live with yourself defending these terrorists?" I replied with the tenet central to our criminal justice system — that everyone is entitled to a fair trial — but this man would have none of it. To him, I was simply a mouthpiece for murderers. He looked at me as if I too were guilty of murder and that he would like to strangle me. Somewhat unnerved, I got off at the next stop and walked the rest of the way home.

I have thought of this incident frequently since moving to Ann Arbor to head the Office of Public Service at the University of Michigan Law School. If two people could disagree so completely about the role of a lawyer in our system of justice and whether he or she is performing a public service, what does the term "public service" mean?

As I pondered this, the obvious definitions seemed inadequate. Defining public service broadly as legal work not undertaken for personal profit seemed to me to include too much. A lawyer cannot take

any position, however evil, and call it public service simply because it is unmotivated by pecuniary gain. Defining it more narrowly as legal work that helps the poor excludes valuable endeavors that address national and global concerns such as the environment. Could I say nothing more than that, while public service is impossible to define, we know it when we see it?

Looking back, I see I went astray in trying too hard to define public service in terms of particular practice areas. I realize now that the essence of public service is not an activity, but an attitude, an attitude every lawyer can and should bring to the practice of law.

It is, as the great law teacher Karl Llewellyn wrote, "To be at all times, even at personal sacrifice, a champion of fairness and due process ... for all, whether the powerful or envied ... or the hatred or the oppressed." If the attitude sounds familiar, it should. It is the message of "A Christmas Carol" and the Good Samaritan adapted to lawyering: make humankind your business and do not turn a blind eye to injustice.

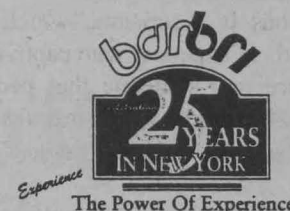
In the last year, I have met lawyers of diverse backgrounds who embody this attitude and show that it can become an essential component of every type of legal practice. To mention only three: the legal services lawyer who, unbowed by Congressional cuts, continues to make a career of providing equal justice to poor people; the general counsel of a large automobile company who has created an in-house *pro-bono* program involving more than 100 lawyers; the law firm partner whose *pro-bono* environmental

legal practice places him in the vortex of national issues.

These and other lawyers, working in very different practices and settings, are deeply connected with — and have given something of tremendous value to — the communities in which they live and practice. They challenge us to do the same.

*This article is reprinted with permission by the National Association for Law Placement.*

## Do it Once.





## Prepare your Car for Winter Blues

by Alex Suchomski of Koerner Ford,  
Special to The Opinion

Winter weather could be just around the corner. Icy roads, snowy nights and blustery winds can take a toll or bite out of your car. For some, a car is essential transportation to and from campus. Here are some helpful tips for winterizing your car.

1. Tune the engine.

2. Change the engine oil and filter.

3. Check radiator for leaks.

4. Inspect radiator and heater hoses.

5. Test the battery and inspect battery cables.



6. Check the flash cooling system to make sure it is clean. If it is dirty, a new coolant is needed. When adding the replacement coolant, the mixture should be 50% water and 50% coolant. If the engine takes a long time to warm-up, replace the thermostat. Most engines should reach operating temperature (approximately 195-200 degrees Fahrenheit) within 4 miles of driving. Finally, have the coolant tested for protection. Negative 35 degrees Fahrenheit should be adequate for upstate New York.

7. Test for air leaks in your tires.

8. Tires: most cars are equipped with all-season tires. These are usually fine, but after 20,000 miles of driving

they are equivalent or inferior to conventional tires. Studded tires make good snow tires. However, if they are used often on dry pavement, due to a lack of snow and high speed driving, their life expectancy will be shortened. Studs will fall out and wear-out, resulting in typical snow tires. Thus, studded tires may not be as cost effective.

9. Windshield Wipers: Winter wiper blades are recommended. These are rubber coated to prevent ice from sticking to them. Use windshield washer fluid that is winterized with anti-freeze. Do not use radiator coolant instead.

10. Carry a snow brush, snow shovel, blanket, and flashlight in your car.

11. Use extra weight in the back, such as sandbags, if you have a rear wheel drive vehicle. This will allow for better traction.

### Alex's Handy Tip:

Often floor mats become saturated with melted snow. The moisture results in condensation that may settle on the inside of the windshield and cause ice to form. The solution is to put newspapers underneath the mats. This will absorb the moisture.

The use of studded snow tires is permitted in New York after October 15<sup>th</sup> and in Pennsylvania after November 1<sup>st</sup>.

### Response to Mattacola cont'd from pg. 4

and is a winner on the PGA Tour in only his fifth tournament and is 34th on the money list. With one of the longest drives in the sport of golf, Woods hits 310 to 320 yards off the tee without trying, and 340 to 350 yards when he is hitting harder. This account only skims the surface of this young player's accomplishments.

Woods' appearance at every tournament, major or amateur, has filled the galleries and increased the popularity of golf. His peers on the tour, including Greg Norman, Nick Price and Davis Love III have high praise for him, think he is an outstanding player and great for the tour. Greg Norman was even quoted as saying, "Golf needs someone like him. He's long, strong and articulate and he holds himself well on and off the golf course." Tiger Woods is a superstar which all sports need. A superstar who captivates its audience and someone that people may hate to love and at the same time love to hate. How do you like that image now, Greg?

Like Woods, most top golfers already have lucrative endorsements. Greg Norman, for example, has a contract with Reebok. Reebok sponsors his clothing collection and gives Norman the right to market and license the Shark Logo. The Greg Norman's Ultimate Golf Challenge Video Game is sponsored by the Grolier

Publishing Company.

We should also mention the endorsements by Chevrolet Trucks, GM Automobiles, Dunlop Golf Balls, Caddyrack, Inc., LeBoeuf Fountain Pen Co. and others. We do not understand why you make such an issue about one endorsement to this particular individual, who has met the expectations of its sponsors. Whether anyone deserves \$40 million to endorse sports products is certainly debatable, but popular appeal and marketability determine who a company chooses as its representative.

Your "Follies and Fumbles" attempt to gain laughs was far from humorous and offensive to many. As a journalist, your article in *The Opinion* represents exactly that -- your opinion. However, as an elected S.B.A. official, you should be careful that your published thoughts do not offend the people you represent.

### THE EYE OF THE TIGER

*Risin' up, back on the street Did my time, took my chances Went the distance, now I'm back on my feet Just a man and his will to survive So many times, it happens to fast You change your passion for glory Don't lose your grip on the dreams of the past You must fight just to keep them alive It's the eye of the tiger... --Edo Engel.*

## ESLS plans star studded event

by Susan Bjornholm, Features Writer

Time is a valuable commodity as every person who inhabits the halls of O'Brien can tell you. Everyone has to make decisions on which events to schedule in his or her daily planner, stay after classes to attend or skip completely. MARK THIS DATE! November 18th contains an event that every person in this school will find intellectually stimulating and informative.

The Entertainment and Sports Law Society is holding a symposium, sponsored by the New York State Bar Association, which will discuss a topic dear to its hearts -- entertainment and sports law.

This symposium features Mr. Keith Schulefand, a local entertainment and sports attorney and fellow University at Buffalo Law School Alumnus, as well as one of his prominent clients, Mrs. Janet Snyder from Kiss 98.5 FM.

Ms. Lynn Wolfgang, President of the Entertainment and Sports Law Society, suggests some possible topics the society plans to cover during the time allotted. Mr. Maddox will discuss nego-

tiating a contract from an athlete's point of view, making the transition from college to the NFL and the draft and collective bargaining between the players association and the league.

Ms. Snyder will illustrate the impact F.C.C. regulations have had on censorship and what it is like to be one of the first women with her own morning radio show. Other topics include the practical considerations of finding jobs in the Buffalo area and finding an athlete and/or entertainer as a client. In addition, Jean Hill from WKBW, Channel 7 will be moderating the panel.

The event will be held November 18th at 7:00 pm at the Center for Tomorrow, opening with a reception beforehand at 6:15 pm. The Society's goal is to facilitate communication between local attorneys and law students.

Each person who attends will have the chance to obtain valuable information about entertainment and sports law as a legal career and make contacts with those already practicing in the field.

Based on the previous successful symposiums by this organization, this event is one you should attend.

## UB to honor Justice Green

by Ilene Fleischmann, Assistant Dean for Alumni & Communications

Law students are encouraged to join the festivities when Hon. Samuel L. Green, a senior associate justice of the Appellate Division, Fourth Judicial Department, State Supreme Court, is presented with the Jaekle Award on Saturday, November 2, by the University at Buffalo Law School and Law Alumni Association. This prestigious award will be presented to Judge Green, Class of 1967, at a noon luncheon, following the 21st Annual Alumni Convocation at UB's Center for the Arts atrium.

Named for UB alumnus Edwin F. Jaekle, Class of 1915, the annual award is the highest honor bestowed by the Law School and its Alumni Association. The award is presented to an individual who has distinguished himself or herself in the profession and has made significant contributions to the UB Law School and the legal profession.

Judge Green is a former criminal defense lawyer who moved steadily up the ranks. He began his judicial career in Buffalo City Court in 1973 and went to the State Supreme Court, Eighth Judicial District, in 1978. He was named to the Appellate Division in 1983. At that time, he was the first African-American to be named a New York State appellate judge outside the New York City area. He has been recommended twice by the Commission on Judicial Nomination to the State's Court of Appeals.

The topic of the morning-long Educational Convocation (8:30 a.m.-noon) will be "The Challenge of Change: Keeping Current and Competitive." The pro-

gram will address how lawyers can cope with the constant change in today's legal environment. Topics to be discussed include marketing and practice development, computer technology, government regulation of lawyers and lawyering and disciplinary issues.

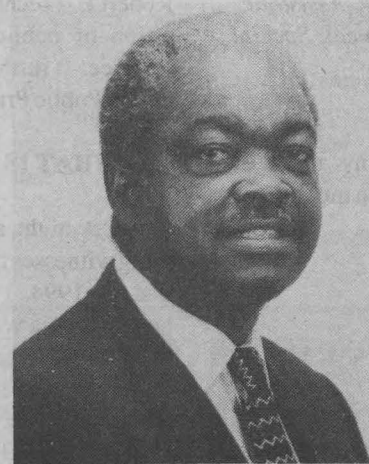
The panel of experts includes special guests the Hon. Joseph J. Traficanti, deputy chief administrative judge for courts outside New York City, and Joel A. Rose of Joel A. Rose & Associates, Inc., a nationally known law office management consulting firm located in Cherry Hill, New Jersey.

Local panelists include Paul Ivan Birzon, an attorney in the firm of Birzon and Davis, P.C., Jeffrey M. Freedman, of Jeffrey Freedman Attorneys, Maryanne Sacamondo Freedman, of Cohen and Lombardo, and Dan D. Kohane, of Hurwitz and Fine, P.C.

The Convocation program is being presented by the law school and the Law Alumni Association in conjunction with Harold C. Brown & Co., Inc.; Marine Midland Bank; Amherst Electronics; and Commonwealth Land Title Insurance Co.

"This is a topic all law students should be interested in, regardless of their future area of practice," said Ilene Fleischmann, executive director of the Law Alumni Association, "And the Jaekle Award luncheon is a great way to network with our older, more established alumni. I hope our students take advantage of this wonderful opportunity."

For more information, contact Ilene Fleischmann at 645-2107 or in Room 309. The first fifty law students who sign up in the Alumni Office (Room 309) are invited to attend for just \$5 each.



Sr. Associate Justice Samuel L. Green



# DA packs powerful punch

## Attorney Sarah Buel fights back for battered women

by Leonard Heyman, Staff Reporter

Every attorney who works in the field of domestic violence should know the name Sarah Buel.

Aside from her job as part-time assistant D.A. of Norfolk County outside Boston, she is, "arguably the country's sharpest weapon against domestic violence," according to David Adams, Ed.D., a psychologist who runs the first and possibly best counseling program set up in the United States for men who batter.

How she, a victim of domestic violence has become an influential leader on the issue of battered women, who accepts invitations to train judges, police officers, and prosecutors, who has testified before Congress, who introduced the president of the U.S. at a press conference last spring when the federal government set up the new Violence Against Women Office, who is pictured on the cover of the July 1996 edition of the ABA's journal, who won ABA's "Top 20 Lawyers Award" in 1992 and has received many other similar awards, who has spoken on domestic violence in every state in the country and trained thousands of people, including physicians, lawyers, court personnel and social workers, about detecting and preventing domestic violence, whose name results in 6,786 hits when entered in the "Yahoo!" search engine on the web (for compari-

son, "Hillary Clinton" begets 11,035 hits; "Janet Reno" 59,425), and who is a Harvard Law cum laude graduate--from

*"I was told I wasn't smart enough. So, I refused to learn how to type."*

meager beginnings, where she was on the receiving end of domestic violence and, upon leaving her batterer, stood in line for welfare, is a story worth knowing and repeating.

Buel's infatuation with law began at age 12, when she won a refund from an auto mechanic who had cheated mother. Buel realized that law was a sword she could brandish to right wrongs.

In the seventh grade, Buel was put on a secretarial track instead. She says, "I was told I wasn't smart enough. So I refused to learn how to type." When she was 14, her parents divorced. Rather than choose which one to live with (her siblings split evenly), Buel went to New York. She went to school, at first, while

working as a governess. She saw Perry Mason on TV and decided that she wanted to be an attorney. The next year Buel bounced around to four different schools and families, including her mother's.

However, she eventually went back to New York, where she had relatives, and began a very erratic course through high school, cutting class and shoplifting with a cousin.

By the time she was 22, Buel was an abused woman. It started when her partner called her a liar and slapped her across the face when she denied thinking of her old boyfriend when listening to a song on the radio.

She says that the verbal and psychological abuse was more damaging than the physical abuse. "He always said I looked frumpy and dumpy. He was enraged if I bought the New York Times." He read the tabloid Daily News. "Isn't it good enough for you?" he demanded. He was extremely jealous. If I so much as commented on, say a man's coat, he'd accuse me of wanting an affair and flirting," she told *Psychology Today*. She added, "I didn't cook like his mother, clean like his mother. By the time I left I thought, 'the only thing I do well is, I'm a good mother.'"

Buel left her abuser and got a job in a shoe factory. However, the wage was

See DA pg 8.

# Domestic Violence Awareness Month

by Leonard Heyman, Staff Reporter

October is Domestic Violence Awareness Month. In observance of this occasion, the Domestic Violence Task Force set up a table in the student lounge area of O'Brien Hall in the beginning of the month with T-Shirts painted with Anti-Violence slogans. The T-shirts were a part of a national project, called "The Clothesline Project."

The Clothesline Project began in 1990, when thirty-one T-shirts were hung by a clothesline in Hyannis, Massachusetts in the Fall of 1990. The shirts are decorated by individual survivors of violence against women, or by those who care about a victim of violence against women. White T-shirts represent someone who died from violence; yellow or beige represent woman who have been battered or assaulted; red, pink, or orange T-shirts represent individuals who have been raped or sexually assaulted; blue or green T-shirts represent women survivors of incest or child sexual abuse; and purple or lavender T-shirts represent woman attacked because of their sexual orientation.

The T-shirts educate, document, and raise society's awareness of the extent of the problem of violence against woman, as well as help in the healing process for people who have lost a loved one or are survivors of this type of violence.

2L Jen DeCarli, Co-President of

the Domestic Violence Task Force, adds, "the shirts help to personalize their experience."

The Domestic Violence Task Force, does much more than manage a display for the Clothesline Project. The organization runs an advocacy program in the Family Courts in Lockport and in Niagara Falls. This program helps women obtain orders of protection through family court. According to DeCarli, you don't need to be an attorney

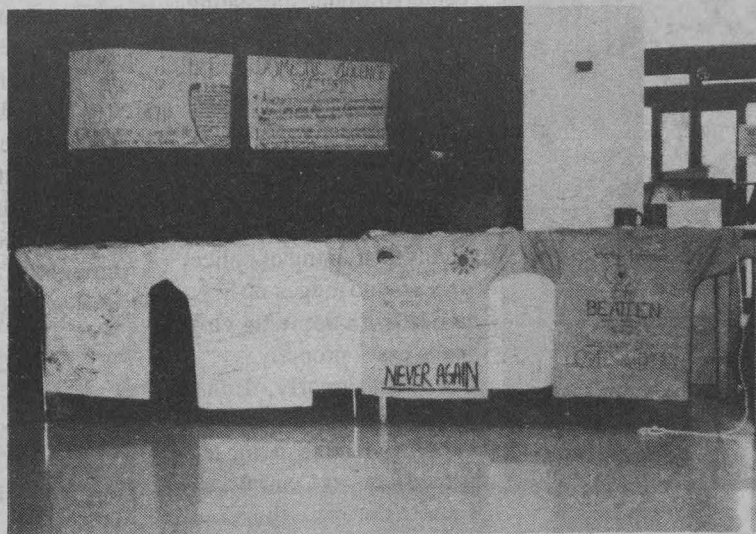


Photo by Sami Manirah

ney to be an advocate, but you do need to be trained. She also said that 15 law students attended a training session in September, but that only about half the students involved with the Domestic Violence Task Force are trained.

The other half participate in a community outreach committee which helps promote public awareness of the problems of domestic violence; a Needs drive, in which blankets, toiletries, food, and

clean clothing are collected for victims of domestic violence; an education committee in which law students go to local schools and speak about domestic violence and tell children where they could get help if they or someone they know lives in a violent home.

The Task Force also just completed a successful fundraiser in which they hosted a softball tournament. DeCarli was grateful for the amount of support

shown during the fundraiser and for those who volunteered --adding, "all the money goes to the shelters and summer internships."

### NEW LAWS

Since January 1, 1996 three new laws relating to domestic violence have been put into effect in the state of New York.

1. As of January 1, 1996, police must make an arrest in domestic violence cases in which there is evidence

of a felony, regardless of the victim's wishes on the matter. If there is evidence of a misdemeanor and the victim specifically doesn't want an arrest, the police do not.

See New Laws, pg 9.

# Violent Lifestyles of the Rich and Famous

by Leonard Heyman, Staff Reporter

Lest anyone believe that domestic violence occurs only among the poor, indigent, and ignorant, headlines in the past year prove that it occurs also among the rich and famous.

Def Leppard musician Richard Allen, 32, pled guilty on August 6, 1996 in Los Angeles to beating his wife. The one-armed percussionist was sentenced to 30 days on a graffiti-removal crew, and ordered to film and pay for MTV public-service spots admitting his crime.

Christian singer Susie Luchsinger (sister of country-music star Reba McEntyre) and her husband, Paul Luchsinger, have gone public with the fact that Paul used to physically abuse his wife, but has managed to rehabilitate himself with the help of a Christian counselor.

Bonnie Pointer, former member of the Pointer Sisters, wants battery charges dropped against her husband, Bownes. According to a February 12, 1996 article in *Jet* magazine, Bonnie Pointer and her husband fought during a holiday party at June Pointer's (Bonnie's sister) Hollywood Hills home in California.

When June came to help her sister, Bownes hit her, breaking her nose. If convicted, Bownes could face two years in jail. Bonnie wants the matter dropped so she and her husband can resume work on a new album.

LaToya Jackson filed a multimillion dollar gender-based violence suit against estranged husband/manager Jack Gordon. Jackson filed for divorce from Gordon six weeks before the lawsuit.

It alleges that there were numerous incidents both before and following their marriage in 1989 where defendant Gordon beat and struck Jackson with his fists, hands, feet and objects resulting in contusions, lacerations, abrasions and severe injuries to Jackson.

Jackson's attorney, Oxman, told *Jet* Magazine that Gordon beat her repeatedly to try to force her to perform in the nude at various clubs around the world. He claims that in 1993 when Ms. Jackson posed nude for Playboy Magazine and video, she was against the idea, but Gordon beat her into submission. He said that Gordon also controlled her finances as well as other aspects of her life.

# Do it Right.

barbri  
25 YEARS  
IN NEW YORK  
Experience  
The Power Of Experience



## Buel, continued from page 7

so low she could not pay both the rent and a baby-sitter, so she went back. "I went back because he said he was sorry, it'll never happen again. When I realized it wasn't true, I left again." She took a bus to New Hampshire, where her mother lived—but it did not work out. Her mother was living on a remote farm, she had no car, and her son was allergic to the animals. Still, she never went back to her abuser. Instead she stood on a welfare line with three kids—her own son and two foster children she was raising.

Her goal was to go to law school, but she had no idea how to get there. She did not know that you had to go to college to go to law school. So, in 1977, after two months on welfare, Buel entered a federally funded job-training program that, despite her awful typing, landed her in a legal services office. Eventually, she became a paralegal aide and began helping domestic violence victims. In 1980, she started seven years of undergraduate study.

She began at Columbia University on scholarship, which necessitated "nine horrible months" in a drug-ridden building in New York while on welfare, so she could spend her evenings with her son. Then she returned to New England and attended Harvard Extension School two nights a week. She did well.

She also worked as a women's advocate in federal legal services offices, first in New Hampshire, then in Lowell, Massachusetts. She graduated from Harvard Law School, cum laude. She

wanted to become a prosecutor to make sure that batterers would be held accountable for assaulting others.

She never had any intention of speaking publicly about her own abuse. "Sometimes I hate talking about it," she says. "I just want people to see me as the best trial lawyer."

"In all the time she worked for us," recalls her former boss, lawyer Mark Larsen, now in private practice in New Hampshire, "we never knew she had a

*"I decided I had an obligation to speak up. It's a powerful tool."*

problem with domestic violence."

It started accidentally: She was in a court hallway with some police officers on a domestic violence case. The Chief Officer said, "a smart woman like you would never let this happen."

"Well, it did happen," she told him, challenging his blame-the-victim tone. He invited her to train his force on handling domestic violence. "It changed things completely," she says. "I decided I had an obligation to speak up. It's a powerful tool."

She has not stopped speaking up. Her nonstop schedule and her willingness to speak to anyone who will listen have made her a recognizable leading

advocate for women's rights issues. Her telephone number is even listed, so women in trouble can find her.

Example: In a press conference in Tampa in 1994, she chastised Hillsborough County state attorney Harry Lee Coe for saying that he saw his goal as keeping families together. Buel said his goal was a "dangerous, misguided notion." The press had a field day, but Buel says she does not regret speaking out. "I'd have hated to be a battered woman living in Tampa." She says that since then, they have accomplished much.

Buel credits her unusually diversified approach to domestic violence to William Delahunt, her boss and district attorney in Quincy. She says, "He has allowed me to challenge the conventional notion of what our job is." For his part, he says, "She is the driving force, the passion, the source of energy in this office." Adding, "When you have a special employee, you do what you can to keep her."

In spite of her boss' eagerness to keep her in Quincy, she may have already left, since she had plans this past June to move to Austin, Texas, with her fiancé.

When Buel recently met with two Harvard graduates about a fledgling organization they had formed called the Women's Rights Network, the students complained to Buel that their school has cut funding for law clinics. These clinics are needed now more than ever as the public sector cuts back, in spite of a

budget surplus. One of them even chided, "They'll no doubt use the money to put in more rosewood desks." When reminded that the credibility of a Harvard Law degree compels the attention of so many others, Buel responded that, "also pisses me off. People who wouldn't pay attention to me before suddenly hang on every word."

*The preceding article was written with information found in the May-June 1996 issue of Psychology Today.*

## Kicking,

continued from page 1

tion."

The Women's Law Center is not as restricted in its client base as NLS or VLP. They take cases from people with a income of 125-200% of the poverty level. They do charge for their services, but fees are on a sliding scale basis.

Funding for public interest groups such as these has generally decreased in recent years. Less than a year ago, Congress was talking of completely defunding Volunteer Legal Services.

Morgenheim explained, "Congress has always been hostile to the impact work we do." Under new regulations NLS can no longer bring class action suits or be engaged in lobbying.

However, this trend has changed in recent months. The NLS received a 1.7% increase to its \$2.5 million dollar budget for 1997. Elardo believes that, "The symbolism of this is immense." Traditional sources of funding such as IOLA (Interest on Lawyers' Accounts) and NYS grants have increased also, indicating a promising future for public interest law.

## 2L Spends Summer in Poland

### Student tells of experience at Women's Rights Center

by Kristin Greeley, News Editor

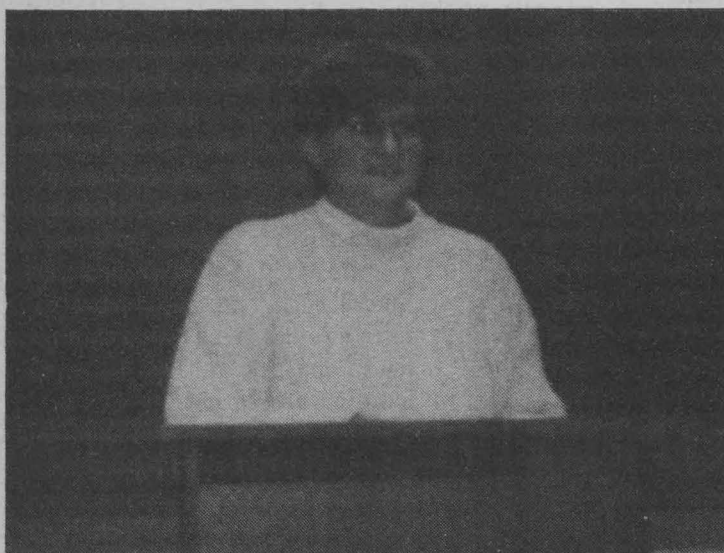
2L Kristin Long lived an adventure of a lifetime this past summer when she spent eight weeks working at the Women's Rights Center in Warsaw, Poland. The Center is the only organization in Poland to deal specifically with legal work for women's issues.

The internship was established through Professor Isabel Marcus, and was funded by BPILP and Circles. Each year, Professor Marcus tries to send at least one law student to Eastern Europe, usually Poland. Additional funds were collected through the sale of Polish theater posters at Talking Leaves Bookstore, 3158 Main Street, Buffalo.

The Women's Rights Center "is a diligent advocate for equal status and opportunities for women and men in public life and within the family." The Center focuses on issues relating to domestic violence, but also deals with employment discrimination, sexual harassment and divorce.

Long says that there are many reasons why women's issues have not been addressed in Eastern Europe. The main reason is that domestic violence, sexual harassment, and employment discrimination are not widely discussed. Traditionally, the Roman Catholic Church

has also been a large force, both socially and politically in Poland. This has also served to push women's issues from the forefront of attention.



Kristin Long, 2L

In addition, there is a general public distrust of the court system. Therefore, people are not as likely to enter into lawsuits as they are in the United States. Also, Poland is a Code Country: there are no precedents regarding novel legal issues such as employment discrimination or sexual harassment.

Accordingly, Long says The Women's Rights Center does not receive much funding from within Poland. Much of their funding comes from the West, especially Germany, with some

recently coming from the local governments. Obtaining funding for the Center is always an ongoing project. There is only one attorney on staff at the Center. Many attorneys work pro bono.

Long's work in Poland centered around translating brochures and correspondence into English, and compiling material on domestic violence from the United States for future use. One project the Center is currently spearheads involves training of police officers and judges on how to deal with domestic violence cases properly.

Additionally, Long helped organize a conference about the changing legal systems in Central and Eastern Europe as they pertain to women's issues. About seventy people participated in the conference, including representatives from the World Bank, Procter and Gamble, and many Western European governments.

The goal of the conference was to help agencies in Eastern and Central European countries gain contacts in the West and acquire models after which to fashion their own reforms.

Long says that there are many groups throughout Poland that are working for goals similar to those of the

Center. However, these groups tend not to work collectively to achieve their goals. If they did, Long says, more progress would be made.

Professor Marcus will begin accepting applications sometime this semester from students interested in going to Poland next summer, Long says. Polish theater posters are on sale now at Talking Leaves to help fund next summer's internship.

In addition, the Association of Women Law Students is collecting old computer equipment of any sort, books about women's issues, and popular novels for use in Eastern Europe. Donations may be brought to Room 312. For more information, contact Kristin Long, Box #441.

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# Hallowe'en History

by S.A. Cole, Assistant News Editor

Trick-or-Treat is here, which means it's time for another seasonal melding of Judeo-Christian and down-home pagan festivity. From the Christmas Tree to the Easter Bunny, conventional American holidays are a blend of the old and the new, with All Hallow's Eve, or Hallowe'en, being the quintessential example.

The hybrid that is the modern Hallowe'en is a judicious blend of Bacchanalian festivity, All-Saint's celebration, and shrewd business sense on the part of candy and costume manufacturers. To trace the evolution, one must start with the ancient rite of harvest festivals. Celebrated from time immemorial (as any good wiccan can tell you), the harvest celebration eventually became the Bacchanal bash of wine and death.

Like the vines that produce the wine, Bacchus dies in the fall. Thus, fall is a good time to get drunk and lachrymose about your dead relatives. At least, that's what the Romans thought (so did the Greeks, but let's not get too Dionesianly pedantic here).

What complicated the matter was the tendency of the dead to stick around

for the party. So in a flurry of pagan utilitarianism, the ancients used masquerade parties to shake it down while simultaneously scaring the dead back to where they belonged. It was a hoot.

Of course, that sort of fun could never last, and eventually the Catholic Church got its hands on the heathen ritual, turning it into a celebration of the saints honored by the Church.

November 1 is All Saint's Day, a holy day in the Church. It was also a time to honor one's own dead (people still got to wear costumes 'cause it was fun) -- hence, November 2 is All Soul's Day in the Church.

Modern Hallowe'en didn't kick off until well into the twentieth century. Puritans got here first (well, among Hallowe'en cognoscenti), and they frowned on things like excessive candy consumption and dressing up like Satan.

So here we are. After centuries of superstitious, worshipful, and dead-oriented activity, you can now dress up like a Teenage Mutant Ninja Turtle and rot your teeth with Mars bars. Just be sure you check for razor blades in your candy, just like the ancients.



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## What Do You Think???

Please fill-out and return to box 755, or the Opinion Office, 7 O'Brian.

1) For whom would you vote? (Please check one!)

- ☐ Clinton  
☐ Dole  
☐ Perot  
☐ Nader  
☐ The Tick

2) Is mudslinging a necessary part of a campaign? (Y/N) \_\_\_\_\_

3) Please rate on a scale of one to five (One being more annoying than the senile 85 year old going fifteen miles per hour in a fifty-five mile per hour speed zone in front of your car when you're late, and five being as annoying as a swarm of bugs on a nice summer night.)

- ☐ Ross Perot campaign commercials  
☐ Local Candidate commercials  
☐ Tele-campaigning calls during dinner time  
☐ THE JUNK MAIL  
☐ Wives of presidential candidates setting fashion trends (AKA the color yellow.)

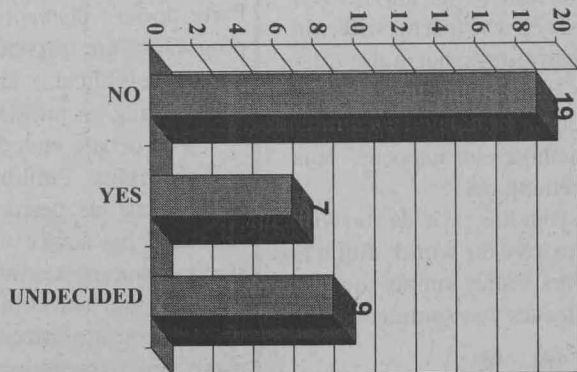
## Last Issue's Poll Results:

1) How concerned are you on a scale of one to ten about the proposed tuition increase? Out of the 35 students who responded to our poll, only three students rated their concern level below 4. Thirty two students rated their concern over this issue between 5 and 10, mostly within the 6-8 range.

2) What concerns you the most? Please rate on a scale of one to five (NOTE: Not everyone rated on a consecutive number scale of 1 through 5.)

Scale numbers:	1	2	3	4	5
a) Current quality of life	5	4	7	9	9
b) Paying debts off after school	7	5	4	4	16
c) Further tuition increase	3	4	7	10	10
d) Ability to obtain financial aid	3	3	8	11	9
e) High debt load limiting job choice	5	8	6	7	8

3) Do you think the tuition increase is necessary?



**OOPS!** Mike Stermer is a 3L Class Director, Theresa Cusimano was the person quoted in the SBA story, the SBA is located in O'Brian 101, and Pru Fung never confirmed a tuition increase at the last SBA meeting.

## Alternative candidates debate issues

by S.A. Cole, Assistant News Editor

Earlier this month, presidential candidates from the Libertarian, Natural Law, and U.S. Taxpayers' parties met at the International Center for Economic Justice for a spirited debate and some unconventional stumping. With introductory remarks that outlined their platforms and personalities, the three candidates put themselves far afield from their two major competitors.

The Libertarian, Hary Brown, was for "Individual freedom, personal responsibility, and freedom from government." Dr. John Hegelin, the Natural Law candidate, supported a preventive, pro-active government which uses science and empiricism to address and eliminate the nation's problems. U.S. Taxpayer candidate Howard Phillips campaigned for a country that could "prohibit corrupt conduct without federal interference," and for making the United States the country God intended it to be.

While the three men held widely disparate views, each staked a significant part of his platform on a goal shared by the others--drastic reduction in the size and power of government. Commenting on the mainstream debate going on between the

two major parties, Brown, the Libertarian candidate, said, "Bill Clinton says he will hold the growth of government to twenty percent. Bob Dole says he will reduce government by allowing it to grow only fourteen percent. They define smaller government as 'I don't want it to grow as much as my opponent does.'"

Natural Law candidate Dr. John Hegelin termed the current system as "a

*See Debate, page 10.*

**Do it Once.  
Do it Right.  
NEVER  
Do it Again.**





## Finley, continued from page 1.

At 5 a.m., they were given cards indicating their number in line. They stood in line on the steps of the Court from then until 9:30 a.m., when they were allowed in the courtroom. Over 200 people were in line; 37 made it into the courtroom.

Sekulow and Finley arrived at the Court at about 9 a.m. Sekulow arrived with a throng of people, including a burly bodyguard. He knew many of those in line. Molak and McKenna were two of only a few people Professor Finley knew who were waiting in line.

Molak was not impressed with the appearance of the Courtroom itself. The wall behind the Justices' bench and the perpendicular walls are draped with dark red velvet curtains with gold tassels. The ceiling has a Greco-Roman fresco and a floral pattern. McKenna said that the courtroom was much smaller than she imagined.

McKenna also said that the environment was very tense. She said that it would have been different if the case were not such a heated issue. "If it had just been some case I didn't know it would have been a different experience," she said.

She and Molak sat in the back of the courtroom. At times, it was difficult for them to see what was going on or to see which Justice was speaking. Most spectators sat in pews, but the 37 general public attendees sat in folding chairs. No cameras, recorders, pens, pencils, or paper were allowed in the courtroom.

Attorneys arguing before the Court stand behind a podium with a microphone. They see one white light which tells them how much time they have remaining. A red light indicates when their time has expired.

Sekulow was first to argue. McKenna says that he had an air of of showmanship about him as he addressed the Court.

The Justices allowed him to delve deeply into his argument before they began questioning him. Chief Justice Rehnquist was the first to speak, asking Sekulow to lower his voice, since he had a microphone and could be heard well.

Justice Breyer took this comment as a cue to ask the first question. He asked Sekulow why protestors needed to be closer than fifteen feet from clinics when they (he and Sekulow) were about fifteen feet apart, and he could hear Sekulow perfectly well.

Molak says that many of the Justices' questions for Sekulow were along these lines. Sekulow argued that different kinds of conversations warrant different levels

of physical closeness. Counseling is a private conversation; thus, fifteen feet is too far away. Sekulow also brought up the point that many of the escorts wave off the counselors before they get to the women. He also noted that fifteen feet is too far away to show the women literature, especially Bible passages.

According to Molak and McKenna, it was fairly obvious that Justice Scalia was trying to help Sekulow along. He asked Sekulow many questions that allowed him to convey his point.

According to McKenna, Professor Finley began and ended her argument strongly. She presented her argument in a very straightforward manner, McKenna said.

Justice Scalia began questioning her shortly after she began her argument. His questions were "very pointed, and very, very tough" according to Molak.

The Justices' questions for Finley centered on why these women should be given the protection of a buffer zone. Finley argued that hospitals have quiet zones, and women going to these clinics should be afforded similar protections. The picture of quiet demonstrations that Sekulow painted was not accurate. The protestors, according to Finley, are often loud and physically threatening, thereby endangering the health of women seeking medical treatment.

After the arguments, the attorneys held a press conference on the steps of the Court. Sekulow spoke for a long time, and fielded many questions. Finley, for her part, refuted Sekulow's claim that this case is primarily a First amendment case. She said his characterization of the issue and the nature of the incidents leading up to the case were incorrect. The issue is the fact that women seeking medical services are being harassed and threatened, Finley said.

A reception sponsored by the National Organization for Women followed the arguments.

Finley said that she felt the arguments went well, and that the Justices could have been a lot tougher on her.

Molak says she would not want to predict the outcome of the case. Molak and McKenna both said that it is possible the case will be remanded to the Second Circuit, since a major part of Finley's argument was that the Court did not have jurisdiction to hear the case. McKenna said that she got the impression that many of the justices had already made up their minds, and did not seem especially receptive to Finley's arguments.

## With Extra Butter...2 Days in the Valley

by Kristin Allen and Scott Frycek, Features Writers

HIS--There's nothing I like better than a movie that makes me feel like I'm riding Space Mountain at Disney World. That's why, I thoroughly enjoyed 2 Days in the Valley. This sexy, fast paced romp through Southern California will leave you begging for more once you gather your breath.

The movie centers around the bizarre shooting of Roy by a couple of cold blooded killers and a pissed off ex-wife (I don't which is worse). Amazingly, the lives of seven people and two dogs become intertwined in this central event. Although at first the viewer feels like this film consists of four separate segues, eventually 2 Days weaves itself into a single masterpiece.

There is so much to like about this movie, that I only have enough room to hit on some of the highlights. For one thing, 2 Days has the single most violent "cat fight" I've ever seen. I loved watching Lois Lane take out the voluptuous Viking with a boot to the head. In addition, Danny Aiello's bumbling bad guy routine was hilarious. The scene where he holds the art dealer and company hostage reminded me of several family reunions I have witnessed in my life. The only character that should have been developed more was the detective dude I like to call "the beard." He comes into your life, breaks your heart and then leaves (just like so many ex-girlfriends).

All in all, 2 Days in the Valley is a raucous affair. I highly recommend that all you future shysters get away from your books for a while, hop on the roller coaster and ride down into "The Valley."

Rating: 3 and a half gavels

HERS--2 Days in the Valley in one word is awesome. When I entered the theater I didn't expect more than a wannabe Pulp Fiction and in the beginning with its channel surfing like theme, I figured my expectations were correct.

Surprisingly though, it is action filled, humorous and compassionate. I mean, you have to respect a movie that mentions the dogs in the credits.

The movie is composed of at least four different plots which all come together in the end. First, a few words of caution. Don't see this movie with mother. In addition to the excessive blood, there is quite an explicit sex scene with James Spader's character and "Helga" (need I say more). The main plot involves Teri Hatcher's character, a rather bitter Olympic skier who pays \$30,000 to have her ex-husband killed. I couldn't help but wonder, what would Superman think? But after a rough "cat fight" between Teri and "Helga," I realized that Teri would be just fine without good ole' Clark Kent.

From beginning to end, whenever Danny Aiello is on the screen you will do nothing but laugh. His interaction with his snotty art dealer hostage will bring tears to your eyes. However, Eric Stoltz's portrayal of a vice cop with a true dream to be a homicide detective was less impressive. To tell you the truth, all that is memorable from his performance is his height. He seems so little in this movie. Jeff Daniels' portrayal of a hotheaded cop who lost his wife, kid and job definitely pulls on the heart strings, but is also truly problematic. By the end of the film, all of the characters lives are resolved but his. You literally wait while the credits are rolling to see if something else happens. It is almost as if the writers left something out.

This movie will not change your life, provide you with deep thoughts, or motivate you to save the world. But it is pure entertainment. 2 Days in the Valley simply touches each one of your emotions and leaves you smiling.

Rating: 3 gavels

Legend

4 gavels = a must see  
3 gavels = worthy  
2 gavels = if someone else is paying  
1 gavel = waste of time and money

## Debate, continued from page 9

vacuum of government." Taxpayers' candidate Phillips evoked the Revolutionary War, stating that "The war of American independence was fought so the people could govern themselves."

These were the only similarities. Answering questions with a specificity available to those stumping from smaller platforms, the candidates squared off to tackle issues of foreign trade, access to Presidential debates, urban poverty, welfare, and taxes.

Phillips quickly announced his intention to eliminate funding for AIDS research, as he felt such funding supported the "gay agenda." Brown revealed his plan to end welfare--as anyone would ever know it. Hagelin outlined his fifty-part action plan to revitalize America, with emphasis on prevention and education.

The first question asked the candidates their stance on government funds used to aid the development of foreign markets. Brown answered: "There is no reason why our government should be...finding markets abroad." He stressed that an open market would preclude the need for government aid in establishing businesses outside the country. Hagelin linked such efforts to special interest groups in Washington, saying that when the problem of special interests' influence was quashed, the issue would disappear. Phillips said: "Excise taxes are not covered in the constitutional functions of government." He spoke scornfully of NAFTA, and said the U.S. market must be protected from foreign competition.

Continuing this theme, the next question directly addressed NAFTA and how much of a threat it poses to the economy. Brown played simply stated that one "should be able to make a deal when you want and with who you want." Hagelin found NAFTA "not overly burdensome," and advocated free trade; with a few extra seconds, he sketched out his ten percent flat tax. Phillips staunchly deplored free trade, linking increased drug use in the United States to the 1965 loosening of trade policies with Mexico.

A question about access to debates brought out the difficulty of running on a so-called "third party" platform. Brown took on the "wasted vote" argument, saying that a vote for other parties put them on the ballot, and thus sent a message to the nation that things might not always be so bipartisan. True to his policies of less government regulation, he didn't feel that legislation should force access to debates, or limit campaign spending. Hagelin, who had joined Ross Perot in his lawsuit to be included in the major debates, felt that government could be used as a watchdog upon itself, with safeguards and regulations ensuring proper representation of candidates. Phillips deplored federal matching funds, saying "the biggest PAC in America is government," and felt that access should be fought for, not enforced.

The questions then turned to poverty and the condition of America's cities. Brown credited the demise of altruism in America to government's efforts to be a great society. Analyzing the problem from its roots, Hagelin did not believe that welfare reform is the answer, but rather the creation of jobs is. Phillips turned the question into a comment on welfare only, saying that "The government has no right to pick our pockets."

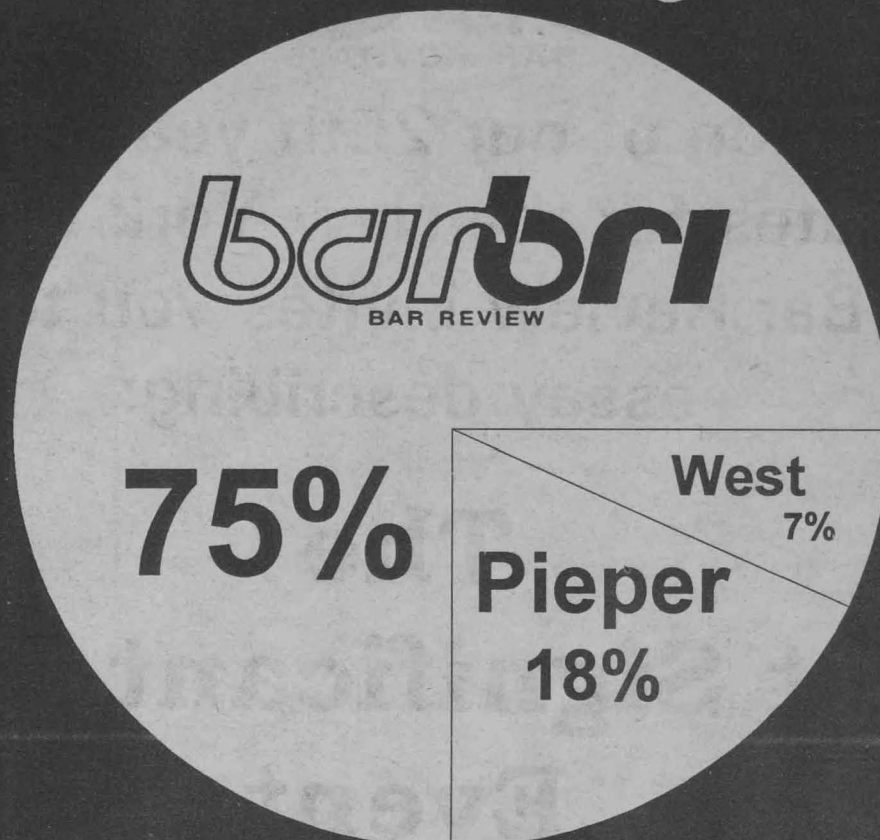
All this eschewing of taxation was directly addressed as the panel asked which federal programs the candidates would eliminate. Brown began "There's not enough time for me to list the programs I would cut," but then listed a number of education, housing, transportation, crime control, and drug control efforts he would eliminate. Hagelin attacked the question from the rear, "The Natural Law Party doesn't dismantle, we solve the problems these programs were responding to." Phillips used the question to get biblical, asking if he was his brother's keeper, and working his pro-life stance into the answer.

The debate ended with a question about abortion and gay rights. Phillips began the closing statements by announcing his desire to end all legal abortion, and reiterated his stance on AIDS research. Hagelin answered that most abortions could be prevented by education, that he would like to see less of it, and a general effort to educate citizens as thoroughly as possible could make America a more diverse and tolerant nation. Brown announced his own pro-life feelings, but said he believed that government had no business regulating it; "Given the record, the way government bungles things, more regulation of abortion would confuse men into having abortions."

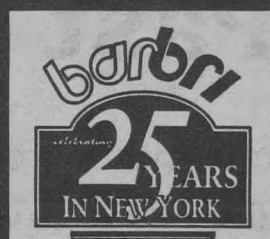


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## The Docket

*Cultural Images of Evil* will be held Wednesday, October 30 from 7pm to 9pm in the Student Union, room 145A. Professor Phillip Stevens, Ph.D. and associate professor of anthropology at UB, will present a lecture regarding witches, sorcerers, vampires, werewolves and other characters associated with Halloween. Reasons why evil is associated with Halloween and how other cultures represent evil will also be discussed.

Announce your group meetings and events. Drop a line into Box 755, call the Opinion at 645-2147, or send your information via e-mail: [jvmurphy@acsu.buffalo.edu](mailto:jvmurphy@acsu.buffalo.edu)

### GIVE BLOOD... IT'S FOR A GOOD CAUSE

UB Law School will sponsor a Blood Drive on Tuesday, November 5, 1996 from 11am to 4 pm in the Social Hall of the Student Union. Those who wish to donate can sign up for an appointment at the SBA office (101 O'Brian Hall).

#### Foundation Grant to Aid Students' Study of Public Interest Law

Charles H. Revson Foundation has made a grant to New York University School of Law for the Charles H. Revson Law Students Public Interest Fellowship Program for the summer of 1997. The program will provide grants for 1Ls and 2Ls to work with public interest law in the New York metropolitan area. Approximately 42 \$3,250 grants will be awarded to students attending law school in New York and New Jersey for ten weeks of full-time summer work. Applications and more detailed information was forwarded to the Career Development Office.

#### Halloween Party

The SBA and BAR BRI Bar Review are sponsoring a Halloween Party on Wednesday, October 30 starting at 8:30 pm until whenever at the King Snake Lounge on Chippewa Street in Downtown Buffalo.

### Volunteers sought by SBA

The Student Bar Association will be participating in a program developed by kids Voting USA. This is a not-for-profit organization dedicated to teaching young people the importance of their role in our democracy. Students will cast their own ballots on Election Day and the results are tabulated just as official results are. The goal is to teach children the importance of voting and to ultimately increase adult voter turnout.

It was developed in 1988 by three Arizona businessmen in a suburb of Phoenix. By 1990, the program was adopted statewide and in 1995 over 40 states across the country participated. This year New York State will join the program and Western New York will be the pilot program for the entire state.

To participate in this program, a polling place has been adopted in North Buffalo. Ten to twelve volunteers are needed to help organize and staff the polling place. This is only one day in the year. The available shifts are as follows: 6am - 9 am, 9am - Noon, 12 pm - 3 pm, 3 pm - 6 pm and 6pm - 9pm. Ideally two volunteers are needed for each shift with additional volunteers needed to help at the tabulation center. If you are interested in participating in this program, please sign up for a slot on the door of the SBA office (101 O'Brian Hall). Please sign up by noon on Friday, November 1, 1996. If you would like more information or have any questions please call the SBA office at 645-2748.





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