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THE OPINION

Vol. 51, Issue #2

STATE UNIVERSITY OF NEW YORK AT BUFFALO SCHOOL OF LAW

NOVEMBER 1, 1999

Law School honors women grads

by David Allen '01

100 years ago, Helen Z.M. Rogers and Cecil B. Wiener became the first women to graduate from Buffalo Law School. Last month, the school (now UB Law School) honored the landmark anniversary by hosting a day-long conference looking at the accomplishments and future of women in the legal field.

More than 100 students, faculty and members of Buffalo's legal community took part in "Sisters In Law (A century of Achievement at UB)," held Oct. 22. The event included an alumni panel discussion, a salute to women in the judiciary, and several seminars.

While much of the event focused on the history and achievements of UB Law graduates, attendees were reminded of the nearly 400-year struggle of women nationally to be a full part of the profession, with several speakers declaring the struggle is

not finished.

"While we have a lot to celebrate, but we have a lot to accomplish," said UB Law School Dean R. Nils Olsen, Jr. during the conference's opening remarks.

Author Lorraine Dusky delivered the event's keynote address, discussing landmark events in the history of women in law. The writer of the 1996 book "Still Unequal: The Shameful Truth About Women and Justice in America," listed several "courageous women who brought us here," by forcefully pushing for entrance into what had traditionally been a male-dominated profession.

In particular, Dusky detailed resistance against women's move into the legal field, even after the first women were admitted to law schools (at Washington University, University of Iowa, and Howard University) in 1869. Yale had at one point denied diplomas to women who completed school there, and the New York Times had

editorialized that "married women could serve humanity better than by becoming lawyers."

"We would win some, we would lose some," she said.

Dusky offered advice to today's female law students and graduates. "Mentor each other. Don't let them fall between the cracks. If a teacher, man or woman, be a strong advocate for women. Support each other," she said.

Several graduates of UB Law School discussed their school and professional experiences during a panel discussion. Lillian Cowan '27, who still practices law, knew Rogers and Wiener. Both women mentored female law students while practicing law locally.

"It was my privilege to know these women and admire them," said Cowan, one of six women in a graduating class of 100. She and Hon. Mary Ann Killeen '52, Hon. Betsy Hulrey '61, Hon. Rose H.

Sconiers '61, Barbara Kavanaugh '83 and Tonya Guzman '99 painted a picture of a profession that gradually opened its doors to women over the decades.

"You have to be aggressive...forceful," said Sconiers, who said that female attorneys did not command the respect that male lawyers did in her early years. "Being taken seriously was a challenge I faced," she said.

The event also honored several UB Law graduates who are serving in the judiciary. Receiving special citations were Hon. M. Delores Denman '65, Presiding Justice in the NYS Supreme Court Appellate Division; Hon. Jacqueline M. Koshian '59, Justice, NYS Supreme Court, Eighth Judicial District; Hon. Rose D. La Mendola '55, Justice, NYS Supreme Court, Eighth Judicial District; and Hon. Ann T. Mikoll '54, Associate Justice, NYS Supreme Court, Appellate Division, Third Department..

Cobb and Dolan earn Desmond honors

by Peter Dewind '00

The 1999 Desmond Moot Court competition concluded this past weekend. The final round of oral arguments were held at the Erie County Court on Saturday, October 23. In the end, the 2L team of Kevin Dolan and Charles Cobb emerged victorious.

Twenty Four teams completed their appellate briefs and proceeded to the final rounds. The rounds began Monday, October 18th. Each team argued for three consecutive nights. Each night's competition was against a different, randomly selected team before a different panel of judges drawn from the surrounding legal community.

At the end of the round, judges scored each competitor's argument and gave feedback to assist in improving future speeches.

At the end of the third night, the eight teams with the highest scores were selected to go on to the quarter-finals. This round was held on Thursday, October 21st at the Erie County Court. The winning teams immediately argued against each other in the semi-finals.

The final round was held on Saturday afternoon before Judges Howe, Jasen and Dillon. Ian Lester and Todd Smith argued for petitioner Christy Brzonkala while Kevin Dolan and Charles Cobb argued the respondent's position. This final round was followed by a banquet at the downtown Hyatt where awards were presented.

Following the close of the competition, each competitor's score for the first three oral rounds was combined with the team's shared appellate brief score. The top 22 scores were offered positions on next years board where they will take over the Desmond responsibilities and have the opportunity to represent SUNY Buffalo in national moot court competitions.

The following teams received top

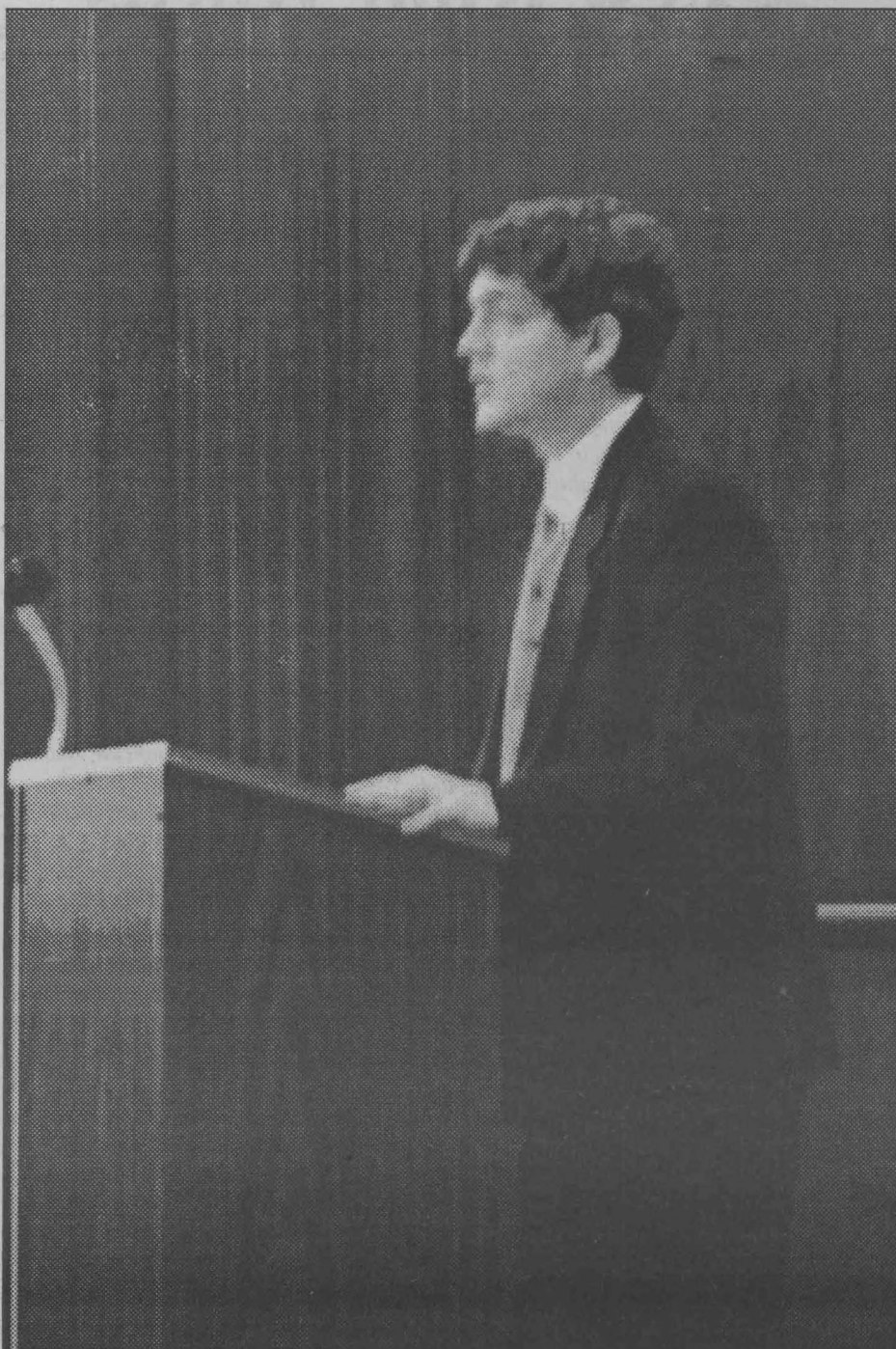
honors:

- Best Briefs - (1). Charles Cobb & Kevin Dolan (2). Joshua Roberts & Bill Taylor (3) Brent Behanna & David Johnstone (4). Alan St. Clair & Terry Sugrue (5). Amy Hemenway & Rachel Kranitz

- Best Oralists (1). Roseanne McMorow (2). Ian Lester (3). Bill Taylor (4). Kevin Dolan (5). Mary Snyder..

The following Desmond Moot Court competitors were offered associate memberships:

Michael Argenteri
Daniel Deschenes
Kevin Dolan
Simon Fleischmann
Shannon Fuhrman
Amy Hemenway
Jon Hickey
Rachel Kranitz
John Patrick Lennon
Pietra Lettieri
Ian Lester
Roseanne McMorow
Mark Moldenhauer
Norma Polizzi
Joshua Roberts
Sean Ronan
Jill Skretny
Mary Snyder
Alan St. Clair
Terry Sugrue
Bill Taylor
Matthew Wolf



Competitor Ian Lester argues his point during the Desmond Moot Court final round.

THE OPINION

Co-Editors in Chief: Peter DeWind & Dave Allen
Managing Editor: Jared Garlipp
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Deadline for all submissions is 5PM on the Wednesday preceding publication. Later submissions may be accepted at the sole discretion of the editors. Submissions may be submitted at the *Opinion* offices, sent by mail to the above address, or placed in the *Opinion* mailbox located in the SBA office vestibule. Submissions should be saved on 3.5" disks in either IBM or Macintosh format as either a Corel Wordperfect or Microsoft Word file and be accompanied by a printed copy. Disks labeled with a Lockwood mailbox number will be returned.

Letter to the Editor Policy: while the *Opinion* will not print libelous or anonymous material, all submissions shall be printed entirely and exactly, provided they are signed submissions from a member of the UB Law community (students, faculty, staff, alumni). Submissions will not be edited without the author's consent.

The *Opinion* in no way endorses the viewpoints of its various columnists and contributors.

Editorial

A Few Kind Words

This space is normally reserved for a thoughtful, well-written editorial reflecting extensively-researched facts and lengthy discussions by the Opinion leadership. However, since we are still suffering from a Desmond Moot Court hangover, our readers will have to settle for a couple of knee-jerk reactions.

As of today, Nov. 1, students here are beginning their third month of study. Before we send ourselves into a coffee-induced stupor outlining and preparing for final exams, we need to keep our hands out of the sand long enough to take part in that great American institution, Election Day. Believe it or not, the polls open tomorrow, and those registered can help fill several local town and county offices. Locally, six State Supreme Court seats are also up for election.

Also on the ballot in New York is an amendment to, as officials paperwork states, "authorize the chief administrator of the courts to assign temporarily a judge of a city court outside New York City to the county court, the family court or responsibility - to vote knowledgeably and thoughtfully. Next year you can go back to doing what we tell you.

Last week, while we weren't looking, the House of Representatives passed legislation that would penalize doctors who assist in suicides by prescribing lethal drugs to their patients wishing to die. The measure would override Oregon's "Death with Dignity Act."

We don't want to get into the issue of patients' rights, or of legalized suicide. But doctors should not be involved. They are healers by trade, and it is easy to see the decision to either heal or kill be tainted by too many political or financial factors. ("Gee, the insurance doesn't cover this, Bob. What do you recommend?")

As one unnamed member of the staff here put it, as long as there's a Mafia, doctors should leave killing to the professionals.

We want to acknowledge and encourage several UB Law School students who attended the National Association of Public Interest Law Conference in Washington, D.C. this past weekend. A dozen members of the school's Buffalo Public Interest Law Program received funding from the group to attend the conference, while several more attended on their own.

According to BPILP leader Joanne Kubiniec, the conference would expose students to potential employers, and possible areas of employment. The event was to include "table talk sessions" with employers, discussion panels, and the opportunity for attendees to pass out their resumes.

It was disappointing to see the lack of student participation during the recent Sisters In Law conference hosted by the school. While free time is at a premium, especially at this point in the semester, we can't forget that classwork is only the beginning of our education here. The conference, like the dozens of extracurricular activities, visiting speakers and competitions here provide experiences and educational experiences that can't be pulled from Lexis or Westlaw. While the experience might not be tested on the Bar exam, it will add a perspective that will make us all better attorneys when we do begin practice.

Point-Counterpoint

Later this year, the Supreme Court will determine the constitutionality of the Violence Against Women Act. The Fourth Circuit ruled that the Act, under which victims of gender-based violence can file a federal civil suit against her attacker, exceed Congress's power under the Commerce Clause and the Fourteenth Amendment. How should the Supreme Court rule?

Strike it Down

Joshua Roberts '01

This is the year of States' rights. Among the four cases on the Supreme Court docket questioning the legislative power of Congress, *Brzonkala v. Morrison* is at the forefront. The law at issue is the Violence Against Women Act, and it should be found unconstitutional.

The Violence Against Women Act is predicated on both the Commerce and the Equal Protection Clauses of the U.S. Constitution. Neither provision, in its current state, is concrete enough to uphold the Violence Against Women Act, no matter how much Congress may want it to. Federalism, the foundation of the Constitution, is supposed to limit the power of Congress in order to safeguard against centralized government. Historically, the Supreme Court has been liberal in many of its constitutional interpretations allowing Congress to legislate in arenas where it does not have expressed Constitutional permission. The Commerce Clause is by far the most cited example of Congress' implied powers. But the 1995 *United States v. Lopez* decision demanded that Congress show a "substantial affect" on interstate commerce before it may legislate under the commerce clause. The link between gender motivated violence and interstate commerce is far too attenuated to pass Lopez's "substantially affects" test.

The Equal Protection question is somewhat more complicated. Expressed in the language of the 14th amendment is that "no State shall" abridge the right to equal protection of its laws. But the Violence Against Women Act is not remedial of implicit State action. Instead, it is a civil cause of action under which suit can be brought against private gender motivated criminals. The Supreme Court will have to determine whether, as Congress claims, State inaction in enforcing its rape and domestic violence laws is tantamount to an affirmative action by the States to abridge equal protection rights.

Congress will also run into the same problems it faced in 1997 when the Supreme Court struck down the Religious Freedom and Restoration Act in the *City of Boerne v. Flores* decision. Congress does not have the authority to create new substantive rights under the Equal Protection clause. Despite that warning from the City of Boerne decision, Congress has created through the Violence Against Women Act the right to be free from gender motivated violence. While this may in fact be a natural right, it is not necessarily a Constitutional right.

No one would deny that violence against women in the United States is a problem needing resolution. But the Constitutional provisions that Congress has relied on to create the Violence Against Women Act leave the law with too many holes for it to be effective. Congress is appropriately constrained by the Constitution in ways that the States are not. State passage and enforcement of laws contending with violence against women are a far more effective vehicle for progress in the arena of gender motivated violence than are Congressional actions to legislate.

Act Is Constitutional

David Allen '01

The Violence Against Women Act is a reasonable response to an ongoing and horrid problem - gender-based violence against women. Despite the Chicken Little-esque warnings of a government overstepping its boundaries, the Supreme Court should do the right thing and reverse the Court of Appeals Fourth Circuit's irresponsible ruling that the Act exceeds Congress' power.

In ruling that the Act exceeds Congress' power under both the Commerce Clause and the Commerce Clause, the Fourth Circuit paid blind homage to the *United States v. Lopez*, in which the Supreme Court struck down the Gun-Free School Zones Act (SFGZA), legislation making it a federal offense to knowingly possess a firearm in a school zone. According to Lopez, an act must have a substantial effect on commerce, and not push the limits of Congressional authority. Unlike the GFSZA.

A four-year study by the U.S. Congress showed that in 1991, at least 1.1 million reported assaults, including aggravated assaults, rapes and murders, were committed against women in their homes. The same study found that violence was the leading cause of death in women age 15-44. Such violence - much gender-based - directly affects interstate commerce, by restricting movement, increasing health expenditures and reducing consumer spending.

While the Fourth Circuit looked at *Brzonkala* and saw Lopez, two even closer cases were *Katzenbach v. McClung*, and the *Heart of Atlanta Motel v. United States*. In those cases, the top court ruled that banning blacks from restaurants and motels provided an artificial restriction on the market and interfered with the flow of merchandise, as well as discouraged travel.

Congress was also well within its Fourteenth Amendment powers to enact the VAWA. The enforcement power granted under the Fourteenth Amendment conveys the same broad powers as the "necessary and proper clause." Within limits, Congress is permitted exercise its discretion to determine what legislation is needed to secure the Amendment's guarantees, as spelled out in both *Katzenbach v. Morgan* and *City of Boerne v. Flores*.

In enacting the Act, Congress has met all of the requirements and tests to meet the Commerce Clause and the Fourteenth Amendment, as set forth time and time again by the Supreme Court and backed by countless District Court cases. The Fourth Circuit was wrong. The Supreme Court should correct the mistake.

EDITORIAL

Bar Nights Soon To Be Thing Of The Past

By Peter Dewind '00

... And Just Ice for All ...

The state has been abuzz with speculation about the new alcohol regulations. College students are concerned that they will no longer be able to engage in the time honored marathon called the 'pub crawl'. The concern doesn't stop there, however, as those who tend the engine of collegiate inebriation are unsure of how far they may go to bring in the customers.

The questions arise from a recent addition to the New York State Alcoholic Beverage Control Law. The acknowledged aim of the law was to prevent college students from drinking themselves stupid for one convenient low price which was inevitably paid while sober. The Senate figured that if a student had to pay as much for the fifth beer as the first, the fiscal realities of student life might be enough to put on the brakes.

At the very least, the incentive to drink quickly and plentifully would be removed if time sensitive keg offers were

prohibited.

"It doesn't apply to us though, right?!"

Granted, every law student in O'Brian Hall is a mature, adult individual. Also granted is that we raise a lot of money for organizations from the regular Thursday drinking events. I'll even concede that at times the room is 'rented' for our arguably private purposes.

However, the reality of the matter is that the law clearly addresses our situation. Under the new section 117-a of the Alcohol Beverage Control Law, the pay one price bar night is a thing of the past.

"You lie ..."

I wish it were not true, however, since we are all students of the law to some degree or another, here is the actual statute. I invite you to reach your own conclusion.

Section 117-a. Unlimited drink offerings prohibited.

1. No licensee, acting individually or in conjunction with one or more lic-

ensees, shall:

offer, sell, serve, or deliver to any person or persons an unlimited number of drinks during any set period of time for a fixed price.

allow a person, agent, party organizer, or promoter, as such terms shall be defined by the authority in rule and regulation, to offer, sell, serve, or deliver to any person or persons an unlimited number of drinks during any set period of time for a fixed price.

Advertise, promote, or charge a price for drinks that in the judgment of the authority creates an offering of alcoholic beverages in violation of the purposes and intent of this section, or which in the judgment of the authority is an attempt to circumvent the intent and purposes of this section, such as offerings of free drinks, or multiple drinks for free or for the price of a single drink, or for such a minor amount that in the judgment of the authority the pricing would constitute an attempt to circumvent the intent and purposes of this section.

2. As used in this section, licensee

means and includes the licensee, and any employees, or agents of such licensee.

3. With respect to an individual licensee, this section shall not apply to private functions not opened to the public, such as weddings, banquets, or receptions, or other similar functions, or to a package of food and beverages priced at one hundred dollars or more per person.

4. The authority shall investigate any documented allegation of a violation of this section upon a complaint by any person.

5. The authority shall promulgate rules and regulations necessary to implement the provisions of this section.

Oh, I see ...

Those rules and regulations have not been 'promulgated' and, thus, it remains to be seen what will become of student functions such as ours. In light of the clear intent to prevent one price drink deals of any sort the present course of action seems fairly clear. Come November 24, 1999, we must change the way bar nights are operated.

UNION DISPUTES ELEVATOR REPAIR CONTRACT

Up to the Task or Getting the Shaft?

Peter DeWind '00

Elevation Constructors #14 contends that union labor should be modifying the law school elevators. The non-union firm doing the work insists that their workers are as well paid and trained as those from the union. Students contend their spirits are not lifted by the continuing elevator shut-downs.

The State University system has been improving its facilities in order to comply with the Americans with Disabilities Act. This has included modifying elevators to ensure they are accessible to the physically handicapped. When the elevators at O'Brian Hall came up for alteration, the contract was bid out by the State University Construction Fund in Albany.

The Downy-Goodlein Elevator Company was the final recipient of the SUNY at Buffalo elevator contract which included O'Brian Hall. The company is based in Rochester and is a non-union shop.

Elevation Constructors #14 is a local union representing people who work on elevators. Its members have been sporadically picketing outside of O'Brian Hall for the past several weeks. They are protesting the fact that the ADA modifications are being done by a non-union, out of town company.

Dennis Nelson, President of #14, expressed concern for the pay, safety and training of the workers. Union workers are must be certified to prove they have the necessary expertise to become elevator mechanics. Each step in the union hierarchy has a pay scale associated with it.

The union is concerned that the non-union mechanics and helpers may not have been adequately trained and, thus, may be putting themselves and coworkers at risk. Additionally, there is concern that all of the workers may not be receiving the adequate pay required under the prevailing

wage rule.

The prevailing wage rule requires that all non-union workers on this state job must receive the same amount that a unionized employee would be paid. A 'helper' who has not yet achieved 'mechanic' status is paid 70% of a mechanic's salary.

The union is concerned that non-union helpers may not all be receiving this prevailing wage. In support of this allegation they point out the fact that Downy-Goodlein's workers must be paid extra to drive in from Rochester each day. Union members postulate that it should be impossible to have had the lowest contract bid when this additional expense is added in.

The union has asked the state for proof that all employees are being adequately paid but has not yet received it. They contend that at times workers are not in fact paid what the company claims it is paying when filing the required disclosure forms with the state.

Downy-Goodlein Elevator states that these allegations are unfounded. Their workers may be paid less than union workers on other jobs, however, they assert that they are paid the prevailing union wage when required to do so.

The fact that they had the lowest bid was said not to be a result of their wages. Rather, it was said to have been a result of the fact that only one local company bid on the job. Downy-Goodlein claims it was specifically asked to bid on this job in as a result of the work they had done on other state campuses.

Downy-Goodlein was a union shop at one time. They stopped dealing with the union in part because union policies and practices were a hindrance to business. One example cited was the rotating parade of workers the union sent out to job sites. As time went on, elevators came to rely upon computerized controls. However, the union members were said to occasionally be un-

cooperative in working on the new technology hinting at a lack of current training. While Downy-Goodlein's workers do not have the same accreditation as the union's, it is required to be certified by Monroe County.

Most of the larger counties in the state require elevator workers to prove their competency. Downy-Goodlein admitted this could leave a gap in small counties which do not have such requirements. However, they pointed out that it would be virtually impossible for a company with uncertified employees to get insurance.

While several law students had no idea of what the picket was about, all were concerned with the continuing lack of adequate elevator access to the upper floors. The time one must wait for an elevator has increased dramatically. This is largely due to the fact that half of the school's elevators are off line at any given time while the modification work is carried out. Some students blamed the problem on those who tie up the elevator to ascend one or two floors. Others have blamed the school's overly vertical design for the elevator tie ups. One student who needs the elevator move between even a single floor complained about the lack of consideration among fellow students who crowd into the single elevator and leave no room for those handicapped students for whose benefit the elevators are being repaired.

The O'Brian Hall ADA elevator modifications include:

- lowering the hallway call buttons and moving them to the pillar between the elevators. This ensures they may be easily reached by people in wheel chairs.

- lowering the control panel inside the elevator. This also facilitates wheel-chair use.

- installing a device which dings as each floor is passed. This gives the visually impaired an auditory clue as to where the elevator is at any given time.

Jessup Moot Court announces regional team

The Phillip C. Jessup International Moot Court Board recently held its 1999 Intramural Competition, and announced its 2000 Regional Team.

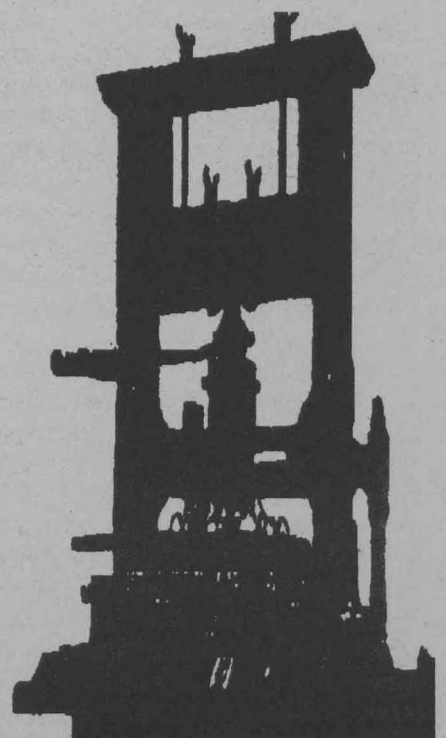
Team members include the following:

Anita Butera
Brendan Kelleher
Elizabeth Carlson
Jennifer Fields

Alternate: Francisco Ayala

The board also named the following associate board members:

B.C. Dolmo
Jennifer Farrell
Alex Guterrez
Darius Keyhani
Claire Lubiner
Lori Robb



COMING UP

Erma Jaeckle to Receive Jaeckle Award

Law students are encouraged to join the festivities when Erma Hallett Jaeckle is presented with the 1999 Jaeckle Award, the highest honor given by the University at Buffalo Law School and its Law Alumni Association, at a luncheon at 12:30 p.m. on Saturday, Nov. 6th in the Hyatt Regency Buffalo.

The first 50 law students who sign up in the alumni office (Room 312) are invited to attend. Included is the morning educational program, all written materials, breakfast and the Jaeckle Award luncheon.

"The members of the Law Alumni Association and some of the law firms are happy to subsidize the students because they feel it is important for them to become integrated into the larger Law School family," says Assistant Dean Ilene Fleischmann. "It is a wonderful networking opportunity. I hope many students will take advantage and sign up," she says.

Mrs. Jaeckle, a 1936 law graduate, will receive the award following the Law School's 24th annual alumni convocation. The annual award, named for her late husband, Edwin F. Jaeckle, a 1915 graduate of the UB Law School, is presented to an individual who has distinguished himself or herself and made significant contributions to the law school and the legal profession.

She is the second woman to receive the award.

Mrs. Jaeckle enjoyed an impressive 44-year legal career in two states, New York and Florida, as an attorney in the private and corporate sectors.

In 1977, she and her husband made a joint, major gift to the Law School that resulted in the creation of the Edwin F. Jaeckle Center for State and Local Government.

In 1994, two years after Edwin Jaeckle died, Mrs. Jaeckle reconfirmed her conviction that "it is imperative to attract honest, bright individuals to public service and to train them better to serve government," and decided to enhance and expand the multiple initiatives of the Center. The major expansion was her proposal for a new externship course that sends students into the community to work in a variety of assignments. The program has been widely praised by students, agencies and community leaders, with over 200 students having provided services to more than sixty different government agencies to date.

Prison Issues Film Forum Continues

There are three films left in the Prison Issues Fall Forum series, which runs through early December. The following films are scheduled:

November 4, *Slam* - The story of a D.C. ghetto victim who uses poetry as a means of relief from the chaos and violence surrounding him. Out on bail, preaches a message of non-violence to those around him. During his trial, he ponders whether to agree to a plea bargain, rat on his friends in return for no jail time, or plead not guilty and risk a 10-year jail sentence. He eventually discovers that freedom is a state of mind, not a state of the body.

November 18, *Elayne Rapping on Tabloid Crime Shows* - Professor Rapping, a media expert in the Department of Women's Studies, will discuss the shift in media representations of crime and punishment in the last decade, using clips from tabloid television series, such as *COPS*, *America's Most Wanted* and the HBO prison series *Oz*.

December 2, *Eastern State Penitentiary*, with guest lecturer Ed Steinfeld - The documentary of Eastern State penitentiary gives a detailed history of the prison, from its initial practice of total solitary confinement to its replacement into an overcrowded 'big house' to its replacement with a modern facility in 1970. Steinfeld, from the Department of Architecture and Planning, will lead a discussion on the influence of prison architecture in controlling privacy.

All presentations will begin at 4 p.m. 104 O'Brien Hall.

Donations Still Accepted For Fire Victims

Two UB Law students and a dental student are receiving help from the college community after their house burned down last month.

In mid-November, a house shared by the three graduate students burned down; the students lost nearly all of their possessions.

The Student Bar Association and the Dental Bar Association recently hosted an unofficial mixer to raise money to assist the victims. Donations are still being accepted; contact with student organization or Prof. Melinda Saran, Acting Associate Dean for Student Services.

Movie Reviews

By Jared Garlipp '00

Breakfast of Champions

This is an adaptation of the novel of the same name by famed author Kurt Vonnegut. As a long-time fan of Vonnegut, I went into this movie not really knowing what to expect. Generally speaking, books by this author do not translate well into other media. Until now, possibly the only remotely watchable adaptation of a Vonnegut work to hit the large or small screen was the film "Slaughterhouse Five," made at least 25 years ago, and that was far from a great film. Anyone familiar with these books would have to concede that, if anything, *Breakfast of Champions* would be harder to make into a movie than *Slaughterhouse Five*. Much of the book consists of the author's personal reflections on various and sundry topics, accompanied by his own crude stick-figure drawings. The plot, which concerns a middle-aged car dealer having a nervous breakdown, is at times ancillary. That said, it is one of Vonnegut's finest works and should be read by anybody.

The film "Breakfast of Champions," while not an entirely faithful adaptation of the book, succeeds admirably in capturing the spirit and the humor of the work. I really enjoyed this movie. The cast is top-notch. Bruce Willis is surprisingly effective as the protagonist car dealer Dwayne Hoover. The film follows Hoover's gradual descent into madness surrounded by an increasing proliferation of bizarre and interesting characters. Nick Nolte gives a notable performance as Hoover's lecherous assistant whose name escapes me at the moment. I also particularly enjoyed Albert Finney's portrayal of the decrepit science fiction writer Kilgore Trout, a recurring character in most of Vonnegut's early novels. Notable cameos include Omar Epps as the ex-con wanna-be car dealer Wayne Hoobler and Lukas Haas as Dwayne's gay lounge singer son, Bunny Hoover. Vonnegut himself has a small role in one scene, but if you blink you might miss it.

This is a very funny movie, at times a very touching movie. It is also visually interesting, with some impressive special effects. Every Vonnegut fan owes it to his or herself to check this movie out. I must admit, I have no idea what a person who is not familiar with the novel upon which it is based, or Vonnegut in general, would make of the film. The plot, such as it is, might be difficult to follow. If you're in the mood for some bizarre entertainment, or just want to see some big-time Hollywood actors in some non-traditional roles, this film should fit the bill nicely. Currently playing at Eastern Hills Cinema and (possibly) the North Park Theater.

Bringing Out the Dead

This is the first new film from director Martin Scorsese since "Casino" some years back, and represents something of a departure from his work of recent years. Old Scorsese standbys such as Robert DeNiro, Joe Pesci, and Harvey Keitel are nowhere to be found. Instead, the film stars Nicholas Cage, Patricia Arquette, John Goodman, and Ving

Rhames. Cage portrays a paramedic working the graveyard shift in Manhattan on the verge of a mental breakdown. The source of his stress is his apparent frustration at his inability to save the life of a certain young girl, whose face he sees everywhere. The film follows Cage's character over the course of three nights on the job, riding in an ambulance around the city responding to distress calls. Each night he is paired with a different partner. Arquette portrays the daughter of a heart attack victim Cage's character takes to the hospital, with whom he forms a bond.

The acting is generally good. Cage brings a real sense of anguish and frustration to his role, aided by the fact that he manages to look really haggard and worn out. Goodman and Rhames, portraying two of the other paramedics, are excellent as well. Many of the other minor characters, mostly played by relative unknowns, are also interesting and really round out the case. Arquette, however, has a vacant quality and her character comes across as somewhat lethargic.

Technically, the film is near-perfect. The cinematography is excellent. Manhattan at night comes off as dark and gritty, and more than a little frightening, and the scenes at the hospital emergency room make TV's "ER" look like "General Hospital." This is just a beautiful film to look at. What I enjoyed the most, however, and this is generally the case with any Scorsese picture, was the soundtrack. Scorsese has an encyclopedic knowledge of popular music and has always had a knack for choosing precisely the right song to complement a scene. This was evident as early in his career as "Mean Streets," and this movie is no exception.

Generally, I'd give this movie a reversed "thumbs up." The film has been compared to "Taxi Driver," and I feel this is somewhat of an overstatement. "Taxi Driver" is one of the true classics of modern American cinema; a masterpiece. "Bringing Out the Dead" does not remotely rise to that level. While there are similarities, if you go into this picture expecting it to be as good as "Taxi Driver," you're bound to be disappointed. It is a good movie however, certainly better than 90% of what's out there playing right now, and I'd particularly recommend it if you're a fan of Scorsese's

Caligula

What can I say? A movie like no other. Part serious, if somewhat boring, quasi-Shakespearean historical drama, part sleazy skin flick. Undoubtedly the most lavish and expensive skin flick ever made. This film was originally released 20 years ago, and caused quite a scandal at that time - possibly the most memorable attempt to 'mainstream' the adult film genre. The producer, Bob Guccione of "Penthouse" publishing fame, really sunk some cash into this. This film is worth seeing, if only as a curiosity. It purports to tell the story of the mad young Roman Emperor Caligula, portrayed by Malcolm McDowell of "A Clockwork Orange" fame. It also stars Peter O'Toole and Helen Mirren. While some attempt is made at an actual plot, the real draw here is the explicit and gratuitous sex. There are also some fairly graphic violent sequences. Despite its flaws, one gets the sense that this movie possibly portrays the decadence of ancient Rome more accurately than any other. Currently playing at the Angelika Film Center. Check it out while you have the chance.

Rochester Alumni Association renewed

The University at Buffalo Law School recently held a luncheon to celebrate the renewal of the Rochester Chapter of the school's Alumni Association. The school also used the event to honor Rochester-area alumni who have achieved distinction in public office.

Honored during the Oct. 13 meeting was John J. Callahan '54, Appellate Division justice; M. Dolores Denmen '65, presiding justice, Appellate Division; Samuel L. Green '67, Appellate Division justice; John D. Doyle '68, Monroe County Executive; Howard R. Relin '68, Monroe County district attorney; John J. Ark '72, New York State Supreme Court justice.

Also, Eugene F. Pigott, Jr. '73, Appellate Division justice; Thomas M. VanStrynck '73, New York State Supreme Court justice; Ann Marie Taddeo '75, Monroe County Family Court judge; Dennis F. Bender '77, Seneca County Court Judge; R. Michael Tantillo '77, Ontario County district Attorney; Anne E. Pfeiffer '79, Rochester City Court judge; and Gail A. Donofrio '85, Monroe County Family Court judge.