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Marshall Launches Law School Forum

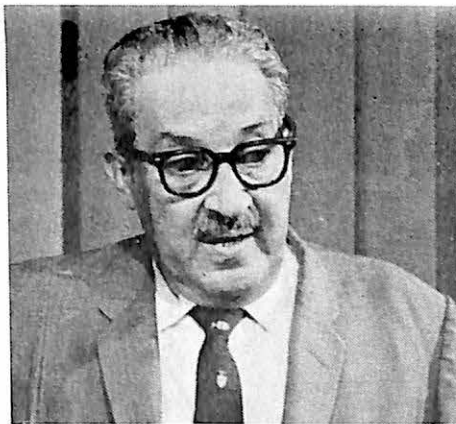
by C. Mike Swinford

Supreme Court Justice Thurgood Marshall speaking at the University of Georgia as a guest of the Law School Forum, issued a challenge to the members of the legal profession to exert the leadership this country needs so badly in overcoming inner dissension and unrest.

"If there is any bright sign against dissention, struggle, and panic in the future, it is the leadership of the legal profession," said Marshall as he discussed the development of the doctrine of desegregation in an hour-long speech before a huge crowd at the Georgia Center for Continuing Education. He said the Fourteenth Amendment had been "framed in discontent, and meant only as much as society wanted it to mean."

After working on the legal staff at the N.A.A.C.P. for almost 20 years, Marshall successfully argued the revolutionary *Brown v. Board of Education* case. Marshall later served as Solicitor General of the United States before being appointed to the Supreme Court in 1967. Recognizing the advances which have been made since the *Brown* decision, Marshall said, "it is your job as future lawyers, future judges, and future legal educators to see that these advances don't go the way of the Fourteenth Amendment."

He concluded his speech with the moving challenge that, "This country is crying for leadership, and there is no better leadership than the legal profession. We must have justice under law without regard for the person involved. We have a



Mr. Justice Thurgood Marshall

government of laws, not men; and we need it. Let's sell that to the people. But if we rest on our laurels, we backslide—that's my message from the past one hundred years."

Marshall had nothing but praise for the University of Georgia Law School. He commented that he didn't believe that there was another law school in the country that is "getting the public attention that this law school is getting among other law schools."

Taylor Presents New View

by Huber Parsons, Jr.

An address delivered by Telford Taylor and entitled "Guilt and Responsibility of the Third Reich" was the academic highlight of the 1968 fall quarter.

Professor Taylor is a distinguished member of the bar as a brief sketch of his professional life indicates. After graduating from the Harvard Law School he held various legal positions in the federal government; this work was terminated in 1942 when he was General Counsel of the Federal Communications Commission. The war years were marked by service with the Military

Legal Aiders

Train in Summer

by Jerry W. Bussell and
Milton E. Lefkoff

The Georgia Legal Aid and Defender Society has taken another step in its expansion of legal services for the indigent in the Athens area: The establishment of a new branch neighborhood office location will be much more convenient than the downtown address for thousands of persons living in public housing and other low income areas.

Unlike the main office, the neighborhood office is to be manned only by law students and a secretary.

Another new feature in connection with the neighborhood legal aid office is the establishment by the Office of Economic Opportunity of four fellowships for third year students at Georgia Law

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Intelligence Service, and Mr. Taylor was named Associate Counsel and later General Counsel for War Crimes at Nuremburg from 1945 to 1949. Except for service as administrator of the Small Defense Plants Administration during the Korean War, Mr. Taylor has been engaged in the private practice of law since 1949 and has argued such notable cases as *Dennis v. United States*. Presently he is Professor of Law at Columbia Law School and a visiting lecturer at the Yale Law School.

Mr. Taylor indicated that he

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EDITORIALS . . . ASSOCIATION

Organized in the early fifties, the University of Georgia Law School Association endeavors to advance interest in the University of Georgia Law School, legal education in general and fellowship among members of the Association.

Among the programs supported by the Association are publication of *The Georgia Advocate* and development of the Law School Fund, a special gift-supported operational fund authorized by the University of Georgia Foundation. This fund is used to make monies available for student scholarships, research grants, special guest lecturers and other purposes considered to be of direct benefit to the Law School.

The student body of the University of Georgia School of Law join with Carl E. Sanders, 1969 Georgia Law School Association President, and the Honorable Arthur K. Bolton, 1969 Membership Chairman, in asking your active support for the Association and the Law School Fund. Alumni will soon be contacted by their respective class chairmen. Others interested in information concerning the Association or the Law School Fund should contact Dean Lindsey Cowen at the Law School.

POVERTY

With over 30% of the American people still in the grips of poverty it is time for the Georgia Law School to concern itself directly with the problems of the poor. Other prominent law schools have seen the need for such a program and some 26 law schools have included "poverty law" in their curriculums.

Georgia is one of the poorest states in the nation; therefore, the probability that lawyers in this state will be working with poor people is very high. In order for lawyers to represent the poor to the best of their ability, it is necessary for members of the legal profession to be attuned to the needs of the disadvantaged.

A course "poverty law" could help significantly by directing its attention to problems concerning retaliatory eviction, rights of tenants, right to welfare payments, job discrimination, etc.

Justice Brennan, in speaking on the subject of poverty, said: "The law in this country is significantly weighted against the poor." As a result of this, respect for law and order in the disadvantaged areas of this country is at an all-time low. Therefore, it is necessary that there be a re-orientation of the law toward the needs of the poverty stricken.

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DEAN'S CORNER

by

Lindsey Cowen, Dean

A few weeks ago I was in New England interviewing prospective law students at some of the so-called Ivy League colleges. At one of them, the dean showed me a letter which purported to evaluate southern law schools as an aid to pre-law counseling by the dean and his staff. The letter had been written by a recent graduate of one of our sister law schools in the southeast and, as might be expected, the school from which the writer had graduated received high marks. The University of Georgia School of Law was written off as having been over-sold by its dean.

To the best of my knowledge, this particular man has never visited the University of Georgia School of Law. And I know of no way in which he could have amassed the information, not only on this school but on the many others on which he undertook to pass judgment. His letter was an act of arrogance not often equaled in law school circles where, admittedly, such opinions are frequently banded about.

Be that as it may, for the benefit of our alumni and others who are interested in us, I would like to deny categorically that the school, measured by the quality of its student body, has been over-sold by its dean or anyone else. I will not undertake to detail the accomplishment of the bright young men and women who are now enrolled in or have graduated from this school. The columns of this paper have listed them for the past several years, and the members of the practicing bar who have had professional contacts with them will testify to their ability. In my

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Law Review Now in Third Year

by Robert W. Sterrett

The *Georgia Law Review* embarked upon its third year of existence under the guidance of Nat Slaughter, Editor-in-Chief, and Charles Pursley, Executive Editor. Struggling to eliminate a deficit left by Volume One's Board, last year's *Review* was unable to complete the galley work on Issue three or any editorial work on Issue four, Volume Two. Consequently this year's staff is not only burdened with the four issues which will comprise Volume Three, but must also eliminate the remaining backlog.

Of those invited, twenty six of the top students of this year's second year class accepted invitations to try out for the *Review*. The trial period began the first week in September—four weeks before classes started—and lasted an intense six weeks during which each candidate was measured by his adeptness and skill in writing, researching and analyzing recent cases. The candidates were each required to write two recent decisions and two spades of recent decisions.

At the end of the six week program, the following were selected by the Managing Board of Editors to become members of the Editorial Board:

Timothy J. Armstrong, Everett C. Bryant, Jr., Robert Carl Cannon, William A. Clineburg, Oscar T. Cook, Jr., Hughes S. Craft, Gary F. Eubanks, Charles D. Flinn, Jr.

Also, William H. Glickman, Walton B. Hallows, Fred Kelley Harvey, Jr., Scott M. Hobby, Leamon R. Holliday, James Edward Humes, George D. Johnson, John B. Miller, Jr., William D. Montgomery.

Also, Sidney Leroy Nation, Joseph M. Oliver, Edwin David Robb, Jr., Charles T. Staples, Gerald S. Tanenbaum, John W.

Timmons, Jr., Paul C. Wilgus, Jack A. Wooton.

Issue four of Volume Two should be published about December 15th and Issue one, Volume Three has an expected publication date of January 15th. Included in the forthcoming issues will be articles and commentaries by our own Professors Beard, Bowman, Leavell, Sentell and Taylor; Fifth Circuit Judge Griffin Bell; and Supreme Court Justice Thurgood Marshall.

In addition to the Editor-in-Chief and Executive Editor the Managing Board of Editors includes: Articles Editors, Jerry Blackstock and Bob Sterrett; Recent Decisions Editor, Dick Stephens; Notes Editor, Rick von Unwerth; Research and Projects Editor, Bob Chasteen; and Georgia Editor, Bob Rowe.

DEAN— Cont. from page 2

opinion, the most appropriate single basis for evaluating a law school is an evaluation of the professional capabilities of its graduates. On that basis I am prepared to have a judgment rendered by anyone.

But upon reflection, I think that I may be guilty of an over-sell in another area. In previous reports to the alumni I have emphasized the positive side of our achievements, and there have been many. It may be, though, that in doing this I have inadvertently led people to believe that we have no problems. If this impression has been created, it is a most unfortunate and erroneous one, for, like all human institutions, the University of Georgia School of Law has its problems. Further, there are some really substantial ones which must be resolved before we can take the next major steps toward the realization of our full potential.

The first and most important of these problems is the lack of an

adequate scholarship program. Several of our alumni and friends have been most generous in providing scholarship funds for our students. However, at the moment, with awards totaling only \$7,500.00 in each class, we are merely scratching the surface of our need. Furthermore, even this limited program will have to be drastically curtailed a year hence if major contributions are not immediately forthcoming.

The second and third major problems concern the continuing financing of the *Georgia Law Review* and the University of Georgia Legal Aid and Defender Program. Both have received substantial support from private sources over the past three years. Both must now depend upon public financing. Both are essential to the educational program of the School. Both must be continued and, as quickly as possible, expanded.

The fourth problem also involves money, but with a reverse twist. We have two endowed professorships which, in monetary terms, are the most attractive in the United States. We need to fill these Chairs, but our sights are high. The necessary funds have been donated for this specific purpose; every effort is being made to fill them this year with men preeminent in their fields.

Of course, there are other problems. But if we can solve these this year, we will be reasonably content. Your sage advice and material support are earnestly solicited.

Winter

Quarter

Registration:

Jan. 2, 1969



AID— Cont. from page 1

School. These fellowships, named for H. Sol Clark, a Savannah attorney deeply interested in legal aid work, have been awarded for this year to Marcus Bergh, Jr., Timothy Bork, Jerry Bussell, and Milton Lefkoff.

These students' preparation for practicing at the neighborhood office consisted of a full summer of legal aid work in low income areas of Atlanta. Each work day began at the invigorating hour of 8:00 A.M. with two hours of classes taught by attorneys from the Emory Community Legal Services Center.

Besides the four Georgia students, the class included four third year law students from Mercer and twelve from Emory. Although Maynard Jackson had just resigned from ECLSC, the Center still had nine attorneys, each specializing in a different field of the law of the poor. The law taught in these classes was not the conglomerate mixture of the Sovereign Commonwealth of Foundation Press, but the red eye law of Georgia.

Though all the participants in the program were, in effect, members of one law firm, each student from Georgia had a law partner from Emory. These partnerships proved very helpful in cases where one school offered a course in the second year, while another waited until the third. For example, since Evidence is a third-year course at Mercer, the Mercer students' partners helped them prepare their cases for trial. Similarly, Litigation is a required second-year course at Emory which the Georgia students were able to use to their advantage through their partners' suggestions.

One look at the contract signed by the students at the end of spring quarter last year informed them that they would be kept busy. However, the director of the program, Fred LeClerq even outdid their expectations. The first meeting with him did not reveal what he

meant by "slack time" but he correctly surmised that there would be none.

As if classes, clients, and courtrooms were not enough, the students were assigned to the various attorneys for additional practice at becoming sensitive to the particular problems of the poor. The four Georgia students were assigned to Fred LeClerq, who specialized in welfare and group organization. As "house counsel for the poor," the students under his guidance were expected to have a working knowledge of welfare laws, regulations, and practices from the level of the Secretary of HEW to that of the caseworker.

The Center's new copy of the State Manual of Public Welfare Administration became worn out during the course of the summer.

Mr. LeClerq soon saw to it that knowledge turned into action. One eventful Friday morning, approximately sixty welfare applicants with their student attorneys and lay counselors stormed the gates of the Fulton County Department of Family and Children Services. These applicants had been denied aid in the past or had been too ignorant or afraid to apply. The attorneys demanded their clients' rights, and a significant number of applicants became welfare recipients that day.

Because the student attorneys could spend only a limited amount of time on such administrative matters, Vista workers and community leaders were trained to be advisors to persons seeking welfare. Although the Vistas could be depended upon to learn for themselves through reading welfare manuals, law review articles, etc., the volunteers from the low income areas were given training sessions and simplified summaries of the State Welfare Manual. This drive culminated in the formation of the Atlanta Welfare Rights Union.

The Law School Legal Aid Agency Act of 1967 gives third year students sufficient independence to allow them to practice legal aid on their own. Except for obtaining occasional signatures from Mr. Peckham, the legal aid practitioner will soon be doing his own work. Either Mr. Peckham or Mr. Erion accompanies the student to court, but the student tries his own cases. Growth has been the obvious trademark since those first days as the University of Georgia School of Law's Legal Aid and Defender Society currently enrolls a work-force of sixty-two Student Associates.

Of the sixty-two Student Associates seven are certified to practice law under the Law School Legal Aid Agency Act of 1967, and nine have petitioned the Clarke County Superior for certification. The Act enables third-year students to represent indigent clients before the Georgia Courts under the supervision of a practicing attorney.

The Society's Psychiatric Testing Program has been launched with seven second-year Associates administering behavioral and personality tests to prisoners at the Clarke County Jail and those persons who are on probation. This service is invaluable to attorneys in preparing cases, to probation officers in determining if a person is the proper subject for probation, and to judges in rendering more just and equitable decisions.

During 1967 the Society received over 150 letters from inmates incarcerated in the Georgia State prisons. Thus far in 1968 this number has been equalled if not surpassed. Letters are referred to Associates who review them and who may spend considerable time investigating and researching.

To alleviate much of the inefficiency which is inevitable in attempting to correspond with inmates all over the State, Mr. Peckham rides "circuit" visiting the clients and

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Faculty Adds Three

by A. Thomas Jones

The *Advocate* is proud to announce the addition of three new members to the University of Georgia School of Law faculty. These outstanding gentlemen exemplify the vigorous, progressive leadership which marks our distinguished faculty and we wish them every success in the years to come.

Ronald C. Link, Assistant Professor of Law, received his B.A. and L.L.B. degrees from the University of Illinois and his M.S. degree in Biochemistry from the University of California at Berkeley.

During his years at the University of Illinois, Mr. Link was a member of Phi Beta Kappa, Omicron Delta Kappa, Phi Kappa Phi, various student organizations such as Student Senate. He was Associate Editor of the Illinois Law Forum and first place winner of the Moot Court Competition.

He joined the faculty of the law school in September 1968 and his present teaching assignment is in the area of Property. The Links have two children, Jennifer Susan 3, and Mary Anne 2.

Lawrence A. Lokken, Assistant Professor of Law, was born in Minnesota. Upon graduation from Augsburg College with a B.A. Cum Laude he taught in the public schools of Wisconsin and Minnesota for several years.

He entered the University Minnesota Law School in 1964 where he was Note and Comment editor of the Minnesota Law Review and graduated with a J.D. Magna Cum Laude.

Professor Lokken was associated with the firm of Henson and Webb of Minneapolis before coming to the University of Georgia School of Law where his present teaching assignments are in the area of Taxation. He is married and has two children, Jonathan 6 and Amy



"And You're A Third Year Student. Aren't You?"

Ruth 2.

Robert D. Peckham, Director of the Legal Aid and Defender Society, served in the United States Army from 1943 until his retirement in 1968. He received his B.A. degree from the United States Military Academy.

After service in the Korean War he attended Harvard Law School and received his L.L.B. degree in 1955. His service in the Judge Advocate General's Corps included an assignment as legal advisor on the staff of the Korean Armistice Commission. He was Associate Professor of Law at the United States Military Academy, Instructor at the University of Maryland and Instructor at the Judge Advocate General School. In 1967-1968 Colonel Peckham served as Secretary for the Judge Advocate General's School. The Peckham's have two children Richard 15 and Nancy 12.

TAYLOR— Cont. from page 1

wished to explore the moral and social aspects of what happened in and around Germany during the Third Reich rather than emphasize the well discussed legal arguments. Quoting *New York Times* articles of the preceding week, Taylor

cautioned that the war crime trials are presently being continued.

New perspectives on the trials are emerging. Until a few years ago only the perpetrators were considered guilty. Now it is felt that others may be partially responsible for those notorious acts. Crimes always involve victims and often occur in the presence of others. Questions as to these groups—victims and onlookers—are now being posed by writers who consider national and international morality.

Mitigating circumstances of the collective guilt of the German people were discussed by Professor Taylor. Political failure, moral responsibility, and legal guilt were highlighted. Questions were posed such as: to what extent is a man his brothers keeper? And consideration was given the related doctrines of Anglo-American law. Also questioned was the merit of resistance by Germans who opposed state policy since none of these were allowed martyrs' deaths.

Mr. Taylor contrasted the German actions with those of the Japanese. Whereas Japanese atrocities did occur pursuant to individual commander's orders, the German state itself organized and

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FACULTY FORUM

LAW and ORDER - - A NEW PROBLEM?

The Faculty Forum for this issue is written by Assistant Professor Bernard Jackson. He attended Liverpool University where he received the degree of L.L.B. Honors. He is a member of University College Oxford and is presently doing doctoral work in legal history. Mr. Jackson is a Barrister of Gray's Inn and will be returning to England for the 1969-1970 Academic Year.

In a period of intense concern with "law and order", it is not surprising, perhaps, to find lawyers—themselves members of a notoriously conservative breed—looking back to the past in search of the means to restore tranquillity to a troubled nation.

It is in this light that a recent letter from Mr. John Geus to the editors of the American Bar Association Journal (July 1968) should be viewed.

Mr. Geus reports the positive reactions of some Fairfax, Virginia, history students to a number of laws in the Hindu Law Codes, of which the following extract from Manu is typical: "They who give no assistance...on seeing a robbery on the highway shall be banished with their cattle and utensils." It appears that a substantial majority of the history students questioned acceded to the proposition that our legislators should enact laws of this type.

Before commenting upon the validity of this viewpoint, one may note that Plato was similarly disposed: "Whosoever shall dare to beat his father or mother...the bystander shall give help...the resident stranger who helps shall be invited to a first-row seat at the public games, but he who fails to help shall be banished from the country for life." (Laws IX, 881B).

The sentiment is, on its surface, an admirable one. If a person is being attacked, then the observer has a moral duty to come to his aid. In Manu as in Plato this moral duty is reinforced by a legal duty.

One may ask, however, whether conditions today are not so dissimilar to those in ancient Greece and

India as to make the imposition of such a rule today positively dangerous. In classical Greece and Brahmin India there were no firearms in the possession either of the criminal or of the citizen. The results of urging people to take upon themselves the duties of the enforcement agencies may be seen in Britain in recent years.

The Duke of Edinburgh (whose Greek ancestry may be noted in this connection) urged the British people a few years ago to "have a go" [the English equivalent of 'sock it to him'] at criminals they observed in "flagrante delicto". Not long after that a particularly brave, if not entirely sanguine, unarmed individual "had a go" at an armed robber in London, and was shot to death. The American observer, in the full flush of his pioneering glory, may conclude that herein lies a good argument against gun control. But the prospect of the citizen having a legal duty to shoot it out with criminals (other than in the form of a properly constituted police force or militia) is one which this faint-hearted individual, for one, would rather not contemplate.

One may add that the mere existence on the Hindu "statute book" of laws of this nature is no convincing evidence that the laws were ever enforced in practice. Residents of Clarke County before the momentous decision of October 31, 1968, are well aware of the practical effect, or lack of it, of the prohibition laws.

Furthermore, one may cite the history of the offense of misprision of felony in the common law as further evidence of the basic unworkability of laws imposing upon citizens the duties of assuming the functions of law enforcement agencies. In 1961, the House of Lords in *Sykes v. Director of Public Prosecutions*, 528 A.C. (1962), found itself confronted by the basic question of whether the offense existed or not. The decision, in favor of the existence of the offense, was based upon detailed examination of historical sources, despite the argument of counsel for the appellant that the lack of prosecution of the offense proved that it had, in practice, become obsolete. Nor did the court, in upholding the existence of the offense, recommend that it be used to its full extent. Lord Goddard specifically stated that it should be sparingly prosecuted, and more or less reserved for cases where technical difficulties made a charge of

accessory after the fact impracticable.

But the possession of firearms is not the only factor which distinguishes the ancient world from our own. Ancient systems have resorted to obliging the individual to act against the criminal simply because their central powers of law enforcement have been weak. Today, whatever may be the cause of the increasing crime rate, it is not the weakness of the enforcement agencies, either in terms of numbers or of equipment. For the ancient world the situation was different. Again and again we meet the basic problem: How does one force the defendant or the criminal to court? The rules adopted by the Hindus and advocated by Plato are part of the answer to that question.

Thus in this instance, antiquity provides no firm basis for the answer to present problems. And one may argue more generally that though antiquity faced many problems of law and order similar to those of today, its answers were no more convincing. We may note that a perennial problem in the ancient world was highway robbery. Its significance went far beyond the property lost by the individuals robbed, for a central authority unable to maintain the security of the highways was demonstrably weak, and political opposition to it would thereby be encouraged.

Indeed, we have examples of political opposition taking exactly this form. In 1st Century A.D. Palestine, the Roman authorities were constantly bothered by this phenomenon, and we have evidence that the "robbers" in fact were political patriots. Much the same interpretation may be put upon the legend of Robin Hood, whose exploits—robbing the rich to help the poor—were manifestly political in nature. Yet, though continually plagued by problems of this kind, and though legislation of one kind and another against it abounds in the ancient world, highway robbery continued to exist as a major problem.

If the ineffectiveness of the ancient world in solving its problems of law and order were no sufficient reason for rejecting the wisdom of the past, we should look to some of the major factors in our civilization today which demand forward looking, rather than backward looking, policies. Already mentioned has been the existence of firearms, which may, regrettably, be taken as an example of our technological progress. Added to this one must note the psychological and sociological orientation of our society, especially as expressed in contemporary criminology.

Although the pronouncements of certain political figures would suggest that they would like to go back to the Code of Hammurabi, which provided that the

looter of a burning house should be cast into the flames, criminal science today is paying more attention to prevention and rehabilitation than it is to punishment. If the experience of the ancient world proves anything, it proves that the traditional measures of deterrence have failed. We are, therefore, entirely justified in seeking new directions. Yet our penal system preserves some of the worst features of those of the ancient world. Most people would agree that collective responsibility, whereby the criminal's family is punished along with him for his crime, is a relic of the ancient world which is best forgotten. Yet, even today we preserve it in the effects of imprisonment, one of our major penal instruments, which punish the criminal's wife and children often more harshly than the criminal himself.

There are also other differences which must be taken into account. The western world enjoys a system of democracy which is gradually—and it is a recent and slow process—coming to create a government representative of, and responsive to, the needs of the whole people, rather than the interests of some special class or race. However, much of the penal legislation of the ancient world is designed to preserve class and race interests. No greater example exists than the Hindu Law Codes, which protect a caste system so rigid that it was even a criminal offense to work in the occupation conceived to be appropriate to a member of another caste (Narada, I, 55). The laws of Plato, similarly, being designed for a state ruled over a "philosopher-king", are out of key with modern aspirations. One must not forget that most criminal offenses in the ancient world were committed by members of slave populations; that frequently a slave was punished more severely than a free man who committed the same offense; and that much of the criminal law can therefore be regarded as designed to support this social system. This is hardly what we ought to emulate.

In conclusion, one may point out another change which ought to be borne in mind. From the earliest period when government can be said to have existed, crimes have been committed as a political weapon. The perpetrators have done their best to evade capture. Our modern Civil Disobedience is significantly different in that the perpetrators willingly submit to their punishment, in order to demonstrate the unjust nature of the laws they are protesting. Here especially, the old concept of punishment as a deterrent is inapplicable.

One might suggest that if the penalties were really tough, then even the protestors would desist. Yet the ancient world shows this not to be the case. Religious martyrs of all faiths have been willing to suffer the ultimate penalty as a witness to their faiths, and a protest against repression. Here again the ancient world had no answer.

ABA Supports LSD

by William H. Glickman and Larry L. Taylor

The American Bar Association is the foremost professional legal organization in the world. The Law Student Division is an arm of the American Bar Association.

It is geared to meet the needs of the law student and the needs of today, and it is prepared to solve the law students' problems and the problems of tomorrow.

The Law Student Division is a vital link in the communication of ideas and programs among the 137 member schools. The annual convention offers a forum for the complete expression and interchange of these ideas. The convention also is the stage for the national competition among the Student Bar Associations.

Some of the areas of SBA competition are: best SBA project, best law school newspaper, and best SBA. The programs the Law Student Division and the American Bar Association offer have tremendous potential and can be most beneficial to the law schools, the student bar associations and the individual law students if these bodies are well informed of the scope and application of these programs and, if they are willing to take advantage of these programs.

A few of these "offerings" are: National placement service, ABA section membership, LSD and ABA publications, automatic membership in the ABA for LSD members upon graduation, life insurance programs, and, of course, the resources of the annual convention.

The University of Georgia School of Law sent Larry Taylor and Bill Glickman as its representatives to the 1968 annual meeting of the Law Student Division of the American Bar Association. The meeting was held August 3-8 in Philadelphia, Pa., in conjunction with the convention of the ABA, the parent organization of the Law Student Division.

The fact that the meetings were

held simultaneously provided the law student representatives an excellent opportunity to conveniently attend, as time permitted, the ABA section meetings and all ABA programs which were open to the general membership.

The initial stages of the convention consisted of an attempt by the representatives of the various law schools to familiarize themselves with the political and operative procedures of the Law Student Division.

There were meetings where all of the colleagues met and informally exchanged ideas in an "off-the-cuff" atmosphere.

For example, some of this informal discussion covered areas such as placement, orientation of first year students, student run book stores, speakers forums, and student involvement in plans and decisions made by the administrations of the law schools.

The week of the convention consisted of an extremely demanding schedule which ranged from a convocation which set forth the format of the week's activities to luncheons which features such speakers as Mr. Tucker of the National Urban League and the outgoing and incoming Presidents of the American Bar Association, as well as panel discussions and symposiums (e.g., winter rights, summer riots; international negotiations; L.S.D.; business meetings; national committee reports and the reports of the national officers; circuit conferences; hearings on resolutions to be presented before the LSD House of Delegates; and possibly most important, the Student Bar Administration workshops.)

The heart of the convention consists of these workshops. These programs are led by the chairmen of the LSD committees which have been working very close to the particular subjects for a year in

preparation for the convention.

A nationally known authority also sits in on these programs. These workshops serve as a forum for the representatives to exchange their school's successes as well as problems. The topics of these workshops were as follows: Placement, Bar Examinations, Minority Group Problems, City-Wide Student Bar Associations, Student-Faculty Relationships, Proposed Standards of Legal Education, Selective Service Problems of the Law Student, Professional Responsibility and the Beginning Practitioner, Law Student Membership in the ABA, and Medico-Legal Relations.

A large amount of the convention time was spent in the Machiavellian art of politics. Many student representatives with a nomination in one hand and a letter of approval from the deans of their respective law schools in the other attempted to place themselves and their schools in the national spotlight powered by the reputation and prestige of the Law Student Division and the American Bar Association.

The officers elected at the convention for the forthcoming year are: Robert DeCotus of Seton Hall, President; Craig Carretta of Cleveland Marshall, 1st vice-President; Alva Caine of Stanford, 2nd Vice-President; Jay Cooper of N.Y.U., Treasurer; and Bill Mangold of the University of Texas, Secretary.

A detailed report covering all the material gleaned at the convention has been given to the Board of Governors of the Student Bar Association in order for the Lumpkin School of Law to best utilize the material offered by the Law Student Division and the efforts of the Law School's two LSD representatives.

The LSD Representatives will always be available to hear problems, complaints and suggestions, and will be ready to provide the resources of the LSD to the University of Georgia Law students.

Class of '71

by Henry G. Garrard

There are two words that are most descriptive of the class of '71 at the University of Georgia School of Law. These words are diverse and outstanding.

States as far west as California and as far east as Delaware are represented in this class. In all there are twelve states represented but a great many more states are represented as a result of their placing graduates of their schools here.

Emory, the University of Georgia, and the University of Virginia are the top three schools in the placing of graduates in this class. However, forty-four other schools are also represented by graduates.

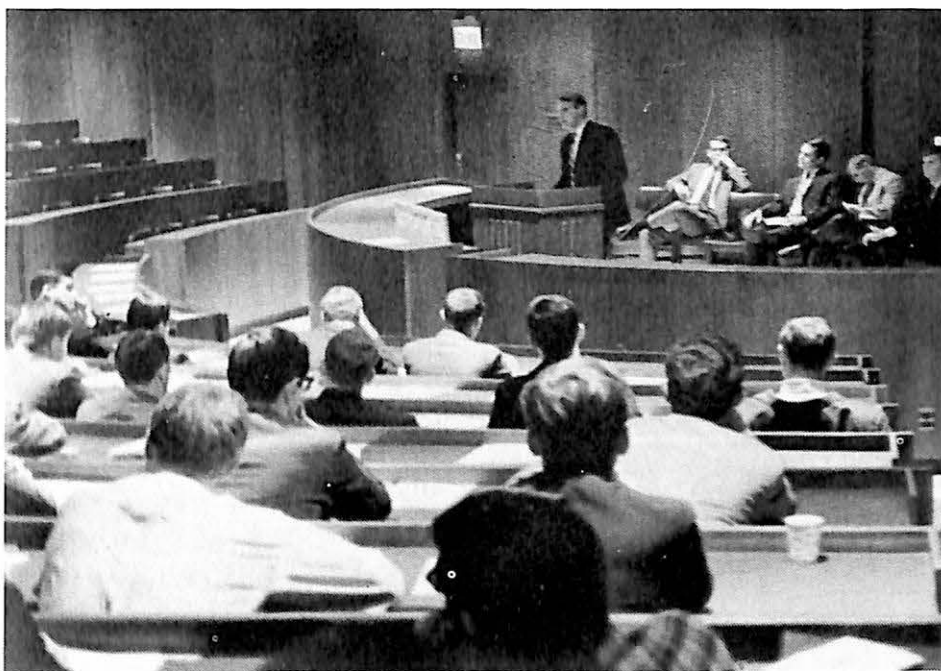
Besides being a diverse group in relation to states and schools, the academic background of the class is also quite varied. Thirty-three different major areas of undergraduate study are represented in this group. Among the different majors are psychology, business, biology, industrial management, and political science. In addition, the class has eight members who hold graduate degrees in five different fields.

A number of outstanding students are in the class of '71. Several student body presidents are represented along with several who were selected as the outstanding senior at their respective schools.

One student was selected the number one Air Force ROTC cadet in the southeastern United States for the past year, and the class can claim ten students who were selected for *Who's Who in American Colleges and Universities* and twenty students who were on college athletic teams.

The highest undergraduate academic average maintained by a first-year man prior to attending the University of Georgia School of Law is ninety-two while the average

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Dick Stephens Presides at S.B.A.'s Orientation for First Year Class.

Legal Eagle's Undefeated

by Roswell Daniel Weigle

For the second year in a row, the Law School Legal Eagles have not been beaten or tied. Most newspaper writers seem to give most of the credit to the new coaching staff which turned a predicted 1-6 record and last place finish in the conference to an amazing 6-0 record and the championship.

The coach of the team, humble man that he is, admitted that the sportscaster were probably correct, but did say that part of the credit belonged to the team. With such great players as Tom Harrold at quarterback, Bill Foster at center, Jim Moushegian and Dick Stephens at ends, Pete Glass at flanker, and John Shiver at blocking back, it is not unusual that the Legal Eagles amassed an amazing 232 points.

While the offensive team has been overwhelmingly productive the defensive team composed of Tom Warlick, Joe Bruckner, Steve Lewis, Frank Allen, Ed Robb, Jerry Bussel, and Dan Weigle have been stingy giving away only 24 points.

One of the real highlights of the early intramural season was the running of the annual cake race. For those who don't know, the cake race is a cross country race extending somewhat in the vicinity of two miles. This year the law school not only won their division, but succeeded in winning individual honors by holding down 1st, 3rd, and 20th places out of the some 300 plus runners.

Dave Johnston, who is getting to be an annual winner, won the entire race. George Hallanan, who claimed a failure in his strategy, finished third. Rounding out the field were Bill Bushnell who came in 20th and Pete Prutzman, Jim Martin, and Coach Weigle. Coach Weigle was found to be lagging behind until he got a boost from a 60 Ford.

The law school has started intramurals with a tremendous showing this fall. With a little more support, this should be the year of the Legal Eagle.

FRATERNITY NEWS

P. A. D.

Stephens chapter of Phi Alpha Delta closed out an extremely active Spring Quarter of 1968 only to embark upon one of the most successful years it has ever had in 1968-1969.

Last Spring P.A.D. instituted the highly successful "Happy Hour" (with intermittent "live" entertainment) whose value has been realized by the S.B.A. with the "Swindlestock Society".

Apparently, the brothers enjoyed the activity and came back with an unprecedented schedule of summer activities. For the first time, a legal fraternity had an active summer program, attracting faculty members, first-year "head start" people and several interested Phi Delta Phi pledges. This is a practice that P.A.D. will undoubtedly continue in the future. There is no reason why those people who remain in Athens for the summer cannot enjoy the same activity that they do in the winter.

The officers, under the outstanding leadership of justice Joe Anderson, continued creating innovations for the 1968-1969 session of school.

Legal fraternities at the law school have somehow lost sight of their function as service fraternities. Realizing this, P.A.D. directed some of their efforts toward this aspect of the legal fraternity.

Doubtless the Law School Directory is a valuable asset to the law school. Only the tireless efforts of Jesse Copeland and Joe Anderson made this possible. Now we can recognize each other and find telephone numbers with no trouble.

The Law School Forum has brought some outstanding speakers to the law school, but P.A.D. has competed with such distinguished guests as Earl Patton, Maynard

Jackson and Leon Farmer. The Toastmasters' Club which is in the final stage of development should prove an invaluable experience for all active P.A.D.'s.

Perhaps most directly beneficial to the brothers have been the Academic Assistance Program for the pledges and the Work-Study Program in which brothers do part-time research for Georgia Law firms.

Of course, we haven't forgotten to have a little social activity at the same time. With eight parties this quarter, closing with a barbecue-beer-combo party, P.A.D. had perhaps its most active social program, thanks to social chairman Bob Smith. We hope to continue in this fashion throughout the school year, supplemented with the various S.B.A. parties.

To carry on the success P.A.D. has enjoyed, and keep the progressive trend it has shown, the newly elected officers for the remainder of the year are ready to exert whatever energies will be needed. New officers will be: Tom Hicks, Justice; Milton Lefkoff, Vice-justice; Gene Fryer, Clerk; Steve Kaplan, Treasurer; and Bob Benham, Marshall. Jim Walters is ready to take over the reigns as Social Chairman.

Rush this year provided P.A.D. with 51 new pledges and the fraternity is proud and pleased to welcome these first-year people and announce that the membership is approximately 100 strong. This number allows us to be fluid and active and provides a closely-knit brotherhood who can enjoy what the fraternity has to offer.

Phi Delta Phi

Phi Delta Phi began Fall Quarter with a slate of outstanding officers: Mickey Averett, Magister; Buster

McConnel, Exchequer; Bill Blalock, Historian; and Cesar Rodriguez, Clerk.

Under the able leadership of Mr. Averett, Phi Delta Phi put on an outstanding rush program which encompassed many activities. One factor which led to this outstanding rush was the conspicuous absence of Coach Norb Weigle. Coach Weigle was deeply engrossed in one of his elective courses "Ball Inflation" which he is auditing down at Stegman Hall from 7:00 - 10:00 P.M. We all knew Weigle was a blowhard, but blowing up fifty footballs a day has got to be a Law School record.

If consumption of liquid refreshments can be considered an indication of a successful rush, then this year's rush has got to be considered our most successful to date. Buster McConnell, Phi Delta Phi Treasurer, reports that our rushees drank us into bankruptcy at our famous post ball game cocktail parties. Tom Harrold's "sit in" at our next to last cocktail party kept things hopping but didn't deter the activities at the bar.

What has got to be considered the cap-stone of our rush program was the presentation under our cultural affairs program. Our hats go off to Dennis Cathey, Chairman of our Cultural Affairs Committee. Mr. Cathey whose eye for talent is well known in entertainment circles, outdid himself this Fall. With limited funds Cathey procured an "exotic dancer" who thrilled the members and rushees with her rendition of "Let it all hang out". Needless to say, Brother "Hog" nearly caused the place to be raided with his wild grunts and snorts.

The climax of this rush program was the pledging of eighty over-worked first year boys. With this fine nucleus of pledges next quarter promises to be even more exciting.

SBA NEWS

by Cary S. Tye

The school year of 1968-69 found the Lumpkin Law School faced with the problem of filling an executive gap in its student government which was brought about by a brief sabatical taken by the former President.

Not to be deprived in the year of great political movements, the student body quickly responded to the call and, as the evening of election day fell upon us, a new leader emerged—quite enthusiastic, quite relieved, and quite unopposed. There was some speculation during those first few days of the new administration as to who in fact was more elated—Jim Martin as the new President or Dick Stephens, whose gavel passing far surpassed that displayed in any olympic competition.

To those of you in the first year and any other returning students who feel they might benefit from it, this article will serve to basically outline who in fact makes up your student government and will present a brief resume of certain areas within which new programs have been initiated under the auspices of the Board of Governors of the Student Bar Association.

The Board of Governors of the Student Bar Association consists of Jim Martin, President; Dick Stephens, Vice President; Cary Tye, Secretary; Oscar Cook, Treasurer; Al Bowers, Chief Justice of the Honor Court; Charles Hatcher, President of Third Year Class; Mickey Averett, Vice President of Third Year Class; Jesse Copeland, President of the Second Year Class; Spencer Lee, Vice President of the Second Year Class; Joe Anderson, Phi Alpha Delta President; Jerry Bussel, Legal Aid and Defender Society President; Nat Slaughter, Editor of the *Georgia Law Review*; Joe Bruchner, Phi Delta Phi Representative; Dunham McAllister, *Georgia Advocate* Representative.

There are three projects which have been started this year by the Student Bar Association which should be interesting to the general student body.

The first of these is the newly formed Swyndlestock Society under the chairmanship of Joe McNabb. The philosophy behind this organization is one of giving the student an opportunity to get together with a member of the faculty on a more personal basis than that offered in the classroom and to confront one another with opinions, ideas and/or general discussion. The meeting place for this faculty-student forum is The "Last Resort" in the heart of beautiful downtown Athens where the food and drink are only of the highest quality.

Unfortunately, the attendance at the first two meetings has not been that anticipated, but if the "stick at homes" would contact those enlightened intellectuals who have attended the sessions, it is certain they will attest to the real worth of the project. The Student Bar Association has officially accepted the "Swyndlestock Society" as an S.B.A. activity and all further meetings will be advertised in an effort to attract the entire intelligencia of "Lumpkin".

Also in the area of faculty-student relations, but on a somewhat different level, progress has been made through the efforts of the curriculum committee.

According to the new plan there will be a student committee for every corresponding faculty committee, and the student chairman for each of these respective areas will sit as a member of the faculty group. Ideally, in each area of school life, the student body will finally have full voice rather than mere lip service. It is strongly urged by the Board of Governors that if any member of the Student Bar is dissatisfied with a particular aspect of the law school, he should approach a member of the Board of Governors in order to voice and



Sen. Herman E. Talmadge
Dedicates The Dunlap Room.

have voiced his dissent.

For the last several weeks each student has received a copy of the *Advocate Advance Sheet* which serves as a weekly newsletter on the one hand, and an editorial sheet on the other. This new publication, which is under the editorship of Pete Prutzman, will ideally serve as a sounding board for certain members of the Law School community to relate their views on any given area.

In its capacity as an information piece of material it was designed to bridge the gap between *Georgia Advocate* publications. The "Green Sheet" is in the initial period right now, but it should be extremely valuable in keeping the student body informed of weekly activity about which they should be interested.

There are numerous other areas within which the Student Bar Association is active, but with this cursory explanation of some of its more recent projects, it is hoped that the student body as a whole will better appreciate the fact that it has a student government which is willing and able to work for it.

CLASS – Cont. from page 9

grade of the class is eighty. The class has done well on the Law School Aptitude Test also, having a high score of seven hundred thirty-two out of a possible eight hundred and an average score of five hundred sixty.

A total of two thousand forty-five people officially inquired about the University of Georgia School of Law, while out of this number of inquiries four hundred sixty people applied, and one hundred fifty-three students were officially enrolled at the school on September 24, 1968.

The class represents many thousands of hours of recruiting work by the faculty of the law school and is purported to be the finest ever assembled. It should be a long and weary road for the students, but after many long months, approximately seventy-five per cent of the entering class will graduate (very conservative estimate, of course).

AID – Cont. from page 4

evaluating their cases. This personal effort and confrontation has a positive effect on the Society's legal representation and the client's attitude.

The history of the Society has been one of impressive expansion as is evidenced by its court appearances. The Society has appeared in all the courts in Athens and Clarke County, courts in eight other counties, the Georgia Court of Appeals and the Georgia Supreme Court, the Federal District Court and the Fifth Circuit Court of Appeals. In addition, the Society sought review by the United States Supreme Court, but certiorari was denied.

This history of expansion causes an awareness of a need for planned future expansion of legal services, and these services will continue to fulfill the two-fold purpose of the Society: free legal services to the community and practical education to the student.

TAYLOR – Cont. from page 5

the Roman Catholic Church and the Papal institution in particular, Professor Taylor examined the positive and negative aspects of such charges. He recalled that the Nazis opposed the atheistic Russian state, any opposition might invoke retribution, and the Roman Catholic Church was of international scope. Further consideration was given to United States and British action—or inaction. Here the framework of *Why Six Million Died* was utilized. Notable was the lack of strong vocal opposition by the American public.

In answering questions from the floor at the termination of the lecture, Professor Taylor examined the possibility of similar United States guilt in Viet Nam, the considerations of whether North Viet Nam might try captured U. S. airmen, and the German legal fraternity's reaction to the Nazis.

Mr. Taylor conducted Criminal Law classes while visiting the Law School: one class featured Electronic Surveillance Devices while another concerned Free Press and Fair Trial.

operated the machinery which has been subsequently damned by man and history alike. For this reason a no knowledge defense could not be allowed those charged.

However, a negative response to such actions was at best difficult since the criminal was not acting against the state but rather was the state. For this and related reasons the Nuremburg tribunal allowed the defense of coercion when appropriate.

The notorious Eichmann trial of this decade brought with it a new perspective. There the witnesses testified as to their personal experiences. Taylor asserted that, as this occurred, the question repeatedly entered the minds of those who observed the proceedings: Why was there no substantial resistance by the Jewish people? If there had been, what would have been the result? Could that result have been worse than that which occurred? Therefore, might Jewish actions have modified German policies to Jewish benefit?

Next the lecturer turned to questions relating to onlookers. Noting the recent play *The Deputy* in which guilt was assessed against

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