

# dicta

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## Senate Bill 1742: SARB

by Dan Yohman

SARB stands for "School Attendance Review Board" and is California's answer to the problem of rising truancy and the school's problem child. Effective January 1, 1975, Senate Bill 1742 (Rodda) is now becoming a reality in and around Fresno County.

Irrelevant (boring) curricula, family attitudes, lack of parent control, weeding out the problem students, and poverty are a few of the reasons students are not attending classes.

Delinquency rates rise and fall with the truancy rates. Truant children fall behind in class work, increasing their chances for failure. School districts are losing money for unexcused absences because state aid is computed on the basis of Average Daily Attendance. Budgets are cut, and programs are affected because young people are not going to school.

The SARB bill mandates that all counties in the state set up a School Attendance Review Board for policy decisions, and discretionary local boards for direct case review of the school's problem cases.

The bill revises Juvenile Court law to require that any person under 18 who is habitually truant, in danger of becoming habitually truant, or who is so disorderly as not to fit into the school system be referred to and screened by the SARB before being referred to the Juvenile Court system.

From its inception, this bill created concern and confusion. School personnel across the state had become used to turning to the courts when all else failed in their efforts to "get Johnny to class." Court was the big club that could be used if nothing else seemed to work.

Representatives of school districts, probation departments, welfare departments, the superintendents of schools, and parents are required to sit on the Board. Most Boards also include representatives from law enforcement, mental health, Big Brothers, and civic groups.

This board composed of individuals and representatives of agencies is charged with reviewing all efforts made on behalf of a child and all other services that might be utilized prior to use of the court system. It is further charged with finding solutions for a child's school problem. SARB brings together on a regular and continuing basis those agencies having prime responsibility for the welfare of children and youth. Only after determining that the entire community has exhausted its resources, could a boy or girl be turned over to the courts. The Juvenile Court will not handle a truant case that has not first been screened by SARB.

The bill has clout. It places responsibility on parents to get their children to school. If parents do not cooperate with SARB

recommendations, a criminal complaint can be filed by the District Attorney's office, and the children can be removed from the parent's custody under Section 600 of the Welfare and Institutions Code.

Critics say this is just another unworkable attempt to make irresponsible people responsible; another bar of the "bureaucratic waltz"; a delaying tactic at best that will eventually disappear in a cloud of confusion and utter despair.

But SARB is a matter of basic due process for the school's problem child. Students all too often have been committed to the court system (probably the most unlikely resource for bringing about positive change for the of-

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Fresno County Public Defender Melvin Nitz, District Attorney William Smith, and California Deputy Attorney General Paul Bishop, before the grand jury workshop is called to order, discuss the remarks each will make.

photo by Jim Gray

### Indictment Procedure Under Fire

## Workshop Examines Grand Jury System

by Gay Abarbanell  
Bruce Owdom,  
Andrew Sorensen

Over 100 persons attended the Workshop on the Grand Jury Process on January 17th in Fresno. The conference was sponsored by the Grand Jury Improvement Committee, the Fresno Community Counsel, the League of Women Voters, and the Women's International League for Peace and Freedom.

Deputy Attorney General Paul Bishop began the program by outlining general concepts. Basically, the grand jury performs two functions — civil and criminal.

The civil function involves the investigation of the integrity and efficiency of county government and the filing of an annual report on its findings.

The criminal function (the one most vociferously attacked) is generally initiated at the behest of the District Attorney and involves the examination of alleged criminal conduct and determination of whether or not there is probable cause to bind the suspect over for trial in Superior Court.

Bishop defended the grand jury concept, especially its criminal function. The indictment procedure, he argued, saves excessive expenditures of time and money. For example, narcotics cases involving many suspects and only one prosecution witness or informant can be taken before the grand jury and within one or two days indictments can be returned or refused. If one information were filed against each suspect, the preliminary hearings could last weeks.

Bishop also pointed out that because the indictment process is conducted in secrecy, those investigated will be spared embarrassment if probable cause is not found. Moreover, witnesses such as government informants, and victims of crimes such as rape avoid the personal danger of public identity or the embarrassment of public testimony.

District Attorney William Smith lent his support to Bishop's defense of the Grand Jury. In his two years in office, Smith has asked the Grand Jury for 32 indictments and 31 have been returned. These figures seem to confirm critics' claims that the contention that

secret grand jury proceedings protect the innocent is largely a myth, because grand juries rarely refuse to return an indictment. But the figures are consistent with those in other counties, in that less than one per cent of all felony cases are taken before the Fresno County Grand Jury.

According to Smith, the Grand Jury is also called upon to return an indictment when the police and the District Attorney's office disagree on the number and nature of charges to be filed.

Public Defender Melvin Nitz was especially critical of the secrecy aspect of the indictment

procedure. He discounted the protection afforded witnesses because they must ultimately withstand the test of cross-examination at trial anyway. Why not, he argued, test and record their testimony at a preliminary hearing? Generally, Nitz felt that the protection of witnesses should not be allowed to outweigh a defendant's right to a fair hearing.

Critics also argued that the denial of fundamental Constitutional rights such as the rights of representation, cross-examination of adverse witnesses, and of calling defense witnesses, in addition to the denial of due

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### V. Salisch Takes Over

## MidYear Prof Shuffle in Crimes

by Patty Noyes

The first-year class in Criminal Law and Procedure will be taught by Mrs. Victoria Salisch for the remainder of this year. Mrs. Salisch is replacing Mr. David Roberts, who taught the class through the first semester.

There is a great deal of uncertainty among the students as to how and why the decision was made to hire a new criminal law teacher. Rumors abound. A number of law students believe that Mr. Roberts' teaching ability was a major factor influencing the decision, and that he was a victim of student activism.

Not so — according to Assistant Dean John Loomis. Mr. Loomis said that the decision was based on scheduling problems. The recommendation of the Faculty

see Hodgkins'

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Committee which studied the matter was that the day class be rescheduled. If Mr. Roberts' court schedule prevented him from meeting that schedule, it was recommended that efforts be made to find a replacement for him. It was decided that the day

class would meet from 9:00 to 12:00 on Wednesday mornings, as was originally scheduled. Since Mr. Roberts was unavailable at that time, a new teacher was hired.

Although Mr. Roberts' competence was not at issue in the decision by the administration, it has been discussed among some of the students since early in the school year. Comments after classes indicated that some students were not satisfied with Mr. Roberts' performance. It is difficult to say how much of this dissatisfaction was a product of students' irritation at meeting on Saturday mornings, and how much was strictly criticism of the

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## Letters to the Editor

### Editor:

When I read the scandalous expose of me in last month's *Dicta* ("Sex and the Single Student," by Dr. H), I immediately consulted my attorney about filing suit for defamation of character. My attorney advised against it, reminding me that unless the charges were false, I had no cause of action against *Dicta* or Dr. H. He also said that any damages to my reputation were nominal, as I had no reputation to protect. So be it.

My attorney did suggest that I counter by exposing Dr. H, who wrote about my private life and parts for what he is: a fraud and a charlatan. Dr. H. only recently received his degree in psychiatry from the Carter's Night School of Psychotherapy (the same folks who used to sell those little liver

pills). He has been permanently enjoined from practicing medicine in all 50 states, and I have it on good authority that he was ousted from Casablanca for performing sex-change surgery with pinking shears. He is currently in Hong Kong filming a sleazy, pornographic flick entitled "Snow White and the Seven Acupuncturists."

I hope readers of *Dicta* will forget all about "Sex and the Single Student." It didn't help that you published my picture. Females recognize me everywhere. I have already received invitations from women of all ages offering to help me out of my current "slump." They keep talking about crossing the Rubicon and achieving heights of glory. All I really want to do is pass the Bar.

Mr. X,  
law student

## A Time For Action

The San Joaquin Law Wives Association recently sent a flyer around campus notifying the law wives that the schedule of monthly meetings is "now canceled due to lack of attendance . . . As in the past, there is just no interest in regular meetings." Although some plans are being made for a family picnic in April, the Wives Association may well be breathing its last.

Times are changing. Yet, a great many of the San Joaquin students not only attend classes, but also work 20 to 40 hours a week. The wives who "put up" with the program undoubtedly undergo great hardships — often knowing little about the campus events or the families or other students. Non-student spouses must frequently wonder if the pain is worth it.

The Wives Association is a

needed dimension for any growing law school and should not be allowed to fold. A Wives Association is a good way for spouses to be reminded that they are not the only ones enduring the test of jobs, housework, children, and husbands with heads in the books. A Wives Association is also a natural way for the message and meaning of a law school to reach the total community.

If the San Joaquin Law Wives Association is worth keeping, perhaps it is time the school, through its officers and faculty, provide some support and assistance in promoting this program. While difficulties of being a tired working wife, lack of proper child care, and an already "too busy" household are problems, they certainly should not be enough to cause one real medium for school-community communications to die.

Dan Yohman

## Song of a First Year Law Student after Midterms... Or "Will I Ever Be Normal Again?"

There is an immediacy about midterm exams which can be understood only by someone who has experienced the first year of law school. Others not in the know might foolishly ask: "Why are you getting so uptight if they don't even count?" Only a law student could understand the devastating effects of those exams. And only a law student could fully appreciate the sweetness of the long break which follows them.

For me, it was the first chance to enjoy leisure in well over a month. To just sit and space out and not hear my nagging conscience or the voice of paranoia urge me to study was a kind of nirvana I doubt most gurus have ever experienced.

The first morning of semester break I awoke to discover that the thoughts flashing across my mind were of toast and tea — not promissory estoppel. I knew for the first time in weeks I had dreamed of things more interesting than contracts. I didn't even feel compelled to reassure myself that sleep hadn't stolen the fruits of my labors, by rattling off quick definitions of offer and acceptance.

I must confess that the transition wasn't all easy going. Several times throughout the first day I noticed the effects of withdrawal when my arm shot up to reach for a book. I had to struggle to bring it back to my side, like the ex-Nazi, "Dr. Strangelove," who still had the urge to salute the Fuehrer.

My own compulsively obedient studying had left me with a fanaticism and no object to direct it toward. I quickly realized I'd better find some way to channel my energies, so I started making Christmas cookies. Sometimes between the twentieth and twenty-third dozens, I started to feel the positive effects of this therapy and began to return to something approximating normalcy.

So I packaged up my Spritz cookies in little bundles and began delivering them to the good people I hadn't had time to see since I started law school.

—Patty Noyes

## Solutions Suggested for Faculty Problem

There is a problem that exists at our school which requires attention. It appears that a small minority of the professors at SJCL have difficulty working in with their busy schedules the class they have contracted to teach.

While credit must be given to most of the professors at SJCL for their successful juggling, it appears that others are constantly dropping the ball. When such a fumble occurs an interesting piece of irony happens. It is not the professor who suffers, it is the students. Invariably, when a professor can't make a class the students suffer. Then to add insult to injury they say, "we'll have to make up this class," which means that they have decided to call a class on Tuesday or Saturday. This, "I can't make it and, therefore, you must suffer attitude," should not be allowed to continue.

It must be admitted that the administration over the last couple of years has been responsive to the grievances of the students with regard to such problem professors. Recognizing that a teaching job by its very nature is unsupervised, the administration has impliedly admitted that students are in the best position to evaluate a teacher. Yet this appears to be a partial solution, after the fact. By the time that such a problem is rectified at least half if not three-quarters of the school year is over. As a result the students, in that particular class, are left to fend for themselves. Since the law school curriculum does not provide for retaking a class, each individual student in that class can only hope that what he learned on his own was enough.

What about some preventative medicine? Instead of allowing a fumbler to prevent the class at all, is there anyway that such a problem can be spotted before he is hired? Inherent in a young law school like SJCL is the need to use practicing attorneys as professors.

One shot in the arm would appear to be a closer, examination of the attorney's ability, time wise, to teach the class. The use of such a criterion would not be as difficult as it may seem. Factors such as, how often the attorney goes to court, how many hours a week he presently spends on his practice and other similar questions could be asked. Although it may seem unfair to categorize a person as ineligible to teach because it has been determined that he is too busy, there are factors on the other side to consider. As mentioned above, if a professor can't put a class together the students in the class suffer, not the professor. If the class is a "bar class," those students may have suffered more than they are presently aware of.

Another shot in the arm, in the form of preventative medicine would be an objective look at all of the applications of attorneys that apply for teaching positions. It becomes readily apparent to any student after a while that most of the professors at our school are personal friends with one of the big three. Of course the administration should be allowed to hire whomever it wants, but in the interest of fairness and quality teaching, all applicants should be considered equally.

If the above suggestions are put into effect the result can only be a better teaching staff at SJCL.

—Marshal Hodgkins  
ASB Vice-President

### Law Student's Wife

*i wait for you  
to look up  
from your WEST Publications  
but i know  
if you screw me  
you'll screw yourself  
since  
you'll need every  
minute  
to retain  
your class status*

—Z.M.

### Wet Dog

*My tears drip  
through the cracks between your fingers.  
You shake them off  
as a dog coming in doors  
shakes away the rain.*

—Ruth Ann Wishik

From the woolsock, University of San Diego, School of Law

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# dicta

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Dennis Mederos  
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Michael Meyer

# The Secret Life of The Fifth District Court of Appeals

San Joaquin College of Law and the California Fifth District Court of Appeals have recently instituted an arrangement whereby third- and fourth-year law students may work eight hours a week for thirteen weeks as legal interns in the appellate court. Students receive one unit of credit for such work, which consists of checking citations, quotations, and facts in appellate opinions before they are filed. Kathy Hart, a third-year student, is the first representative from San Joaquin to participate in the program. She reports the following:

## Getting There is Half the Fun

Attorneys never tire of making jokes about how law students can't even find their way to the courthouse. "At least," I thought while setting off for my first afternoon's work at the Fifth District, "I know my way to the Courthouse." Only after checking out every courtroom, hallway and hidden chamber of the County Courthouse did I realize I had the wrong building. One passerby suggested the Federal Building, another the Crocker Bank Building. Forty-five minutes later I found myself in the right place — the fifth floor of the State Building. After swearing out a State-required loyalty oath on a stack of legal briefs, I sat down to contemplate my first lesson of the internship:

*Know your way to the Courthouse. There may be more than one of them.*

## You Will Be Presumed Competent

The second lesson learned was that when in doubt, say nothing; when confident, say little. Just as a criminal is presumed innocent until proved otherwise, an appellate court intern is presumed competent until there is evidence to the contrary. Therefore the less you say, the less wanton your ignorance will appear.

You must be careful, however, that your eyes do not glaze over as hundreds and hundreds of case names you have never heard of are tossed about like beanbags at a picnic.

Now, comparing the appellate court to a picnic is not intended to cast any disrespect on such a noble and proper establishment. Far from it. I have seen no evidence of potato sack races or potato salad eating contests at the Fifth. Rather, the metaphor is intended to suggest the ease and familiarity with which the judges and staff attorneys approach the law. Cases and legal principles with which law students have only a stilted acquaintance, if any, are like best friends to the appellate court staff. And when they do toss the beanbags, they are kind enough not to yell "Butterfingers" at you when you fumble and can't remember *Rochin* from *Chimel*.

## Of Shephardizing and Split Infinitives

The eight hours per week that you put in at the court consist of checking the legal opinions prior to filing to make sure that quotations are reproduced correctly, that facts are in accordance with the trial court's findings, that case names and references are accurate, and that no cited cases have been

overruled. You may also check for split infinitives, if you have a penchant for that sort of thing. You work with a mountainous stack of material consisting of reporters' and clerks' transcripts and appellants' and respondents' briefs.

Before an opinion is filed, every fact and date recited must be checked against the transcripts. Even if you've never written an appellate brief, if you've ever written a term paper you know the kinds of errors that can creep in unannounced as draft after draft is retyped.

The checking process is time-consuming, but it's a good way to review points of law you never learned properly in the first place and to discover new points of law you know you will never understand in the second place. Those of you who used to read novels but had to give them up for law school will appreciate one of the fringe benefits of this job — reading the trial transcripts. And if you have children, so much the better. Tales of heroin busts, dope rings, informants, and assaults may not be the most salutary grist for the bedtime mill, but if children are too old for *Goldilocks* and too young for *Peyton Place*, appellate criminal cases fill the void.

—K.H.

## Brewer Does the Job

# Promotional Groundwork

by Charles Brewer

When this academic year began one thing became apparent to those with a stake in the future of San Joaquin College of Law: the need for increased student enrollment, particularly in the day school. The attraction of greater numbers of qualified applicants, it seemed, would meet this need.

To this end, I approached the administration in October with some ideas which led to my involvement in this effort. I viewed the program's objectives as twofold: first, to spur interest in and recognition of our school and thereby effect increased enrollment in future years; second, to provide a service to the academic community of Fresno and the state by disseminating information concerning a local graduate-level professional school of quality and distinction.

In the interim weeks five different approaches have been applied to this promotional program. First was participation by San Joaquin in various college and university "Pre-professional/Graduate School Recruitment Day" seminars and the like. This is the traditional method used throughout the state, wherein each school is given a booth to sell its wares. This approach can produce applicants to participating schools if it is well-organized and publicized by the hosting institution. However, even if it is not so productive, the mere exposure of our school of law to the academic community throughout the state may be important at this stage of development.

A second approach has been a one-hour presentation for all

students considering law school, wherein a talk is given, and the floor is opened for questions. This has the advantage of focusing the prospective applicants' undivided attention on our school. However, it seems to require more planning and diplomacy from our end, more cooperation and interest from the host.

Third, we tested an approach captioned "Operation Feedback," wherein fellow students willing to spread the news of San Joaquin's existence, attributes, and curriculum returned to their alma mater disseminating information to students through befriended, former professors. The potential

for results here which are significant "feeder facilities" for San Joaquin, such as California State University Fresno.

Fourth, a room in FSU's Student Union has been reserved for an entire day, preceded by several ads featured in the school paper announcing the coming visit. This method has the advantage of individual, private talks with interested students, which often is a more effective means of communication. However, it normally involves more time and personnel than the one-hour group approach.

Finally, complimentary bulletins, informational flyers, and promotional posters are being sent to pre-law advisors of nearly all colleges and universities in the state.

Only time will reflect the success or failure of these efforts. One might point to current applications as an indicator. We have received more than four times as many day school applications as we had received by this time last year.

I have invested four years in San Joaquin College of Law, and experienced its growing pains, its history-making accreditation, and its gradual improvement. Increased enrollment of students qualified to go all the way will allow expansion of facilities, faculty, and curriculum, which should spur continued improvement and make goals, such as ABA accreditation, more easily attainable. This is an area where anyone with a stake in our school's future can in some way make a contribution. I challenge you to do so.

# Your Bar Horoscope

Check your birthdate and corresponding Zodiac sign to find out your prospects for passing the Bar

## ARIES (MARCH 21-APRIL 19)

For four years you will fool everyone with your wit, charm, grace, and intelligence. Everyone, that is, except the Bar examiners.

## TAURUS (APRIL 20-MAY 20)

Present pessimism is well-grounded and will pave the way for tomorrow's gloom. Mercury and Pluto are in ascension, indicating it might not be a bad idea to take your typewriter repairman with you to the Bar exam. You will need him after you have thrown your Royal Electric at the Bar examiner.

## CANCER (JUNE 21-JULY 22)

Listen to advice carefully: STOP. Do not remit the San Joaquin College of Law any more money; sell your used lawbooks to your trustee in bankruptcy, and get thee to a nunnery.

## GEMINI (MAY 21-JUNE 20)

Don't allow present success to deceive you. Sorrow and panic lurk in the shadows of the future. Take a large bottle of tranquilizers with you to the Bar exam. You will need them before, during, and after—assuming there is an after.

## LEO (JULY 23-AUGUST 22)

Prepare yourself for changing fortunes—a change for the worse, that is. You have many enemies who wish to see you fail the Bar exam. Work hard, and you won't disappoint them.

## VIRGO

## (AUGUST 23-SEPTEMBER 22)

Your diligence will be temporarily rewarded, since you will pass the Bar with ease. Don't be deceived by temporary success. The lines at the unemployment office are long. Next time try carpentry, used cars, or transcendental meditation.

## SCORPIO

(OCTOBER 23-NOVEMBER 21) Pay no heed to dismal forecasts such as these. Put your best forward, and you will make a fine Kinney's Shoe salesman.

## LIBRA

(SEPTEMBER 23-OCTOBER 22) You seem to be fixated on the ladder of success. For you, a more appropriate life metaphor is the hangman's noose. Practice tying square knots. The skill may come in handy after the Bar exam.

## SAGITARIUS (NOVEMBER 22-DECEMBER 21)

Remember MacArthur's famous words: "I shall return!" Rehearse it well, as it will be your exit line from the Bar exam.

## CAPRICORN

## (DECEMBER 22-JANUARY 19)

Your innate good luck will get you through the multi-state, but "eeny, meeny, mienny, mo" will get you no place on the essay portion. Nor will practicing your penmanship. Cultivate other skills.

## AQUARIUS

## (JANUARY 20-FEBRUARY 18)

Remember how Alexander wept because he had no more worlds to conquer? When your Bar results arrive, you will weep for other reasons.

## PISCES

## (FEBRUARY 19-MARCH 20)

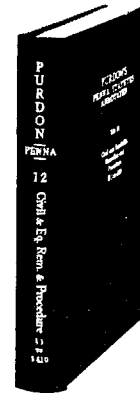
Remember Scarlett O'Hara's famous words, "Tomorrow is another day." Remember MacBeth's famous words, "Tomorrow and tomorrow, and tomorrow, Creeps in this petty pace from day to day." Remember Santa Claus' famous words, "Yes, Virginia, there is a tomorrow." You may not think so after your Bar exam.

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## Reforms Proposed

## Grand Jury Workshop

process and equal protection, requires the abolition of the grand jury's criminal function.

Suggested reforms are diverse. One workshop participant asked whether the rights of the accused could be observed within the indictment process. Bishop thought that system would be unworkable due to the confusion it would cause for lay grand jury members in the absence of a qualified person to preside over the proceedings.

Legislation (AB 352) pending in the legislature would require six California counties (those with populations of over 700,000) to have separate civil and criminal grand juries. In 22 counties the presiding Superior Court judge would have the option of seating two separate grand juries or one dual panel (for the criminal and civil functions). In the 30 counties with fewer than 100,000 residents, a similar option would exist, but the judge wouldn't convene the indictment panel except upon the request of the district attorney or the state attorney general.

AB 352 would require random selection for all separate indictment panels and for most dual panels. Under the present system, grand jury panels are generally selected by Superior Court judges by a process allowing almost complete discretion, which tends to result in the under-representation of minorities, low-income persons, women, and young persons. Last August a Merced judge found the

Fresno County Grand Jury unrepresentative of the population and suggested the selection of panels from voter registration and trial jury lists. (The judge, however, denied a motion to quash an indictment because there was not a deliberate effort by Fresno judges to exclude any group.)

The workshop groups formulated recommendations for reforms to be presented to the Board of Supervisors. It was the consensus of the participants of the workshop that the criminal indictment process of the grand jury be deleted. This opinion was reached on the basis that 1) due process is denied the defendant, 2) equal protection of the laws is denied the defendant, 3) blue-ribbon grand juries are unconstitutional, 4) the secrecy in which the grand jury functions is illusory and usually actually nonexistent.

It was also recommended that the civil investigative powers of the grand jury be given some teeth, such as increased pay for grand jurors, and funding for the purpose of hiring private counsel to file suit in their behalf where their investigations warrant such action. Obviously, this means authorization to follow through in this manner, where necessary. It is felt that at least an executive officer should be paid permanent staff.

It was further recommended that the grand jury's name be changed. As it is now, it tends to

bias the layperson, who hears that a grand jury has taken a stand on something, in favor of the grand jury's findings. It is also misleading in that it is an appointed arm of the legislative branch of local government, unlike most juries which are related to the judicial branch.

Another recommendation was that the terms of the grand jury members be modified so that more continuity is afforded their efforts. This might be accomplished by staggering appointments and by lengthening the terms to at least two years. This would also enable them to develop more expertise which they could apply to their task by carefully selecting which offices of government they investigate each year. Their function should also be expanded to allow them the power of overseeing all local government bodies, not merely county (and city, a power which they now have but don't use).

It was also felt that the people need to be educated as to their rights regarding the operation of the grand jury. Publicity of the grand jury functions would ensure that the people get the most for their money from the grand jury. This would also aid the last area of modification which is the selection process of the jurors. It was recommended that they be allowed to volunteer, in writing. This would allow interested citizens as well as groups to put forth names of citizens for consideration.

Senate Bill  
1742: SARB

fender) without any clear standards for judging unacceptable behavior and with very little accountability on the part of educators and school administrators regarding their attempt to solve a child's problem. The busy day's schedule and the frustration of months and even years of attempting to "lead the horse to the water" often made it all too easy to write off certain students as not amenable to school life. Suspension became the tool for handling the truant. "Remove the child before he pollutes the good students" became the unwritten policy....

SARB is a way of getting schools (which command 16000 hours of the average child's life) and communities to take another look at teaching methods and approaches before asking for the wardship label.

Communities should not be allowed to make delinquents out of young people who often are rightfully bored, who are plagued with learning disabilities and irresponsible parents, and who find school a failing experience.

SARB won't solve truancy, but it may put the problem in perspective and give communities a breath of fresh air in approaching this frustrating social problem.

## Criminal Law Shuffle

quality of teaching.

The administration was made aware of some of this dissatisfaction by two students who filed a formal complaint early in the year. There was also some unofficial, anonymous criticism. The administration's response was to have Dean Eymann visit the class to evaluate the situation. Marshall Hodgkins, Student Association Vice President, also visited the class. It was decided that the class was being taught in a satisfactory manner. The Dean and Assistant Dean then met with Mr. Roberts, and they informed him that it was not possible to continue holding classes on Saturday mornings, because state regulations prescribe that the day school classes must meet during certain hours and on weekdays. Mr. Roberts indicated that he would make a serious effort to solve the problem.

However, class still met on Saturday mornings off and on, when Mr. Roberts' court schedule conflicted with the time originally scheduled. While most of the members of the class agreed that meeting on Saturday mornings was a problem, opinions as to Mr. Roberts' teaching ability were quite varied. Some students found Mr. Roberts to be a challenging teacher, who was interested in students' progress and willing to adapt his methods to meet their needs. Others were unwilling to evaluate him because they felt that as students they were not in a position to pass judgment. Still others stated that if they learned criminal law, it would be despite Mr. Roberts, not because of him. Those who were critical thought that he was not always prepared for class, that he did not treat some students in a respectful manner, or that he was teaching esoteric material that was inappropriate for first-year students.

The lack of consensus was apparent in the responses to teacher evaluation forms which the class filled out. While some students saw a problem, others were satisfied. A significant number of students did not even fill out the evaluation forms. Thus, there was clearly no expressed desire for a concerted effort by the class to effect change.

However, a group of three students who were still concerned met over the semester break to make a complaint to the administration. They wrote a formal grievance detailing their criticisms. This was not a petition, and had not been seen by most members of the class. Some students who were not involved in its preparation feared that the letter was represented as an official report. According to Mr. Loomis, it was not given a great deal of weight in the decision. It became unnecessary for the administration to decide what to do with the grievance, because the scheduling problem reared its ugly head again at the start of the second semester. In an effort to stop the Saturday morning classes, the administration had rescheduled Criminal Law for Wednesday and Friday mornings from 7:30 to 9:00. There was much ado among the students

when they received this news. The early hour would have been very inconvenient for some, and practically impossible for others.

When asked why that time had been chosen, Mr. Loomis explained the difficulties of finding a time convenient for students and teacher when the rooms were not in use by Pacific College. He added that he and other faculty members had attended classes at that hour at their law schools, and they had not foreseen that San Joaquin students would have such difficulties in getting to school by 7:30 a.m. In retrospect, Mr. Loomis recognized that our student body is somewhat atypical, because more people have families and other responsibilities which are not common to students at many other law schools.

Mr. Loomis also commented that the whole process of settling this matter did not work as smoothly as he would have liked. He pointed out that the responsibilities which members of the administration and faculty have with their law practices make it difficult for them to keep their finger on the pulse of student problems.

This lack of communication among all the groups involved in the school is reflected in the comments of nearly everyone. Mr. Roberts expressed disappointment that the administration did not communicate to him what was transpiring until after the fact. Some students have also voiced dissatisfaction with the way they received news of the matter. The grapevine means of communication is notorious for distortion. Some students said they felt that a minority of students were instrumental in bringing about an unjust result. Others have stated that the result was good, but they are critical of either how long it took, or the way it was brought about.

Since the faculty and administration and many of the students at SJCL devote only part of their time to the law school, it is perhaps inevitable that there will be some difficulty in establishing lines of communication. However, this situation seems to have pointed out the need for all groups concerned with the school's welfare to expend more efforts in that direction.

*While I was working on this article, a number of students suggested to me that enough attention had already been focused on the issues examined in the article. They felt that it would have been better not to discuss the subject in the paper. After considering their suggestions, it still seemed to me that this was an important item of news which was deserving of coverage. It is in this spirit that I have attempted to report the matter. p.n.*

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