SAN JOAQUIN COLLEGE OF LAW

SAN JOAQUIN COLLEGE OF LAW 1717 SOUTH CHESTNUT AVENUE FRESNO, CALIFORNIA 93702

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FOR YOUR INFORMATION

WHO'S WHO AT SJCL

by Mary Ann Bluhm

The San Joaquin College of Law is a private, non-profit institution for legal education. It was founded in 1969. SJCL is a fully accredited law school in the State of California.

The Board of Trustees of SJCL is responsible for ultimaté decisions of school policy including such matters as administrative and educational goals and guidelines, faculty selection and termination, growth, future building projects, financing, etc. The Chairman of the Board of Trustees is Vance L. Clark. The other Board members are William A. Buzick, Jr., Michael Cardenas. Donald R. Franson, James T. Hallowell, John E. Loomis, Leon S. Peters, Leland D. Sterling, Oliver W. Wanger, and Arthur J. Wiebe. The Board of Trustees meets quarterly, with meetings generally held in the months of March, June, September and December. The next meeting of the Board of Trustees is scheduled for December 13, 1977. In order for an item to be placed on the agenda of a Board of Trustees meeting, it must be submitted in writing at least 15 days before the date of the meeting.

The College of Law Advisory Board is composed of the following members: M.D. Crocker, Donald Fretz, Leonaard M. Ginsburg, Russell Giffen, Jack L. Hammerberg, Mrs. Joseph W. Levy, Charles A. Looney, Mrs. Seymour Mathiesen, Leonard I. Meyers, Ralph Moradian, Ben Nakamura, Robert R. Rosson, William E. Spaulding, Mikio Uchiyama, Walter Wagner, and Philip H. Wile.

The two-man administration at SJCL consists of Dean John E. Loomis, and Assistand Dean Oliver W. Wanger. The administration meets at least once a month to consider the various adminis-

trative and financial matters which arise concerning the school.

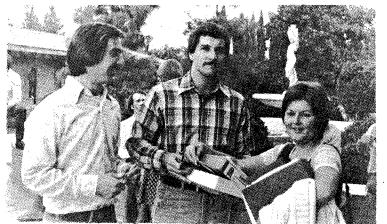
The faculty of SJCL is made up of adjunct professors and adjunct assistant professors. The classification of adjunct professor is reserved for those instructors in substantive courses who have three or more years of law school teaching experience. An instructor of a substantive course having less than three years of law school teaching experience is classified as an adjunct assistant professor. The following instructors are adjunct professors of law: Hollis G. Best, John E. Loomis, James R. Luppino, Richard E. Salisch, L. Stanley Tuccori and Oliver Wanger. The adjunct assistant professors are Barry J. Bennett, Timothy Born, Anthony Dennis Caeton, Michael W. Case, Norman Fletcher, Mary Louise Frampton, James V. Henry, Donald Horvath, John H. Missirlian, Victoria J. Salisch, and Lawrence E. Viau, Jr.

Matters of faculty appointment and classification are originated with the Faculty Committee. The Committee makes its recommendations to the administration, who, in turn, recommend appropriate appointments to the Board of Trustees. The Faculty Committee is composed of those members of the faculty who are adjunct professors. Richard E. Salisch is the Chairman of the Faculty Committee.

Susan K. Wanger is the registrar of the school, and Dorothy A. Norman is employed as the law librarian on a part-time basis.

There are 116 students enrolled at SJCL for the academic year 1977-1978. Student Body President, Dan Koontz, presides over all meetings of the student association and student board. He also attends all faculty meetings and Board of Trustees meetings as an ex-officio member. The other stu-

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President Koontz giving a word of wisdom to fellow students.



Class of '81 Photos by Luck

KOONTZ WELCOMES ROOKIES

ORIENTATION '77

by Daniel Koontz

Orientation for the new freshman class at SJCL was held Aug. 25. It has been customary for the Student Association to offer this program in hopes that it will ease some of the pain of the first year of law school.

This year's program was organized and narated by Greg Myers, who is a 2nd year representative on the Student Association board. Greg's program took specific aim at preparing the students for the shock that sometimes comes when first year students are asked for their first week to read 500 pages and brief 50 cases.

The presentation included an opening statement and greeting by Student Association President Dan Koontz. President Koonts showed why he is floundering in law school . . . it is obvious that he is moonlighting as a standup comedian in some obscure Fresno nightclub. Dan in his attempts to relax the obviously nervous crowd resorted to such interesting phrases as "the law is like a jealous mistress", and the very humorous quip, "traditional notions of fair play and substantial justice" to keep the audience in stitches for the duration of his cleaver

Not to be outdone vice president

of the Student Association Jim Weakley took his turn at the lecturn. Jim discussed the extra curricular opportunities that were being offered to first year students. Jim stressed some of the new clubs that have been formed on the campus such as his favorite, the SJCL Study Club. Jim stated that the Study Club this year will be looking at ways to get around the rule of Hadley v. Baxendale and also how to institute the defense of frustration into criminal law.

Some very helpful statements were made by 2nd year student Linda Bonnet. Linda's presentation dealt with suggestions concerning how to study in law school. Linda, who is at the top of her class, academically discussed various methods of approaching the vast amount of material that will be expected of the 1st year students. During the course of her presentation an outspoken 1st year student asked about "canned" outlines and briefs. It was pointed out very ably by Linda that such superficial aids had no place in such an institution of legal learning. In fact as all we studeents know, these so-called learning aids are in fact part of a "leftest plot" aimed at destroying the law students ability to think and be creative. It is for this reason, Linda pointed out, that so few students use these useless devices.

If at this point the "rookie" students were not completely baffled,

the last subject of the evening was waiting in the wings to do just that. "How to take an exam" was the title of the presentation by 2nd year student Bob Giovacchini. As all law students know, one of the most fun things about law school is final exams. All law students also know that a few simple hints will assure even the most questionable law student an excellent grade. With this in mind Bob gave a few simple rules. Perhaps it would be helpful for all the law students to remember what these rules are. Briefly the rules are: (1) spot the issue, (2) know the law, and (3) write your answer as if you were a Supreme Court Justice. As Bob pointed out the worst thing that can happen if you flunk an exam is that you may have to go before the faculty committee and ask if you can take it over.

At the culmination of the program it was agreed by all that the information and ideas conveyed would make the first year a snap. However as one views the glasseyed, stoop-shouldered first year class staggering to and from class one has to ask if there was perhaps something that we left out of the orientation program. Or perhaps is it possible that the first year of law school is not as much fun as we made it out to be at orientation?

In conclusion this author had better make a few things straight.

Continued on page 4

HELP WANTED

A law firm commanding position of standing requires a general clerk — One who's admitted to practice, and fitted to handle diversified work:

Must know the proceedings relating to pleadings, the ways of preparing a brief; must argue with unction for writs of injunction as well as for legal relief.

Must form corporations and hold consultations, assuming a dignified mien; should read each decision and legal provision wherever the same may be seen.

Must analyze cases and get at their basis, should never be idle or slow; must manifest learning in all things concerning the matters referred to below:

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Franklin Waldheim

A Total Commitment to Human Rights

By Bob Sherfy

Those in the media who express a commitment to human rights give a great deal of attention to repression by rightist dictatorships around the world yet remain silent in many instances where atrocities are being committed in rightist and leftist controlled areas in (a) countries we choose to ignore and (b) countries we know little about.

Two cases in point will be examined here: Cambodia and Equatorial Guinea.

What have we heard about Cambodia recently? Very little. Granted, the new regime has attempted to impose a blackout on all news coming from the country. Nevertheless, enough is known to inform the American public and the rest of the world that the worst has come to pass and that Cambodia is now truly one large concentration camp.

The population of Cambodia as of two years ago, i.e., when the war supposedly ended, was about seven million. Today, it is roughly six million! Estimates on the number of people who have died range from 800,000 to 1.2 million.

The new ruling Communist class in Cambodia is known as the Khmer Rouge. Upon gaining power, they instituted a forced evacuation from the cities. People were forced to march on foot, without water or medicine. Many died from exhaustion or malaria. Many were shot. Patients were even forced from hospitals.

Anyone associated with the old Cambodian culture was marked for elimination. Students, teachers, in fact anyone who could be classified as "educated" have disappeared. The Khmer Rouge have made no distinctions between intellectuals who supported the old order and leftist who were opposed to it. They have all been killed.

In present day Cambodia, the societal structure has been greatly simplified. Guards, dressed in black and armed, keep vigilance over huge masses of people who either toil in the rice fields or manually build dams and canals.

According to informed reports, hunger is the order of the day. Adult rations consist of a coffee-cup-full of rice per day with soup at noon and night. Cooking at home in the countryside is prohibited. Food is distributed by the authorities. Meat and fish are permitted food only for the Khmer Rouge. If a peasant is sick to the point where he cannot work, he is

warned that he is setting a bad example, and, if he is unfortunate enough to be sick for a week, he disappears.

The Khmer Rouge is known generally as the "organization". In other Communist countries the leader or the party is supreme. In Cambodia the foreboding and sinister organization controls everything.

The big question is, Who controls the organization? It has representatives in each village who are answerable to the chief of a four-village group. He, in turn, receives orders from the chief of four four-village units. This process continues up until . . . who? or what? . . . no one knows.

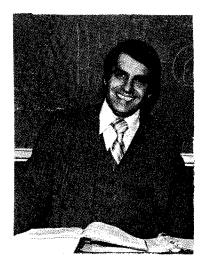
Equatorial Guinea, located on the west coast of Africa is a country most of us know little, if anything, about. The nation gained its independence from Spain in 1968. At that time the population was approximately 400,000. Today the figure stands at 250,000. Of the original 400,000 about 10,000 fled the country after an overly ambitious dictator flanked by officially supported youth gangs took control of the country. That leaves fifty thousand that have fallen prey to the new regime. One opposition leader died of gangrene after his eyes were gouged out.

In order to curb the flow of refugees, even fishing has been banned. Only two doctors remain in the entire country. The nation's dictator has proclaimed himself president for life while the youth gangs roam the streets killing and raping at will.

I believe that we, as Americans, are unaware of many situations

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NEW INSTRUCTORS



This year SJCL has three new instructors: Honorable Anthony Caeton, Timothy Born, and Michael Case.

Judge Caeton is giving the first

Judge Caeton is giving the first year class the benefit of his years in the D.A.'s office while teaching Criminal Law. Judge Caeton, who just recently began his duties on the Fresno Municipal Court Bench, is taking the spot formerly held by Victoria Salisch, who is now teaching the Community Prperty class.

Tim Born, a graduate of Notre Dame and UCLA Law School, is taking the task of the Trusts, Wills, and Future Interest Class. Born is in private practice in Clovis.

Michael Case had little notice before becoming the new Corporations Instructor at SJCL. Mr. Russel who had planned to teach the class was forced to withdraw thus necessitating the need for a substitute. Much to Case's credit, he has taken over with little apparent problem. Mr. Case is in private practice in Fresno.



Clockwise from upper left: Honorable Anthony Caeton, Tim Born and Michael Case.



SICL DICTA

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"FOR THE GOOD OF THE PEOPLE"

by Elizabeth Davis

"It is the duty of an attorney . . . (h) never to reject, for any consideration personal to himself, the cause of the defenseless or the oppressed," (Business and Professions Code, Sec. 6068 (h). As a means of implementing this stated duty of every attorney, a committee of the State Bar came to Fresno on September 14 to hold hearings on its proposed voluntary pro bono program.

The voluntary program was developed by the Bar Special Committee over the past year as an alternative to the mandatory pro bono bill (AB 4050) introduced in the legislature last year. "Pro bono" comes from the Latin phrase "pro bono public" meaning "for the good of the public."

The report of the Special Committee cites figures showing that "poor persons do not have access to legal representation equal to that enjoyed by the rest of our society," yet the poor need legal help just as much as the non-poor. Legal aid programs offering free legal aid to the poor exist in only 33 out of 58 California counties.

The goal of the program is that every active attorney in the state voluntarily spend forty years per year providing legal services for free or at substantially reduced fees in four specified areas of the law. These four areas are: poverty law, civil rights law, public interest law, and charitable organization representation.

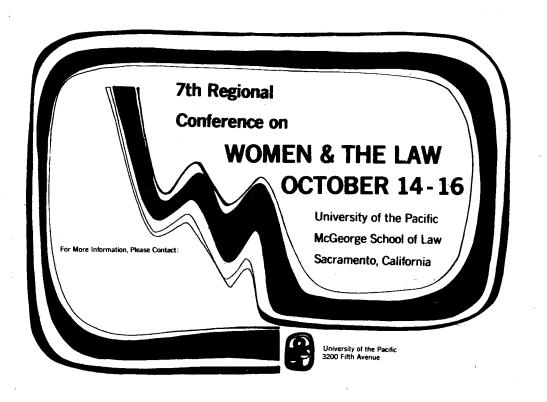
Additionally, the attorney may give his hours in administration of the legal services program. As an alternative to giving of his hours, attorneys could give financial donations to organizations which provide the kind of free legal services already listed. The suggested amount tor such tinancial contribution would be \$200-\$1000 a year depending on the attorney's income (actual cost of forty hours of a legal aid attorney's time is about \$770).

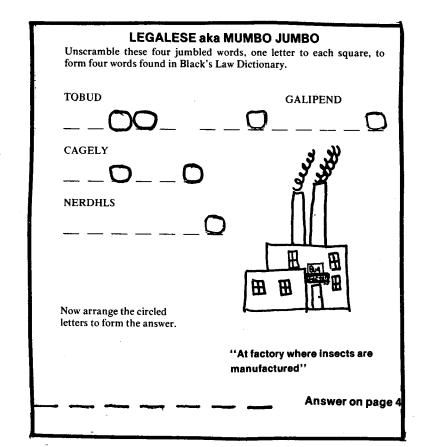
The means for implementing these goals is expanded use of Lawyer Referral Service (LRS), and low no/fee panels. Such panels will be required of all LRS programs, unless the local Bar has a pro bono program which essentially achieves the goals of this program.

Numerous objections were voiced to the pro bono program at the Fresno hearing: why should attorneys be singled out among professional groups to give free services, attorneys are already performing pro bono services, the State Bar is getting involved in too many areas where it should not be involved, who will be defined as poor, what about the middle income groups who can't afford full private fees, state government is better able to finance such a program than the State Bar and private attorneys, what about malpractice coverage for attorneys performing the pro bono work.

In response to a question concerning the constitutional question of involuntary servitude raised if it is mandatory that attorneys perform pro bono work, one speaker made the distinction between regarding the practice of law as a privilege or as avested right. If the practice of law is regarded as a privilege for which the attorney is licensed by the state, the state has the right to impose as a condition of that license that a certain number of hours of pro bono work be given by the attorney.

The privilege concept of the legal profession finds support in Canon 2 of the ABA Code of Professional Responsibility. Canon 2 lists among the functions of the legal profession, "to assist in making legal services fully available." Canon 2 goes on to state, "Every lawyer, regardless of professional prominance or professional workload, should find time to participate in serving the disadvantaged. The rendition of free legal services to those unable to pay reasonable fees continues to be an obligation of each lawyer... Every lawyer should support all proper efforts to meet this need for legal services."





Human Rights

such as those in Cambodia and Equatorial Guinea because of the selective reporting of the news media.

A commitment to human rights is a noble cause. We who believe in such a commitment should use our efforts to demand that exposure of all atrocities in all parts of the world be revealed rather than what the media chooses to present to the public. Situations such as those mentioned in this article make the conditions in South Africa and Rhodesia, unjust as they are, seem minor by comparison. Let us hope that the media will begin to put world affairs into proper perspective and not continue to report only the news that reflects its own leftist political views.





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THE DEAN'S CORNER

By Dean John Loomis

I am pleased to accept the invitation to contribute a few remarks to the Dicta on a regular basis. During the course of a year a goodly number of events take place which I have previously felt frustrated in the lack of a means to communicate them effectively to our students. Two such events are now in my mind, and I welcome this opportunity to reflect upon them.

First of all, we are beginning a new academic year. I am pleased and gratified to see so many familiar faces in the library and on the campus. Welcome back for another round. I also am pleased to meet the new first year group and welcome you to the endeavour you've elected to undertake. I wish I could express my sentiments individually to each student.

Secondly, I want to share with you my recent visit as an observer at the Committee of Bar Examiners meeting with the graders of the last Bar Examination. This session ran some twelve hours. It was attended by the Committee, some dozen law school representatives, the dozen re-readers and virtually all of the sixty readers. I was singularly impressed with the seriousness and dedication of all of these people with respect to the task they have.

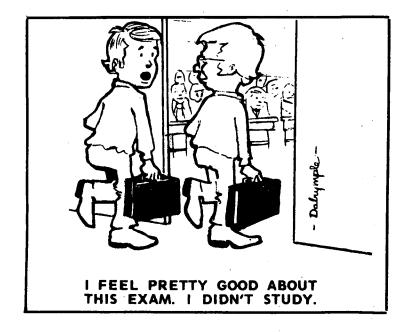
The Reader's Conference is designed to achieve uniformity in grading. Before the conference, each grader for each question had read the same seventy-five answers to his or her assigned question selected randomly and had proposed a grade for it. The re-readers read and proposed grades for the same questions. These results were tabulated and available to the Committee.

The Committee in turn had caused several answers to each question to be copied and available for discussion. Answers in which grading disparaties were observed were used, and we were furnished with them for use during the session.

The grader team for each question appeared separately before the Committee. The questions were rereviewed, law school comment was sought as to the fairness of each question and a consensus was reached with respect to what matters should be discussed in an answer. The particular answers furnished were reviewed and discussed and reconciliation of disparaties in grades was sought and effected.

Throughout this process, I was particularly gratified to be able to reach the conclusions that: 1) The Bar Examination is being conscientiously and competently graded, 2) the possibility of passing or failing resulting from the fact there are different graders reading the same question is minimal — (the principle of de minimus applies) and, 3) an objective standard influenced by 'quotas" or "curves" is followed.

May the foregoing relieve all you from some of the paranoia I know exists on this most important subject.



Orientation

Some of the statements in this article are a bit exagerated, in fact some of this is a lie. The truth has been stretched so as to render this article readable. What is important is that we wish the first year students much success. Also a sincere word of thanks goes to Linda Bonnet, Bob Giovacchini, and Jim Weakley for a lot of hard work and a job well done. An especial thanks is in order to Greg Myers who organized orientation this year. We hope that the presentation offered some advice and hints that will make the adjustment into law school a bit easier.

dent body officers are Vice Presi-

Who's Who

dent, Jim Weakley; Secretary, Mary Ann Bluhm; and Treasurer, Kay Tuttle. The officers meet with the administration on the last Tuesday of each month to discuss matters of student concern.

The classes are represented in the student association by the following representatives: Fourth Year Night, Bob Gilmore and Norma Crane; Third Year Day, Marv Helon and Angus Saint-Evens; Third Year Night, Marla Keller and Fran Wessel; Second Year Night, Greg Myers. An election will be held in late October to determine the First Year Night Representatives and an additional Second Year Night Representative. Phil Mach serves as the Parliamentarian for the student association. The parliamentarian attends all student board meetings to assure that proper parliamentary procedure is followed. He advises the presiding officer on questions of order and interprets the bylaws of the association.

Further information SJCL can be obtained by contacting the registrar at the college mailing address: San Joaquin College of Law, 1717 South Chestnut, Fresno, California 93702; or by phone: (209) 251-7512.

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