



San Joaquin College of Law

SAN JOAQUIN COLLEGE OF LAW
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DICTA

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SJCL: "Just Keep on Doing What You Are Doing."

by Lois Luckman

Applications Declining

On the evening of October 8, 1979, Mr. John Gorfinkel, Educational Consultant to the Committee of Bar Examiners, spoke to the students, faculty and administration of San Joaquin College of Law concerning the situation of legal education in California and the role of SJCL within this educational spectrum.

Mr. Gorfinkel received a J.D. from U.C., Berkeley in 1929 and a J.S.D. from there in 1931. He was admitted to the California Bar in 1929, had a private practice in San Francisco for 18 years, worked for the federal government for five years, and taught law from 1934-1969 at Golden Gate University where he was the dean for nine years. In addition to the California Bar, he is a member of the American Bar Association and Fellow, American Bar Foundation.

Mr. Gorfinkel stated that the law school applicant pool in this country is declining. As a result many American Bar Association (ABA) accredited law schools have lowered their standards including lowering minimum LSAT scores required for admission in order to maintain an adequate enrollment. This trend, Mr. Gorfinkel said, is reflected in California law schools. ABA schools in California are holding up enrollment figures but lowering admission requirements in order to do so. In the Los Angeles area applications to ABA law schools is down by one third the usual number and Mr. Gorfinkel added that two state accredited schools in California have told him that students doubtful of qualifying are getting in and dropping out.

Impact in California

Mr. Gorfinkel predicted that the impact of decreased law school applications in California means that it will be highly unlikely for California



to acquire more than one new ABA law school within the next five years. He felt that costs of maintaining a faculty and library to meet ABA standards, considered in the light of declining applicants, would preclude development of more ABA schools.

Regarding state accredited schools Mr. Gorfinkel predicted that there would be a few more in California in the next five years but that they would be located so that there are no other accredited law schools within 50 miles. He did not foresee that California would increase the state's accreditation requirements. In fact he felt that we would see a slight relaxation of some non-key requirements and stated that he would personally favor waivers on certain library requirements but was not specific as to which ones he might be willing to waive. As authorized by the California Business and Professions Code, the Committee of Bar Examiners is the part of the state bar association which sets the standards for state accreditation and Mr. Gorfinkel, while not a member, serves as

a law school accreditation consultant to the committee and has done so since 1969.

As to unaccredited state law schools and the Board of Governors' adoption last year of a resolution to phase out such schools, Mr. Gorfinkel said that the board had passed the same resolution two times previous to this and submitted it to the state legislature but that the legislature had failed to act on it. The Board of Governors is made up of elected representatives from throughout the state who direct the state bar. As well as acting as consultant to the Committee of Bar Examiners which is one branch of the state bar, he is also a consultant to the state bar itself. Unaccredited law schools are currently allowed by statute under the state Business and Professions Code. Mr. Gorfinkel felt that even if the resolution remains unadopted that many of the existing 15 unaccredited state law schools will be eliminated by the economic process. He pointed out that several unaccredited California schools have gone broke

See "Gorfinkel" Page 2

SJCL and FPC— Quo Vadis?

by Dr. Edmund Janzen, President of Fresno Pacific College

The mutual interest that drew our two colleges together for the first time in 1970 reflected the vision of two key administrators: Judge Daniel Eymann (deceased) and Dr. Arthur J. Wiebe. The fledgling College of Law needed a home, and the context of an independent liberal arts college was appealing because (1) space was available, (2) "red tape" could be held to a minimum, (3) essential services (library, classroom, registrar, cafeteria, etc.) could be provided, and (4) the accredited academic setting provided the essential integrity necessary to a graduate school. From Fresno Pacific College perspective, the clustering with the Law School on a lease basis provided (1) a community oriented image, (2) a concurrent enrollment option in the junior year, (3) the potential of developing a new educational model in graduate studies, and (4) recognition in academic circles as an innovative institution.

How have these (and other) mutual expectations been met? From this administrator's perspective, the relationship of the two schools has been positive and mutually rewarding. Fresno Pacific College has generally viewed the San Joaquin College of Law with pride and respect. Given that Fresno Pacific College is essentially an undergraduate school that operates mostly during the daytime, student interaction with Law College students has not been that frequent. However, the two administrations have met with some frequency to open channels of communication and explore common interests and concerns. As Fresno Pacific College has continued to grow (both in terms of curriculum and enrollment on the undergraduate and graduate level in education) its prime needs have been in the area of classrooms and library space. Fresno Pacific College is currently embarking on a major expansion program—both in facilities and in academic programming. The Board of Directors have initiated (1) a library addition project together with the Biblical Seminary in the amount of approximately \$600,000.00, (2) a Special Events Center project (gym/conference center) whose cost is estimated at two million dollars, (3) a feasibility study regarding a nursing program (two and four year). The options that these growth patterns dictate for the San Joaquin College of Law are somewhat limited. Fresno Pacific College has declared its willingness to remain in academic partnership with San Joaquin College of Law. During the last two years we have also encouraged the San Joaquin College of Law to relocate its facilities in close proximity to the College. We recognize that relocation will prove a difficult option given the limited availability of land and/or suitable educational facilities. Currently the two boards and administrations are negotiating a definitive time of relocation for the San Joaquin College of Law.

Construction of the new 6,000 square foot addition to the Hiebert Library will begin very soon, perhaps by the time this is printed. The concluding phase of this project will involve the complete renovation and reclamation of the existing library facilities.

We hope that physical relocation would not abrogate the relationship we have maintained thus far. The College has enjoyed membership on the San Joaquin College of Law Board of Directors in the person of Dr. Arthur Wiebe; it has also enjoyed hosting the annual commencement exercises of the San Joaquin College of Law. Beyond that, Fresno Pacific College has benefited from the availability of the concurrent enrollment program.

We wish San Joaquin College of Law prosperity, growth, and institutional health for the future.

Edmund Janzen, President

Town Hall Meeting: "Growing Pains"

Philip Tavlian

10/29/79

San Joaquin College of Law conducted its first Town Hall meeting of the academic year on October 15.

Dean John Loomis, Assistant Dean Oliver Wanger, faculty members, and nearly 80 students met to discuss a variety of issues. The 6 p.m. meeting was held at Pacific College's Pilgrim Marpeck Center.

Dean Loomis announced that SJCL would be seeking new physical facilities for the 1980-81 academic year.

"We will attempt to be off the Pacific College campus by September, 1980," he said.

The move from Pacific College depends on whether suitable facilities can be found.

"I would expect that if suitable facilities are not found within that time, we're apt to still be here in September, 1980," added Dean Loomis.

The Dean noted the College of Law has a long-term lease on the present library building.

"We . . . have a 25-year lease which has 18 years to run," he said. "We can stay there for a considerable period of time if that's the best we can do. But what we want to do is to find someplace that will be better" for SJCL.

The College is investigating a possible relocation to the campus of California State University, Fresno.

"I will be meeting with two other members of the Board of Trustees and Dr. Bess, the Acting President of Fresno State," said Dean Loomis. "I'm hopeful that Fresno State may see their way . . . to provide us with the necessary library, administrative, and classroom space at a reasonable rental."

The College of Law would remain an independent institution if it relocated to the CSUF campus.

"We mutually want to remain 'exclusive'," said Dean Loomis.

The Town Hall participants discussed numerous issues in addition to physical facilities:

--Accreditation. "There is an application filed with the Western Association of Schools and Colleges. They have set a meeting for March," said Dean Loomis. "If all goes well, WASC . . . would possibly accredit us as of next September. That would be the earliest." WASC accreditation would make San Joaquin students eligible for educational loans.

Assistant Dean Wanger noted that WASC accreditation is not a certainty.

page 2

"WASC does give some kind of credence to the ABA standards of accreditation," he said. "I think that we should be cautious in our awaiting approval in September, 1980 by WASC."

John Gorfinkel, Legal Consultant to the Committee of Bar Examiners, spoke on law school accreditation in a recent Fresno speech. He indicated that WASC does not often accredit free-standing law schools, such as SJCL. Mr. Wanger recalled Gorfinkel's remarks on WASC accreditation and California law schools.

"What at least one school or maybe more are doing is they have independently established paralegal programs," said Mr. Wanger. The schools are apparently able to obtain WASC accreditation for both paralegal and legal programs.

Mr. Wanger said that SJCL is considering a paralegal program. He emphasized the College Administration would do "everything we can" to obtain WASC accreditation.

Dean Wanger also commented on American Bar approval for law schools.

"John Gorfinkel indicated . . . that there would be, with the possible exception of one university-supported school, no new ABA accredited law schools in California at least in the next five years," he said. "Basically, I don't see that there is any reasonably foreseeable ABA accreditation on the horizon" for SJCL, he added.

--Enrollment. Dean Loomis addressed the issue of declining law school enrollment and possible solutions.

"Being concerned is the first thing," he said. "The second is an attempt to formulate a plan for recruitment and to do some advertising—particularly in the local, Fresno State newspapers." Beyond that, the College of Law is looking for ideas, he said.

Assistant Dean Wanger cited facts and statistics from John Gorfinkel's recent speech on this topic.

"What has occurred is an approximate 50 per cent reduction in enrollment at most of these (state accredited) schools," he recalled. "He (Gorfinkel) said that at present, law was not a particularly glamorous occupational field."

Dean Wanger described the scope of recruitment by the College of Law.

"Our thrust is . . . primarily a three-county area, which would be Tulare, Fresno, and Madera Counties," he said. "Where you're talking about more than 50 geographic miles to travel three to four nights a

week to class, you're talking about a tremendous burden on a student in addition to that of law school."

Dean Loomis said the College of Law has maintained strict admissions standards despite declining enrollments.

"Our admissions have been more stringent in the last two or three years than they had been previously," he said. "We could have had more people enrolled. But they would have been people who simply, in our judgment, were not qualified."

--Tuition. "I think you're going to find tuition generally following the cost-of-living index," said Dean Loomis. "I anticipate that there will be an annual raise in tuition . . . so long as we continue to have our inflationary economic scene."

--Extension Courses. One student suggested the College of Law offer extension courses to lawyers and laypersons. Mr. Wanger pointed out the pros and cons of an extension division.

"What we can do is find areas that we can provide a real service, do a good job, and have enough people who want to attend that kind of an educational program . . . to make it worthwhile," he said.

Town Hall participants agreed that SJCL should inform the local bar of one-semester elective courses. Such courses include trial advocacy, water law, and labor law.

--Alumni Association. Dean Loomis told students of recent efforts to form a SJCL Alumni Association.

"I met with an alumni group Saturday morning (October 13) and discussed with them what efforts and what progress they had made," he said. "We are actively pushing the alumni into an organization which we hope will be a pillar of strength so far as support of the school is concerned."

--Law School Endowments. In response to student questioning, Dean Wanger explained how law school endowment funds are developed.

"We are hoping that as our graduates become successful . . . they will remember the school . . . and help to endow the school," he said. "That's the way almost all law schools have been endowed—by alumni."

--Civil Procedure as a First Year Course. Mr. Wanger discussed the enrollment of first and second year students in his Civil Procedure course.

"In this year's class . . . my attempt has been to direct the class toward the lowest common denominator," he said. "I have assumed basically a lack of legal knowledge on the part of anybody in the class."

See "Meeting" Page 5

"Gorfinkel"

No Low-Income Federal Student Loans

When asked about the possibility of SJCL students qualifying for low-income federal loans his feeling was that the battle is lost because money for that purpose is disbursed by the Department of Health, Education, and Welfare only

to students who attend ABA accredited law schools or other schools which are regionally accredited. He suggested that we expand SJCL by adding a paralegal program and then apply to The Western Accreditation Association. A school that is other than a law school is entitled to go to Western for accreditation; it was his feeling that this would be a way to achieve regional accreditation in order to qualify for federal loans.

Expansion of Multi-State Portion of The Bar Exam

Mr. Gorfinkel said that even though the length of the bar exam remains the same, the Committee of Bar Examiners has not expanded the multi-state bar (MB) portion of the exam so much as they have actually reduced the essay portion from 12 questions to 9. He did not foresee an expansion of the MB in the near future. The Committee, he said, is now concerned with trying to develop testing alternatives to the established pattern of MB plus essay questions. He did not think MB questions should be used in law school testing because of the difficulty in writing a good MB question. He felt that it takes a drafting team of three to five people to submit a question, review it, and rewrite it. He suggested that a better choice for helping students to develop MB skills would be running clinics two or three hours a week on each subject.

in the last few years and that there are some unaccredited schools with no second year students as a result of failure to pass the state's baby bar exam.

IMPACT ON SJCL

Even though applications to SJCL decreased this year, Mr. Gorfinkel believed that unless something unforeseen occurs this school is in a better position to maintain its present standards because there are no other accredited schools in the area competing for students and the reservoir of potential applicants from local colleges and universities will provide a pool of qualified law students. Conversely he did not feel that the law school market in this area would sustain the library and full time faculty costs involved in acquiring ABA accreditation for SJCL.

He suggested that this community could support a first year class each year of about 60 students and a total enrollment of about 150. Commenting on the small first year class at SJCL this year he felt that in spite of the fact that Fresno is in the center of a growing business area which will continue to be more populated and therefore require more legal services, perhaps people were believing that it is hard for lawyers to get jobs. He had only one suggestion as to a proper future course for SJCL, "Just keep on doing what you are doing. Bar exam statistics don't prove a school is good or bad but if one of the objectives of a school is to produce attorneys who can practice law, you are doing pretty well."

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Who's in Charge Here?

by Douglas E. Haas

A native of the State of Washington, Sue Wanger has been employed as the Registrar since 1974. She is married to Oliver Wanger, Assistant Dean and Civil Procedure instructor at San Joaquin College of Law. Mrs. Wanger has three children, Brian - age 12, Steven - age 10 and Lisa - age 8. In addition to working full time as Registrar and raising a family, Mrs. Wanger is completing a Bachelor of Arts degree in History and Education at Fresno Pacific College and California State University-Fresno.

Although Mrs. Wanger performs many administrative functions as Registrar, her main duties include keeping and maintaining all student records, assisting in the planning and implementation of the curriculum and overseeing the administrative functions of the Dean.

Prior to taking the position as Registrar, Mrs. Wanger worked as a committee clerk in the House Ways and Means Committee for the State Department of the State of Washington. She desired work in a full time administrative capacity and accepted the position at San Joaquin College of Law. The school had established itself and the administrative functions required full time attention.

Mrs. Wanger enjoys her position as it exposes her to and enables her to analyze new developments in the field of education. She feels that education is the basis for a self-fulfilling life and is necessary for the functioning of society. She can examine the education of children at this time and see

whether they are being prepared to compete later on in their educational processes. She enjoys her position very much.

Mrs. Wanger related one extraordinary situation that occurred with a prospective admittee to the law school. On a Thursday, she received a long distance phone call from an individual residing in Miami, Florida, requesting information. The individual was informed that registration was to be held on the following Monday. On the following Monday the prospective student appeared, ready to enroll, after having driven straight from Miami to Fresno.

Glo Chin, Administrative Secretary for San Joaquin College of Law, has filled this position for two and one half years. Mrs. Chin is married and has no children. Her husband, Andy Chin, works as a steel detailer in architecture. Her duties primarily evolve around assisting Mrs. Wanger and includes processing admissions, assisting instructors with materials for the law courses, providing information for new students and assisting in graduation planning.

Seeking work as a secretary, Mrs. Chin became aware of the job through Fresno City College, applied and was selected. Mrs. Chin enjoys her position very much, stating that she likes to work with the people, and the students are nice. She feels her job is challenging and provides interesting events in a good atmosphere.

Mrs. Chin related a somewhat interesting phenomenon occurs when high school students inquire into the possibility of enrolling in law school immediately after graduation from high school.



"If it please the Court, we would like to have a Big Mac, too."

DICTA EDITOR TO RECEIVE SCHOLARSHIP

by Barbara St. Johns

Due to the support of S.J.C.L. alumni, faculty and friends, a \$500 scholarship has been established for the editor of the DICTA, for the academic year of 1979-1980.

The Student Association extends heartfelt thanks to the following contributors:

The law firm of Bennett and Ostroff
 Mary Ann Bluhm
 The law firm of Cowin, Johnson, Brewer,
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 Nicholas J. Dibiasco
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 The law firm of Lusk and Kesselman
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The Student Association Board will work out the precise details of how the scholarship will be awarded in the near future.

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NOTE:

Mary Ann Parker, SJCL Librarian, was unavailable for interview. Mrs. Parker and her husband, Mark, became the proud parents of Anne Lucille Parker (7 lbs. 8 oz.) - born November 19, 1979 at 12:12 p.m.

CONGRATULATIONS!!!

**NEW EDITION OF
MECHANIC'S LIEN LAW
HANDBOOK ADVANCED**

The third edition of the "California Mechanics' Lien Law handbook" has been published, Parker & Son Publications of Los Angeles announced today.

"We are pleased to present this complete revision of Matthew Marsh's classic aid to lawyers in the complex construction law field," said Fred Pawell, president of Parker.

The new volume incorporates the latest changes in lien law into the basic law and procedure of works of improvement. The essential subjects of stop notices and payment bonds are given full treatment. The preliminary notice, which has become a critical requirement of the field, is covered in detail.

The third edition has expanded its focus to include the viewpoints of contractors and title insurers, in addition to mechanics' lien claimants, owners and lenders.

The new feature which will be welcomed most by busy practitioners, however, is the comprehensive Claimants' Procedural Chart.

This step-by-step guide for perfection of claimants' remedies prevents the attorney from overlooking any procedures vital to his client's interests—an easy omission to make in an area of law with so many diverse periods of limitations.

The 673 page handbook is by veteran lien law specialist Matthew E. Marsh of Sacramento and Chico.

California Mechanics' Lien Law handbook, Parker & Son Publications, Inc., P.O. Box 60001, Los Angeles, CA 90060. \$46.00 plus tax and shipping.



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FROM THE EDITOR'S DESK

Although the DICTA is produced approximately five times per year, it has become an important part of San Joaquin College of Law if for no other reason than to keep the legal community informed of our very existence as an institution. Timeliness and frequency of publication are not among the attributes of the DICTA. But we, as law students, must face reality. We are first and foremost—Law Students (with a capital "L" and a capital "S"). We are not attending this institution to become journalists. This is a fact that should be remembered by both those who produce and those who read this publication. (Including this editor).

The DICTA has been a success this year (so far) in that it has (so far) been a group project (a very cooperative group). If this has been its only attribute, then it is a success. Its continuance as a group effort will assure its continuance as a success - and its continuance as a publication.

This editor feels that the success has gone beyond what is described above. The DICTA has been informative, descriptive, and has stimulated reaction from its readers (as one can see by the Alumni's letter appearing in this issue). But more information is needed, more description necessary, and more reaction desired.

The DICTA is the "voice" of San Joaquin College of Law. It's your voice, students. It can also be the voice of the faculty, administration, and legal community. Any input, be it written or verbal, idea or criticism, complaint or praise, essay or advertisement (especially advertisement), will be welcome and put to use. Please contact any DICTA staff member, Student Association officer, or even library staff member - or mail to: DICTA/San Joaquin College of Law/1717 S. Chestnut, Fresno, CA 93702. Your interest, reader, will always be greatly appreciated.

Thank You,

Peter M. Wasemiller

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**State Supreme Court approves
state bar rules for practical
training of law students**

The California Supreme Court has approved rules submitted by The State Bar of California governing the practical training of law students. The rules permit a law student who has been certified by the state bar to represent clients in court under the supervision of an attorney.

The state bar has conducted the law student-certification program since 1970. The rules permit a student in good standing to counsel clients and to appear on their behalf in a public trial, hearing or proceeding in a court or before a hearing officer, provided the student is directly supervised by an experienced attorney who takes responsibility for the work. Both the judge and the client must approve the arrangement.

The rules also provide that any law student, under general supervision, may prepare pleadings, briefs and other documents to be filed in court or with a public agency; conduct investigations; interview clients and witnesses; and negotiate on the client's behalf. All briefs, pleadings and similar documents prepared by a law student must be signed by the supervising attorney. Although the student is not permitted to receive compensation from a client for services rendered, he or she may be paid by the supervising attorney, law firm or agency employing the student.

The state bar petitioned the Supreme Court for approval of the rules in the wake of uncertainty over the practical training program following a Court of Appeals ruling last year, in *People v. Perez*, that the rules were invalid and that a client who had been represented in part by a law student had been denied his constitutional right to representation by counsel. The decision in that case was overturned by the high court in April of this year.

**Kearney Voted
Boss of the
Year**

by Pauline Getz

On Friday, November 16, the Fresno Legal Secretaries Association held its Twelfth Annual Bosses Night at the Fresno Hilton Hotel. The purpose of this annual banquet and dance is to announce the Association's new Boss of the Year. This year's winner for 1979-80 is Frederick T. Kearney, who was nominated by his secretary, Rita Eveland. Kearney is associated with the firm of Ericksen, Mackenroth and Arbuthnot.

The highlight of the evening was the roast of the retiring 1978-79 Boss of the Year, Gerald Lee Tahajian. Making a return appearance as Master of Ceremonies was the Honorable Hollis G. Best. Judge Best said the panel of roasters had their work cut out for them because there is nothing to say about Tahajian. Roaster James Emerson agreed, saying "Roasting Gerry is like roasting the Pope."

But roasters David Gromis and Judge Robert Mardikian were not so easily fooled. Gromis shared Gerry's last will and testament in which Gerry is said to have appointed himself executor of his estate, left his personal effects to his wife if she survived him for thirty years, and left his corvette to the Legal Secretaries Association. . . for services rendered. The best insight into Gerry's practice was offered by Judge Mardikian who had noticed the new sign on Tahajian's office door, which reads "Home of the \$6,000 codicil."

Other events of the evening included the announcement of Dolores Venturi as the 1979-80 Legal Secretary of the Year, and dancing to the band "Touch." The Fresno Legal Secretaries Association appreciates the increasing support of our legal community, which was evidenced by the attendance of 200 people at this year's banquet.

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EZEQUIEL CHEQUELE GUZMAN
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Alumni Corner

Notes on SJCL Graduates

by Cathrine Benko

The first graduating class from the San Joaquin College of Law was composed of 15 soon-to-be attorneys. One hundred and nineteen students have since followed the precedence of the 1974 graduates in receiving their J.D. degree from SJCL. Most of these alumni are currently practicing in the San Joaquin Valley. Among those who have chosen Fresno as the site for their legal careers are Ima Jean Harvey, Mery Ann Bluhm, James M. Makasian and Debra Owdom.

Ima Jean Harvey, a 1975 graduate, is a partner in the law firm of Parichan, Renberg, Crossman and Harvey where she was once employed as a paralegal prior to her legal education. In her practice of Corporate and Real Estate law, Ms. Harvey handles the leases of some of the major shopping centers in the area. This year the BAR appointed her to serve on the Joint Advisory Committee of the Continuing Education Board along with 14 other members chosen from throughout the State. Ms. Harvey is the first attorney from the Valley to have the honor of serving on this Board. In her capacity as an advisor she helps set the standards for the materials used in the program and discusses various aspects of the program in regular meetings with the State Bar Governors.

Mary Ann Bluhm is a former teacher who graduated as a math major from CSUF with her teaching credential. After a year of teaching school in San Ramon Ms. Bluhm decided to enroll in SJCL. She attended the school from 1975-1978 as one of the 18 students in the only full-time, day program SJCL has had. Students from all over the country, including from Connecticut and Pennsylvania, came to Fresno to attend the SJCL full-time sessions. Ms. Bluhm is employed as an associate with Gary G. Bagdassarian, where she practices Corporate and Real Estate law with emphasis on Tax Law.

James M. Makasian became a student at SJCL in 1972 after graduating from USC. He is presently a partner of Perez and Makasian, a local law firm which handles primarily personal injury cases. Mr. Makasian and his firm represented the Reynolds family in a major lawsuit earlier this year which received widespread local attention. The case of *Reynolds vs. Smith* involved the Reynolds family who were traveling through Fresno in a trailer which was struck from behind by a passing truck. The accident resulted in serious burns to some of the family members. The court awarded an 8.7 million dollar judgment to Mr. Markasian's clients.

Debra Owdom is the latest member of her family to become an attorney. Ms. Owdom graduated from Stanford and then from SJCL in 1976. In her first year as a practicing attorney Ms. Owdom was employed with a State agency in Fresno. Last year she opened a private practice dealing primarily with Family Law, although Ms. Owdom does some criminal appellate work as well. Besides her career as an attorney Ms. Owdom occasionally teaches law-related classes at CSUF. She has taught several classes, including a course on the legal rights of women, and hopes to have the opportunity to teach again in the near future.



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*Referral fees for Attorneys
approved by state
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The California Supreme Court has approved rule changes proposed by The State Bar of California that permit attorneys to pay each other referral fees, providing that the total legal fees paid by a client are reasonable and do not increase as the result of the referral fee.

Under the new rule, the client must be informed in writing of the terms of the fee-sharing agreement and must agree in writing to the arrangement.

The rule changes, approved in March by the bar's Board of Governors, permit a lawyer who refers a client to another attorney to receive a portion of the fee earned as a result of the referral. Under the new rule, a lawyer also may offer a gift or gratuity in consideration of a referral—as long as the gift does not imply that future referrals are expected.

The amendments to the state bar Rules of Professional Conduct end a requirement adopted in 1972 that permitted fee splitting only if the lawyers also shared the work or the responsibility for a case. That provision has been a part of the American Bar Association's model Code of Professional Responsibility since 1928, but some other states also permit fee-splitting for referrals alone.

NOTE: Texts of amended Rules 2-108 and 3-102(B) are available upon request.

LONDON LAW PROGRAM REPEATS

A summer program offering study in law relating to international business will commence July 7 in London, England. Sponsored by the University of San Diego, a feature of the program will be clinic internships with London firms.

Both internships and the courses offered relate to international business affairs. The courses are: Comparative Antitrust, International Trade and Investment, Comparative Products Liability, International Commercial Arbitration, Immigration Law - U.S. and U.K., and Comparative Copyright.

The outstanding faculty includes Eleanor Fox and Andreas Lowenfeld of NYU, Page Keeton of Texas, Clive Schmitt-hoff of King's College London, Charles Gordon of Georgetown, and Melville Nimmer of UCLA.

USD also sponsors summer law programs in Guadalajara, Oxford, Paris and San Diego.

Moot Court Competition

by Daniel Harralson

Moot Court was held November 16th and 17th in the courtroom of the Court of Appeals Fifth Appellate District.

The judges for the competition were Donald Horvath, Esq., Roger Nuttal, Esq., and Dennis Beck, Esq., for the evening of November 16th. Honorable George A. Hopper, Honorable Dennis Caeton and Donald Horvath, Esq., served as judges for the morning of November 17th. Dan Harralson acted as clerk of the competition.

The case argued by the students was *Moore v. Superior Court*, State of California as the real party in interest. This is an actual writ which was decided by the Fifth District Court of Appeals in 1977. The District Court decided for the real party in interest, while the combined judges of the Moot Court decided for the petitioner 4-2.

After completion of the competition, Justice Hopper gave encouraging words to counsel for both petitioner and real party in interest, by saying that the worst arguments of the day were better than some he has heard from practicing attorneys.

When Judge Caeton was asked to speak on the competition he said in jest, "I would just like to know what idiot taught this group Criminal Procedure".

The winners of the competition were:

Jerry Lewis--best argument

Robert Grove and Susan Cameron--best combination of argument and briefs for real party in interest.

Noel Cook and David Overstreet--best combination of argument and briefs for petitioner.

Approximately 50 people attended to witness the arguments, including the families of alumni Ernie Kinney and Bill Cowen

A NOTE OF THANKS

On the evening of October 28th many women students of SJCL got together for a wonderful evening of fuel, food and good conversation at the lovely home of Lois Luckman. Each woman brought a dish to share, resulting in a splendid variety of foods. The evening was a wonderful opportunity for the women to share ideas and perspectives on law school and other topics of interest.

Thanks Lois.

"Meeting"

He is considering various approaches for 1980, when first and fourth year students will take the course together.

"What I am thinking about for next year is, in effect, having teams," he said. "Assigning a first year student to a fourth year student so they would . . . work together in a class." First year and upper class exams might be graded separately, he added.

--*Administrative Reorganization*. "There is consideration being given to alternative approaches to administration, reallocation of duties and efforts, and the involvement of more people in the Administration," said Dean Wanger. "Nothing has been finalized," he added.

Dean Wanger concluded the Town Hall meeting by summarizing the challenges and goals of the College of Law.

"The school is facing very, very challenging times," he said. "It is our intent, through it, to try to improve the reputation and the quality of this institution. That's important to all of you as practicing lawyers . . . You all have the same interest that we do—for this to be an excellent law school and one of continuing vitality."

The Town Hall meeting was co-sponsored by the College of Law Administration and the Student Association. A second such meeting is being planned for the spring semester.

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Mr. John Shehadey
President of the Student Body Association
San Joaquin College of Law
1717 South Chestnut Avenue
Fresno, California 93702

Re: Alleged Dumping of the Alumni
by the Students in Grid Battle

Dear Mr. Shehadey:

This letter is being written on behalf of the Alumni, both participants and non-participants in the alleged football game held September 29, 1979, between the Alumni and Students of San Joaquin College of Law. After careful consideration, various Alumni have elected not to file a defamation action against the present Student Body and, in particular, the President of the Student Body of San Joaquin College of Law.

Said suit would have involved obvious pecuniary penalties that would have exceeded the combined net worth of all the Students, most probably times ten over, for obvious reasons as follows:

1. The Alumni were informed that there would be refreshments provided at half-time, and therefore the Alumni did not partake of any drink, food or other forms of sustenance prior to the game, with full anticipation of garnishing strength from same as promised at half-time.

The true facts were that one of the Alumni's spouses, after viewing the totally starving and emaciated Alumni after a 1-1/2 hour game with no break, and at a time when the Alumni were leading 8 - 0, took it upon herself to go to a local store and provide drinks and refreshments not only for the Alumni, but for the undeserving Students as well.

At that point in time, the total amount of time played in the game had already exceeded the maximum allotted time for a professional football game of four quarters and the staunchly stoic Alumni were still in the lead.

2. The Students had as players on their team, parties who were not students at the law school and, in fact, parties who are professional football players themselves. This in direct contradiction with the Geneva Agreement on human dignity and morality.

3. The Alumni had on their side two issue of an Alumni, which was actually in line with the Geneva Agreement, but said issue were respectively 12 and "barely" 16 years of age. Even so, this writer observed the President of the Student Body Association getting knocked on his duff at least four times by said 12-year-old.

4. The Students actually violated the rules of professionalism by their various penalties and misplacement of the ball, all in total disregard for allowing yardage to the Alumni for their various penalties. The most horrendous of which was when Rhonda Duncan pushed Bill Cowin down when he was attempting a pass, instead of grabbing his "flag" as the rules required. "Never before has this writer been so totally insulted."

This writer has been asked by various Alumni to challenge the Students to a fair game of basketball. To appease the roar of vengeance, the Alumni respectfully requests that should the Students respect and accept this challenge, the Students may name the time and place, but must restrict themselves to only using Students and not recruiting Wilt Chamberlain and Rick Berry and others to assist them in their futile efforts. Needless to say, if such a game does take place, the Alumni will not be taken unawares again and intend to have prescribed rules as to length of play, how many players can be on the court, etc. The Alumni requests only one thing of the Students, which is fully for the benefit of the Students, and that is that the game take place on half court.

Sincerely yours
William L. Cowin
Self-styled Leader of Committee
To Get Even
Members:
Jack Johnson
Charles W. Brewer
Ernest S. Kines

P.S. Alumni respectfully requests a retraction of the trashy article appearing in DICTA on Page 4 in the October 4 issue and that a true accounting be printed in conformity with the opinion of this writer.

EDITOR'S NOTE

This editor would like to take this opportunity to come to the aid of a loyal and fully competent staff member who wrote the allegedly "trashy article" in the preceding edition of the DICTA. The editorial staff feels that the article about the Student-Alumni football game was well reported and gave an accurate account of the events that took place. To print a retraction would be to obstruct the truth and interfere with the freedom of the press.

Reps Elected

First and second year students chose class representatives in a special election on October 16.

Jane Kirchman and Phyllis Eashe were elected First Year Representatives. They will serve the remainder of the 1979-80 academic year.

Gary Dyer was elected Second Year Representative. He will fill a vacancy created by the resignation of Jack Voice.

Voting was administered by the Student Association Elections Committee. Committee members include Carlos Guzman, Thomas Snyder, and Philip Tavlian.

HOW TO PREPARE FOR THE PROFESSIONAL RESPONSIBILITY EXAM

by Barbara St. Louis

S.J.C.L. Students must travel to one of four locations to take the professional responsibility examination: San Diego, Sacramento, Los Angeles or San Francisco. It is a two-hour exam. Taking this exam is the closest psychological experience the student has to taking the Bar upon completion of law school.

In order to assist our fellow students to prepare for this experience, here is a list of occurrences encountered by some of this year's PRE test-takers:

1. One student was injured in a motorcycle accident one week prior to the exam, and, as a result of the necessary hospitalization, will have to wait until March for the next PR exam;
2. Be prepared for the possibility of your car breaking down on your way to your destination, as happened to another student;
3. Be prepared for getting very little sleep if you stay in a motel the night before the exam due to any of the following reasons: Nerves, the nerves of your traveling companion, the marital argument occurring full force in the motel room next to yours and/or the TV watching or reading habits of your roommate; and last but not least,
4. Several students experienced the frustration of finding the test-center under siege and the fear of bullets flying over their heads due to a sniper in the immediate vicinity, thereby preventing their taking of the exam at all on this trip.

As is apparent from the above, it is not the PR exam which is difficult, it is the endurance and fortitude required to get to and into the testing center which makes the difference between success and failure.

REPLY LETTER TO: Mr. William L. Cowin
Self-Styled Leader
Committee to Get Even

RE: 'Sour Grapes' Letter from Alumni

Dear Mr. Cowin:

I have heard of 'sour grapes' before, but your letter reeks of 'rancid raisins.' It was not enough for your team to be annihilated by a 28-9 score when the students used their second, third and fourth string players most of the game, but for you to make half-baked excuses not only 'shocks the conscience' but is highly surprising considering that you are one of the eminently qualified (legally, not athletically) graduates of the institution we attend.

In answer to your request that a true account be printed of the 'Alumni Annihilation,' I can only say that this would be impossible. We at SJCL would not want to be responsible for nightmares and other various forms of mental distress resulting from your teams' reliving of the horrors they endured. Out of kindness to those who were there, we will not punish them further—they have suffered enough.

However, if the Alumni are foolhardy enough to challenge the students to a 'fair' game of basketball, that is another matter. The students do respect and accept your challenge. Our negotiating team (headed by Sammy Kissinger, a new student) will be meeting with you soon to iron out the rules to be followed. Of course we students want to give you every advantage that is possible, including use of full court. We may even consider using only our third, fourth and fifth string players this time, to equalize matters. While you stipulated that we would not utilize the talents of Wilt or Rick, I would like to remind you that you did not mention Kareen (a returning student).

As you left the matter of time and place to us, we are presently looking into arrangements. We are hoping to hold the event during half-time at an upcoming CSUF basketball game. We will let the 7,000 fans judge which team is truly "Number One."

Most Respectfully Yours,

John Shehadey
Student Association President
San Joaquin College of Law

barbn

BAR REVIEW

We're No. 1

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