



New Dean At SJCL

by Warren Paboojian



Carol Sellers Herbert

with Mr. Wanger's stature in the legal community to keep the traditional ties and involvement of the school."

According to school officials, Mr. Wanger will continue to serve as President of the law school and as a member of the Board of Trustees. Mr. Wanger will serve without compensation as do all of the Trustees of San Joaquin College of Law.

Dean Herbert received her bachelor of arts degree in political science from Duke University in 1964. In 1972, she entered Whittier College of Law in Los Angeles, California. While at Whittier, Dean Herbert worked in the dean's office helping in the administration process. Dean Herbert received her J.D. in 1976.

One of Dean Herbert's goals while at SJCL is to reach American Bar Association Accreditation. "The only

For the last two years, Oliver W. Wanger has been both Dean and President of the San Joaquin College of Law. In June of 1981, the Board of Trustees determined that San Joaquin had reached the stage which required a full-time administrator. The decision was made to search for and hire the first full-time Dean in the eleven year history of the law school.

Contrary to one published report, Wanger was never "ousted" from office. "Because of the crucial stage of development of San Joaquin," Wanger said, "the Board of Trustees and I felt it was essential to have a full-time dean." The new Dean will provide the hands on guidance and leadership necessary to the continued advancement of San Joaquin," Wanger said.

After a year-long search, Carol Sellers Herbert, 39, is the new Dean at San Joaquin College of Law. As Dean, her responsibilities will encompass the administration of the school, all of its programs, and she will teach one course a year.

"My role at SJCL will be to relieve Dean Wanger of the day to day administrative duties and to focus on the growth aspects at San Joaquin," Dean Herbert said.

Dean Herbert said, "Mr. Wanger is a very important part of San Joaquin College of Law. You need someone



Oliver W. Wanger

Law School Admission Test

The LSAT will be given at the San Joaquin College of Law on December 4, 1982, from 8:00 a.m. to 12:00 noon in Room 101. Persons interested in taking the LSAT should contact the Admissions Office at 225-4953.

thing that stands between SJCL and ABA accreditation is money," she said. "It's a matter of getting enough money to support the facility that is required, to develop the library that is required."

A major part of Dean Herbert's job at SJCL is to set a realistic standard of achieving ABA accreditation. "It should take about 7 to 10 years to reach accreditation," she said.

Dean Herbert feels SJCL is in a very unique position.

"SJCL is different from any other accredited law school in California," Dean Herbert said. "You are drawing from a number of people that for some reason or another cannot attend a northern or southern California law school. Therefore, you have a number of quality students attending SJCL that normally would be somewhere else."

Before coming to SJCL, Dean Herbert served as Western Director of Harcourt Brace Jovanovich, subsidiary of which is BAR/BRI (a bar review seminar).

Dean Herbert said her past affiliations with HBJ will not conflict with her present duties at SJCL. "There will not be any financial relationship with HBJ and SJCL," she said.

One of Dean Herbert's main functions at HBJ was in developing the workshops and study exams for the national multi-state bar exam. According to Dean Herbert, "no one in the state knows that part of the exam better than I do." Also, Dean Herbert's husband is James K. Herbert who heads many of the Bar/Bri lecture seminars. Mr. Herbert will help as a faculty consultant, without compensation, at SJCL.

Dean Herbert's past experiences as a law school administrator are: as an assistant to the Dean of Beverly School of Law, supervising the placement office and financial aid, supervising two private law schools. Dean Herbert also has practiced law in Beverly Hills, California.

The Dicta wishes to express its gratitude to Former Dean Wanger for his dedication and determination in helping develop SJCL into a quality law school.

San Joaquin Today

by Steve Hrdlicka

On behalf of myself and the entire student body, I would like to welcome the entering students of the San Joaquin College of Law. Law school can be an enjoyable and challenging experience. Let me extend my friendship and support as you begin your legal careers.

By this time, SJCL has begun another year of instruction and entering students have completed a two-week orientation—a program instituted just this year. In addition to a general overview, instructors Nancy Currier and Patty Noyes taught skills in legal analysis, writing, and preparation of case briefs.

I am encouraged by the school's active efforts to improve the quality of education offered at SJCL. Since instruction began in 1970, the school has continued to expand and meet the needs of the legal community.

Just over two years ago, I can remember registering for classes on the campus of Pacific College, the original location of SJCL. As the fall term began, our new facility at Shields and Bond was undergoing a substantial reconstruction. Because of the circumstances, the first few weeks of instruction were held at the Pilgrim Armenian Congregational Church. Shortly thereafter, we were able to move into our new building and finally establish a permanent home.

During the past two years, SJCL has added to its educational program. In addition to the J.D. degree in law, we now offer an Advanced Taxation Program for members of the Bar and CPAs, and a Paralegal Program. Both courses are provided by the State Department of Education and are academically and financially independent from the law school program.

On April 19 and 20, 1982, SJCL was inspected by John A. Gorfinkel, Consultant for the Committee of Bar Examiners. Mr. Gorfinkel found that enrollment has remained fairly constant since 1973. The school's academic program has been exclusively an evening program, except for the 1975-76 year. At that time, the school applied for—and was granted—per-

(Continued on page 2)

Student Apathy At SJCL

Every year the Dicta seems to face the same problem—student apathy. Everyone feels we should have a newspaper but no one is willing to devote the time.

Establishing a quality newspaper at San Joaquin College of Law is imperative. A newspaper is a valuable method of communication when used properly. Almost every high school, junior college and university has some form of media publication.

Unfortunately, the SJCL publication of the Dicta can be described as precarious at best. For the Dicta to survive there must be some form of constructive direction, faculty involvement and most important student participation. A newspaper should not be the viewpoint of one person but a marketplace of ideas where students, faculty members and the community can express their opinions.

Ironically, we as law students study the importance of our constitutional rights which encompass free speech and the freedom of the press, however, we as students have failed miserably in exercising those rights. A newspaper not only informs people, but brings a certain amount of creditability to a school. To have a quality newspaper, you must have a staff of students who are partly funded by the student association and partly credited by the school administration. Publishing a newspaper must be a team effort.

Hopefully, my successor will be more fortunate in accomplishing these goals.

Editor

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Copy Editor Mary Hoagland
Staff Writer Reggie Derryberry

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THE FIRST YEAR

It was the day before law school
And all through the class,
Not a freshman was ready
To brief and discuss.

Pennoyer v. Neff had been read
with due care
In hopes that Prof. Wanger would
call elsewhere.

Surrounded by casebooks,
Simpson and Prosser,
Wouldn't it be easier to become a
doctor?

Assault and battery,
injunctions and complaints,
Respondeat superior and
unreasonable restraint,
Unilateral agreements,
implied and express—
Are these assignments
unreasonable duress?

Torts and res ipsa and stare decisis.
Who has time to read all these
cases?

But wade through them all and
try not to grumble.
And when briefing in class,
Just Don't Stumble.

Before we know it the big day is
here

And the professor is asking for a
volunteer.

Silence prevails and it's the
waiting game.
"Zylka" would be the perfect
name.

Oh, what the hell. You can't live
forever.

"I'll do it," she said,
with hardly a quaver.
And off we go on the Paper Chase,
With the first of many,
many a case.

Thanksgiving comes and our
goose could be cooked,
If we don't get in there and
hit those books.

Study and worry without relent.
Midterms are coming and
they're worth 10 per cent.

We made it through them in a mild
state of shock.

We're one-eighth finished
and read to drop.

Christmas vacation and
at last some relief.

We'd scream if we had to do
one more brief.

Back to business and pick up
the pace.

No movies, no tennis,
just case after case.

The time drags by,
or maybe it speeds.

Finals are coming and
we know what that means.

We study our Gilbert's, Bar-Bri
and notes.

The end is in sight,
we can't give up hope.

Through it all we continue to brief,
brief, brief.

Would a reasonably prudent
person submit to this grief?

Finals come and go and we're still
in a daze.

But it's over, it's over!
Oh, Happy Days!

We made it through One and
could it be true?

You'd better believe we came back
for Two!

Reggie Derryberry

State Aid Confusion

Since the inception of San Joaquin College of Law financial aid has been relatively non-existent. Recently, SJCL has been seeking financial aid from the Graduate Fellowship Program. However, some ambiguity hovers over the question of whether SJCL is eligible for the California State Graduate Fellowship program. We feel that that SJCL is eligible for financial aid and the Code Section has been poorly interpreted by the California Student Aid Association. The problem arises in the wording of the Business and Professional Code, Article 9, 69679, which states, "awards shall be made for full-time graduate study, as defined by the institution in which the student attends..."

The key is that the institution defines what is full-time and what is part-time. Our school policy is that student enrollment at SJCL are engaged in a full-time graduate program of a part-time law study.

It seems that the legislative intent is explicit in the Code Section, however, the California Student Aid Commission interprets the Code to read as applying to the full-time students, regardless of the school's own measure of standard.

As a result of this confusion, not only have students at SJCL been deprived of financial aid, but hundreds of other candidates have fallen victim to this bureaucratic blunder. The Commission has been dragging its feet for the past two years and still no formal ruling has been attempted.

SJCL school administrators have appealed to the various state legislators for assistance concerning the matter. Hopefully, their response will be immediate. The inequity which lies in the present interpretation of the Code Section is ridiculous. A student attending McGeorge Law School part-time at night taking 10 units becomes eligible for the financial aid program. However, a student at SJCL that takes 10 units is classified as a part-time student thus ineligible for aid.

The State is applying Federal Funding guidelines to a State Funded Program—this goes beyond reason.

As we all know, the anxieties produced by law school coupled with the financial burdens can be devastating to a student. Hopefully, the State Legislature and the California Student Aid Commission can come up with a reasonable solution to this unreasonable problem.

Editor

Today, Cont'd.

mission to institute a three-year day program. It was later discontinued when enrollment in day classes dropped below the required number.

When I talked to Mr. Gorfinkel and read his final report, he indicated to me that he was very impressed with the school's performance on the California Bar Exam. Beginning with the 1974 graduating class, the school has averaged a 78.23 percent pass rate among students taking the Bar for the first time. Overall, 91.15 percent of our graduates have been admitted to practice law in California.

San Joaquin has come a long way since 1970. As it has entered a period

of new growth, the Board of Trustees has decided that the college needs a full-time administrator. A selection committee was appointed, and based on their recommendation, the Board has named Carol Sellers Herbert as our new Dean. Her responsibilities will include administration of the school and its programs and the instruction of at least one subject. We are certain that the quality of legal education at San Joaquin will continue to be enhanced under Ms. Herbert's capable leadership, as it has been by previous deans, the late Honorable Judge Dan Eymann, John Loomis, and Oliver W. Wanger. We welcome her and offer our full support in making this school a continued success!



Justice George A. Hopper Scholarship

by Steve Hrdlicka

In memory of the late Justice George A. Hopper a memorial scholarship has been established in his name. At present, the scholarship derives most of its funding from the annual Hopper Luncheon, sponsored by the Fresno County Young Lawyers Association. As news of the scholarship spreads, contributions are being sent to the San Joaquin College of Law by members of the community. It is hoped that the scholarship will gain substantial support as more people become aware of it.

A representative committee of the legal community was formed to establish criteria for awarding the scholarship, to establish a selection process, and to administer the scholarship. Members include: Associate Justice George Zenovich, representing the judiciary; John Loomis, member SJCL Board of Trustees; Nancy Currier, SJCL faculty member; Tom Helon, California Young Lawyers Association representative; Leonard Herr, member at large and Steve Hrdlicka, President, SJCL Student Body.

At the August 13, 1982, meeting of the scholarship committee it was agreed that the scholarship would be awarded to second and/or third year students of SJCL. This will enable the committee to review students who have already completed one year of law school and also ensure that the scholarship will be awarded to a continuing law student.

To determine the scholarship recipient(s), the following criteria will be reviewed:

1. academic achievement, including, but not limited to student's grades
2. financial need, and
3. the student's commitment to his or her community, including, but not limited to, the legal community.

Applications will be available at the beginning of the fall term. Personal interviews with a predetermined number of applicants will also be conducted. A decision as to the recipient of the scholarship will be made on or before March 1, 1982. The scholarship will be awarded at the annual SJCL Banquet.

Five-hundred dollars will be awarded this year toward payment of tuition and books for the 1983-1984 academic year. The committee's ultimate goal is to increase the amount of the scholarships in the future, hopefully providing for one semester's tuition for the scholarship's recipient.

Police Ride Along Programs

by Warren Paboojian

Officer Jeff Gunn and I were assigned to patrol car "Adam 15" for the evening. At 11:30 p.m. the Fresno Police Department dispatcher alerted us that there was a gang fight in progress just off the corner of Bond and Clay. At that moment, Gunn quickly turned to me and advised me to "prepare myself."

"Prepare myself for what?" I thought. I was in the patrol car strictly as a journalist. Without hesitation, I asked Gunn what he meant?

"If there is any action, you're more than welcome to come out and help. But if there's gun fire you'll have to stay in the patrol car" Gunn said.

"That's fine with me," I replied. Somehow I felt this was going to amount to more than just a "journalistic experience."

That night we encountered: a gang fight, a badly beaten woman, a 7-11 store robbery.

As we approached the corner of Bond and Clay, the adrenalin surged through my veins. I saw three suspects, spread-eagle, leaning against a car, surrounded by four officers. As we stepped out of our patrol car and walked toward the three suspects, Gunn said, "The rest of the game must have scattered. We're here as a back-up unit."

The suspects, half drunk and half frightened, acted as if they didn't know what was happening. Gunn and I came up next to one of the officers. Gunn then introduced me as his "partner" and asked if his help was needed. One of the officer next to us said that everything was under control and we could leave.

We then proceeded north on First St. to our "beat", which was between Blackstone and Fruit; Olive and Ashlan.

As we crossed McKinley St., Gunn suddenly noticed a young woman waving her arms frantically. Gunn pulled the car into the parking lot where she immediately collapsed on the hood of the car.

In slurred speech she said her name was Mary and that she had been playing pool at Country Joe's, a bar directly behind us. She wouldn't tell us her last name.



"They shouldn't have done this to me. They shouldn't have done this to me." Mary said.

Mary's face was partially smeared with blood and she seemed incoherent as officer Gunn tried to find out what had occurred. He quickly called for an ambulance and paramedics.

A witness from the bar approached me and explained that Mary was playing pool in the bar with two men who were in their early thirties. She suddenly got mad and threw a cue ball at them. They retaliated by throwing two pool balls at her. One struck her along side her forehead, splitting it open. The other hit her above the left eye with a pool ball.

By this time the paramedics, an ambulance, and a sheriff's car had arrived. The paramedics checked her vital signs and treated the lacerations on her forehead. "She'll be all right," a paramedic said as the ambulance took Mary away. "The incident happened in the county so the sheriff's department will handle the investigation and reports" Gunn said.

Gunn attributes alcohol as a major factor to many of the disturbances which occur. "One out of every two cases reported stems from the use of alcohol," he said. "For example, take a family disturbance. Either the husband or wife, 90 percent of the time, has been drinking. Then they start to argue, someone calls the police, and we are supposed to go in

there and solve 32 years of marital problems."

Gunn, 26 has been a member of the Fresno Police Department for four years.

He has been awarded the departmental life-saving medal for saving the life of a 76-year-old man, who had a heart attack. The man fell and jarred his dentures loose, causing him to swallow them. Gunn saw all this while driving in his car, and he immediately stopped and began to remove the dentures from the victim's throat and started administering mouth to mouth resuscitation until the paramedics arrived. "The paramedics said the old man would have died if I hadn't got there in time," Gunn said.

"There have been only four medals given out in department history," he said. "Two were for valor and two were for life saving. I'm just glad I was there to help the guy out."

Our conversation interrupted when the dispatcher alerted Gunn that a 211 was in progress at the 7-11 store on the corner of Fresno St. and Clinton. The dispatcher told Gunn to assist patrol car 12. Gunn, reconfirmed the message back to the dispatcher.

"What's a 211?"

"A robbery in progress," Gunn said.

Patrol car 11 was already at the 7-11 store and instructed Gunn to hunt for three Mexican males running north bound on foot on Fresno St.

"If we're not on top of a robbery within 90 seconds of when it goes down, it's very hard to catch the suspect at the scene of the crime." Gunn said.

We kept driving reluctantly in the vicinity of the robbery for a while. "They're long gone by now," Gunn said.

As the early morning fog rolled in, Gunn drove me back to the police station stopping next to my car. As I leaned out of the police car, I turned to him and said "Good night partner!"

The police ride-along program is offered to anyone who wishes to accompany an officer during his patrol. For more information, call the Fresno Police Department.

Professional Responsibility Examination

The Multistate Professional Responsibility Examination will be given at the San Joaquin College of Law on November 18, 1982, from 1:00 p.m. to 4:30 p.m. in Room 101.

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Workshop On Expert Testimony

The San Joaquin Psychological Association is sponsoring a workshop on Psychological Testimony to be held Saturday, December 4, 8:30 a.m.-4:00 p.m. at the Gaslight Restaurant of the Trade Winds Motel west of Rte. 99 at the Clinton Avenue exit.

The workshop will be based on a presentation by Jay Ziskin, Ph.D., LL.B., of the attorney's approach to psychological and psychiatric testimony. It will include topics of expert witness, psychological testing, and diagnostic error. Case material will be presented on cases involving child custody, criminal responsibility, dangerousness and commitment.

Dr. Ziskin's presentation will be followed by a response by a panel of psychologists experienced in court-

room testimony. They will focus on effective preparation of testimony and response to cross-examination.

Jay H. Ziskin obtained his Ph.D. in Clinical Psychology and his LL.B. at U.S.C. He has been in private practice in both professions. His background includes Instructor in Law and Psychology, U.S.C. Law Center and Professor, C.S.U.F. Los Angeles Counseling Center. He is the author of **Coping With Psychiatric and Psychological Testimony**, Law and Psychology Press, Beverly Hills, California.

Registration forms may be obtained from Joseph M. Sacks, Ph.D., California School of Professional Psychology, 1350 M St., 93721.



Judge Caeton and Nancy Currier talk with first year students.

Advanced Taxation Program

The San Joaquin College of Law is offering seven (7) ten week classes dealing with the law of income taxation. Each of the courses will be on an advanced level and is designed primarily for members of the accounting profession and the bar. Two hours of semester credit will be offered for each full ten-week course (30 hours continuing education credit.) The courses are approved by the State Board of Accountancy and the State Bar of California for continuing education credit. Application for accreditation with the California State Department of Education is currently in process and will lead to the ability to offer a Master of Science Degree.

The College of Law has initiated this program based on a perceived need in the community for advanced education among the bar and accounting profession. Currently, to

obtain such advanced education in the tax area, local practitioners find it necessary to travel to San Francisco, Los Angeles, or Sacramento. The College of Law feels that by offering the program locally, it will be serving both a real need in the community and substantially increasing the quality of practice in Fresno County.

Classes are scheduled for the Winter and Spring Terms and include Basic Tax Research; Taxation of Property Transactions; Estate and Gift Tax; Basics and Advanced Corporate Tax; and Basic and Advanced Partnership. Classes are held at the law school Monday, Wednesday, and Thursday evenings from 6:30 p.m. to 9:30 p.m. and on Saturdays from 9:00 a.m. to 12:00 noon.

For more information about the program contact Susan Wanger at 225-4953.



Students gather for a party during orientation week.

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