1 Symposium

7 Featured Events

7 Commencement 1981: A Nostalgic Ending, A Promising Beginning, The Class Message by Minna Schiller, President

12 Enter 1984: A Welcome to the Incoming Class by the Honorable Alfred L. Luongo, '47, of the United States District Court, Eastern District of Pennsylvania

15 Living Life as a Lawyer by E. Clinton Bamberger, Jr., 1981 Honorary Fellow, University of Pennsylvania Law School

19 Conversation With . . . Morris M. Shuster, '54, Lecturer and Clinical Supervisor, Spring Semester, 1981


29 The Faculty


31 Alumni Briefs

36 End Notes

In Memoriam

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LAW ALUMNI DAY 1982
IS TUESDAY, APRIL 20

Dean Freedman Assumes Presidency of the University of Iowa

In April 1982, Dean James O. Freedman will become the fifteenth president of the 25,000-student state university in Iowa City.

A Professor at the University of Pennsylvania Law School since 1964, Mr. Freedman served as the University's Ombudsman from 1973–1976, was Associate Dean of the Law School from 1977–1978, and was Associate Provost of the University in 1978 prior to becoming Dean of the Law School on January 1, 1979.

University of Pennsylvania President Sheldon Hackney lauded Dean Freedman as "...a complete Dean—institutional leader, faculty recruiter, fundraiser. We shall miss him greatly, but it is a wonderful opportunity for him and a perceptive choice by the University of Iowa regents. He will make an excellent Big Ten university president."

Introducing Vice-Dean Marshall

Margo Post Marshall was appointed Vice-Dean of the Law School in August 1981, upon the elevation of Phyllis W. Beck to the Pennsylvania Superior Court Bench.

Ms. Marshall was Assistant Vice-Provost for Undergraduate Studies at the University of Pennsylvania from 1974–1975 and, prior to that, was Director of Residential Programs from 1972–1974. In this capacity, Vice-Dean Marshall headed the task force which planned the renovation of the Quadrangle, the University's large community of student residences. She also was a founder of such University institutions as the DuBois College House, Stouffer College House, Ware House Residential College for Health Sciences, the International Residential Program, Hill College House, and the Arts and Music Residential Program.

From 1979 until her arrival at the Law School, Vice-Dean Marshall served as Assistant Dean at the University of San Diego School of Law in California.

Ms. Marshall earned a B.A. degree from the University of Rochester in New York, an M.A. degree from the University of Michigan, and her J.D. degree from California Western School of Law in San Diego.

As Vice-Dean, she oversees the Law School's administrative offices and is the Dean of Students.
Judicial Clerkships 1981

Twenty-six graduates of the Class of 1981 presently are serving as clerks to Judges on Federal, State and Common Pleas Benches.

Federal Courts
Gary B. Born  
Honorable Henry J. Friendly, 2nd Circuit  
Timothy E. McAllister  
Honorable William H. Timbers, 2nd Circuit  
Marcie R. Horowitz  
Honorable Arlin M. Adams, 3rd Circuit  
Cassandra N. Jones  
Honorable A. Leon Higginbotham, 3rd Circuit  
Sheldon J. Tepler  
Honorable Richard S. Arnold, 8th Circuit  
Arlene Issacson  
Honorable Caleb R. Layton, III, District of Delaware  
Joshua M. Spielberg  
Honorable Walter K. Stapleton, District of Delaware  
Steven G. Reade  
Honorable Samuel King, District of Hawaii  
Ronald M. Spritzer  
Honorable Herbert Murray, District of Maryland  
Mitchell J. Baker, LL.M.  
Honorable Irving Ben Cooper, Southern District of New York  
James R. Scarantino  
Honorable Edward R. Becker, Eastern District of Pennsylvania  
Janet S. Berney  
Honorable John P. Fullam, Eastern District of Pennsylvania  
Peter K. Kautsky  
Honorable John P. Fullam, Eastern District of Pennsylvania  
David L. Cohen  
Honorable Joseph S. Lord, III, Eastern District of Pennsylvania  
Amy T. Woodward  
Honorable Clarence Newcomer, Eastern District of Pennsylvania  
Darryl J. May  
Honorable Norma L. Shapiro, Eastern District of Pennsylvania

Pennsylvania Courts
Gerard A. Chamberlain  
Honorable Bruce Kauffman, Supreme Court of Pennsylvania  
Jeffrey D. Lobach  
Honorable Bruce Kauffman, Supreme Court of Pennsylvania  
Karen L. Geiss  
Honorable Edmund B. Spaeth, Supreme Court of Pennsylvania  
Lisa N. Scottoline  
Honorable Edmund B. Spaeth, Supreme Court of Pennsylvania  
Susan E. Summer  
Honorable Lois Forer, Court of Common Pleas—Philadelphia  
Richard T. Nasti  
Honorable Murray Goldman, Court of Common Pleas—Philadelphia  
Patricia Uyehara  
Honorable Bernard Goodheart, Court of Common Pleas—Philadelphia  
C. Renee Hooks  
Honorable Doris May Harris, Court of Common Pleas—Philadelphia

Other State Courts
Randy M. Mastro  
Honorable Alan Handler, Supreme Court of New Jersey  
Rikki J. Lamatino  
Honorable Robert A. Matthews, Brielle, New Jersey
Nominees for a New Dean
University of Pennsylvania Law Alumni are requested to submit the names of Judges, law professors, and legal practitioners they consider worthy successors to Dean James O. Freedman, who departs for the University of Iowa in March, 1982.

The Committee in Search of the New Dean, headed by Associate Professor Henry Hansmann, is soliciting outside recommendations as well as examining potential candidates from within the Law School and the University Faculties.

Alumni with suggestions should contact Professor Henry Hansmann at The Law School, 3400 Chestnut Street, (215) 243-6084.

News from The Law Review
On January 23, 1982, The University of Pennsylvania Law Review will sponsor a Symposium entitled “The Public-Private Distinction.” Distinguished national scholars will be in attendance at the all-day event which will feature, among its participants, University of Pennsylvania Law Professors Frank Goodman and Regina Austin, and Professor Gerald Frug, formerly of this School, now of Harvard Law School. The Honorable Henry J. Friendly of the Second Circuit Court of Appeals will deliver the opening address.

For additional information on the Symposium, contact Bruce R. Lerner, Executive Editor, The University of Pennsylvania Law Review.

The November 1981 issue of The Law Review features an essay by Professor George L. Haskins on law vs. politics in the Supreme Court during the tenure of Chief Justice Marshall. It is based on an address Mr. Haskins delivered before the Supreme Court Historical Society.

To Recent Alumni of the Law School: News from SALLIE MAE
The Student Loan Marketing Association Loan Consolidation (SALLIE MAE), authorized by Congress on January 1, 1981, has made available a fact sheet detailing the provisions of the newly-authorized Loan Consolidation Program.

The Program has been designed to reduce the burden of repaying student loans, thus reducing the incidence of borrower default. Under the Program, a new GSLP loan to SALLIE MAE is created, and the existing GSL, FISL, and/or NDAL debt(s) are paid off by SALLIE MAE. The new loans will be GSL loans at 7% interest. Repayment terms depend on the applicants’ student loan indebtedness.

Although in the pilot stages, an attempt is being made to identify the graduates best qualified to take advantage of the Program. For specific information on repayment options and on those who qualify as applicants, call collect at (703) 385-3605 or write to The Student Loan Consolidation Center, 9401 Lee Highway—Suite 401, Fairfax, VA 22031, Attention: Loan Consolidation Center. Institutional inquiries may be made to William Kidwell, Product Manager, (202) 333-8000.

Our Visiting Professors and Scholars
The Fall semester has brought guests to the Law School from Japan, Southern Africa and Scotland.

Visiting Professor Misao Tatsuta, Professor of Law at the Faculty of Law, Kyoto University in Japan, taught Japanese Business Law last semester. A member of the International Faculty for Corporate and Capital Market Law, Professor Tatsuta sits on the Board of Advisory Editors for The Journal of Corporate and Securities Regulation.

Professor John B. Kaburise, LL.M. ’73, a Fulbright African Senior Research Fellow, was present at the School until December. He is Senior Lecturer and Deputy Dean, the Faculty of Law, The National University of Lesotho, Southern Africa.

Professor Christopher M.G. Himsworth, a visiting scholar from Scotland, was at the School until December. He is Lecturer at Old College, The University of Edinburgh, Department of Constitutional and Administrative Law.

The LL.M.s Go To Court
Penn Law School’s graduate students—the LL.M.s—attended a session of the Philadelphia Court of Common Pleas, Judge Marvin Halbert, ’49, presiding, in October.

Organized by Assistant Dean Alice B. Lonsdorf, the visit served to acquaint the graduate students—many of whom are practitioners in foreign countries—with the local judicial system.

As a result of Mrs. Lonsdorf’s planning, the LL.M.s will have the opportunity throughout the school year to visit the Federal Courts in the Philadelphia area, as well as, the Supreme Court in Washington, D.C.
Our New Administrators
This Fall, Lyn Davis and Cynthia Arkin were welcomed as members of the Law School Community.

Lyn Davis, a Philadelphian originally from New England, replaces Esther Leeds Cooperman as the Assistant Director of Placement. She received her A.B. from Duke University and a graduate degree in Counseling and Social Work from Bryn Mawr College. Mrs. Davis was an Adolescent and Family Counselor at the Southern Home for Children and at the Hahnemann Medical College Hospital, where she taught courses in interviewing to medical students, in addition to her regular counseling duties. A founder of Women in Transition, Mrs. Davis was a counselor and support group leader with that organization and, until her arrival at the Law School, was the Organizer/Director of the Delaware Valley Area Consumer Education Conference.

As Assistant Director of Law Placement, Lyn Davis counsels students individually and plans group career programs with the aid of Alumni and other interested attorneys.

Cynthia Arkin, the new Associate Librarian at Biddle Law Library, assumed the position held for forty-three years by Paul Gay. Miss Arkin was the Librarian at the American Telephone and Telegraph Company Law Library in New York prior to her coming to the School. From 1973–1979, she was successively Acquisitions, Circulation, and Legislative Reference Librarian at the Georgetown University Law Center. Miss Arkin earned her J.D. degree at Georgetown in 1979, and her Master’s degree in Library Science, her M.A., and her B.A. degrees from the University of Wisconsin.

Law Alumni Society Activities: The Luncheon Series—The Forum Series
In an effort to further encourage communication between the Law School and its Alumni, and to offer continuing education opportunities to Pennsylvania Law Alumni Society continues to present its late afternoon Alumni Forum Series and has initiated a new series of Alumni Luncheon Lectures.

The Alumni Forum Series, chaired by Hon. Melvin G. Levy, ’50, of the Delaware County Court of Common Pleas, is held on specified weekday afternoons from 4:30–5:30 p.m. at the Law School. The Forum program attracts Alumni to the School to hear our prominent Faculty speak on subjects related to their individual specialties. For example, in October, Professor Robert H. Mundheim, University Professor of Law and Finance, delivered the first in this year’s Lecture Series, “Reflections on the Iran Experience—One Year Later”. Professor Mundheim’s address was recorded on videotape and is available to Alumni for viewing. Former Forum Lecturers, Professors A. Leo Levin and Louis B. Schwartz, delivered lectures which are part of the Law Alumni Society’s library of Forum videotapes, also available to interested Alumni.


Chair of the Luncheon Series, Henry S. Hilles, Jr., ’64, has announced the second in this year’s lectures to be held January, 18, 1982, at the PNB Concourse. Professor Jan Z. Krasnowiecki will speak on “The Future of Condominiums—(And Shared Amenities Housing, in General)”.

Class Reunions—A New Format
The Alumni Affairs Office is introducing an innovative concept in the Quinquennial Class Reunion Program, beginning in the Fall of 1982.

During the weekend of October 16-17, the Classes marking milestone reunions in 1982—1927, 1932, 1937, 1942, 1947, 1952, 1957, 1962, 1967, 1972 and 1977—will be invited to participate in specially-planned programs at the Law School on Saturday, and to hold individual Class celebrations at restaurants, hotels, or establishments of their selection on Saturday night. A Sunday brunch will be offered as a completion to the Reunion Weekend.

Quinquennial Class members anticipating 1982 reunions are encouraged to mark October 16 and 17 on their calendars. Information will be forthcoming by mail and through The Law Alumni Journal, but immediate answers to questions may be obtained from Alice B. Lonsdorf, the Assistant Dean For Alumni Affairs, at (215) 243-6303.
Attention: Sharswood Alumni

Plans for the Centennial dinner (mentioned in the Spring/Summer 1981 Journal) are proceeding apace, with March tentatively chosen as the target date. Please don't wait for invitations to express your interest, as preliminary indications of attendance will aid in the planning of festivities. This applies especially to members from the years 1974–1978, for whom our membership records are somewhat sketchy.

In conjunction with the Centennial dinner, the Club is considering publication of a new membership book similar to that published in 1971. Also being considered is the selection of a Faculty member to be made an honorary Sharswood Club member (the most recent was Professor Haskins in 1952). The Club would appreciate nominations for the honorary membership and would welcome contributions towards the book project, which may require up-front funding in excess of the Club's operating budget. Please forward all communications to Tom Bowden, '83, at The Law School, 3400 Chestnut Street, Philadelphia, 19104.

The 1981 Thomas A. O'Boyle Memorial Lecture

Robert Carswell, the Deputy Secretary of the U.S. Treasury from 1977–81, delivered the annual Thomas A. O'Boyle Memorial Lecture on Wednesday, December 2 at the Law School. Mr. Carswell's topic was "The Crisis in Thrift Institutions and Housing Finance: Some Answers."

Established as a memorial to Thomas A. O'Boyle by his friends and colleagues, the Lecture Series brings distinguished practitioners to the School to deliver scholarly lectures in areas related to law and to the world of business and finance. The late Mr. O'Boyle, '40, was a founding member of the Advisory Council of the Law School's Center for Study of Finance Institutions.

The Dean and the Alumni

Throughout the summer and autumn months, Dean James O. Freedman has continued to meet with Alumni at various Bar Association and Alumni-related functions.

In August, he was in attendance at the meetings of the American Bar Association in New Orleans, where Judge Phyllis Kravitch, '43, of the Fifth Circuit Court of Appeals was honored at a reception sponsored by the University of Pennsylvania Law Alumni Society.

The Dean addressed the New York City Alumni Association in September at their annual cocktail reception. Graduates of the Class of 1981 who had taken jobs in New York were welcomed by the Dean and veteran members of the Association.

Dean Freedman presented the first in a series of Philadelphia Region Alumni Luncheon Lectures in September. He spoke on the topic "Legal Education in the Year 2000" to approximately 100 Alumni in attendance at the Luncheon Forum.

In January, during the annual Conference of the Association of American Law Schools to be held in Philadelphia, Dean Freedman will host a breakfast at the Law School on January 8, at 8 A.M. for all Alumni-in-Teaching.

The Annual Judges' Reception

The Board of Managers of the University of Pennsylvania Law Alumni Society presented its seventh annual reception on October 27, 1981 for students, law clerks, and Court of Common Pleas Judges at City Hall in Philadelphia. The function, planned and hosted each year by the Honorable Doris May Harris, '49, enables law students the opportunity to meet informally with members of the Trial Bench of Philadelphia and the surrounding counties, and to become acquainted with the law clerkship program available after graduation.
Where are Penn Law Alumni—Professionally and Geographically?

The Law School's Offices of Alumni Affairs and Placement have gathered material to help answer this frequently-asked question concerning the where-abouts of Alumni.

The map illustrates the geographic distribution of University of Pennsylvania Law Alumni in the United States, by preferred address, as of July 1981.

LAW ALUMNI IN FOREIGN COUNTRIES (Including 1981 LL.M.s)

<table>
<thead>
<tr>
<th>Country</th>
<th>1981 LL.M.s</th>
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<tbody>
<tr>
<td>Puerto Rico</td>
<td>7</td>
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<tr>
<td>Virgin Islands</td>
<td>3</td>
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<tr>
<td>Algeria</td>
<td>2</td>
</tr>
<tr>
<td>Australia</td>
<td>13</td>
</tr>
<tr>
<td>Belgium</td>
<td>4</td>
</tr>
<tr>
<td>Brazil</td>
<td>7</td>
</tr>
<tr>
<td>Canada</td>
<td>6</td>
</tr>
<tr>
<td>Colombia</td>
<td>1</td>
</tr>
<tr>
<td>Egypt</td>
<td>2</td>
</tr>
<tr>
<td>England</td>
<td>12</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>2</td>
</tr>
<tr>
<td>France</td>
<td>14</td>
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<tr>
<td>West Germany</td>
<td>10</td>
</tr>
<tr>
<td>Honduras</td>
<td>1</td>
</tr>
<tr>
<td>India</td>
<td>4</td>
</tr>
<tr>
<td>Ireland</td>
<td>4</td>
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<tr>
<td>Israel</td>
<td>3</td>
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<tr>
<td>Italy</td>
<td>2</td>
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<tr>
<td>Japan</td>
<td>13</td>
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<tr>
<td>Korea</td>
<td>2</td>
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<tr>
<td>Luxembourg</td>
<td>1</td>
</tr>
<tr>
<td>Mexico</td>
<td>2</td>
</tr>
<tr>
<td>Netherlands</td>
<td>7</td>
</tr>
<tr>
<td>New Zealand</td>
<td>1</td>
</tr>
<tr>
<td>Nigeria</td>
<td>2</td>
</tr>
<tr>
<td>Norway</td>
<td>1</td>
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<tr>
<td>Pakistan</td>
<td>1</td>
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<tr>
<td>Paraguay</td>
<td>1</td>
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<tr>
<td>Peru</td>
<td>1</td>
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<tr>
<td>Philippines</td>
<td>13</td>
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<tr>
<td>Poland</td>
<td>2</td>
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<tr>
<td>Saudi Arabia</td>
<td>1</td>
</tr>
<tr>
<td>Scotland</td>
<td>1</td>
</tr>
<tr>
<td>Rep. of S. Africa</td>
<td>1</td>
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<tr>
<td>Spain</td>
<td>1</td>
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<tr>
<td>Sudan</td>
<td>1</td>
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<tr>
<td>Sweden</td>
<td>2</td>
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<tr>
<td>Switzerland</td>
<td>6</td>
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<tr>
<td>Taiwan, R.O.C.</td>
<td>11</td>
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<td>Thailand</td>
<td>4</td>
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<tr>
<td>Venezuela</td>
<td>5</td>
</tr>
<tr>
<td>Vietnam</td>
<td>1</td>
</tr>
<tr>
<td>West Indies</td>
<td>1</td>
</tr>
<tr>
<td>West Africa</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>180</td>
</tr>
</tbody>
</table>

The 180 Law Alumni living and practicing in foreign countries are listed by country and/or region.

The placement chart reflects the percentage break-down of Alumni career choices from 1969–1981.

Penn Law Placements from 1969–1981

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</thead>
<tbody>
<tr>
<td>Law Firms</td>
<td>39%</td>
<td>56%</td>
<td>42%</td>
<td>48%</td>
<td>47%</td>
<td>43%</td>
<td>45%</td>
<td>53%</td>
<td>55%</td>
<td>55%</td>
<td>57.5%</td>
<td>58%</td>
<td>71.2%</td>
</tr>
<tr>
<td>Judicial Clerkships</td>
<td>29%</td>
<td>13%</td>
<td>20%</td>
<td>18%</td>
<td>17%</td>
<td>22%</td>
<td>18%</td>
<td>17%</td>
<td>16%</td>
<td>17%</td>
<td>17.5%</td>
<td>18%</td>
<td>14.1%</td>
</tr>
<tr>
<td>Government</td>
<td>20%</td>
<td>11%</td>
<td>9%</td>
<td>13%</td>
<td>19%</td>
<td>12%</td>
<td>14%</td>
<td>17%</td>
<td>18%</td>
<td>12%</td>
<td>8.7%</td>
<td>14%</td>
<td>6.2%</td>
</tr>
<tr>
<td>Public/Community Law</td>
<td>—</td>
<td>8%</td>
<td>10%</td>
<td>12%</td>
<td>6%</td>
<td>11%</td>
<td>7%</td>
<td>5%</td>
<td>4%</td>
<td>5%</td>
<td>7.6%</td>
<td>.03%</td>
<td>2.8%</td>
</tr>
<tr>
<td>Industry</td>
<td>8%</td>
<td>4.5%</td>
<td>6%</td>
<td>3%</td>
<td>5%</td>
<td>5%</td>
<td>6%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
<td>05%</td>
<td>3.4%</td>
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<tr>
<td>Teaching</td>
<td>—</td>
<td>—</td>
<td>2%</td>
<td>0.5%</td>
<td>3%</td>
<td>1%</td>
<td>2%</td>
<td>1%</td>
<td>3%</td>
<td>5%</td>
<td>—</td>
<td>—</td>
<td>2.3%</td>
</tr>
<tr>
<td>Graduate School</td>
<td>2%</td>
<td>4.5%</td>
<td>2%</td>
<td>0.5%</td>
<td>1.5%</td>
<td>3%</td>
<td>3%</td>
<td>1%</td>
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<td>—</td>
<td>—</td>
<td>4.7%</td>
<td>02%</td>
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<tr>
<td>Military</td>
<td>2%</td>
<td>3%</td>
<td>9%</td>
<td>5%</td>
<td>1.5%</td>
<td>—</td>
<td>2%</td>
<td>—</td>
<td>—</td>
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<tr>
<td>Other</td>
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http://scholarship.law.upenn.edu/plj/vol17/iss1/1
Reflections on the three-year Penn Law School experience, sincere expressions of appreciation, and a thought-provoking charge to the Class of '81 constituted the May 18 Commencement Day ceremony.

The Class was welcomed by Dean James O. Freedman; Minna Schiller, President of 1981, and Hans Sachse, a 1981 LL.M. graduate student, offered sentiments on behalf of their colleagues and classmates; and E. Clinton Bamberger, Jr., the Law School's 1981 Honorary Fellow, delivered the Commencement Address to the graduates and their guests, and to members of the Law School community.

Professor Jan Z. Krasnowiecki was honored by the Class of 1981 as the recipient of the Harvey Levin Memorial Award for Teaching Excellence. Presented annually in memory of the late Harvey Levin, '58, it is awarded by the graduating class to the law professor they deem worthy of extraordinary recognition.

Representing her Class, Minna Schiller recognized Ernie Gonsalves, Gary Clinton, and Sheila Kaiser—"the Registrar's Office"—in appreciation of "your endless efforts and hard work, your smiling faces and kind words, and your tolerance of our idiosyncrasies."

Diplomas were presented by Dean Freedman and Vice-Dean Phyllis W. Beck, after which the Class of 1981 assembled for a reception given in their honor.

What follows is the message delivered by 1981 President Minna Schiller for her classmates on Commencement Day.
During the last three years, our Class as a whole has recognized the need to preserve the diversity of opportunities and legal skills made available at Penn. The Penn Legal Clinic is one unique and particularly enriching part of the Law School curriculum. It permits us to apply the knowledge and skills we’ve learned here and, also, it uniquely provides a practical opportunity to apply ourselves to the task of becoming lawyers. Many of us who have participated in the clinical experience have found it to be the single most intellectually and emotionally satisfying facet of our legal education. Of utmost importance is the fact that the Clinic, by providing legal aid to the financially distressed, helps to forge a sorely needed bond between the legal community and the community-at-large. In the face of the Reagan Administration’s intention to withdraw funding from the Legal Services Corporation, the Clinic stands as strong evidence that legal services are essential if the goal of equal protection is to mean more than a pleasant-sounding platitud. Programs like the Clinic demonstrate that our commitment to the betterment of our society is an effort well-spent. I hardly need to elaborate upon the societal need for such programs. Recognizing the importance of effective public service, the Law School has wisely chosen Mr. Bamberger as its Honorary Fellow. His illustrious career in the area of public service speaks for itself. In the past three years, however, our student body has expressed its own concern for the survival of the Clinic. Whether accurately or not, we have perceived it to be threatened and have rallied in support of its continued survival and growth. The Administration and Faculty have now assured us that they share our concerns. Our expressions of concern over the Clinic have been voiced by both those whose interests are in traditional private practice as well as those whose interests are in the field of public interest law.

Whatever our disagreements, there has always been an underlying sense of mutual support and community among Class members. Throughout the past three years, friendship, respect and concern have grown strong. This is both a tribute to and, surely, a result of the varied backgrounds which make up the Class of 1981. From our first contacts with one another, one of the striking things noticed by many of us was the diverse backgrounds, interests and talents we each brought when we arrived in August, 1978. Law school presented more than an intellectual challenge: it presented a challenge to maintain our sensibilities throughout the process. We were warned that law school would narrow our perspectives, make us “think like lawyers,” and possibly stifle whatever non-legal creative talents and interests we cherished before we came here. To some extent, I believe that our outlooks on life have been narrowed and removed from reality. We have become more analytical and less spontaneous. We worry that, in acquiring the mind of the lawyer, we’ve begun to lose the heart of the humanist. Yet it is clear that the members of our Class have lost neither their sense of humor nor their creativity. The enthusiasm with which we participated in such events as the Law Revue shows and the Light Opera productions illustrates that we have digested

Well, in just 30 minutes, it will all be over. And as Professor “Kras” so ably said on our last day of Creditor’s Rights Class, “We have covered more than anyone has ever covered... of course, we’ve done a very superficial job.”

It sure does seem that way. When we look back to all the years of schooling we’ve had and to all the ideas and facts we’ve tried to cram into our heads at four-month intervals, it is natural to feel that we’ve covered more ground than most. But when we look ahead, it certainly seems as though our training has been, at most, cursory. The old cliché that the more one learns, the less one knows seems particularly apt. We all remember having been told that this was the way law school would be. Why did it take three years of hindsight to really convince us of it?

Many of our attitudes about what law school would be like and why each of us decided to come here, have changed throughout these last three years. Few of us dispute that Penn has provided us with the groundwork upon which we can now build as we pursue our individual continuing educations and plans for life. To supplement the vague, career objectives which many of us brought, we have gained some new perspectives on the kinds of opportunities that a legal education can afford.

Although many of us will be entering private practice of one form or another, that is by no means the only area that members of this Class have decided to follow. Some of us will clerk for state and Federal judges. Others will work for the government or engage in societal service through work in various public interest groups. And some members of the Class of 1981 will apply their legal educations in ways not directly related to the study or practice of law. All of these alternatives will call for both a broad application of a broad range of legal disciplines, as well as the other skills and human qualities we’ve been nurturing all of our lives.

http://scholarship.law.upenn.edu/plj/vol17/iss1/1
the law with a grain of salt and have not lost that essential human touch. Many long hours were spent grinding away in the hallowed halls at 44th and Spruce Streets and, through our collective efforts, the economy of at least one segment of West Philadelphia—the bar keepers and beer-distributors—has been improved. We arrived and we leave a “party ing” crew. Our Class members entered law school with different ideologies and perspectives; some of us leave here with those viewpoints intact. But when each of us singly was faced with the traumas of the first year, the common feelings and sympathies that we felt towards one another became both the support we needed to get through as well as a pleasant and unexpected surprise.

For the first time since Penn Law was founded, a graduating class will consist of almost 50% women. Unfortunately, this is the largest proportion of women to date and has not been matched by the subsequent two entering classes. I hope this does not signal a retreat from the School’s commitment toward fostering a student body representative of our society at large. At this point, I cannot help but point out that minority representation within the student body has been on a decline since we matriculated in the fall of 1978. While the University has expressed its commitment to racial and sexual equality within the University community, we have far to go. Our Law School Faculty is a body which, in many ways, sets the tone of the School. It consists of three non-tenured women: one of whom is black and one of whom is leaving for a judicial appointment. There is a single black male. We hope that whenever any tenure or hiring decisions are made, the University will remember its commitment to minority representation.

Many in the Class will undoubtedly feel some shock—no matter how much we try to prepare ourselves—at entering a field which has long been a white male bastion. But it is not only minorities and women who feel the needs for, and the pressures of, change. Our profession, which rewards us so lavishly in terms of money and power, can often exact its toll in terms of one’s family and personal lives. All of us have had to adjust and will need to continue to do so in the future. Hard questions will persistently arise concerning our careers and the degree to which being an attorney can conflict with or enhance our personal lives. There is no easy formula for producing a decent human being and a competent, successful attorney. Analytical and rhetorical brilliance, assertiveness and toughness are the qualities for which an attorney is praised. But these traits are too easily transformed into arrogance, condescension and the stubborn maintenance of the status quo. Sensitivity, tolerance and careful introspection are the virtues that will help us bear our heavy responsibilities.

Each one of us should be proud of what he or she has achieved and, of course, our families share this pride. We would not have been able to make it here today without their help and encouragement. Hopefully our pride is founded in good intentions. Most of us here believe that to be an attorney is to be a member of a useful and honorable profession.

But lawyering has, in recent times, been attacked as something less than honorable. The most recent Harris poll on public confidence in American professions and institutions reveals that lawyers are the least trusted of all. This mistrust stems in part, I feel, from the frustrated expectations of a society which, since its birth, has relied heavily upon its legal system for the deliverance of justice. As members of society, all of us share in this frustration when we see friends or family get a raw deal, when we witness prejudice, and when we look at the huge gap between the rich and the poor in this country. But as future lawyers we are well-aware of the limitations of the legal system as a justice-administering scheme. I can not forget the feeling I had when, during our anxious and hectic first year here, I realized that a legal system and a moral system are two distinct entities. But we should not be deterred from striving to attain a moral legal system. Given the frantic and fearful mindset our nation seems to have developed of late, we are perhaps challenged as no other group of emerging lawyers has been to keep both our society and our legal system in touch with our humanness.
ENTER 1984: A WELCOME TO THE INCOMING CLASS
by The Honorable Alfred L. Luongo, '47, of the United States District Court, Eastern District of Pennsylvania

I find it hard to believe that forty years have passed since I began at this Law School. Time has moved so quickly—almost in the twinkling of an eye. It seems so recent that I faced the new life of law school with trepidation—literally with knees shaking. There was no official welcome in those days. No one was assured or warned, as the case may be. We just received a matriculation card, a roster, a course schedule, the names of our professors and their room numbers.

I imagine that some of you are apprehensive—some about whether you will make the grade (although I can’t imagine why); others about whether you really want to devote the rest of your lives to the law; and still others about the state of the economy, social conditions, and world affairs—worried about what the future holds. I venture to say, also, that there are probably some of you who are supremely confident—expecting to breeze through.

To those who are apprehensive, let me give you a personal word of assurance. I can’t imagine anyone being more concerned than I was at the beginning of my law school career. But things worked out. Things have a way of working out if taken one step at a time. The study of law may seem strange at first, but there is a definite order and logic to it—although, at times I confess, it takes a good deal of searching to find that logic.

To those of you expecting to breeze through, I had some classmates who felt that way. Some did breeze through; some did not. The ones who became really successful were those who learned early that, even if the study of law came easy, hard work paid off in the form of honors during their law school careers, and special rewards were forthcoming afterwards.

For those concerned about their ability to cope and about the conditions in the economy and in society, let’s take a look at what life was like when I began.

1941. The country was just emerging from the most serious economic depression in its history. There was a war going on in Europe. World War II had begun and some people left law school for the service. During my first semester, Pearl Harbor occurred and many more left law school at that time. In the summer of 1942, after a half-hearted second year, I left the School and entered the service. For most of us who were to return, the interruption in our legal education was for three to four years. The war, unquestionably, had a profound effect on our lives, on the economy, and on the future of the law. Government regulation, which got its first real impetus during the depression years of the ’30’s, increased tremendously during the war years and has proceeded apace since. As an aside to all of you would-be Wall Street lawyers and corporate experts, my first job upon graduation from the Law School was as a law clerk to three Common Pleas Judges at $2,752—per year. I understand that’s what second-year students clerking for the summer in New York are now being paid—per month.

It is always a pleasure to come back to the School and, particularly, for such a pleasant assignment. I am honored that Dean Freedman has given me the opportunity to extend a few words of welcome as you enter Law School. It is neither my purpose nor my intention to be profound. I hope only to present a "then and now" look and to make a few observations, for what they may be worth.

You are about to begin the studies that will prepare most of you for careers in the law. Now, I’m not trying to alarm you. In my day, they used to say “Look to your left, look to your right. One of you will not be here at the end of the year.” That’s not the case anymore. From what Dean Freedman has said, all of you are so highly-qualified that I cannot imagine anyone in this class failing for lack of ability. But some few of you, if history teaches us correctly, will make use of your legal studies in other lines of endeavor—in business, journalism, administration, nonlegal government service. The discipline of law training is invaluable in all of these fields.
In the relatively short span of forty years, the impact of law on our daily lives has increased a hundredfold and, with it, has increased the responsibilities of lawyers in our society. It is truly hard to comprehend the scope of the changes which have taken place in my short lifetime in the law. As a single example, *Gideon v. Wainwright* established the right of indigents the appointment of counsel in criminal cases. When I came to the bar, it was commonplace to be in a courtroom when a defendant was being arraigned—without counsel. The judge would look around the room, spot a young lawyer and say “Mr. Smith, talk to this man for a few minutes and we'll proceed with the arraignment.” Like as not, after the impromptu interview, the young lawyer would say, “We're ready your Honor.” The Judge would ask the defendant, “How do you plead?”—“Guilty Your Honor.” He was sentenced and that was that!

Now, in the Federal system, we have the Criminal Justice Act and, in the Federal system alone, representation of indigent defendants was budgeted at $24 million for one year. And that amount pales into insignificance next to the amounts spent by the states to furnish counsel for indigent defendants through Voluntary Defender Organizations, Public Defenders, investigators, psychological and social services, clerical assistance, etc. The simple “How do you plead?”—“Guilty Your Honor.” has changed into a searching inquiry. More important, counsel has a responsibility, on pain of a charge of ineffective assistance of counsel, to raise the myriad technical and constitutional issues which have been recognized and given force during these few years.

Problems of coerced confessions—*Miranda* warnings; the exclusionary rule for evidence obtained by illegal searches; the rights of indigents to the appointment of counsel and the right of all defendants to have counsel at every stage of the proceedings; the prohibition of unduly suggestive lineups and photographic identification; the manner of summoning and selecting juries; increased pretrial procedures; and post trial and collateral attacks; the incorporation of many of the rights guaranteed by the Bill of Rights into the federal system and countless more for administrative proceedings.

Individual rights—the right of privacy; the right to vote; the “one man—one vote” concept; the right to travel; the numerous protections for the mentally ill, the retarded, and the handicapped; the rights of women and minorities—all have been recognized and are being enforced.

There is a literal explosion of litigation generated by the development of effectual civil remedies for enforcing Federal statutory and constitutional rights, and for the recognition and enforcement of prisoners' rights. The concept of Court supervision of the prison systems, and the enactment of the Civil Rights Attorneys' Fee Award Act as a further means of encouraging enforcement of these rights—have emerged.

Rulings have been made under the Equal Protection Clause outlawing discrimination based on suspect classifications; *Brown v. Board of Education*—abolishing the “separate but equal” concept of education; the use of the Federal injunctive power to enforce those rulings, and the ruling set down where courts supervise school systems.

In Tort law, the concepts of strict liability of manufacturers and sellers of defective products; the recognition of purely emotional torts—for wrongful life (births) as well as for wrongful death;—have been developed.

Class action litigation has become a means of enforcing the rights of many whose claims would have otherwise gone unenforced. Class action litigation did not exist in 1941. It now furnishes a large volume of the work of the Federal courts.

The Freedom of Information legislation requires access to public documents and records.

The provision exists wherein legal services should be forthcoming to the poor.

All in all, we have become a litigious society. A society in which increasing numbers have resorted to the courts for solutions to more and more of the vexing issues of our times including, in its most dramatic form, the dealing with wrongdoing of high government officials as in the Watergate affair.

The numbers of courts and judges have grown at a greater rate than at any other time in this nation's history. Some new state courts have been created, and Federal judges have greatly increased in number. The Office of the United States Magistrate has been created. These offices number in the hundreds. There are literally thousands of administrative law judges as a result of the creation of that Office which, a few short years ago, did not exist.

The pace of the law has quickened. Leisurely court schedules, which were prevalent when I came to the Bar, have given way to a virtual assembly line. Computers, word processors, Lexis, the Speedy Trial Act in the Federal courts, 180-day rules in states courts—all are innovations.
Yes, we have become a litigious society. One in which the lawyers bear a heavy burden and play parts which require a commitment to excellence by all who wish to participate. Chief Justice Burger, unhappy with the quality of advocacy at this time in our history, has formed a committee to study ways and means to improve advocacy, at least in the Federal courts. One of the proposed solutions was the requirement of participation in programs of continuing legal education. It is important for you to be aware that this legal education which you are embarking on will be a continuing one when you leave the Law School.

However, to make a commitment to excellence in learning the rules of law and on how to present a case in court, in my view, is not enough. There is a very close relationship between the law and the government—between the law and the social and political problems of our increasingly complex society. Members of the community on every level look for leadership in these matters. It is no accident that so many lawyers end up in each of our branches of government—in the legislative, executive, and judicial—as well as in positions of leadership in educational, charitable, religious, and in every other kind of organization dealing with the problems of the people. That, after all, is what the business of being a lawyer is all about. As our lives become increasingly complex, as our paths cross more and more, and as we become more dependent upon each other, the regulation of our conduct to each other and to our environment becomes more and more essential to a civilized society.

There are some who say that our entire system is archaic—that it cannot cope with our multiplying problems. Therein lies the challenge to you, the future lawyers. Can we make our society work within the framework of our present system? Can something better be devised? Whatever solutions are offered or found or considered or accepted or rejected, one thing is certain. You, the future lawyers, will be in the middle of them and will play an important part.

So, as you pursue your studies, keep your eyes on the larger picture. To play your role to the fullest, you must not only study "the law," you must also be informed and sensitive to the social, economic, and political problems of the total community, in order to be prepared to make worthwhile and lasting contributions to the rule of law.

In summary, what confronts you at the outset is not different from what confronted me and my classmates when we started. We faced a changing world and so do you. The role of the law has increased and the pace has quickened during my lifetime. The likelihood is that it will do so during yours. And while I started Law School with apprehension, I was also eager, enthusiastic and ready to do my share and more—just as I am certain that each and everyone of you is.

Good luck!
Living Life as a Lawyer

by E. Clinton Bamberger, Jr., 1981 Honorary Fellow, The University of Pennsylvania Law School

Editor’s Note: E. Clinton Bamberger, Jr. was the 1981 University of Pennsylvania Law School Honorary Fellow. His citation reads, “Your career at the bar exemplifies the ideal of the lawyer who has pursued the private practice of law while also effectively being involved in some of the most important public issues of our time.”

In 1965, Mr. Bamberger resigned from a successful, secure, thirteen-year career in a large, established Baltimore, Maryland law firm to become Director of the Office of Legal Services of the Office of Economic Opportunity under Sergeant Shriver. He then took the position as Dean of the Law School at Catholic University in Washington, D.C. where he initiated and developed an important, innovative program in Clinical Legal Education. In 1975, Mr. Bamberger became Executive Vice-President of the Legal Services Corporation, where he was recognized for his efforts in developing the Corporation “to a point of highly efficient professionalism.” Two years ago, in 1979, he resigned his post at the Legal Services Corporation to become a poverty lawyer on the streets of Jamaica Plains, Massachusetts—an impacted community in South Boston.

What follows is Mr. Bamberger’s eloquent commencement charge to the new lawyers of the Class of 1981.

A few months ago I saw the photographs of the University of Pennsylvania Law School’s Honorary Fellows on the wall near the goat and two thoughts came to mind. First, what a marvelous group of fine lawyers who have done so much good. I am very grateful—inadequate words to tell my feelings—to be honored among them. Thank you.

Second, I realized that I have worked with all but two or three of them in one effort or another and reflected that it would be better if there were many more whom I do not know so well. There is something a bit discouraging about being among “We few, we happy few, we band of brothers.” And so I seize the chance to talk about being lawyers, doing good, and joining a larger, happy band.

Today we celebrate the passage of your first years of living in the law—years that may have seemed, at times, as did life to despondent Hamlet, “weary, stale, flat and unprofitable.”
What next? How will you live your life as a lawyer? There is not a single path but, at least, three main ways. You may choose to do well and nothing more. You may have a try at doing well and doing good. You may find a way to do good; and for you that will be more than enough.

My text is an essay in a book by a wise law teacher, Karl Llewellyn. The book is The Bramble Bush and the essay is "Beyond Bread and Butter". Llewellyn wrote about three modes of living as a lawyer. Of the first, he wrote:

There is a brand of lawyer for whom law is the making of a livelihood . . . such men give their whole selves to it, . . . coin is their reward, . . . coin is success, coin is prestige, and coin is power. Such lawyers . . . reflect rather adequately the standards of our civilization. Coin is in this society, the measure of a man.

. . . . Single-heartedness simplifies choices; . . . he whose desires have shrunk to meat and drink and income tax evasion, . . . has his happiness if he can gain the coin.

So wrote Llewellyn. Some of these lawyers are the same people who came to law school to learn to do good and left knowing only how to do well. They are the lawyers with blinders who never see moral problems and always find legal solutions. They work very hard to preserve power, to increase wealth, and to defy the established order. They do very well—and not much more.

They are not among the happy band. The coin rusts and the spirit shrivels. The satisfactions of achievement and of conquest become less energizing and fulfilling. Increasing doses of attainment bring less pleasure. The lawyer becomes weary. The law is stale, life is flat, and the profit of the coin is no profit for the soul.

That single-minded pursuit is not enough—for the person nor for the society. This society, as well as lawyers' souls, expect and exact more from ordained lawmakers, from women and men who are the manipulators of the scheme that defines people's rights, fixes their responsibilities, and keeps the peace.

There is the next family of lawyers who are, as Llewellyn says, of "an eager, uneasy temperament. . . . prey to queer feelings that a profession . . . should carry an obligation to a community it purports . . . to serve." These lawyers work at their trade to purchase the freedom to feed their souls. The coin buys freedom to do what needs doing and will not be done by others.

These are the lawyers who do well and do good—a very seductive prospect for us. But be cautious, for my observation affirms Llewellyn's judgment that: "Yet happy they are not. A good way of life they have not found."

These lawyers are, by my experience, less likely to be fulfilled than our first-noted, single-minded pursuers of the coin. These are the lawyers who so often say to me "To make my practice bearable I spend time . . ." and then they speak of good works. Conflict rumbles within them. They know as good what they do when they are not at their work and they come to know their work as not good. They are the restless ones. Most regress to coin chasing and some convert to teaching or public service. Llewellyn speaks compassionately of the few who stay the distance and in later years sadly ponder that "part of my soul, though it has shrunk and warped I still have saved, but at the cost of all my working hours." Llewellyn continues "It is a feeling of unremitting compromise and soiling of the very ideals that the coin was meant to salvage."

Heed Llewellyn's admonition: "As to this course of life at the Bar . . . do not fool yourself into thinking it is easy. Most who try it fail. And those who succeed are far from finding ease."

If Llewellyn and I are even nearly correct, we've not drawn an inviting prospect for you. The lawyers we have described are found most often where many of you will be soon; in the prestigious law firms.

What philosopher's stone would transmute to gold the leaden dullness in these lawyer's lives? My answer: humanity; as simple and as difficult as that.

Llewellyn speaks of that quality in his portrayal of a fulsome life among a third family of lawyers who make of their law, in Llewellyn's words, "a study of the way and the working and the wonder of this curious higher primate known as man." Learning about and understanding their fellow creatures makes lawyers better at their trade.

You will persuade people more certainly when you understand what makes them move. You will understand the workings of the institutions we have made when you understand the makers.

Some abstract and general study of man will not make a lawyer a better lawyer or a lawyer's life a better life. But law practice for people is the way. Llewellyn wrote of a unity of humanity and law, or a culture of law practice "that keeps pace with, that is your human sympathy and understanding; human sympathy and understanding which are your law."

Llewellyn wrote his essay in 1930; a half a century ago before there were law firm bureaucracies, when graduates of the elite law schools hung out shingles in big cities and went to small towns, when most lawyers wrote wills, represented divorcing spouses, persuaded juries to acquit indicted felons, and appeared in neighborhood courts.

Now there are two principal divisions of the Bar. There are the law firms that serve impersonal institutions of wealth and power and there are the other lawyers who serve people. The law firm lawyers are accounted as better. Law students collect interviews with law firms and "fly backs" (or is it "outs") like merit badges. Law schools mark their own merit by the number of graduates employed by prestigious law firms. The law firm ethos that more lawyers, more clients, more billable hours, and more money is better is the real "brooding omnipresence" about the law schools.
By and large lawyers in law firms do not practice law for people. They do not do divorces and criminal cases. They counsel corporations and speak with agents and vice-presidents. They shun personal, emotional, nasty, worrisome, aggravating, insoluble human problems. They avoid people with problems and chase legal problems.

Law firms are caricatures of the worst ecclesiastical bureaucracies. They are hierarchal and corruptly stratified by class, race and sex. Beginning lawyers earn more than the most experienced and competent who are not ordained lawyers. Partners are bishops in ermine, associates are acolytes in linen, a few women have just entered the sanctuary; and everybody else stands outside to contribute.

All the lawyers do the work profitously so judgments of quality are hard to come by. The main measure is "how much" rather than "how well." Billable hours are prayer ejaculations and partnership shares are the rewarding indulgences. The firm's computer adds billable hours and is not programmed to weigh the social utility of contracts and the efficacy of efforts to reform the common law.

There's not much hurt in that law practice. Banks that lose cases don't cry or bleed. There's not much exultation either. Corporations that win merger battles don't smile, and hug, and love. Except for the joy of the craft there's not much satisfaction, and that joy is now rarer. Narrow specialization which confines the craft to nine paragraphs of the internal revenue code stretches the joy too thin to feel.

It's not a hard life—sometimes strenuous but not hard.

For some of the lawyers who do well at it and in it—the lawyers of Llewellyn's first family—it becomes "weary, stale, flat and unprofitable."

The lawyers of the second family, those of the "eager, uneasy temperament", search in vain for tranquility order by doing well and doing good. They live and work in conflict that forbids tranquility. Law firms expect commitment to the joint enterprise—everybody pulls on the oar as hard as the hardest puller, or as near as one can come to that. The "restless ones" who need to lean back to look at the stars to live are not pulling their weight. They work in a disturbing clash of role and identity—living the role of lawyer for the class of power and wealth and wanting an identity as a person who cares about and helps the class of the have-nots.

There is in this way of lawyer-life too much strain for most lawyers to bear.

If Llewellyn and I are even nearly correct, why do so many of you choose to practice in large law firms? Why do not more of you practice law for people in small law firms or alone or in legal services offices? I do not know. But now that I have been in all three families, I have some impressions of why I made the first choice to seek the coin and took so long to make the happy choice to join the third family as a legal service lawyer.

The law prescribed for my study taught me that the important law work was done in law firms and not for ordinary people. We read appellate decisions, not trial transcripts. We studied dissolutions of corporations, not of marriages. We found ways to preserve inheritances beyond four generations, but not how to increase the public benefits of an abandoned grandparent.

Law schools made us insecure in the ordinary law; the law for ordinary people. After three years of learning that there are no right answers we were not confident about advising troubled and dependent clients. We practiced at writing appellate briefs, but not much at the things ordinary people, not corporations and rich people, needed done. We had not practiced drawing a lease for a corner store, taking the deposition of a defaulting home repair contractor, or teaching tenant's rights to a landlords' judge.

Practicing law for people, especially for poor people, is very difficult. Every part of your person is engaged; your intellect, emotion, stamina, imagination, and tolerance. There is not much support for you and you walk against the wind. Arguing for and advising people, especially poor people, is more strenuous, more difficult, more demanding, and more compensating than other kind of lawyering; that is my experience.

My experience is with corporations and rich people in one life, and now with poor people. Those have been different lives. The buffets of the law for poor people are unplanned, immediate, and critical. Vice-presidents of finance ask lawyers to plan for the issuance of new stock in three or six months. Poor people ask what they can do when their unemployment compensation runs out next week and the rent is due the week after.

The corporation's resident agent delivers the suit papers the day they were served. Poor people bring you the postcard notice of default in a eviction case the day they got it, the day after an appeal could be filed, and the day before the constable evicts. It's the first paper they understood; and often the first they received.

Conglomerates that lose subsidiary corporations in takeover battles do not weep. A poor woman whose children are taken into the state by a meddling social worker and a bored judge, weeps and cries out and breaks down and is helpless.

The practice is emotional and you cannot stand apart from it. You are not a moving advocate unless sometimes you understand enough to make you cry. You are not a good counselor when you are intolerant and judgmental. You will not have much to say if you are not loyal, resourceful, and imaginative.

There is not much support for you. Some of the law has not been written yet; you have to make it. Legislators and judges have not had much to do with these problems.
What law there is, is hard to find. The welfare regulations weigh more than the Internal Revenue Service's regulations of individual income tax. Every utterance about the income tax has been printed in triplicate and indexed by alphabet, place, date, and author. You will have to make your own collection of the welfare regulations, the administrator's policy manuals, the counsel's interpretations, and the fair hearing decisions; then keep them current and write an index.

The wind blows against you. Sign your pleading with the prominent law firm title; the clerks ask no questions and the judge asks no unsettling ones. Sign your own unknown name to a pleading that asserts several defenses and multiple counterclaims in an eviction case; the clerk puts you on the bottom of the list and the judge will hear only whether the tenant paid the rent.

For all of that it is the best of law practice; this practice that in Llewellyn's words, "keeps pace with, that is your human standing; human sympathy and understanding which are your law."

The law you find, conjure up, teach to, and speak for your client gives that human being power, sustenance, shelter; even life. You will weary; but your law will not be stale, your days will not be flat, and there is good profit for the spirit.

The best of a lawyer's work is to create with the law. The best of this work is not to use the law to protect the power of wealth and class but to use the law to create power. The best is to find in the law rights, dignity and status and to free that force for people who would not have it but for the law and your application. The best of a lawyer's work is to make for this nation a government of law.

Your generation may not have much of that opportunity. You come to the bar when the President wants this nation to be the only major western nation that does not provide lawyers to enforce the law for poor people. Anthony Lewis, of the New York Times, had it just right when he wrote that "Those who complain about (lawyers for poor people) are really objecting to enforcement of the law." Then he asked: "The interesting question is why they don't try to change the law instead of firing the lawyers."

There are at least two schemes of law. There is the law written on the statute books to make the contest more even, to protect ourselves against greed and avarice, to make a wholesome society, and to restrain some and benefit some. There is the other, the law of the market which is written by and follows the power of wealth, class, status, race and sex. Enforcement of the statute law foils the plunder of the market. Laws that spread credit by limiting rates will frustrate usurious money lenders; if the laws are enforced. Laws that require federal appropriations to be spent for housing for the elderly poor will bar city officials from using the money to build downtown shopping malls; if the laws are enforced.

Or take Anthony Lewis' example. To preserve our cities and the housing in them and to protect the people who live there, we adopt minimum standards for leased residences: housing codes. We choose to enforce the law privately by altering the bargain of the landlord and the tenant. If the roof leaks, the tenant may withhold rent and the landlord must fix the roof to have the rent; so says the law. But when the tenant withholds the rent, the landlord evicts the tenant; unless the tenant has a lawyer to tell the law to the tenant and to the judge. If the law is enforced, then the law of the market does not prevail.

President Reagan's quarrel is with the law and not the lawyers. The Reagan Administration and the interests it serves have taken aim at the messenger because they do not want the message. The poor and their law are the most vulnerable; this Administration is consistent in attacking the poor and weakest.

All of this while tax deductions subsidize corporate expenses for lawyers. What madness: subsidies for wealth and power to evade laws passed for the common good; and not a penny to enforce laws for a poor person!

We lawyers may not sit by while the government decrees that the poor and the weak, the poor disabled and the elderly, the poor children and mothers will not have the law enforced for them. We did not come to the Bar to make of the law an unfair bargain. We did not come to use the law for some against so many others forced outside the law. Our creed is an adversary system that depends on an imperfect assumption of equal access to the law, lawyers, and courts. We can neither pray that creed nor believe it when we know that the other side is stripped bare, alone and unlearned.

What if we stood still for one day or one hour and said that for this time we will not be anyone's lawyer, we will not plead a cause or mediate a quarrel, so our government will know how the poor will do without the law! What if for one day or one hour a troop of judges stood down from the bench and said they would not hear our causes, not even our government's pleadings, so we will know how the poor will do without the law!

Of such hopes and mad dreams are foolish fantasies and telling acts made!

But do what you can. Speak out for the law. You now have a special right and a responsibility. You may not let your government say that some must live without the law's help and that some laws will not be enforced.

So be it for the choices you make to find your way for life as a lawyer.

Let me tell you last about a lawyer who lived seven hundred years ago, Ives of Brittany, about whom John Wigmore wrote that he "was declared a saint in heaven because he had lived a saintly life on earth . . . he had pursued this career as an ordinary man, amidst the same everyday conditions that surround any lawyer and any judge at any time in any country."

He did lawyer's work only for the poor, for widows and for orphans. In the hagiography of the Roman Catholic Church he is the patron model for lawyers. What was said of him is enough for any of us: "A lawyer yet not a scoundrel, a thing that made the people wonder."
Editor's Note: Morris M. Shuster, a graduate of the University of Pennsylvania Law School Class of 1954, undertook an unique venture in January, 1981. To enhance an already varied legal career of almost 25 years, he took a six-month sabbatical from his practice to become a full-time teaching instructor in the Law School's Clinical Education Program.

His undergraduate B.S. degree in Economics also was earned at the University of Pennsylvania. For the year 1956-57, Shuster was enrolled in an M.A. Program at Temple University and, since that time, has been engaged in the practice of law in Philadelphia.

Mr. Shuster's participation in the activities of the Philadelphia Bar Association and related legal organizations exemplifies his strong professional conscience. He is Chair of the Philadelphia Bar Association's Commission on Judicial Selection, Retention and Evaluation for the year 1982-83. A member of that Bar Association's Board of Governors for the years 1976-78, he also has Chaired its Committees on Civil Legislation/Legislative Liaison and Civil Judicial Procedure. In 1976-77, Shuster served as a member of the Board of Directors of the Philadelphia Bar Association's 59th Street Legal Clinic. He was President of the Philadelphia Trial Lawyers Association for the year 1975-76 and is a member of its Board of Directors.

A long-time member of the University of Pennsylvania Law Alumni Society's Board of Managers, Mr. Shuster is presently that organization's Treasurer. For the year 1979-80, he was the Philadelphia Region Chair of the University of Pennsylvania Law Alumni Annual Giving Campaign.

With the sabbatical now a part of his past, Morrie Shuster reflects on his six-month accomplishment—his adventure in academia at the University of Pennsylvania Law School.
LSH: Was your teaching experience at the University of Pennsylvania Law School the realization of a fantasy?

Mr. Shuster: Well, rather than labeling the experience the realization of a fantasy, I would like to think of it as an extension of what I had been doing professionally as a litigator and as a trial lawyer. Part of what one attempts to do, particularly as a litigator, is to educate juries or judges or lawyers on points of view, so becoming a teacher might be considered a natural progression of what I was doing in my law practice. I had done some teaching many years ago on the college level; however, the idea of teaching law did not become a personal interest of mine until I began to plan long-range and to investigate what I might want to do with the latter part of my professional life. The idea of teaching became a very attractive and natural alternative rather than a fantasy.

LSH: As an Alumnus of more than 25 years, you always have maintained close, loyal ties to the Law School—but on a volunteer/service basis. Was it coincidental that the School needed a clinical instructor around the time that you were considering the sabbatical from your law practice?

Mr. Shuster: Yes, and it was a really happy coincidence. For the past five or six years I had been thinking seriously of taking a leave of absence from the practice of law. My goal was to plan and to complete a meaningful project within a substantial period of time. One of my greatest concerns, however, was that good use be made of the time commitment—that it not hang heavy and be undirected. I entertained various ideas, but the combinations of circumstances did not occur. Teaching seemed to provide a challenging, attractive and constructive alternative, and a good opportunity to test a career which I might want to consider later in my professional life.

And how did all of the circumstances come together? Well, at the exact time that I was able to make arrangements both financially and time-wise to take a six-month leave from my practice, the Law School had added a provision to its Clinical Education Program allowing "leave time" for full-time Clinical Faculty, thus requiring a part-time Faculty person to supplement the program. So, my availability together with the University's need for an instructor were combined circumstances which actually made the marriage possible.

LSH: Where and when did you become aware of the Law School's opening for the position as Clinical Instructor?

Mr. Shuster: Actually, in December of 1979, I had sent a letter together with a copy of my resume to Dean James [O.] Freedman alerting him of my interest in obtaining a part-time teaching position at the School. At that time, there were no openings on the Faculty; however, my resume was placed on file. In November, 1980, I spotted an advertisement in The Legal Intelligencer announcing that the University of Pennsylvania Law School, for the first time, was looking to fill the above-mentioned position for a clinical educator. So, together with many others, I formally applied. I was interviewed by Doug Frenkel, the Acting Director of Clinical Education, and the entire Clinical Faculty and, happily, got the job. So I began my work at the Law School in January, 1981, and remained until June.

LSH: May I probe the logistics of how you actually took leave of the practice for six months? Were your office associates and clients accepting of the decision? How were you and your family able to manage financially?

Mr. Shuster: I'll be delighted to explain how it was done. In fact, a good number of my colleagues in the active practice of law have asked the same questions. I have a strong hunch that there are many lawyers in my situation as to length of years in practice, as well as others, who have given thought to taking such a sabbatical—a period of time more than just a long vacation.

At the outset, I want to say that my family, my associates at the office, my clients—all were supportive of my decision. The real challenge was in actually being able to "get away" from my small-office, five-person practice with a clear mind. An initial step towards achieving that goal was to pinpoint my most immediate problems—the first of which was to identify those cases which might be called to trial in the first six months of 1981. I immediately contacted opposing counsel in those cases and advised them of my plans, asking if they objected to the cases being continued until September, 1981. Having done that, I got in touch with the clients involved in the cases and, after explaining the situation, obtained their consents. I then applied to the Courts for their approval to continue the cases until September. Once these procedures were taken care of, the trial problems which might have arisen during my absence were solved.

Next, I arranged for three of my associates in the office to divide and to maintain a daily watch on my day-to-day responsibilities.

And finally, to answer the question of finances. I was co-counsel in litigation which had been carrying on for many years. Fortunately, the case ended with a substantially rewarding recovery at approximately the time the teaching position at the Law School became available.

As I see it, the formula for taking such a sabbatical must include the following combination of circumstances: First, one must be able to provide for one's self economically; second, there must be people who are willing to maintain the daily work responsibilities during one's absence; next, one needs to have understanding clients; and, finally, one must really want to do it. There can always be rationalizations as to why it cannot be done. But it really can happen—easily, efficiently, and with tremendous personal rewards.

LSH: Your offices in center city Philadelphia are approximately 20 blocks from the Law School. Once the commitment was made, did you become completely immersed in the Law School experience or did you give vent to the temptation to "check-in" at times with the firm?

Mr. Shuster: The one thing that was made very clear to me when I interviewed for the position was that this was a full-time job which could not be viewed as a situation where one foot would be at the Law School and the other would be in town. And I understood that and wanted it to be that way. So, when I left my office at the end of December, my explicit instructions were that, short of the direst of emergencies, no one was to call me at the University for 30 days.
Thereafter, when I chose to make contact, I would call the office. In February, I began to check in periodically by telephone. However, I estimate that from January to June, I was in my office physically five times, and these were for short periods. Otherwise, it was a full-time separation. And I felt this separation to be critical for what I was attempting to accomplish not only for myself but in order to meet the responsibility of the teaching position.

**LSH: And what were your responsibilities as a Faculty participant in the Law School's Clinical Education Program?**

**Mr. Shuster:** I was a Lecturer and Clinical Supervisor overseeing students in a course entitled Introduction to the Lawyering Process. Offered primarily to third-year students (although a few second-year students did participate last semester), the Course is structured along the following lines. There is an actual case-handling component which is modeled after the poverty law Community Legal Services. The students take charge of cases under the supervision of Faculty and, as one of four Faculty members, I supervised seven students in their handling of these cases. This entailed meeting with students on an on-going, as-needed basis to discuss problems which might arise with relation to their specific cases. In addition, as part of the Course structure, we held regularly scheduled meetings with each student where we reviewed their work and instructed them also on a one-to-one basis.

Another aspect of my responsibilities included the holding of two-hour weekly seminar sessions with the students under my supervision in order to review various aspects which interrelated with "the large class". Incidentally, that class, which consisted of all students enrolled in the Course and which met for two hours weekly, involved required readings, class simulations, and videotapes dealing with client interviewing, counseling, discovery, negotiations, case-planning, etc. In my seminar, I used the students' actual cases for the basic structure of our discussions, relating them to the areas being covered in the "large class". So, if case-planning or depositions or negotiations were being taught in the large class, in the seminar, we used the students' actual case experiences to illustrate the particular issues under study. We also used the "simulated problem" technique as a teaching device. With this method, the students were videotaped while interviewing, taking depositions or negotiating and, then, the Clinical Faculty would evaluate their performances.

At the end of the year, I wrote over-all critiques and evaluations for the students under my supervision and, in addition, reviewed papers that each was required to write.

**LSH: So you became a full-fledged, working member of the Law School Community—a very different role for a former student/Alumnus. What changes and/or cultural shocks did you discover upon your return to the School last January?**

**Mr. Shuster:** I was aware of many glaring differences when I came to teach for the spring semester. You know, I was a student at the Law School over 25 years ago and my earlier visits as an Alumnus were strictly as a guest.

First of all, I observed two obvious changes in the size and structure of the student community. The student population has probably doubled over the years, and the sexual and racial composition of the student body is significantly different. The number of women students is substantially higher. I recall that two women graduated from my class—the Class of 1954—which was comprised of approximately 89 or 90 members. In fact, I would guess that there were, at most, ten women students in the entire Law School between the years 1951–1954. I am told that today women represent approximately 35% to 40% of the student population. It is evident that the presence of women and, most certainly, minorities has increased significantly.

A very obvious change to me was in the actual physical structure of the School. When I was a student, the Law School consisted of the building on 34th Street. Tennis courts existed where the law dorms and classroom spaces now stand. The Biddle Law Library facilities have been modified and have increased in size over the years.

Another difference, in the context of my personal experience, had to do with teaching techniques. When I attended law school, the Socratic method was the method of instruction and, I assume, that method is still alive and well at the School. However, I did notice, at least in the areas and in the course in which I participated, that there was a distinct move away from the Socratic method. The new approach which I observed seemed to be more collaborative in nature, a philosophy that Faculty and students join together in an educational venture. This engendered very close bonds between the two groups, who dealt with one another on a first name basis—certainly a phenomenon that was totally unknown during my time as a law student. As a result of this new teaching approach, I developed close personal relationships with many students—especially with those in my particular group—which have carried forward over the months that I have gone. I remain in contact with a number of them and hope that these good friendships will continue.

**LSH: You have discussed changes which have evolved over the years at the Law School in terms of the physical plant, teaching philosophy, and student body composition. But what of the curricular changes? Isn't it true that courses in clinical education were not offered in the early 1950's?**

**Mr. Shuster:** Absolutely true. Short of a legal writing course, nothing like the present Clinical Education Program existed in those days. The courses included in the Program like "Trial of an Issue of Fact" and "Introduction to the Lawyering Process" were not available. To me, the addition of the Clinical Program has broadened and enriched the curriculum in a very special, positive way.

**LSH: Conflicting views concerning the presence of clinical education programs in law school curricula are legion. As a former instructor and an obvious proponent of clinical education, how would you argue the case for retention of the Program in Penn Law School's curriculum?**

**Mr. Shuster:** I am going to answer the question not only as a former Faculty member, but also from the perspective of one who has been a practitioner for over 24 years. My view is...
that the presence of a meaningful clinical education component is absolutely critical to the curriculum of a legal institution, and particularly to that of a law school the caliber of Penn. I do understand why the intellectual vitality of the Law School—first and foremost—must be maintained. Penn has an excellent reputation as a purely academic institution with a community of outstanding faculty involved in high levels of scholarship. But, on the other hand, I think that the movement of legal education over the last several years has made it mandatory that a curriculum be flexible enough to include a clinical education program. And those students wishing to choose such a course should have the opportunity to avail themselves of it. Now I understand, from having been present at the School and from my experiences as a Faculty member, that there is no consensus among the Faculty-at-large as to their views for or against clinical education. There are some who feel very strongly that it should not be a part of a law school education—that acquiring the skills taught in the Program should be the responsibility of either the individual lawyer or of the legal profession itself. I do understand that position. However, if one examines the course structure of Introduction to the Lawyering Process, one would have to come to the conclusion that clinical education taught at the Law School is a lot more than skills training. The essential ingredient in that Course deals with the broad issue of the lawyering process and what it means to be a lawyer from the whole-person point of view. There is a vast difference between sitting in a classroom analyzing the facts and the law of a theoretical case, and actively participating in a process which determines the facts and legal issues present in a real case for which the student is responsible. While this is happening, the student is also becoming alerted to issues like: the relationship between the lawyer and client, the professional responsibilities involved in representing a client, the human considerations and expectations of the lawyer-client relationship, and the question of how one’s personal background and personality interplay in the process. A real focus of the Clinical Program is to heighten the law students’ self-awareness during the learning process through practical experience. I think that such learning is invaluable to the lawyers which the Law School is sending into the professional world; in turn, the School itself benefits since it is and will be graduating more effective, better-oriented lawyers.

There are some other positive reasons for encouraging a clinical educational program. One should look at what is happening in the development of meaningful programs at the law schools in this country. For example, New York University Law School offers a very broad and diversified clinical education program. Tony Amsterdam, ['60], who is recognized as one of the outstanding individuals in the academic community, has recently accepted a position at NYU as Director of their clinical education program. And, I believe, he indicated that his interest in NYU was the result of their highly-evolved program. The fact that esteemed legal educators are involving themselves in this area is, to me, another indication of where the movement in clinical education is heading.

Another important point, the Alumni questionnaires which were sent to all Penn Law Alumni by Associate Dean and Professor Robert Gorman and which are now being analyzed, I believe, indicate strongly that many Alumni felt a void in their legal educations once they faced the realities of the practice. They expressed the lack of certain needed skills and insights as lawyers which, I think, are provided on a threshold level in the clinical education courses and which were not available to them prior to entering the profession.

LSH: Reflecting back to the mid-1950’s and your days as a novice, would you have benefitted from the courses in lawyering offered by the Clinical Program?

Mr. Shuster: Had such courses been in place and available at the Law School in those days and had I taken them, yes, they would have been of help to me. How much help, I can’t say. However, my individual professional experience has to be evaluated in order to fully answer the question.

Upon graduation from the Law School in 1954, I spent approximately two years in the U.S. Army and one year in graduate school. I did not actually begin to practice law until 1957, My first real employment was with a medium-sized, very active, very successful litigation firm which specialized primarily in personal injury work and which grew very substantially during the years that I was there. My practical education during those years was essentially a “sink-or-swim” education which meant—“Here’s the case, do the best you can and, if you have a question, maybe you might find someone to help you with the answers.” There was minimal guidance. But I can attest to the fact that if one can survive that type of learning experience, one has had a real education. After nine years in a law firm setting, I went to the other extreme and became an individual practitioner for approximately seven years. In that situation, I became responsible for everything and again had to educate myself, building on my original “sink-or-swim” experiences. In 1973, I started the small-firm practice in which I am presently engaged.

Now, I don’t know whether other lawyers have experienced what I am about to say and maybe this was a personal failing but, in retrospect, I feel that I did not utilize my early experiences in the most meaningful way. Because I was so busy and had so much to do and to learn in these early days, my experiences were reactive. If something worked, I tended to do it again without asking myself “Why?” And, if something did not work, I avoided doing it again—many times without understanding the reasons for its failure.

So, to come full circle, yes—with the benefits of a clinical education years ago, I probably would have entered the profession not only more aware of myself as a person and as a lawyer, but also more alert to those issues which should be identified in the lawyering process. I would have been more attuned to the needs of approaching and evaluating an experience in a meaningful way.

Let me say, however, that the Clinical Education Program does not offer a panacea. One can’t take the courses and then say, “I am the consummate lawyer.” I do think, though, that those students who take clinical education courses and who understand the issues that they raise, will go into lawyering with a better awareness of themselves as people and as
lawyers, and with a better sense of what they will face in the profession.

**LHS: How do you view the future of clinical education at the University of Pennsylvania Law School?**

Mr. Shuster: I think, at this point, the jury is still out as to where clinical education is headed.

I understand that the history of the Program's entry into the curriculum of the Law School, as well as its continued existence and vitality, has been an inordinately arduous and painful one. As I mentioned before, the Faculty-at-large lacks consensus in support of clinical education. However, with the departure of Jim Freedman and with the change in leadership, the new dean and the new administration should be challenged to exert, what I consider, needed effective efforts towards resolving many important issues. Although some progress has been made, these are not easy issues to resolve. I do think that the vitality of the Clinical Education Program will continue to suffer tremendously if the Program's apparent or continued existence depends or appears to depend on annual "May Revolutions", which have been organized for the past two years by the students in support of the Clinic. (Maybe "revolution" is too strong a word for the mass expressions of concern which have, in fact, actively taken place at the School.)

I do have one real concern. It is my impression, having been closely-associated with the full-time Clinical Faculty, that these Faculty members are considered second-class citizens at the School. For clinical education to survive and to become more vital, such attitudes have to change. Provisions must be made for at least one full-time, tenured, person who knows that he/she has a commitment to the University and to the Law School, and who will take hold of the Clinical Education Program to guide it, to lead it and, hopefully, to enable it to grow into a more meaningful part of the curriculum.

I am attempting to carefully choose my words and to make certain that my remarks are not colored by, as I mentioned before, the good friendships which I developed during my six months at the School. I view the present Clinical Faculty as a committed, hard-working group who, in my perception, are doing an outstanding job. However, when their professional futures are clouded by whether they are going to remain on the Faculty for the next academic year, their enthusiasm for making the Program grow and become more vital has to be dampened. Yes, there has to be a resolution to the questions of whether clinical education will endure at the Law School; of what status the Clinical Education Faculty will assume in the future and who will be its leader; and of whether the entire Law School Community will support the Program's existence. For the past two years, all that has been forthcoming has been a series of compromises attempting to meet the immediate urgencies of the situation. More and faster progress must be made.

**LHS: This is a slight but related digression. Can you suggest how to fill the void created by the Federal government's budget cuts affecting the delivery of legal services to the financially needy?**

Mr. Shuster: Most lawyers confronted with the question of whether poor people should or should not be entitled to legal representation would agree that all citizens should have equal access to the legal system. However, there is a broad difference between saying that the opportunity should be provided and actually providing the service. I think that it is definitely the responsibility of the legal community and the law schools to pick up the challenge and to fill the requirements of those most needy of legal services. I want to emphasize the role of the law schools in this challenge. What better learning experience is there for a law student than the opportunity to represent a real client who is poor and who, otherwise, would not have a chance to be heard? Law school participation then offers an ideal way to fill part of the vacuum created by the budget cuts. This would enable law schools to provide real community service and, at the same time, meet the educational needs of their students.

I feel very strongly about this, having been exposed in a direct way at Penn Law School, to a supervised student practice that services poor people. The clients handled by the Penn Legal Assistance Office, which is the law office component of the Clinical Education Program, are the same types of people with earnings limitations who qualify for community legal services. In fact, the Clinic often acquires clients from the Community Legal Services Office in the case of a conflict-of-interest situation or in order to ease the CLS Office's over-demand for services. Former satisfied clients of the Penn Legal Assistance Clinic often return with further matters and do refer others as well. The Clinic provides services to the poor only, and the scrupulously met poverty guideline is similar to that utilized by Community Legal Services. Incidentally, persons able to afford legal counsel who come to the Clinic are referred to the Lawyer Reference Service in Philadelphia and, through that agency, are given professional recommendations.

**LHS: So what the Penn Legal Assistance Clinic offers is more important than ever, in light of the Federal cutbacks.**

Mr. Shuster: Absolutely. Presently, the structure of the Penn Legal Assistance Office is accomplishing two things. It is providing needed community service and, at the same time, is offering law students the opportunity to enhance their educations. Yes, with the cutbacks in community legal services, the need to provide free legal aid is even greater. And there is a strong temptation to suggest that the Penn Legal Assistance Office help fill the gap.

An expanded community legal services commitment at Penn Law School would pose an admirable challenge. This, however, would raise many problems, the greatest being cost. Clinical education is the most expensive type because it requires a small Faculty-student ratio. Another consideration is that the Law School's prime mission—to educate—must not be jeopardized. Presently, seven or eight students usually are assigned to one Clinical Supervisor, which is optimum. Each of these students handles about four cases. Now, if more clients are to be serviced through the Office, more supervisors would be required. This raises again the question of the future and direction of clinical education at the School. Will it be eliminated, will it remain static, will it be expanded? If there is to be expansion, policy decisions would have to be made in this area as well.
Another problem that I see is in the clinical facility, itself. Presently, every inch of space provided by the Law School to the Legal Assistance Office is utilized to its maximum. It is a wonder that students are able to work effectively. There are only two workrooms available to them, and these are noisy with telephone activity and other distracting elements. An upgrading of the facility would have to be a priority.

**LSH: On a personal note, have you been able to fit pro bono work into your law practice over the years?**

**Mr. Shuster:** Yes, I have. Some of the work has been for those unable to otherwise afford a lawyer and some has been for the profession. For example, several years ago, I represented an American Indian who had an employment discrimination complaint against a large company. He was unable to obtain representation on his own and was referred to me by the Philadelphia Bar Association. Feeling his claim legitimate, I took the case. I was involved in very substantial litigation for many years on his behalf in the Federal Courts. I have also been counsel without fee to the Philadelphia Bar Association on several matters.

I don't have a poverty law practice but I do recognize the commitment to those unable to afford competent legal services. I do feel, like many lawyers, that a delicate balance has to be maintained between how much time one can give in this area and how much must be allowed for other pressing commitments. Frankly, the types of cases which I was involved in while at the Law School are not the ones that I usually handle in my law practice.

**LSH: Did the six-months in a poverty law practice temper your feelings concerning the responsibilities of the profession towards legal assistance to the financially needy?**

**Mr. Shuster:** Yes. First of all, I now feel better equipped to evaluate the assistance provided by the lawyers at Community Legal Services. I was of the belief—based on an underlying antagonism—that lawyers at CLS, although they performed worthwhile services, were infringing in many areas available to the private bar and, literally, were taking away fee opportunities. Now, having been better exposed to the system of providing services to the poor and having been in touch with the operation, I do not see CLS as a threat at all. These lawyers serve an important function and do handle the day-to-day legal needs and problems of poor people in a competent fashion. Second, as I mentioned before, my exposure to a poverty practice has reinforced my own commitment to legal services for the poor. Poor people are entitled to and must have help. For that reason, I am committed to helping them to the best of my ability and within the context of my other obligations. I must, however, take into consideration my responsibilities to those clients who have retained me on the traditional lawyer-client, fee-paying basis.

I do think that the private bar will have to meet the challenge of legal assistance to the needy once community legal services organizations are unable to provide it. The Philadelphia Bar Association is attempting to develop a plan to meet part of that need, and I certainly intend to be a participant in that program. The vacuum, however, is not likely to be filled by the bar associations alone. So, again, I raise my suggestion of utilizing the law schools as partners with the legal profession in meeting the needs of the poor.

**LSH: What personal and professional rewards resulted from your having taken the teaching sabbatical mid-point in your legal career?**

**Mr. Shuster:** First, let me say, I was very much at peace during my six-months at the Law School. My wife and children sensed my feeling of well-being and, I think, we were all happier people as a result.

Tangential to my family life, I think having to respond to the student-teacher relationship and having to prepare myself as a teacher, helped me to become a more self-aware parent. I really had to learn to listen better to my students; and in listening and relating better to the students and in attempting to help them to focus on making their decisions concerning the various issues in their cases, I found myself listening better to my own children. I was better able to reflect and to focus on their questions, and to understand better what they were saying and not saying in their communications with me. I became more attuned to them. And there has been a carry-over to the present. I am not a "cross-examiner" anymore. Now, I try to be more of a sounding board for my children rather than always analyzing and "telling" them what I think their solutions should be. I guess this illustrates another lesson I learned from the experience—that one is never too old to grow and to learn and, hopefully, to become a better person.

As far as the professional benefits resulting from the sabbatical, one of my goals was to step back and to contemplate my almost 24 years of legal experience, and to take stock of what I had and had not done, and to evaluate where I might improve. The good thing about this experience was that I was forced into intense self-examination. Being situated in a collaborative effort with law students who were in the process of analyzing themselves and their roles in the lawyering process, enabled a great deal of self-examination in the process as well. This was extremely beneficial for my growth, development and enrichment as a person and as a lawyer.

**LSH: Now, for the obvious question. Would you recommend this experience to your colleagues?**

**Mr. Shuster:** Absolutely. One should try—and this is not an easy feat—to take a substantial period of time that is allocated and planned, and to utilize it for something that he/she has always wanted to do. Whether it means writing the novel that has been yearning to be written, or painting the picture that has been waiting to be painted, or doing whatever it is in that Walter Mitty mind that has always wanted to be done. The first step is to make the commitment to one's self and then to plan an ongoing project.

Based on my own impressionistic data, my experience was absolutely phenomenal. From the time that I made the decision to take the sabbatical to the commencement of my chosen project, I was emotionally uplifted and experienced an extraordinary emotional high. And then came the actual experience. The opportunity to take a breather from the practice and to step back and to evaluate my past experiences in a different context and to express my personality in a slightly different way, was incredibly fulfilling. Teaching was,
for me, an extension of my personality. I enjoyed the different environment and the opportunity to meet new people. I was accepted and made to feel welcome by everyone from Jim Freedman to Bob Gorman to Phyllis Beck to the entire Clinical and regular Faculties to the students. I took away, hopefully, lifetime friendships. I felt very good about myself during those months at the Law School and those feelings continue. I am grateful for this since one’s sense of self-esteem can be such an elusive, fragile possession. I am carrying the afterglow of having done something good for myself and, hopefully, for the Law School—a place toward which I have always had very strong, positive personal attachments.

Also, I must tell you of an unexpected benefit of the sabbatical. I feel that I developed a degree of status among my colleagues at the Bar. Now, I do not mean that they think of me as a better person. But I sense among those to whom I speak almost an admiration of the fact that I made this decision and made it work. I think that many are longing to and might do such a thing in the future. I hope that my example will act as an incentive to them and to those reading this interview. Maybe they will say, “Listen, if Morrie Shuster did it, then I can do it, too.”

LSH: So what is next? Would you consider teaching again? What other areas do you plan to explore in the future?

Mr. Shuster: Let me say that, presently, I am back in the office with recharged batteries—proceeding full-steam in my practice.

I have always tried to plan ahead throughout my life—sometimes not too successfully. I am hopeful that in the future I will have the opportunity to combine full-time teaching with a part-time law practice. That, to me, would be the ideal—the best of both worlds. I enjoy life in an academic community and, at the same time, I still need the challenge provided by the actual practice of law. That would be a wonderful way to complete my professional days.
The Delivery of Legal Services, Circa 1998: A PER CURIAM Opinion

by Arthur J. England, Jr., '61, Former Chief Justice, Florida State Supreme Court

Editor's Note: Arthur J. England, Jr., an Alumnus of the University of Pennsylvania Law School Class of 1961, was elected to the State Supreme Court of Florida in 1974, and served as that Court's Chief Justice for the years 1978-80. In June, 1981, after six-and-one-half years as a "highly-acclaimed, innovative Jurist", he stepped down from the Bench and joined the "multi-purpose" Miami law firm of Steel, Hector and Davis, where he presently specializes in Corporate Tax and Appellate work.

In 1979, Justice England delivered the following fantasy per curiam opinion, attributed to the Supreme Court of Florida in the year 1998, to a Conference entitled "Public Interest Practice in Florida: Practicing Law for Love and Money." It also appeared in the Nova Law Review.

I want to read to you an opinion of the Florida Supreme Court.

IN THE SUPREME COURT OF FLORIDA
In the Matter of the Petition of More than Twenty-five Attorneys to Partially De-Integrate The Florida Bar

PER CURIAM.

By petition filed pursuant to Article XIII of the Integration Rule, more than twenty-five members in good standing of the Florida Bar have asked the Court to de-integrate the bar partially—that is, to eliminate the compulsory membership requirement first imposed by the Court in 1949 for persons eligible to practice civil law in Florida. The petition is both supported and opposed by persons, groups and governmental units too numerous to list. The arguments arrayed by both sides are carefully developed, well-documented and artfully expressed, and because these efforts have greatly facilitated the very sensitive task we are now called upon to perform, it seems appropriate to summarize the majority positions asserted.

The petitioning attorneys' basic premise for this proceeding is that regulation of the civil side of the legal profession by the Court is no longer necessary or desirable, in light of the limited number of bar members practicing civil matters and the narrow range of matters which require any form of legal representation. This premise is historically based, reflecting evolutionary developments in the practice of law not only in Florida but throughout many industrialized societies.

Those opposing the petition also take an historical view, basically contending that there are good reasons why attorneys have been, and should continue to be, governed by the Court in civil matters how few there are or what legal representation they provide.

It is not essential that we recount here the early history of the legal profession as it developed in Great Britain and in the United States. We accept as accurate respondents' showing that the profession was in form and substance regulated by the courts as to civil matters even from earliest times, when a small number of lawyers delivered a relatively narrow class of legal services to a limited group of clients. Nor is it essential to reinstate the original reasons, still valid today, which underlay that regulatory interest by the judiciary. On the other hand, to understand petitioners' argument it is necessary to recount several Florida milestones affecting the delivery of legal services since 1949.

As mentioned, the profession was "integrated" in 1949, requiring membership in the bar for all who would practice law in the state. From an initial statewide membership of 2,700, paying annual dues of $25 per person or $67,500 in the aggregate, the organized bar grew to a membership in 1979 of 25,681, paying annual dues of $125 per person or $3,210,125 in the aggregate. (The year 1979 was selected because the 1970s were significant ones, as will be shown.) Legal services performed by the bar on the civil side during this period included, principally, tort (including
personal injury) litigation, compensation for workers’ injuries, real property transactions, and family matters such as marriage dissolution, child custody and the like.

Legal services in these areas of law had historically been available only to the affluent. A relatively recent set of pressures altered that, however, to compel increasing availability of civil legal services to poorer persons. In the 1960s, legal aid organizations and public interest law firms emerged as vehicles to provide personalized civil representation to the poor and to broaden constitutional rights through attacks on those laws which, it was believed, disadvantaged poor persons generally. Governmental entry into the delivery of legal services to the poor, through such organizations as the Office of Economic Opportunity, the Legal Services Corporation, Florida Legal Services, Inc., and Florida Rural Legal Services, Inc., was a hallmark of the 1970s.

Before and during the 1970s, other means for providing civil legal assistance on a broad basis had evolved in Florida. These included (i) contingent legal fees for personal injury claims and for prevailing parties in claims of deceptive and unfair trade practices, (ii) a comprehensive compensation scheme for work-related injuries, (iii) prepaid legal insurance plans, (iv) summary court procedures for relatively small civil claims, and (v) neighborhood justice centers for the resolution of minor disputes. Outside Florida, other means were being devised toward the same end, such as California’s 1979 legislation requiring arbitration as a prerequisite to a court proceeding for all civil claims under $1,500. These mechanisms, of course, were the first primitive manifestations of an emerging awareness that courts were virtually inaccessible to the poor, and that, among citizens and residents of America, access to civil justice was vastly disparate.

A serious access to justice movement began in the 1980s, leading inevitably to the now-familiar displacement of then-traditional legal services. Open advertising by lawyers drove down the costs of providing certain legal services in the early 1980s, although this feature of the access movement was not widely used in Florida and inevitably lost momentum when mounting inflation forced even the law clinics to raise their fees. In 1981 this Court directed that all Florida attorneys, as a requisite to the annual renewal of their bar memberships, be open and available to members of the public for one half hour of free consultative services each month. This innovation, which was inspired by the 1979 Report of Great Britain’s Royal Commission, began with a voucher system for minimal compensation from funds generated by interest on lawyers’ trust accounts. Like so many other tentotive stops toward affordable justice which were geared to compensate attorneys for the delivery of legal services, however, this methodology eventually gave way to the record-less, non-compensable, hour-per-week “open office” plan which the bar ultimately asked us to approve.

In 1982, this Court determined that, in order to serve the public interest better, Florida law professors should be paid from bar dues income to provide consultation in certain fragmented but repetitive administrative matters such as welfare claims, disability controversies, and state employment and hiring disputes. The now familiar “public service consultation provision” eventually became a standard feature of law faculty contracts, thus providing full and free representation in a broad range of administrative and non-administrative legal matters, without any demonstration of indigency or hardship.

By 1983, the access movement turned from the growing costs of underwriting legal services to less costly alternatives. In that year the Court relaxed the definition of the “practice of law” to approve the establishment of “socio-legals”—persons receiving a one-year, combined training course offered by the graduate and law faculties at Florida institutions—to make available lower cost, unregulated counselling services in matrimonial and juvenile matters. One year later the Florida legislature partially de-judicialized dissolution of marriage, following the British model from the early 1970s, to allow court-approved consent filings which required no legal representation. After another four years, as we know, this tentative stop gave way to the procedure which had long been in existence in Japan, by which matrimonial dissolutions took the same form as marriages and required only a simple, non-judicial filing with the registry of vital statistics. This last step, of course, is now recognized as having been an important feature of the so-called “first wave of de-legalization.”

A second major feature of the emerging first wave was the elimination of the need for legal representation in tort and workmen’s injury matters. This came about as a result of the adoption in 1988 of Florida’s comprehensive injury compensation system, modelled after the one adopted in 1974 in New Zealand. Under this system, all injuries, without regard to fault or relationship to job, became compensable by the state through wage loss supplements obtained simply by filing a claim with the state’s division of income assurance.

A third feature of the first wave, made possible primarily by technological advances, came about as a result of the 1989 statute on land transfers, under which the state’s computerized land registry allowed instantaneous and reliable title transfers without the need for legal representation.

Parallel developments, arising principally from technological improvements and from the 1970s movement toward lay representation on professional regulatory boards, combined to bring about the so-called “second wave of de-legalization.” Only the three principal developments of the second wave need be identified here.

First, in 1985, the Court put non-lawyer members on the Florida Board of Bar Examiners and on the bar’s Board of Governors. This step was followed in 1991 by the Court’s adoption of election procedures for the bar similar to those enacted by the legislature for other regulated professions. Under these procedures, the
division of elections simply conducts open local elections for members of the Board of Governors, without any proportionality requirement for attorney members.

Second, in 1987, the Court took initial steps toward computerized jury selection procedures. This led, quickly and inevitably, to the present system under which persons throughout the state perform jury service from their homes through interconnected, video transmitter/receivers in the form of small boxes connected by court personnel to jurors' home television sets for trial purposes.

The third feature of the so-called second wave is now sometimes called the "appearance of justice," or the "demystification" wave, of the access to justice movement. It began, of course, in 1979, when this Court opened Florida's courtrooms to the electronic media and displayed to citizens nationwide the realities of the operation of the judicial branch of government.

The cumulative consequence of the second wave, as we now know, led rather rapidly to further inexpensive, convenient and workable legal fusions (too numerous to mention here), from which evolved an expanding relaxation of historical "practice of law" doctrines.

These historical highlights provide the backdrop for petitioners' argument to the Court today that we should inaugurate a "third wave" of the access to justice movement—boldly asserted to be the final or "free access" wave—by de-regulating the civil bar and by allowing attorneys at law to compete freely with other business people and professionals in providing civil justice in the few areas of human relations which still require a law license. Petitioners recognize that there are areas on the civil side of the law in which attorneys may continue to assist the courts in the performance of their responsibilities—setting policy through class actions, passing on the constitutionality of statutes, resolving contract impairment problems, and the like—but they argue that the small number of practitioners available or needed for these matters can operate under the direct supervision of the courts before whom they practice, as when our country was formed, without the more elaborate trappings of a compulsory, organized bar association.

The mere recitation of developments in the law since the 1960s illustrates amply the serious and difficult nature of petitioners' cause. It is precisely because of the gravity and difficulty of this matter that we have unanimously decided not to act at this time, but rather to refer this question to The Florida Bar for further analysis. We turned to the bar in 1979, through our Furman decision, to devise new ways to expand the delivery of legal service to the disadvantaged. In 1980, the bar demonstrated to the legislature that general Court supervision over a representative governing board for Florida's attorneys had been over the years both an effective and a responsive regulatory scheme which should be preserved. We are confident that the public interest will best be served if we again turn to the organized bar to reconsider the entire subject of the delivery of human services to the less affluent, and to advise the Court, not later than January 1, 1999, whether an integrated civil bar is any longer necessary or desirable.

It is so ordered.

Filed July 1, 1998
ALL JUSTICES CONCUR.

Whether the events depicted in this opinion ever come to pass, either in Florida or elsewhere in the United States, depends in large part on the result of the work being done right now in this state, and, in particular, by those of you in attendance at this conference.

Thank you.
Professor Paul Bender represents the publisher of a "give-away" newspaper who is challenging, on First Amendment grounds, the threatened application of a local ordinance that prohibits house-to-house delivery of "advertising material" without prior consent of the occupant. The case, Ad World Inc. v. Township of Doylestown, is pending before the Third Circuit Court of Appeals.

Assistant Professor Stephen B. Burbank presented a draft of his paper "The Rules Enabling Act of 1934," at a session of the University of Pennsylvania Law Faculty's Legal Studies Seminar in October. Other presentations at the Seminar coordinated by Mr. Burbank have been or will be made by Professor Alexander Capron of the University of Pennsylvania Law School, Professor John Ely of the Harvard Law School, Assistant Professor Regina Austin of the University of Pennsylvania Law School and Professor Edwin Baker of the University of Oregon/Visiting at the University of Pennsylvania.

Mr. Burbank is a member of the Search Committee for a Dean of the Law School.

Professor Frank Goodman is involved in a case, Hoots et al. v. Commonwealth of Pennsylvania et al., also in the Third Circuit, concerning an "equal protection" challenge to the action of Pennsylvania educational authorities in consolidating five school districts in the western part of the State. Professor Goodman represents Swissville, one of the districts involved in the State's plan.

Associate Dean and Professor Robert A. Gorman coauthored the book, Copyright for the Eighties: Cases and Materials with Professor Alan Latman of New York University Law School. The book was published by Michie Bobbs-Merrill on November 4, 1981. Professor Gorman also co-authored with Professor Matthew W. Finkin of Southern Methodist University Law School a Labor Law article which appears in the December 1981 issue of the University of Pennsylvania Law Review. In late November Mr. Gorman attended a Session of the World Bank Administrative Tribunal of which he is a Judge, at The Hague, Netherlands.


Mr. Hansmann is Chair of the Search Committee for a Dean of the Law School.


Professor Robert H. Mundheim co-Chaired the 13th Annual Institute on Securities Regulation in November at the Waldorf-Astoria in New York. Approximately 1,000 lawyers were in attendance at the Conference. Mr. Mundheim also addressed executives of NASDAQ Companies in Boston and Philadelphia on Tender Offers in October. His lecture "Reflections on the Iran Experience: One Year Later" was the first in this year's Alumni Forum Series in October.

Professor Louis B. Schwartz was a panelist in November at the University of Pennsylvania Graduate School of Education's Liberal Studies Program on "The Setting for Technology's Future." His article, "Stacked Competition and Phony Deregulation: The Proposed Telecommunications Competition and Deregulation Act of 1981," is scheduled for publication in

COM/ENT, The Journal of Communications and Entertainment Law. Professor Schwartz has been appointed to the University of Pennsylvania's Patent Board, a body which assists University inventors in obtaining patents and licensing and administers the sharing of royalties by inventors and the University, under the University of Pennsylvania's Patent Policy.

Professor Ralph S. Spritzer is appearing before the United States Supreme Court as counsel for the respondent in United States v. MacDonald. Mr. MacDonald was accused of having murdered members of his family in 1970 but, for a variety of reasons, was not brought to trial until 1980. The issues before the Court relate to the scope and applicability of the Constitutional guarantee of a speedy trial.

Alexander Hamilton Frey
1898-1981

Minute Adopted by the Faculty of the University of Pennsylvania Law School
by Professor John O. Honnold

We record with sadness the death of our colleague, Alexander Hamilton Frey.

A creative thinker and a stimulating teacher, he played a formative role in the development of this Law School for thirty-seven years, from 1932 to 1968. His interest in the law as an instrument of constructive social change was shown by his work in the fields of business associations and labor law. In these areas, he published four casebooks and scholarly articles. He was a strong supporter of broadening the Law School program through the addition of courses dealing with new legal developments and the incorporation of materials from related fields of learning, such as the social sciences. As first Chairman of the University Senate, he greatly influenced its development as a Faculty voice in University affairs.

Outside the University, he was frequently sought and served as an arbitrator of labor disputes. He also played a leading role in the creation of the Greater Philadelphia Branch of the American Civil Liberties Union (ACLU), as well as its Pennsylvania Branch, of which he became the first President. During the McCarthy era, he was so disappointed by the failure of the American Bar Association to oppose restrictions on civil liberties that he resigned, but his letter of resignation was such an eloquent defense of civil liberties that the Association reversed its position in favor of his.

At home, he was a frequent and gracious host, a stimulating conversationalist, and a delightful raconteur. He brought warmth and friendship to our associations with him.

We mourn his loss. We cherish the legacies he has left to us.

In token whereof we resolve that this Minute be spread upon the records of the Law School and that appropriate copies be forwarded to his wife, Alice Hubbard Frey, and to their five children.

The following poems by Irving Wilner, '35, LL.M. '36, are offered in tribute to the memory of the late Alexander H. Frey, Algernon Sydney Biddle Professor of Law Emeritus, University of Pennsylvania, The Law School.

A Visit to the Bookbinder

A stranger to their content, You seem to be mindful That the books upon your bench are trajectories; Flares by which to illumine possibilities, Their bloom and blight; You are without mastery In the nubious strings of words, Each with its own well of meaning, Speaking in a language of silence Of many ineffable concerns. Nevertheless, whether you drape your volumes In coarse buckram cloth, Or in finely-grained, sumac-tanned leather Crafted in rococo elegance, You endow them With headbands, ribs, joints, spines, And marbled, vein-like tracings— Frames altogether human. Your glue and sewing cords Provide a contour that is binding Upon loose folios, and impress upon them A sequence to make certain That the next coast is not misunderstood For the last coast.

This Hour

What happens to this hour When it is drained? Where does this hour’s duration, Now spent, withdraw after it has done Its work of measuring or witnessing? It is within this identifying dimension That hands modify a bit of earth, A muse weaves her spell. A future is divined. the bygone reenacted, and Countless designs are benignly accommodated. So, perhaps this hour has neither precursors Nor successors. Fancy may suppose time To be an itinerating stream, but experience Suggests that it is a pool Forever absorbing and reflecting the silences Of which all utterances are born. A platform for the staging Of encounters and inevitable separations.

From Poems of the Later Years © 1981 by Irving Wilner.
'30 Milton S. Leidner has relocated his offices to 800 Ten Penn Center, 18th and Market Streets, Philadelphia, PA 19103.

'31 Paul H. Rhoads was presented with the Salvation Army’s Community Service Award. He is a member and Past President of the Board of Trustees of Gettysburg College.

Bernard G. Segal was reelected First Vice President of the American Law Institute. A partner in the Philadelphia firm of Schnader, Harrison, Segal and Lewis, Mr. Segal is a former Chancellor of the Philadelphia Bar Association.

'33 Jerome L. Markovitz has announced the merger of his firm into a new partnership for the general practice of law under the name Markovitz, Luskus, Feinstein and Meo, 1315 Walnut Street, Suite 1032, Philadelphia, PA 19107, and 3 Neshaminy Interplex, Suite 213, Trevose, PA 19047.

'35 J. Pennington Straus, a partner in the Philadelphia law firm of Schnader, Harrison, Segal & Lewis, has been appointed Chairman of the American Bar Association component of the National Conference of Lawyers and Corporate Fiduciaries. The Conference is cosponsored by the Trust Division of the American Bankers Association.

'36 Honorable Edwin S. Malamed has received the Distinguished Alumnus Award from Pennsylvania State University, presented recently by that University’s Board of Trustees. The Pennsylvania House of Representatives adopted a special resolution congratulating Judge Malamed on his award, and citing his actions during the “MOVE” trial.

'37 Benjamin S. Loewenstein has been reappointed Commissioner of the Pennsylvania Human Relations Commission by Governor Thornburgh. This represents Mr. Loewenstein’s third term as a member of PHRC.


'38 Honorable Gregory Lagakos was honored at a special naturalization ceremony sponsored by the United Order of Ahepa Citizenship Committee. A reception followed at the Balch Institute for Ethnic Studies, where an exhibit on the Judge’s family and ethnic background was featured.

'39 Honorable Roy Wilkinson, Jr., former Commonwealth Court Judge, was installed as the newest Pennsylvania Supreme Court Justice, filling the vacancy created by the retirement of former Chief Justice Michael Eagen.

'40 Andrew Hourigan, Jr., President of the Wilkes-Barre firm of Hourigan, Kluger & Spohrer Associates, has announced his retirement. He has been principal in the firm since it was founded in 1946.

'41 Marvin Comisky, a former Chancellor of the Philadelphia Bar Association and former President of the Pennsylvania Bar Association, was honored by the dedication in his name of the Chancellor’s Office in the new Bar Center in the Widener Building.

William P. O’Neill has relocated his office to Suite 204, 6 South Bryn Mawr Avenue, Bryn Mawr, PA 19010.

Paul A. Wolkin was reelected Executive Vice-President of the American Law Institute at that organization's 58th Annual Meeting.

'43 Honorable Joseph N. Bongiovanni, Jr. was sworn in as Judge of the Common Pleas Court of Philadelphia County in June. Judge Bongiovanni was a partner in the law firm of Speese, Bongiovanni & Copeland.

Bernard M. Borish, a partner in the firm of Wolf, Block, Schorr & Solis-Cohen, and President of the University of Pennsylvania Law Alumni Society, has made major strides as Chairman of the Philadelphia Gas Commission. The Commission has taken two precedent-setting actions to broaden consumer influence on the decision-making process. The Commission hired a lawyer and an accounting firm to act on the consumer’s behalf in challenging any part of the proposed rate increases they considered unreasonable. In addition, three consumer groups represented by Community Legal Services were authorized to spend as much as $20,000 in commission funds to bring witnesses to the rate hearings.

'47 Robert M. Landis, of the Philadelphia firm of Dechert, Price & Rhoads, was elected President of the Pennsylvania Bar Association.

Judge Alfred L. Luongo moderated the annual Federal Bench-Bar Conference, which traditionally brings lawyers and judges together to trade ideas on ways to improve the justice system. (See Featured Events in this issue of The Law Alumni Journal—“Enter 1984: A Welcome to the Incoming Class.”)
'48 Herbert Somerson announced the name-change of his firm to Somerson and Bomze, P.C., located at 1401 Arch Street, Suite 1300, Philadelphia, PA 19102.

Bernard Wolfman, Dean of the Law School from 1970–1975, currently Professor at Harvard Law School, has written a book in collaboration with James Holden entitled Ethical Problems in Federal Tax Practice, which was published in August, 1981. Professor Wolfman is Vice-Chairman of the Advisory Board of the New York University IRS Continuing Education Project. He is a Fellow of the American College of Tax Counsel.

'49 Judge Doris M. Harris was recently named Secretary of the Juvenile Court Judge’s Association, a state association which advises juvenile courts on the care of delinquent children.

'50 Malcolm W. Berkowitz announced the resumption of his practice with offices at 1321 Arch Street, Suite 401, Philadelphia, PA 19107.

D. Donald Jamieson, of the firm of Mesirov, Gelman, Jaffee, Cramer & Jamieson, was reelected Vice-President for Programs of the Citizens Crime Commission in Philadelphia. The non-profit Commission, funded mainly by businesses, has as its goals the curbing of crime and improvement of the criminal justice system.

'52 Joseph P. Flanagan, a member of the Board of Directors of the Pennsylvania Bar Institute since 1976, has been elected to the office of Secretary of the Institute. Mr. Flanagan is a member of the Philadelphia firm of Ballard, Spahr, Andrews and Ingersoll.

Ira B. Coldren, Jr. has been elected Vice-President of the Pennsylvania Bar Institute. A partner in the Unioneonfirm of Coldren and Coldren, he has been a member of the PBI Board of Directors since 1975 and is currently a member of the Board of Governors of the Pennsylvania Bar Association.

'53 Gordon Cavanaugh has become a partner in the firm of Roisman, Reno and Cavanaugh, located at 1016 16th Street NW, Suite 800, Washington, DC 20036.

'54 Lawrence J. Lichtenstein was Chairman of the 1981 McDonald’s kids Classic Ladies Professional Golf Tournament, held at White Manor Country Club in Malvern, PA in June. Mr. Lichtenstein is the President of Sklar, Lichtenstein and Sklar.

'55 Thomas J. Calnan announced the formation of the firm of Calnan and Orloski, with offices at 446 Linden Street, Allentown, PA.


'56 George L. Bernstein, Executive Partner in the accounting firm of Laventhol and Horwath, Philadelphia, has been elected to a three-year term on the Board of Directors of the American Institute of Certified Public Accountants.

Alvin Shpeen has been named recipient of the Southern New Jersey Council of Boy Scouts of America’s 1981 Distinguished Citizen Award. Mr. Shpeen is Prosecutor for Gloucester County and Chairman of the Board of Trustees of Gloucester County College.

Honorable Isaac S. Garb has been named Vice-Chairman of the Juvenile Court Judge’s Association, which is responsible for advising juvenile courts on the care of delinquent children.

Richard F. Stevens, a partner in the Allentown, PA, firm of Butz, Hudders and Tallman was inducted into the American College of Trial Lawyers in New Orleans in August, 1981.
'57 George Graboys, President of Citizens Savings Bank and Citizens Trust Company since 1975, became chief executive officer in July, 1981. Mr. Graboys joined Citizens Trust Company as a Vice-President in 1969 when the bank purchased the assets of his family's business, U.S. Finance Corporation, and established a Commercial Finance and Factoring Department.

Seymour Kurland became a member of the American College of Trial Lawyers at the 1981 American Bar Association meetings in New Orleans.

Fred B. Ziesenhen has been elected President of the Patent Law Association of Pittsburgh. Mr. Ziesenhen is a member of the firm of Blenko, Buell, Ziesenhen and Beck.

'58 Howard Gittis is a member of the newly formed Nominating Committee of the Philadelphia Bar Association.

Richard M. Marx, currently Vice-President International of Hershey Foods Corporation, has been named President of Hershey's newest company. The Corporation announced that it is grouping its international business interests, which include operations in Mexico, Brazil, the Philippines, Japan, Sweden, and numerous overseas markets, into a new company to be called Hershey International Ltd. Mr. Marx joined Hershey in 1976 after holding positions at the executive level in several European countries with the Nestle Group, Carnation Company International, and Scott Paper Company.

Harry Tractman announced the relocation of his offices, along with those of Stanley P. Stern '53, to 3200 Lewis Tower Building, Philadelphia, PA 19102.

Carl K. Zucker has opened offices at 320 North American Building, 121 S. Broad Street, Philadelphia, PA 19107, specializing in Land Use, Real Estate and Municipal Law.

'59 John J. Lombard, Jr., a partner in the firm of Obermayer, Rebmann, Maxwell and Hippel, was recently named to the Board of Directors of Gwynedd-Mercy College, Gwynedd Valley, PA.

Charles E. Mather, III, President of Mather and Company, Mather Ltd., and Mather (Bermuda) Ltd., was recently elected to the post of President and Chairman of the Pennsylvania Academy of Fine Arts. He was reelected to the Board of the Philadelphia Maritime Exchange.

'60 Honorable Richard S. Hyland has been appointed Judge of the Superior Court of New Jersey by Governor Brendan T. Byrne.

David S. Shragar, a partner in the Philadelphia law firm Shragar, McDavid and Loftus, is the 1981-1982 Secretary of the Association of Trial Lawyers of America. Elected to a one-year term in July, he recommended a study to assess trial by jury as the optimum means for the resolution of civil disputes. Mr. Shragar was also recently elected to a three-year term on the Board of Directors of the Pennsylvania Bar Institute.

'61 Paul R. Anapol, senior partner in the Philadelphia law firm Anapol, Schwartz and Weiss, was reelected to the Board of Governors of the Pennsylvania Trial Lawyers Association at their annual convention recently.

Honorable Arthur J. Englund, Jr. resigned from the Supreme Court of Florida, where he had been a Judge since 1974 and Chief Justice since 1978. Justice Englund made significant contributions in Corporate Profit Taxation and Consumer Law. He is attributed with "the restoration of respect to Florida's Supreme Court." (See The Delivery of Legal Services, Circa 1998: A PER/CURIAM Opinion in this issue of The Journal).

Jack K. Mandel was appointed Superior Court Judge for Orange County, California, by Governor Jerry Brown as of December 1, 1981. Presently Vice-Chair of the Orange County Fair Campaign Practices Commission, Mr. Mandel was elected Trial Lawyer of the Year in 1975 by the Orange County Trial Lawyers Association.

'62 Martin G. Heckler has become a member of the firm of Fox, Rothschild, O'Brien & Frankel, located at 2000 Market Street, 10th Floor, Philadelphia, PA 19103.

James D. Crawford is a Director of the Pennsylvania Program for Justice.

Clayton H. Thomas, Jr., has relocated his offices to 1708 Two Girard Plaza, Philadelphia, PA 19102, specializing in Civil Litigation.

'63 Judah I. Labovitz is now a member of the firm of Cohen, Shapiro, Polisher, Shieckman & Cohen in Philadelphia.

Faith Ryan Whittlesey, of Haverford, PA, formerly with the Philadelphia firm of Wolf, Block, Schorr & Solis-Cohen, is the new U.S. Ambassador to Switzerland. From school teacher to legal clerk, to counsel for the State Welfare Department, Mrs. Whittlesey was elected to the State House of Representatives in 1972. After serving two terms, she was elected to the Delaware County Council where she served three terms. Co-chair of President Reagan's defense and foreign policy committee in 1980, Mrs. Whittlesey was sworn in as ambassador on September 30, 1981.

'64 Michael M. Baylson is the Editor of the Antitrust Discovery Handbook published by the American Bar Association Section of Antitrust Law in April 1981. Mr. Baylson spoke at the last meeting of the Section on "The Fifth Amendment in Civil Antitrust Litigation".

William T. Onorato has left Chevron USA, Inc., to become a partner in the firm of Nossaman, Krueger & Marsh, 30th Floor Union Bank Square, 445 S. Figueroa Street, Los Angeles, CA 90071. Dr. Onorato will be concentrating in International Energy and Natural Resources.

Michael A. O'Pake announced the formation of Edelman, O'Pake, Malsnee & Orwig, a partnership for the General Practice of Law, located at 645 Pann Street, Reading, PA, and 30 E. Philadelphia Ave., Boyertown, PA.

James Robert Parish has returned to MCRB, Inc., in North Hollywood, CA., as Director of Special Products for this direct mail/computer fulfillment firm. He is also the author of The Best of MGM published this year by Arlington House.
Burton K. Stein, of the Philadelphia firm Sarner, Borofsky and Stein, was recently appointed General Counsel to Heath Corporation of America, Inc., which designs and administers risk-free, self-funded dental plans.


'65 Anthony O. Baratta, Jr., announced the relocation of Baratta and Takiff to Suite 2050, 1234 Market Street, Philadelphia, PA 19107.

Peter S. Latham, formerly a principal in the law firm of Ackerly, Keller & Latham, Ltd., has joined Irons & Sears, P.C. Mr. Latham will play a key role in the firm's plans to expand its practice into the area of government contracts. The author of *Government Contract Disputes*, Mr. Latham has prosecuted and defended government contract claims before such boards of contract appeals as the Armed Services, the Departments of Energy and Transportation, and the Veterans' Administration.

Donald J. Wright, a 10-year member of the legal staff and the assistant corporate secretary since 1973 of Harris Corporation in Melbourne, Florida, has been promoted to the position of Assistant General Counsel and Assistant Secretary. Harris is a producer of high-technology communication and information-processing systems.

'Todd S. Parkhurst is an Adjunct Professor of Law at John Marshall Law School in Chicago in addition to practicing trademark, copyright, and patent law in that city.

Ira J. K. Wells has been appointed secretary of the newly-incorporated Pennsylvania Program for Justice.

Richard M. Zimmerman has been appointed Vice Chairman of Sunset Commercial Bank Board of South Miami/Coral Gables, Florida.

'Ira Brind, President of Brind Leasing Corporation of Philadelphia, has been elected to the Board of Directors of Truck Renting and Leasing Association.

Walter W. Cohen, Pennsylvania's Consumer Advocate, was the "Man in the News" in an issue of *The Philadelphia Inquirer*. The article, entitled "Consumers' St. George has a Dragon by the Tail," discussed Cohen's rise from federal investigator of job-discrimination rights, to prosecutor in the Philadelphia District Attorney's office, to prison master, to his present position, in which his major concern has been to force the Pennsylvania Public Utility Commission to take a serious look at Philadelphia Electric Company's Limerick Nuclear power plant.

Robert A. Levin, who is associated with the law offices of Melvin Belli in San Francisco, CA has been awarded a fellowship of $12,500 from the National Endowment of the Arts in recognition of the literary worth of his novel, "The Best Ride to New York," published by Harper & Row in 1978. Mr. Levin was awarded First Place, in prose, by the Performing and Creative Arts Committee of the San Francisco Bar Association for the novel. He is the son of Judge Herbert S. Levin, '31.

'68 John B. Lowy announced the expansion of his New York firm now known as Gusrae, Kaplan, Lowy, Bruno, Freedman & May.

'69 Peter L. Koury has become counsel to the firm of Koury, Tighe, and Lapres of Atlantic City, NJ, and has opened a branch office at One S. Main Street, Cape May Court House, NJ, 08210.

'70 Joseph C. Bright has rejoined the firm of Drinker, Biddle, and Reath, Broad & Chestnut Sts., Philadelphia, PA. William E. Sudow has joined the Washington, D.C. office of Wyman, Baulter, Rothman, Kuchel & Silbert.

'71 Michael K. Simon announced the formation of his law firm, Metter & Simon, 1840 PSFS Building, Philadelphia, PA 19107.

'72 John Fenner is associated with the Chicago branch of the firm Gradner, Carton & Douglas, specializing in municipal bonds. He recently testified at the House Ways and Means Oversight Subcommittee hearings on tax-exempt industrial revenue bonds. Mr. Fenner and his wife became the parents of a daughter in May.

Mark D. Jonas has become a member of the firm of Machles and Lieberman, P.C., 800 East Main Street, Lansdale, PA.

'73 Linda A. Fisher has become a partner in the law firm of Dechert, Price & Roads, 3400 Centre Square West, Philadelphia, Pennsylvania, 19102.
M. Kendall Fleearty, Director of the Regulatory Action Center of the Chamber of Commerce of the United States, has been selected for inclusion in the 1981 edition of Outstanding Young Men of America.

David Kraut has become associated with the firm of Hamburg, Rubin, Mullin & Maxwell, P.C., Lansdale, PA. Mr. Kraut was formerly Chief Regional Civil Rights Attorney with the office for Civil Rights, U.S. Department of Education.

Martin E. Lybecker has become a member of the firm of Drinker, Biddle & Reath, Broad & Chestnut Streets, Philadelphia, PA.

Akinori Uesugi is serving a three-year term as First Secretary at the Japanese Embassy in Washington, D.C.

'74 Robert C. Gerlach has become a member of the Philadelphia law firm of Ballard, Spahr, Andrews & Ingersoll.

H. Ronald Klasko was admitted to partnership in the firm of Abrahams & Loewenstein, The Land Title Building, 14th Floor, Philadelphia, PA, 19110.

Gary A. Korn is a partner in the law firm of Bedzow & Korn, PA., 1125 Northeast 125th Street, North Miami, Florida, specializing in general corporate, real estate and condominium law.

Paul A. Lester is associated with the firm of Broad & Cassel, 1108 Kane Concourse, Bay Harbor Islands, Florida.

Helen P. Pudlin has become a member of the firm Ballard, Spahr, Andrews & Ingersoll, Philadelphia.

'75 Larry Skipworth has been promoted to senior counsel in the Chicago corporate office of Abacus Groty, National Mortgage Bankers. Mr. Skipworth joined Abacus, a subsidiary of the financial services firm of Walter E. Heller & Co., in 1979, as associate counsel.

'76 Louisa Smith Mygatt has been named Vice-Chair of Planned Parenthood of Southeastern Pennsylvania.

Glenn F. Rosenblum is Manager of Legal Information Services for the Publishing Division of Packard Press. Mr. Rosenblum serves as opinion editor for The Legal Intelligencer and the Pennsylvania Law Journal and will supervise the division's development of new services for the legal community.

Ann M. Whatley, an associate with the firm of Pepper, Hamilton & Scheetz, has been appointed to the Executive Committee of the Young Lawyers Division of the Federal Bar Association's Philadelphia Chapter.

Barbara J. Zarsky has become associated with the firm of Lewis M. Levin, 1518 Walnut Street, Philadelphia, PA, 19102.

'77 Samuel M. Forstein was sworn in as Assistant United States Attorney in August, 1981.

Nicholas A. Manzini practices with the firm of Young, Starr & Tannenbaum, PA., North Miami Beach, Florida. He has been appointed to the Dade County Committee for Fair Representation which will formulate and propose a plan for single-membership districts to the Florida Legislature.

'78 Mark L. Alderman has been elected to the Executive Committee of the Young Lawyers Section of the Federal Bar Association.

Susan Eleff is an associate with the firm of Fox, Rothschild, O'Brien & Frankel, 10th Floor, 2000 Market Street, Philadelphia, PA, 19103.

John E. Rosenberg has formed a partnership for the practice of law under the firm name of Rosenberg, Jakobi & Boltz, 10 North Church Street, West Chester, PA.

'79 Bruce E. Byrd has been appointed Vice-Chair of the Young Lawyers Section of the Philadelphia Bar Association.

Lawrence R. Cohen became an associate with the firm of Anapol, Schwartz & Weiss, 1515 Locust Street, Philadelphia, PA, 19102.

Joseph C. Crawford was recently elected Secretary of the Young Lawyers Section of the Philadelphia Bar Association.

Anthony J. Krol is an associate with the firm Spector, Cohen, Gadon & Rosen, 1700 Market Street, 29th Floor, Philadelphia, PA, 19103.

Jeremy D. Mishkin, an associate with the firm of Montgomery, McCracken, Walker & Rhoads, has been appointed to the Executive Committee of the Young Lawyers Division of the Federal Bar Association, Philadelphia Chapter.

'80 Beth Olanoff is one of the founders of the Lawyer's Committee for Reproductive Rights, which was organized to lobby against a controversial abortion bill pending in the Pennsylvania State Legislature. The group planned to fight the Freid-Cunningham Bill through a concentrated lobbying effort in Harrisburg, written testimony before the subcommittee, public speaking and fund-raising.

'81 David Loder is at the London School of Economics as a Thouron Fellow.

Herman J. "Hans" Sachse is an intern in the Office of the Director General of Competition of the Commission of the European Economic Community (EEC) in Brussels.

Olivier Wyssa married Chantal Urdieux on September 5, 1981. They reside in Geneva, Switzerland.
Received a beautiful volume, the Law School Directory, which condemns me to oblivion.

It wouldn’t be so bad if I were one of those fellows who never cared a damn about the School. And I guess the Trustees will still find me for Annual and Development and miscellaneous Giving. But suppose I meet a charming woman at some School function (while my wife is not looking) and she wants to find me? Or suppose ATT wants me to take charge of all their anti-trust litigation? Do you think that the U.S.Postal Service will try to trace me all the way from 40th Street to 42d Street, even at the proposed 25 cent rate?

I wonder how many other errata: Oh, well, I have survived other disappointments in life.

With best regards, I am,

Sincerely,

P.S. If you said “Why is he bothering me with this”, what do you think deans are for?

Are there more of you suffering Mr. Polikoff’s plight? If so, we apologize and will make amends. An addendum to the 1980 Law School Alumni Directory, with corrections, will be issued to purchasers. So, please send your correct and/or corrected names, addresses and other vital information to the University of Pennsylvania Law School, Office of Alumni Affairs, 3400 Chestnut Street, Philadelphia, PA 19104 and mark your envelopes: Directory Corrections.

Sir Leon Radzinowicz is Honored

A member of the Law School Board of Overseers, Sir Leon Radzinowicz, has been elected to honorary membership in the American Law Institute.

The rare honor has been conferred twice previously on British Scholars—Lord Gardner and Sir Arthur Goodheart. Sir Leon joins his countrymen as the third honoree to be distinguished with membership into the Institute.

Sir Leon is Wilson Professor Emeritus of Criminology at Cambridge University, was the Founder and Former Director of the Cambridge Institute of Criminology and is a Fellow of Trinity College.

News of Reunions

The Class of 1948 celebrated its 33rd annual reunion at the Bellevue Stratford, Philadelphia on December 11, 1981.

Eight members of the Class of 1979 LAM’s (LL.M.s) met in Paris for a weekend in July, 1980. Alumni from the Netherlands, France, England, Germany and Northern Ireland attended the get-together and indulged in general tourist activities as well as reuniting with their classmates. The group planned to meet in London this past October.

To Members of the Class of 1980

Rick D’Avino is updating a supplement to the 1980 Class Directory. Please send your most recent addresses to him at Cohen & Uretz, 1775 “K” Street, N.W., Washington, D.C., 20006.
In Memoriam

'12 William Barclay Lex
Bryn Mawr, PA
September 8, 1981

'24 Wendell E. Warner
Wayne, PA
June 18, 1981

'26 Francis H. Fee
Moylan, PA
June 18, 1981

Honorable Gerald A. Gleeson
Philadelphia, PA
July 12, 1981

'27 Honorable Robert B. Johnson
Pennsauken, NJ
September 23, 1981

John Byron Prather
Monaca, PA
September 25, 1981

'29 William F. Kennedy
New York, NY
July 20, 1981

'30 Wilfred R. Lorry
Villanova, PA
October 5, 1981

Wilmer G. Williams
Fort Meyers, FL
July 25, 1981

'31 Dr. Alexander H. Frey
Phoenixville, PA
August 31, 1981

Musser W. Gettig
Bellefonte, PA
September 8, 1981

Edward B. Hodge
Devon, PA
October 17, 1981

'32 Philip Blank
Westend, NJ
June 12, 1981

'33 John S. McConaghy
Wyomissing, PA
September 2, 1981

'34 William H. Conca
Holland, PA
November 10, 1981

Philip B. Driver
Ridley Park, PA
June 19, 1981

'35 Gordon W. Gabell
Honeybrook, PA
December 24, 1981

'36 Bernard Gekoski
Huntington, NY
March 30, 1981

Jule H. Rotman
Philadelphia, PA
February 25, 1981

Honorable John E. Walsh, Jr.
Philadelphia, PA
August 21, 1981

'39 Seymour L. Green
Bryn Mawr, PA
June 20, 1981

'41 Peter Frances Pugliese
Wayne, PA
November 1, 1981

'42 Honorable Edward W. Lopatto
Wilkes Barre, PA
May 13, 1981

Francis H. McAnany
Philadelphia, PA

'47 Jesse H. Pratt, Jr.
Furlong, PA
June 14, 1981

'48 W. Joseph Harrison, 3rd.
Huntingdon Valley, PA
June 4, 1981

'49 John M. Bowers, Jr.
Philadelphia, PA
March 18, 1981

'58 Joseph H. Savitz
Philadelphia, PA
March 17, 1981

'60 John E. Hoover
West Chester, PA
September 9, 1981

'69 Thomas J. Oravetz
Wynnewood, PA
June 21, 1981

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