

Spring 1970

Gavel Raps, v. 2, n. 3 (Spring 1970)

University of South Carolina Student Bar Association

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VOL. 2, NO. 3 SPRING, 1970

GAVEL RAPS

NEWSPAPER OF THE UNIVERSITY OF SOUTH CAROLINA STUDENT BAR ASSOCIATION

Foster To Succeed Figg As Dean Of Law School

Professor Robert W. Foster has been named to succeed Robert Figg Jr. as Dean of the School of Law. Foster will begin his duties August 1.

Announcement of the appointment was made May 4 to the faculty of the Law School by University President Thomas F. Jones.

Foster has been a member of the School of Law faculty since 1962, having previously taught at the University of Louisville School of Law from 1951 to 1962. He holds degrees from the United States Merchant Marine Academy, the

University School of Law and Duke University School of Law. He also studied at the Yale University School of Law under a Ford Foundation Fellowship.

The new dean is a native of Charleston. Jones said the search for a man to succeed Figg was both intensive and extensive and involved consultation with leading legal educators throughout the country and with members of the State judiciary and bar.

"We looked very carefully at a number of outstanding candidates," Jones said,

(Continued on page 10)



Robert W. Foster

Figg To Retire After Eleven Years As Dean

Dean Robert McCormick Figg recently announced his retirement as Dean of the Law School. Under his leadership, the School of Law has enjoyed unprecedented progress and development. Along with an increased enrollment (496 as compared to 173 in 1960), recruitment of an outstanding faculty, Dean Figg has ever been sensitive to change in the law and has constantly urged curriculum revision.

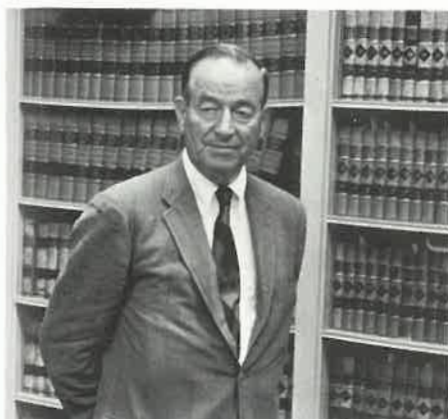
Some of the improvements brought about during his administration include: problems-oriented seminars; electives in many areas; a clinical program which is receiving nationwide attention; improvement in the quality of the Law

Review (now expanded to five editions yearly); establishment of the school newspaper GAVEL RAPS (to be published six times annually); and a research program including projects directed to law reform, environmental control, and improvement of legal education.

Dean Figg was born in Radford, Virginia, October 23, 1901. He moved to Charleston in 1915, and in 1920 graduated from the College of Charleston with the A.B. Degree. After graduating from Columbia University Law School in 1922, he was admitted to the bar of the Supreme Court of South Carolina. He practiced law continuously from 1922 to 1959 at which time he became dean and professor of law at the University.

In 1930 Dean Figg was admitted to practice before the U. S. Court of Appeals in Richmond; and, in 1931, the Supreme Court of the United States. From 1932 to 1934 he served in the South Carolina General Assembly; from 1935 to 1947 as solicitor for the Ninth Judicial Circuit; and in 1957 as Special Circuit Judge. In 1948 he was appointed by Governor Strom Thurmond to the State Reorganization Commission of South Carolina, and in 1951 was appointed chairman of this

(Continued on page 12)



Robert McCormick Figg

Law Day 1970

By George W. Cox, Jr.

The University of South Carolina School of Law joined the nation on May 1 in celebrating Law Day 1970, with keynote speaker Daniel R. McLeod reminding his audience that "the lawyer must give meaning to the phrase 'equal justice under law' by reason of his special talents."

Traditionally the significant social event of the year, Law Day 1970 was no

exception as a glittering crowd of nearly 400 students, faculty members, and guests enjoyed the buffet dinner festivities and the dance which followed.

The occasion was also an honors convocation of sorts. Certificates were presented to several students who had exhibited outstanding abilities throughout the year, and to the "Professor of the Year." Winners of the National Moot Court Team Award were Ray Lathan,

(Continued on page 12)

EDITORIALS

Law Review: Status And Enhanced Employability

Membership in the Law Review has for too long conferred artificial status and enhanced employability. Within the last two years, several schools, e.g. Stanford, Wisconsin, Yale and Harvard, have begun experimenting with non-grade selection plans for their respective law reviews.

The plans are based on the idea that the purpose of the law review is twofold: to publish a quality law journal as well as to offer valuable educational experience to all who desire it.

We are of the opinion that every Carolina law student is capable of adequately performing Review work if he commits sufficient time to it.

The utility and fairness of offering the benefits of law review experience to all students who can demonstrate the ability and willingness to perform work of a specified quality, justify the change. The choice of who will participate on the Review cannot be accurately or fairly chosen in advance. Therefore, all students should be given the opportunity to contribute to the Review and benefit from it if they can competently perform those requisite duties traditionally demanded of its members.

Various non-grade selection plans are now in operation. Some offer a prerequisite training program held during the summer; others have an internship program; still others have instituted "writing-on" programs whereby third year students are invited to join the Review board on publication of their material. Furthermore, any student wishing to publish in the Review without assuming the responsibilities of membership may submit his written work to the journal and receive as much editorial assistance as possible. A more thorough explanation of these programs is beyond the scope of this article, but each of these programs has published training manuals which would be available to the S.C. Law Review.

Fears of the decline of quality are unwarranted. Experiments at Stanford and elsewhere have proven this, while at the same time the increased quantity of articles has resulted in the obvious increase in quality.

Administrative problems in handling the large number of student writers involved have not been serious, nor have they impeded other aspects of Review work. Difficulties will no doubt arise but should not be of serious consequence.

The Review will thus substitute its own judgement for the judgment of the faculty via grades. We believe that this type of program is in keeping with the spirit of the new model curriculum which will soon be implemented. We strongly urge the S.C. Law Review to consider its possibilities.

Causes Versus Effects

Our academic community was recently disturbed by demonstrations, not unlike those that have paralyzed and closed other institutions of higher learning throughout the United States. While we are taking President Nixon's advice and "cooling the rhetoric," there are a few things which need to be said. While our community was gripped with tension, certain unscrupulous politicians sought to use our difficulties as campaign issues in order to further their own political ambitions. Adding to the hostilities and confusion, both within and without the academic community, were several un-informed and misguided newspaper editors who received second and third hand information and thereupon attempted to analyze the situation but only succeeded to further polarize the people in South Carolina.

We all know who these misguided zealots are, for they are the same individuals on whom we can count to appeal to the prejudices and fears of our people every time a problem arises. Of such actions it is best to say what Virgil says to Dante of those whose lives have been barren in noble impulse and shallow of intention: "Non ragioniam di lor, ma guarda, passa." (Let us not speak of them, but look, and pass on.)

Many accusations have been made and many solutions have been offered to deal with our problems, mostly from people totally removed from the arena of controversy. All of the ones we have heard, ranging from "cracking down on the demonstrators" to the firing of Tom Jones, are at best shortsighted and overreactive and attempt to deal only with the effects. There would be no surer way to destroy our institution than to introduce sterner and more repressive measures. While they might intimidate a few at first, it is only a question of time before other disruptions will follow with perhaps more violent consequences.

We must take heed of Chief Justice Burger's recent remarks cautioning against over-reaction to dissent. We must support Doctor Jones, Governor McNair and the USC faculty in their efforts to open the lines of communications with the disenchanted. It is difficult to see how this can be brought about with antediluvian politicians constantly interfering with threats of reprisal and intimidation. These people are a lot like steamboats — they toot loudest when they are in a fog.

GAVEL RAPs

Jim Armenakis Editor-in-Chief
Speros Homer Managing Editor
Lee Holloway Associate Editor
Joe Wilson Assistant Editor
George Cox Copy Editor
Ron Motley Special Features Editor

PHOTOGRAPHER

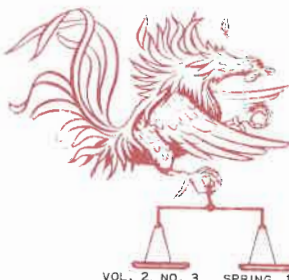
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GAVEL RAPS is the official publication of the Student Bar Association of the University of South Carolina School of Law. GAVEL RAPS is published three times per academic year. Contributions are welcomed and encouraged. Permission is hereby given for republication of any article appearing herein providing that proper credit is given both to the newspaper and the author of the article. The views expressed herein are those of the newspaper and do not necessarily reflect those of the Student Body, Administration or Faculty unless otherwise specifically stated.

UFO...

A Demeaning Disproportion

Just when we were starting to feel the judicial process was weathering the storm pretty well, a South Carolina judge comes along to sentence three anti-war coffeehouse operators to six years in jail for maintaining a public nuisance. This sort of thing could erode respect for the court far more effectively than any radical onslaught could hope to.

The propaganda that any trial of a radical is politically motivated has so far made scant impression. The Harris poll recently revealed the public's verdict on the Chicago Seven: Of those who followed the episode, 71% thought the trial was fair, and of the 19% who disagreed, "a sizable minority" thought it was unfair because the sentences were too lenient. And when Yale students went on strike to free the Black Panthers charged with murder and kidnaping in New Haven, the editors of even the most liberal newspapers agreed the students were simply foolish.

Radical propaganda on all such trials, though, can only profit from an occasional case where the political tinge was as undeniable as in the South Carolina one. The UFO coffeehouse near Fort Jackson may indeed have been a public nuisance; the jury was persuaded of that. But there is nothing in any of the charges against the owners that could remotely justify a six-year sentence, on top of a \$10,000 fine.

The judge as much as said, in fact, that the sentence was based not so much on the charged offenses as on his opinion of the defendants. Maintaining a nuisance was only a common law misdemeanor, he noted, but what concerned him was the effect on young people. "I wonder where we are headed, what the future holds for our own children. I certainly hope they will not come under the influence of people who went to the UFO."

Now, our judicial system provides for correcting mistakes by trial judges, and in all likelihood appeals will result in at least a reduction of these sentences. Still, even-headedness should be the rule in all courts, not merely appellate ones.

Even-headedness is not only a prime requisite of justice but also the mark of authorities with some self-confidence and self-respect. In most cases the powers that be, have let the anti-war coffeehouse crowd prattle on about grape strikes and women's liberation until bored GIs turned back to beer. Where a coffeehouse does disturb the neighborhood perhaps it should be closed as, say, a loud nightclub might be. But to treat it not as a mere nuisance but a pressing menace is a self-defeating mark of panic.

So while it's bad enough that long jail sentences are unjust to the coffeehouse operators, that's far from the whole of it. Such disproportion is also demeaning to the authorities that impose it.

Reprinted from the Wall Street Journal

Staff Elections
And Appointments

By George W. Cox, Jr.

The Editorial Board of GAVEL RAPS is pleased to announce the election of Addison G. "Joe" Wilson of Charleston to succeed James J. Armenakis as the Editor-in-Chief for the 1970-71 scholastic year.

Wilson, a rising second-year student, is a 1969 graduate of Washington and Lee University and is elevated to his new position from that of Assistant Editor. He is a member of the International Law Society, the American Judicature Society, and the American Academy of Political and Social Science. He is also listed in Who's Who Among College Students in American Colleges and Universities.

An honor graduate of the High School of Charleston, Wilson is active in the South Carolina Republican Party and is presently third vice-chairman of the state GOP.

The new Editor will assume the duties of outgoing Editor-in-Chief Jim Armenakis, under whose leadership GAVEL RAPS has enjoyed a period of development and maturation. Armenakis was graduated from Brooklyn College and attended the University of Akron School of Law where he founded that institution's law journal, ARETE.

Other new positions on the Editorial Board of the Law School publication, which will expand to six issues next year, include the promotion of Lee Holloway to Managing Editor, George Cox to Associate Editor, and Ron Motley to Assistant Editor. Holloway succeeds Speros Homer, Jr., a graduate and former student government president of Columbia University, who will receive his Juris Doctorate this month.

Professor William H. Ledbetter, Jr. continues to serve GAVEL RAPS as its Faculty Advisor. (See photos page 11)

POLITICAN

A congressman's friend, after visiting his district asked the officeholder, "Did you know that Tom Jones is going to run against you?"

"Well," said the congressman, "I'm not surprised. He's an ingrate and scoundrel. He's fortunate to be out of jail."

"Jim Smith is also threatening to announce," the friend added.

"He's of the same stripe as Jones," said the congressman, "A thoroughgoing reprobate."

"Don't get a head of steam up," said the friend, "I'm just kidding you. I saw them both, they asked about you and sent their regards."

"Now see what you've done," said the indignant congressman. "You've made me say some ugly things about two of the sweetest, friendliest, and noblest characters in my district."



Students Seek House Seats

Law students have always been interested in politics and 1970 comes as no exception. This year students are working in the statewide political races and in the federal congressional campaigns. Four law students are exceptional, in that they are seeking seats in the South Carolina House of Representatives.



**Arnold
S.
Goodstein**

Arnold S. Goodstein, of North Charleston, has launched his campaign in the Democratic primary for one of the House seats in Charleston County. He is married to the former Wendy Marcus of El Paso, Texas. Goodstein graduated from Davidson College with a B.A. in economics. While at Davidson, he was Judge of the Honor Court; Treasurer of the Virginia Carolina Student Government Assn.; ROTC Captain; and a member of the Kappa Sigma fraternity. At the Law School, he is fourth ranked in his class; a member of Wig and Robe; and worked with the Crime Control Comm. under Prof. Myers. In addition, he has served as a page in the S.C. Senate and as a law clerk for Sen. J.P. Mozingo. As a 1st Lieutenant he served his tour of duty with the U.S. Army and was awarded the Bronze Star twice.



**Alexander
S.
Macaulay**

Alexander S. Macaulay, of Columbia is seeking one of the House seats from Richland County in the Democratic primary. He is married to the former Maria Boineau of Columbia. Macaulay received his undergraduate degree in history from the Citadel where he was also a member of the Callopia Literary Society. He is a member of the Phi Delta Phi legal fraternity and serves as a law clerk for the Attorney General, in addition to having been a page in the S.C. Senate. He served in the U.S. Army and attained the rank of Lieutenant.



**Herbert
D.
Morgan**

Herbert D. Morgan, of Seneca, will attempt to regain an Oconee House seat in the Democratic primary which he lost two years ago by seven votes. He is married to the former Miss Kate Nimmons of Seneca and has two children. Morgan attended the U.S. Naval Academy and is a graduate of Clemson University. After being employed by American Cyanamid of New York, he came to law school where he has served on the Honor Council and is Justice of the Phi Alpha Delta Legal Fraternity. He has served as the Democratic Executive Committeemen in Oconee County and attended the Democratic Convention in Los Angeles in 1960 as an alternate delegate and as a delegate to the Convention in Atlantic City in 1964.



**Fred
G.
Scott**

Fred G. Scott, of Mount Pleasant, is campaigning for the House from Charleston County on the Republican ticket. He is married to the former Patricia Ann Musso of Charleston and they have four children. Scott graduated from Clemson University with a Bachelor of Science degree. He has worked with developing subdivisions and has experience as a businessman-farmer. He served his tour of duty in the Army as an Air Borne 1st Lieutenant.

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Harper Elected President Of United Citizens' Party

By James J. Armenakis



John Roy Harper, II

John Harper, a third year law student from Columbia, S.C. was elected President of the United Citizens' Party of South Carolina. GAVEL RAPS recently had the pleasure of interviewing Mr. Harper, and the text of the interview follows.

QUESTION: What is the United Citizens' Party (UCP)?

ANSWER: When it is legalized, the UCP will be the 4th political party in South Carolina. It is strictly an indigenous movement and not prompted or aided by any political party nor supported by any group outside of the state. It is an effort by a group of concerned citizens who wish to explore all opportunities within the existing political system.

QUESTION: Why is the UCP being formed?

ANSWER: The party was formed so that Black people and other powerless people of South Carolina would have better representation. The facts are: there are no Black state legislators, no Black members of the county councils, no members of city councils. There are large numbers of people who are entirely unrepresented in the existing system of government. And neither the Democratic nor the Republican Party has done anything about our conditions.

Our children are hungry, our streets are still unpaved, our garbage is not collected, and South Carolina ranks at the bottom of all the other states in education. People throughout the state are disgusted with this state of affairs, and we have decided to make the political process work for us rather than against us.

We can no longer labor without sufficient rewards. The past has proven that a people cannot act in good faith when those who advocate faith are faithless. We have been dedicated to political institutions that have failed to honor our efforts with just rewards. We can no longer support any party or political faction that insists on exploiting our "vote power," but fails to recognize our "brain power" and our basic needs. With these thoughts in mind, we, the exploited of South Carolina, have moved to organize the UCP.

The following is the official platform of UCP:

1. Expansion of nursery schools and kindergarten education to every school district in South Carolina.
2. Lowering of the voting age for all state, county and municipal elections to age 18.
3. Abolish the Draft. All present information of Selective Service practices suggest that the Black minority is bearing significantly more than its share of the death and disability of war, not just of young men in general, but of those young men who represent significant levels of achievement and potential. We have a deep responsibility to examine and condemn any policies which contribute to the systematic and/or disproportionate weakening of any ethnic group. Genasthenia may be a useful term for such weakening, in

this instance by selecting the "better" half of a population group for increased risk of death and disability.

4. Restructure the state's tax system to remove the heavy tax burden from the shoulders of the workers and the poor and ensure that the wealthy and big business pay their fair share.
5. Abolish capital punishment.
6. Effect a racial and economic balance in all juries reflecting the population of the area of the court's jurisdiction.
7. Restructure the whole lower court system to ensure all defendants a fair trial before a competently-trained judge.
8. Expansion of the juvenile court system.
9. Reorganize the juvenile corrections system to provide for more humane treatment of young offenders in order to better rehabilitate them to become free and productive members of society.
10. Establishment of a state Civil Rights Law to guarantee all citizens equal opportunity for employment, education and housing.
11. Non-discriminatory and racially-balanced employment in all state agencies, with special emphasis on the South Carolina Highway Department.
12. Racial balance on all major policy-making boards and committees of the state, county or municipality, with special attention given to Boards of Education and Tax Assessments.
13. Attract, establish and develop small industries in the coastal plains counties and other extremely depressed areas of the state. Seek industries which serve the needs of local people, and not merely those which would exploit the workers and natural resources of the area to make profits in which local people have no share.
14. Strong and impartial enforcement of the pollution control laws.
15. Increased pay for teachers.
16. Racially-balanced law enforcement with higher pay and better training.
17. Demand that the U.S. Government eliminate existing racial discrimination within its own programs in South Carolina, particularly the Department of Agriculture and the U.S. Employment Service.
18. Long-term care facilities for victims of drug addiction.
19. Guarantee rights of collective bargaining to state employees, and all other workers in the state.
20. Guarantee every citizen the right to peacefully protest the actions (or inaction) of any person, group or political unit, including the state itself.
21. Guarantee minimum income.
22. Expansion of minimum wage to cover all wage earners and guarantee them a decent standard of living.
23. A complete restructuring of welfare programs to consolidate state, federal and local programs into a single comprehensive program which provides medical care, adult education and job training, food subsidies and decent employment.
24. Evaluation of all welfare workers and displacement of all who are insensitive to the aims of the program.
25. Establish a State Commission on Human Rights.
26. Design farm programs to favor the vanishing small farmers over the excessively-subsidized landowners.
27. Demand that the resources of this nation be utilized to

(Continued on page 11)





SOUTHERN CAROLINA

SCHOOL

OF

CLARENCE D. HARRINGTON, JR.
Associate Professor of Law



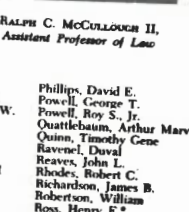
WENSTER MYERS, JR.
Associate Professor of Law



JOHN KRAEMER
Assistant Professor of Law



ELDON D. WEDLOCK, JR.
Assistant Professor of Law



RALPH C. McCULLOUGH II,
Assistant Professor of Law

- Phillips, David E.
- Powell, George T.
- Powell, Roy S., Jr.
- Quattlebaum, Arthur Marvin
- Quinn, Timothy Gene
- Ravenel, Duval
- Reaves, John L.
- Rhodes, Robert C.
- Richardson, James B.
- Robertson, William
- Ross, Henry F.
- Rubin, Hyman S., Jr.
- Rushing, Don S.
- Sakchy, James M.
- Sanders, Frank Buck
- Scott, Fred C., Jr.
- Scott, John M., Jr.
- Shuster, Bart W.
- Seeling, Herbert C.
- Singleton, Joseph F.

- Small, Nolan Alva
- Smith, John C. B., Jr.
- Spruill, James A.
- Spruill, Walker D.
- Steen, Harold R.
- Stoudemire, W. Ward
- Strickland, C. Deen
- Sweeney, William O.
- Thomason, Glenn W.
- Thornhill, K. W., Jr.
- Tyler, Donald W.
- Unger, Richard M.
- Uricchio, Paul N.
- Wakart, Harry
- Walker, Logan III
- Wallace, Richard, Jr.
- Ward, David Bryan
- Winkler, George F.
- Woods, Henry Thomas
- Wright, J. Franklin
- Young, Kenneth R.



Notes And Briefs

Outstanding Professor Award

The first Outstanding Professor Award given by the University of South Carolina Law School Student Bar Association has been presented to James L. Underwood.

Underwood was promoted to Associate Professor in the USC Law School recently.



He was selected by a vote of law school seniors using criteria which include classroom preparation, general subject knowledge, interest in upgrading the school and availability for student consultation.

The Outstanding Professor plaque will be placed in the Law School Student Lounge and the name of the professor winning each year will be added.

Teaching at USC since 1966, Underwood received his B.A. and LL.B. from Emory University in Atlanta, where he was graduated second in his law school class, and an LL.M. from Yale Law School. While at Emory he was editor-in-chief of the Journal of Public Law.

Since coming to USC, Underwood has had several articles on law published and has become a faculty advisor to the Law Review.

Freshman Oral Arguments

The freshman oral argument was very successful with 25 students participating. The briefs and the arguments were all considered very good by the judges of the finals, Dean Robert Figg, Prof. John Krahmer, and Prof. James Underwood.

Dwight Drake won the competition, Billy Edwards was runner-up, and Ellerbe Cole and David Butler were the other finalists.

The case problem dealt with the very complicated questions of unfair business competition and trademark infringement. These problems proved to be even more complicated than intended by their draftsman but the students handled them well.

Scholarship Committee

Acting upon the recommendation of the Student-Faculty Liaison Committee, the faculty has voted to create a scholarship committee which will include student members. The president of the Student Bar Association will appoint student members.

The Committee will function to:

- 1) Provide scholarship and loan information to students.
- 2) Explore possible sources of scholarship and loan revenue.
- 3) Advise the faculty on scholarship and loan matters.
- 4) Determine criteria for the awarding of unrestricted scholarship and loan monies.

International Moot Court Team

The International Law Moot Court Team had a very successful and enjoyable trip to the regional competition held at Cumberland School of Law, Sanford University, Birmingham, Ala., on March 14 and 15.

The activities began with a small cocktail party Friday night, and the competition began at 9 a.m. Saturday continuing until 4:30 p.m. Each team was required to argue both sides of the case twice for a total of four arguments. South Carolina argued against the University of Georgia, Emory, Vanderbilt and Loyola University.

The case argued involved a hypothetical expropriation of land owned by a Canadian Corporation, but controlled by an American Corporation, in the South American Country of Amazonia. Only the winning team will represent the Southeast in the national finals in New York and no runner-up prizes were given. The University of Miami won the regional competition.

Members of the USC team were Heyward Clarkson and Woody Cleveland as oralists and Palmer Freeman as agent.

Environmental Law Society Formed

Rising concern of many students over the deterioration of our natural environment and its effect upon the state and nation has prompted the formation of the Environmental Law Society (ELS).

The primary goal of the ELS is to assist in obtaining an improved environment by providing lawyers with a thorough knowledge of the legal and scientific aspects of pollution and environmental abuse. Immediate objectives of the society designed to achieve this goal include research in depth into environmental law, related studies in the field of ecology, and a program of quality speakers to supplement and stimulate ELS endeavors.

The keynote of ELS will be legal professionalism obtained through individual and team research activities. Every member of the ELS will be a member of a research team and will be able to contribute to the ELS programs and activities according to the individual's time and abilities. Liaison with members of the bar, governmental agencies, and conservation groups will be maintained and legal assistance furnished where appropriate. The ELS will assume sound, coordinated positions on important environmental control issues.

Meetings of the ELS will be bi-weekly and the membership is open to all law students having completed one semester.

Claud N. Sapp Award

Mr. Arthur Marvin Quattlebaum from Bishopville, S.C., is this year's recipient of the Claud N. Sapp Award. Each year this award is made to that member of



the senior class who best combines the qualities of leadership, scholarship and

industry. The award is made as a memorial to the late Claud N. Sapp, of the Columbia Bar, by his nephew, Mr. Sapp Funderburk of Greenville, S.C. The award is most coveted, and presently consists of the 20-volume Code of Laws of South Carolina.

Marvin is a graduate of Duke University where he was a member of Who's Who Among Students in American Colleges and Universities. He served on the South Carolina Law Review as Research Editor. He is a member of Phi Delta Phi legal

fraternity and Chairman of the Placement Committee. He is married to the former Zylphia Ruffin Stephenson of Bishopville, and they have three children.

Library Portraits Labled

The Library Portrait Committee of the SBA has completed its yearly project.

Chairman Frank Partridge stated that the portraits in the Library have been labeled and the names are engraved on bronze plaques.

The pictures are of all the past deans and prominent lawyers of South Carolina. The following are the major portraits: Dean Prince, James L. Petigru, James F. Byrnes, John Rutledge, James Frierson, Joseph Pope, Chancellor Harper, John Thomas, Herndon Moore, John O'Neal.

SBA Elections Bring Record Turnout

By Joe Wilson

Boasting a record turnout of over 80 per cent, law students elected Student Bar Association officers, a Legislative Council, a Judicial Council and a representative for the Law Student Division of the American Bar Association. Two referendums were also overwhelmingly approved in the April 14 election.

Donnie Myers was elected SBA president; Heyward Clarkson, vice president; Tom Mikell, secretary; and Dicky Jones, treasurer. New members of the Legislative Council were Wendell Cantrell, Palmer Freeman, Jay James, William Ponder and William Tetterton from the senior class and Tommy McIntosh, Bill Byars, Dave Drake, Dave Merry, and Henry Taylor from the junior class.

Elected to the Judicial Council were Sam Banov, Owens Smith, and Dave Turnipseed from the senior class and Edwin Bailey and Ricky Paul from the junior class. Wes Jones was elected ABA-LSD representative.

The two referendums concerned the

timing of exams before Christmas and the institutionalization of Gavel Raps as the Law School newspaper. Both received approximately an 80 per cent affirmative vote.

The exam proposal which passed urged the faculty to consider having exams immediately before Christmas by beginning school in early September. The Gavel Raps proposal was an amendment to the SBA constitution providing for the election of the editor by the editorial board of the newspaper with the right of advice and consent to be held by the Legislative Council.

Donnie Myers, SBA president-elect, is the present secretary of the SBA. He is from St. George and is married to the former Vance Padgett of Gaffney. He is a graduate of USC, having participated in varsity football and baseball. Myers is a member of the editorial staff of the Law Review.

The newly elected SBA vice president is Heyward Clarkson III of Columbia. He is a Citadel graduate and served with

the Summerall Guards. Immediately after the Citadel he served two years in the Army. He is presently a member of the Law Review and Wig and Robe and is president of the International Law Society.

Tom Mikell of Beaufort was elected secretary of the SBA. He is a 1964 Citadel graduate and is married to the former Dianna Hutchinson, also of Beaufort. He has worked for the First National Bank of South Carolina for the past five years in Columbia, Clemson, and Charleston. He was the past director of the Brigadier Club in the Charleston area, vice president of the Luncheon Optimist Club, director of the Clemson Jaycees, and treasurer of the Clemson United Fund.

Elected treasurer of the SBA was R.A. "Dicky" Jones Jr. of Easley, a 1968 USC graduate in marketing. He is serving in the S.C. National Guard and is married to the former Nancy L. Cosgrove of Sumter. He is presently a member of the Legislative Council and a candidate for the Law Review.

SBA Silver Key Award

Ray Chandler, treasurer of the SBA, and Joe Good, ABA-LSD representative, attended the 11th Circuit SBASpring Conference in Washington on March 27-29.

The convention was organized as an open-end workshop for the purpose of exchanging ideas and information on such subjects as job placement, legal aid programs, minority recruitment, and the policeman's role in society.

The highlight of the convention for the South Carolina delegation came when Kenneth Rice of Duke University, the Circuit vice president, announced that Carl Epps had been awarded the Silver Key, the organization's highest award. The award was national recognition for South Carolina's outstanding Bar Association and for its contribution to the Law Student Division. The programs which led to this award were the Legal Aid Clinics, South Carolina's practice court program and the development of GAVEL RAPS.



NEWLY ELECTED SBA OFFICERS — From left to right: Vice-President Heyward Clarkson, III, Columbia; President Donnie Myers, St. George; Treasurer Dicky Jones, Easley; Secretary Tom Mikell, Beaufort.

Foster To Be Dean...

(Continued from page 1)

"and among these was Robert Foster. All of us are delighted the one man felt to be best qualified to carry on the tradition and continue the momentum of the School of Law is one of our own."

Foster is a member of the South Carolina, North Carolina and Kentucky Bar and is admitted to practice in the Federal Courts and the United States Court of Military Appeals. He is a member of the South Carolina Bar Association and the American Bar Association.

He participates on labor and commercial panels of the American Arbitration Association and is a member of the labor panel of the Federal Mediation and Conciliation Services.

Foster is the founder and former president of the University credit union, former president of the University chapter of the American Association of University Professors and former president of the Faculty Club.

Foster has published a number of books and pamphlets, is a labor arbitrator, has served as a special master in bankruptcy and was reporter for the South Carolina Legislative Committee and Judicial Council on Uniform Commercial Code.

GAVEL RAPS asked Professor Foster

to briefly outline the most pressing problems facing the Law School and what course of action he intends to follow with respect to these problems.

Professor Foster feels that as this is the only Law School in the state, we must think of ourselves as a "law center" for the state of South Carolina which has various missions.

A major mission he believes is teaching law in a manner that will prepare graduates to assume the role of legal statesman engaging in a broader scope of activities which calls for a correspondingly broader program of legal education. To this end the curriculum and methods employed must remain under constant examination for possible revision to insure applicability and relevance to contemporary problems. He revealed that the recent curriculum study report prepared by the Ford Foundation Study Group (see the Fall and Winter issues of GAVEL RAPS for a synopsis of the model curriculum) at the Law School is being studied for possible implementation in the near future.

The rapidly changing environment to which the legal process must address itself presents problems to the Bar in keeping abreast of these changes. Another Law School mission should be to offer its services through the expertise of its faculty in coordinating and effectuating the continuing legal education of the Bar.

He supports the channelling of faculty

personnel and library research facilities to law development and reform. The location of the Law School in the state capital, he believes, provides us with a unique opportunity to assist in the improvement of the administration of justice in the state.

He realizes that the Law School is forced by an increasing number of qualified applicants and by a growing demand for law graduates in South Carolina to expand enrollment. But the school's mission is not simply to increase the quantity of law graduates, but, most importantly, to increase the quality of its graduates. As a way to insure the quality of our graduates, the Dean-elect approves of the recent faculty vote to make the entrance requirements more stringent.

His feelings on enrollment are that "to meet our public responsibility, we must impose limitations on enrollment through entrance requirements designed to reasonably predict success in the study and practice of law and to require from our students the complete commitment demanded of members of our profession."

He supports the idea that ultimate control of enrollment should reside with the faculty. The faculty, he believes, is outstanding in terms of quality but needs more quantity. The faculty is balanced by its diverse background produced by deliberate recruiting policies. He is

(Continued on page 12)

Advice To A Young Lawyer On Joining A Law Firm (A Baker's Dozen Of No-No's)

TODAY'S LAW SCHOOLS do a reasonably good job of educating their students on the academics of the law by elucidating "Corbin", the Commercial Code and the like. However, many firms complain that the more practical aspects of success in the practice of law are overlooked. To help fill that void, the following suggestions are offered to the recent graduate who has joined a firm as well as those students who are nearing graduation. Strict adherence to these rules will guarantee results (of one sort or another).

(1) Don't let the firm forget that they need you more than you need them. This is a good start because it is a matter of general principle. You selected the firm out of the many offers that you had. You know that the competition for associates is keen and that the firm is lucky you came to work there. Make sure that they know it.

(2) Be outwardly confident, even cocky. Make sure everyone knows how good you are from your general conduct. Then you won't have to rely on good work to demonstrate the ability that you know you have anyhow. After a 1, you are being paid \$13,000 per year, and you know you are worth every penny of it.

(3) Don't ever volunteer. Perhaps you were not in the service and don't know this very important rule. Don't let any partner think you are anxious to work hard and help the firm. That would be a sure indication of insecurity. The partner will sense it right away and take advantage of you.

(4) Don't ever come in on a Saturday. It is a bad habit. Don't fall into it. It is only a relic of days gone by. Don't worry about the fact that partners work on Saturdays; that is their misfortune. Make sure you don't make the same mistakes they did. If your boss asks you to do something on a Saturday, do it -- the first time. Indulge him. Just make sure he understands that you are putting yourself out for him and that you expect appropriate compensating time off (not to be confused with your Wednesday afternoon off for golf or tennis). If it happens two or three times, let him know how important your other Saturday morning commitments are. Eventually, you may have to refuse him. Don't worry about it. He is out of line -- not you.

(5) Be curious about the inner workings of the firm. You are entitled to know all of it. Don't be satisfied with general

answers like "about \$75,000" when you ask a senior partner how much he earned last year.

(6) Know for sure when you are going to become a partner. By the time you've been with the firm three to six months, your future should be definite. You are entitled to know exactly when you will be made a partner. Don't be patient. Someone might confuse this with a willingness to rely on the good faith of the firm. Nothing could be worse than to be committed to such an attitude.

(7) Don't let one partner attach himself to you. These relationships are bad. If he becomes dependent on you, a partner is likely to feel that he can push all of his work off on you and loaf himself. Sure, if that is the case he might say something good about you at a partner's meeting, but don't worry about it. You don't need that kind of help.

(8) Indulge a partner who seeks to give you advice. Listen patiently and make him believe you agree with him. You will, of course, ignore the advice as soon as the conference is over, but don't tell him so right away. After all, giving advice to new associates is an admission of a partner's basic insecurity,

and you should feed his ego in a situation like that.

(9) Don't knock on a partner's door before you go into his office. To do so would suggest that what he is doing might be more important than the reason for your visit. Don't even let it occur to you that it might be more convenient for him to see you later.

(10) Never beat a deadline. If a partner tells you he needs something by Wednesday, don't ever get it to him a day or two earlier. If you do, he'll never appreciate how hard you worked on it (he has no idea of how long an assignment should take) and he'll just give you something else to do between now and Wednesday.

day.

(11) Deal with secretaries properly. Make sure that they know right away that you know everything because you are a lawyer! Give orders as if you mean them. Never ask their advice or their help. Any suggestion they make is bound to be wrong, particularly if they have been around the office five or ten years. Also, on the subject of secretaries, complain bitterly if your girl is not as good as the senior partner's. After all, you are entitled to help that is just as efficient as his.

(12) Let the firm know right away that you are not satisfied with your first office. Tell them you don't expect to move right now because you appreciate that space is tight, but make it clear

that you will not be satisfied with an office this size for very long. If a larger one does not open up pretty soon, demand that the firm take more space so as to accommodate you appropriately. Don't worry about the cost. You would not be with the firm if you did not think they could afford it.

(13) Take your vacation now. The recruiter told you that you were entitled to three weeks per year. Don't take a chance on missing it. You'd be surprised how many lawyers miss their vacations because they get too busy later to get away. That kind is never successful.

Based on an article from the American Bar Association Journal

Harper, U.C.P. President . . .

end poverty and oppression in this country and around the world, and not to prop up dictatorships and protect the profits of big business.

28. Conduct a full and open investigation of the Orangeburg Massacre.

Mr. Harper was born in Greenwood, S.C., and was raised in Camden. He attended Fisk University where he received his A.B. in history with honors. He undertook further study at Harvard and New York University. He was listed in Who's Who Among Students in American Universities and Colleges, served as Yearbook Editor-in-Chief, newspaper Editor-in-Chief, Associate Editor-in-Chief, News Editor, senior class Parliamentarian and was on the Dean's list.

He is a member of Phi Alpha Delta law fraternity, the Black American Law Students Association and served as Business

Manager of the South Carolina Law Review.

His work experience includes: Clerk, Office of General Counsel, Mobil Oil Corporation, New York City; Clerk, Legal Department, Shell Oil Company, New York City; prepared and edited a Compilation of S.C. Laws Related to Prisons, Prisoners and Corrections for Governor's State-Wide Task Force on Corrections and Rehabilitation; Richland County Public Defender's Office; Intern, S.C. Voter Education Project; Public Relations Representative, Shell Oil Company, New York City; one year with News and Information Division, two years with Community Activities Division; President, Uhuru Bookstore, Inc., Columbia, S.C.

He served in the United States Army and spent two years in West Germany. He is married to the former Denise A. Jefferson of Chicago, Illinois, who teaches French and Dance at Benedict College. They have one child.

Under the dynamic and responsible leadership of John Harper, we are confident that the United Citizens' Party will play a very important role in the future of South Carolina.



GAVEL RAPS EDITORIAL BOARD — Seated left to right: Retiring Editor-in-Chief Jim Armenakis, Charleston; newly elected Editor-in-chief Joe Wilson, Charleston; Faculty Advisor, William H. Ledbetter. Standing left to right: Lee Holloway, newly elected Managing Editor, Greenwood; Ron Motley, Assistant Editor, Charleston; George Cox, Associate Editor, Norfolk, Virginia; Speros Homer, retiring Managing Editor, Charleston.

Foster To Be Dean

(Continued from page 10)

thankful to Dean Figg for having assembled such an outstanding group of legal educators.

Each of the missions mentioned above signals the promise and potential of the Law School. But each requires a commitment of additional resources if these promises are ever to bear fruition. He is confident that given the necessary resources for implementation of these goals, the Law School should become a legal center comparable to any publicly supported law school in the nation.

Law Day...

(Continued from page 1)

Roy Powell and Hyman Rubin; the International Law Moot Court Award was presented to Woody Cleveland; and Marvin Quattlebaum was awarded the annual Claud N. Sapp Award for service by the graduating class. The 1969-70 Professor of the Year Award was presented to James A. Underwood.

Attorney General of South Carolina Daniel R. McLeod directed his remarks to the special knowledge of the lawyer that facilitates the fair administration of justice. "He", McLeod said, "more than any other, can shape and make viable the cause of freedom--the freedom that exists for the rich and the poor, for the most depraved criminal, for the friendless minority, for the despised dissident. The law must give meaning to the phrase 'equal justice under law'".

The Attorney General, who has been

associated with that office for 20 years, noted that in the last decade, the wind of change in the criminal law has passed from evolution to revolution with dramatic changes following rapidly one upon the other so that yesterday's well-founded conviction cannot be sustained today. But he cautioned those who have received the controversial decisions of the Supreme Court with protest and, at times, violence, to bear in mind that these decisions "mark the pathway of this nation's progress toward its ideal of life, liberty and the pursuit of happiness, and this dominant force and effect exists because we are a nation of laws and not men."

Mr. McLeod, a graduate of the University of South Carolina School of Law and a frequent after-dinner speaker at Law School affairs, was well received by his audience.

Following the buffet, a dance was held with the "SOUNDS OF SOUL" from Charlotte, N.C. providing the musical entertainment and accompanied, as usual, by an able number of erstwhile lead singers disguised as law students.

With examinations only a few days away, the affair was a fitting climax to the 1970 Student Bar Association social calendar.

Dean Figg...

(Continued from page 1)

commission by Governor James F. Byrnes. He also drafted legislation creating the S. C. State Ports Authority in 1942, and has served as general counsel for the Authority from its creation.

A man of national stature in the law profession, he has served as a member of the American Bar Association's

Advisory Committee on Fair Trial and Free Press, and as a member of the Council of its Section on Individual Rights and Responsibilities. He is presently a member of its Advisory Committee on Relations with Lawyers of Other Nations, a fellow of the American College of Trial Lawyers, and elected member of the American Law Institute, and a permanent member of the U.S. 4th Circuit Judicial Conference.

Beyond doubt one of the leading legal figures in the Southeast, Dean Figg is president-elect of the State Bar and is past president of the Charleston County Bar Association. Other memberships include South Carolina, American and Inter-American bar associations; and the American Judicature Society, the Institute of Judicial Administration, and the American Society of International Law.

Dean Figg is an honorary member of Phi Beta Kappa, Blue Key and Phi Delta Phi Legal Fraternity. He is a member of the Columbia Law School Alumni Association and Columbia University Alumni Federation, and past president of the College of Charleston Alumni Association.

He is a director of the Palmetto State Life Insurance Company and of the Home Federal Savings and Loan Association of Charleston. He is Senior Grand Warden of the Grand Lodge of Ancient Free Masons of South Carolina, and a member of the South Carolina Society, St. Andrew's Society, Hibernian Society, Charleston Rifle Club, the Reserve Company of the Washington Light Infantry, the Spring Valley Country Club, the Forest Lake Club, the Kosmos Club, and the Forum in Columbia.

Dean Figg is married to the former Sallie Alexander Tobias of Charleston. They have two sons and a daughter, and seven grandchildren.

GAVEL RAPS
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