

10-1972

## Gavel Raps, v. 5, n. 3 (October 1972)

University of South Carolina School of Law Student Bar Association

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# GAVEL RAPS

Vol. 5 No. 3

October 1972

## A Look at Law School Admissions

By Jim Bogle

Close to two thousand persons applied to enter this law school as freshmen this fall; approximately 400 got in. Rumors of confused and inconsistent admissions policies drift around; instances of political and parental pressure to get people in occur. This article attempts to set forth the workings and policies of the Admissions system at this law school.

The Admissions Committee, a faculty committee (chaired last year by Professor Means and composed of Professors Custy, Wedlock, Randall and Bridwell) examines each application to the law school and makes an individual decision on it. Basically there are three classifications of applicants: those whose records meet initial Faculty approved minima; those with records so poor as to make them patently unacceptable, and those in between. The Admission Committee's decision on the first two groups are comparatively cut and dried and easy; the real work comes with the middle group (See diagram), most of them were just below initial faculty approved minima.

### Applicants

The "Standards" in the table are set and revised periodically by the faculty, with such aids as the Educational Testing Service in Princeton; details on this will follow. Of note are the double lines at the upper and lower extremes in the diagram. Prof. Means, who supplied information for the diagram, noted that a state law school has a responsibility to the residents of that state. Therefore, the out-of-state applicant has a rougher time getting in than a resident. He must show that he is better than average; a basic reason for this is the pressure caused by the large number of applicants.

## Law Students Win Democratic Nominations

Henry F. Floyd and Sam R. Haskell, Jr., both seniors in law school, have won Democratic nominations to seats in the S.C. House of Representatives.



Floyd, a graduate of Wofford College, won the nomination of his party to represent Pickens County. A native of Pickens, Henry is married to the former Libba Hunt.



Haskell, a U.S.C. graduate, will represent Columbia and Richland County if he is successful in the November election. Sam and his wife, the former Judy Davis of Allendale, have one son.

## Book Exchange a Success

Students have finally gotten fed up with the deals they've been getting on their used books. This fall a Book Exchange was set up in Davis College to allow students to sell their used law books to other students at prices which they themselves determined.

Founded by Bill Traxler and Pat Henry as a nonprofit service to the students, the Exchange operated the week of August 28 to September 1. During this time 57 books were sold, amounting to a total of \$481.75. "The number of books sold," says Traxler, "is small in comparison to the potential such an operation has. Given a few years and some experience, this could grow into a completely student-run bookstore dealing in both new and used books. Operated on a nonprofit basis, it could pass substantial

savings on to the students."

"We just got tired of seeing students losing money at the bookstores, so we tried to do something about it," adds Henry. "We hope that the Student Bar Association will take over the operation of the Exchange from us and begin providing the service at the beginning of each semester."

Students who had books to sell brought them to the Exchange and marked on them the price they wanted for the book. Nine times out of ten the price asked for a book was less than that asked for the same book at the local bookstores. By having the middleman eliminated, the seller was able to get more for his book than he would have gotten selling it to the bookstores, and the buyer was able to obtain the book for less.

# Public Office:

## Who Are We Electing?

By Thomas F. Brown  
Class of 1975

Suppose you consider yourself a conscientious citizen and, therefore, want to exert a measure of influence over those issues with which you identify. One way to do so is by voting in those elections which involve the state government offices. Voting in the recent democratic primaries of South Carolina presented a formidable problem for the responsible citizen who wished to express his preference for the candidates according to their stand on the issues. The problem is: How do you vote for those who stand up for certain issues as you wish them to do when none of those running for office stand up for any issues at all!

The situation is truly saddening, for it shows the deterioration of the principle of representation of the issues by individual politicians to a personality contest where the issues are evaded by long-winded speeches containing only the vaguest references to the election at hand. Just what were the issues that were brought to the surface prior to the August 29 primary? Looking back to the candidates and their campaigns, can anyone readily identify one man with one issue? Or is it easier, when thinking of Candidate X, to remember the red, white, and blue billboard, the sharpest dresser, or the most business-like appearance?

State politics are a far cry from what they should be. But we can't blame the politicians for all the problems that will go unsolved or unanswered as they are brought to light and then fall on deaf ears. Some of that blame must be placed squarely on the shoulders of the citizen/voters. For it is they who permit the politicians to drift aimlessly through their campaign without once coming to grips with the state's problems or offering to assist in solving them.

We must also understand that these candidates for office may not only be in competition for the State House; some of them have much higher ambitions — the Governorship, for instance, or will it be the U.S. House or Senate? Yes, when we look at the "low profile" of the candidates in this new light, it is much easier to understand why there are so few issues surfacing in the campaign, and why there are so few outspoken individuals. We must treat all the candidates for state offices with a greater degree of deference since none of us know which will succeed to higher elected office!

Who are we electing to public office? When there is so little existing information on a candidate's platform, must an issue-oriented voter be forced to play the personality game the politicians are luring him into? After the game is over and one of the candidates is selected by the voter, will he then discover the real man behind the rhetoric? The whole purpose of an elected body of representatives is to have these people responsible to those who elect them. But if the winning candidates have taken no positions, then, in essence, they are free agents — free to do as they see fit.

We should not let our sense of outrage at the present situation merely lapse into apathy. Apathy is but fuel for the politician's fire. The only way to gain relief for this sad situation is to flush the candidates out of their rhetoric and into the arena of issues. Whatever this takes, it must be done, for it is the only way to restore some semblance of choice to the voters.



# From Dean Foster...

Members of the legal profession spend a substantial portion of their time in the collection, analysis, and verification of facts. At the initial stage of potential litigation, the advocate needs, above all else, facts, all the facts, and nothing but the facts. Under our common law system of judicial precedence, the actual holding of a particular case is limited by the facts which gave rise to the dispute. The diligent pursuit of the true facts before proceeding with a legal matter becomes a matter of professional responsibility of our profession.

Given this basic tenet, it is ironical to find so many rumors with no factual basis and half-truths circulated among the students of the Law School as statements of fact.

Some of these totally unfounded statements probably do no real harm and, in some instances, are amusing. One such statement that does concern me as potentially harmful, however, is that the faculty and/or administration has determined or has under consideration a rule that requires a certain number of failures in each course, or that a set number of students will be dropped from school after the first year. This false notion of a quota system for grades or "flunk-outs" at the Law School could create such oppression and fear in the minds of our students — particularly first year students — as to actually inhibit the learning process. It is true that the improvement in our academic program at the Law School has resulted in greater demands on the student and the need for a professional commitment and dedication to the study of law. It is our hope and plan that this will provide a greater challenge, interest, and stimulation and thus a more profitable use of the three-year investment of time made by our students. In my judgment, this can be better accomplished in a pleasant and relaxed atmosphere rather than under the stress of fear engendered by the "non-fact" of a

quota of failures. Much effort has gone into the selection of our student body from the large number of applicants to the Law School in order to screen out those who do not predict at least a reasonable chance of success in the study of law. This process has produced a student body with the highest combination of LSAT scores and college records in the history of our school. There should be at least a presumption in favor of success rebuttable by lack of application and motivation on the part of the students.

I am not suggesting that there will be no attrition or what the rate will be following the present academic year. I do give you my assurance that your academic fate is in your hands and that there is no policy that has predetermined that a percentage of the law student body is doomed to failure.

The spread of other factless rumors which may cause unrest among Law students is undoubtedly due in large part to the rapid growth of our school and the resultant danger of a breakdown in communications. We have tried to meet this problem by assigning each student to a faculty advisor and the appointment of an Assistant to the Dean with primary responsibility for student affairs. The recently authorized attendance of student representatives at faculty meetings should serve as an additional line of communication to the student body to keep you informed on current rules and policies established by the faculty. I personally am always pleased to talk with students individually as time allows and, in addition, I will be available to the entire student body during the speakers' hour at 11:00 a.m. on Wednesday at least once a month to answer questions and receive proposals from any law student. I suggest that you look to these authorized sources of information and to further investigate any statement of alleged facts that may come to your attention.

# GAVEL RAPs



Vol. 5, No. 3

October 1972

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## Gavel Raps needs your help!

If you have ideas or suggestions, or want to investigate, write, or help produce the paper, let us know — call 254-0986, or leave a message in Room 106.

# New Law Prof.'s.....Impressive Credentials

## PROFESSOR E. M. FARIS

Professor E. M. Faris has joined the faculty this year in continuation of a distinguished career in legal education. A native of Virginia, Prof. Faris spent three years in the Army Air Corps from 1943-46. Upon discharge, he attended Washington & Lee University, receiving his BS in 1949 and his JD cum laude in 1951. In addition, he received his LLM with distinction from Duke University in 1954.

The newly graduated attorney decided to stay on the campus, and has been teaching ever since. He taught at Washington & Lee from 1951-57, at Wake Forest from 1957-65, was in general practice in Williamsburg, Va. from 1965-67 (with parttime teaching at William & Mary University), and returned to Wake Forest in 1967. He has held summer visitorships at Washington & Lee, Emory, and Christopher Newport College. During the summers of 1967-69, he originated and was Director of the William & Mary Overseas Law Program at Exeter, England.

In addition to strictly teaching, throughout his career he has held numerous advisory positions. He was legal consultant to Security & Life, has worked with the General Statutes Commission of North Carolina and the Tax Revision Committee of the Virginia Bar Association, and participated in the UCC Study of Articles 3, 4, and 5. He is the author of *Accounting for Lawyers*, which was published in 1964 and is presently being revised. Professor Faris is listed in *Who's Who in America*. He will be teaching Estate & Gift Tax and Estate Planning.

Professor Faris is married to the former Ellen Davis of Davidson, N.C. They have two children: Anne, a senior at Mary Baldwin College, and Douglas, a freshman at Washington & Lee.

## THOMAS L. HINDES

Assistant Professor Thomas L. Hindes comes to the University of South Carolina Law School from Chester, West Virginia.

Mr. Hindes did undergraduate work at West Liberty State College in West Virginia and obtained his J.D. degree from the University of Kentucky Law School. He also studied at Columbia University as a Ford Urban Law Fellow.

Mr. Hindes clerked for a year for the Sixth Circuit of the U.S. Court of Appeals, then spent two years in private practice in his home town in West Virginia. He is presently teaching Wills and Contracts and has expressed a desire to continue his research in these fields.

The father of two daughters, aged four and two, he enjoys playing golf in his leisure time.

## LAWRENCE KNOWLES

Professor Laurence W. Knowles received his B.A. Degree from LaSalle College,

Philadelphia, in 1955. He studied for the LL.B. at Rutgers, graduating in 1958; in 1959 Prof. Knowles received an LL.M. from Yale.

Since 1959 Prof. Knowles' professional experience has been largely in the teaching of law mainly at the University of Louisville, from whence he comes to USC. However, during this same period, he has also served as attorney for the Education Section of the U.S. Commission on Civil Rights, as consultant to the Commission on Civil Rights, and as consultant to the Civil Rights Section of the U.S. Office of Education. From 1966 to 1968 Prof. Knowles was Professor of Law at Haile Sellassie University in Ethiopia.

Prof. Knowles has contributed a large number of publications to the legal study, mainly reflecting his interest in legal problems of education. Presently, Prof. Knowles writes a monthly column on school law for *Nations Schools*, a publication for school administrators.

At the University of South Carolina Prof. Knowles teaches Criminal Process and two sections of Constitutional Law. Prof. Knowles is married and has two children.

## KIRKLAND GRANT

A new addition to the State of South Carolina and the School of Law is Professor Kirkland Grant. Professor Grant, a native of Michigan, attended the University of Michigan, where he received his BBA in 1965 and his JD cum laude in 1967.

Upon graduation, he taught at the Georgia State Graduate Business School from 1967-69, and at the University of Toledo School of Law from 1969-70. He then moved to New York, where he joined the firm of Sullivan and Cromwell, specializing in securities regulation and general corporate work. Recognizing the dynamic growth of the State of South Carolina and the South, and foreseeing the need for

lawyers trained in corporate finance and securities, he accepted a position here at the USC School of Law. He will be teaching Contracts and Business Associations.

Professor Grant, a member of the Michigan and New York bars, is unmarried.

## RALPH WHITTEN

Professor Ralph U. Whitten comes to the University of South Carolina directly from Harvard Law School where he recently completed studies for his LL.M. degree. Professor Whitten attended the University of Texas as an undergraduate and received his law degree from the University of Texas in 1969.

At USC Prof. Whitten teaches civil and federal procedure, which coincidentally are his main interests in law. The fact that he would have the opportunity to teach these courses was one of the factors attracting Prof. Whitten to USC. Another factor was the new law school, which Prof. Whitten feels indicates a commitment by the university, the legislature, and the state to build a really good law school. Prof. Whitten thought it would be interesting to join a school where he felt he could help to determine its direction.

Although civil and federal procedure are his main interests in the law, Prof. Whitten is very interested in judicial administration — from rules of civil procedure to reform of substantive law in certain areas.

## RALPH NORVELL

Ralph Norvell teaches Land Use Planning and two classes of Property in his capacity as Visiting Professor, on leave from Temple University School of Law in Philadelphia. He has previously been associated with the law schools of Baylor University and New York University. He has also served as Visiting Professor at the University of California at Berkeley and the University of Sydney, Australia, and at the University of Texas for a summer session.

(Continued on next page)

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## ABA/LSD Representative's Report

## "Frisco Convention 1972"

By Frank Allen

I arrived in San Francisco about noon on Saturday, August 12, 1972 despite skyjackings, Arab tourists and the South Carolina summer humidity.

My first experience involving law student members came approximately two hours after my arrival. Two extreme activists from Pepperdine Law School seemed to know all about everybody and who were to be "the candidates," but stressed the point that they were applying no pressure for any person or supporting any particular candidate. The vigor and hustle so suddenly applied was a little hard to accept, so Ray Williams and I decided to confer on these important matters in the nearest lounge at the San Francisco Hilton before being attacked by other "nonsupporting-but-interested" lobbyists.

On Monday, the delegates to the ABA/LSD were seated, with only one challenge presented by Golden State's Law School Student Body President as to the "real" representative. This long, struggling "personal conflict" came to the floor after being rejected by two previous committee hearings and wasted two hours before being resolved as previously handled.

There was a female law student from Suffolk Law School voicing disapproval with hiring practices between the sexes. Some candidates felt money to minorities was a strong point. One of the most honest statements came from a 5th Circuit delegate. When approached by supporters for one of the presidential candidates, the workers started to expound ideas of how this candidate would work for minorities; the delegate from "Ole Miss" stopped them flat and stated, "I don't care about minorities... what else will he do!"

On Tuesday, elections were held and this year seemed to be planned for its representative nature. A southern boy from Arkansas named Patrick Henry Hays became the new president, a Chinese-American from American University College of Law was elected first vice president, an American Indian from St. Mary's Law School won the second vice presidency and a black girl from Virginia became secretary-treasurer for 1972-1973. South Carolina was quite successful in voting this year. All national officers elected were supported actively by us before the election. In this respect, I feel that rapport with these national officers for this year will substantially help our future requests. I might add one further note concerning our school in respect to national funding.

The outgoing English equivalent to our President of the ABA/LSD addressed the delegates at one of the dinner meetings and expressed several interesting ideas, of which one was what seemed to be an opposite move among the English law schools to have more *theory* taught in the law school. At present, the English law student spends approximately one year studying and works in an office the remaining two years. This method sounds ideal, but the English law students object because they end up pouring tea for the two years in which they are supposedly gaining practical experience. This arrangement seems similar to some of the law clerking jobs available in Columbia except the words are changed, "Get me a cup of coffee!"

Usual topics of discussion were concerned with domestic relations, drugs, indigents, etc., but I felt it important to learn more about information available via ABA/LSD. At South Carolina we have been dormant and have not taken advantage of the services and information available to law student members of the American Bar Association. At South Carolina, we consistently have a high percentage of membership and little active involvement. I learned of many services which could benefit our students and will be happy to assist any students who seek help through the ABA/LSD (more specifically, matching funds, service organizations and research materials). South Carolina has several programs which could be receiving financial help through the ABA/LSD. Life and health insurance is available to law students. I have left several copies of the policy for 1972-1973 with the secretaries in Room 106. At the home office in Chicago research materials are available for ABA/LSD members. Group histories, subject information, organization of groups within the law schools, and the "ins and outs" of funding are available for members' use.

As mentioned earlier, San Francisco is not an uneventful city. One can find his interest or become aware of new events in this truly cosmopolitan atmosphere. As all conventions involving one's chosen profession, the actual presence makes your heart beat a little stronger and the mind rest a little more at ease. I'm glad I went to San Francisco and I was proud to represent the law students at South Carolina. Thanks for this opportunity and I hope more will be able to attend the convention in 1973, which will be in Washington, D.C.

(Continued from page four)

Professor Norvell received his undergraduate degree from Baylor University and his LL.M. from the University of Michigan. He is also the recipient of an honorary degree from Dickinson School of Law.

In addition to teaching, Professor Norvell's primary interests include working in conjunction with the organized Bar. Prior to coming to South Carolina, he was active in the various functions of the Pennsylvania and Philadelphia Bar Associations and served as a member of the Board of Directors of the Pennsylvania Bar Institute.

Mr. and Mrs. Norvell are native Texans.

(Continued next issue)

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## Law Students on "Drug Trip"

J. Dennis Bolt of Columbia, S.C., and Barry W. Knobel of Anderson, S.C., seniors at the University of South Carolina's School of Law, recently attended and participated in an American Bar Association conference entitled "Prosecution and Defense of Drug Cases" held in New York City on September 29 and 30.

The Conference faculty was composed of such nationally known individuals as John Ingersoll, Director of the Federal Bureau of Narcotics and Dangerous Drugs; Paul Perito, Deputy Director of President Nixon's Special Action Office for Drug Abuse Prevention; Harry Hathaway, Chairman of the Young Lawyers Section of the ABA; and Keith Mossman, Chairman of the ABA Section of Criminal Law. The two-day conference had a wide range of pertinent topics such as "Scientific Evidence in Narcotics Cases"; "Pre-trial Representation of the Accused"; and "Arrest, Search, Seizure and Interrogation of Narcotics Defendants."

Bolt is Assistant to the S.C. Commissioner of Narcotics and Knobel is the Legislative Assistant to the S.C. Joint Legislative Committee on Narcotics and Controlled Substances.

## CLYBURN

James Clyburn, Class of '75, has been chosen for membership on the National Democratic Party Commission for Delegate Selection for 1976. The Commission will be headed by Leonard Woodcock, President of United Auto Workers. They will review the rules set forth by the McGovern Commission and will make recommendations for the 1976 Convention.

Clyburn, who is presently Assistant to Governor John West for Human Resources Development, was appointed by Mrs. Jean Westwood, National Democratic Party Chairperson.

### SOMETIMES

by  
Barr S. Ster

**Sometimes  
On ego trips  
Into new high rise  
Steelboned  
Legal palaces  
We neglect  
Reality  
like  
Never soap in  
The men's room  
off the library  
and  
sometimes  
No paper.**

## Basketball Champs

The Law School is proud to announce that its team, composed of students and faculty, was the champion of the 1972 USC Summer Basketball League. Members of this outstanding team were:

Larry R. Everett  
Jennings L. Graves  
Michael O. Hallman  
Robert L. Hallman  
Terry B. Millar  
Lewis Pitts  
Cyrus T. Sloan  
William T. Toal  
William B. Traxler, Jr.  
James W. Tribble  
Bernard J. Wunder, Jr.  
Michael J. Zimmer

HOORAY hooray

## SBA President's Report

By Ray Williams

The recent upsurge of student interest in the required attendance for classes has caused the Student Bar Association and the student representatives to the Faculty to investigate the catalyst for the requirement. The facts are as follows: (1) There is an American Bar Association requirement of student attendance for a Law School to maintain its accreditation; (2) There is a requirement in law school catalogue referencing the attendance policy of The Law School; and (3) The requirement of attendance or the matter of taking attendance has been left to the prerogative of each individual professor. The facts have evolved to a policy that "There has always been a requirement for attendance at The Law School, so the policy this year is no drastic change from the requirements of past years. The exception to this policy is that in past years, no attendance has been taken and presently this attendance requirement is in the prerogative of each individual professor."

The student representatives, elected last Spring to sit on the Faculty Committee, sat for the first time at the faculty meeting of September 14, 1972. The three representatives are Danny Speights (third year), Mike Cole (second year) and Bill Schachte (at-large). These three individuals are working extremely hard at their new positions and would appreciate your response to problems that you feel should be brought before the faculty committee.

### Law School Basketball Leagues

There are two leagues set up for intramural basketball games. League A with nine teams headed by Bill Traxler began play the week of September 18, while League B headed by Johnny Gregory began play the week of September 25. The leagues will play separate schedules and the winner of each league will meet in a playoff near the middle of November. This program is an excellent outlet for exasperations and is an asset to student activities here at the Law School.

The initial shock of being back at the Law School should be wearing off — let's get down to some form of "normalcy", if any is possible. Your cooperation in all the aspects of the harassed student conditions, as well as in student activities, has been and is appreciated by the Student Bar Association.

## A POSITIVE APPROACH to bankers hours

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# Russell House Movies

Thursday, October 5 (6:00 & 9:00):  
*Antonio Das Mortes*

Friday, October 6 and Saturday,  
October 7 (7:00 & 9:00):  
*Catch-22*

BERGMAN FESTIVAL  
(OCTOBER 8, 9 & 10)

Sunday, October 8 (6:00 & 9:00):  
*Through a Glass Darkly*

Monday, October 9 (6:00 & 9:00):  
*Winter Light*

Tuesday, October 10 (6:00 & 9:00):  
*Wild Strawberries*

Wednesday, October 11 (6:00 &  
9:00):  
*Little Caesar*

Thursday, October 12 (6:00 & 9:00):  
*Playboy of the Western World*

Friday, October 13 and Saturday,  
October 14 (7:00 & 10:00):  
*Sunday, Bloody Sunday*

Sunday, October 15 (6:00 & 9:00):  
*Hamlet*

Monday, October 16 (6:00 & 9:00):  
*Dr. Strangelove*

# Phi Delta Phi

## Appalachian State Boycott Party:

October 14, during and after USC v. Appalachian State game — BYOL — Woman's Club — band

**Come As You Are Beer Bust:** Friday, November 3, following Freshmen vs. Upperclassmen football game — Free Beer, Country Band, Woman's Club

# Phi Alpha Delta

The PAD Law Fraternity, International held its 39th Biennial Convention in San Diego, California August 9-12, 1972, at the Town and Country Hotel. Some of the more important issues decided at the convention were the merger with Phi Delta Delta Womans Legal Fraternity, the implementation of a national placement service with a full-time paid coordinator, and the vote not to change the name PAD Law Fraternity to PAD Law Society or PAD Law Association. Matthew S. "Sandy" Rae, Supreme Vice Justice of PAD was elected Supreme Justice to replace Judge Alex A. Hotchkiss. The Honorable Tom C. Clark, Associate Justice of the Supreme Court of the United States (Retired) and previous PAD Supreme Vice Justice, was the keynote speaker at the convention. Two delegates from Pinckney Chapter, Bill Bauer, Treasurer, and Wescoat Sandlin, Clerk, attended the convention. The Palmetto Alumni Chapter of PAD sent three delegates: Gerald Finkel, Justice of the Palmetto Alumni Chapter, and a partner in the law firm of Kohn and Finkel; and Joseph Roof, past justice of the Palmetto Alumni Chapter, and a partner in the law firm of Burnside and Roof, Columbia; and Claude Hudson of Greer, South Carolina. The 40th Biennial Convention is to be held in Kansas City.

Congratulations to Brother Sam Haskell on winning a bid for one of eleven seats in Richland County to the South Carolina House of Representatives in the August 29th Democratic Primary election.

# Black Law Students

By Jerry Lymas

The Black Law Students Association held its first meeting of the year Wednesday, September 6, 1972. The officers for the 1972-73 school year are Pete Rogers (Chairman), James T. Hill (Business Manager), Loretta Brown (Secretary), Glenn Manning (Recruitment Director), and Jerry Lymas (Parliamentarian). The Vice Chairman will be elected from the freshman class.

The Association also heard reports from their delegates to the National Bar Association meeting at Miami Beach, Florida, on July 31 to August 4.

# Law Wives

By Nancy McLeod

The officers who will serve the Student Bar Association Auxiliary for the 1972-73 year were elected at the April meeting and were installed at the annual banquet held on Law Day at the Town House. Law wives installed as Student Bar Association Auxiliary officers include:

Mrs. Daniel R. McLeod, Jr. — President  
Mrs. Stephen T. Savitz — First Vice President  
Mrs. William C. Keels — Second Vice President  
Mrs. John F. O'Connor, Jr. — Recording Secretary  
Mrs. John L. Breeden — Corresponding Secretary  
Mrs. Thomas H. Ketchin — Treasurer  
Mrs. Allen Lewis — Historian

Interesting programs and activities have been planned, including a Coke party for freshman wives, a family picnic, the second annual Christmas bazaar, a program on wine and cheese selection by an area expert, and a games night; Law Wives offers not only programs and activities, but the opportunity to make life-long friends. So plan to get involved in Law Wives!

# South Carolina Book Store

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Case Books. . . used & new

Hornbooks

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Legal Lines

Supplies in everything

for the Carolina Law Student

... we have it or we can get it



## Admissions

(Continued from front page)

## Standards And Criteria

The central question in passing upon an application is one of predictability — how well will the applicant be expected to do in law school, based on his past record. In connection with this, a sophisticated computation designed by the Educational Testing Service arrives at the applicant's predicted first-year average (FYA). The ETS organization draws up this computation following a detailed statistical analysis of a particular law school, at its request. A number of factors go into this; a recent effort has been to rate the college from which the applicant graduated. For example, an undergraduate average (UGA) of 2.5 at Princeton might rate higher than a similar average from USC.

At this point it may seem that, with these objective criteria and the minimum LSAT/UGA standards set by the faculty, the Admissions process is pretty cut and dried. The headache is that nothing could be further from the truth. In dealing with that middle group of applicants, the Committee's work becomes almost as varied as the number of applications. Admissions is an imprecise science, flexible in nature because of the human factor. Interviews with various members of the Committee revealed a number of additional factors; no one is in itself determinative and the following is not intended to be a complete list:

1. **Improvement** — examining a transcript and finding the applicant did better his later years in college as contrasted with his first. The indication that the person corrected his bad start and showed his true ability. The tendency is to weight the last two or three years more heavily.

2. **Age** — All other things equal, the older applicant will probably not get to try for law school again; the young person has time on his or her side.

3. **Number of times taking LSAT** — A number of scores within a certain range of each other may be averaged. The Committee may recommend taking the LSAT a second time under certain circumstances; e.g., illness at the first taking; or even a third time if there is a wide discrepancy between the first two scores.

4. **Bad undergraduate/good graduate record** — the applicant asks the Committee to disregard his poor UGA and consider him in the light of his better graduate school record. This can be an easy way around a poor record, and the Committee knows it. There is, here as elsewhere, no set rules: a number of factors are considered, including the type of graduate work, the school and its grading system.

Again, it is emphasized that this list is illustrative and not complete, that there are no set rules for the evaluation of an applicant. There are minimum standards and a number of criteria, many to be weighted according to the individual.

Questions about the use of political pull to get an individual into law school provoked a variety of responses. One source stated that political pull was on its way out, although in isolated cases it was still being tried. Professor Means was of the opinion the Committee had done pretty well on this area. The big factor, Means continued, was the sheer weight of numbers of applications. Prof. Randall outlined the procedure upon inquiry from a legislator, for example — the Committee takes another look at the applicant's file. Very few legislators have been dissatisfied with the Committee's reasoning. Randall also said the same attention would be given an application upon similar inquiry from a parent or the applicant himself. In only a few cases has this second look helped, said Randall.

## Additional Notes

A recent problem the Admissions Committee has encountered concerns the evaluation of an applicant's transcript and UGA. The problem is the revolution in grading systems occurring on many campuses. Examples are the introduction of pass-fail grading, the "No-credit" system now at USC eliminating Ds and Fs), and professors giving only high letter grades in the name of "academic freedom."

Constitutional issues are involved; this is a state law school and is subject to the requirements of the Equal Protection Clause — which can form a limit on the Committee's discretion. Basically, a lawsuit on equal protection grounds would allege that a school violated it spuriously uniform admissions standards in these application to different persons.

## CLEO Program Applicants

Economically disadvantaged applicants, particularly members of minority groups, come in with a deficient educational background. Studies have shown this, and have also indicated that some form of "catchup" or "prep" course can cure it. A system used here this summer was the CLEO program (Council on Legal Educational Opportunity), which taught reading and writing skills along with some law courses. This program, plus a student's UGA/LSAT record, was enough to get some students in; often the latter alone would have been insufficient.

Another technique which the Committee has used in the past is the "Grandfather Clause." Professor Means explained this as meaning the applicant is accepted or rejected according to the standards in effect the year of his application, if because of some intervening cause beyond the control of the applicant he is unable to attend that fall. The involuntariness of the cause is strictly construed. For example, a person applied to the law school in 1968 (before the draft lottery went into effect) and was accepted. But before he could start he was drafted. In 1972 he is discharged from the service and comes back; his application will be considered in light of the 1968 standards, even though the 1972 levels are higher. It is possible that, were he applying in 1968 for the first time, he would not get in because the standards have risen. In any event, he will receive a letter from Admissions informing him of these facts; in the latter instance he will be warned of the rise in standards and the comparatively tougher competition he could be facing.

Professor Custy represented the school and the Committee at the Law School Admissions Test Annual Council Meeting in Vail, Colorado, last May. Over 160 law schools were represented, and seminars were held on such topics as how to run an admissions office, the admissions decision process, the prediction of law school success, and research and developments in the LSAT. Of interest is the fact that students were not represented. At one seminar Custy expressed his belief that some student representation should exist; this triggered an informal vote at that meeting that was overwhelmingly against such a proposal.

Professor Randall noted that the failure rate here is high, that it correlates closely with admissions and readmissions. In theory, if the Committee was correct in admitting a person by the predictability system, the chances of his failure would be lessened. Of course there are those who defy predictions, but most of the failures are people who should not have gotten in. How did they get in? Many were admitted under the old standards; at one time all that was needed was a college degree and a minimal LSAT score. Others might be a result of the impreciseness of the difficult science of admission.

ADMISSIONS		TOTAL APPLICANTS (c. 2000)	1 <sup>ST</sup> YEAR CLASS (c. 400)
AUTOMATICALLY: IN	FACULTY-SET CLEAR UGA-LSAT ADMISSIONS STANDARDS MET BY (LOWERED FOR IN-STATE)	18%	87%
	DISCRETION: IN	3%	13%
OUT		79% 100%	— 100%

FIGURES ARE APPROXIMATE