

8-29-1983

Gavel Raps, v. 4, n. 1 (August 29, 1983)

University of South Carolina School of Law Students

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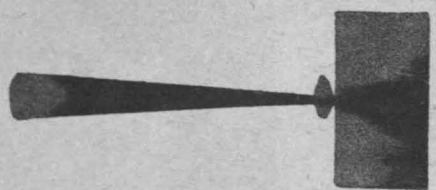


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Publication Info

Published in 1983.

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GAVEL RAPS

THE FORUM OF THE LAW CENTER COMMUNITY

Volume 4, Number 1

August 29, 1983

Medlock Gives Keynote Address

Attorney General Travis Medlock addressed the first year class at the close of orientation, saying that they were embarking on an intriguing and unique study that would prove to be a tough experience. Medlock warned each student that no matter how high he or she climbed, they could still be shot down.

Medlock reminded the students that the farther they progressed in the legal profession, the more accountable they become. He stated that he felt like he was "personally accountable to the courts, the legislature, the press, and the people." Medlock told the students that the practice of law was filled with burdens and privileges that were conditional. That condition is that an attorney must practice for more than private gains. Medlock said that lawyers were instruments of the court and they had a duty to advance the ends of justice.

Medlock turned next to legal education. He told his audience that a good legal education was never more important than it is today, and that assuring continued legal competence was a top priority. Medlock cited the State Supreme Court's recommendations for a pre-law curriculum and requirements in the law school curriculum as an effort to better prepare attorney's for practice. Medlock also commented on the importance of the continuing Legal Education program for both attorneys and judges.

Medlock remarked about the recent trends in legal malpractice. He warned the students that there are new and higher standards of ethics that create an atmosphere favorable to malpractice suits. Medlock noted that the State Attorney Grievance Board received one complaint a day concerning attorneys. He told the audience that in 1982,

72 claims were filed with insurance companies that provided legal malpractice policies to South Carolina attorneys.

Medlock also warned that criminal defense attorneys were under more scrutiny by the courts. He said there were about 500 petitions a year in which criminal defendants complained that they did not receive effective representation at trial. He advised the attorneys to document all work and to have other attorneys present when possible.

Medlock concluded his address, recounting some of his notable cases. He told the students that in all of these cases, he called upon the skills that he had developed in law school. Medlock told the students that as attorneys they would look back and remember what they had learned at law school in order to deal with the problems and issues that arise in practice.



Attorney General Travis Medlock

Lightsey Welcomes First Year Class

Dean Harry Lightsey welcomed the 265-member class of 1986 during the annual first year Orientation held August 18th and 19th. Dean Lightsey began his remarks with words of praise for the law school and its faculty. Lightsey noted that the law school has established a tradition of producing quality graduates during its 120 years of existence. Lightsey informed the students that the school has ambassadors, Presidential advisors and other state and national leaders among its alumni.

Lightsey introduced the faculty, stating that the quality of graduates is reflected by the quality of the faculty. Noted faculty members included: Professor David Owen, who recently revised portions of *Prosser On Torts* (to be released in January of 1984); Professor Tom Haggard, who recently completed a study at Wharton School of Business on labor violence; Professor Robert Felix, who has published *Cases and Materials on American Conflicts Law*; Professor Herbert Johnson, who has just completed *The History of the Supreme Court of the United States* (Volume 2); and Dean John Montgomery, author of recently published book, *Products Liability*.

Dean Lightsey next related

to the first year students' his thoughts about law school and the legal profession. Lightsey stated that the legal profession is an intellectual one. He challenged the students to think soundly, not to shun the challenges that new ideas present to existing values. Lightsey reminded the audience that they will learn a great deal, not only from their professors, but from one another as well.

The Dean continued, saying that the legal profession is also a humane profession. He observed that attorneys must respond sympathetically to other people's problems. Lightsey also reminded students to reserve time to "be human," to strike a balance between work and leisure.

Lightsey concluded his welcoming address by stating that the law was, above all, a profession. He called on the students to demonstrate the qualities that are demanded by the profession--integrity, intellectual honesty with one's self, an appropriate attitude and demeanor, humanity and a joy for life. Lightsey challenged the students to make law school exciting and enjoyable. Dean Lightsey started the class of 1986 on their legal careers by telling them that success was in their hands.

American Law Institute Holds 60th Annual Meeting

The American Law Institute held its Annual Meeting at the Mayflower Hotel in Washington on May 17-20. Distinguished speakers included Chief Justice of the United States, Warren E. Burger and Associate Justice Sandra Day O'Connor.

Norris Darrel was re-elected Chairman Emeritus of the Council. Other officers re-elected were Justice R. Ammi Cutter, as Chairman of the Council; Roswell B. Perkins, as the Institute's President; Bernard G. Segal, as First Vice President; Judge Edward T. Gignoux as Second Vice President; Bennett Boskey as Treasurer; Professor Emeritus Herbert Wechsler as Director; and Paul A. Wolkin as Executive Vice President. Professor Wechsler will be retiring as Director on June 30, 1984, and will be succeeded by Professor Geoffrey C. Hazard, Jr., of Yale Law School.

The American Law Institute drafts and publishes restatements of the law, model codes, and other studies for statutory reform in order to

implement the purpose for which it was organized in 1923 -- "to promote the clarification and simplification of the law and its better adaptation to social needs, to secure the better administration of justice and to encourage and carry on

scholarly and scientific legal work." Among the incorporators were former Chief Justices of the United States William Howard Taft and Charles Evans Hughes and former Secretary of State Elihu Root.

SGA Cuts SBA Budget

Barry Grey, President of the University's Student Government Association, reported that the SGA cut the Student Bar Association's proposed budget for 1983-84 by 60%. Grey explained the reasons behind the cut, saying that the amount of activity fees taken in by the University has been shrinking, thus the need for the cutbacks. While the law school was not singled out for a budget cut, Grey stated that the amount of activity fees paid by law students was only a very small portion of the University's entire activity funds. He reported that the Finance Committee rationalized that to

continue funneling large proportions of the fees into the SBA would be a disservice to the University as a whole. Grey pointed out that law students benefit from such activity-funded programs as *The Gamecock*, Student Health Services, student tickets for sports events, and the Russell House movie theatre, as well as the SBA. Therefore, stated Grey, the budget on paper does not accurately reflect the funds allotted to law students. However, Grey expressed regret that the SBA budget was reduced by 60% and for the recent friction between SGA and SBA.

PRESIDENT'S REPORT

Orientation was a huge success thanks to Richard Pearce and his willing staff. I hope that all the committees and committee chairmen can make their projects go as smoothly. The first year class is officially launched and the feeling among the upper classmen at Orientation is that this is a well-prepared bunch, enthusiastic, and we are glad to have them.

The Student Bar Association membership drive received a healthy boost, not only from the first-year students who sent in their memberships ahead of time, but from the members of all classes who dropped by the table in the lobby during Orientation. The plan of action for this school year is to have a table for ABA/LSD and the SBA set up during the

Dean's Coffee Hour every Thursday for a few hours to make it easier for all students to receive information, buy whatever tickets are currently available, buy T-shirts and acquire their membership cards. Also the SBA Newsletter will be coming out on Thursday to give everyone a head start on planning around events, lectures, and parties for the coming week.

Congratulations in absentia to Wes Hayes's SBA members and officers as USC's SBA was voted the best SBA in the country for a school of our size, and Debbie Owen's "Special Friends" project through the Public Service Committee received the best Student Bar project for the entire country at the ABA National Convention in Atlanta. We were well represented at

the Convention and between the SBA and the Moot Court team we came home with an armful of awards.

Mike Montgomery has made a start to help us have a successful, complete, and early Student Directory. During Orientation, Mike and staff took almost all the first year pictures and the rest are to be taken during the first week. All upperclassmen and professors will get NEW PICTURES, but to get everyone's smiling face you will have to show up promptly whenever the notices for the sittings say so. All groups should contact Mike about group pictures.

The Press Release Committee will be soliciting your names and addresses in the next few weeks as well. Thom Neal and staff are collecting home information, such as

parents' names and the name of the local newspaper so whenever you do something wonderful, the press at home will be alerted to your accomplishment. This can benefit us all, as well as the school, by educating future employers about new attorneys as they progress through their studies.

No news as yet on the Block Seating, but Frank Deslauriers and Glenn Churchhill and the Block Seating committee will be on top of things. Anyway the Phi Delta Phi has the tailgate parties under control. First things first...

The Committee sign-up sheets will return so that the first-years get a chance to join. As soon as everyone signs all of their spare time away, the initial committee meetings should start, if they have not



Bebe Karvelas

already. On closing, let me wish everyone a good year with their studies. I hope that the SBA can provide help and encouragement to all students, not just our members, but, the best way for us to expand and reinforce our services is through renewed memberships and new memberships. See you all in the halls, and, please stop Donna Savoca, Brad Wein, Amy Campbell, or me whenever we can help or direct you to someone who can.

Bell: Law School Is Different

Randall Bell, recently appointed to the newly created state appellate court, addressed the first year class during Orientation held August 18th and 19th. Bell began his talk by telling the students that "law school is different." Bell noted that the present generation appears to be less educated than its predecessors. He gave numerous examples of the current insufficiencies in education, including lower reading levels and inflated grades. Bell continued, saying that in secondary and undergraduate schools, one usually did not fail a course. Not so in law school--law school is different.

The class of 1985 can attest to the fact that law school is indeed different; while on paper the class had the highest

LSAT and GPR scores in the history of the law school, it also had the highest attrition rate seen in recent years.

Bell told the first year students that most of them would study harder than they had previously, yet make lower grades. The reason for this apparent inconsistency, said Bell, is that in law school students are not asked to read and memorize, but to "think like a lawyer."

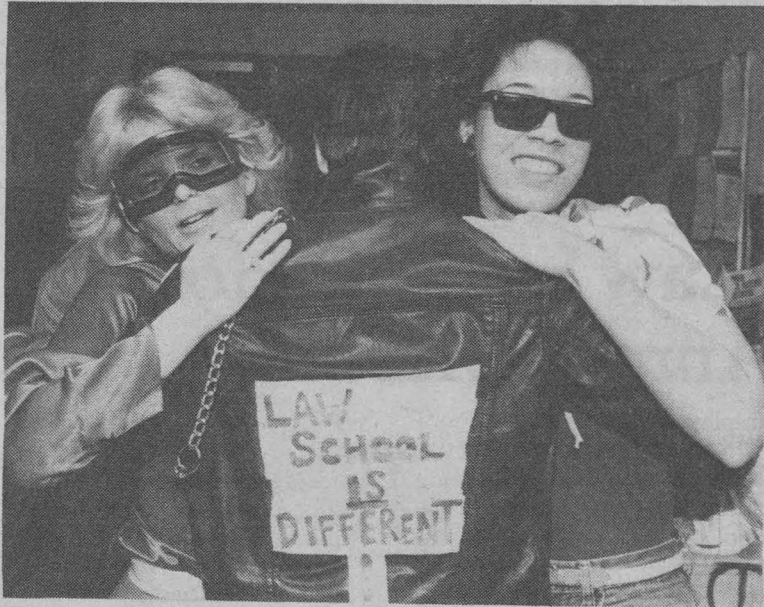
Bell warned the audience that the language of the law is foreign and that the method of the law would prove difficult to master. He instructed the freshman to prepare for a new and unique learning experience that would no longer be the passive process of learning they had known, but an active process. Judge Bell went

on to describe this active process as one that often involves involuntary participation. Bell explained that involuntary

participation trains law students to think quickly, coherently and persuasively. Bell said that such thinking is

one of the lawyer's most valuable tools, as he is called upon daily to use this ability in the courtroom, conference room, and on the phone with his client.

Bell advised the students to keep their sense of humor and to avoid losing their self esteem while adapting to the new atmosphere of law school. Bell continued, telling the students to get to know their classmates, leave sufficient time for studying, to use their own books, and to ALWAYS go to class prepared. Bell concluded, telling the students, "we'll be ready for you; the question is, will you be ready for us?"



GAVEL RAPS

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Gavel Raps is published by the students of the University of South Carolina School of Law, for and in the interest of the law school community. Gavel Raps is not an official publication of the University of South Carolina, and does not necessarily represent the views of the University.

Calendar of Events

| | | |
|------------------|----|-------|
| August | 31 | 12:00 |
| September | 1 | 6:00 |
| | 5 | |
| | 6 | 8:00 |
| | 7 | 12:00 |
| | | 6:00 |
| | 9 | 7:00 |
| | 11 | |
| | 12 | |
| | 13 | 7:30 |
| | 14 | 12:00 |
| | 21 | 12:00 |
| | | 6:00 |
| | 28 | 12:00 |
| Every Thursday | | 10:00 |
| *tentative dates | | |

Legal Forum. Henry McMaster, U.S. Attorney.
PAD. Rush Party.
NO CLASSES.
Pot Luck Supper, WLA
Legal Forum. Dean Lightsey.
Placement Office. Required meeting, S.E.L.P.
P.D.P. "Casino night."
Christian Legal Society. "How to Take Exams."
Fall interviewing and recruitment begins.
SBA-Auxiliary Meeting.
Legal Forum. George Graham, Chm. SC Republican Party*
Interviewing seminar. Mr. Pollard of Nexson, Pruitt, Jacobson, and Pollard.
Legal Forum. Bryan Dorn, Chm. SC Democratic Party.*
Placement Office. S.E.L.P. meeting.
Legal Forum. Workshop -- primarily for 1st-year students.
Dean's Coffee Hour

STUDENT ORGANIZATIONS

Moot Court

ABA - The University of South Carolina School of Law's ABA Moot Court team finished second in the national finals of the American Bar Association's Annual Appellate Advocacy Competition. More than 150 law schools across the country participated in ten regional competitions. The South Carolina team earned a berth in the nationals by placing first in the regional competition held in March in Morgantown, West Virginia. Nineteen law schools, all winners in their regional competitions, participated in the national finals which were held in Atlanta this summer. The second place finish is the highest ever for the University of South Carolina in the national ABA competition. The Moot Court team also received the award for the best brief in the Nationals.

The ABA Moot Court team members are Phillip Temple (Captain), Donna Potts, Stan Copeland and Karen Painter (Manager). Professor Henry Mather is the coach of the school's ABA team.

Each team in the competition was required to prepare a brief and present arguments in an appeal of a hypothetical court case. This year's case involved the adoption of the National Products Liability Act by Congress, and the subsequent application of the Act in a personal injury action.

The South Carolina team advanced to the finals of the national competition by defeating law school teams from Indiana University at Indianapolis, Gonzaga University in Portland, Oregon, and Capital University in Columbus, Ohio. South Carolina was narrowly defeated in the final round by South Texas

College of Law in Houston.

National - The National Moot Court Team has just received their problem, and the brief is due October 12th. The problem involves a civil suit in federal court in which the plaintiff is alleging a violation of SEC Rule 10 (b)(5) and RICO.

The National team is composed of George Quillen as Captain; Sandi Dennis and David Dukes as members; and Linda Young as Manager. Professor James Flannagan is the team's coach.

The oral arguments will be held in Atlanta toward the end of November. However, the team will have several practice oral rounds, and students and faculty are invited to attend. Notices for practice rounds will be posted in the law school lobby.

George Quillen and Mark Bergeson extend a special invitation to first year law students to attend the practice sessions. They feel that these sessions will provide an excellent opportunity for first year students to see Moot Court in action.

International - The International Law Moot Court Team is comprised of Neil Rabon, captain; Greg Morton; Jimmy Segans; and, Mark Hayes. D'Anne Haydel is team manager and alternate. The International Team is coached by Professor George Haimbaugh. Inter-scholastic competition is divided into regional and national rounds, as are the other Moot Court competitions. The International Team expects to receive their problem in late September or early October, with regional competitions slated for February. As the team name implies, the problem will center on an aspect

of international law and relations. Research authority is based on theories of international and various treaties.

Second Year Moot Court Competition: All second year students are invited to compete in the annual Moot Court Competition this fall. The top twenty-five advocates in the competition will be selected for membership into the Moot Court Bar. An orientation session for those desiring to enter the competition will be held Tuesday, September 6th, at 6:00 p.m. in room 135. The competition will begin with the handing out of a hypothetical appellate case on September 7th and 8th in the Moot Court Bar Room on the second floor of the library. Participants will be given approximately four weeks to brief the case. Two rounds of oral arguments have been scheduled for October 17, 18, and 19, and October 31, November 1 and 2. Further details will be posted on the bulletin board in the hallway entrance to the library.

Third Year Moot Court Competition: The Moot Court is also sponsoring the J. Woodrow Lewis Competition for third year students this fall. The competition is scheduled to begin Monday, August 29th, with the handing out of the hypothetical problem in the Moot Court Bar room. The times for pick-up of the problem will be posted. The final arguments in the competition will be heard by the South Carolina Supreme Court, with the winner receiving a set of the South Carolina Code of Laws. Further details will be posted on the bulletin board at the entrance to the library.

Law Review

The Editorial Board of the South Carolina Law Review recently announced its selection of members from the class of 1985. The students invited to join the Law Review included: Jennifer Albert; Charles A. Attal; Phyllis B. Burkhard; Robert C. Byrd; Suzanne Ebelein; James N. Gorsline; Cynthia Hammond; Elizabeth B. Hansen; William O. Higgins; Harriet M. Johnson; Jon Rene Josey; Fred L. Kingsmore, Jr.; Lance D. Lourie; George K. Lyle; Elizabeth F. Mallin; Alice M. McCarthy; John M.C. McLeod; Joe H. Miller, IV; Elizabeth Partlow; Mary Donne Peters; Aleta M. Pillick; Nancy B. Riley; M. Lee Robertson, Jr.; Joseph M. Samulski; Jan Shaffer Simmons; Ronald Tate, Jr.; and

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Phi Delta Phi

By Russ Weinberg

Law school is different. While that bit of intimidation is still ringing in your ears, we, would like to take this opportunity to calm your nerves, ease your blues, and invite you to join one of the oldest legal organizations in the world: The International Legal Fraternity of Phi Delta Phi.

Founded in 1869, Phi Delta Phi is one of the largest legal organizations in the world, with chapters or "Inns" in every state of Union, and in several foreign countries. The local chapter of Phi Delta Phi at U.S.C. is known as the Calhoun Inn and our aim on this Campus is to provide you the student with a social outlet and an opportunity to party and make friends with your fellow students away from the pressure of the law school set-

ting. Just a few of our annual activities include, tail-gate parties before every U.S.C. home football game, the Dean's cocktail party in the Fall, the Carolina Cup in Camden, S.C. in the Spring, and an auction to raise money for the scholarship Phi Delta Phi presents each year to a U.S.C. law student.

Membership in Phi Delta Phi is open to all law students. Annual dues are twenty dollars per year, with a one-time initiation fee of forty-five dollars. Forty of these dollars go directly to the national headquarters of Phi Delta Phi in Washington, D.C. and five of those dollars are retained in the general revenue fund of the Calhoun Inn. For this money, you get all the activities of the Inn with no added cost to you.

ABA-LSD

By Jan Simmons

As many probably know, the ABA is an unincorporated voluntary association of attorneys with over 300,000 members. The Law Student Division of the ABA has approximately 43,000 members and is the second largest division of the ABA.

As a new member, you will receive many benefits including: a nine-month subscription to *Student Lawyer*; a twelve-month subscription to the *ABA Journal*; the first year membership in the ABA free for students who are LSD members upon graduation and are admitted to the Bar within one year following graduation; discounts on registration fees for the ABA Annual Meetings, seminars, and ac-

tivities; opportunities for involvement as a liaison, local or national officer, or as a committee member; a 30% discount on the Preliminary Multistate Bar Review (PMBR) seminars; and excellent opportunities to establish contacts with leading practitioners in the senior bar and law students from all over the country.

Gavel Raps would like to take this opportunity to encourage all students to join the ABA-LSD. Not only does the ABA-LSD provide numerous benefits and opportunities to the law student, but it also offers funds to SBA programs once our membership reaches 35% of the student body. Everybody can help the school and the SBA. Join now!

Women's Law Association

By Mary Lou Grier

Membership in the Women's Law Association is open to all students, male and female. The WLA provides a social network, helping new students to adjust to law school and life in Columbia, and cementing personal and professional relationships throughout one's legal education.

This fall, WLA will sponsor a conference featuring Sarrah

Weddington, the first female attorney to argue before the U.S. Supreme Court. Other upcoming events include a seminar on Stress Management, as well as a tour of CCI, and a tour of the women's prison.

All interested first year students are invited to attend the Pot Luck Supper Tuesday, September 6 at 8:00 p.m.

PAD Offers Balance

By Jane D. Fender

Should you join a legal fraternity?

Consider this: above all else a legal fraternity at the law school will offer you friends

when you need them the most. Then which legal fraternity should you join?

Phi Alpha Delta (PAD), established here in 1947, offers

(Continued on Page 4)



(Standing) Phillip Temple, Captain ABA; Gene Stockholm, Associate Justice; Neil Rabon, Captain International; (Seated) George Quillen, Captain National.

Logging Lobby Time

Welcome back! The Law School lobby has been lonely, but not totally empty. Here's a few notables that cannot go unmentioned... M.V. DID get off to New York after copying her dissertation on Property II. Work-hard Burkhard kept some masochistic students busy this summer on Corporations. Congratulations to B.S. for achieving the book award for Corps — his year subscription to *Penthouse* is in the mail.

The summer was not without eventful scenes and parties... D.Y., sleeping soundly was interrupted by a late night ice bath. Rumor has it, a firehead 3L did it... J.G. got bit by the love bug down in Lauderdale. Will Elvis ever be the same?... H.G. spent the summer working hard trying to pick out which bathing suit to wear. His hardest job was riding the elevator to the roof to improve his tan... D.M. led F.B. astray at the Town & Country after F.B.'s bachelor party. Let's just say F.B. caught the attention of the dancers... M.J. spent the summer nights chasing women. Rumor has it, he EVEN caught a few... B.K., first law student in U.S.C. history to get injured on the job — by a filing cabinet, no less. Will he file a Worker's Comp. claim?... J.V. has found a cute, sweet, and pure girl, unlike those at Law School, he says... the Love God has also found a cute little thing. Word has it he couldn't let go of her at the firm picnic for fear she'd run off like the last one did... T.V.K. (those big baby blues for those gals who still don't know him) is now an old married man. Also off the market: Bob McMahon, Joe Mooneyham, Fred Berlin-sky, Richard Pierce, and Kurt Spong... Rumor also has it that Mr. M.M. is also planning wedding bells... We're also wondering, is P.R. still dating pre-pubescent girls or has he developed a taste for women?... Speaking of women — rumor has it there's a swinging new bachelorette pad located SOMEWHERE on Blossom St. Ask C.H., M.L.H. and D.W. for further details... THE ZONE has finally made his much-awaited return to Columbia. He popped in during the Cruisomatics at Wit's and promptly set the place in shambles... A.M. is wondering if there are any good lookers in the 1L class??? Only those with great "bods" need apply! Finally, Bebe is STILL looking for that male roommate—married or unmarried she doesn't care.

PAD Offers

(Continued from Page 3)

a balance of professional, social, academic and public service activities. First year students in particular will find the program helpful in meeting the challenge of the first semester. Second and third year students will offer a series of seminars to help first year students adjust to their new environment: "How to Study," "How to Outline," and "How to Take Law School Exams." In addition, PAD will hold a student-faculty party which will allow students to meet their professors on an informal basis.

The monthly meetings will give you the opportunity to meet public officials and practicing attorneys and to develop friendships that will prove invaluable throughout your career in law.

Sen. Strom Thurmond, R-SC, chairman of the U.S. Senate Judiciary Committee, will speak at a breakfast

meeting this fall for members of the fraternity and their guests. A "Meet the Judges Night" will be held this spring. Last year all members of the S.C. Supreme Court attended.

Through its association with its professional counterpart, the Palmetto Alumni Chapter, PAD will allow you to meet local practicing attorneys. These contacts can lead to clerkships or permanent positions. PAD is the only fraternity which offers an international placement office designed to aid in the placement of its members.

In addition to professional and academic enrichment PAD seeks to bridge the gap between the legal fraternity and the community. This year PAD will offer a Law Related Education program to help school children from kindergarten through 12th grade understand the judicial process.

PAD-sponsored functions give you a chance to relax and enjoy the company of your compatriots. A rush party will be held at 6 p.m. Thursday, September 1, in the law school lounge to introduce members of the fraternity. Two cookouts will be held this fall. PAD will sell doughnuts at the Dean's Coffee Hour at 10 a.m. Wednesday and will be selling tee shirts with a law school logo.

Gavel Raps

Needs Your Help

The Editorial Staff welcomes both serious and satirical articles. Contact Steph Miller if you would like to contribute to Gavel Raps.

Deadlines are posted in the SBA office on the G R Board.

Professorial Profile

Professor Nathan Crystal

By Mona Stephens

Professor Nathan Crystal has returned to the law school after a six-month leave of absence, during which he was involved in tax work at the prestigious Columbia law firm of Boyd, Knowlton, Tate & Finlay. He is gearing up for a full semester of teaching such courses as contracts, income tax, and professional responsibility.

Mr. Crystal was an undergraduate at University of Pennsylvania, where he majored in finance. He graduated from Emory Law School in 1971. He was a member of the Moot Court Board and Law Review, and received awards for best brief in moot court competition and outstanding law review note. He graduated Order of the Coif.

From 1971 to 1974, Mr. Crystal was associated with Hall & Miller, an Atlanta law firm, where he was involved in business and tax work. From

1974 to 1975, he was a teaching fellow at Harvard Law School. In 1976, he received a masters of law from Harvard. Mr. Crystal has been teaching at the University of South Carolina School of Law since 1976.

When asked about his test administration and grading techniques, Mr. Crystal said that they vary. However, he said that there are no surprises because his test material is covered in the courses he teaches. He also said that he believes in giving difficult exams, because that is the only way to draw distinctions among students.

When asked what advice he has to give to law students, Mr. Crystal said that first year students should not search for simplistic methods of resolving the confusion they experience during the first year. He said that they should develop their own methods of thinking, rather than employ-

ing "crutches" such as study aids. Mr. Crystal said that upperclassmen can improve upon their course selection ability; for example, by clerking for the type of firm that they plan to associate with so that they will become cognizant of course preparation required for that type of practice.

Mr. Crystal said that in accepting the first job after law school, it is important to select a firm, company, or governmental entity that will be willing to devote the supervisory time necessary to train a young lawyer. In other words, a law graduate must ask the question, "Will I be working with someone who will be willing to train me and facilitate the development of my skills?" Mr. Crystal intimated that the satisfactory resolution of this question will promote the successful development of lawyering capability and effectiveness.

Long Awaited Appeals Court Reality

By Donna Faye Shetley

Governor Richard W. Riley signed into law on June 2, 1983, Act 89 which establishes an intermediate state court of appeals for the South Carolina judicial system. This was the first part of a three-fold package passed by the General Assembly in hopes of alleviating the S.C. Supreme Court's backlog of cases and settling the problem of rule making authority that plagued an earlier attempt to establish the new appellate court.

The statutorily created court opens its doors September first. The termina-

tion date of this temporary court is mid 1985. The act provides quick relief in reducing the appellate backlog while awaiting for the constitutional establishment of this intermediate state court of appeals.

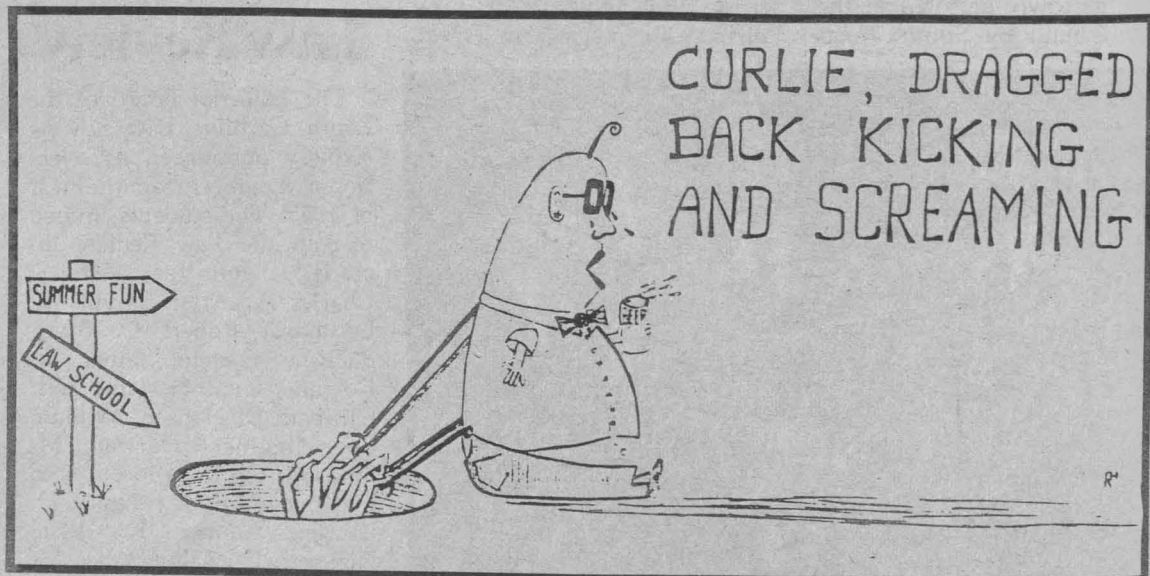
The second part of this package, a joint resolution, proposes an amendment to Article V of the South Carolina Constitution. If ratified the intermediate appeals court will become part of the state's unified judicial court system. The joint resolution furthermore provides for an eleven member judicial

commission with authority to promulgate rules of practice and procedure for the unified court system. The amendment also makes clear that ultimate authority resides with the General Assembly.

The third element lawfully enacts the intermediate state court as a permanent one in accordance with the proposed amendment. Passage of the amendment is necessary in order for the provisions of this act to take effect in mid 1985.

The amendment is expected to go before the voting citizens of South Carolina during the 1984 general election.

CURLIE: The Quintessential Law Student



Law Student Runs For House

Pete Strom, Jr., a third year law student, is running for the South Carolina House District 72 in the August 30 primary.

GAVEL RAPS encourages all law students to support Pete in his bid for election.

Law Review

(Continued from Page 3)

Dana Wilkinson.

Gavel Raps join with the faculty and students of the law school in congratulating these students.