NYLS In Brief

In This Issue:

Albert Parker '21, of Parker Chapin Flattau & Klimpl, holds the Torch of Learning Award that was recently presented to him by The Associates of the Greater New York Lawyers Division, American Friends of Hebrew University. Parker is flanked by Hon. William E. Schaufele, Jr., president, Foreign Policy Association. Additional Class Action news begins on page eight.

Clinic Programs at NYLS

NYLS offers eight separate clinical programs in legal education. One of them, the Street Law Clinic, is spotlighted in an article beginning on page 6.

Student Newsmakers (page 9)
Faculty and Administration News (page 10)

1981 Annual Dinner

Nearly 400 guests made this year's Annual Dinner a large and festive affair, keynote speaker Hon. Roger J. Miner made it funny and informative, and ten reunion classes made it warm and sentimental.

Extensive coverage begins on page two. A Profile of Judge Miner appears on page four.

A warm ovation greeted the class of 1926 (above) and the ten other classes enjoying reunions.
Thank you Dean Shapiro. At this annual dinner, it is my duty as your President to report to you on the state of the Alumni Association and of Association activities.

... My reporting duty is a most pleasant one since all the news is good, and the future is bright with promise of greater things to come. This year our paid membership has increased ten percent. We now number 1,860, the highest membership in our history. I am pleased to acknowledge the special efforts of our Membership Chairman, Ted Tabak, '59 and his Committee. The Association has received more dues income and more alumni have contributed through Phonathon and special gifts to the Association and directly to the Law School than ever before in the long history of the School.

We continue our efforts in this direction this coming week with the Phonathon now under the leadership of William Catucci '68.

Your Association continues its superb program of Continuing Legal Education under the acronym of PLEA, Practical Legal Education for Attorneys. Our PLEA Committee Chairman is Richard J. Finamore, '72. Each semester we present two evening programs at the Law School, with outstanding scholars and expert practitioners on topics of interest to lawyers and law students. The cost is nominal and far and away the best buy in legal seminars.

... The cost for each panel is $10.00 or $5.00 for the series of four with reduced rates for recent graduates and students. I know I'm safe in saying it is the best buy in legal education in New York.

During this year your Board of Directors created an Honorary Board of Directors to enhance the work of the Association by inviting the assistance of many of our most distinguished alumni. The Chairman of our Honorary Board of Directors is the Honorable Charles W. Froessel of the Class of 1913. We have thus far elected eight honorary members and will add to their number periodically.

... I have one remaining duty. I told you earlier about our success in membership and fund raising. The Alumni Association, in addition to assisting the School in fund raising, has focused its benevolence on assisting worthy students through loans and grants. Upon resolution of the Board of Directors I take great pride in presenting you, Dean Shapiro, with this check for $25,000.00 to be used for such student assistance.

Finally, let me close with an appeal to you all to "Think New York Law School". I know you'll agree with me that individually we owe much of what we are and much of what we have to the fact that we are lawyers. We share a common debt to the Law School for educating us in that discipline. For most of us, the Law School was unable to aid us after graduation in furthering our careers. For many years there was no placement office and no viable alumni body to give assistance to emerging graduates. That is now changed. The Alumni Association's raison d'être is to assist the School and its students to prosper and to offer opportunity to our graduates so that they may find their futures in the law with less anguish than many of us experienced.

When I say "Think New York Law School" to you I mean, simply, offer jobs to our graduates. Join with our Alumni Advisory Council to advise and assist our students in career opportunity.

List your available jobs with our Placement Office. When you need summer interns—Associates—others—"Think New York Law School".

Our high caliber student body is the equal of any Law School student body.

When you open a door to a New York Law School graduate you are repaying a part of that debt we all owe.

Thank you for coming and for thinking New York Law School.
Keynote Address by Hon. Roger J. Miner ’56 (excerpts)

... After some humorous opening remarks regarding the public perception of the judiciary, Judge Miner expressed his pride in the Law School and his support for the Alumni Association:

... I think that the best way to manifest our pride in our Alma Mater is by active membership in the Alumni Association. Through this Association, we can offer guidance and assistance to students and recent graduates; participate in programs of continuing legal education; provide advice and support to the trustees and faculty; advance the reputation of the school in the legal community; and contribute necessary financial support. Every graduate owes some time and treasure to the Law School, and the best way to pay those debts is through the Alumni Association. Needless to say, I am very proud to be a graduate of New York Law School and a member of its Alumni Association.

(After presenting historical overviews of 1926 and 1956, the years of his father’s and then of his own graduations, Judge Miner undertook a critical examination of one phase of judicial activism, commencing on another humorous note):

And speaking of judges again, I am reminded of one of my father’s favorite stories. It concerns the judge who undertook to put a number of questions to a plaintiff who had just taken the witness stand in a jury trial. The plaintiff’s lawyer broke into the judge’s examination with this remark: “I don’t mind if you examine my client, your Honor, but don’t lose the case for me.” This story brings me to the theme of my remarks this evening—the unnecessary intrusion of the judge during the trial process. This form of judicial activism seems to be on the increase and should be a matter of concern to all of us. Its natural consequence is the erosion of the lawyer’s ability to...
Profile: Hon. Roger J. Miner ’56

and Mrs. Roger J. Miner graciously with NYLS in Brief shortly before the start of the Annual Dinner. And we quickly discovered that the Judge knows a great deal about, and takes enormous pride in, his hometown of Hudson, N. Y., and the surrounding area.

Noting that America’s Eighth President, Martin Van Buren, also resided in Columbia County, in nearby Kinderhook, Miner said that Van Buren became “the Surrogate of Columbia County at the age of 21, which shows that if you’re going to be president, you’ve got to start your career at an early age.”

Levy notwithstanding, and despite the fact that the Judge confided no presidential aspirations, he admits that his successes have been enjoyable. He also started his own career relatively young: “I was 21 when I graduated from New York Law School. In those days, you were able to enter Law School with a Law Student Qualifying Certificate. I attended Columbia College, and was able to get the certificate after only two years of pre-law. I had to do eight terms at New York Law School, but because we had a full-time summer session then, I was able to complete the requirements in less than three calendar years. I received my B.S. after I left school.” His baccalaureate is from the University of New York.

A member of the New York Law School Alumni Association and the NYLS Alumni Advisory Council, Judge Miner graduated cum laude from New York Law School in 1956—precisely thirty years after his father, Abram, graduated from the Law School. Always an honor student, valedictorian of his elementary school, Honor Society member in High School and dean’s list student at Columbia, Miner was awarded the Nathaniel L. Goldstein Medal in Constitutional Law at New York Law School. He also served as the first managing editor of the Law Review and was a member of the Honor Court team. He was awarded the Law Forum prize in 1956 for his contributions to the Law Review.

After passing the bar exam, Miner served as a private in the United States Army in 1956, later receiving a commission as a First Lieutenant in the Army’s Judge Advocate General Corps. He was awarded the Commendation Ribbon with Medal Pendant for his work on the revision of the Manual for Courts-Martial. He served on active duty from 1956 until 1958, and this service included tours of duty in Japan and Korea. He was admitted to the Bar of the Republic of Korea in 1958. The Judge noted that “after returning home I spent some time in the Army Reserves and was finally discharged with the rank of Captain in the Judge Advocate General’s Corps on October 31, 1964.”

When he returned from military service, he set up shop in his hometown: “I started practicing law in Hudson with my father. I enjoyed small-town practice. I served as city attorney of Hudson and was elected to three terms as district attorney of Columbia County; my entire career developed there.”

During his district attorney years, Miner became well known in the upstate area for his work in training police officers. He conducted annual classes for local policemen and sheriffs’ deputies. He authored a newsletter dealing with new legal developments of importance to police officers. He served on the faculty of Columbia-Greene Community College as an adjunct associate professor of Criminal Law, and he is the recipient of many awards from police agencies.

Troy County, the only county in the sprawling seven-county third judicial district without a resident Supreme Court Justice, had not been able to elect a native son to the State Supreme Court for more than forty years. Miner was nominated for the post in 1975 by the Republican and Conservative parties. Newspapers in six of the seven counties endorsed Miner for election. The Albany-Times-Union called him “an outstanding attorney, an effective and efficient prosecutor, with credentials of broad legal and governmental experience as well as personal integrity in support of his move to the bench.” He was elected to the fourteen year term in November, 1975. He was the top vote getter in a field of four and became one of the state’s youngest Supreme Court Justices, as well as Columbia County’s first resident Supreme Court Justice in almost half a century.

While serving as a State Supreme Court Justice, Miner, who had done postgraduate work at Brooklyn Law School and the University of Virginia, continued his legal education by attending several judicial seminars held for trial judges.

He was the author of more than fifty published opinions while serving on the state bench. Among his most celebrated cases was Consolidated Edison Company v. Public Service Commission. Although he was reversed by the state’s appellate courts, the U.S. Supreme Court ultimately vindicated Judge Miner’s opinion that public utility companies are free to insert printed material with their bills as a matter of commercial free speech.

In 1978 State Republican leaders, including former N.Y.S. Attorney General Louis J. Lefkowitz, suggested that Judge Miner seek the Republican nomination for Attorney General. The Chatham Courrier said in its endorsement of Miner: “It is difficult to find a young man these days for Attorney General with Roger Miner’s wit, wisdom of the law and ability—all wrapped up in one extremely capable, considerate human being.”

Miner removed himself from consideration, noting to the River Valley Chronicle that “It was an honor to be considered for the office and I gave it serious thought. However, such an effort would involve my resignation from the Supreme Court, and I have eleven years to serve on my term of fourteen years. I feel that I have a duty to the people of my district.”

In addition to his legal work Miner has been very active in civic affairs. A past Exalted Ruler of Hudson Lodge of Elks and a member of the board of directors of the Columbia County United Way, he has received numerous awards for community service, including the Abraham Lincoln Award, Kiwanis Award, County Magistrates Award, Rotary Club Award, and the Elks Distinguished Citizenship Award.

This past autumn, Miner was appointed...
United States District Judge for the Northern District of New York by President Ronald Reagan. What was next, we wondered? "I'm getting my bearings, and my only present ambition is to be a good district judge." As a Federal judge, he confides that "there's a lot to learn. In fact, I've just come here tonight from the Second Circuit Sentencing Institute held at New Paltz, and we're going back there tonight. I'll soon be going to Washington, D.C. for another seminar. There are many things I'm in the process of learning."

Jackie Miner describes her husband as "a very modest man in addition to his legal expertise is a gifted musician [clarinet, saxophone, organ] and a former tennis champion." Miner was a member of Local 676, American Federation of Musicians, and he still enjoys a good tennis game.

How does it feel returning to New York Law School? "The school has grown tremendously. It has acquired a fine reputation, is getting better every year, and has even greater things in store in its future. I hope all of the Alumni support the Law School. As for myself, I am planning to select NYLS graduates to serve as Law Clerks in my chambers."

He remembers his own years as a student at NYLS fondly: "I enjoyed my years here. I still remember many of my teachers with affection, many of whom are still here—Koffler, Silverman, Dugan, the late Professor Reich—he taught my father and me; he's the one who taught the generations. Also some of the faculty: Roy Cohn, Bill Kunster, Joe Jensen, Sidney Asch, who was my colleague on the State Supreme Court."

If he had law school to do over again, would he do it any differently? "I think I'd do exactly the same thing," he said.

An excellent public speaker, Miner is in constant demand for seminars and after-dinner speeches. His wife says: "He has spoken to literally hundreds of groups. He has great difficulty in saying no to anyone. He really feels a great obligation and responsibility to the public."

Judge Miner's judicial philosophy was expressed succinctly in the closing words of his remarks when he was inducted as a U.S. District Judge in Albany on October 10, 1981: "When I took office as a state supreme court judge, my father told me that the two most important qualities required of a judge are patience and understanding. . . . I shall continue to strive for patience and understanding. I shall endeavor to perform the tasks assigned me with vigor and dispatch and with the certain knowledge that the litigants in every case are entitled to my very best. Finally I shall be ever mindful that an independent and honorable judiciary is indispensable to justice in our society. Upon the conclusion of any contested litigation there usually is a winner and a loser. My goal simply is this—that the loser leave this courtroom without the slightest doubt that justice abides here."

—Excerpt from the introductory remarks of Hon. Eli Wager, President of the NYLS Alumni Association.
Street Law Clinic Provides Valuable Services

It became obvious just after Thanksgiving that the Law School's Moot Court Room was being invaded daily by hordes of eager, well-mannered high school students, we knew it was time again to call on Professor Lisa H. Bittman for an explanation. The students were participating in NYLS'S Street Law Clinic, and Professor Bittman is the Director of the program that has placed 7 NYLS students in 6 metropolitan area high schools. The clinic is enjoying its third consecutive year.

The current Street Law Clinic stems from a grant which was awarded last August by the Community Trust Foundation jointly to NYLS and the National Street Law Institute. The grant specifies the development of a clinic program in Bedford-Stuyvesant and the continuation and expansion of the entire program in general. "We are also working," Professor Bittman added, "with the Bedford-Stuyvesant Legal Services Corporation, the New York City Board of Education, and the National Street Law Institute to develop a center on law and citizenship. The center's purpose will be to encourage, foster, and implement law-related education programs in New York City. There's growing sentiment that educating people about law fosters good citizenship. We are extremely appreciative of the grant which we received from the New York Community Trust Foundation. This grant was in that it enabled us to expand into Bedford-Stuyvesant and to also begin developing a permanent center on law and citizenship. The center represents a collaboration between the National Street Law Institute, the Bedford-Stuyvesant Legal Services Corporation, and the Board of Ed."

Professor Bittman described some aspects of this multifaceted program. For the high school students, the clinic "teaches them about law as it affects their everyday, practical lives—what to do, for instance, if they get no heat in the winter. The two major areas we cover are Housing and Family Law."

Naturally, some of the students become so interested in law that they consider legal careers for themselves, "but the main purpose of the program is not to make lawyers out of them. I would be delighted, of course, to see these students enroll in our Urban Law Program, which we sponsor jointly with C.C.N.Y.," she explained. "As a matter of fact, a number of students this year expressed interest in this program."

An additional benefit noted by Professor Bittman is that "all parties learn how orderly the court process is. We teach court decorum, and we also teach the reasons for that decorum."

The Clinic offers the Law Student an opportunity to learn an area of substantive law and practical application and then to teach that area of law to a high school class. The teaching also develops oral advocacy skills.

This translates, for the law students, into some very concrete benefits: "Many of the skills which the law students employ in their work in the Street Law Clinic are the precise
skills needed in the practice of law. For example, when a client asks you a question in an area of family law—child custody, per-
or a defense in a child-neglect case—you have to explain the law in an understandable, plain-speak fashion. This is exactly what the law students are doing in their high school studies.”

The Clinic also helps the student develop skills which will be useful in litigation: “A judge in New York may hear 50 cases a day. The lawyer has to explain his or her case in a succinct and memorable way so that the case will mean something to this busy judge. The Clinic cultivates this ability to synthesize and articulate law.

The law students must engage in a considerable amount of organizing, planning, even negotiating—“for example, with the high school teacher over questions involving scheduling or curriculum. Again, all of this is valuable for later legal practice.”

Professor Bittman noted that “just last week, the law student prevailed upon the high school teacher to allow a certain student to act as judge. Later, the teacher phoned to tell me that the student, who had previously seemed an unlikely candidate for such a position of responsibility and leadership, had worked out extremely well. The teacher was both surprised and gratified.” As for the student, we can only surmise as to how confidence and self-esteem that such service can induce.

Professional trade-offs

The high school teachers, too, are an integral part of the equation: “An exchange of professional skills occurs in which the high school educators help us to teach, and we in turn assist them in areas of substantive law and court procedures.

Theory meets practice

The law students meet with their high school classes for three 40-minute sessions per week for nine weeks. In addition, an actual mock trial is held at the Law School, and visits to civil court, conveniently located within walking distance of New York Law School, are also included.

The program works out pretty much as intended. Teresa, a student at Norman Thomas, believes that the clinic “should be put in more schools. It’s educational, and it’s fun.” She said that she and some of her classmates found the material so stimulating that they discussed various aspects of the case after school over the phone. The clinic involved extra work, but the case was so interesting that she didn’t feel like work. Teresa seemed not a little surprised that studying could be so enjoyable.

Barry, who is also from Norman Thomas and who is planning a career in business management, appreciated being taught basic law, “such as our rights as students or as parents. What I liked most was going over the cases and actually taking the parts of different people. It was interesting for me to see how I would react if this were real life.”

Manny, who wants to be an accountant, found it “a very good experience for someone like me, who never had anything to do with the law. The closest I ever came was watching it on TV.”

Their teacher, Mrs. Gail Reisman, was obviously delighted with the program and its results. “We used the course as a means for discussing various aspects of family law, such as custody, divorce, and bankruptcy. The students learned various aspects of courtroom procedure and legal terminology, and the fundamental elements of a trial. They practiced the reasoning and critical thinking skills involved in presenting cases and in analyzing positions. It adds a totally new dimension for the students, and their enthusiasm has been enormous.”

Mrs. Reisman’s observations tended to reinforce the views expressed by Professor Bittman. (Editor’s note: all of the interviews noted in this article were conducted individually, and none of the participants were aware of what anyone else had said.) For example, Mrs. Reisman said that Norman Thomas High, which used to be known as Central Commercial, was always linked “with the real world, the business world, and this program gives us a link to the legal world. In addition, it exposes the students in a particularly personal way to the prospect of a legal career. It is also valuable in that it gives the students a role model who is only a few years older than themselves but who will soon be a professional. And since we are concerned to prepare them for the business world, the emphasis on standard English is also beneficial.”

Mrs. Reisman said that several of her students asked Mr. Reisman, their law student teacher, if he would represent them after he graduated, should they need a lawyer. This echoes, with a humorous twist, the high school student (reported in NYLS in Brief, April 1980) who intended to become a lawyer and who offered to defend Toni Brandmill ’81 if she ever got arrested. Brandmill, by the way, managed to avoid arrest, and is now the Clinic’s field supervisor.

Whose class is it anyway?

Are the NYLS students as satisfied with the program as the high school teachers and their pupils seem to be? Joe Reisman confessed that “it was a lot of work. I knew nothing about teaching, but Professor Bittman assured me that I would learn as I did it. I taught marriage, annulment, divorce, custody, abortion. I did a lot of role-playing. I’d give them actual cases, and do mock trials with them in the classroom.”

For Reisman, there were particular personal as well as pedagogic benefits: “I developed my lawyering skills. I also increased my confidence in dealing with people and with courtroom situations. I’m basically shy, and it forced me to speak to whole groups of people. It also got me thinking about the process of interviewing clients.”

Intense Commitment by NYLS

As a quintessential urban law school, in part because of its nearness to federal and State courts and administrative agencies, NYLS offers an impressive array of clinical legal education programs. In addition to the Street Law Clinic, the Law School offers clinics in Administration of Criminal Justice, Communications Law, Criminal Defense, Discrimination Law, Consumer Law, Municipal Law, and Wiltwyck/Civil Trial.

In creating and structuring these clinics, NYLS has been extraordinarily flexible. Any faculty member, for example, may, with faculty approval, offer a clinic focusing on virtually any area of the law. As the Street Law Clinic amply demonstrates, these programs provide benefits for society that extend well beyond the walls of New York Law School.
Class Action

3. Louis J. Brecher writes that when he graduated, "The Law School was at the 23rd St. Y.M.C.A., west of 7th Avenue. We had no law library. Prof. Patty was our dean. Tuition was $150.00 a year! Those were the days."

1931
Myron Myers retired on Dec. 31, 1981 and became, effective the very next day, Of Counsel to the Manhattan firm of Fried Greenbaum Sher & Schwartz.

1941
Jack Roper is retired, lives in Florida, and does some writing. Having scanned a recent Alumni Association letterhead, Roper, who taught at NYLS from 1947 to 1965, noted that his students included Martin L. Baron '52, Bernard M. Elber '51, Hon. Francis T. Murphy, Jr. '52, and Hon. Mary E. Carbone '58. "Congratulations to them for their fine efforts in behalf of our school."

1951
John G. Pare is the in-house counsel for the Metropolitan Life Insurance Company Head Office in Tampa, Florida (previously, he had been in Metropolitan's New York City headquarters for 23 years). The Tampa office serves eight southeastern states. Pare was admitted to the Florida bar in November, 1980.

1952
Herbert M. Frenkel has been reassigned to the position of Hearing Officer with the United States Equal Employment Opportunity Commission.

1957
Aaron M. Africk informs us that he is both "permanently retired" and, happily, in "excellent health." Africk has served as Director of the Office of Drugs and Hazardous Substances. "I am 74 years of age, and I don't believe it!"

William Curran writes that he is no longer in active practice, having been, for thirteen years, president of a public relations and publicity firm in Manhattan. Previously, he had been with a firm specializing in admiralty law.

1965
Austin Lopez is Regional President of the Hispanic National Bar Association, which includes Puerto Rico. He is a Past President of the Puerto Rican Bar Association.

17
Sepp D. O'Neill is President of Capizola, O'Neill & Fineman, P.A., located in a newly-constructed building owned by the firm in Vineland, New Jersey.

Richard J. Smolian has become a Partner in the Manhattan firm of Goldstein & Weinberger Feldman Alperstein & Taishoff, P.C. He has also recently completed a series of radio spots for WCBS-FM on tax shelters.

Smolian and wife Randy also proudly announce the arrival, on April 5, of daughter Danielle Tiana.

1998

Rosenberg notes that "Patent Law Fundamentals" was first published in 1975 and is now in its second edition. The 1981 Annual Supplement is scheduled for release some time during this coming December. The work is widely accepted throughout the world as a reference on patent and intellectual property law. It has been quoted by the U.S. Supreme Court and in numerous federal appellate and district court opinions."

1974
B. Marc Mogil was recently appointed a Special Assistant Attorney General for Medicaid Fraud Control in the office of the Special New York State Prosecutor.

Mogil also proudly announces that his first child, Matthew Scott, was born on November 14.

1975
Marc Zane Edell is a Principal in the Morristown, New Jersey firm of Porzio, Publishers (ASCAP).

Bromberg & Newman; Edell and his wife have two sons, Eric and Steven.

Paul S. Forster was elected to the Democratic County Committee in Richmond county.

1978

1979

1990
James I. Gelb is a Partner in the recently formed Brooklyn firm of Gelb & Black.

1981
Lainie R. Eastman is Law Assistant to Hon. Frederic S. Berman, who is an Acting State Supreme Court Justice and an NYLS Adjunct Professor.

Eric W. Janson is an associate with the Plymouth, New Hampshire firm of Ray & Hopkins. Janson passed the New Hampshire bar exam and was admitted to practice in October, 1981.

Charles A. Posner is an Assistant Corporation Counsel, City of New York, assigned to the Family Court Division in Brooklyn.

James N. Vagias is a Deputy Department Advocate with the New York City Department of Corrections.

In Memoriam

1910
Alfred L. Rose

1918
Sylvester C. Smith, Jr.

1925
David M. Berger

1929
Alexander Lindsey

1926
Jacob W. Rozinsky

1931
Reuben Grass

In Brief

Student Newsmakers

Gary Gross joined the staff of Human Rights the official publication of the ABA’s Section on Individual Rights and Responsibilities. Gross’ article is “The Right to Asylum for Refugees.”

G. Brian Morgan ’83 has been appointed clerk for Hon. Kevin Duffy, Federal District Court Judge, Southern District of New York. Morgan is on the Moot Court Executive Board and is also a member of the Law School’s Jessup International Law Moot Court Competition team.

Previously, Morgan was law clerk to Hon. Sidney Asch, who was recently appointed to the Appellate Division of the New York State Supreme Court. Morgan was also on the staff of the International Law Journal.

The NYLS 1982 Phillip C. Jessup International Law Moot Court Team has been chosen:

Barbara Champoux  Elizabeth Corey
Peter Close  Claire Hancock

Brian Morgan

Above: Peter Close ’82, President of the NYLS International Law Society, and Assistant Dean Lucille M. Hillman flank Justice B.A. Masodkar, Judge of the High Court of the Judicature at Bombay. Judge Masodkar was a guest lecturer at the Law School last fall.

Below: Robert F. Salvia MYA ’82, Helena Gorochow ’82, David Greene MYA ’83, and Janet Cohen ’82 defeated Seton Hall but were eliminated by Rutgers (Camden) at the National Moot Court Competition in November.
Faculty and Administration News

Sidney Asch, Adjunct Professor, was appointed Associate Justice of the Appellate Division, First Judicial Department, New York State Supreme Court.

Hon. Frederic S. Berman '51, Adjunct Professor, has hired Lainie R. Eastman '81 as his Law Assistant.

Professor Michael Botein argued (on January 25) the case Community Coalition for Better Broadcasting v. Federal Communications Commission in the District of Columbia Circuit Court of Appeals, on behalf of the Appellant, Community Coalition for Better Broadcasting. The suit arose out of the Coalition's challenges to the license renewals of the educational television stations operated by the Mississippi Authority for Educational Television on grounds of racial as well as sexual discrimination in employment and programming. The Coalition was represented by other teachers as well as students in the Communications Law Clinic.

Professor Lung-chu Chen has received a grant from the Dana Fund for International and Comparative Legal Studies in support of his project on "International Law in a Policy-oriented Perspective: An Introductory Treatise" under contract with the Yale University Press. Recently, an endowed Commencement award in the field of human rights has also been established in his honor by the Grand Street Boys Foundation. In 1981, Professor Chen delivered a paper on "International Protection of Religious Freedom" at the annual meeting of the Association of American Law Schools, and spoke on "Self-Determination: A Critical Dimension of the Demand for Freedom" at the annual meeting of the American Society of International Law, which will be published in the 1981 Proceedings of the Society.

Trustees Emeritus Jerry Finkelstein acquired about 5 percent of the Chock Full o'Nuts Corporation.


Adjunct Professor Richard Harbus was a "faculty member at a November continuing education seminar sponsored by the National Office of Court Administration. About 70 Civil Court judges met at the Concord Hotel, Kiamesha Lake, for the weekend event.

Professor Myres S. McDougall has been made an Honorary Fellow of St. John's College, where he had been a Rhodes Scholar.

Adjunct Professor Lester Nelson is Legal and Executive Editor of Digest of Commercial Laws of the World, a work now in 7 binders and with new materials. In looseleaf format, it is an up-to-the-minute guide to doing business in world markets, and offers instant information on the commercial laws of 86 countries.


Professor Norman M. Sheresky was elected to the board of directors of the American Academy of Matrimonial Lawyers.

Adjunct Professor Otto L. Walter participated, on the occasion of the International Law Weekend of the American Branch of the International Law Association, in a panel on Foreign counterparts of United States Pre-Trial Evidentiary Methods (organized by the American Foreign Law Association) and Methods of Taking Evidence Before German Courts.

The latest publication of the NYLS Communications Media Center is Development and Regulation of New Communications Technologies: Cable Television, Subscription Television, Multipoint Distribution Service, and Direct Broadcast Satellites. The 153-page work features a brief introduction by Charles D. Ferris, Chairman of the F.C.C.; "The Development of Video Technology," which was researched, written and edited by NYLS Communications Law Clinic and Law Review students; Professor David M. Rice's "Regulation of Direct Broadcast Satellites: International Constraints and Domestic Options"; Professor Michael Botein's "Jurisdictional and Antitrust Considerations in the Regulation of the New Communications Technologies"; and Professor Edward B. Samuels' "Copyright and the New Communications Technologies."


The Law School was shocked and saddened to learn of the tragic, untimely death late last December of Adjunct Professor Robert Roy Rosenthal. He was 40 years old.

To his students, colleagues, and many friends, Rosenthal was a scholarly man who carried his immense learning quietly and with sincere humility. A gifted and dedicated teacher, he was loved by his students throughout his ten years at NYLS.

The NYLS Bulletin sketches Rosenthal's academic achievements: a Bachelor's degree from Columbia College in 1961 and an LL.B. from Columbia University School of Law in 1964; Law Assistant, Board of Justices of the Supreme Court of the State of New York since 1966; author of numerous articles in the field of Practice and Procedure.

An award in New York Practice—the Robert Rosenthal Memorial Award—will be presented annually at Commencement.

He is survived by his parents, Grace and James Rosenthal, of Deerfield Beach, Florida, three children, and his brother, Michael, who teaches law at the University of Texas School of Law.

As a teacher, and as an individual, he was a man of great compassion and understanding as well as intellect. The Law School's adjunct faculty is esteemed precisely because it contains such individuals as Robert Roy Rosenthal. The entire Law School community mourns his passing.
Unusually Interesting Courses Highlight Spring Offerings

Evidence of the Law School’s commitment to contemporary legal education—and to the fullest possible utilization of the area’s potential for faculty strength—can be found in some of the course offerings for the Spring 1982 semester:

Canon Law. A survey of the Code of Canon Law, the regulatory and disciplinary law of the Catholic Church, its early history and vigorous growth in the Medieval period, the “canonization” of the Roman law, the codification of 1917; modern reform. The close association of the Canon Law and Roman Law, and of the Roman Law with the development of continental law, offers unusual comparative law opportunities.

Anthony F. Lo Gatto, Adjunct Professor. Ordained 1942, Diocese of Brooklyn; M.S.W., Fordham University, School of Social Service, 1948; J.D., St. John’s University School of Law, 1954; LL.M., 1961. Associate Director, Catholic Charities, Diocese of Brooklyn, 1947-1961; Director, Queens County, Catholic Charities, Diocese of Brooklyn, 1961-1967; Pastor, St. Rosalia-Regina Pacis Church, 1967-1974; Lecturer, Fordham University, School of Social Service, 1961-1963; Lecturer In Sociology, St. John’s University, 1956-60; Lecturer in Law, Seton Hall University, 1966-1968; Adjunct Professor, Criminal Justice, Jersey City State College, 1976; Commissioner of Human Rights, City of New York, 1973-1976. Interdisciplinary publications in fields of theology, law, sociology and social work.

Energy Law. Examines a wide range of issues: underground reservoir structure and mechanism; energy supply and demand analysis; the structure of the U.S. oil industry; U.S. production policy from 1920’s to 1950’s; environmental goals; pricing of crude oil and products in the U.S. and abroad; antitrust laws and interstate oil transactions; administrative developments concerning producing states. In addition, the institutional structure of the international oil community—OPEC (Organization of the Petroleum Exporting Countries), OAEPC (Organization of the Arab Petroleum Exporting Countries), and IEA (the International Energy Agency)—will be examined, along with the developments which caused the creation of these organizations.

John Yafai, Adjunct Professor. J.D., Tehran University School of Law, 1960; LL.M. Yale Law School, 1964; J.S.D., Yale Law School, 1963. Associate Professor, Rutgers University, 1968-1971; Visiting Legal Scholar, Columbia University School of Law, 1972; Professor of Law, Teheran University School of Law, 1977-1981; Visiting Associate Professor, Rutgers University Graduate School of Management, 1980-1981. Member, Planning Committee for establishment of OPEC Strategic Committee; participant at several OPEC meetings and negotiations; presently, Consultant on International Petroleum Transactions.

Roman Law. Roman Private Law from the early Republic to the death of Justinian, including basic rules, procedures, and techniques.

As the cradle of Western Jurisprudence, Roman Law contains ideas and techniques which are fundamental to our legal thinking. In addition, the course confronts students with a system of rules and procedures which, while they seek to solve basic legal problems common to all societies, often reach workable solutions which are the opposite of common law. The study of Roman Law also invariably encompasses the entire sweep of Roman Constitutional history from which the law develops.


Origins of American Constitutionalism. The history of constitutional ideas are examined as they relate to the federal Constitution. Greek, Roman, and medieval constitutionalism, English constitutional history (with emphasis on the Enlightenment), colonial and post-revolutionary state constitutions, and the debates leading to the adoption of the Constitution will also be studied.

Vernon Snow, Adjunct Professor. B.A., Wheaton College, 1948; M.A., University of Chicago, 1949; Ph.D., University of Wisconsin, 1953. Faculty member, University of Montana, 1953-55; University of Oregon, 1957-60; University of Montana, 1960-66; University of Nebraska, 1966-74. Professor of English History, Syracuse University, since 1974. Vice President, Snow Foundation, 1969-74; President, 1974 to present. Author and editor of works in the area of English History.

Real Estate Practice—Advanced: Current Issues in the Mortgage Market. This course will focus on current issues in the mortgage market. Attention will be given to the different mortgage markets: the overview of the mortgage market; current trends in the mortgage market; the future of the mortgage market. Guest lecturers will be called upon to lead discussions in their particular field of specialty. Some classes will be held at the downtown offices of Salomon Bros.


Alumni and Faculty in Various PLE Programs

Several NYLS alumni and faculty members will be participating in practical legal education programs sponsored by the New York County Lawyers’ Association.

Civil Trial Practice—Monday Evenings, 5:15 to 7:15

Co-Chairman: Joseph J. Lucchi ’38


Contact Carrie Vassalotti at the NYCLA (267-6848) for further information.
The Docket


Mar. 13  P.L.E.A., Panel V. Professional Liability. Panelists: Ernest Allen Cohen, Esq. (Partner, Marchi Jaffe Cohen Crystal Rosner & Katz); Laurie H. Hutzler, Esq. '79 (President, Legal Management Services, Inc.; Counsel, Marchi Jaffe Cohen Crystal Rosner & Katz); Eric Jones, Esq. (INA Loss Control Services, Inc.). This special Saturday seminar begins at 9:00 a.m. (registration and coffee are at 8:30) and will include a videotape ("The Malpractice Zone") and the distribution of several informative brochures. To register, or for further information, contact Mrs. Renee Grossman, 966-3500, exts. 718 or 735.

April 5  Symposium, sponsored by NYLS Communications Media Center. Details to be announced.

April 30  Annual Lunch (held in conjunction with the Annual Meeting of the New York State Bar Association).

June 6  Commencement. Avery Fisher Hall, Lincoln Center.
Judge and Mrs. Roger J. Miner graciously met with NYLS in Brief shortly before the start of the Annual Dinner, and we quickly discovered that the Judge knows a great deal about, and takes enormous pride in, his hometown of Hudson, N. Y., and the surrounding area.

Noting that Martin Van Buren, Eighth President of the United States, also resided in Columbia County, in nearby Kinderhook, Judge Miner said that Van Buren was "the Surrogate of Columbia County at the age of 21, which shows that if you're going to be president, you've got to start your career at an early age."

Levity notwithstanding, and despite the fact that the Judge confided no presidential aspirations to us, he does admit to being somewhat ambitious. Judge Miner also started his own career relatively young: "I was 21 when I graduated from New York Law School. In those days, you were able to enter Law School with a Law Student Qualifying Certificate. I attended Columbia College, and was able to get the certificate after only two years of pre-law. I had to do eight terms at New York Law School, but because we had a full-time summer session then, I was able to complete the requirements in less than three calendar years. I received my B.S. after I left law school". His baccalaureate is from the State University of New York.

Miner was raised in Hudson, where he was born on April 14, 1934 and where he still lives with his wife Jackie, a former
history professor. They are the parents of four sons: Laurence, 21, a student of environmental science at State University of New York at Syracuse; Ronald, 20, an engineering student at the University of Illinois; Ralph, 18, a pre-law and accounting student at Michigan State University; and Mark, 16, who is completing his junior year in high school.

A member of the New York Law School Alumni Association and the New York Law School Alumni Advisory Council, Judge Miner graduated *cum laude* from New York Law School in 1956 — precisely thirty years after his father, Abram, was graduated from the law school. Always an honor student, valedictorian of his elementary school, Honor Society member in High School and dean's list student at Columbia, Miner was awarded the Nathaniel L. Goldstein Medal in Constitutional Law at New York Law School. He also served as the first managing editor of the Law Review and was a member of the moot court team. He was awarded the Law Forum prize in 1955 for his contributions to the Law Review.

After passing the bar exam, Miner served as a private in the United States Army from August to November of 1956. He was commissioned as a First Lieutenant, on November 9, 1956, in the Army's Judge Advocate General's Corps. He was awarded the Commendation Ribbon with Medal Pendant for his work on the revision of the Manual for Courts-Martial. He served on active duty from 1956 until 1959, and this service included tours of duty in Japan and Korea. He was admitted to the Bar of the Republic of Korea
in 1958. Miner noted that "after returning home I spent some time in the Army Reserves and was finally discharged with the rank of Captain in the Judge Advocate General's Corps on October 31, 1964".

When he returned from military service, he also set up shop in his hometown of Hudson: "I started practicing law in Hudson with my father. I enjoyed small-town practice. I served as city attorney of Hudson and was elected to three terms as district attorney of Columbia County; my entire career developed there." While in private practice Miner held an "a" "v" rating from the Martindale-Hubbell Law Directory, the highest rating available.

During his district attorney years, Miner became well known in the upstate area for his work in training police officers. He conducted annual classes for local policemen and sheriffs' deputies. He authored a newsletter dealing with new legal developments of importance to police officers. He served on the faculty of Columbia-Greene Community College as an adjunct associate professor of Criminal Law and he is the recipient of many awards from police agencies.

Tiny Columbia County, the only county in the sprawling seven county third judicial district without a resident supreme court justice, had not been able to elect a native son to the state supreme court for more than forty years. Roger Miner was nominated for the post in 1975 by the Republican and Conservative parties. (Newspapers in six of the seven counties endorsed Miner for election.
The *Albany-Times-Union* called Miner "an outstanding attorney, an effective and efficient prosecutor, with credentials of broad legal and governmental experience as well as personal integrity in support of his move to the bench.") Miner was elected to the fourteen year term in November, 1975. He was the top vote getter in a field of four and became one of the state's youngest Supreme Court Justices, as well as Columbia County's first resident Supreme Court Justice in almost half a century.

While serving as a State Supreme Court Justice, Miner, who had done post graduate work at Brooklyn Law School and the University of Virginia, continued his legal education by attending several judicial seminars held for trial judges.

He was the author of more than fifty published opinions while serving on the state bench. Among his most celebrated cases was *Consolidated Edison Company v. Public Service Commission*. Although he was reversed by the state's appellate courts, the U.S. Supreme Court ultimately vindicated Judge Miner's opinion that public utility companies are free to insert printed material with their bills as a matter of commercial free speech.

In 1978 State Republican leaders, including former N.Y.S. Attorney General Louis J. Leftkowitz, suggested that Judge Miner seek the Republican nomination for Attorney General. The *Chatham Courier* said in its endorsement of Miner: "It is difficult to find a young man these days for Attorney General with Roger Miner's wit, wisdom of the law and ability -- all wrapped up in one extremely capable,"
considerate human being."

Miner told the River Valley Chronicle when he removed himself from consideration: "It was an honor to be considered for the office and I gave it serious thought. However, such an effort would involve my resignation from the Supreme Court, and I have eleven years to serve on my term of fourteen years. I feel that I have a duty to the people of my district."

In addition to his legal work Miner has been very active in civic affairs. A past Exalted Ruler of Hudson Lodge of Elks and a member of the board of directors of the Columbia County United Way, Miner has received many awards for community service, including the Abraham Lincoln Award, Kiwanis Award, County Magistrates Award and Rotary Club Award.

This past autumn, Miner was appointed United States District Judge for the Northern District of New York by President Ronald Reagan. What was next, we wondered: "I'm still getting my bearings, and my only present ambition is to be a good district judge." As a Federal judge, he confides that "there's a lot to learn. In fact, I've just come here tonight from the Second Circuit Sentencing Institute held at New Paltz, and we're going back there tonight. I'll soon be going to Washington, D.C. for another seminar. There are many things I'm in the process of learning."

His wife, Jackie, had a more concrete notion. Describing his career as "brilliant" and confiding that she felt "exhilarated"
by his Federal appointment, she volunteered, "Had you asked me where he would end up, I would have said, without hesitation, the United States Supreme Court." She described her husband as "a very modest man who in addition to his legal expertise is a former local tennis champion and a gifted musician." Miner was a member of Local 676, American Federation of Musicians, and still enjoys a good tennis game.

How does it feel returning to New York Law School? "The school has grown tremendously. It has acquired a fine reputation and is getting better every year. I've seen the plans for the new law center, and I think there are even greater things in store for the future of the school. I hope all of the Alumni support the new center. I am planning to select graduates of this School to serve as Law Clerks in my chambers."

He remembers his own years as a student at New York Law School fondly: "I enjoyed my years here. I still remember many of my teachers with affection, many of whom are still here -- Koffler, Silverman, Dugan, the late Professor Reich -- he taught my father and me; he's the one who spanned the generations. Also some of the adjunct faculty: Roy Cohn, Bill Kunstler, Joe Arenson, Sindey Asch, who was my colleague on the State Supreme Court."

If he had law school to do over again, would he do it any differently? "I think I'd do exactly the same thing," he said.

Judge Miner, an excellent and entertaining public speaker, is in constant demand for seminars and after dinner speeches.
His wife says: "He has spoken to literally hundreds of groups. He has great difficulty in saying no to anyone. He really feels a great obligation and responsibility to the public."

Judge Miner's judicial philosophy was expressed succinctly in the closing words of his remarks when he was inducted as a U.S. District Judge in Albany on October 10, 1981: "When I took office as a state supreme court judge, my father told me that the two most important qualities required of a judge are patience and understanding . . . I shall continue to strive for patience and understanding. I shall endeavor to perform the tasks assigned me with vigor and dispatch and with the certain knowledge that the litigants in every case are entitled to my very best. Finally I shall be ever mindful that an independent and honorable judiciary is indispensable to justice in our society. Upon the conclusion of any contested litigation there usually is a winner and a loser. My goal simply is this - that the loser leave this courtroom without the slightest doubt that justice abides here."