

Corboy retained

Law students hire attorney; may file suit against Loyola

by Cindy Vukits

Students at the Loyola School of Law have retained an attorney and drawn up a complaint charging the University with breach of contract, violation of the Universities Act (which prohibits printing in college bulletins facilities not really available), consumer fraud, and unjust enrichment.

Philip Corboy of the law firm Corboy and Associates has agreed to act on behalf of five student plaintiffs who authored the complaint.

A past president of the Chicago Bar Association, Corboy was a recipient of the Distinguished Service Medal, which is awarded annually to an outstanding Loyola alumnus.

Plaintiffs in the suit are John Cullerton and Robert McAllister President and Secretary, respectively, of the Student Bar Association along with representatives of each of the Law School's three classes.

McAllister explained that the students are charging breach of contract on the grounds that the facilities of the law school were misrepresented in the Law School Admissions Catalog.

The students have taken all the initial steps prior to the filing of the complaint, said McAllister.

He stated: "The complaint has been drawn up but we have decided not to file at this time on the advice of counsel and because of the good faith demonstrated in the person of University President, Fr. Baumhart.

"However, if negotiations do fail regarding the law school and its facilities, we will file the complaint.

"The two criteria for the filing of the complaint," reiterated McAllister, "will be the breakdown of communications and the failure of the Board of Trustees to take immediate action to expedite funds for capital improvements."

The students fully intend to pursue the matter into court if their demands are not met, McAllister asserted. He said that one of the reasons Attorney Corboy was retained was his excellent reputation as a trial lawyer.

Plaintiffs McAllister and Cullerton are graduating from the School of Law at the June ceremony. However, both have pledged to follow the suit through to the satisfaction of the student body.

Corboy and the student plaintiffs have expressed disagreement with President Baumhart's contention that the publicity from the students' legal actions will hurt the image of the law school.

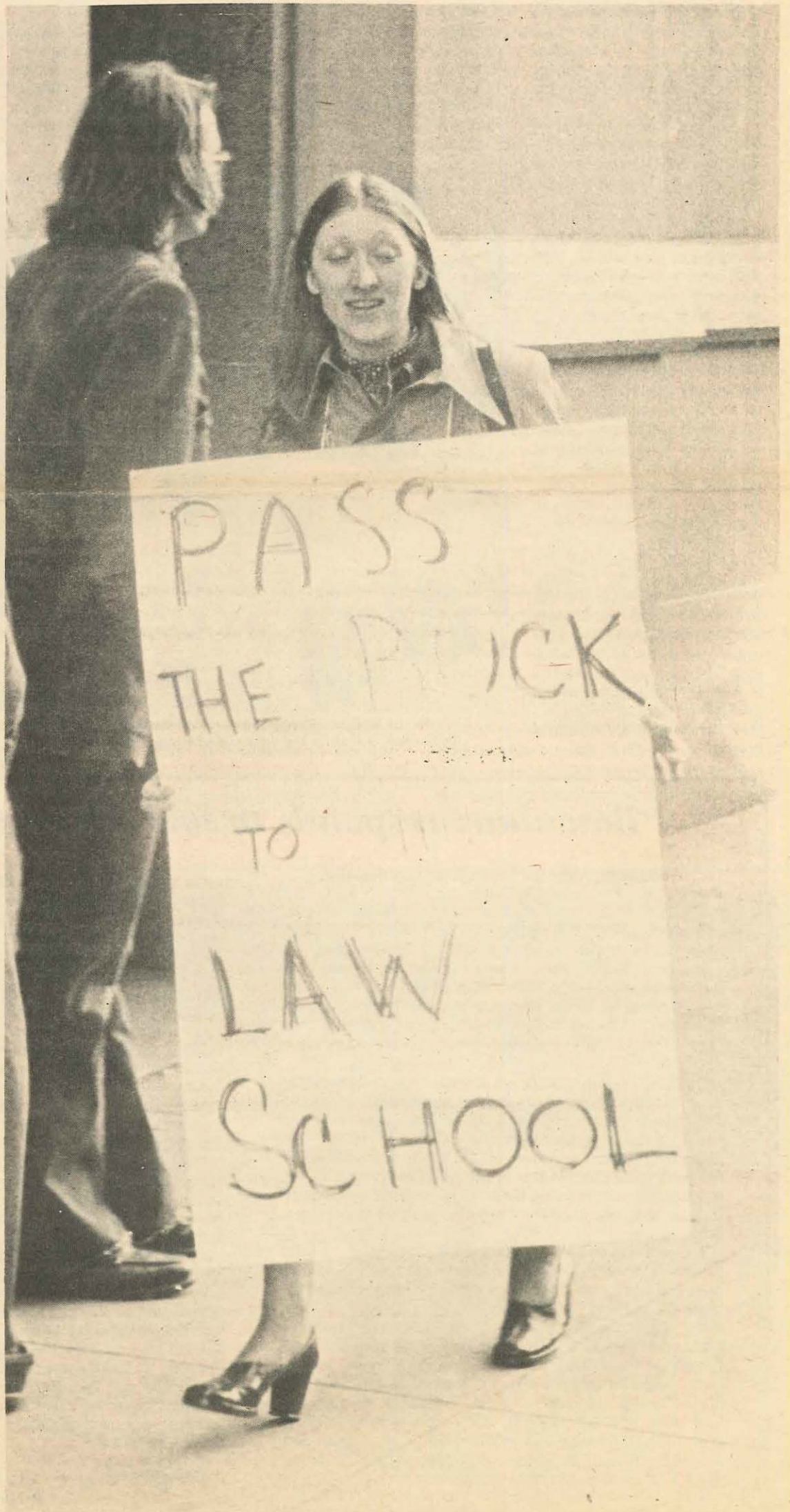
In a joint statement issued yesterday Baumhart, Vice President-Dean of Faculties Richard Matre, and Law School Dean Charles Purcell stated, "we are in agreement that a realistic answer must be given to this question as soon as possible.

"Every effort will be made...to plan a reasonable solution for both the immediate and the long term future of the Loyola University School of Law."

It is expected that no action will be taken on filing the complaint until after the June 15 meeting of the University Board of Trustees.

Capital budget requests for sizeable expenses outside the annual operating budget will be reviewed by the Board at that time.

McAllister and Cullerton held a press conference at the Chicago Civic Center yesterday at 1 p.m. They announced at that time to reporters from the PHOENIX and from the Chicago daily papers that Corboy had been retained, and that he had advised them to postpone filing the complaint.



Student taking part in picketing of Loyola Law School yesterday evening carrying sign demanding more money for the Law School.
Photo by John Cannon

Students comment on study-in, suit

by Bernie Weiler

Should there be any doubt about the ability of the Law School's library to provide adequate space for study let it at least be soundly asserted that it is a particularly deficient place to hold a meeting.

Almost three hundred students had already wedged their way between the twelve evenly spaced eight foot study tables when the Dean in jest made an off the cuff comment on the fire regulations. Another fifty or so students were either poking their noses into the open doorway or had found seats on a shelf above the statue that ironically, is used on the cover of the Law School admissions catalogue.

The three hundred and fifty were students participating in a meeting preceding the Law School's Study In and class boycott in which the library facilities have become an important issue.

There had been a meeting with the President of the university earlier that day and the students were anxiously awaiting a report on its outcome.

Out-going president of the Student Bar Association John Cullerton opened with a brief statement on the conditions and course of events that have led the Loyola law students to seriously consider filing suit in the Circuit Court.

He proceeded immediately with a reading of Fr. Baumhart's official statement on the Law school's grievances, pausing only for mild laughter over the lines which read "The situation has reached a saturation point enough times to trigger a substantial reaction."

Commenting on the report Cullerton said "first of all, it's well known about the influence that Fr. Baumhart has over the Board of Trustees, yet he does not personally endorse this report. In terms of his influence," he continued "he can be moderately compared to the prosecutor having influence over a grand jury. But he still is

reluctant to commit himself to any of the proposals or issues."

Cullerton also said that it must be "the consolidated effort of the Law students to see that Fr. Baumhart carry a favorable and personal endorsement of our proposals to the Board of Trustees."

The meeting was then turned over to Third year student Bob McAllister who was introduced as having "Alternative possible avenues to apply pressure."

"I wanted to come here with the news that we had filed suit against the University" McAllister stated. "However, we have not done so."

"We have written a cause of action against the university, but decided this afternoon not to file it."

He then briefly outlined the success of a suit registered against the University of San Francisco by its law students, before announcing that he had retained the services of Philip Corboy.

After the applause had died

down, McAllister explained that "We did not sue because we didn't want to disrupt our negotiating power with the university. We want to disrupt our negotiating power with the university. We want to see the natural reaction to what we are doing today, and don't want to close ourselves off to that response."

"Also, McAllister continued, "we didn't think the Circuit Court would take such a grave complaint filed by a group of students too seriously."

Before turning the floor over to incoming SBA president Tom McCauley, McAllister touched briefly on Corboy's qualifications, pointing out that he had received the honor of being named Loyola Alumnus of the year in 1973.

He quoted Corboy as saying, "I'm interested in representing the Law School because it might add a little value to the diploma that hangs on my wall. I feel a commitment to help improve my law school."

In a short statement, McCauley said "Our own unity is our strongest ace in the hole, even more so than our legal course of action. We must persevere in this" he continued "Corboy has agreed to assist us with out fees. It is gratifying enough for him just to improve his own Law School. Let us all take up that same spirit and dedication."

Mr. Charles Purcell, Dean of the Law School also addressed the assembly. "Many of you know that I've been working hard to head off the filing of the suit," he said. "I've done so because of the bad repercussions that might develop which could damage the negotiations we've already established.

Purcell, who has worked closely with the SBA in expressing the grievances, said that he "feels much better with Corboy handling the case" rather than students "who might appear to be suing for improper reasons."

Purcell also stated that he



Bob McAllister, plaintiff in suit

would like to "encourage the postponing of the filing of the complaint until after June fifteenth meeting of the Board of Trustees.

"I feel confident that Corboy will handle this in the most effective manner."

He also added that he is "confident that what you (Law Students) are doing today will certainly win sufficiently favorable reactions."

Tom McCauley followed Purcell with the reading of the results of the survey taken by the students on the conditions of the Library facilities.

Outside of the meeting SBA president Cullerton said "The sizeable capitol budget requests" stated in Baumhart's report are not all that sizeable. I know the money is there. I feel very strongly that Baumhart should assert his influence, personally. The first step would be to spend at least the initial sum necessary to have the situation analyzed."

Commenting on the sincerity of yesterday's statement, Cullerton said, "The language used, particularly "every effort..." sounds familiar...I've been affiliated with Loyola for seven years. I've been an RA in Mertz and the President of Campion Hall and have heard all of that before."

"I only hope that quicker solutions to these problems will follow than what I have learned to become accustomed to."

Tom McCauley, SBA president-elect, added "It is important to stress that the students are in no way complaining about the faculty or quality of the legal education at Loyola.

"We are proud and pleased with our faculty and administration."

He explained that "This is a united effort of the students as well as the administration to improve the Law School. We are equally interested in seeing Loyola expand in proportion to the other Law Schools in the area."

McCauley also said that the recent SBA elections would not interfere with the progress of the boycott or the possible legal proceedings.

"The entire student body is resolved to see this action through," he said. "I don't think it will be affected by the transition in government. It is a continuous effort with complete continuity."

It was also announced at the meeting that the University had suspended the official Library closing hours so that the all night study in might be carried out without undue complications.

Cullerton said that he suspected that the University did so "in order to avoid a confrontation."

However, Dean Purcell said that the decision was made at a meeting with the President so that "We can show the students that we are aware of their problems."



Loyola law students demonstrated the inadequacy of the library facilities last night. Channel 7 News crew is seen in the background filming the event.

Baumhart responds to law school charges

A Statement About the Future of the Law School of Loyola University

The Law School of Loyola University of Chicago is at an important juncture in its history. After 67 years of operation it has encountered problems related to its excellent reputation. Enrollment at present totals 602 students (406 day; 196 night). Last year it was 576. Five years ago it was 370. This unprecedented increase in students is, of course, related to a demand for admission to Law School that has resulted in turning away many more applicants than were accepted.

Loyola University has always attempted to meet the needs of Illinois for professional education. Recently it has tried to accommodate many of those qualified applicants who have sought admission in unforeseen numbers. Instead of inflexibly limiting enrollment, Loyola has attempted to serve the needs of the Chicago area by providing additional faculty, space and resources within the limits of the fiscal constraints that hamper independent universities in these inflationary times.

The principal problem now facing the Law School is a lack of physical space, especially for library and research needs, despite the fact that total space available has increased by more than 50% in recent years.

The time for small plans and annual reviews is over. Loyola must make a thorough review of the situation and follow that with a comprehensive commitment for the future.

At the heart of the problem is the need for an expanded law library to accommodate the expanded student population. Last year, with 576 students, there were occasions when space for study was unavailable; this year, with 602 students, the situation has reached the saturation level enough times to trigger a substantial reaction.

There is no instant solution to this problem. The Law School building does not contain additional space to meet the current needs. An engineering study commissioned by the University demonstrated the impracticality of adding floors

or of substantially increasing library space within the building. Transfer of the Law Library to another building in the area is a possible, though not necessarily a practical, solution. The construction of a new building in the vicinity of the present one, whether as a library or an entirely new Law School, would require resources that at present cannot be foreseen. A reorganization of Loyola's Lewis Towers complex to provide additional space for Law School library and faculty is conceivable. This, however, would affect existing programs in Business Administration, Education, Social Work, Arts and Sciences, and Graduate School.

All possible solutions to current crowded conditions in the Law School require the expenditure of substantial sums of money that only the Board of Trustees can authorize.

The alternative to an expansion of facilities is a substantial limitation of students admitted to the Law School. A curtailing of student enrollment would obviously place less demand on the University's physical resources. This would, however, be inconsistent with the overall aims of Loyola University. It would result in the rejection of many young men and women who have the talent and desire to complete a legal education and to practice law.

We are in agreement that a realistic answer must be given to this question as soon as possible. Capital budget requests for sizeable expenses outside the annual operating budget will be reviewed by the Board of Trustees at its June meeting. Consultation with the faculty and students of the Law School will take place between now and then. Every effort will be made by that time to plan a reasonable solution both for the immediate and the long-term future of the Loyola University of Law.

Raymond C. Baumhart, S.J., President
Richard A. Matre, Vice President-Dean of Faculties
Charles R. Purcell, Dean, School of Law

April 30, 1974

Law students picket President's office; Baumhart 'merely smiled'

by Mark Dembski

Approximately 30 Loyola University Law Students picketed the office of University President Raymond Baumhart, S.J. at 814 N. Michigan Avenue, yesterday to protest grievances relating to the law school.

Carrying signs bearing slogans such as "We want our fair share" and "Have a heart Fr. Baumhart" and shouting "Now, Not June," a reference to the June Board of Trustees Meeting, the students circled around the sidewalk in front of Baumhart's office.

The President left his office at about 5 p.m. and merely smiled at the picketing students.

The students picketed the Michigan Avenue address for approximately two hours and then moved to the law school at 41 East Pearson to continue the protest.

Murray Gordon, second year day division law student, as spokesman for the group, charged that Loyola has been negligent in dealing with the needs of the law students.

Gordon charged that "although the law school brings in

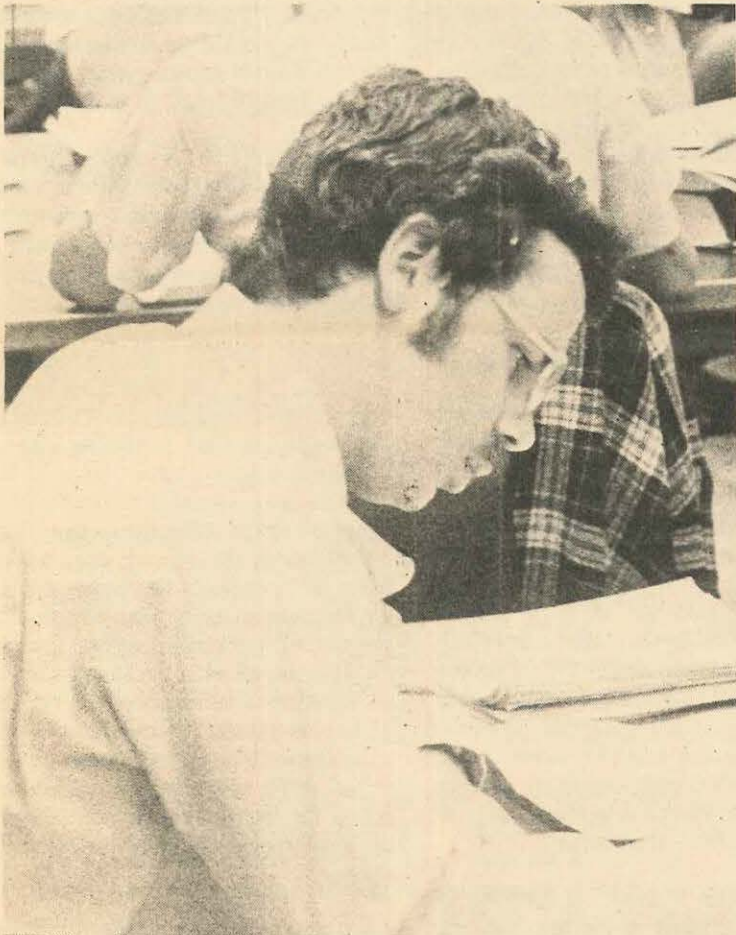
approximately one million dollars in revenue, the operating budget returned to the law school is considerably less.

He said, "The university as a whole has committed large resources to other parts of the University to keep them modern and consistent. They have not done this with the law school."

Gordon's main contention was the "gross inadequacy of the library facilities." He said that at present the law school is "overcrowded with inadequate classroom facilities and no provisions for student meeting areas." He also said that the faculty is understaffed and underpaid.

Gordon believes that this situation will have a direct effect on the calibre of students which Loyola will attract in the future as well as the quality of faculty.

Gordon commented, "This will decrease our status from one of the top law schools in Chicago to a position considerably behind other schools whose parent institutions have greatly committed themselves to their schools' growth."



Student Bar Association President John Cullerton, plaintiff in suit

Trustees react

Response by the University Board of Trustees to the law student complaints and law suit was scarce and hesitant yesterday afternoon during an informal PHOENIX survey.

Only one of the seven Executive Committee members, and one other trustee could be reached for comment.

Fr. Theodore Tracy, S.J., an Executive Committee member, said, "The Board of Trustees has tried to keep up on it."

He said that he and Robert Buehler, another Trustee, had met with Fr. Baumhart and a group of law students to discuss the Law School.

"It is fairly obvious that the Law School has undergone tremendous growth," Tracy said. "Any such growth is going to tax the facilities of a school."

"In the past when other facilities have been taxed, the University has responded by allocating additional space. I'm surprised that there seems to be no confidence by the law faculty that we will respond this time

also."

When asked specifically about the law suit, Tracy said, "I'm surprised. This is the first I've heard of it."

Trustee John Moutoussamy said he was "not familiar enough" with yesterday's action by the law students, nor the law school complaints in general, to make comment upon them.

Said Moutoussamy, "There was some indication of concern that the facilities were insufficient when the new Science Building was approved."

"But it hasn't come to the Board as an official problem, as far as I can remember," he said.

John Smith, Chairman of the Board, said at a meeting last year that he doesn't believe in the theory that each school of a university should support itself.

He said that each school should help support the entire University.

Smith couldn't be reached for further comment.



Loyola
PHOENIX



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Law students justified

A volcano has been smoldering at the Law School for the last couple of years, and seems finally to have erupted. Of course that was inevitable. It's too bad, though, that the administration of the university didn't realize the degree and intensity of the discontent at 41 East Pearson St. If they had, perhaps the Law School would not have felt compelled to take action as serious as they are now contemplating.

It seems obvious to us that the possibility of filing suit against the university is not an idle threat. It is a real possibility, and a startling one, only to be warranted by the most extreme circumstances.

We believe the Law School is justified in considering such a tactic. At issue is the simple complaint that insufficient funds are being spent on maintaining the quality of the Law School. Law students do not see enough of their tuition dollar being spent on their educations. And the administration and Trustees seem unwilling to allocate the sort of capital expenditure they have provided for other sectors of the university.

In short, the Law School has been consistently relegated to the bottom of the priorities totem pole. That's not bad if you happen to be a medical student, or dental student, or undergraduate science major. But it's not good if you're a law student and it's not fair either.

One need only walk through the law building to see the validity of the complaints. The need for more library space is desperate. Classrooms are cramped and oddly-shaped. The physical condition of the building is shameful. Yet through

their tuition, the law students generate more revenue than perhaps any other division of the university.

The concern that the university Administration is now demonstrating about the Law School is tinged with irony. As the joint statement printed in this issue asserts, "Loyola must make a thorough review of the situation and follow that with a comprehensive commitment for the future."

But that could and should have been realized several years ago, when the law students began to complain about their plight, when it became apparent that the present law facilities could not service the "unprecedented increase in students." In other words, perceptive administrators should have been able to foresee the present crisis quite some time ago. But instead the Law School was ignored.

It is sad indeed that it took the Law School a library study-in, a possible class boycott, and perhaps a law suit against the university to be heard and answered.

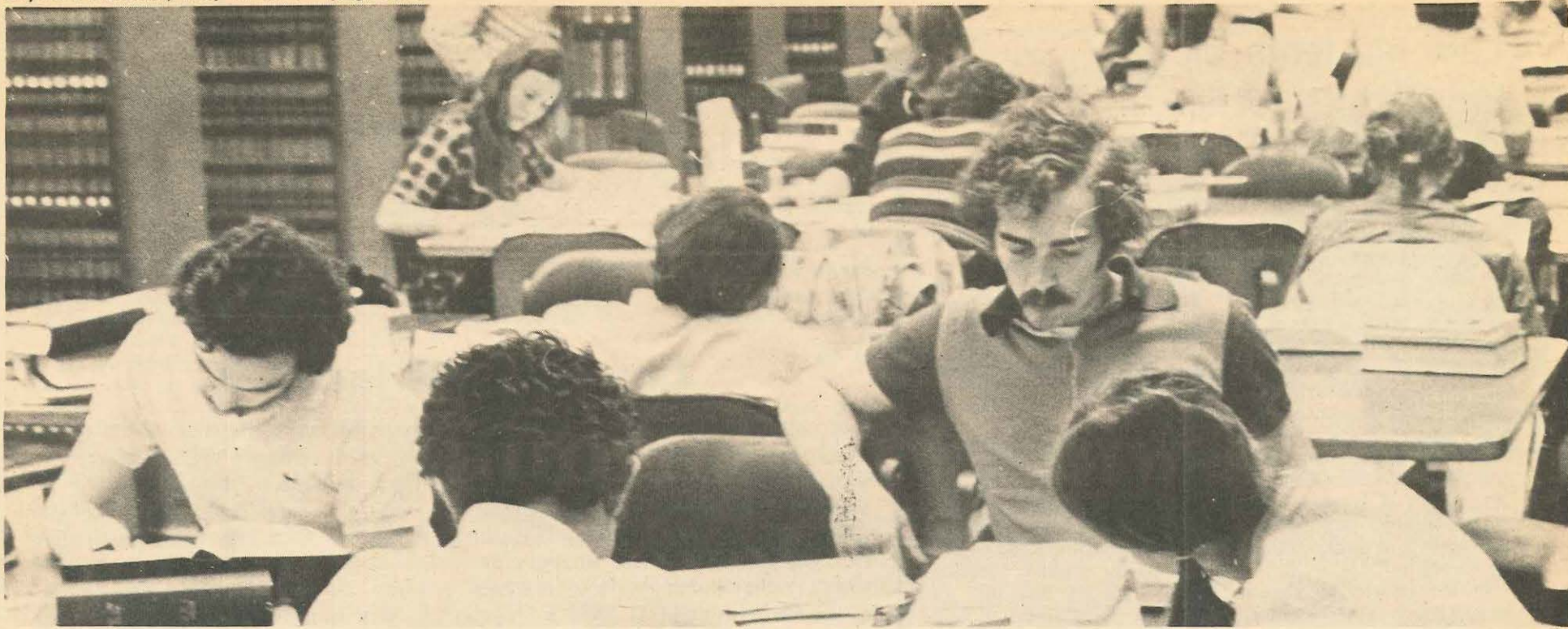
The law students should be commended for delaying their suit. Maybe the mere possibility of such action is enough to spur the university into a positive and financially concrete response. We sense that the trustees were not fully informed about, and did not totally comprehend the seriousness of the Law School situation. There should be no doubt now.

We admire the law students who had the imagination and courage to initiate a law suit against Loyola. We hope such action will be ultimately unnecessary. But it will only be so if the highest university officials listen and respond immediately.

J.L.



Loyola law student joins classmates in picket of Law School yesterday evening in protest of the University's financial priorities.



Study-in continues in library

by Bernie Weiler

When Tom McCauley said that unity is the best thing that Loyola's Law School has going for itself, he knew what he was talking about.

There were well over three hundred students crammed into the tiny library yesterday and that in itself is a phenomenon just begging to end in disaster. The talk of filing suit against the university caused an air of excitement that promised to produce an unforgettable fiasco.

The amazing thing about yesterday's Law School assembly was its incredible smoothness, efficiency, and control. The room was hot and the issues proved to be of a heavy, urgent nature, yet there was less bickering and quibbling than one might expect to find in a convent refectory. For a meeting pushing four hundred, that's pretty amazing.

There were plenty of emotions expressed. But they were shared equally and spontaneously by all the members. On the whole, the one word to characterize the meeting is "concentration."

The three hundred plus group had gathered to do whatever they might to make their Law School better. Fortunately they all shared the same opinions of what must be done.

The group on the whole is confident, motivated, and overwhelmingly well informed. They displayed an uncanny ability to recognize the importance of their problems, and the foresight to intuit the repercussions of possible solutions and proposed actions.

In canvassing the opinions of the student body the PHOENIX received an astonishingly narrow range of responses. The Law School students have a very clear idea of what they are doing, and how they want to go about it. Ask any ten Loyola Law students the hows and whys of their feelings on the Law School, and nine of the answers will be the same.

In conversations with over 25 students

almost all of them seemed to express certain basic concerns. The first among them was a point expressing a respect and pride for the quality of the legal education they were receiving. Almost every student went out of his way to in some way commend the faculty or administration.

But at the same time the second point was almost always regarding the expansion of every other law school in the city, and a fear that Loyola's reputation might be slipping.

Concern over the resignation of Mr. Adams and Mr. Forkins was also regularly expressed. In every case the student was capable of speaking at length on the grievances that the SBA has forwarded to the president, yet no student wished in any way to demean the Law School as a whole.

The quest of the law students to achieve better facilities is truly a consolidated effort. Many of the sentiments expressed by the students were identically expressed on more than one occasion. The following is a list of quotations which deal with some of the more frequently expressed ideas and feelings.

Pat Reilly: "Our whole future is at stake. The resources of the institution are going to pretty much dictate the quality of education we are getting. The reputation of the school is certainly going to reflect on our legal careers. There is more involved than just the present day affairs. It's very important how the school is going to be looked upon by the community in the future."

Murray Gordon: "The solidarity of the students and faculty is amazing. Most of the students are really proud to be here and are happy that we are exposed to such excellent teachers. We have a great respect for the school and right now we are at the top of the heap. If the university doesn't commit itself to the Law School we are going to fall way behind those schools

whose institutions have committed themselves to providing them with a long range future."

Steve McClean: "Everybody is universally upset. It seems a lot of other schools are expanding while we're merely bursting at the seams. Nobody can expect that the university will draw up blue prints this summer and build a new school by September. But we all have to realize that this place can't go on much longer as it is without cutting back on admissions."

"Sharing facilities with LT or the Marquette Center is impractical. It is enough of a strain just to have the library broken up between three floors as it is. It seems that a new Law School is inevitable if Loyola intends to keep up its superior reputation. It's about time for the university to start thinking seriously about it."

Jack Burchard: "I feel that it is important that we don't let the library complaints dilute the whole issue. We have good leadership and are making excellent progress. However, we have to be able to demand satisfaction on more than one count."

"Everybody told me to go to Loyola because it has everything that everyplace else has, but it really doesn't. It offers no legal aid program, or a dependable summer-school session. Loyola could be an outstanding law school if it could just keep up with the progress other schools are making in offering the opportunity to get some practical experience."

Susan Schrickle: "I think its sensible to wait for the outcome of the negotiations. What we're asking for isn't all that unreasonable that it couldn't be achieved through negotiations. Even though the San Francisco case was filed in a Circuit Court the problems were resolved before it went to trial."

"The hard thing about it though is that a

lot of us are worried that people will loose interest in this over the summer or even during exams. It seems that the university is looking for a stalling action. I think very strongly that that's what Father Baumhart was doing with his statement today.

"The whole school went through a very traumatic state when Adams and Forkins resigned. When things get to the point where we start losing our faculty, then the situation is getting pretty serious. We can't afford to let it go much further."

Doug Rathe: "There aren't really that many issues. It all boils down to a definite need to increase space and improve physical capabilities. The quality and quantity of the library materials available simply must be increased."

"Nobody is really down on the Law School. The very fact that so many people are here today communicates more of a concern than anything else. The law suit is our ace in the hole. If nothing else works we'll use that."

Marty Glista: "The important thing to remember is that we are only asking for what the university has promised to give us for our tuition. Our argument is neither with our dean whose sympathies lie with us, or with the faculty."

"Some of us who were undergraduates at Loyola get the feeling that we've been around too long. That doesn't hurt the school or the university. What does hurt is when faculty leave, as they are now, because they see no hope for constructive change."

Joe Quigly: "The main issue is not just the library. A big concern is that everybody else is expanding while we stay primarily unchanged."

"Our whole motivational point is to draw attention from the university. If we can't, we'll stagnate when there's a desperate need to improve."

