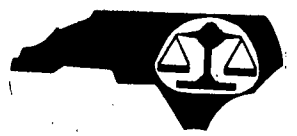


THE



BARRISTER

NCCU SCHOOL OF LAW

vol. 1, no. 2

Sept 30, 1981

THE DEAN'S REPORT

**Law School Clinic gets \$42,000 grant to continue existing programs and to expand offerings. The Department of Education grant clearly is a tribute to the strength of our clinical program, and the excellent work being done by Dean Ringer and all people, faculty and students, associated with the Clinic.

**The Law School received three \$1,000 Wheeler Foundation Scholarships to be awarded on the basis of financial need and academic promise or performance. The award was the first of what we hope will be a continuing program. The School of Business received two \$1,000 scholarships. The Wheeler Foundation program honors John H. Wheeler (NCCU Law '47). Renee Bowser, Milton Tingling and John Copeland have been named "Wheeler Scholars" for the 1981-82 academic year. Congratulations!

**The Law School is sponsoring "The We Want You to Come Home, Homecoming, Weekend" October 30, 31, 1981 for all alumni and friends of the School. Pass the word!

**Parking is permitted on the premises by permit only. Cars parked without permits may be ticketed or towed. Please cooperate.

**Furniture for the Student Lounge is scheduled to arrive by the end of the month. The Dean's Office has been pushing hard to get the lounge properly furnished. Please bear with us; we're working on it.

**Please don't open exterior windows! The Physical Plant people tell us it just makes whatever problem we are having worse. If rooms are too hot or cold, please notify the Dean's Office.

**Library carrel chairs will be outfitted with cushioned seats. The request has been approved. The project will get under way immediately. Students have persuaded us that the "mind cannot absorb, what the rear cannot endure."

**Cigarette butts and paper strewn about are unsightly. Don't litter, please!

That's all for now...

Good studying

Dean Daye

FREE ADVICE FOR NEW STUDENTS

- * Never volunteer to brief a case that you have not read.
- * Never offer the professor the use of your American Express card for the weekend.
- * Never bang your car door on Prof. Ringer's new Volvo.
- * If you are an evening student and do not have a Mercedes or a little plastic thing hanging out of your pocket with your photograph on it you should obtain these promptly.
- * On your first weekend back home don't give your brother-in-law legal advice.
- * Never fail to check each of the 317 bulletin boards twice each day. There are boards in the basement, in the library, in the hallways and on the faculty office doors. The assignments on the faculty office doors are placed there ostensibly for the convenience of the students are actually decoys to lure the timid student into the professor's office for additional learning interaction.

HE REMINDS ME OF THE MAN WHO MURDERED BOTH HIS PARENTS
AND THEN, WHEN SENTENCE WAS ABOUT TO BE PRONOUNCED,
PLEADED FOR MERCY ON THE GROUNDS THAT HE WAS AN ORPHAN.

- Abraham Lincoln

- ** One summer school student was working in the library one hot July afternoon when Professor Smith approached his table and asked, "Are you wrapping up that AA brief?" classifying as the one-liner of the summer.
- ** NCCU students who attended UNC this summer report a relaxed atmosphere, excellent instructors, and with such a combination - good grades. One visiting professor from Yale University even called students by their first names for a refreshing change. Those students who chose to wrap up their summer by taking a sexy little course called Judicial Process were surprised to discover the course being taught by the Vince Lombardi of law professors, Associate Justice James Exum of the N.C. Supreme Court!

REALITY IS JUST A CRUTCH FOR PEOPLE WHO CAN'T DEAL WITH DRUGS.

- Lily Tomlin

- ** One second year student reports having spent \$694.00 on books thus far in her legal studies including two sessions of summer school.
- ** Phi Delta Phi president Randy Hanson reports a good crowd in attendance at the recent keg party for 1Ls.
(Fraternity officers please information to The BARRISTER)

** A survey by THE BARRISTER revealed only 11% of the students surveyed were aware of the recent notice of the availability Research Assistantships valued at \$420.00.

** "If you understand the terminology and can think straight or in circles or in hyperbolas, some portion of which lies in infinity, you will find that in a surprising number of problems you can come to one, and only one answer."

- Dukeminier's prologue in Decedent's Estates text

** Class of '80 Starting Salaries for grads of accredited law schools in ATLANTA area:

small firms (2-10 attys)	(11-25 attys)	(26-49 attys)	(over 50 attys)
12-23k	19-24k	20-28k	21-30k

- Nat. Assc. for Law Placement

** Estimated cost per mile to operate a car this year: 32¢

** Only six write-in candidates for the Law Journal this year!

** Some 94% of 1980 law grads were employed by 3/1/81.
- ABA

** Unlike most newspapers, THE BARRISTER will not go to press without newsworthy material. We urge you to submit articles, ads, announcements, etc.

** Some students complained of not being told of the bar passage rate statistics prior to the recent article in a local newspaper. The article ran September 12, almost two weeks after Dean Daye gave those statistics to the students attending the Question and Answer session on August 31.

REQUIREMENTS FOR FEDERAL QUESTION JURISDICTION AMENDED

By James R. Adams

Since the enactment of 28 USC § 1331. Federal question; amount in controversy; cost, the statute has read as follows:

(a) The district courts shall have original jurisdiction of all civil actions wherein the matter in controversy exceeds the sum or value of \$10,000, exclusive of interests and cost, and arises under the Constitution, laws, or treaties of the United States."

However, with the enactment on Dec. 1, 1980, Sec. 260 Section 1331 of title 28, United States Code, is amended to read as follows:

§ 1331. Federal Question

"The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States".

The amendment as enacted eliminates the \$10,000 jurisdiction requirement for federal question jurisdiction and also eliminates subsection (b) of § 1331 which is omitted above.

Professor T. Mgodana Ringer, Civil Procedure instructor, when asked to comment on the impact of the changes, indicated that the effect is not going to be as significant as one may think upon first impression. Most of the specific statutory provisions which provided for actions against the United States Govt. or other action under the Constitution, laws, or treaties of the U.S., had already eliminated the \$10,000 requirement. Some examples which were mentioned were the Torts Claim Act, the Civil Rights Acts, or the reviews of Administrative proceedings, all of which had eliminated the \$10,000 amount in controversy. Therefore, the overall impact will be negligible.

Professor Ringer also indicated that surprisingly Congress failed to increase the amount in controversy to \$20,000 in diversity case (28 USC § 1332) given the heavy caseload in many federal district courts. Many judges and law professors have proposed that Diversity of Citizenship should be eliminated as a basis for subject matter jurisdiction. This would have a tremendous impact upon federal practice. It would curtail the caseload of federal district courts. Further, the elimination of diversity of citizenship as a basis of subject matter jurisdiction in federal court would raise a possible constitutional question since Article III, Sec. 2 of the United States Constitution appears to grant that authority to the federal court system, though not specifically to the federal courts.

Cound, Friedenthal, and Miller, authors of Cases and Materials on Civil Procedure (3rd ed. 1980), have raised this question: "Assuming diversity jurisdiction was created to prolect the out-of-state litigant against local prejudice and that it had helped speed the economic growth of the country, are these relistic or meaningful bases for continuing diversity jurisdiction today?" Over 20% of civil cases in federal courts are diversity cases. In 1978, the House of Representatives passed a bill eliminating diversity actions, however, the bill was not approved by the Senate.



BOOKS FOR SALE: Dress for Success by Ed Reisner
WEEKEND GUIDE TO DURHAM by Richard Toomes
JUST LET ME GET THROUGH THE NEXT SEMESTER by Tony Harris
FUN THINGS TO DO WITH FIRST YEAR STUDENTS by Monica Kalo
WORKING YOUR SCHEDULE AROUND HAPPY HOURS by Randy Hudson
DID YOU HEAR ABOUT MY SCHOLARSHIP? BY Milton Tingling
YOU ARE WHO WHO AND YOU WANT WHAT? by Ms. Brown.

FOR SALE: Slightly used Blow-Up dolls you can use to sit in your seat to satisfy mandatory roll checks. See Mr. Williford.

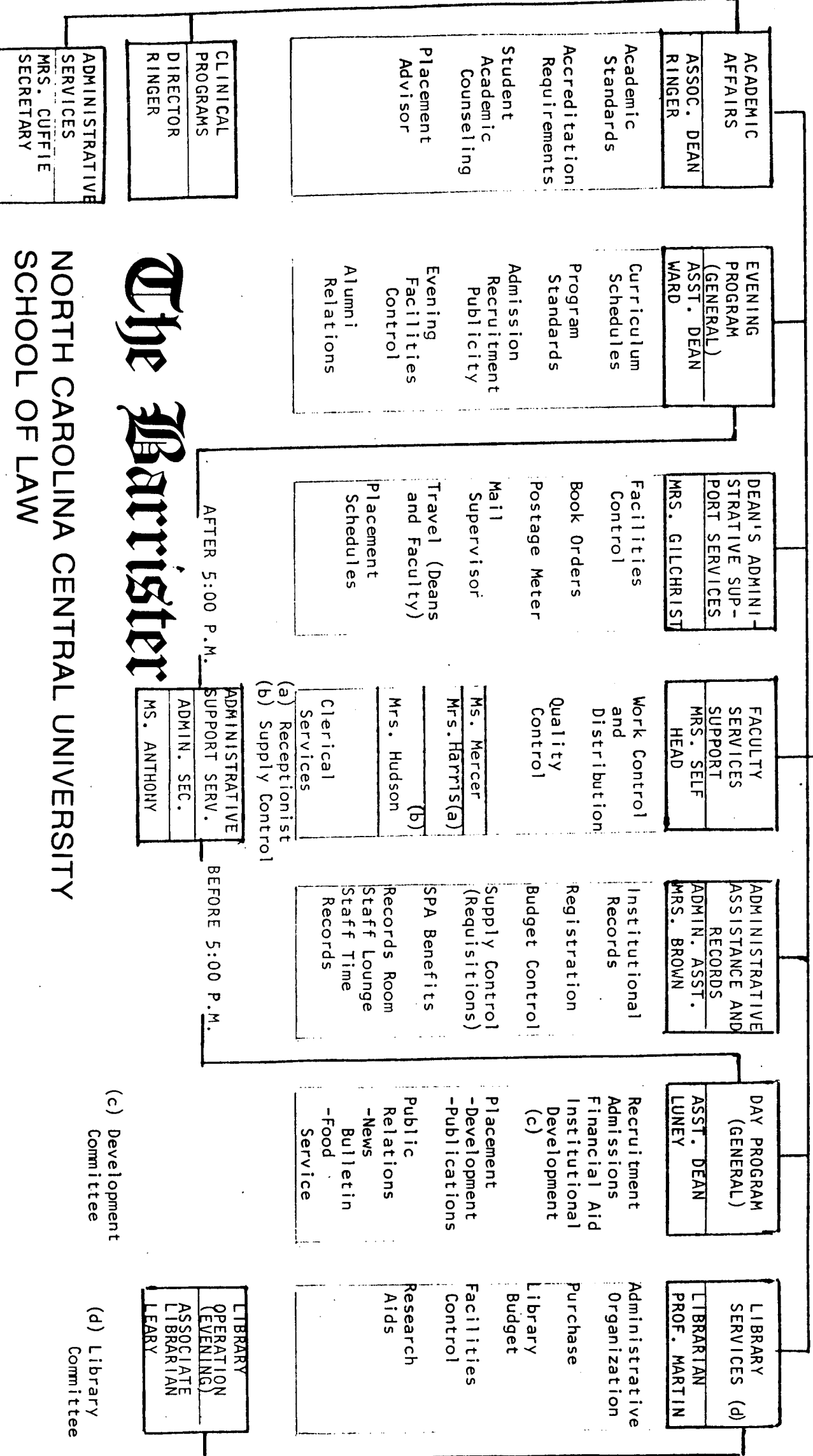
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STUDENTS, INDIVIDUALS, CLASSES, ORGANIZATIONS

POLICY FACULTY

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by
Suzanne Leary
Associate Law Librarian

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FOR SALE "How to Succeed in Law School Without Really Trying" call 772-6023 or stop by the Roxboro Carwash any shift.

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AUDITORS ARE FILIUS NULLIUS.

WANTED: Cartoonists, reporters and typists for THE BARRISTER. Visit our office on the ground floor.

FOR SALE: One EMANUEL law outline for Contracts. Overheated once on an open-book test but works fine now. 332-1044.