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Recollections of the Democratic Convention

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it monitors newly developed government regulations and specifications which affect the elderly. The program also assists in cutting through the bureaucratic complexities, which often overwhelm laymen, particularly those whose mobility is somewhat hampered by age or lack of transportation, or both.

Participation in "Legal Services to the Elderly" can be as beneficial to the intern as it is to the individual served. The intern will have a first hand experience with a real legal problem. He will also be able to sharpen his skills in client interviewing and counselling. In the initial interview, the intern has to elicit the sa-

lient facts, as well as digest all of the information given by the senior citizen. The student then must do the necessary research associated with the problem and contact the interested parties. After a discussion with Director Pecora on the course of action to be taken, the intern is tasked with writing the necessary legal communique and following the case until completion. Although the interns are not assigned to any fee-generating situations or criminal cases, they do receive assignments in the areas of torts, criminal cases, contracts, wills, deeds, landlord-tenant relationships, guardianships, and pleadings and motions, as

well as other legal problems of the elderly.

The "Legal Services to the Elderly" program is open to second, third, and fourth year law students. Each participating intern must complete fifty academically related hours per semester for each academic credit. This amounts to about four hours per week per credit on a regular basis during the fall or spring semester. Internships are also available during the summer months. Students who wish to receive more information about the program may contact Dean Weston, Anne Pecora, or Tony Agnone (752-4528).

Recollections of the Democratic Convention

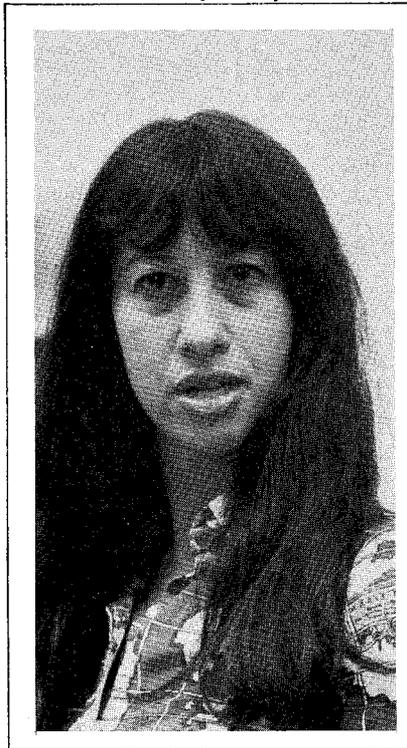
by Ronnie Wainwright

The Maryland delegation at the Democratic National Convention in New York's Madison Square Garden was surrounded with an air of camaraderie, just plain folksiness, and quite a bit of cigarette smoke. The last perhaps was my own problem, since I sat between two chain smokers. It certainly wasn't a garden by any stretch of the imagination.

By lot Maryland was the forty-seventh state to select seating at the convention and therefore the delegates sat on the extreme right and in the back while the alternates sat in the opposite direction and high enough to have a perfect view of the podium. Needless to say, we delegates found it advantageous to switch frequently with our alternates just to hear and see. In fact, on the first day of the convention I didn't really know there was a podium until Barbara Jordan spoke and everyone sat down.

Born a New Yorker, I was grateful for a reason to return and my first impression was that New York certainly had

photo by Tom Basham



Ronnie Wainwright

changed. The big apple was coated with candied syrup: shopkeepers were kindly, policemen were fatherly, and New Yorkers, as a whole, were considerate. Perhaps Art Buchwald was correct, and the real New Yorkers were shipped to Staten Island while Midwesterners were imported to take their places. Even the public transportation was free to the delegates, and the subways were stamped with safety guarantees. Law students, however, may take issue with the validity of such a guaran-

tee. As to the technicalities of the convention, although Jerry Brown won the majority of Maryland's popular vote, Jimmy Carter won the majority of the delegates. Thus, in New York, the Carter delegates controlled the Maryland delegation and harmony prevailed in the Democratic party.

Three committees reported to the convention: Credentials, Platform, and Rules. Again, harmony prevailed. There were no credentials fights as there were in 1972 between the old guard and the new. A platform dispute involving a mandatory equal representation between the sexes for the 1980 convention was averted by the women's caucus: Carter endorsed the women's platform except for that single issue, and the women decided to concede that issue in light of the gains made as a whole. The arguments on the convention floor occurred as to the Rules. I will detail one rather sad example of democracy in action: the delegates voted on Minority rule # 4 proposed by a Maryland delegate, Joseph Gebhart of Bethesda. The Alabama delegation, sitting directly in front of Maryland, cast 35 votes against Minority rule #4 (the Minority wanted an elected mini-convention rather than an appointed one in 1978). One observant Marylander noted that only one person, not thirty-five, was seated in Alabama's section. Since no proxy voting was allowed, this violated the convention rules; however, when we tried to challenge the vote, the answer was that only a member from within a delegation

could challenge its delegation's vote. The vote stood as cast and the rule failed.

The only other loudly contested rule was #5, which eliminates loophole primaries in all of the states. A loophole primary occurs when the presidential candidate is voted for by a popular vote while the delegates are elected separately. In a non-loophole primary a vote for a presidential candidate is an automatic vote for his delegates. An example of a loophole primary occurred in Maryland where Brown, although receiving the majority of votes, did not receive the majority of delegates. Since the discontinuance of loopholes requires a change in some states' Constitutions many delegates spoke against it. However, the majority voted to do away with loophole primaries. In Maryland, in

1980, delegates will be on the ballot linked with their presidential candidate; people will vote only once, for the president and his delegates. That should avoid the confusion existing now.

The more dynamic of the speeches included those of Barbara Jordan, George McGovern, Morris Udall, Walter Mondale, Jimmy Carter and our own Maryland Congresspersons Paul Sarbanes and Gladys Spellman. John Glenn generated little enthusiasm with his keynote address. In contrast, Walter Mondale speaking only as a vice-presidential contender was eagerly received. The Maryland delegation was not enthralled at the prospect of either Glenn or Muskie filling the vice-presidential spot on the Democratic ticket; however, their attitude towards Mondale was favorable. The selection of

Mondale came as no surprise to those Maryland delegates in close contact with the Carter camp. The delegation unanimously approved of the candidacy of the senator from Minnesota.

Unanimity and harmony prevailed. In the end it seemed quite fitting as Martin Luther King, Senior delivered the benediction that the delegates joined hands, sang and swayed to "We Shall Overcome". I was delighted that the Democrats were unified behind a solid ticket and I was pleased at having been part of it.

—Ronnie Wainwright is a second year law student who attended the Democratic National Convention as a delegate from the Fourth Congressional District. Also attending were delegates Alan "Dusty" Culver and Thomas Slater from the University of Baltimore Law School.

New Moot Court Board

by Gerry Vahle

In an effort to assist the student, as a graduate, Dean Curtis and Associate Dean Buddeke have approved the formation of the University of Baltimore Moot Court Board. The board, composed of ten members selected from the students, has general responsibility for advising and assisting the faculty and students in all matters pertaining to moot court. Faculty advisor to the board is Associate Professor Robert Shephard.

It has been noted that oral advocacy skills are among those most needed by an attorney. Chief Justice Warren Berger has pointed out that the state of advocacy in the legal profession leaves much to be desired. Perhaps you have no interest in trial or appellate practice. An attorney still has a need for the skills of public speaking. Marshalling facts and

effectively advocating a position are important for an attorney outside the court room and for a student in the classroom. A viable moot court program can encourage students to develop as advocates. The moot court board, assisting the faculty, will provide a forum in which interested students can participate in the competition for selection of the national moot court team or the school moot court competition. Specifically, among other duties, the board will administer the competition for the selection of the national team and the school moot court competition.

Presently, there is some confusion as to the distinction between the two competitions. Generally in moot court competitions, a brief is written, a responding brief is written by the opposing team and the case is argued before a panel of judges. The winners are determined by the oral advocacy skills displayed by the participants. Additionally, the judges may indicate how they would have ruled on the merits of the case. The national team was selected from students competing for positions on the team on an individual basis. The students submitted a written brief on one issue of the national problem and then argued their brief before a panel of judges selected from the faculty and a student from the board. The three best advocates were

then chosen to comprise the national team.

The three member national moot court team will prepare a brief to submit for the national competition based on the problem received in August. Their initial competition will be with teams in this geographical area. One team member will be prepared to argue one-half of the appellee side, another will argue one-half the appellant side and the third will be the "swing" and argue one-half of each side. Coach and faculty advisor to the national team is Mr. Paul Sandler. The moot court board is tasked with the responsibility of supporting the team with administrative assistance within the rules of the competition.

The school or intramural competition is a separate entity from the national team competition. In the school competition, two students comprise each team. They submit a written brief on either the appellee or appellant side of a selected case and argue as a team in single elimination rounds. The two best teams meet in the finals of the competition. The briefs will be graded by a single judge or grader and the score obtained will constitute fifty per cent of the total. The score awarded the written briefs will follow each team throughout the competition.

This year there will be two separate moot court courses taught by Professor