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# Student Bar Association: SBA Receives National Awards

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the physician, police officer or staff member connected with the procedure must contact the nearest relative and/or interested party as well as the elderly person's attorney to explain the whereabouts of the person and his present and potential status.

Within twenty-four (24) hours from the time the elderly person has been placed in custody, he is entitled to a hearing before a Maryland District or Circuit Court Judge. Although the statute does not require the elderly person's presence at the hearing, his presence is usually beneficial to his cause, and his attorney should insist that he attend the hearing, unless his behavior is likely to be violent or disruptive. His presence has a two-fold purpose: first, the aged person knows his interests are being protected and second, the judge has the opportunity to speak to him and observe his demeanor.

On the basis of all the pertinent data, the court makes a determination of the

existence of probable cause to detain the senior citizen for an additional period of ninety-six (96) hours. At the end of this period, the emergency detention terminates. On the other hand, if the court finds for some reason that further action should not be taken under the petition, the elderly person will be released from custody immediately.

Should the elderly person be committed, his attorney must at this point insist that the facility comply with the patient's "right to treatment." Recently, the Supreme Court of the United States, as well as our Maryland courts, have insisted that elderly people committed to these health facilities can not be "warehoused" indefinitely. It is also the attorney's duty to insure that his elderly client is not "warehoused," by asking for a review of his client's status.

The Maryland Legislature has done its part in creating statutes that protect the elderly person from commitment without

justifiable cause. It is now the duty of attorneys to see that these statutes are followed so that the commitment procedure does not become a last stop for the elderly.



## Student Bar Association

The Student Bar Association of the University of Baltimore School of Law has been honored nationally by being named, for the second year in a row, the "Most Outstanding Student Bar Association" among law schools of its size in the country.

The awarding organization, the Law Student Division of the American Bar Association, selected University of Baltimore's SBA from a field of competing SBA's representing American law schools with enrollments of over 1,000.

The top SBA award, however, was but one of three prizes received by the downtown Baltimore law school at last August's American Bar Association convention in Chicago. Also honored was the 1977 "Law Day, U.S.A." program produced by U of B law students, and *The FORUM* Law Journal, a student-published legal magazine.

University of Baltimore's SBA, which includes as members all day and evening students at the state-supported law school, was dubbed "Most Outstanding" on the basis of a 185-page summary of the student organization's activities during the 1976-1977 academic year. The voluminous document, prepared last summer by incoming and outgoing SBA officers, highlights such accomplishments as student monitoring of the law school's unique open exam system, a weekly speakers program offering lunchtime presentations of legal interest, a week-long student-run orientation program for entering law students, the publication of a "Law Students Newsletter," and an annual dinner-dance attended by law students and faculty.

Traveling to Chicago to receive the awards were Gary Crawford, president of the Student Bar Association, and John

Currier, president of the Evening Student Bar Association.

Commenting on the award, Crawford said, "We certainly were surprised that we would be given this award two years in a row. Such action, I think, is unprecedented in Law Student Division history." As a reason, he offered, "We found that many SBA's do relatively little for their students."

To illustrate, Crawford pointed to U of B's student-run week-long orientation program for entering law students. "All that many law schools do for orientation is hold a two-hour session with their deans where you learn how to brief a case."

U of B's televised "Law Day, U.S.A." program, which was produced by students in conjunction with the Bar Association of Baltimore City, captured the first-place award for "Law Day, U.S.A." programs in the ABA's third circuit region, besting all competing law schools of any size in Maryland, Pennsylvania, New Jersey, and Delaware. This is the fourth consecutive year that U of B's program has received that award.

The half-hour program, which was broadcast last April on WBAL-TV, was

entitled "Marijuana and the Law in Maryland." It featured interviews with Judge Carl Bacharach, a state district court judge in Baltimore, and Joseph Gallen, Baltimore County's chief of police, as well as a "point-counterpoint" segment which pitted state Senator Clarence Mitchell, an advocate of marijuana decriminalization, against state Delegate Steven Sklar, a foe of decriminalization.

Also receiving an award was *The Forum*, a university-funded and student-edited magazine which publishes articles of interest to the Maryland legal community. The magazine, in competition with law school publications nationwide, won an "Honorable Mention" for its articles on substantive law.

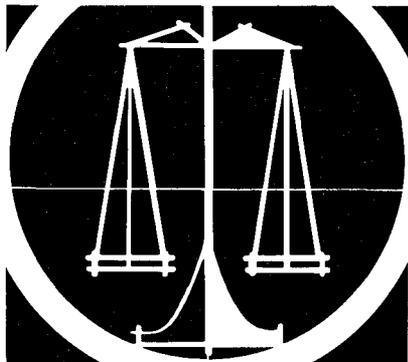
of a Commercial Transactions I exam when he appeared to take the final. After completing the exam, A returned only one copy and kept the other. A retained the exam, for the admitted purpose of filing with the Student Bar Association, even though he knew at the time of appropriating the exam the Professor did not allow his prior exams to be made available to students as study aids.

Defendant A had no apparent need for the exam but admitted that it may be beneficial to other students in the future who would be preparing for this Professor's final exam in Commercial Transactions I.

As misfortune may have it, a number of students for that semester received a "provisional" failure (F) in this course. The "F" grade was subject to change if the unsuccessful student took another exam anytime during the summer, at a time convenient to the Professor, and succeeded in passing the course.

A received a passing grade on the initial exam and consequently did not take the re-examination. However, defendant B in receiving a "provisional" failure, of which he had casually informed A, had decided to take the re-examination during the summer. Shortly after the end of the Spring Semester and upon learning that B was taking the re-examination, A informed B that he had a copy of the most recent Commercial Transactions I exam, and he would mail it to B to use as a study guide. B received the exam in the mail, and later returned it to A upon A's request. A contacted B prior to B's taking the exam upon learning that his acts constituted a possible Honor Code violation. A testified before this Court that a fellow student had informed A that she felt obligated under the Code to contact a member of the Student Bar Association as the whereabouts of the exam and A's purported acts. The exam eventually was sent to the Special Prosecutor's Office and the resulting charges were placed.

The indictment filed by the Special Prosecutor simply charged both A and B with the respective acts of distributing and receiving the Commercial Transactions I exam which constituted dishonorable conduct tending to give B an unfair advantage. A and B were specifically



## University of Baltimore School of Law Honor Court Decision

### HONOR COURT DECISIONS

No. 76-1E, September 2, 1976

No. 76-2E, September 22, 1976

FENZEL, J.—Two cases were argued before Justices Murphy, Fenzel and Smith of the Evening Division Honor Court. Since the combined actions of the defendants resulted in similar charges being placed, alleging misconduct under the same section of the Honor Code, the Court decided to consolidate its opinion to cover both trials.

Students A and B were both charged with violating sec. 3.03 of the Honor Code (Code) which states that "it shall be a violation of the honor code to engage in any dishonorable conduct which tends to gain an unfair advantage for any student in any academic matter."

The court unanimously found A guilty of violating sec. 3.03 of the Code. Sentence was imposed under 5.01(e) of the Code which was a reprimand not of record. B, however, was found not guilty of any violation.

### FACTS

The Open Exam system which is presently in effect at the University of Baltimore is designed so that a student may take any exam for which he or she is scheduled at any of the pre-arranged times during a two-week period. In obtaining an exam, the student presents his or her student I.D. and tells the person distributing the exams the one he or she wishes to take at that time. In the situation presently before the Court, the defendant A inadvertently received two copies