Section two test marred by mislabelled hypothetical

By Steve Goldberg

Abbott tried and tried, but he simply could not figure out the facts pattern in the first essay question of his Contracts final exam. Abbott went up to tell the proctor, Bennett, that something was wrong with the question. When he got to the front of the room, Abbott told Bennett to go back to the text and Abbott stated that something must be wrong with the question. Bennett said that the names of the characters in the question seemed to flip back and forth so that the question, as written, did not seem right.

Confused? So were first year law students in Section two who took Professor Sanford Katz's contracts exam on February 11. The first essay question flipped the names Abbott and Bennett, making the question unclear. Though the students in Section two were divided into three rooms, each of the three rooms had the same reaction. About ten minutes into the exam some students in each of the rooms broke the silence and said something to the effect that "the question makes no sense" and the rest of the room murmured its agreement.

By the time the exam ended, Katz had covered the text, either orally or in writing, for each of the three rooms. In the process of correcting the mistakes, the administration of the exam deviated from the written instructions and none of the three exam rooms took the exam under the same conditions.

After the exam, students briefly shared war stories and prepared for Saturday's Civil Procedure exam. After that exam, students left for February break armed with a great "you'll never believe this" story but without knowing what would happen with the exam.

On February 24, Katz wrote students in Section two a letter which read, "In light of the circumstances surrounding Question One of Part One of the Contracts Examination and in consultation with the Dean's Office and the LSA, I have decided to give full credit to everyone for that question."

The exam consisted of two parts-two essay questions and a multiple choice section-each of which was to be completed separately. Katz's decision means that only the second essay question and the multiple choice section will distinguish student performance.

This article, based on interviews with at least seven students from each of the three exam rooms and two interviews with Dean Lisa DiLuna, repose the sequence of events in each of the rooms after the mistake was pointed out to each proctor. Katz declined to be interviewed for this article.

Room 103 contained roughly 60 students. When students who sat in room 103 about the problem, roughly ten minutes into the exam, he tried to work through the question with the room as a group. As he was making changes of changing out loud, one student suggested that the room should move to the multiple choice section of the exam until the question could be clarified.

The proctor said, "that's a good idea," had students put their essays to one side, handed out the multiple choice portion of the exam, noted the new starting time, and told students to take an hour and a half to complete the multiple choice section, even though the exam booklet said to take an hour and 15 minutes. Dean DiLuna said that a proctor instruction sheet told all proctors to make the multiple choice last for an hour and a half, despite the exam booklet instructions.

About 40 minutes later, Katz entered room 103, spoke quietly with the proctor, and left. With about 20 minutes remaining in the multiple choice section, the proctor noticed that many students were finished. He made available the option of handing in the multiple choice section and leaving the room to take a break. With about ten minutes left in the multiple choice section, roughly 40 percent of the students had left the room.

When the multiple choice section ended, and all students had returned to the room, the proctor handed out a sheet which contained the corrected fact pattern for question one. He instructed students to follow that sheet and disregard the first sheet of the exam. Students had an hour and a half to complete the essay portion of the exam, as indicated on the exam booklet.

Room 408 contained roughly 30 students. When they discovered the mistake, their proctor was not in the room. When the returned, roughly 20 minutes into the exam, the class informed her of the problem and she said she would contact the professor. She told students to work or essay number two until she returned.

About ten minutes later, the proctor returned with the corrected version of the essay causes uproar in section one

By David Feldman

Controversy has marked Professor Ingrid Hillinger's section one Contracts exam ever since it was administered on February 11. Minutes into the open-book exam's first essay question, four students realized they had studied a copy of the question the night before and possessed an answer key to it.

"I was in shock," explained one of the first-year students who had gained previous access to the exam question. "First, I thought [Hillinger] just used the same names. Then I saw it was exactly the same."

Ingrid Hillinger

Following his discovery, the student felt he could not fairly take the exam. Along with three other students from his study group who were in the same examination room, he alerted the proctor and Hillinger that they had seen the question and answer key. Hillinger supplied a substitute question.

Immediately following completion of the three-hour exam, the three other students from the study group, who had taken the exam in a different room, came forward and informed Hillinger that they had previous access to the question.

The question was used which Hillinger had assigned to all students in her 1989 Contracts class as a practice question. She also distributed a recommended answer outline. After learning that material was made available to the study group by a recent BCLS graduate, students in section one became concerned with the integrity of the exam. Major concerns included whether all students with access to the question had considered [Hillinger] and whether the exam could now be graded fairly on a curve.

Students who already came forward felt Hillinger failed to recognize the "their behavior was legitimate and exemplary."

See HILLINGER, p. 6
Exam policy needs examining

By David Feldman
Editor-in-Chief

It's difficult to imagine anything more stressful or uncertain than one's first year of law school. On February 11, the date of Contracts exams, BCLS first-year students entered Section One. Students learned that some of their colleagues had seen one of the essay questions prior to the exam; Section Two students had to cope with an essay question rendered incomprehensible and a litany of different ways in which the situation was handled.

How should one react when the grade-determinative final exam is marred by such occurrences? Panic? Resignation? Anger? Each reaction is understandable.

The problems that swirled around the exams must be dealt with effectively. This is a supreme challenge for the BCLS faculty because students will inevitably, and justifiably, look to their own interests in assessing any solution. A discarded question may have been a student's strongest. A portion of the test given more weight than one's colleagues had seen one of the essay questions.

As a section one student, I am not alone in feeling that Hillinger is the most effective professor we have had this year. Katz and Hillinger have been stellar. End of controversy, congratulations to the BCLS administration for its handling of the situation.

Not quite.

The process of solving the issues that have been undertaken with meticulousness and care for the first-year class is commendable, but the dialogue must continue and something tangible good must come from this experience. In addition to dealing with the issues involved in the February 11 exams, policy must be adopted to ensure that this does not happen again. Apologies and fancy, cute-friendly solutions are not the end of the matter.

Re-using questions for exams must be prohibited or limited in a way known to professors and students.

One-room exam administration or other set provisions for communication between professors must be set up to avoid the inequalities which affected section two's exam.

Some people told The Al/edger not to write about the Contracts exams because it makes BCLS look bad. Maybe, but nothing looks worse than the perception that you've treated a serious problem without sufficient concern. The administration has done well thus far. In talking with Dean DiLuna, I was impressively at the amount of care which has gone into assessing the exams fairly. Now, it's time for the next step: specific guidelines to ensure that future exams are fair and uniform. If the BCLS community is prepared to take affirmative steps, we may gain something more from this experience than the vaguely distasteful feeling of limbo.

Dear Answerman:

Could you explain how professors earn their salaries? And just exactly how much do they make?

Signed: Still wondering after six months

Dear Still Wondering:

In your bewildermment you join most of the rest of the industrialized world. No one really knows how law professors earn their salaries. It certainly isn't dismayingKing's knowledge and truth in the classroom. Experts cannot guess that professors are paid to write dreary, never-to-be-read law review articles that merely justify exorbitant salaries of literary types to dealers to do the things.

As to the amount of remuneration, double the combined annual Gross National Product of all the countries below the equator. That's the average monthly salary of a B.C. professor.

Dear Answerman:

Why are professors like television sitcoms: every time I discover a good one s/he is fired! What can be done about this?

Signed: Missing Good Prof

Dear Missing: You betray a stunning misunderstanding of the BCLS tenure system. Professors here are hired on a strict quota system: if B.C. already has a professor incompetent because he thinks Socratic Method means something, you can't hire him. Likewise, if BCLS already employs someone who can make the headlines of the National Enquirer sound dull, no new profus will be tolerated. In this way, the infinitely capable B.C. administration provides the most diverse legal education possible. As to what can be done? Ah, my dear reader, you forget the BCLS staff motto: "Alumni status makes the heart grow fonder."

Dear Answerman:

Will there be a basketball court at BCLS after the renovation?

Signed: Librarians against the Hau

Dear Librarian: Obviously you have fallen for the rumor that BCLS will be renovated. Poor you. To know this is false, just take a look at the new Graduate Dorm under construction right now across from the library. Oops, that's right, the main campus cancelled that little project in spite of record low interest rates and a highly competitive construction market. No, there won't be a basketball court, nor will there be better-designed classrooms, a functional career center, or heat. You set, my friend, there won't be any renovation at all.

Refugees

Miles of footprints in the sand;
Leagues of blood soak the land;
Buzzards circle overhead
The bags of bones left for dead.

Vast armies of the desperate, shrunken, and dispossessed;
Starving, sick, depleted, wretchedly unblessed,
Headed off toward distant borders in search of a new life,
And reappraise from the ravages of pestilence and strife.

Wherever one can be tortured and killed for looking a certain way,
Or having certain relatives, or having the wrong thing to say;
Wherever starvation reigns while ample supplies in storehouses rot
Until the prices can support the lifestyles of those at the top;
Wherever war reigns endlessly because hatred drives the sword,
And poetic souls are raped and killed for loving the wrong Lord,
There you will see these ragged bands tramping without cease,
Climbing a hope of finding a place to live in peace,
Only to end up in barbed wire camps or lands where they are beaten and stoned
Or else turned back to the hell that they once called their home.

In Cambodia and Bosnia, Haiti, and Liberia;
In Somalia, Romania, Mali, and Armenia
You'll see the streams of people—homeless, stateless, and thin,
Seeking an oasis: a place to begin again.

But a sure home on this Earth is a fleeting, elusive thing,
And more elusive still when inhumanity is king.
As the sun is going down on twenty centuries,
This world which should be homestead to all is a world of refugees.

—Richard Peck
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I LawSpeak

By Kristen Corbellini and Shawna Smith

Q: Who do you think is the sexiest cartoon character and why?

Andrew Upton

"Dilbert, because he is both reasonable and prudent."

Tim Peterson

"The little red-haired girl, because I look a little like Charlie Brown."

Peter Hinkley and Mike Jacobson

"Superman, because he's so big and strong."

Michelle Goodwin

"Astro from 'Love and Rockets,' because he reminds me of my husband."

A less-than-banner month at Team Dobrow

By Larry Dobrow

Alright, fine. You win. I quizz. Well, not really, but check out this banner month that we here at Team Dobrow have blissfully endured. I've risked sterility by spending several days in front of a photocopyer as designated "copy boy" for our LR&W research group. Admittedly, though, I've acquired a delightful greenish hue in the process and have learned that people usually leave lots of dough lying around on abandoned copycards.

I've received my first batch of grades, which place me somewhere between Curious George and Tori Spelling on the scale of intellectual fortitude. Not that this matters all that much—mean, it's not like my entire future depends on the results of these semi-inclusive tests that I may or may not have taken under the influence of Robitussin. It will just be fairly frustrating when students with lint-acquired a delightful greenish hue in the research group. Admittedly, though, I've encountered the fox a few times in the past. I mean, I had adjusted to the idea of_stuffing myself into a headlock on Calv. And they get in my way, always, and make frowny faces that imply 'If as much as a drop of sweat lands on me, I'll mace your ass silly.'

Even my last line of defense, The Alledger (motto: "Take your time reading, 'cause the next issue isn't due out until Halloween") has been violated. Some 2Linded with the wit of a Fox sitcom writer came out with the ever-so-soothing suggestion that al first-year students should be cast off into the Atlantic. Hey, when you're barred to be "Maury," why I'm sure you taste your giggles where you can find 'em. On behalf of the entire first-year class, I extend my greatest hope that this pinhead's job search lands him on an asbestos-riddled assembly line in Detroit.

Alas, all of this only confirms the conclusion I reached while talking with a asbestos-riddled assembly line in Detroit. That's right. Stupid. And so it goes. At this point, it just doesn't matter. I got my blood a week or so ago...up a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...I must have ruined my eyes like Bobby Knight's since my mom made me watch Scared Straight! in 1979. Still, by the grace of some sorts of pact made with some type of Satanic netherworld spirit, the General has been blessed with the ability to coach the game. Which is not to say that Indiana isn't loaded with talent but physical skills aren't always the meter of a quality tournament team. Just ask Steve Fischer over at Ann Arbor. Certainly, Chris Webber is a genuine talent but the Wolverines are going nowhere until they can convince Jalen Rose to eat more brain food. Bobby Hurley reminds me of that cockroach who's exoskeleton I crushed with a skip pass at the Plex the other day, but the little cockmarkered whiner can play the point. Who would you rather have with the ball, down two, with six seconds to go, Hurley, or Jalen Rose. Picking Jalen because of his size and athletic ability would be like opting for horse whisky when Jimston's is the weekly special. Duke has got to be considered a threat to three-peat. With

Stock up on Cheese Curls, see a 'bloody' good tourney

By Jason Talerico

No politics this time around. I was all fired up, ready to rant and rave, but that was before the incident. I was a bit more merciful before the incident. I've had to give a lot of credit to the Prozac after the incident. Since the incident, I've been praying that it submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jimmy's Meatpacking." Yes, the incident, I've often had the urge to submerge myself in a hot bath, ...along with that high voltage lounge at "Jim...
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"WE ADDRESS THE RIGHT PEOPLE"
While it is certainly true that to see Dean Coquillette go, it is exciting to learn about the candidates who are in the running for the next Dean of BCLS. The Dean Search Committee, chaired by Father Neenan, Vice President of Academics of Boston College, has been hard at work. The Committee has painstakingly narrowed the original pool of approximately 200 candidates to eight semi-finalists. Of those eight candidates, three will soon be selected and forwarded to Father Moynan, the President of Boston College. Father Moynan will then make the final selection.

By the beginning of March, each candidate will have come to the campus for two days of intensive interviewing. On the first day, the candidates will have met with the Dean Search Committee members; Father Neenan, Robert Newton (Associate Academic Vice President), Professors Hermann, Hilligser, Howe, Rader, O’Connor, Rogers, Yen, John Curin (alumnum and former ABA President), Leo Boyle (alumnum and BCLS Alumni Association President), and Jill Peachick student representative). Deans Coquillette, DiLuca, Lutch, Brodin, and McMorrow; members of the Professional Administrative Staff; Library staff; a group of student representatives working on the work of the Dean; three classes; a group of alumni; and the Director of External Relations, Laurence Duffy. In addition, the candidate will have had the opportunity to meet with all of the faculty members in small groupings.

Each of the semi-finalists offers a unique perspective to BCLS. Below are some highlights of the candidates.

George D. Brown: Educated at Harvard College and Harvard Law School (ranked No. 2 in his class), he’s a Professor at BCLS. He has held numerous positions in government service, and has served as panelist and consultant to a wide array of seminars, commissions, and conferences.

John M. Conley: Educated at Harvard Law School, he worked extensively with Laurence Tribe, William F. Smith is now an Adjunct Professor of Cultural Anthropology at Duke University.

Lucy S. McGough: Educated at Agnes Scott College, Emory University School of Law, and Harvard Law School, she is currently a Visiting & Ellen Professor of Law at Louisiana State University College of Law. She has worked in private practice, social work, and has coordinated the Louisiana Children’s Code Project.

Patrick O. Godridge: Educated at Harvard College and Harvard Law School, he was Acting Dean of BCLS in the fall of 1990. He has also served as Associate Dean of Academic Affairs. Smith has done a great deal of work in mediation and co-operation.

Avram Soifer: Educated at Yale College, Yale Law School, and Stanford University Law School, he is a Professor of Law at BCLS. Among other things, Soifer has served as an organizer of the National Robert Cover Memorial Public Interest Conferences, and has co-authored appendix briefs for the American Civil Liberties Union.

Edward D. Spurgeon: Educated at Princeton University, Stanford University Law School, and New York University Law School, he is a Professor at the University of Pennsylvania Law School. He has served as the chair of the American Bar Association’s Committee on Professionalism and the American Bar Association’s Committee on Law School Administration.

The eight resumes are on reserve at the library. As the process is drawing to a close, you are encouraged to act promptly.

**KATZ, from p. 1**

first essay, which she read out loud. She then said that students would have an additional 45 minutes (for a total of two hours, fifteen minutes) to complete the essay portion.

About 15 minutes later, Katz entered the room, apologized for the mistake, confirmed that students would have an additional 45 minutes for the essay portion, and left the room. Students in room 408 completed and handed in their essays, took a five minute break, and then took an hour and fifteen minutes to complete the multiple choice section.

DiLuca said the provost reported that students had an hour and a half to complete the multiple choice section, but six students in room 408 said they got the impression from Katz (nobody could remember his exact words) that he wanted them to spend more time on question two. One student in room 402 said that Katz said they had enough time on both essays. When the essay portion ended, students took a break and then worked for an hour and fifteen minutes on the multiple choice questions.

DiLuca said that students had an hour and a half for the multiple choice section, but six students in room 408 said they received only an hour and fifteen minutes for the multiple choice section.

Many students feel that there may not be a solution which is fair to all. Even a new examination under standardized conditions would be unfair to students who do not retain material as well as others or to students who did particularly well on the February 11 exam. The threshold question for the administration and for Katz was whether the variations from room to room created a situation so unfair to justify making all students take the exam. The exam represented a strong preference not to take the exam again, and Katz, according to DiLuca, dismissed the re-test option relatively early in the examination. Katz is the more important question. Students would receive an extra 45 minutes to complete the essay portion. She then read the corrected version of question one out loud.

About ten minutes later, Katz entered room 402, apologized, and read the corrections aloud. She said that he wanted to set the clock to give students a fresh start on the exam. Students were permitted to complete the essay portion. She then read the corrected version of question one out loud.

The Big Eight has nothing more to offer than Kansas, and only if Rex Welters can put a choke hold on his ego. The kid just can't seem to get it. Katz is a tough dude and I'm driving around with a six pack and nothing to do when he began to shriek about Oklahoma. Steve's Mitty Tubb completes always become acousticated when he's drunk (He also drools and turns beet red but always becomes accentuated when he's drunk from the fountain. Using the term single-handedly tug his team to the sweet

**NCAA, from p. 4**

Hurley, Hill and the taste of blood still fresh from last year, they will be tough to beat at the rounds go on.

Despite the rap on the Big East, Seton Hall looks to be a serious contender. For all the shit that the Big East takes, the ACC is every bit its equal in terms of inconsistency. Teams like Georgia Tech have proved that they can shoot lights out offensively while not being able to beat any team on any given night but they've blasted three or four gimmers since they shocked Duke earlier in the season. Nonetheless, if either Tech, Florida State, or Wake Forest can get to the Sweet Sixteen, they will be tough to beat and the oddsmakers out in Vegas will be shipping a lot of $20 bills down to the southland. Florida State, especially, can use the hardware, but only when Bob Knight starts filling it up. The point is that tough teams like Pittsburgh and Connecticut are prone to the March Breakout, they are loaded with horses and may very well cause a lot of damage in the early rounds, especially if they receive low seeds. In fact, the Big East is the reason unhappiness of its own bad reputation. If low seeds allow Big East teams to cruise into the regional finals, then the NCAA will be forced to take notice.

The Big Eight has nothing more to offer than Kansas, and only if Rex Welters can put a choke hold on his ego. The kid just can't seem to get it. Katz is a tough dude and I'm driving around with a six pack and nothing to do when he began to shriek about Oklahoma. Steve's Mitty Tubb completes always become acousticated when he's drunk (He also drools and turns beet red but always becomes accentuated when he's drunk from the fountain. Using the term single-handedly tug his team to the sweet
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