

UNC law students excellent in moot court

By TIM WEBB
Staff Writer

Four second-year law students participated Tuesday night in the finals of the UNC School of Law Intramural Moot Court Competition, and the winners will compete at the national level.

The competition consisted of a fictitious appeals trial based on a case pending before the U.S. Supreme Court. The case involves Cuban and Haitian boat people detained in the United States as illegal aliens.

N.C. Attorney General Lacy Thornburg presided over the judging panel.

The students who competed Tuesday have qualified to be on UNC teams that will compete against other law students from across the nation. Deborah Malizia of Washington, D.C., and Robin Taylor of Winston-Salem made up the first team, which competed against Mike Holt of Knightdale and Scott Vaughn of Winston-Salem.

Malizia and Taylor requested a writ of habeas corpus on the aliens' behalf to enable them to have a hearing and determine whether they should be deported. The students said that to punish or imprison the aliens without a trial violated the aliens' constitutional right of due process of law.

Indefinite imprisonment involves another violation of constitutional rights violation: cruel and unusual punishment.

Malizia and Taylor contended the aliens were being discriminated against based on their national origin. Malizia said, "Under the Constitution there is no difference between types of aliens and, for that matter, types of persons." Malizia said, "The Constitution provides that no person shall be deprived of the right to liberty."

Relying on legal precedent, Holt referred to the limited nature of alien's rights.

"The inherent power to sovereign borders outweighs the aliens' limited rights," Holt said.

Holt and Vaughn pointed out that if the aliens were freed, they would probably go into hiding to avoid deportation. Liberating the aliens would encourage others to migrate to the U.S. unlawfully, they argued.

After the trial, Vaughn said, "The government's position was very much supported by the law."

Speaking afterward about the current U.S. illegal alien problem, Taylor said, "I think a decision is going to have to be made. Congress is going to have to decide." She said indefinite detention of illegal aliens was inhumane but admitted unlimited parole would also cause problems.

Bill Barnett, a third-year law student from Henderson and chairman of the UNC Interscholastic Competition Committee said, "The equities are strongly in favor of the aliens. It just seems inherently unfair that they can be imprisoned when they haven't

committed any crime. The best solution would be for the government to make immediate arrangements for the deportation of the aliens."

Attorney General Thornburg said, "They were excellent. I liked their forceful arguments. They were well organized and I was particularly impressed with the ease with which they responded to our questions. We were probably tougher on them than it would be in actual court."

Malcolm Griggs, a third-year law student who was the moot court's chief justice, said the competition was meant to prepare law students for real-life situations.

"It's excellent preparation for oral advocacy," Griggs said. "We try as best we can to reproduce the appellate court situation. Most of all, it teaches law students to think on their feet."

The panel of judges did not actually rule on the case but announced winners of the overall competition. Robin Taylor won the overall competition based on her brief and on her oral argument.

Richard Page won for writing the best brief of the tournament, and Mike Holt was named the best oralist. Lori Glosemeyer from Charlotte and Karen Stahel from Raleigh were named, along with the four finalists, to the UNC National Moot Court Competition team.

CGC

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BSM) to raise it themselves."

Fazio also questioned the BSM's financial responsibility because *The Black Ink* had run large ads in favor of a referendum for BSM constitutional funding prior to the recent elections.

But BSM President Sherrod Banks said a bi-weekly paper such as *The Black Ink* couldn't compete with the kind of anti-referendum publicity *The Daily Tar Heel* could run.

The \$1,745 is still \$200 less than the BSM requested. Banks said the difference meant the BSM might not be able to co-sponsor an invitation to Philadelphia Mayor Wilson Goode that asks him to speak at UNC.

The CGC also voted Wednesday to amend the budget hearing process. "These amendments are to achieve several things I saw as major fallacies in last year's budget process," Speaker Wyatt Closs said.

Organizations requesting funding will first appear before the Finance Committee, which will evaluate each group's budget and try to "figure out what

adequate funding is," Closs said.

The Rules and Judiciary Committee and Student Affairs Committee will then judge the merit of each organization's programs. That merit will be determined by such things as how many students a program affects or involves, how vital it is to the organization and whether it would be spread out over four or five days.

"It will be a heavier load (on the Student Affairs and Rules and Judiciary committees), but I think it will eliminate a lot of problems," Closs said.

In other action Wednesday, the CGC allocated money to several organizations so the groups could operate through the rest of the semester. The allocations were as follows: \$306 to the CGC, \$125 to the North Carolina Student Legislature, \$650 to *The Cellar Door*, \$1,800 to *The Carolina Course Review*, \$350 to *The Carolina Course Description*, \$700 to the Residence Hall Association for Springfest, \$280 to the Student Consumer Action Union and \$1,500 to the Fine Arts Festival.

SAT

with a 1200 SAT who made low grades in high school and accept someone with an 800 SAT who made As and Bs.

"(The institutions) have got to be able to provide for... considered exceptions," Strickland said.

A student's performance in class and his performance out of class weigh more than the SAT score in the admissions process, he said.

Harold Wallace, vice-chancellor for University affairs, said he agreed that instituting a minimum SAT score could take away the flexibility of the schools to look at all the factors used in deciding on whether a person should be admit-

ted. "It also gives too much weight to the SAT," he said.

Dawson said the Board of Governors and the Board of Trustees should be able to look into the procedures of intercollegiate athletics and report their findings. Then, the presidents and universities should be allowed to handle any problems, he said.

A better way to address college admission standards would be to work with the high schools on the requirements needed for college, he said.

Several years ago, 16 units of credit were required for graduation from high school. That number was raised to 18.

Next year that number will be increased to 20 units.

Of those 20 units, the entering freshman class of 1988 will be required to have: four units of college prep English, three units of math — including Algebra I and II and geometry, three units of social science and three units of natural science. Two units of foreign language are also recommended, Dawson said.

"I think this is a better way to address preparing high school students for college," he said.

Concern about an athlete's academic performance does not stop once he or she is admitted. A committee proposed by BOG Chairman Philip G. Carson will examine the academic progression of athletes once they are enrolled.

John Swofford, the University's athletic director, said UNC-CH was an institution that maintained a good balance between athletics and academics. "When a university admits a person who has no opportunity to leave with a degree," he said, "it's an injustice to the university and to the student."

"We try to give academic support to help students leave with a degree in hand."

Analysis

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these Democrats are closet Republicans. Governor Martin is a believer in having voters register according to their ideology."

Balmer said the effort to switch the Democrats would be on a personal basis — letters from Reagan and Helms asking voters if they'd like to switch.

Another obstacle facing the GOP, Balmer said, is the lack of primaries in some of the state's rural counties.

"There are no Republican primaries in some rural counties, but that's rapidly changing," he said. "It will continue to improve as more voters register Republican. Republican registration by college students is on the rise in North Carolina and in the nation. This is a rapidly changing electorate."

Thad Beyle, UNC professor of political science, said the effects of Operation Switch would not be known until the primaries and elections of 1986 and 1988.

Beyle warned that the recent GOP victories could be misinterpreted by the party. "There could be some misunderstanding by the Republicans," he said. "It could be that the Democrats had poor candidates for the offices of president and governor."

Beyle said the GOP would see success in the switch in the long run but would need to accomplish two things

beforehand.

"First, they need to initiate some reasons why the Democrats should switch," said Beyle. "They need to say that the Republican party is the winning party. Second, they must say, 'Come on over and join the winning party.'"

Sen. John East has stepped into the picture and plans to make party appearances on behalf of the switch movement, said Jerry Woodruff, his press secretary.

"Senator East is not actively involved, because it's mainly a project of the party," Woodruff said. "But he'd be more than happy to make appearances."

Woodruff said the biggest obstacle was that old habits are hard to break.

"Many voters identify with their

family's political loyalty. The biggest obstacle will be getting the Democrats to break the habit," Woodruff said.

State GOP Chairman Robert Bradshaw, a Charlotte attorney, said a variety of ways would be used to contact the Democrats.

"We're going about it different ways," Bradshaw said. "We'll use the telephone, mailing and registration in shopping malls. We'll use one-on-one persuasion."

Bradshaw said the GOP was closing the gap between registered voters in both parties, and he believed the GOP would get many first-time voters to register Republican.

Campus Calendar

The Carolina Student Fund/DTH Campus Calendar will appear daily. Announcements to be run in the expanded version on Mondays and Thursdays must be placed in the box outside the Carolina Student Fund office on the third floor of South Building by 3 p.m. Friday and 3 p.m. Wednesday, respectively. The deadlines for the limited editions will be noon one day before the announcement is to run. Only announcements from University recognized and campus organizations will be printed.

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| Thursday | Items of Interest |
| Noon Japanese conversational meeting, 226 Union. 3:30 p.m. Undergraduate Geography | MCAT applications are available in Steele Building and Nash Hall. Photo required. |

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| Society meeting, 307 Saunders. 3:45 p.m. APICS with Sarah Wenzel from Raychem, Inc., T5 Carroll. 7 p.m. Libertarian Society, Smokers vs. Non-Smokers Forum, 205 Union. IVCF South Campus Chapter, Union 224. 8:30 p.m. FCA huddle meeting, 208 Union. |
| Friday |
| 8 p.m. Clogging Club Square Dance, Presbyterian Student Center. |

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- SICILY, "Carolina—in—Sicily." July 10—July 31, 1985. Courses: Italian 14, Italian 15, Italian 95. Instructor: Dr. Ennio Rao.

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