



Hill . . . "The judicial system in this country has to make some drastic changes."

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Hill sees problems, challenge in courts

When Federal Judge Irving Hill came to Lincoln for Masters Week, walking into the Nebraska Union was an event he had looked forward to for 35 years.

As president of NU's student council in his undergraduate days, Hill helped convince the Regents "during the worst of the depression" to approve construction of the Union. He saw it for the first time last weekend.

The former Innocents Society member and Corn Cobs president is now a U.S. District Judge in Los Angeles.

"IT'S ALWAYS BEEN my ambition to be a federal judge," he said. "But since getting it I've never worked so hard in my life."

Hill got his federal appointment in 1964, after 15 years of private practice in Beverly Hills and three years in California's state court system.

"The whole atmosphere of trials in federal courts is more dignified, more of a search for truth," he said. "State courts deal more in battles of wit and oratory."

"The federal court system has always been several notches ahead of the state courts," the 1939 cum laude graduate of Harvard Law School continued. "Especially in the area of procedural reforms."

BUT EVEN THOUGH

federal courts have the most advanced rules and best people working on them, Hill noted, the "immense explosion" in federal jurisdiction since 1960 keeps him "working night and day to keep pace."

"Every time Congress sees a new field for federal intervention it makes new federal crimes for us to handle," Hill explained, citing recent gun control and civil rights legislation as his examples.

"Congress can't keep loading work on the federal system in huge chunks without enlarging it drastically," he said.

THE RECOURSE STATE prisoners have to federal courts in habeas corpus and state trial procedural complaints, is another reason for the increased workload of the federal courts Hill said. "We get 100-150 of these a month in our court."

But Hill said he can still keep his head above water in Los Angeles. "I can offer a man a trial in two weeks over a minor case or within a month in a major case."

The state courts are another matter, according to Hill. "The state judges and supporting personnel aren't paid as well," he said. "But their jurisdictions are larger." He noted the number of automobile and alcohol cases state courts have to handle.

"THE JUDICIAL SYSTEM in this country has to make some drastic changes," Hill said.

And the former assistant to the U.S. District Attorney and legal adviser to the U.S. United Nations delegation has some changes he would like to see made:

--Take auto litigation out of the courts and handle it with administrative tribunals.

--Eliminate the right to a jury trial in auto accident cases.

--Make court-clogging crimes like drunkenness, vagrancy, and "perhaps" marijuana non-criminal.

--Cut jury size from 12 to six.

--End requirement for unanimous juries so that 10 votes out of 12 would be sufficient to render a decision.

--More computers, mechanical aids, and better-trained administrators.

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Kuklin . . . throwing bombs defeats the whole movement.

Kuklin: law schools gaining awareness

Becoming an assistant dean of the distinguished University of Michigan Law School at age 29 must be some kind of record, right?

"Oh, no," answered Bailey Kuklin, 1963 NU graduate here for Masters Week. "The trend is toward youth these days."

Kuklin only graduated from the Michigan Law School in 1966. He's back there as an assistant dean after one year at Stanford on a teaching fellowship, two years as a Peace Corps technical assistance volunteer in Nepal and one year with the Legal Aid Society in White Plains, N. Y., where he helped low income people with legal problems.

When he left Michigan in 1966 the "law school was two years behind the undergraduate schools in social awareness," Kuklin said. "But now there is an ever-increasing number of law students aware of the need for social change."

Kuklin is glad about the increasing awareness because "any change that comes has to come from within the system," he said. "People who get out of the system spend a few years of frustration beating their heads on the wall, then they start throwing bombs. Throwing bombs defeats the whole movement."

Change is badly needed in the country's prisons, Kuklin thinks. "They're in a disastrous condition," he said. He blamed poor laws and a general lack of money for this condition.

"Punishment is supposed to provide rehabilitation as well as being retributive and exemplary," Kuklin explained. "Now it is simply retributive and exemplary."

"Soft criminals become hard in our prisons," he continued. "The idea of putting alcoholics in prison is disgraceful."

But there are no other institutions available now for treating alcoholics, drug addicts and other social criminals, Kuklin added. "Prisons are used by judges because there's no other place to send them."

Kuklin also sees problems in the judicial system. "Local judges often are elected, and have to be too directly involved in local politics," he said. "They don't have the overview of federal judges."

On the whole the federal judiciary system outshines state systems, according to Kuklin. "Federal judges are appointed, and therefore of higher quality," he said. "A broader base of selection is used in choosing federal juries, and they are better paid."

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