

# EDITORIALS

## OBSERVER

### Law Center dean dies suddenly at age 52

Eric Neisser, former acting dean of San Diego law schools and a director of the Rutgers Newark law school and long-time San Diego's summer Institute on Inter-time R-N faculty member, died on Nov. 11 at Concord Ivy College, Dublin, Ireland, and Hospital in Concord, New Hampshire. He currently held the position of dean of the Franklin Pierce Law Center in Concord.

He was a prominent legal scholar and teacher and a man of action who was committed to an active role in public service on many levels, said R-N Provost Norman Samuels.



Magdalen College, Oxford, England.

The numerous positions held by Neisser include directing the 30-attorney central staff of the U.S. Court of Appeals for the Ninth Circuit in San Francisco, legal director of the ACLU of NJ, member of the NJ Supreme Court's committees on Me-

Neisser created the nation's first dual Relations and Outside Activities of Street Law course to human rights for Judiciary Personnel, member of the NJ secondary school students and founded Commission on Professionalism and and served as director of the Rutgers the boards of the NJ Institute on Constitutional Education Clinic. As a consultant, Legal Education and the NJ sent on Constitutional law, he was in the Center for Law-Related Education, involved in cases before the US Supreme Court and the European and Inter-American Courts of Human Rights.

Named acting dean of the R-N law school after Dean Abrams was removed from the position in the summer of 1998, Neisser is survived by his wife Joan, his daughter, Michelle, and his granddaughter, Jasmine Rose. Funeral services were held on November 11 at Memorial Chapel in Millburn, NJ.

Neisser graduated from Yale University in 1972 and joined R-N in 1978. He was a visiting professor at Stanford

Michaelangelo Conte  
Staff Writer

### Catholic school challenges First Amendment right

In Bardonia, New York, a Catholic high school run by Dominican nuns "was sued for expelling a 15-year-old honor student over his World Wide Web site, which he contends was funny and irreverent, but the school calls violent and pornographic," said Jim Fitzgerald of The Associated Press.

Apparently, the \$1 million lawsuit, filed by Peter Ubriaco, in a Manhattan federal court, affirmed that the sophomore at Albertus Magnus High School had a right to build the Web site because it was off private school premises. Furthermore, the private school could not restrict his rights once he was off its property. The lawsuit also alleged that the contract that was signed when Ubriaco enrolled in the school was now broken as were the school's own rules.

Ubriaco's attorney, George Shebitz said, "Even a private school student doesn't lose the protections of the U.S. Constitution... he certainly doesn't lose them in the comfort and security of his own home."

On the contrary, Kevin Hasson, an attorney with the Washington-based Becket Fund for Religious Liberty said, "If anybody has First Amendment rights in this case, it's the religious school's First Amendment right to dismiss this kid without being sued in court."

According to the lawsuit, some of the amusing things that would have been

found on this Web site included "ideas on how to have fun at the mall, shout penis as loud as possible, drop Milk Duds on the floor and pretend you're looking for a runaway rabbit, make a security guard nervous by following him."

All of which were things Ubriaco made up to make his friends in school laugh.

As far as the claim that there were violent and pornographic content exposed in the Web site, Shebitz said no way. In fact, Ubriaco's father said he ended the Web site when he found vulgarity was involved.

Joseph Troy, the school's President said, "There was some pornography and some violence mentioned. I think it was more than irreverent. I can't go beyond that."

I think the real issue here was the fact that only eight days earlier the school massacre in Littleton, Colorado occurred and this may have led to the Troy's decision to expel Ubriaco. Unfortunately, now that the Web site has been erased, the public is unable to decide whether or not Troy had reason for what he did. It is evident that based on the facts of the case, Ubriaco's constitutional right has been violated and he is only protecting his First Amendment right. What would you do?

Cheryl Marie Moore  
Editorial Editor

### Quote of the Week

"If you can't annoy somebody with what you write, I think there's little point in writing."

— Kingsley Amis  
British novelist

The Observer would like to solicit "Letters to the Editor" from R-N students, faculty, and staff. The Observer is a public forum, and its editorial section is a running dialogue of ideas. All letters on all subjects will be considered for publication. Add your thoughts to the R-N campus' dialogue.

If you're interested in joining The Observer staff as a staff member or student contributor, please stop by Robeson 237 and speak to Tara Kane.

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All materials submitted can and may be edited by the staff of the Observer. Please send all Letters to the Editor to the Observer, Room 237 in Robeson.

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