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University of San Diego School of Law Student Bar Association

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Women's Week speakers focus on female roles

by Denby Dixon

This past week, the USD Women's Law Caucus sponsored daily speakers on a variety of topics in celebration of International Women's Week. The theme for the week was "Feminization of Poverty."

Sister Sally Furay, university vice president and provost began the week speaking on what she perceived as the social and economic basis of the increasing problems of women (and children) living in poverty. Furay sees three reasons for the declining economic situation of women in America.

Female Economics

The first being wage disparity between the sexes has increased only one cent in 50 years. In the 1930s women made 63 cents to every dollar that men made. Women in 1989 now make 64 cents to every dollar -- in spite of the increases of women's qualifications and levels of education.

Secondly, according to Sister Furay, is the relative positions of the spouses after a divorce. Whereas divorced males standard of living increases on the average of 42 percent, the average divorced female can expect a decrease in her standard of living in the neighborhood of 73 percent.

The third cause is the reduction of federal human services programs since 1980 by the Reagan administration. Funding for federal housing has been drastically cut by 78 percent and child care subsidies by 20 percent. All these factors have contributed to the increasing number of women and children living at or below the poverty level.

Law & Poverty

Speaking Tuesday, March 7 was Judge Judit McDonnell who (Continued on page 14)

Nathanson lecture series features Solicitor General

Charles Fried, the Solicitor General of the United States from 1985 to 1988, will be speaking March 29 at 5:30 p.m. at the University Forum as part of the Nathaniel Nathanson Memorial Lecture Series. He will be speaking on a topic that has recently lost several rounds in the U.S. Supreme Court, "The Supreme Court and Affirmative Action."

In 1961, after completing a clerkship with Supreme Court Justice John Marshall Harlan, he joined the Harvard Law School faculty. Fried had previously attended Princeton University and Oxford University, and received his law degree from Columbia University.

Fried became Solicitor General after working several years in the Department of Justice as Special Assistant to the Attorney General, and Deputy Solicitor General and Counselor to the Solicitor General. As the federal government's representative before the U.S. Supreme Court, Fried argued some of the most important cases of the decade. Those cases include Morrison v. Olson, involving the constitutionality of the "independent counsel" statute, the Bail Reform Act (United States v. Salerno), and the federal sentencing guidelines (Mistretta v. United States).

The Nathaniel L. Nathanson Memorial Lecture series was established in 1984 to honor the esteemed law professor who devoted his life to legal education. The series presents distinguished speakers at USD to discuss issues of national significance.

Nathanson taught law at Northwestern University from 1936 to 1977, when he was named professor emeritus. From 1977, as a Distinguished Professor of Law at USD, he spent alternate semesters at the two universities until his death in 1983.

Nathanson was best known for his work in the areas of administrative law, constitutional law, and international and constitutional law. He was an Associate at a Washington, D.C. civil litigation firm for several years as well as a Trial Attorney before becoming a professor. He has numerous publications to his credit and has an extensive background in Anti-Trust Law. Sullivan has no prior experience as a Dean.

Kristine Strachan, Professor of Law, University of Utah College of Law. Strachan received her JD from the University of California at Berkeley (1968). As a practicing attorney she was involved in the banking, corporate, international and constitutional law areas. She has held positions as a Special Deputy County Attorney and as an Adjunct Professor in conjunction with her teaching duties. In 1986, she received a grant of $120,000 from the U.S. Department of Education, Fund for Improvement of Post Secondary Education. Strachan has several publications to her credit and has no prior experience as a Dean.
Amicus Curiae

Decision to suppress raises fury for Fury

Censorship is alive and well at USD. The administration, in the person of Sister Furay, has decreed that guest lecturer Rosemary Sarah Weddington could speak only to USD students and faculty. Even USD alumnus and legal scholar Robert L. Furay was barred from attending Weddington's March 10 lecture at Canyon Theater.

The Women's Law Caucus (WLC) invited Weddington to speak as part of their International Women's Week lecture series because of Weddington's experiences as the winning attorney in Roe v. Wade and her knowledge of the legal aspects of the current debate on reproductive rights. Additionally, Weddington's lecture was particularly timely in light of the Supreme Court's recent granting of certiorari in Webster v. Reproductive Health Services, a case widely perceived to be a challenge to the viability of the holding in Roe.

Sister Fury has stated that the official reason for limiting the audience for Weddington is because Weddington has given a public lecture at USD two years ago, and the students have not invited anyone from the other side to speak at USD. The reason why Fury can't do this is her reaction to Rape.

First, there is no reason why the students should be responsible for bringing opposing views to campus; if the administration feels that more perspectives need to be presented, the administration can certainly invite someone to provide a public lecture from another viewpoint. Furthermore, since the students who invited Weddington two years ago were already graduated, the administration is effectively holding current students accountable for actions of students who are no longer at the university.

Second, opposing views have undoubtably been expressed on the USD campus in the past two years; after all, USD is a Catholic university. It is irrelevant that those opposing views may have been presented in the classroom or by a school-sponsored lecturer rather than by a school-sponsored publication. Additionally, the WLC offer to have Weddington debate someone of the administration's choice was ignored.

The hollowness of Sister Fury's professed concern with the suppression of free speech is best illustrated by her speculation that the administration is really just worried about donors being offended by Weddington's campus appearance. In other words, they do not want to risk missing out on any dollars that could be used for the expansion of the law library.

Whatever the administration's true motives are, the result of its action remains the same: censorship. While traditionally censorship has been the limiting or suppression of the contents of someone's message, limiting the audience for that message may just as effectively prevent an individual from reading a controversial book, for example, has the same effect as making sure that individual as preventing the book from being published.

In any event, the administration's position is hardly consistent with the ideals of an institution of higher learning. By suppressing the free exchange of critical ideas, the administration is effectively throwing both academicians and USD's academic reputation.

The potentially serious consequences of the administration's position and the unacceptability of Sister Fury's justification for this position are a serious and principled response on the part of the students, faculty and members of the community. Unfortunately, the only response that we are getting is being told that you have failed to do so.

The WLC unilaterally and immediately captured one of the few moments that the administration is always looking for and stated its intention that Weddington's lecture be closed to the public. It is not clear whether this college's actions represent an attempt to protect the administration from legal action or is simply to be leading that response has failed to do so.

While it is too late to undo what has already been done, it is not too late to make it tougher for the administration to act as a censor in the future. Perhaps next time someone will call the administration's bluff.
Law of the Sea offers 'new frontier' for legal careers

by Terrence Edward Pauppp

The English poet, Alfred Lord Tennyson wrote in a passage from his epic, Ulysses, that "Tis not to late to seek a newer world. Push off, and sit at good in order smite the sounding furrows; for my purpose holds to sail beyond the sunset, and the baths of all the western stars, until I die." That spirit still invigorates the imagination of the world community today. For in a world that is increasingly less and less constituted by bords, our very interdependence brings us back to the seas and oceans of our planet.

The oceans have become more than just lanes for commercial shipping over the last two decades. The oceans have vast resources which may contribute to the wealth of sovereign nations as well as disputes among them. In that respect, over 160 countries have worked diligently since 1973 in establishing legal principles capable of governing the fisheries and maritime boundaries. The Conference on the Law of the Sea is the largest and longest conference ever convened by the United Nations. UNCLOS III, concluded by UN Resolution 3067 (XXVIII) on November 16, 1973, involved 158 countries. The conference started in December 1973 and ended in Kingston, Jamaica in 1982 after 11 sessions were held in New York, Caracas, Venezuela and Kingston. UNCLOS III produced the "1982 United Nations Convention on the Law of the Sea." The convention contains 320 articles and eight annexes. It is divided into 12 parts comprising what has been called the "Law of the Sea---UNCLOS III." It has been signed by 119 countries.

One may now be asking, "What role can I play as a lawyer in the on-going development of Law of the Sea issues and principles?" There are three possible areas for involvement: the public sector, the private sector, and the international sector.

Law of the Sea practice in the public sector

In the public sector arena, one would turn to the United Nations. The negotiation of international agreements on fishing and maritime boundaries would provide y with your pivotal focus. Department you would address issues raised in conjunction with the Fishery Conservation and Management Act. Your responsi-

USD Professor Jorge Vargas was a member of the Mexican delegation to the United Nations Convention on the Law of the Sea. Department you would address issues raised in conjunction with the Fishery Conservation and Management Act. Your responsibilities would include negotiating access to the Exclusive Economic Zone for more than 25 countries fishing for 50 species. You would also be engaged in monitoring our maritime boundaries for the U.S. The largest Exclusive Economic Zone in the World. An Exclusive Economic Zone means that if other nations want to fish within the 200-mile area which is (Continued on page 11.)

President's Report

by Jack O'Donnell, SBA President

On behalf of the Student Bar Association I would like to extend sincere thanks to Judy Clark for her work on the Barristers Ball. Everyone who attended had a wonderful time. Thanks, Judy!

On Friday, March 11, the Women's Law Caucus will be sponsoring the appearance and remarks of Sara Weddington. As you may be aware, Ms. Weddington argued the controversial Roe v. Wade decision and has currently submitted an amicus curia brief to the Supreme Court on the upcoming and similar Missouri statute case. The Student Bar Association has provided substantial support from university administration and Dean Morris. In support of the appearance, it is the position of the SBA that Weddington's position on the abortion issue is incorrect. What is important, is that she is on the cutting edge of an issue that is of imminent legal interest and in itself. On behalf of the Women's Law Caucus and the SBA, I would encourage you to attend this event.

As we are approaching the end of the school year, elections for officers and representatives of the SBA as well as Honor Court positions will be held. If you are interested, note that a schedule of deadlines will be posted on the door of the SBA office on Monday, March 14. Consult this notice if you are interested. Furthermore, if you would like to speak to a current officer or representative about a particular position, do not hesitate to contact the Student Bar Association (ext. 4346). Leave your name, the office you are interested in and your phone number and we will be happy to assist you.

Look for a questionnaire to be handed out in your classes regarding your opinions on mid-term examinations. Take time to fill this out as it will be submitted to the faculty subcommittee who is currently drafting a recommendation to the entire faculty.

On behalf of the More Hall Public Interest Legal Foundation please remit those donations you made in the fall. The group is on the rocks and in desperate need of people to follow through on their committee... An anticipatory word of thanks to MHPILF.

Special SBA Election Issue: April 10

Next Regular Issue: April 20

Article Deadline: April 10

Advertising Deadline: April 11

Advertisements, letters to editor, classified and display advertising should be turned into the Motions office UC 1144A or the mailbox, basement of More Hall
Former Secretary Wirtz imparts labor lore in USD

by Starr Lee

The one-page résumé of Willard Wirtz belies the expectations and impact he had in labor law. A couple of lines buried in the middle of his résumé state, “Department of Labor, USG (Under Secretary, 1961-62; Secretary, 1962-1969)” and his recognition as “25 to 30 honorary degrees [and] various awards.” And for the fourth spring, this very modest man is giving USD students the benefit of his expertise in labor law as a visiting professor.

Wirtz didn’t start out to be a lawyer when he graduated from college. He intended to be a newspaper reporter when he graduated from Beloit College in Wisconsin in 1933. Those jobs were scarce and so he ended up taking a job teaching American History and English Literature to first-generation immigrant children at the high school in Kewanee, Illinois.

“I taught for 928 dollars for the year and I’ve never worked as hard since. It was too much,” Wirtz said. “So I looked for something easy, like law. Probably because I went to a movie (starring) William Powell, ‘Counsellor-at-law.’

So Wirtz went to Harvard which was not very comfortable for someone from the Midwest. “Those Easterners would make you feel quite inferior,” he said. After Harvard, Wirtz started teaching law at the University of Iowa and then at the University of Wisconsin.

WIIIV got Wirtz into labor law

However, in 1941 an event that shook the world put a temporary hold to his academic law career. Two days after Pearl Harbor, the Dean, Leon Green, of Northwestern called the faculty together and suggested that the professors start looking around because there soon wouldn’t be a draft and the Law School would quickly start taking many of their law students.

Wirtz said he never had to ask the parties to stop bargaining because, with the war, the nation could not afford such work stoppages and wage disputes.

Wirtz said he never had to ask the parties to stop bargaining because, with the war, the nation could not afford such work stoppages and wage disputes.

Wirtz blamed the media and its selective coverage for the change in attitudes in civil rights concerning. More people were cleared in 1964 that we needed civil rights legislation than they had been in 1961. Martin Luther King had come forward and was doing a very constructive job on pressing that whole thing.

The country was changing. There was the march on Washington in 1963 for freedom and jobs. You always wonder how much legislation is a result of statesmanship.

Editorial positions open on Motions staff

Applications for Motions staff positions are due Friday, March 31 to the Motions office (University Center Room 114A), the mailboxes in the faculty mailroom or on the first floor of the law school. Applicants should include a resume, a short writing sample (preferably non-legal type), and a short letter describing what you would like to see changed about the newspaper and how you would do it.

The following positions will be filled this spring, with the staff writer positions to be filled at the beginning of the fall semester. The positions are paid the stated sums, with the possibility of an increase for the 1989-90 school year.

If you have any questions regarding the duties of any of the positions, please contact the Motions office at (260) 4600, ext. 4343, and we will be happy to answer your questions.

Editor-in-chief $1,800 a year

Manage, organize, plan, supervise the production of six to seven issues a year from recruiting writers, researching story ideas, assigning stories and photos, editing, layout and production. Must be computer friendly and must know, or be willing to learn about computers. Stories are to be submitted on disk/on computer, and the layout will be done on computer.

Must be willing to learn the computer system sometime before the fall semester starts including the word processing and desktop publishing (PageMaker). Associate Editor $900 a year

Asst. in planning of monthly issues: contents, assignments, layout; story editing, writing. Must be familiar with, or be willing to learn about computers. Stories are to be submitted on disk/on computer, and the layout will be done on computer.

Must be willing to learn the computer system sometime before the fall semester starts including the word processing and desktop publishing (PageMaker). Associate Editor $900 a year

Assistant Editor $500 a year

Responsible for liaison and submissions from law school departments and organizations for monthly issues; update mailing list to law schools and send out billing mailing list; supervise group of editors and, if necessary, sending out of Film for development. Write one to two stories an issue and assist in editing, organization and production of Motions.

Business Manager $250 a year + potential % of ad sales

Supervise and manage advertising sales, financial accounts, checking account; supervise advertising salesperson; duties of sending bills/earningsheets.

Photographer $250 a year

Take black and white pictures for each issue of Motions and develop film, enlarge pictures for publication (usually only requires five to ten hours an issue, depending on the number of pictures needed and the individual’s speed in the darkroom). (If photographer does not develop film/enlarge pictures, stipend is only $150 a year.)

Sidebar Editor $500 a year

Responsible for putting out weekly bulletin of events at USD. Information from submitted to the USD.

Involves typing the information, getting it printed and to USD at regular time on weekly basis (excluding test periods and holidays).

To be hired in the fall will be the following positions:

Staff Writers (3 paid positions) $250 a year

Writers will be expected to write 2 feature-length articles for each issue and to cover issues as assigned by the editor. Must have some word processing skills as all stories must be submitted on IBM-compatible disk or input on office computer.
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(272-7227)

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San Francisco, CA 94102-4996
(415) 626-2900
Financial Aid

Crucial time for loan, grant requests nears
by Carl Ewing
Financial Aid Director

Over the past several months, the Financial Aid Office has provided information about various facets of financial aid. As we begin the process for the 1989-90 financial aid year, I thought it might be wise to remind you of some very important dates and facts.

1. Students who wish to be considered for the Carl Perkins Loan Program or the Tuition Credit Loan Program must have their Financial Aid Forms at the College Scholarship Service by April 1, 1989. In addition, the USD Financial Aid Application Form must be submitted to the Financial Aid Office by April 1, 1989. All other necessary materials (e.g., Stafford (GSL) loan application, income tax return and other required documentation) must be submitted by May 1, 1989 in order to ensure that we will be able to process in time for fall.

2. To avoid a $50.00 One Pay Contract Fee on Registration Day, students must submit their Financial Aid Form to CSS by May 1, 1989. In addition, the USD Financial Aid application and the Stafford (GSL) Loan Application must be submitted to the Financial Aid Office by that date.

3. The priority deadline for Summer Financial Aid materials was March 1, 1989. If you did not meet that deadline, you can still file your materials. However, the Financial Aid Office may not be able to process your applications in order to have your funds available to start the summer sessions.

4. The information on the alternative loan programs has finally arrived. Specifics about the differences between the Law Access Program and the Law Student Loan Program are available in the Financial Aid Office.

5. Community Service Grant Application Form is now available in Financial Aid Office. The deadline for submission of this application is April 3, 1989. These grants are not based on need.

6. Graduating students who received any loan money during their years in Law School are required to sign up for an Exit Interview prior to Graduation. Details about this process are contained in the graduation materials available in the Records Office.

Below is a chart comparing the variety of alternative loans available for law students in the upcoming year. For more information students are urged to visit the Financial Aid Office.

ALTERNATIVE LOAN PROGRAM COMPARISON CHART

<table>
<thead>
<tr>
<th>LOAN PROGRAM CATEGORY</th>
<th>GRAD EXCEL</th>
<th>LAW ACCESS LOANS</th>
<th>LAW STUDENT LOAN (NORWEST BANK)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOAN LIMIT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-Annual</td>
<td>12,000</td>
<td>12,000</td>
<td>(Assumed no origination)</td>
</tr>
<tr>
<td>-Cumulative</td>
<td>36,000</td>
<td>36,000</td>
<td>37,200</td>
</tr>
<tr>
<td>-Total Loan</td>
<td>See brochure</td>
<td>24,000</td>
<td>24,000</td>
</tr>
<tr>
<td>-Total Loans</td>
<td>70,000</td>
<td>72,000</td>
<td>72,000</td>
</tr>
<tr>
<td>Aggregate Limit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOAN PREMIUM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Deducted from loan check)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8% - Student Loan</td>
<td>8%</td>
<td>8% - Interest Paid</td>
<td>7.5% - Discount at Disbursement</td>
</tr>
<tr>
<td>6% - Interest Paid</td>
<td>6%</td>
<td>6% - Capitalized</td>
<td>6% - Capitalized</td>
</tr>
<tr>
<td>Quantity</td>
<td>Quantity</td>
<td>Quantity</td>
<td>Interest capitalized</td>
</tr>
<tr>
<td>7.5% - Discounted at Disbursement</td>
<td>3.25%</td>
<td>10.75% - Total Premium</td>
<td>8.875% - Interest Capitalized</td>
</tr>
<tr>
<td>-Interest Paid</td>
<td>-Capitalized</td>
<td>10.75% - Total Premium</td>
<td>8.875% - Interest Capitalized</td>
</tr>
<tr>
<td>ANNUALITY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ORIGINATION Fee (Deducted from loan check)</td>
<td>included above</td>
<td>.25%</td>
<td>.5%</td>
</tr>
<tr>
<td>INTEREST</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>REIMBURSEMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>APPLICATION</td>
<td>1-800-634-9308</td>
<td>1-800-634-9308</td>
<td>1-800-634-9308</td>
</tr>
</tbody>
</table>

University offers child development program

The University of San Diego’s Manchester Family Child Development Center is scheduled to open in September, 1989. The Center will enroll up to 60 children of employees and students, ages 2 1/2 through five.

The primary goal at the Center is to offer a safe and enriching environment in which children can share, grow and learn in multi-age groups. We plan to offer rich, stimulating environment that is warm and supportive of each child’s individual learning pace.

Schedules of operation will be 7:30 a.m. to 5:30 p.m., Monday through Friday. The Center will be closed for two weeks at Christmas and two weeks in August, and for University-wide holidays. The weekly fee will be $80.00. This fee will not, at least at the outset, include lunch.

The staff will be investigating ways of offering a hot lunch, but children will need to bring their own lunch for a time after the Center opens. There will be morning and afternoon snacks provided. A one-time registration fee of $35 will be required. Preference will be given to children of full-time students and employees.

There will be a limited number of part-time (five mornings or five afternoons for 4.5-5 hours) slots available for students at $35 per week. We will need to have the same number of part-time morning slots as part-time afternoon slots, so we cannot guarantee a definite number of these openings.

There are also a few part-time jobs available for student parents who might want to work several hours per week to help defray expenses. If you are interested in either of these options, please indicate that on the attached form.

The Center will be staffed by a full-time Director, who will also be a tenure-track faculty member in the School of Education; Master Teachers with baccalaureate degrees; Assistant Teachers with training and experience in child care; Graduate Teaching Fellows from the School of Education’s Master’s Program; paid parents; volunteers; and, possibly, work-study students, although this has not been finalized.

Please fill out the attached form and return it to Debbie Gough, Chair, Child Development Center Committee, Office of the Provost, by March 30, 1989. This will not enroll your child(ren), but will put you on the list of those contacted first when registration begins within several weeks.

Use a copy of this form for additional children in the same family.

USD Child Development Center Pre-registration form

<table>
<thead>
<tr>
<th>Name</th>
<th>Student/Employee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td>Home Telephone Number</td>
</tr>
<tr>
<td>City/State/Zip</td>
<td>Work Telephone Number</td>
</tr>
<tr>
<td>Child’s Name</td>
<td>Sex: Boy/Girl</td>
</tr>
<tr>
<td>Child’s Age on 9/1/89</td>
<td>I am interested in:</td>
</tr>
<tr>
<td></td>
<td>(Please state reason(s) below)</td>
</tr>
<tr>
<td></td>
<td>Full-time, 12 months</td>
</tr>
<tr>
<td></td>
<td>Full-time, 9 months (academic year)</td>
</tr>
<tr>
<td></td>
<td>Part-time mornings, 12 months</td>
</tr>
<tr>
<td></td>
<td>Part-time mornings, 9 months (academic year)</td>
</tr>
<tr>
<td></td>
<td>Part-time afternoons, 12 months</td>
</tr>
<tr>
<td></td>
<td>Part-time afternoons, 9 months (academic year)</td>
</tr>
<tr>
<td></td>
<td>Working in the Center</td>
</tr>
</tbody>
</table>

If you are currently using child care or will be, but do not anticipate enrolling your child(ren) in USD’s facility, please share your reasons with us.

Photo by R. Llewelyn

On the road, again!
but the rewards are many. Membership on the Moot Court Board gives third year students
attorneys from the San Diego legal
arguments and then deliver these arguments to a distinguished panel of judges. Each year
Director, Tournament Coordinators, Treasurer and National Team. The duties of a board
positions for the 1989-90 board should include Chair, Vice-Chair, Tournament
the opportunity to work closely with other
members vary according to the position held.
USD
are (1) participation in at least two of the
eligible individuals are strongly encour-
terviews will take place on April 14. All
members. The contest is designed to stimulate social, political,
and legal issues research and analysis us-
ing the techniques of market economics.

Nominations are being accepted for membership in the Order of Barrister
Awards. The award is for a graduating law
student's excellence in oral advocacy, brief
and oral advocacy skills to other law students.
oral advocacy courses. Applicants may nominate themselves.
teachers whose reputations rarely extend beyond their own campuses, but who are educators
in the finest sense of Catholic tradition

Fury receives

ACCU honors

For her outstanding contributions to Catholic higher education, Sister Sally Fury, RSI, USD vice president and provost became the eighth person to receive the Rev. Theodore M. Hesburgh Award on February 1 at the Association of Catholic Colleges and Universities annual meeting in Washington, D.C.
The national award, named after the former University of Notre Dame presi-
dent, is the only honor which the bestows
a regular basis.
the criteria for the award countenance a variety of outstanding contributions to Catholic higher education, from teachers
whose reputations rarely extend beyond their own campuses, but who are educators

Essay competitions still giving

students writing opportunities

As a continuing feature Motions will run a monthly update on available essay compe-
titions. The following is a list announced before March 7, 1989 at USD. The information
give is not complete; please see the Dyer for further information.
The following contests are listed to the left of the assignment board on the second floor
of the law school and on the boards located in the records office. See the boards for more
information.

Law & Econ contest sign-ups

still available through Dean

Information on the 1989 Law and Eco-
nomics Essay Competition is still avail-
able from Dean Morris' office. The contest is designed to stimulate social, political,
and legal issues research and analysis us-
ing the techniques of market economics.

Barristers Awards

nominations open
to graduating class

Nominations are being accepted for membership in the Order of Barrister
Awards. The award is for a graduating law
student's excellence in oral advocacy, brief

Law & Economics

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Appellate Moot Court Board
seeks applicants for next year

by Karen Peckham

The USD Appellate Moot Court Board is currently seeking applicants for the 1989-90 Moot Court Board. The USD Moot Court Board sponsors five intramural moot court competitions every year.

These competitions include the Alumni Tort Competition, the Law and Motion Com-
petition, the St. Thomas More Competition, the Jessup International Law Competition
and the Donald F. Wright Criminal Law Competition. In addition, the Moot Court Board
sponsors the Winters Competition for first year students.

Intramural moot court competitions afford second, third and fourth year students
the opportunity to work closely with other

Applying for the 1989-90 Appellate
Moot Court Board is currently seeking

Awards. The award is for a graduating law

American Banking Law Studies

Taught by the faculty of the Boston University School of Law, eminent banking law attorneys and management experts, these innovative programs provide an exceptional blend of intellectual and practical education at one of the nation's most prestigious law schools. Covering the full range of advanced banking law subjects, the curriculum also includes courses specially developed to introduce lawyers to the economic and managerial aspects of the domestic and international financial services industry.

This comprehensive LLM program offers a singular educational opportunity for lawyers who wish to practice in these dynamic, fast growing areas of specialization.

Applications are now being accepted for full or part-time enrollment in September 1989.

For a catalog containing detailed information and application forms, write:

Graduate Program in Banking Law Studies
Morris Center for Banking Law Studies
Boston University School of Law
785 Commonwealth Avenue
Boston, Massachusetts 02215
or call: 617/353-2023

LL.M. Degree in Banking Law Studies
Boston University School of Law

A unique graduate program offering separate, multi-
disciplinary courses of study in American Banking Law
Studies and in International Banking Law Studies.

Deadline: June 30, 1989
Awards: $500, publication, and a gift certificate for $150 towards books for 1st place; $250 and a gift certificate for $100 for 2nd; $100 and a $75 gift certificate for 3rd. The authors of the top three essays will also receive various books.

Donald Reidhaar Prize

sponsored by the National Association of College and University Attorneys

Topic: Legal issues in higher education
Deadline: June 16, 1989
Award: $1000 and publication

Robert C. Watson Award for 1989

sponsored by the American Intellectual Property Law Association

Topic: Protection of Intellectual Property
Deadline: July 31, 1989
Award: $500 and reimbursement for travel expenses to Washington D.C. to receive the award

American Judges Association Essay Competition

Topic: Any topic of interest to the judiciary
Deadline: June 30, 1989
Awards: $200 and publication (1st), $100 (2nd), $50 (3rd).

Third Annual Solis Issues Essay Contest

Sponsored by Social Issues Committee of USD
Topic: The Americas... Diverse Past, Common Future?
Deadline: April 10, 1989
Awards: $75 (1st), $50 (2nd), $25 (3rd) and 5 Honorable Mention Awards of $5 each.
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The two sides of the abortion coin

by Jamie Sternberg

The U.S. Supreme Court has an oppor-
tunity to reconsider the abortion issue this
term when it rules on the constitutionality of
New York's limits action on abortion.

The statute in question prohibits the use of
cash to counsel women to have abortions
for non-medical reasons. This prohibition
on public facilities and public employees
to perform abortions.

First of the abortion law claim that the
state has put major obstacles in the path of
women seeking abortions which should not
be allowed in light of the 1973 Roe v. Wade
decision. Roe supporters claim that
states are prohibited from imposing blank-
et restrictions on a woman's access to
abortion. Supporters of the statute, in-
cluding the Justice Department in an ami-
cus curiae brief, claim that "the state has
simply chosen not to encourage or assist
abortion in any respect."

Justice Scalia, writing the opin-
ion for Roe v. Wade, focused on the woman's
right to privacy as a justification for the
right to abortion. This right to privacy, the
court was guilty of trespassing into an area
that had been left to the state legislatures.

The second major criticism of Roe v. Wade
is the trimester approach to the balancing of the
state's interest with the woman's right to privacy.
Pro-life advocates and critics of Roe v. Wade
believe the court was trying to make a definitive
statement about how life begins, there is a potential for
life from the moment of conception which
does not leave room for the woman's right to privacy.

The potential for life from the moment of con-
ception, not from the point of viability outside
the womb.

Additionally, the trimester approach was
based on medical technology in the decade,
state Justice O'Connor in her dis-

Ginsburg asserted that "the shape of the
law on gender-based classification and
reproductive autonomy indicates and in-
dicates the opportunity women will have to participate as men's full partners in the
nation's social, political and economic life."

If the court had acknowledged the con-
stitutional basis of right to equality and the
effect of denying women the right to choose
on that equality, Judge Ginsburg argues,
the state's decisions would have been strength-
ened.

Californians back abortion right

A new poll released in January 1989 by
the University of California is one of the most
liberal in the nation. California's Supreme
Court has held that the right to abortion at
all stages of pregnancy is a constitutionally
protected right. The court has ruled that any
law that limits a woman's access to
abortion is unconstitutional.

Some polls conducted by Swedish psychologist Carl Jung. The
differences in their approach to firm man-
agement are quite a progressive approach to firm man-
der. He compared the relationships be-
tween people to those of the animal kingdom;
and law books, Wirtz said that most people
are interested in hearing about their own lives and the
people around them.

Developed in the 1940s by Catherine C.
Briggs of the MBTI Office, the test is
based on personality theories developed
by Swedish psychologist Carl Jung. The
test yields four-letter code that design-
ates its subjects' behavior preferences in
different areas: their attitude toward deals-
ng, how they use people (Extraverts or Introverts),
their method of taking in information
(Sensing, a preference for empirical infor-
mation, or Intuition, order of facts in big
patterns); their way of making decisions
(Thinkers prefer logic; Feelers, their per-
motional values); and their way of dealing
with the outside world (Judgers make
decisions; Perceivers take in information).

The MBTI Workshop is slated for April
7 and 8 at the American Business School of San
Diego, which is completing her M.Ed. in Coun-
selling at USD and attorney Gibson Pratt,
who attends MBTI workshops at the San
Drean and Gore. Schall Boudreau has taken
quite a progressive approach to firm man-
ger. He compared the relationships be-
tween people to those of the animal kingdom;
and law books, Wirtz said that most people
are interested in hearing about their own lives and the
people around them.

The test must be taken prior to April 7. It's
fun, there is no time limitation and there are no right or wrong answers.

Myers-Briggs
tests will be
given CPPO

by Mary Ann Salaber

Directress of the Career Planning Office

Are you an ESTJ or an INFP? Knowing
your personality type may help you under-
stand your strengths and weaknesses,
what kind of work you might enjoy and
successful doing, why you're struggling with
these challenges, and how to relate others more successfully
(i.e., with interviewers). The Career Plan-
ning Office will conduct MBTI Workshops
on April 5 for CPPO students who want to
gain a better understanding of themselves
and the people around them.

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Fellmeth to argue Prop. 68 before court of Appeals

Top list of important CPL cases handled

On April 11, Center for Public Interest Law Director Professor Robert C. Fellmeth testifies at the Fair Political Practices Commission over the FPPC's interpretation of Propositions 68 and 73. North's reform initiatives approved by the voters in the June 1988 election. The case is currently pending in the Fourth District Court of Appeal.

The case involves the Center's challenge to Proposition 68 which virtually none of Proposition 68 survives the simul-

P 73 is under fire

Proposition 73 prohibits the use of "public monies" to fund political cam-


for information: 1-800-221-9482.

an all-encompassing and well thought out compilation would be an accurate de-

Title contains sections on: Agents and Lawyers, Employment Agreements, Rules Concerning Eligibility and Disciplinary Rules, Injuries and Violence, League Operations (Not Involving Players) and Taxation. A novice to the field of sports related law might at first glance see that there is a great overlap of turf, contract, and antitrust law throughout the field and a concise guide was a growing necessity.

The author-editor, Gary Uberstine, is a member of the California State Bar who has authored "Covering All The Bases: A Comprehensive Research Guide to Sports Law," "The Law of Professional and Amateur Sports" and "The Law of Entertainment and Communications Law Library." Living in a city with professional and major college athletic teams, this treatise will be of great interest to the sports law practitioner as well as any other who comes in contact with sports and the present laws that guide the field.

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Civil rights march honors Dr. Martin Luther King Jr.

by Charles B. Andre

"I have a dream that one day this nation will rise up and live out the true meaning of its creed...that all men are created equal."

"I have a dream that one day even the state of Mississippi, a state swarming with the heat of oppression, will be transformed into an oasis of freedom and justice."

"I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character."

"I have a dream today. And if America is to be a great nation, this must become true."

Dr. Martin Luther King Jr. delivered those resonant words before a crowd of 250,000 during the famous March on Washington in 1963. But the same words were heard here at USD on February 16, to commemorate King's dream. Students and members of the community gathered before the University Center to prepare for a civil rights march up Marian Way and to hear Frederick Johnson, an SDSU speech student, recreate passages from some of King's most memorable speeches.

Professor Cynthia Caywood, chairperson of the Social Issues Committee, made opening remarks and noted the need for student awareness of social issues and respect for cultural differences. She emphasized the purpose of the occasion was to participate in King's message.

Law student Daryl Exum also addressed the gathering, criticizing University officials in general for not being more supportive of the march or recognizing King's birthday. Exum noted the march was not scheduled for that date because many students were still on spring break. For February 16, Exum felt it was equally appropriate because it fell within Black History month.

Before starting the march along Marian Way, Frederick Johnson presented passages from some of King's most celebrated speeches, including excerpts from his speech given on the eve of King's 1968 assassination:

"I just met God's will. And He's allowed me to go up to the mountain. And I've looked over, and I've seen the Promised Land. I may not get there with you, but I want you to know tonight that we as a people will get to the Promised Land."

Afterwards as many as 100 students, faculty, and community members, led by Exum and Johnson, marched along Marian Way to Copley Library, carrying signs commemorating King's legacy and the Civil Rights movement. University officials requested marchers use the sidewalk, but this request was defiantly ignored as protesters took their cause to the street on the return trip from Copley Library.

Following the march, Johnson gave a stirring rendition of King's 1963 "I Have a Dream" speech. The crowd responded to this superb performance with a standing ovation and Exum remarked he felt as though he had really been there.

'SNew frontier' found in Law of the Sea legal careers

(Continued from page 3.)

And to you, aspiring attorneys, they must first get permission. Since the late 1970s, there are no less than 371 fisheries and coastline boundaries involving about 75-coastal states.

The challenge for you as a legal advisor in the International Law of the Sea is to identify the boundaries of the ocean those boundaries have been split to date. These were all issues that Prof. Vargas confronted as legal advisor to the U.S. delegation when he served as Deputy Director for the Office of International Fisheries Affairs in Mexico City.

By the time he was a member of the Mexican Delegation to the UNCLOS in charge of Committee III, his concerns as a member of that delegation had been extended to encompass issues ranging from the protection and preservation of the marine environment to the challenge of technological transfer and marine scientific research.

As a delegate for Mexico, Prof. Vargas addressed all three of these issues areas and introduced proposals on these matters which not only focused on the subject for the later negotiations as UNCLOS III moved forward. Most of these proposals were made in conjunction with other nations, because a proposal is formulated by a number of nations.

The net result of this process is that the emerging regime on Marine Scientific Research, Part 13 of the 1982 Law of the Sea Convention, is based on a proposal which involved Mexico, Colombia, Venezuela and Nigeria, that was formulated, drafted and negotiated by Prof. Vargas. If you intend to practice in this area, then, you need to be capable of presenting proposals before committees in both formal on-the-record sessions and informal off-the-record sessions. It is in the informal sessions that one is free to express any idea before it is introduced in an official setting.

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"National Waterfront" found in Law of the Sea legal careers

(Continued on page 13.)

"New frontier' found in Law of the Sea legal careers

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Law Library

Auto-catalog expands efficiency

by Brent Bernau
Assistant Director

The days of the Law Library's card catalog are numbered. Planning is under- way to put it out to pasture with an auto- mated system. Computer monitors and key- boards will replace drawers full of index cards. Knowledge of boolean search logic will benefit the patron more than knowl- edge of the card filing rules.

But implementation of an automated system will mean far more than replace- ments of the card catalog. It will, in fact, affect everything and everybody within the libraries and throw open collection access to the public, 24 hours a day, 7 days a week.

For example, once records are auto- mated, library users won't even have to come to the Circulation Desk filling out slips of paper and holdings by computer from their home or any other remote location which has a modem with the personal computer.

Nor will patrons have to stand at the Circulation Desk filling out slips of paper to borrow books. Instead, the patron will hand the desired book to a Circulation Assistant who will pass the book under a laser reader. The laser will read the bar- code which will have been affixed to every book in the Library. This barcode will be the key to the bibliographic data of the book.

The Circulation Assistant will then pass the patron's ID under the laser reader to encode the borrower data and a due date slip will be produced. Periodicals online

Public Services will be enhanced through automation. Patrons trying to locate spec- ific periodical issues will no longer have to locate a staff member who then disappears into a mysterious back room before emerging with the verdict on the issue's alleged existence. Instead, the patron will be able to access the library's holdings records through the public terminals. This is because every time a periodical issue is received, its record will be updated online and instantly available to the patron.

UCSD/SDSU connection

Plans are also being made to negotiate a link to the automated catalogs of UCSD and SDSU. Thus, if a title isn't held by one of the libraries on this campus, the staff will be immediately able to direct the patron to an area library which does.

To accomplish this, however, much work lies ahead. For starters, thousands of rec-ords exist on the cards in the card catalog which must be converted to machine read- able form for the automated system. This could take many months. Then, every single book in the libraries and every pa- tron's ID must have a barcode affixed to it. Also, many functions occur behind the scenes, such as acquisitions and catalog- ing, which will undergo major change.

Committee formed

The University administration has made automation of the campus libraries a high priority. The University Libraries Auto- mation Committee was formed last fall to begin work which will implement this goal. Its eight members represent the Law Li- brary, Copley Library, the Media Center, Academic Computing and the University Administration.

The Committee's charge is to investi- gate the many available automated sys- tems and recommend the one or two which they believe will meet the needs of the University of San Diego. That recommen- dation is due this month. After the Univer- sity accepts the committee's recommen- dation, funding must be arranged and an implementation timetable agreed upon.

If everything moves ahead smoothly and anticipated funding is actually pro- vided, patrons can expect the system to be up and running sometime during the 1990- 91 academic year.

Though the official committee was formed just last fall, research has been ongoing for some time now. Dr. David Tiedemann of the Media Center surveyed 20 automated systems and submitted a report to Copley's former director in May of 1988.

The present Committee used that sur- vey as a starting point to facilitate com- parisons of the more important features of each system. They discussed and debated the strengths and weaknesses of the 20, narrowing the possibilities to six.

Vendors of four of the systems con- ducted on-site demonstrations here. Addi- tionally, the committee travelled to vari- ous institutions in Southern California in order to view the operation of each of the systems first-hand.

Two systems emerged as the leading contenders. Specifications will be sent to these two and each will prepare a bid. Once the University can arrange funding, the implementation timetable will begin.

Legal Research Specialist applications available for next year's Law Skills I

Legal Research and Oral Advocacy Spe- cialist positions are available for next year's Lawyering Skills I Program.

Director Doride Alfred has announced that nine Legal Research Specialist and eight Oral advocacy Specialist positions are available during the 1989-90 academic year. Students who will be in their second, third or fourth year of law school next year are eligible to apply.

These positions offer an excellent op- portunity for a student to sharpen research techniques, to increase familiarity with law library resources, to make a significant contribution to the legal education of first- year students and to develop a working relationship with a faculty member.

There will be nine positions available for Legal Research Specialist available during the Fall Semester 1989. Specific re- sponsibilities included writing and grad- ing sets of legal research exercises, attend- ing and participating in legal research lec- tures, conducting library tours and con- sulting with students during weekly office hours. The honorarium for these one semi- ster positions is $600.

Eight positions will be available during the Spring Semester 1990. Specific re- sponsibilities include writing two major appellate briefs, problems, attending oral advocacy lectures, attending practice and final oral advocacy rounds to assist in- structor in providing feedback to students and consulting with students during weekly office hours. Applicants should note that the two major problems must be written during the Fall Semester 1989. The hono- rarium is also $600 for these one semester positions.

Applications are available from Mary Vicknair or Susan Miller in Room 117 of the law school. The deadline for submit- ting applications is April 4. Interviews will be held the week of April 10. An interview sign-up schedule will be posted on the door of Room 117 on April 6. Applicants should sign up for an interview at that time.

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Law of Sea offers 'new frontier' for legal careers

(Continued from page 11)

The sea Convention. Additionally, it keeps a record of maritime claims as well as a record of maritime claims as well as within the Fourth District. This stopped the other disquali-

fied candidates, but not Mr. Pratt. Persistence, accom-

panied by his legal education, led to a legal challenge of the sufficiency of the ordinance before Judge Huffman. Pratt contended that the ordinance was vague, and that it arbitrarily removed voters from the democratic process. This argument, supported by a procedural grounds challenge based on the lack of an appeal process, led to the reinstate-

ment of Wes Pratt on the ballot. Subsequently, Pratt appeared to the voters as a phoenix rising from the ashes of defeat, led, by a philosophy of fighting for his rights. In the turn he would fight for the voters rights. The people of the Fourth district responded with overwhelming support by electing Wes into office with 74.5% of the vote.

Persistence + Hard Work = Success

Currently, Councilman Pratt is representing one of the poorest districts in San Diego, but he views it as rich in diversity. Local communities in his district include Golden Hills, La Mesa and National City, totaling approximately 135,000 people.

One of his many concerns is to ease the growing traffic problems in San Diego. By being a member of the Metropolitan Transit Development Board, Pratt can di-

rectly address the problem. He is a proponent of utilizing the Light Rail Transit System (trolley) to its fullest potential. Councilman Pratt visualizes this as an useful means for allocating public funds. If the public has easy access to a convenient, inexpensive system servicing major traffic routes, then the trolley can help alleviate traffic on crowded freeways.

His involvement in the development along its routes, specifically within his district, is another positive aspect of the trolley system; thus benefiting his constituents and fulfilling his duties as a representative. Moreover, in a society above, plus the high cost of an underground system and the appreciation of the world beauty of San Diego, are strong arguments supporting Light Rail Transit.

Yet, problems do exist. Federal subsidization is needed to start the expansion of the current system. However, Public Transportation funds may be reduced in the early stages of budget cuts. Regardless, Pratt is not giving up on this issue.

Wes Pratt has been an active citizen since his high school days in Springfield. Pratt was raised by a single parent; one of few black families in the heart of the bible belt during the Civil Rights' movement of the 1960's. He was crowned on a early age to over-

come disadvantages by an inspirational local quadrangle college professor. Wes was President of the local NAACP Youth Chapter and Senior President of his high school. He received an academic scholarship to a local private institution, Drury College.

Since he was named William's Fourth District Councilman, Wes Pratt has been involved in numerous areas. He is a strong supporter of the arts. Pratt's role in the body politic. The above, plus the high cost of participation in the political process, be it through voting or lobbying support for causes true to one's ideals.

McGeorge School of Law • University of the Pacific is PLEASED TO ANNOUNCE THAT Associate Justice Anthony M. Kennedy of the Supreme Court of the United States WILL TEACH AT THE London Institute on International Business and Commercial Law • London, England July 1-24, 1989

Justice Kennedy together with A.W. Bradley, Professor and Former Dean of the Faculty of Law, University of Edinburgh, will teach the course Fundamental Rights in Europe and the United States at the Inns of Court School of Law, Gray's Inn.


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Wes Pratt

A powerful event early in Pratt's life made him realize the importance of the need to continually advance one's beliefs. Wes attended Dr. Martin King's funeral in Alabama. On the return trip, Wes and his companions were nearly killed by an out of control car. Luckily it was deflected at the moment by a road sign. Local farmers took Wes and his friends to the local hos-
Students get trial experience counseling clients in judicial actions

by John Altmore

Regardless of whether your interests lie in civil or criminal law, the Criminal Law Clinic provides the perfect curriculum for all law students. The Criminal Law section of the Legal Clinic is the only program which provides USD Law students with real trial experience.

In fact, says Laura Berend, Director of the Criminal Law Clinic, "The USD program is not at all typical. Even nationwide, the great amount of trial experience is a key ingredient to our clinic, which makes it fairly sophisticated compared to all other law schools." Berend can say this with certainty, because each year she and Professor Flora Lynn Einesman (co-director) attend national conferences for faculty and staff of Criminal Law legal clinics. They consistently find that USD—not Harvard, Stanford or Boalt Hall—is basically the only law school in the nation which gets their students into the courtroom defending real clients in front of a real judge and jury. Furthermore, the Criminal Law clinics are not new themselves; full-level trial practice through a student clinic is "a remarkable phenomenon." But the program works.

How the program works

The clinic consists of a four-unit program combining legal studies and practical work experience. Half of the units are based on attendance and performance in the core course, Criminal Trial Practice, and the other half are earned as credits for practical work experience. In regards to the latter half, the student gets assigned to either engage in "in-house" representation, or work with an outside agency, such as Public Defender, Federal Defenders or the T.A.'s Office. However, only the in-house program will afford the student the opportunity of trial practice—and plenty of it.

Last semester, 20 students enrolled in the course. Fifteen of them got favorable placement with one of the outside agencies listed above and the remaining five chose to do in-house representation. Each of the five students handled their own cases independently. Clients are referred to the clinic by a multitude of city agencies, private groups, social justice organizations and the like. Berend says frankly that she does not know how people learn of the clinic's services, but there is always a steady supply of calls for help.

The clinic only serves indigents who absolutely cannot afford to secure legal help for their own defense. Furthermore, the clinic will only defend adults facing misdemeanor charges such as battery and driving under the influence. However, the students can defend juveniles in juvenile court who face felony indictments. Robert Swain, a third-year student in the program, says that the felony cases in juvenile court can get pretty horrific at times—involving such matters as drugs, violence and weapons charges.

Berend says that the students do nearly all the lawyering work independently. "We, the faculty, do not even hear the initial phone call." It is the student who receives, screens, analyzes and decides whether or not to respond affirmatively to the request. Essentially, from the beginning to the end, "the case is theirs (the student's) all the way," she says. This, of course includes the retention and interviewing of witnesses and expert witnesses like psychiatrists and other medical experts, if necessary. With a very serious demeanor, Berend notes, "It's all up to the students to make these decisions and follow through on all the corresponding work. The student is doing the real thing. He or she must make sure that the client is receiving competent representation." When it comes to the hearing or trial, again, it is the student who stands before Judge and jury and not the professor. The student is certified by the Bar of the State of California to fully represent his or her client in a court of law with the supervision that a supervising attorney be present. Students only need to be a student in good standing, have completed a certain number of substantive law courses (mainly Civil Procedure and Evidence), and submit a fee, of course, in order to apply for certification.

Consequently, Co-directors Berend and Einesman are quite busy law professors. In fulfillment of the certification requirements, each visits the Superior Court at least once or twice a week to view their students "in action.

A sense of community

In a very real sense, the clinic operates as a law firm. Accordingly, the students, along with Berend and Flora Lynn, meet as a law firm for about one and one-half hours every week. There, court calendars and court dockets are monitored so that the clinic can decide which individual schedules correctly. In addition, cases are discussed, and alternate strategies, or at the minimum, sincere interest and support, are conveyed from one peer to another.

Berend says that "community" is very strong within the clinic's law firm. "You can’t avoid being close when you bump into a colleague every few hours, every single day. The nature of the work is such that you can’t help but be close.

Swain could hardly agree more. "Everyone knows about everyone else’s cases," he says. "The work is very intense. You’re dealing with other people’s lives: either your own or other peoples’ freedom." Swain and another student have returned to the clinic a second semester to work. Other students have already completed the course work last semester, but they are each receiving six units of credit for defending clients of the clinic's law firm.

At the time I contacted Swain, he was just completing his work on a "memorandum," a detailed summary tracing the progress and conclusion of recently completed cases. He is currently working on three open cases as well. Swain emphasized that the clients are very sincere, whether in court or dealing with a client every day. However, the learning benefits are tremendous. "You can't avoid being close when you bump into every single day with every other person you deal with," says Swain.

Asked if the clinic experience would be worthwhile for someone interested more in civil than in criminal litigation, Swain responded "definitely." However, he understated the motivation was the key. "You do have to be motivated—excited—about criminal work. And, you've got to be close to your case, on top of that court dockets all the time. The clients are depending on you for their freedom. The work doesn't just stop when the break, or when a paper is due, or during spring break. It's the real thing. Your client is your client now. It's very intense. You care about the work concerning that client."

Whatever your ultimate interests in law, you cannot replace the invaluable trial experience gained through, and only through, the Criminal Law Legal Clinic. Swain recounted some of the lawyering skills he has learned or enhanced due to his work at the clinic: plea bargaining, negotiating with the D.A., securing private investigators, interviewing witnesses, drawing relevant testimony from clients, and the list goes on. It's great experience, whatever your professional goals are, but Swain repeats, "You've got to have that motivation." And that is definitely true, but Professor Berend reminds all prospective students, "The goal is to have a good time." I'm sold. Where do I sign up?

North jury selection suffers from prior publicity

(Continued from page 10.)

the notoriety of the case.

One factor that Judge Gesell's efforts to ensure an unbiased jury was that it was a change of venue, often used in court cases that are highly publicized, was not likely to help here. Gesell denied a motion of the constraints on Judge Gesell's for help here. Gesell denied a motion for help for their own defense. Furthermore, the clinic will only defend adults facing misdemeanor charges such as battery and driving under the influence. However, the students can defend juveniles in juvenile court who face felony indictments.

Still, Judge Gesell was left with juries that were almost oblivious to the testimony surrounding North's 12 criminal charges, which include obstruction of justice, making false statements to Congress and tax fraud. Included in the jury pool of 45 people from which the final 12 jurors were selected was a woman who equated watching the Congressional hearings with the Three Stooges.

However, Shore warns that ignorance of the facts of a particular case cannot always be equated with intellectual ignorance. The North jury may be competent, if not always cognizant about the world around them.

"Perhaps if one had never heard of Oliver North, perhaps that person has been living in a different world for the past few years," he said. "But I don't prejudge people on the basis of one or two events; you have to look at the whole person. Perhaps that person may have been inordinately busy."

Alumni office offers Padres-Mets game

Celebrate the end of school by attending a special evening at SD Jack Murphy Stadium for the San Diego Padres v. the New York Mets, Tuesday, May 23. The Law Alumni Association has reserved a private sky box and will host its annual Padres Night for students and alumni. Cost is $22 per person and includes the game, and unlimited food through the eighth inning and drinks through the seventh.

Tickets may be reserved with full payment to the USD Law Alumni Association through Tammy Muir in Room 203P in the Law School. Payment must be made no later than Tuesday, May 9. Tickets will be mailed to you. See you at the Ball Game!!
A light-hearted look at the spring softball season

BARSDRE 3:1 -- Little Timmy's Team. Law Geeks, but still the favorites to win it all. After seven years in USD, Yaldo has enough connections to be a successful sports agent, however, there isn't anyone on this team that will need his representation unless he starts doing criminal work.

KAHUNA 4:1 -- Shrugging off the ill effects of coming from a school with no campus, these boys have gotten big dividends by investing the money saved on tuition by purchasing partial ownership in Joe's Batting cages. When they're not at the cages, they practice

March 18-26 Spring Break/ Easter Holiday

Income-sharing assists MPHILP intern program for public interest organizations

by Adam Schwartz

The summer of 1989 will mark the first time that USD Law School will use income-sharing to provide public interest internships. The More Hall Public Interest Law Foundation (MPHILP) is an organization dedicated to promoting opportunities in public interest law. Each spring the MPHILP conducts a pledge drive seeking contributions from students, faculty and alumni amounting to one day's earnings to fund raising table on the ground floor of More Hall or the Financial Aid office before March 17, 1989.

HARMLESS ERRORS 6:1 -- Clear and convincing evidence... With the prettiest uniforms in the league, these guys look cute. Although they will tell you that they're not a fluke, their season could be tainted by allegations that certain members of the team have problems exceeding similarly to those of Wade Boggs (there may also be some copyright litigation over their creeds). A surprising amount of talent does exist here, so don't count 'em out.

OOSIKS 7:1 -- Cocky and competitive, they've been victims of hard luck this season.

during the second half. Even their Ballhousman might not be able to keep them from doing hard time in the cellar. By the way, personal insecurity among certain team members has led to a rumor that these "guys" aren't even guys. Poor Curbelo, at least Larry Bow a got to leave town after his firing.

WELL HUNG AND BLUE 25:1 -- They may have just plain gotten too old to play this man's game. Rumor has it that Baker is bordering on senility, as each year their team has an expected value of about 12 cents.

ILLEGAL BEAVERS 36:1 -- Tough squad? If you have a dollar to bet on the Beav's or a lottery ticket, the best bet is to buy a mondo Snicker bar and pocket the change. B. W. 's pinky injury and some hot play at second last week almost translated into a win for the Beavs'. Their schedule for the rest of the season is cushy and sitting at .500 for the first time in years, with a few lucky breaks they may make the playoffs on their own merit this year. Even if they fail, the Crai will probably sneak them into the playoff picture.

REASONABLE MEN 97:2 -- Overrated and underpaid overpaid. Last year's "Mr. Gung-Ho," Fedor, might be on the free agent market. There is even some talk that Stephens may finally make a wise coaching move and hide himself at first. Even when J. Bryant is there, he's not. If Welsh and Kenyon could stay away from the pre-game, together they may add up to one (average) player. One must wonder if even they believe any longer.

DEWEY, WHIPM AND HOWE 54:1 -- Probably better referred to as Hughey, Dewey and Lewis. These guys are probably even County/Western fans. This group still may be the best of the three Rookie squads, but who really cares?

HABEUS CORPSES 75:1 -- They've even lost to the pathetic Beavs (a redundancy). Kaczerowski should stick to hoops, where he can play even with his talk. Mr. Nice Guy All America, Will Miller, should stick to doing magazine covers. O'Donnell, lose that fag earring. Last year's "Craii pick to win the championship, this team is at very best a sad disappointment. They don't want, but...

TORT ON YOUR FACE 89:1 -- The epitome of First Year frustration. Here it is midseason and they still appear to be riding the pine in the game of life.

EIGHT AROUND THE MOUND 99:1 -- The only odds not to change at midseason, the computer considers 99:1 a gift. They should be renamed "We Can't Win and You Can't Make Us." They play their best with six players (fewer people to hide).

Image-sharing assists MPHILP intern program for public interest organizations

by Adam Schwartz

The summer of 1989 will mark the first time that USD Law School will use income-sharing to provide public interest internships. The More Hall Public Interest Law Foundation (MPHILP) is an organization dedicated to promoting opportunities in public interest law. Each spring the MPHILP conducts a pledge drive seeking contributions from students, faculty and alumni amounting to one day's earnings to enable several students to work in low or non-paying public interest positions.

The MPHILP plans to offer two to three internships to qualifying students this summer. Students interested in applying for a MPHILP grant should first find an organization in need of assistance. Grant applications should then be picked up at the fund raising table on the ground floor of More Hall or the Financial Aid office before March 17, 1989. Completed applications must be submitted by April 3, 1989 to any member of MPHILP or placed in the MPHILP mailbox on the ground floor of More Hall.

The Career Placement Center has a catalogue of public interest organizations for those in search of public interest information.

Summer sessions enrollment flourishes

The following is a comparative table showing the numbers of students participating in summer school through USD, on campus and abroad.

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8. BAR/BRI has prepared law students for nearly three decades. Most students who sign up for BAR/BRI are referred by attorneys they know.

9. BAR/BRI provides students with a MINI REVIEW VOLUME: Capsule outlines condensing all subjects into hard reinforcement.

10. BAR/BRI has courses in 44 jurisdictions and prepares over 27,000 law students nationwide. Students who sign up in California can transfer free of charge to another state.

1. Barpassers prepared approximately 10% to 15% of the students taking the bar exam last summer in California—total.

2. Barpassers is a video presentation and provides only audio tape instruction for 25% of the subjects.

3. Barpassers is mainly taught by one attorney (at least 1/2 of the subjects), who professes to be an expert on all of the subjects.

4. Barpassers uses flowcharts. Students spend most of their time in class learning how to use the chart, not learning the law.

5. Barpassers has a Sales promoter as their Northern California Director in the San Francisco office.

6. Barpassers outlines are not as complete nor as easy to follow.

7. Barpassers assigns 3 essays per subject but recommends that you do only one.

8. Barpassers has been in existence for less than four years.

9. Barpassers course provides no capsule outlines.

10. Barpassers has no transfer policy because it is offered in no other states.

All information presented is based on printed material, telephone inquiries and observations at course locations in 1988.
For additional reasons why more than 80% of the California law students took BAR/BRI last summer to prepare for the California bar exam contact:

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