Former Reagan Attorney Brings Real-world Experience to USD

by Shirvan Sherma

Michael Rappaport, a new professor at USD, has had a most notable legal career in and around the private sector. While working in the private sector for Gibson, Dunn & Crutcher in Washington, D.C., Rappaport’s career highlights included representing President Reagan during the trial of Admiral Poindexter. "Poindexter tried to subpoena the President to give testimony and to obtain his diaries," Rappaport said. "Poindexter’s defense was that the President had implicitly ordered him to do these things and therefore did not have the intent to violate the law.

"Eventually, President Reagan prevailed in his executive privilege claim to prevent the diaries from being released and voluntarily agreed to answer questions in a videotaped deposition hearing.

Rappaport, who teaches Environmental Law this fall, gained much of his knowledge of the environment from working in the Office of Legal Counsel in the Department of Justice. The Office of Legal Counsel advises the Attorney General on legal questions. Since the Office of Legal Counsel acts as final arbiter of legal problems in the executive branch, Rappaport worked on controversial issues including the separation of powers questions. "It is a small office but the issues are so significant that you get a lot of responsibility," Rappaport said.

One issue developed when President Reagan extended the territorial sea from three to twelve miles. The 'territorial sea' is the coastal waters the United States claims as part of its own territory.

"It raised all kinds of questions about how to prevent the diaries from being released and voluntarily agreed to answer questions in a videotaped deposition hearing.

Rappaport worked on environmental law class will have to examine related issues by looking at the statute itself instead of case law. According to Rappaport, "That’s what a practicing attorney does with a new statute—looks at the statute and legislative history to determine what it means.

"I really try to focus the courses on the kinds of problems people will experience as a practicing attorney in these areas.

"In environmental law, for example, EPA regulations are often based on policy. If you are representing a client who wants to influence regulations, you will

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Pro Bono Advocacy Committee No Longer Just Gleam in Former SBA President Smith's Eye

by Warner Broaddus

Towards the end of last year, outgoing SBA president Steve Smith finally gave birth. It was a smallish, quiet infant but it clearly had plenty of potential. After just a couple of weeks, it even chose its own name: The Pro Bono Advocacy Committee. Why, seems the obvious question, had Smith ended an almost 3-year pregnancy for such a thing?

Steve’s dream, that twinkle in his eye, which is now the Committee’s work, is to set up a system through which USD law students can gain valuable practical legal experience, improve themselves emotionally, spiritually and intellectually, help their community and other individu-

als and get credit for it; from the records office, their peers, their clients, and themselves.

That’s what pro bono publico (for the common good) legal work is all about. Indeed, such work is deemed so important by lawyers, the legal profession and the community, that it is part of the ABA Model Rules of Professional Conduct and is required by some law firms and several states.

The students of USD law school are now on their way to recognizing public service work as a required part of being an attorney; not so much as an imposed condition of practice, but as part of their professional culture. Present and future lawyers are increasingly aware that they must recognize their moral obligation to use their special education and talents to serve the common good, not just themselves.

To that end, the Committee, with Professor Steve Hartwell as its foster parent and mentor will be instituting a pilot pro bono program this year. The program will student run, but will draw on school re-

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Increase in Hate Crimes Prompts APALSA Forum

by Laura G. Morton

Robert Chong, Vice President of the Asian Pacific Law Students Association (APALSA), was working this summer when three Japanese women came in to see an attorney about an incident which had occurred at the Red Onion in Huntington Beach. The women had been at the restaurant speaking Japanese and leisurely enjoying themselves when they were verbally and physically assaulted by another patron.

According to the women, the Red On-

ion was indifferent to them and dismissed the altercation as "just another incident." According to Robert Chong, this is just another example of the increase in hate crimes around the country but especially in Southern California.

Hate crimes are defined as being motivated by hostility to an individ-

ual’s real or perceived race, color, reli-

gion, ancestry, national origin, political affiliation, sex and/or sexual orientation, age, or disability. The media recently has had its share of hate crimes making the front page: the homosexual man who videotaped a youth beating him up, or the now infamous Tom Metzger trial.

According to Chong, hate crimes are gaining popularity as people become less and less tolerant as what they perceive as "foreigners." For this reason, APALSA is sponsoring a Hate Crime Forum so those in the legal profession can become more aware of these types of cases.

"Not everyone may be aware that this is going on," Chong said. "Some people come from areas where there isn’t a large minority population so they may not have been exposed to hate crime incidents."

According to Chong, the purpose of the forum is to educate people about hate crimes from a legal perspective.

"We have four speakers who are ex-

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This Article Could Save You Money

from the Financial Aid Office

Located in Warren Hall 203, the Financial Aid Office, under the direction of Carl Eging, works to supply students with financial aid in a variety of forms. As well as loans, the office provides information and assistance on receiving various grants, scholarships and other financial assistance from the school and outside sources, such as the alumni and government agencies.

Application Procedure

All students seeking aid must follow the general application procedure:
1. File a Financial Aid Form (FAF, or the SAAC if you are a California resident) along with the College Scholarship Service (CSS). These forms can be obtained from the Financial Aid Office. The FAF should be mailed to the College Scholarship Service after January 1 and must be received by CSS by March 1 in order for the applicant to be eligible for priority financial assistance and scholarship awards. All documents, including the applicant’s processed FAF, must be on file in the Financial Aid Office by June 1 in order to avoid possible penalties for late processing. Summer aid applicants must meet the March 1 deadline.
2. Complete a USD School of Law Financial Aid Application and return it to the Financial Aid Office by March 1.
3. All financial aid applicants must provide the Financial Aid Office with transcripts from each graduate or undergraduate institution attended.

Available Loans

The office offers nine different loans detailed in the Financial Aid Handbook. These include the Carl Perkins Loan Program (CPLP); Tuition Credit Loan (TCL); Stafford Student Loan (SSL); Supplemental Loans for Students (SLS); Law Student Loans (LSL); Law Access Loans (LAL); the Dean’s Emergency Loan Fund; Senior Emergency Fund; San Diego Bar Association Auxiliary Loan Fund. Due to possible changes in eligibility requirements and interest rates, applicants should check with the Financial Aid Office to receive up to date information and application forms.

Scholarships

Many scholarships are offered to entering and continuing students. Scholarships are awarded to outstanding entering students who have achieved academic excellence, as well as students who achieve high scholastic averages during law school. All scholarships are subject to periodic review and budget availability.

To obtain additional information regarding scholarships and grants available from organizations not affiliated with USD, request a copy of “Financing Your Law School Education” from Publications Division, Law Services, Box 63, Penn Street, Newtown, PA 18940-0063. You will be charged a nominal fee.

Entering Student Scholarships include the entering merit scholarship, the diversity admissions program scholarships and the Dean’s Outstanding Scholar awards. Details about these scholarships can be found in the Bulletin. There are also a variety of continuing student scholarships available to students from their second year on. Check with the Financial Aid Office for details.

Work Programs

Funding is provided for this program by the federal government and the USD School of Law. On and off campus employment is available for students who demonstrate financial need.

WICHE

Students from Alaska and Nevada may be eligible for the WICHE Student exchange Program in Law. This program was developed to help students obtain access to a field of professional education that is not available in their state. The sponsoring state provides a partial tuition grant for certified students. For further information contact the Western Commission for Higher Education (WICHE), P.O. Drawer P, Boulder, CO 80301-9792, phone: (303)497-0200.

Veteran’s Benefits

USD School of Law is approved for Veteran’s benefits. If you are a United States military veteran, or the spouse or child of a disabled or deceased veteran, you may be eligible for veteran’s benefits. Please contact your respective Veteran’s Administration Office for more details. It is advisable to contact the school office for any necessary forms you might need.

Carl Eging

Director of Financial Aid

Enrollment Classifications

The following classifications are used when certifying all students for financial aid programs, student status confirmations and veteran’s programs:

Fall/Spring Semesters

Full Time—8 units or more
Half Time—6 units or more
Less than Half Time—5 units or less

Summer Session

Full Time—5 units or more
Half Time—3 units or less
Less than Half Time—2 units or less

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See the bulletin or call 1-800-362-8460.

Deadline to apply is 1 October 1991. Selectees will begin Service on April 6, 1992 or August 24, 1992.

The COAST GUARD is committed to equal opportunity and encourages minorities to apply.
Fireside Chats With Dean Strachan:
A Monthly Question and Answer Session

Editor's Note: This is the first in a monthly series of interviews with Dean Kristine Strachan. MOTIONS is accepting student questions to address the Dean during these sessions. Please submit questions for the next interview to the MOTIONS mailbox in the mailroom next to the assignment board by 5pm, Friday, September 20.

by Mary A. Smigielski

Just how do you pronounce your last name?

"It's Strachan, like it would be spoiled S-T-R-A-W. I don't take any umbrage at people mispronouncing it at first. That's how I tell if people know me or not."

Describe the average day of the Dean. What do you do each day?

"It depends on whether it's a teaching day or not. Why not take a teaching day because those are my favorite ones.

"I'm always in at 8am. In fact, if people want to find me that's always a good time. I usually have a cabinet meeting or a President's Advisory Meeting in the morning. I try to save the hour before lunch for getting prepared and to eat lunch. After that I have a little bit of time to myself because this is the 18th year I've taught Civil Procedure. That class is from 10:30 to 11:45 and I answer questions after class.

"Then I go back to my office and I pick up phone messages. I make a few phone calls before I go out to lunch. I'm usually out to lunch with a faculty member or an alumn, somebody who's a potential donor, a university administrator or for something that has to do with the Downtown San Diego Bar Association. So, it's most always business lunches.

"After lunch I come back and there is always a series of meetings in the afternoon. Being Dean is a very hands-on type of activity. It's all talking to people and meetings. I try to let any of the students or faculty who want to see me get in on a walk-in basis. Also, I try to get an hour a week in the Writs just so I'm accessible to students for whatever they want to talk about.

"And then, there's usually some sort of a reception or a program going on in the evenings. I would say at least three days a week there's some evening event that's a business event. I also spend a certain amount of time taking potential donors out to dinner. That never comes to light until we succeed and then we make a big announcement. 'There's a lot of cultivation and making friendships before you can successfully fundraise.'"

Tell us something about your personal life. Who is the Dean when she is not in the law school?

"Well, it's an all-consuming job as you can tell from the schedule. The first year that I was Dean, I would spend twelve to fourteen hours a day and every weekend working. But I had a lot to learn and there were a lot of things that had been left unattended to that needed to be done. A lot of it was budget and financial and I had to learn all that because I'd always been a front-line educator and I've never been an administrator before.

"The second year, last year, things calmed down--a bit! My husband started commuting down to San Diego instead of vice versa, which I was trying to do the first year. He's a lawyer and has his own firm in Park City, Utah. He loves what he does. He represents the ski industry in the state of Utah and he gets involved in things like the Olympics and all that. He really is quite content and is supportive of my career.

"So he comes down on Thursday nights on the 10:10 and he leaves on Monday mornings on the 6:18. I try to save the weekends for my son, who is fifteen years old, and my husband. When I go back up to Utah we spend a lot of time skiing because I'm an avid skier. I'm a fifth rate tennis player, but I love playing tennis.

"I like quiet time quite a bit. On the weekends when my husband has a conflict and he can't commute, I just love catching up on my reading. Another thing that bothers me about having this hectic schedule is that I can't read as voraciously as I used to in all legal subjects. I've had to confine my reading to essentially the areas that I teach in or issues of legal education. It's really important if you're an administrator to stay on top of the developments in your field. I've noticed that it gets harder and harder to do that so you really have to make a self-disciplined effort."

It's been rumored that there has been a lot of thefts of law school property. Is this the case?

"There's a surprising amount of theft around here. I don't think it's law students because the building is open to everybody, all hours of the day. We can't really shut the building because students need to have it accessible. We've lost furniture, the TV downstairs--we've just lost a lot of stuff. Security is a real problem. I wish the students would help us on this. I think the students understand that when we get ripped-off, everybody pays for it eventually. The insurance has a $5000 deductible.

"I think what we really need to do is to be more alert about who's around. I hear from the police that when they've caught people doing it, they look like students, so it's very difficult to tell the rip-off artists from the law students. That's why it would be wise for the students and the faculty, if they see someone who they don't know late at night to ask, 'Who are you?'"

What has been your biggest accomplishment since becoming Dean?

"It's hard to take credit for accomplishments because so many people have been involved in them. I feel satisfied about these things, but I can't get anything done if I do it alone. I really can't. What we might do is to say what's the school's biggest accomplishment.

"One of the really big accomplishments is the complete restructuring of the alumni organization, making that organization much more significant. It's been two years of hard work to get it done. The beginning culminated in Alumni Reunion Weekend, over Labor Day weekend. We had over 250 alums show up. It gives them a much better feeling about the school. They want to stay involved.

"They can really be very helpful to the students in terms of jobs and mentoring and their financial contribution is increasing. If we're going to be able to do all the things we want to do--and there are so many requests for increased resources by the students--we cannot keep raising tuition. We really need to find outside sources of funds so that all the student organizations and student activities can do more of what they want to do. It's really a very nice feeling to have your alumni organization enthusiastic and committed. That's a big accomplishment.

"I think another accomplishment was the stabilization of the Legal Clinic. The positions of the faculty members there were made tenure-track and a lot of the insecurity and instability that they had to labor under has been removed. We've tried to expand the clinical courses although it's very expensive to do so. We've got more clinical offerings than we've ever had. I think that the clinic is an important part of this law school. It was too much on soft money in the past, but that has all changed now. It is now a permanently integrated part of the school which is the way it should be.

"Also, I think that we've made good progress, but not enough progress, towards diversifying the students and the faculty. We've made some important hires in the last couple years and I think that the diversity among the student body is increasing. I'm very pleased and very proud of the progress that we've made on diversity. And we're going to continue that progress. It couldn't happen, really, without the support of the student body and the faculty."

Where is USD ranked compared to other law schools in California?

"I would say that USD ranks second to the big schools, the prestige schools, in California. I think that within the next five or ten years we can give some of them a run for their money. We are in a position to do so with the completion of that library, the increased distinction of the faculty and qualifications of the student body, the rejuvenation of the alumni association and the whole fundraising effort. We're in a position to really do this. To make USD one of the distinguished schools in California.

"It's not going to be easy because those state schools have such an advantage over us in terms of the cost of their tuition. To catch up to the private schools in terms of Stanford and USC, well, that's a major step for us, what we call a great leap forward. But I think all the elements are in place. I think the only thing now that's standing in our way is that it always takes time for your reputation to catch up to you. We have to keep the progress going and we also need five or ten years of our students going out there and doing a great job and the word getting out. I think that the value of a JD degree from USD is going to appreciate substantially in the next ten years."

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MOTIONS -- September 10, 1991 -- 3
USD Students Active at ABA National Convention

by Shawn Randolph

The Law Student Division of the American Bar Association met from August 8-11 in Atlanta during the regular ABA convention. I was so impressed by all the opportunities that the ABA offers its members, especially its delegates and officers, I wanted to relay the information to students.

The ABA Law Student Division is comprised of the SBA President and an ABA representative from each ABA approved law school throughout the country. These people are delegates and have a vote at assembly meetings. The United States is divided into 15 areas or "circuits." USD is in the Ninth Circuit, comprised of Southern California law schools and Hawaii. Each circuit has a governor who is responsible for, among other things, planning circuit meetings, keeping communication going among the law schools in their circuit, and meeting with the national officers. Patty O'Conner of USD is the Ninth Circuit Governor. Governors also appoint officers to accomplish certain goals. For instance, I am Lieutenant Governor of SBA's for the 9th Circuit. There are also five national officers who preside over the law student division. A Chair, Vice-Chair, Vice-Chair of SBA's, and a Secretary Treasurer. Cheryl Forbes of USD is the Vice-Chair of the student division.

In addition, three "Division Delegates" are elected each year to present the Law Student Division resolutions to the Senior Bar and lobby to get them passed. These delegates are elected each year at the national convention during the summer. Finally, the Law Student Division has various committees, one of which is the Commission on Minorities and Women in the Profession (COMWIP). Kim Strashoon of USD is one of four members of COMWIP. At every national convention, the delegates, governors, officers, division delegates, and commissions meet to present and debate various resolutions. The entire assembly then votes on the resolutions which often pass. Anyone can draft each year by which each circuit conducts its business. These are great opportunities to travel and meet other law students, and to represent USD. The ABA is a highly respected organization that offers many opportunities to law students. I strongly encourage students who are interested to seek out information on and run for ABA positions. Feel free to contact me or the others involved in the American Bar Association for further information.

ABA/LSD Resolutions Pass at Atlanta Convention

The following resolutions were presented before the ABA-LSD Assembly during the annual convention in Atlanta:

Resolution No. 91-32: Reproductive Health Care (PASSED)
Resolved, That the Law Student Division expresses its deep concern over Rust v. Sullivan, 111 S. Ct. 1759 (1991), upholding regulations that prohibit health-care professionals and family planning clinics from counseling their patients on, or providing refer to, abortion. The Division urges:
1. That the Law Student Division strongly supports federal legislation to clarify the original congressional intent that Title X federal funding be used to provide accurate and unbiased information on reproductive health care for economically disadvantaged women; and
2. That the Law Student Division expresses its serious concern that Rust v. Sullivan limits the first amendment right to free speech for certain health care professionals.

Resolution No. 91-27: Students Working (PASSED)
Resolved, That the Law Student Division urges the Section of Legal Education & Admissions to the Bar to amend interpretation 1 of Standard 305(a)(iii) for Approval of Law Schools as follows:
A first-year student may not work in excess of twenty hours per week while attending school on a full-time basis. Each school may regulate student employment after the first year.

Editors note: The inclusion of the italicized portion would allow second and third year students to work beyond the twenty hour limit imposed by the ABA if their law school allows them to do so.

Resolution No. 91-31: Justice Marshall Day (PASSED)
Resolved, That the Law Student Division recognizes the significant and enduring contributions of the Hon. Thurgood Marshall, associate justice of the Supreme Court of the United States, to the field of law and the quest for equality and justice in the United States; and

Editors note: Although its bill was originally uncontroversial, the debate became heated when a proposal was put forth to include an amendment which would have asked the Senate to expel the nomination of Clarence Thomas to the Supreme Court. That amendment was later withdrawn.

Resolution No. 91-20: Taxing Loan Forgiveness (PASSED)
Resolved, That the Law Student Division urges the American Bar Association to urge the Congress to amend I.R.C. s. 108(f) to exclude from taxable income the amount of loans forgiven under law school, university, or bar association loan forgiveness programs.

* * *

Other resolutions considered by the ABA-LSD involved issues of health care, the boycott of California grapes, environmental issues, grading policies of law schools, and concerns about the practice of firms hiring summer law clerks. Students wishing to know the content and status of these and other resolutions should stop by the SBA office in the Wris.

Getting to Know the ABA

by Carl H. Starrett

The American Bar Association (ABA) is the nation's largest and most prestigious organization in the legal profession. The Law Student Division of the ABA (ABA/LSD) offers many opportunities for students to influence ABA policies and to enjoy the numerous benefits offered to ABA members. Each ABA approved law school has a Law Student Division representative to encourage membership and publicize the benefits and programs offered to ABA/LSD members.

As part of the $15/year membership fee, you receive a one year subscription to two valuable publications, Student Lawyer and the ABA Journal. Student Lawyer is the only national magazine for law students. Published September through May, it addresses current legal and social issues relevant to law students. The ABA Journal, the official magazine of the ABA, explores contemporary legal issues, trends in the law, and profiles of federal and state supreme court cases.

ABA/LSD members may also subscribe to the group health insurance program, and receive an eight dollar discount on the Preliminary Multistate Bar Review (PMBR) course. Also, members can take advantage of MCI discounts and a MasterCard program that offers a card with special flexible income requirements, a one-time fee and competitive interest rates especially for law students.

The Law Student Division also invites members to attend the annual meeting which is held in conjunction with the annual meeting of the Senior ABA. Members have the opportunity to meet specialists in many fields of law, participate in meetings and seminars, and establish contacts with fellow members from around the country.

The ABA/LSD also sponsors three national competitions open to members: the Client Counseling Competition, the National Appellate Advocacy Competition, and the Negotiation Competition.
How to take the Bar: The Entire Process

by Marjorie Zhou
Registrar

If you want to practice law in California, you have to prepare early in your legal education. The first thing you must do is register with the Committee of Bar Examiners of the State of California within 90 days of beginning law school. This will establish your identity with the Bar and enable the people there to put together all of the papers and the results of the following three steps so everything is in order for you to be sworn in as an attorney.

All of the registration materials have not as yet arrived from the Committee, but we expect them in a week or two, so as soon as they are available, they will be put in the mailboxes of all of the first-year students. The registration fee this year is $50.

The three steps subsequent to registration (not necessarily in the order in which you will take them) as stated by the Committee in their "Summary Requirements for Admission to Practice Law in California" are as follows:

1. File an Application for Determination of Moral Character and receive a positive determination from the Committee of Bar Examiners; and
2. File an Application to take the California Bar Examination and after having been found eligible to do so, take and pass the examination; and
3. Take and pass the Multistate Professional Responsibility Examination administered and graded by the National Conference of Bar Examiners.

STEP 1

The "Moral Character" application can be filed at any time after registering with the Committee and up to 180 days after the results of the bar exam you sit for are released. You probably won't want to wait that long, however, especially since the 1991 filing fee is $110 if filed prior to the beginning of the final year of law school and $250 if filed after that time. You won't want to do it too soon either, as the application is only good for 18 months and must be renewed every 18 months at the current rate of $65 per renewal.

The optimal time to take step 1 is during the summer before your final year of law school, if you plan to take the following July's bar exam. If you plan to graduate in December of 1992 and take the July 1993 exam, this December (before you start your final year of law school) would be an optimum time to file.

This timing is optimal provided you do not have a complicated past that will require extensive investigation. If you think it will require extra time to process your background investigation and subsequent clearance, it is to your advantage to file the "Moral Character" application earlier in your law school career. The timing is up to you.

Next May the Records Office will furnish current second-year day and evening and third-year evening students with "Moral Character" application forms, but if you need one before that time, contact the Records Office.

STEP 2

Applications to take the July bar exam are usually available in April and those for February are available in November. The Records Office will post notices when these arrive each November and April. Please be aware that there is usually a short turnaround time to file the applications once they become available.

Also, please be aware that once you have filed the application, the Committee will return to you the Dean's Certificate which you must partially complete and turn in to the Records Office where it will be completed and forwarded to the Committee, along with an official copy of your transcript. The Committee will not let you sit for the exam without the Dean's Certificate and official transcript.

Results of the July exam are usually released right after Thanksgiving and those for the February exam are released after Memorial Day. The timely filing fee for the July, 1991 exam was $50.

STEP 3

The Multistate Professional Responsibility Examination is administered three times a year, in March, August, and November with filing application deadlines a month earlier. Many law students take the exam after graduation. Your Professional Responsibility professor may be able to give you more information regarding the exam. The timely filing fee for this examination is $25 this year.

The three-step process was just introduced by the Committee of Bar Examiners this past Spring, so this is the first year that it is in effect.

BAR PASSAGE RATES

Bar passage rates are always of concern to students. You should be pleased to know that the official first-time bar passage rate for U.S.D. for the July, 1990, exam was 79.3%. This was up four percentage points from the July, 1989, statistic of 75.3%. You should be even more pleased to know that almost 90% of the students from the class of 1990 who sat for the exam passed by the second try.

ATTENTION: WE WANT YOU! TO WRITE FOR MOTIONS

Assistant Editor position also still available. Pay is $50/issue for assistant.
Contact the MOTIONS office for details. 260-4600, ext. 4343
Public Interest Law

Center Welcomes New Interns

USD's Center for Public Interest Law recently welcomed forty second-year law student interns to its unique yearlong clinic program aimed at opening up the processes of California regulatory agencies and teaching students administrative law and practice.

Created in 1980, CPIL represents the interests of the unorganized and underrepresented in state regulatory proceedings. It provides an academic center of research, learning, and advocacy in administrative law; and teaches direct clinic skills in public interest regulatory law.

CPIL interns are given the opportunity—unique in the nation—to participate first-hand in the state's regulatory process and to have articles they write published in the California Regulatory Law Reporter, the center's quarterly journal and the only legal publication of its kind. Since its creation, CPIL has graduated almost 450 students from its program, many of whom have made public or public interest law their career.

Center students take a yearlong, four-unit course entitled California Administrative Law and Practice. As part of the course, each student monitors two or three of California's sixty regulatory agencies, which include the State Bar, the Public Utilities Commission, and the Department of Banking, among others.

Students attend agency meetings, monitor and analyze their activities, interview agency officials and licensees, participate in rulemaking, and track legislation affecting agencies. Students submit two articles summarizing agency activities each semester for publication in the Reporter.

Following the yearlong course, many Center interns pursue, for additional credit, a research/advocacy project involving one of the agencies. In the past, these projects have included agency critiques, petitioning an agency to adopt regulations, drafting model legislation, filing suit to enforce various acts or submitting amicus briefs on issues pending appeal. Student critiques of publishable quality often appear as feature articles in the Reporter, and also satisfy the school's written work requirement.

The Center, which was the recipient of a $1.8 million endowment by local philanthropists Sol and Helen Price in November 1990, is directed by Professor Robert Fellmeth. Fellmeth is a former Nader's Raider consumer advocate, a former Deputy District Attorney and Assistant U.S. Attorney. He is currently serving as the State Bar Discipline Monitor under appointment by former state Attorney General John Van de Kamp.

The Center is staffed by a full-time lobbyist and four experienced attorneys. CPIL maintains offices in San Diego, San Francisco, and Sacramento.

According to Professor Fellmeth, perhaps the most promising aspect of Center scholarship and activity has been the entry into state regulatory agency staffs, oversight legislative committee staffs, and public interest advocacy groups of Center interns following graduation.

CUB Report Published by CPIL

Seventeen years after Ralph Nader urged consumer groups to communicate directly with utility customers through billing inserts, such a consumer group attacked the planned merger of two giant California utilities. The merger was soundly defeated.

Utility watchdog groups have amassed considerable public clout in a relatively short time. The history of that evolution is chronicled in a new report, "Citizens' Utility Boards: Because Utilities Bear Watching", published by the Center for Public Interest Law (CPIL).

"Citizens Utility Boards", written by CPIL program manager Beth Givens, profiles five U.S. Citizen utility boards (CUBs) that have thrived despite a 1986 U.S. Supreme Court decision eliminating CUB billing inserts:

1. the Wisconsin Citizen's Utility Board, the nation's first, which, like the other CUBs, has broadened its scope to include telephone industry; and
2. the Utility Consumers Action Network (UCAN) of San Diego, the nation's only local CUB and the leader in the extraordinary fight to stop Southern California Edison form taking over San Diego Gas & Electric;
3. the Illinois Citizens' Utility Board, the first CUB to solicit membership through billing inserts in state agency mailings;
4. the Oregon Citizens' Utility Board, the only CUB to be established by a citizens' initiative; and
5. the fledgling New York Citizens' Utility Board, which is expected to begin operating in late 1991 and which has already obtained the go-ahead for inserts in state agency mailings.

Along with charts and narratives describing the workings of the CUBs, the "Citizens' Utility Boards" outlines how utility watchdog groups can safeguard the public interest further by monitoring the financial services industry, the insurance industry and the U.S. Postal Service.

The report also provides a national CUB directory, a model act to create a CUB and practical advice from CPIL leader.

The final chapter discusses the future of CUBs. According to the report, "the deregulation of some of the country's largest industries means that consumers are required to make crucial decisions in an increasingly complex and confusing marketplace. Consumers need reliable sources of information as well as mechanisms for joining forces in order to advocate their interests before regulatory and legislative bodies."

CPIL Director Professor Robert Fellmeth, in his foreword to the report, says CUBs will continue to prevail because they are "an elixir of citizen energy, based on three age-old repositories of American value: Fair play, balance, and the right of all of us to be heard, even the majority."

Copies of the report may be purchased from the Center for Public Interest Law. Call 202-480.
La Raza Seeks to Promote the Success of Latinos

by Laura G. Morton

The La Raza Law Students Association is walking proud on campus. According to its President, Sammy Heredia, the organization has reached some major goals and looks forward to confront a new set of challenges.

"We are one of the largest member organizations in the state, second only to Loyola," Heredia said. "We can also boast that we are one of the most active organizations."

According to Heredia, the organization is taking a new direction by joining other organizations state-wide to take a stand on an issue that is very important to the Latino community: the desire to increase the number of Latino lawyers in a state which has one of the largest Latino populations. Having only a few Latinos to serve the community, the group and La Raza is striving to change the figures.

"We are going to become more political on this issue," Heredia said. "Political connotes radicalism but that is not what I mean in this case. What I mean is that the organization, along with other state-wide groups, is increasing the number of Latinos in law school and, especially, increasing the number of Latinos who graduate and go on to law school."

"Traditionally, Latinos have a difficult time adjusting to law school because of the stereotypes that exist about Latinos. There is a lack of role models that serve as an example of today's insurance crisis. There are just too many people neglect, is that much of the wellness envisioned is walking proud on campus. According to Heredia, theorganization intends to examine whether health insurance and the insurance played in the savings and loan banking law.

"These are Latinos who have made a contribution to their community," Heredia said. "They have provided us with lots of moral support and now they expect us to provide the pack so they can continue to give us that support. I think that by working together we can make many of the changes necessary to forge ahead."

"We have put a lot of man hours into putting this banquet together," Heredia said. "It is important that it go well not only for the sake of the students who will be here, but also for the sake of the La Raza Law Students Association. We are putting our reputation on the line and it's a gamble, but one that I think will eventually pay off."

The banquet will be held on September 27 at the Kingston Hotel. There will be traditional Latin/Chicago music played by Los Alacranes Mojados during dinner; Tony Torres of Music Express will be the DJ for the dance. Cocktails begin at 5:30pm and dancing begins at 8. According to Heredia, the highlight of the evening will be the guest speakers. The Honorable Judge Raphael Arredro and Ramon Castro, of Lightner, Castro, Schafer & Schatz will be speaking. The master of ceremonies will be Mr. Daniel Guevara of Castillo and Guevara, LLP."

CONTINUATIONS

Rappaport have to make certain policy arguments as well as legal arguments."

Next semester, Rappaport will teach a banking class as well as an insurance class. He stated that now is an exciting time to study environmental, insurance, and banking law.

"The real legal issues are really challenging and interesting because they are new problems to deal with."

He added that there needs to be new thinking in dealing with these new issues as well.

Regarding insurance law, Rappaport pointed to people not being able to get liability insurance, the role that deposit insurance played in the savings and loan bailout, and medical malpractice insurance as examples of today's insurance crisis.

"Insurance is not really regulated on the federal level. It's left largely to states," Rappaport said.

Yet, the number of insurance companies are having financial difficulties or going bankrupt, the federal government is considering "getting into the area and regulating insurance," according to Rappaport.

"The other side of insurance, a side that people neglect, is that much of the welfare state is insurance programs," Rappaport continued. He cited medicare as health insurance and the Social Security Act which covers disability, retirement and unemployment.

Rappaport intends to examine whether the changes that occur as a result of new programs in the way that what alternatives there could be. A native of New York City, Rappaport graduated from Law School in 1985, was admitted to practice in New York in 1986, and completed his doctorate in law and political economy in 1990. As senior editor of the Yale Law Journal, he published a note entitled, "A Procedural Approach to the Contract Clause of the Constitution."

After graduation, Rappaport clerked in the Third Circuit for the Honorable Dolores Sloviter. Sloviter was appointed by President Carter in 1979 and is now Chief Judge of the Third Circuit.

When asked how he ended up in San Diego, Rappaport replied, "I always wanted to teach. I just wanted to get some experience doing different things before I went into teaching."

Hate Crimes be an informal gathering where people can speak individually with the various law enforcement agencies. Another project is educational outreach; sending participants to local school to teach students about our governmental and legal institutions.

Moral development and ethics is the second subject that program participants might teach to primary and secondary students. Even a separate civil rights class has been proposed. The scope of the pro bono work will be wide and will provide many opportunities for students in a host of disciplines.

Finally, the Committee hopes to work pro bono advocacy into the school's curriculum, as a clinic or as a separate activity for which students could receive credit. Several public service programs at other law schools even require a certain number of pro bono hours prior to graduation.

Ultimately, it will be for the law students to decide their level of commitment to this kind of work. But as we begin the last decade of the twentieth century, this is clear: Everyone, but especially lawyers, must turn outward and look at themselves as part of a community that encompasses larger, more global every second. A person or profession that lives for itself, within itself, will be despised, then ignored, then shut down and finally just disappear. Financial Aid - Satisfactory Academic Progress To retain eligibility for financial aid, students must display satisfactory academic progress. This includes the following:

- Completion of a minimum of 17 academic units during each full academic year, inclusive of summer sessions. In addition, students must complete the following cumulative units by the end of the spring grading period:
  - Freshman 16 units
  - Sophomore 34 units
  - Junior 51 units
  - Senior 68 units
  - Fifth year 85 units

2. Students must maintain a minimum grade point average of 75.

3. Students must complete degree requirements within five years.

4. Incomplete, withdrawals, audits and failed courses cannot be considered in the computation of minimum units.

5. Students on academic probation have one semester to remove the probationary status in order to retain eligibility for financial aid.

Students who do not meet these minimum standards will be advised by the Financial Aid Office that they are not eligible to receive financial aid under the Title IV programs.

Students who receive this notification have the right to appeal. All appeals will be reviewed by the Financial Aid Committee. This committee will make a recommendation to the Assistant Dean of Administration who will make the final decision.

Refund Policy The refund policy for Fall and Spring semesters is the following: Withdrawal on day of first class: 80% Withdrawal during first week of classes: 50% Withdrawal during second week of classes: 0% There are NO REFUNDS after 5pm on Friday of the fifth week of classes. The next issue of Motions will be out on October 1, 1991.

Deadline for submissions is September 20.
FLEMING'S FUNDAMENTALS OF LAW

Examination Writing Workshop

Be Prepared For Law School and the Baby Bar Examination

The Legal Examination Writing Workshop is designed to teach the student at the law school level how to Analyze, Organize and Write a Superior Law School Examination.

The course will clearly Demonstrate these fundamental Writing Techniques on a Step-by-Step Basis giving the student both a visual and cognitive understanding of proper exam format.

It is imperative that the student develop Proper Writing Skills during law school to avoid the panic many students experience when they discover during Baby Bar/Bar Review that they can't reverse 1-4 years of poor writing habits that went undetected during law school.

WHAT THE WORKSHOP WILL DO FOR YOU

- Provide 12 hours of Intensive Exam Writing Techniques.
- Teach Exam Approach (including issue spotting techniques, issue headnotes, factual analysis and proper sentence structure).
- Develop Outline Organization Techniques within the purview of the Call of the Question (including identification of major/minor issues and fact to element application).
- Structure Adversary Arguments within the IRAC Format.
- Provide a Sentence by Sentence Analysis of six in-class hypotheticals.
- Explain the “Do’s and Don’ts” of a successful exam answer.

SCHEDULE OF SEMINARS

SAN DIEGO
- Saturday, September 28, 1991 : Noon-6:00 pm
- Sunday, September 29, 1991 : Noon-6:00 pm
- All sessions will be given live at Holiday Inn, 1617 First Ave., San Diego, Bayview/Skyline Room.

ORANGE COUNTY
- Saturday, October 5, 1991 : 9 am-12:30 pm, 1:30-4:00 pm
- Sunday, October 6, 1991 : 9 am-12:30 pm, 1:30-4:00 pm
- All sessions will be given live at Pacific Christian College, 2500 E. Nutwood Ave. (at Titan), Fullerton (across from California State University, Fullerton), Room 215

LOS ANGELES
- Saturday, October 12, 1991 : 1:00-7:00 pm
- Sunday, October 13, 1991 : 1:00-7:00 pm
- All sessions will be given live at University of West Los Angeles School of Law, 12001 Washington Place, Los Angeles. Room number will be posted on the day of the seminar.

MILPITAS/SAN JOSE
- Saturday, October 12, 1991 : Noon-6:00 pm
- Sunday, October 13, 1991 : Noon-6:00 pm
- All sessions will be held at the Crown Sterling Suites Hotel, 901 Calaveras Boulevard, Milpitas. VIDEO PRESENTATION.

The Writing Workshop will Provide the law school student and the Baby Bar/BAR Candidate with the Foundation from which he or she may Achieve Excellence in law school and on the bar examination.

Professor Fleming has determined that students who are unsuccessful in law school and the Baby Bar/Bar Examination generally suffer from a lack of Basic Fundamentals in Analysis, Organization and Writing skills. Therefore, he has designed the Course to Aggressively Address these Problem Areas.

This Practical Course will be the most Significant two days of Learning in your law school career. You Can’t Afford to Miss It!

Provide an extensive 100 Page Writing Workbook. The material is not available anywhere in published form.

Most of all, you are trained to write Superior Answers.

In addition, each student will have the opportunity to write Two Exam Hypotheticals. One answer will be critiqued in class and one answer will be collected at the conclusion of the second class session. The answer will be critiqued extensively through audio cassette and returned to each student. One blank cassette tape must be provided by each student.

If you are interested in attending the Legal Examination Writing Workshop, please fill out and return the REGISTRATION FORM to: FLEMING'S FUNDAMENTALS OF LAW

21601 Crippsana, Mission Viejo, California 92692

714/770-7035
The ULTIMATE Bar Review

Chris de Hollywood and Gringo know just how important a good bar review can be to law students. Each month they will give their seasoned opinions on that very subject.

Billy Bones--959 Hornblend, Pacific Beach

HOLLYWOOD: A jovial, yo-ho-ho and a bottle of rum atmosphere. Cheap pitchers, 99 cent drafts and two full size pool tables makes for a raging evening of beer and billiards. The fire in the open pit complete the bacchanalian feeling and provides a romantic place for snuggling.

Not very crowded during the week, but extremely packed during the weekends, more now than ever because of Fubber's three dollar weekend cover charge. This bar is a place where a guy gets punched in line, continues fighting on the sidewalk, and no one leaves to watch for fear of losing their place in line.

GRINGO: BILLY BONE???? I normally like loud, obnoxious, scummy, and socially unacceptable bars, but Billy Bone's goes too far even for me. The crowd is nothing but nineteen year old SDSU kids with fake IDs and a bunch of sailors fresh off a six month cruise! If the squids aren’t gzuzzling cheap beer by the gallon, they're trying to tip you up.

Speaking of the cheap beer- I'm sorry Hollywood but, unlike yourself, I actually enjoy tasting a good beer or three while I'm out. The horrid swill they serve at BB's wouldn’t even satisfy an alcoholic. And that’s if you can get one (a beer I mean). The service is so slow I thought they were going to charge me rent! And in plastic mugs!? Are they afraid we’ll get too rowdy, catch with our watered down ale, and throw the glasses into the fake fireplace? Or that we’ll get into a fight over a game at their warped pool table and use the glasses as weapons because the pool sticks are too crooked to be effective?

For entertainment you can always dance to their ten good songs (that they play over and over) on their microscopic dance floor. Great fun, but it’s not over until you’ve lived the complete BB experience: THE BATHROOM. They call it a bathroom, but I'd designed and smells more like a stable!

And best of all: YOU HAVE TO STAND IN LINE TO GET IN THIS BAR! Easily among the worst at all times taverns in the world and one of PB’s lowest low points.

Old Madrid Cafe--423 F Street, Gaslight District

HOLLYWOOD: Possibly the most chic, stylish, see-and-be-seen bar this side of Small's in Los Angeles. The boisterous beautiful people, attractive pseudo-Spanish interior and THX inspired sound system create an incredible party atmosphere. Feel free to dance on the bar or to sing out loud the chorus of Volare.

Cafes

GRINGO: OH! Saint and Mrs. Warren preserve us! NOT THE OLE MADRID! Hollywood, of all the places you’ve dragged me to in America, this place is by far the most frightening.

Dearest reader, do me the favor of describing this Euro-cafe for you. First of all, you have to go downstairs to the Gaslamp (pronounced “home to bums, criminals, and prostitutes”) District, where the nearest parking is a taxi ride away. Once there, you will pass all manner of cool bars where you could stop, if not for Hollywood’s misadventures.

Finally, you come across a tiny, overcrowded fake cafe (I've lived in Paris—it know what cafes are supposed to be like). The decor is done in pseudo-Spanish with insufficient seating and wall paintings that look like my District, where the nearest parking is a taxi ride away.

If you wave a large denomination bill at the bartender long enough, he may condescend to bring you a sample of their fine sangria which can best be described as a chunky wine cooler, but not too cool. Owing to the complete absence of acceptable music, you are reduced to the ancient sport of “people watching” for entertainment. Here then is the frightening part: that people exist to support this lifestyle. Many are the persons I've seen these thirty years who thought they were cool, but never have I seen such a collection of people who made a career of it. An entire “cafe” full of people affecting airs and mannerisms in an attempt to impress each other. I don’t wonder that you liked it Hollywood (he came in second in the “Pretentiousness Pagesant” that night and won a free picture of himself). So if you have an inflated self image, large wads of bills threatening to combust spontaneously in your pocket, and a need to feel personally fulfilled by the acceptance of stuck-up strangers, by all means hurry on down to Ole Madrid.

HOLLYWOOD'S PICK OF THE MONTH

Fubber McGee's--1446 Garnet Ave., Pacific Beach

Inspired by the famous Irish sitcom of yore, Fubber McGee and Molly. The Thursday night special features both Coors Gold and Tequila shots for $1.00. Ask for a glass and pretend you’re drinking the Harp on tap. An easy going pub atmosphere with darts, pool, and dancing. I learned to play cricket here. A place where Anglophiles can order draft Guinness. One of the few bars in San Diego one can go after the beach as well as after the opera to scam on friendly sorts just old enough to drink legally or too old to admit to your friends. Don’t wear orange lest you receive a lesson on Irish history. A place where your entire section should go regularly.

GRINGO'S PICK OF THE MONTH

Lahaina's Beach Club, 710 Oliver Ave., P.B.

Ahh, now there’s a bar for a humanoid. Imagine yourself, if you will, with a lazy afternoon of self-indulgance ahead of you. It’s a beautiful day here in God’s own country and you intend to leave Law School behind temporarily. “Where,” you ask yourself, “can I go to relax all afternoon in the perfect Southern California atmosphere?” Ask no longer. Hop in your rental car and go over to Lahaina’s. There is it now—over there, right on the boardwalk. It’s mid-afternoon now, but next time we’ll go early to have breakfast and watch the waves over Bloody Mary’s. The worn patio is already full but we’ll find a table with our name on it—looking straight out over the boardwalk to where the surfers ride the waves and scantily clad hardbodies cavort in the sand.

“Beer!” I say, “and it’s on me this time.” In mem moments our pitcher of heavey brew arrives chilled to perfection (although the full bar is available). To ensure that the rays don’t warm our sweet nectar, we are thoughtfully provided with a plastic cup of ice to set in our pitcher for temperature control. We’ve only been here five minutes and already I’ve fallen in love three times! No place on the west coast personifies the California experience like sitting at Lahaina’s and soaking up some skin cancer.

News Brief: Saddam Hussein to Attend USD

In a startling new development, White House spokes-person I.M. Lying announced that Iraq’s President/Dictator lead guitarist Saddam Hussein will pursue a legal education at USD.

In the spirit of his “education president” moniker, President Bush has offered Saddam grants and low interest student loans. Likewise, in a show of grants and low interest student loans. Likewise, in a show of...
This Years Mentor Reception  A Resounding Success

by Shirvan Sherman

Over three hundred students converged on the second floor foyer August 28 for the second annual Mentor Reception sponsored by the Student Bar Association (SBA). According to Annie Dierickx, director and founder of the program, the purpose is to match first year law students with upperclass students to help them adjust to law school. Dierickx created the program because of her "confusing" first year of law school. "I had so many questions but no clue who to ask. Luckily I met a few upperclass students who steered me in the right direction," Dierickx said. "Mentors are a good source of study techniques, resources available through the university and places to go in San Diego."

First, second, and third year evening students who volunteered to be mentors last Spring were automatically paired with incoming students. Participants received the name of their mentor or mentee in their student mailbox the first week of school. At the reception mentors and mentees had the opportunity to meet. The SBA encourages all mentors or mentees who were unable to meet at the reception to contact each other.

The SBA has a list posted on the door of their office located in the Writs for first year students who are having difficulty contacting their mentor. Students may also leave a note in Anne Dierickx's mailbox; she will either help you contact her/him or assign you a mentor.

Women's Law Caucus Attracts Men

by Patricia Penn

Ten percent of the new members of the Women's Law Caucus are men. The growing interest in the organization is obvious to returning members. Every month the Women's Law Caucus actively strives to promote professionalism and to provide opportunities for networking, socializing and exploring subjects of interest to its members.

As more men join the organization, Women's Law Caucus will be more sensitive to their interest in development of functions. The functions of the Women's Law Caucus are designed to meet the following criteria including, among other things: self-improvement seminars, socials, fund raising events, and speakers such as judges and other law professionals and nationally renown movers and shakers.

Women's Law Caucus wishes to encourage the whole of the USD law community to become involved. Membership is open to both men and women, and all functions are open to everyone. Women's Law Caucus supports and develops a sense of community among students in law school, especially one as large as USD.

PDP News and Information

by Tamela Ridley

PDP Wine and Cheese Reception

The members of Phi Delta Phi invite students interested in the organization to stop by and find out about all the advantages this professional legal fraternity has to offer you. Recognition, scholarship, loan programs and an international job placement network are only a few of the benefits. The event will be held on the 2nd floor of the law school from 5-6pm tonight, September 11, so both day and evening students will be able to attend. Soda will also be served.

PDP Outline Sale

Want to get rid of your old outlines? Have PDP sell them at the annual Outline Sale. A sale table will be set up for two weeks, starting yesterday, September 9, and ending on Friday, September 20. The table will be set up from 11-1pm Monday through Thursday and from 9-11:30am on Friday.

It is easy to sell your outlines or old books. Simply place a "Post-it" with your name and the price you want to sell the outline for in the front of the book. Also, fill out an index card by putting your name and phone number on top and list your outlines and books with the selling price below. Index cards will be available at the Sale Table and in the PDP office.

Attention! Sign up for committees!

PDP is offering you an exciting opportunity to become involved in an organization which sponsors a variety of events for the law school and the community. You can be active in organizing any of these programs: To help encourage 4th, 5th and 6th grade students to finish high school; a fall volleyball tournament; a Padres/Chargers tailgate party; a Police-Ride-Along for interested law students; the Barristers Ball; initiation rituals and receptions; and an interesting speakers' series focusing on legal ethics and professional responsibility. Suggestions for new activities are welcome. Sign-up sheets will be in the PDP office or the PDP door in the Writs or you can call the PDP office at 260-4600, extension 4969, or Tam RC Ridley at 294-7559.

Make a difference—

American Red Cross

(619) 295-2620

SEPTEMBER CALENDAR

10-11: First year elections for class representatives. First floor foyer.
11: Suzanne Stanford of Lance Forward, Hamilton & Scripps will give a presentation on interviewing skills, at noon in Fletcher B. Sponsored by Women's Law Caucus.
12: Interviewing Seminar, at 12pm in 28B, and at 5:30pm in Fletcher B. Sponsored by Career Services.
14: Southern California Regional Picnic of Delta Theta Phi, at Dana Point.
15: SBA Budget Hearing from noon until finished.
16: SBA Meeting at 5pm, room TBA.
18: Deadline for entry into the National Trial Team Competition.
19: Hate Crimes Forum, from 6-8pm in University Center, Forum A. Sponsored by APALS.
21: SBA Retreat, 9-5pm in Alpine.
23: SBA Meeting at 5pm, room TBA.
25: Interviewing Seminar, time and place TBA. Sponsored by Career Services.
27: L a Raza First Annual Scholarship Banquet. Cocktails at 5:30pm - with dinner and dancing to follow, at Kingston Hotel.
28: General Membership Meeting for Black Law Students Association, at 4:30pm, in the Writs.

Environmental Law Society to Host Forum on Landfill Crisis

This Thursday, September 12, at 7pm, the Environmental Law Society will co-sponsor a presentation entitled "San Diego's Landfill Crises: Innovative, Ecological Solutions." Local environmental groups participating in the presentation include Alliance for survival, UCAN (Utility Consumer Action Network), Environmental Health Coalition, and Clean Air Coalition. The presentation will be held in the Solomon Lecture Hall, in Mahler Hall, and is free to all students and faculty.

Dr. Williams will present a short video on anaerobic digestion, which is successfully used to reduce urban garbage without the hazards inherent in burning wastes. The video highlights anaerobic waste reduction and biomass conversion facilities in Europe. A series of color slides will present digester plants in France, England, and the U.S. Mr. Bell will then discuss recycling and toxics in solid waste.

This topic is of increasing importance in San Diego, as San Diego continues to be one of the fastest growing areas in the nation in terms of population growth. Coupled with the increased garbage production of a larger population is the lack of a comprehensive recycling program in San Diego County.

The City Council has responded to the crises by proposing incinerators, and by seeking additional landfills, instead of pursuing options which can reduce waste, preserve our local environment, and remove the health threats posed by incineration. Plan to attend this Thursday night and become more educated in an area that promises to have strong legal implications and will directly affect all San Diegans.

Oral Advocacy Specialist Sought

Fourteen positions for Lawyering Skills I Oral Advocacy Specialist will be available during the Spring Semester, 1992. Specific responsibilities include writing one major appellate brief problem, attending oral advocacy lectures, attending practice and final oral advocacy rounds to assist the instructors in providing feedback to students, and consulting with students during weekly office hours. The honorarium for the one semester positions will be $875.

Applications for the Oral Advocacy Specialist positions are available at the Lawyering Skills I office, room 117. From Susan Miller or Mary Vicknair. Applications must be submitted by this Friday, September 13. Applicants must sign the interview list at room 117 by September 16. Interviews will be held on September 19 and 20.
Law Review

The following second-year law students have recently been invited to become provisional members of the San Diego Law Review:

- Linda Bell
- Michael M. Blazina
- Stacie L. Brandt
- Richard Britschgi
- David A. Byrnes
- Eric P. Campbell
- Sharon M. Coakley
- Keith Cramer
- Christine M. Dabrowksi
- Cindy Y. Dobler
- Martha Fees
- Paula Forbes
- Timothy J. Hart
- Gia L. Honnen
- Paul Hora
- Duane Horning
- Kenda Jackson
- John Paul Junge II
- Bonnie Kane
- Shelia R. Kuntz
- Lawrence Lacarrile
- Michael D. Lutie
- Gregory Lyall
- James B. Markum
- Jason Middleton
- Jeffrey Miller
- Thomas O'Brien
- Leslie Renee Olson
- Raquel M. Prieto
- Greg Pulsamp
- Kenneth Roberts
- Darren Robbins
- Arne Rovell
- Luke Ryan
- Nick Salerno
- Quinn Marie Scallon
- Donna M. Sheltier
- William Stahr
- Julie Totten
- Matthew Turosky
- John D. Wallner
- Christy Yee

The Law Review Editorial Board for 1991-92 consists of the following students: Editor-in-Chief Kristine S. Karila; Managing Executive Editor Brian P. Furrer; Executive Editors Jeffrey W. Guise and Philip C. Samouris; Lead Articles Editors Kathryn A. Cannon, James L. Keough and Kim Strashonian; Research Editor William James Sexton; Associate Editor Kevin M. Yamamoto; Executive Comments Editor E. Todd Trumper; Comments Editors Cynthia Chapman, Joseph Goldberg, Amy Joanne Goss and Edward W. Holub; Faculty Advisor Professor Darrell Braiton; and Law Review Secretary Brigid Ann Bennet.

International Law Society and Moot Court Kegger on September 4.
First Year Candidates Express Their Views

**Dustin Branch, Section A**

We all have enough reading so I will keep this short. I must admit that I am not too familiar with what the duties of a representative are. All I can say is that I will learn quickly and represent Section A to the best of my ability. Thank you.

**Scott Savory, Section A**

I see the position of first year rep as a medium between Section A and the SBA. By keeping communication channels open and contributing to the SBA as a whole, I feel I can do a good job as a first year rep. Please feel free to come talk to me!

**Bradley M. Fields, Section B**

Hi. My name is Brad Fields, and I am running for the Student Bar Association first year representative to OUR section, Section B. That’s right; it’s our section. As this position has been described to me, as our SBA rep, I would be responsible for telling our section about important SBA events. However, I want to be more than just an informational source from the SBA; I want to be available to our section to bring issues of your concern to the SBA. After all, our student government can’t function effectively without student input from all interested sources.

In the first few weeks I have met many of you. I look forward to meeting the rest of you as soon as possible. As a bit of an introduction to myself for those of you I have not yet met, I would like to tell you that at my undergraduate school, I was elected student representative to my college council. In this role, I was involved with many of the same tasks and interests as the SBA. Although I am not sure that this experience would help me as our SBA rep, it probably wouldn’t hurt. Thank you for voting. It is important for you to express your views.

**Alexander A. Fitzpatrick, Section B**

I would like to be an SBA first-year representative because I think it would be fun. I also think that I could do a great job of both keeping my section informed and conveying their concerns to the SBA.

**Joseph Perlung, Section B**

There is an old song about a cook in a railroad construction team. This cook got the job by complaining about the food in the camp. The previous cook then said “If you can do it better, then do it.”

I have immense respect for the current SBA crew. They organized USD law’s first orientation program and have helped us all through the mentor program. But like the cook I think it could be better still. Moreover, I am willing to put out the effort to make it so.

I hope to get the chance to serve you as SBA Representative.

**Mark S. Bagula, Section C**

An SBA representative should not only keep his section informed as to SBA activities, but also be receptive to the needs of the students in his section. I will devote the time necessary to meet these two essential duties. It is a further belief that being the representative of Section C means that I have to be aware of the expectations of first-year law students. I will not only stay aware of these expectations, but whenever possible show how they can be met by the resources of USD.

Through submission of a survey to the members of Section C I will determine their interests in law. By using this survey and working together with other sections I will push for SBA forums on your areas of interest. Upon election I will be more than a disseminator of information—I will be a resource aiding in making your first challenging year of law school both enjoyable and successful.

**Greg Schulman, Section C**

Entering law school has been a traumatic experience for all of us. Now that the initial fear has passed, I would like to help improve the school in any way possible. By becoming an SBA first-year representative, I will quickly learn and eventually be able to contribute to the law school as any other upper class member of the SBA.

Initially, I feel the most important aspect of my job will be that of liaison. As your representative, I will be sure to keep you informed on any and all issues that occur at SBA meetings. Likewise, I will listen to any complaints or concerns from you and relay them to the SBA. I will always be available to talk. Your concerns are most certainly the same as mine. Hopefully, I will help integrate the first year class with the rest of the law school. Remember to vote for Greg Schulman, your SBA Section C First-Year Representative.

**Bob Little, Section C**

For: excellent communication to Section C regarding SBA and other organizations; intelligent committee leadership; approachability; and superior representation.

**Chris Trunzo, Section C**

Chris Trunzo will represent your concerns and opinions with: candor, honesty, tenaciousness, and thoroughness. As your representative I will work with you to maximize the benefits available to you as a first year law student while helping to minimize any problems. GIVE ME YOUR VOTE AND I’LL GIVE YOU MY ALL!

**M. Julia Ramirez, Section E**

As a member of UCSD’s Associated Students I was able to get first-hand experience on the needs of student representation. I would like to see the needs of the evening students to be as involved as regular day students. I am willing to dedicate and invest my time in addressing the special needs of evening students.

I am aware of the time commitment involved and intend to be accessible and fulfill the duties in representing the evening students.

**Sue Evans, Section E**

I believe the maxim that goes, "The whole is greater than the sum of its parts." I like participating in organizations that facilitate the production of activities that benefit members of a large group. I also would like to learn more about SBA and this is a good way to do it.

I have participated in a number of community groups over the years in my position. I feel the experience gained there would benefit me here. (Groups such as PTA and other parent support related to education, religious education boards, Cub Scouts, local park’s recreational boards, etc.)

**Scott Walter Lee, Section E**

Fellow students: I offer my candidacy for first-year representative to the Student Bar Association for the evening division. I bring to the position diverse experience including small business ownership, volunteer and representative service, and a background in the performing arts. I am currently employed as the legal assistant to the managing senior partner at Cozen and O’Connor, an insurance subrogation law firm. In October, I begin a full-time commitment to law school activities, and I shall have the time to well represent your interests in the SBA.

More than ever, today’s legal community relies on extensive networks created by the relationships among its members. Now is the time to begin establishing a foothold in that vast network, and the best way to do it is to develop a cooperative approach toward problem-solving while in law school. I believe in the cooperative approach to legal problem-solving. Elect me as your representative and I will work to ensure that the entering evening class of 1991 will be a viable part of the academic community here at USD.
ADAPT'S
Red Ribbon Kickoff

Join the Alcohol & Drug Prevention Task Force in celebrating Red Ribbon/Drug Awareness Week

ALCOHOL-FREE TAILGATE PARTY
San Diego Chargers v. Cleveland Browns
Sunday, October 20, 1991 — 10:00 a.m. – 12:30 p.m.
Jack Murphy Stadium — Practice Field

Catered Gourmet Mixed Grill
B-100's Gary Kelly playing your favorite tunes
Magician Dick Dale
"Shakerel the Rebel"
Clowns, Souvenirs & Balloons

Game & BBQ Package - $29.00
Tailgate BBQ only - $10.00

For tickets call ADAPT at 688-7947

ADAPT will use all proceeds for activities to address teenage drinking problems in San Diego County
The Confirmation of Thomas: A Step in the Right Direction

by Chris Harrington

"PREJUDICE: Injury or damage to a person arising from a hasty and unfair judgment by others." This is one definition of "prejudice." In addition, my dictionary also defines "fair" to mean "showing no partiality." It is time our society takes a cold, hard look at itself, especially within the context of these two words. What this introspection reveals will determine whether we believe Judge Clarence Thomas should be confirmed to the United States Supreme Court.

Judge Thomas has been labeled a black, a black conservative, and a black conservative judge. Civil rights groups oppose him through the accusation that he is an "Uncle Tom," nothing more than a Republican sellout to blacks and minorities everywhere. But such accusations beg the question. Civil rights groups oppose Judge Thomas' confirmation because they believe he will help advance policies that will benefit minorities.

Rather than dancing around these issues, Thomas has confronted them. He bases his beliefs upon the principle of natural law and the belief that all men are created equal. As a result, mankind is wrong whenever it treats anyone unequally. Thomas believes what, in our hearts, we all wish to believe. In this hard look at itself, especially within the context of these two words, what this introspection reveals will determine whether we believe Judge Clarence Thomas should be confirmed to the United States Supreme Court.

Letters to the Editor

Letters to the Editor will be published monthly. Please address all letters to MOTIONS and place them in the MOTIONS mailbox in the mailroom next to the assignment board on the main floor of Warren Hall. All letters must be signed and include a phone number so we can contact you if necessary. Names will be withheld upon request.
Question of the Week:
Should the Senate Confirm Judge Clarence Thomas?

"I think that Bush was being safe by nominating Sutter, and now he feels he can take a chance on a man with a more hard-line record. On the whole, I don’t think he should be confirmed because the Court should be more ideologically balanced."
Cal Kanchanalopoom, 2L

"Yes, he should be confirmed. His experience to give special treatment to minorities, just because they are minorities, is well within the parameters of the Constitution."
Chris Harrington, 2L

"I think it was one of Bush’s more careful decisions. He knows that if he doesn’t appoint a black candidate to replace Marshall he’ll receive massive criticism from black and minority interest groups. By choosing Thomas, he can minimize this conflict while still preserving his conservative agenda if Thomas is confirmed. If Thomas is not confirmed, Bush can support the position that he tried to appoint a black candidate but it was overruled by the Senate. Smart move George."
Krista Hallisey, 2L

"Regardless of his qualifications, he shouldn’t be confirmed because the Supreme Court is too biased to the right. Although I’m conservative, in the interest of fairness, they need a liberal. What’s best for the Republicans is not necessarily what is best for the Court. Keep in mind that the Court is very young. In another 30 years, they will still be there."
Adam Springel, 2L

Time for USD Honor Court Reforms Long Overdue

by Warner Broaddus

It’s Monday morning. You’ve got your cup of coffee, so you’re about one-third awake. You were two-thirds awake, but you just sat through a very slow lecture on something called “The Rule Against Bare Patooties,” at least that’s what your notes say. You’re still trying to figure out the connection between naked behinds and estates in land when a stranger walks up and says, “Could I talk to you for a couple of minutes?”

Remembering Mom’s advice about strangers, you smile sweetly and mumble something about an imminent tuba lesson as you shuffle apologetically past The Stranger.

“About your Law Skills memo, it won’t take long” says The Stranger to your receding back.

“Great,” you think, “this woman is authoring a book on legal writing and wants to use my memo as an example of enthralling prose and incisive reasoning.”

“I’m the Honor Court Preliminary Examiner,” she says, smiling that your-dog-is-dead-and-I’m-trying-to-think-of-a-way-to-tell-you smile. “There’s been an allegation that you discussed your research with other students. I’d like to set up a time to talk about it to get your side so we can figure out if there is any reason to believe there was a violation of the Honor Code.”

Now you’re awake, but no less confused. You’re relatively certain she was speaking English, but what is she talking about? Preliminary Examiner? Honor Court? You’ve never heard these words before, at least not in this setting, but you know it’s not good. You haven’t the slightest idea what to do or say. You’re rooted to the spot, absolutely alone in a crowd of familiar faces, oblivious as they make their way to class.

Yes, USD, there is an Honor Code; and yes, discussing your Law Skills memos with others is potentially a violation of the Code. And, yes, it’s the first most of you have heard about any of this. Why? The quick answer is, frankly, that our Honor Code is a cheap imitation of the real thing and is practically a dead letter. It’s the leastest of leaky boats and needs major overhaul. But if you happen to find yourself in that boat, there’s a good chance you’ll go down with it.

This is the point at which many people groan “who cares?” There’s at least two reasons you should. First, if the scenario above made you even a little anxious that means you recognized that we’re all just one slip-up away from a nasty problem. In other words, you should be interested in order to protect yourself. Ignorance may be bliss, but it can also land your ass out on the sidewalk with no JD and other words, you should be interested in order to protect yourself. Ignorance may be bliss, but it can also land your ass out on the sidewalk with no JD and other words, you should be interested in order to protect yourself. Ignorance may be bliss, but it can also land your ass out on the sidewalk with no JD and other words, you should be interested in order to protect yourself. Ignorance may be bliss, but it can also land your ass out on the sidewalk with no JD and other words, you should be interested in order to protect yourself. Ignorance may be bliss, but it can also land your ass out on the sidewalk with no JD and other words, you should be interested in order to protect yourself.
The 1991 SBA Picnic

Last Saturday the Law School converged on the canyon field for the Annual SBA Picnic. MOTIONS photographer Bob Lipske was there and captured it all on film.