10-29-1991

Motions 1991 volume 5 number 4

University of San Diego School of Law Student Bar Association

Follow this and additional works at: http://digital.sandiego.edu/motions

Digital USD Citation
http://digital.sandiego.edu/motions/32

This Book is brought to you for free and open access by the Law Student Publications at Digital USD. It has been accepted for inclusion in Newspaper, Motions (1987-) by an authorized administrator of Digital USD. For more information, please contact digital@sandiego.edu.
Implementation of Pro Bono Program Sparks Controversy

Motions Staff

Implementation of the USD School of Law's Pro Bono Program unleashed a controversy three weeks ago. A Student Bar Association (SBA) regulation resolved the situation last Monday, October 21.

The story begins at the end of spring semester, last year. At that time an informal Pro Bono Committee was formed by former SBA President Steve Smith. The Committee, Warner Broadus, present SBA President Shawn Randolph, Smith and John Sullivan, began work on the initial stages of a pro bono pilot program. They hoped for a pro bono clinical program, participation in which would become a requirement for graduation.

Also, at that time, this group of students, working with Professor Steven Hartwell and Judy Rauzer, Director of Volunteer Resources, put together a grant funding proposal and submitted it to the Irvine Foundation.

The Committee further informally elected Broadus to follow through with the program this year and ensure its implementation. This fall, Broadus continued work on the program. He announced a meeting for those interested in working with the pro bono idea to gather approximately 20 people. They attended.

They asked to sign an interest sheet if they wanted to be on the Pro Bono Board. Others telephoned Broadus for information.

Broadus, he contacted these people and asked them to submit a letter of intent and resume with an application to apply to be on the Pro Bono Board.

Eleven applications were submitted. Robert Chong and Anne Dieckies, both members of SBA, were unable to turn in timely applications due to what they perceived as a lack of notice, a perception that sparked quarrels.

Also, about this time, the Irvine Foundation offered a grant of $63,300 to fund a three year pro bono pilot program. Some of the money is to be used for stipends for the board.

To comply with the requirements of the grant, the Pro Bono Board had to be "an integral part of the SBA" with an SBA member with the rank of Vice-President to coordinate it. According to Randolph, this was included in the grant to ensure accountability. Until then, the pro bono organization had been working autonomously.

To comply with the grant Randolph decided that a SBA Pro Bono Committee should be formed for the time being to oversee the workings of the committee.

Randolph made an executive decision that the committee would be made up of only elected SBA officials because they represent the entire student body. (The structure of pro bono will be formally decided by the entire student body during the spring elections.) Members of the SBA/Pro Bono committee are: Robert Chong, Brad Fields, Marty Kovalsky, Randolph, Danny Rodriguez and Scott Savary.

The SBA Committee met with Broadus to process the applications for the 1991-1992 Pro Bono Board. Three issues arose. The first was the status of the chair. The Committee decided last year's committee had filled the chair position with Broadus. For the sake of continuity, Broadus would continue as chairman of the board until the spring, when the Board would vote on the chairman and then spring elections would permanently decide the structure of the board.

The second issue was the need to clarify the position that the Pro Bono Board would have within SBA. "We decided it would need to make the pro bono board a project committee of SBA until the spring elections," Rodriguez said.

The final issue the SBA Committee

Continued on page 11

Vargas Given Fullbright: Works on Border Issues

by Laura G. Morton

Two years ago a quiet revolution began to take place on the campus of the Univer-
sidad Autonomia de Baja California (UABC) in Tijuana, Mexico. A group of professors was trying to implement a new masters program that would rival those of the great universities of Mexico City and Guadalajara. They needed a leader to help them in their endeavors, so they turned their eyes to USD, specifically to Professor Jorge Vargas.

The idea Vargas came up with was a simple one. To compete with the great law schools of Mexico, the newly established program would have to offer something the other schools did not. The professors from UABC hoped to create a masters program in the area of corporate law, but Vargas thought it would be better to take it one step further. His idea was to create a program that was unique and could fit in well with the environment particular to a border city. Thus, a program was created to allow graduates of the law school to obtain a Master of Arts in Border Economics Law.

Dr. Pelajo, a specialist with the Legal Research Institute in Mexico City, was the program director for the first year of its existence. However, when she returned to Mexico City, there was no one to head the program and move it forward to achieve its goals. Once again, Vargas was asked to help, and thanks to a Fulbright Fellowship, he is able to teach a course once a week at UABC. "The Fulbright Fellowship was created in this particular area in order to foster academic exchanges between border cities," Vargas said. "It is designed to appeal to academicians who are working on border and binational issues because there is a great interest in fostering binational rela-

Continued on page 11

Motions This Issue: Page
Interview with Career Services ..... 2
Fireside Chats with the Dean ..... 3
The ULTIMATE Bar Review ..... 9
Bo Dean's Basketball Picks ..... 10
Win Tickets to Barristers' Ball ..... 11
The Thomas/Hill Debate ..... 14
As the job market tightens and students scramble for jobs, questions arise as to the role of the Career Planning and Placement Office. The following interview with Director Mary Ann Salaber and Assistant Director Sharie Johnson seeks to address some of the concerns students have.

Q. How successful is this year's on-campus interview program?
A. We'll know more December 16 because that's when the students all give their final answers to the employers. Then we survey the employers to see who they actually hired. In the past, generally one in four second-year students were offered summer positions. Third-years get a little less. Two years ago, 34% of the second-years who interviewed received at least one job offer. This year there was a 20% decline in the number of employers who requested on-campus interviewing dates. In 1990, 130 employers recruited at USD; in 1991, 95 participated.

Q. What is USD doing to increase the number of firms that participate? What about out of state firms?
A. The outreach program is one way to get the word out to the firms at USD. Also, the Dean (Strachan) has a national marketing plan to tack onto the Alumni series of receptions for alumni in different parts of the country. Hopefully, we will invite hiring partners from those firms and judges, too.

Next, we've sent out invitations to over 300 large corporations; but traditionally, they have small in-house legal staffs and do not hire law students. Students usually develop their own strategies to approach them. Likewise, in early spring all of the California agencies receive an invitation to attend. Typically, they send information on how to apply, and we keep that on hand. Every year, literally thousands of employers receive invitations from us. We target other firms, not the mega firms, in the spring. Many firms, which we call special contacts, are unable to visit the campus, but we send student resumes off to them by request.

We want to expand the programs which are not too competitive, such as receptions and speaker forums. Even Moot Court generates a lot of job offers. The student should be aware that it's appropriate, it's all right to go beyond the barrier of students/professional and send letters to those people. Also, it's important to develop a Rolodex file of contacts.

Q. How do you help students who want careers in areas other than law?
A. We have two full-time and one part-time counselor. Our hours are Monday-Wednesday 9-5, Thursday-Friday 8:30-5 PM. Our telephone number is 260-4529. Copies of organization information is available in the reserve section of the LRC.

Q. What are your hours and telephone number?
A. We have two full-time and one part-time counselor. Our hours are Monday-Wednesday 9-5, Thursday-Friday 8:30-5pm. Our telephone number is 260-4529. Copies of organization information is available in the reserve section of the LRC.

Q. Second hypothetical: Academically, I am not such a good student, no interviews, no job offers. What can I do to increase my marketability?
A. Emphasize things on your resume that show your research/writing skills, your ability to juggle multiple projects, or business management experience. Those are accomplishments that employers are looking for. The way to make the employer aware of this is through the cover letter. The individual letter takes more effort, but it helps you with self-evaluation and learning more about your employer. Use the cover letter to highlight your strengths. We're here to help develop your cover letters, and sometimes it takes an objective viewpoint to point out your strengths.

Q. What are areas of Career Services do you feel are under utilized?
A. I think a lot of students are discouraged by the on-campus interview program. It takes up so much energy, but it's not the only avenue available to secure employment. Signing up for individual counseling sessions to identify unique needs and unique resources can help. If students do not get an interview with a company that they really are interested in, they should not give up. What they should do is come in and talk to us. Possibly, we can offer that student a second chance to show their resume to the employer. We could give them the contact's name and number and they could call them up to personally try to obtain an interview. We're aware of which employers are open to this type of approach.

Selected Career Services Statistics:
Class of 1990: 218 students interviewed, 44 received offers. Five were top 10% in class ranking, 24 were top 35%.
Class of 1991: 184 students interviewed, 63 received offers. Twenty-three were top 10% in class ranking, 47 were top 35%.
Class of 1992 Information is estimated to be available in March 1992.

Q. How do you help students who want careers in areas other than law?
A. These students are not alone. It's an issue that has been discussed nationally. We have lists of areas that alumni have gone into. For example, working for law publishers, being a sales representative for Westlaw or Lexis editing, and administrative and teaching positions at law schools. Also, we have alumni who have carved out their own niche. For example, one man started the Utility Consumer's Action Network.

Q. How many counselors do you have; what are your hours and telephone number?
A. We have two full-time and one part-time counselor. Our hours are Monday-Wednesday 9-5, Thursday-Friday 8:30-5pm. Our telephone number is 260-4529. Copies of organization information is available in the reserve section of the LRC.

Q. Are their other organizations that help students find work?
A. Some specialty bars do their own mentor programs, have regular newsletters, and have committees where students can meet lawyers with similar interests. Finally, we do have a lot of resources, and we feel that a lot of students may not realize that they are here. Also, please keep your options open and not be tied down to San Diego. Just get that experience. Also, summer experience elsewhere may be a really pleasurable experience, and students may receive an offer.
by Deborah Engel

Elizabeth "Betsy" Broderick. Bernard Goetz. Oliver North. These people, like others accused of crimes, have become household names as the result of extensive media coverage. The public not only was aware of what they were accused of, but also formed opinions regarding their guilt or innocence based on media reports prior to a trial. How much are defendants victimized by the media? These and other questions were the topic for last Wednesday's forum "Trial by Media: Guilty Until Proven Innocent?", which was presented by USD, The Society of Professional Journalists, and Cox Cable Television.

Moderated by KUSI-TV news anchor, Cathy Clark, the forum presented five panelists' views on the effects of the media on pending cases. The panelists included Bob Grimes, Defense Attorney for CHP Office; Larry Williams, SAN Diego Union reporter; Mark Saylor, City Editor, Los Angeles Times; San Diego Edition; Karen Wilkening, "Rolodex Madam"; and Dr. Larry Williamson, Chair, USD Communication Studies Department. Grimes believes that the "media has a tremendous impact" on public awareness and judgment of a defendant before a case ever goes to trial. He pointed out that a defendant's name, given extensive media coverage may not get a fair trial because jurors sometimes make a judgment from the alleged facts reported in the news. Further, when the facts are presented at trial, the jury may seek to interpret the facts to be consistent with their opinion. Sometimes the only way to get around this is to request a change of venue, which may not be granted.

Williamson saw defendants and the legal process as victims of the media. He thought that the public "understands the legal system through the media," and that the media should be more responsible when reporting trials. He said that the media should send reporters with legal knowledge to cover trials, and that the media should be more sensitive to the rights of litigants. This solution would help the media in reporting both sides of a case, not just the side that provides the most entertaining allegations. The panelists representing the media were not as critical of the media's role. As Editor of the Los Angeles Times, San Diego Edition, Saylor saw his role as providing what the readers were interested in reading. He did not think that reporting alleged facts which leads to negative opinion about a defendant harms the defendant during the trial. He thought that because a jury takes their job seriously, they will weigh the facts honestly, with or without a prior opinion of the defendant.

Furthermore, Saylor disagreed that the media reports every allegation raised against a defendant. He said that allegations are checked out before being reported. Petrello agreed, adding that reporters are "supposed to be skeptical" before reporting an allegation. Moreover, Clark said that a reporter will contact experts to explain information that is not understood. Often, the media reports stories that will increase readership. Saylor said that "competition has great bearing on what is reported and in what manner."

Wilkening's story, because of her charge of being a Madam and her connection with prominent community figures, became a media sensation. She said that she was treated both good and bad by the media. On the one hand, she could always reach a reporter to have her quotes known. On the other hand, she thought she was too easily misquoted. In addition, she found that because of her high public visibility, she was treated differently in jail. She was often segregated from other inmates because she was denied work privileges. The forum ended with questions from the audience directed to the panelists. The evening provided an opportunity for expressing concerns of reporters, media, defendants, and the trial process. Cox Cable Television taped the forum and will broadcast it on Cox Channel 4 at 7pm on Monday, November 11th.

---

Trial by Media Forum: (Left to Right) Dr. Larry Williamson, USD Professor; Karen Wilkening, "Rolodex Madam"; Mark Saylor, City Editor, LA Times, San Diego Edition; Lisa Petrillo, San Diego Union reporter; Bob Grimes, defense attorney for CHP officer Craig Peyer; Moderator Cathy Clark, KUSI-TV 51 newsanchor.

---

by Julie D'Angelo

Some law students study the law; others research it, memorize it, IRAC it, or just regurgitate it. A few law students have a rare talent for being a media sensation. Braun was particularly interested in the workings of the Board of Registration for Professional Engineers and Land Surveyors. Braun filed a request for determination of its jurisdiction to police billing abuses by professional engineers. Braun was disturbed when the Board's response was to request additional information and to dismiss the complaint. He thought that the public "understands the legal system through the media," and that the media should be more responsible when reporting trials. He said that the media should send reporters with legal knowledge to cover trials, and that the media should be more sensitive to the rights of litigants. This solution would help the media in reporting both sides of a case, not just the side that provides the most entertaining allegations.

The panelists representing the media were not as critical of the media's role. As Editor of the Los Angeles Times, San Diego Edition, Saylor saw his role as providing what the readers were interested in reading. He did not think that reporting alleged facts which leads to negative opinion about a defendant harms the defendant during the trial. He thought that because a jury takes their job seriously, they will weigh the facts honestly, with or without a prior opinion of the defendant.

Furthermore, Saylor disagreed that the media reports every allegation raised against a defendant. He said that allegations are checked out before being reported. Petrello agreed, adding that reporters are "supposed to be skeptical" before reporting an allegation. Moreover, Clark said that a reporter will contact experts to explain information that is not understood. Often, the media reports stories that will increase readership. Saylor said that "competition has great bearing on what is reported and in what manner."

Wilkening's story, because of her charge of being a Madam and her connection with prominent community figures, became a media sensation. She said that she was treated both good and bad by the media. On the one hand, she could always reach a reporter to have her quotes known. On the other hand, she thought she was too easily misquoted. In addition, she found that because of her high public visibility, she was treated differently in jail. She was often segregated from other inmates because she was denied work privileges. The forum ended with questions from the audience directed to the panelists. The evening provided an opportunity for expressing concerns of reporters, media, defendants, and the trial process. Cox Cable Television taped the forum and will broadcast it on Cox Channel 4 at 7pm on Monday, November 11th.
Moot Court and Mock Trial Offer Many Opportunities

by Chris Harrington

Most of us in law school like to talk. Even more of us probably like to argue a point. There are many ways to work these desires out of our systems. We can talk incessantly in class. We can have long telephone debates with friends and family. What many of us do not fully realize is that we have an opportunity to put this compulsion to let everyone know our opinions to good use.

If you enjoy public speaking and making your points heard, Moot Court competitions and the school’s National Mock Trial team provides you with this exact opportunity.

These competitions will not be for everyone. Some law students (and lawyers) do not enjoy public speaking, particularly in front of a judge. On the other hand, since only ten percent of us can make law review, we need to consider other ways to distinguish ourselves from the multitude of our peers. In fact, there are enough differences between Moot Court and Mock Trial that it is quite possible at least one of them will suit you.

Moot Court competitions consist of oral arguments at the appellate level. Although there are some written component and skills offices, it is generally the case that a successful appellate advocate presents arguments that are very logical, methodical and well grounded in law and/or compelling public policy. While it is important to present an image of dedication to your client’s position, you must still be persuasive, the most crucial aspect of winning a trial is establishing a dramatic style with which the jurors will identify. Dramatic, impassioned speeches, with hand and body motions, are to be encouraged because lay jurors respond well to dramatic storytelling. This is true to your argumentation accordingly.

Mock Trial competitions develop different skills. You are arguing at the trial level, presumably to a jury. While your legal arguments must still be persuasive, the most crucial aspect of winning a trial is establishing a dramatic style with which the jurors will identify. Dramatic, impassioned speeches, with hand and body motions, are to be encouraged because lay jurors respond well to dramatic storytelling. This is true to your argumentation accordingly.

If you’re looking for an extracurricular activity that can be fun and look impressive on your resume, consider Moot Court or Mock Trial. There are many Moot Court competitions left this year. The next one is the Jessup competition (international law). Each entry will be a team of two students. The problem set will be passed out around October 25, and students are given two weeks to write their briefs before the competition begins.

The Moot Court office is located on the first floor of Warren Hall by the Lawyering Skills offices. If you’re interested in Moot Court, the team competes nationally throughout the year. Although this year’s team has already been chosen, you can direct any inquiries to the Team’s Director, Professor "Corky" Wharton.

HAVE YOU EVER LIVED AT THE PRADO APARTMENTS?

The University of San Diego, Civil Clinic is investigating possible unfair business practices regarding the return of tenants’ rental deposits. If you have lived at the Prado Apartments, please contact Marty Kovalesky at the USD Legal Clinics, at 260-4532.

CHEMICALS?!? What Chemicals? WARNING:

Detectable amounts of Chemicals known to the State of California to cause cancer, or Birth Defects, or other reproductive harm may be found in and around this facility.

Most of us have seen the signs. Few of us know to what they refer. Just what hazardous chemicals on USD’s campus necessitate large warning signs at each entrance? According to Bill Munn, Environmental Safety Coordinator for USD, the signs are statutory required by Proposition 65 if any of a long list of reactive or harmful agencies are present.

There is nothing unusual at USD that necessitates the signs. They exist due to the presence of such things as chemicals in the science laboratories, flammable materials, and minimal asbestos in boiler room areas. Although USD takes great pride in its flora, these signs were not put up because of chemicals used by the groundkeepers.

“We have an aggressive safety program,” said Munn. He explained that USD has standing safety committees to ensure the well-being of everyone on campus. USD has won awards from the National Safety Council’s College and University Division for safety training and building inspection. Also, groundkeeping has won a national award for their spraying program and the low use of chemicals.

USD at the Forefront of Practical Clinical Training

by Warner Broadaus

Back in the early days of legal education the basic principles of teaching law were: 1) make it hard (keep out the riff-raff); 2) teach them cases (keep ’em guessing); and 3) leave the practical training to their first job (maintain a good crop of go- phers).

But then something happened. We probably have a recent law graduate, noticed that law graduates were 1) tired, 2) confused and 3) altogether unprepared to practice law, i.e., talk to a client, file a motion or gather evidence. Even gophers should know something, right?

Well, as we all know, little has changed. But many law schools, USD among them, have begun to teach law students the basic skills of the trade. How? Legal Clinics. USD currently has five award-winning clinics that teach students how to practice law. The USD clinical program began in the early ’70s in response to student demand for a more practical, community based education. “I think of it as one of the oldest law firms in San Diego,” mused Professor Steve Hartwell, one of several full- and part-time scholars who comprise the current clinical faculty. The original programs consisted of a civil and one criminal, with just two practitioners. In the early ’80s, the program expanded when the administration offered a variety of practical, community and one criminal, with just two practitioners. In the early ’80s, the program expanded when the administration offered a variety of practical, community
Fireside Chats with Dean Kristine Strachan

by Mary A. Smigielski

How are professors reviewed and who determines whether they are performing effectively and whether or not they get tenure? (Student question.)

"In general, the Dean is responsible for monitoring the quality of teaching by tenured professors. We don't have a system set up like state law schools do for periodic review of tenured faculty. I usually make the review once a year around the time salaries are decided. I have set up a student advisory committee—which has just been formed this year—to advise me on matters of appointment, retention, promotion and tenure as well as other issues that are of intense interest to students. Last year was the first year that that committee was established and operating and it worked really well."

What exactly does this committee do?

"They give me honest feedback and recommendations. It's very interesting because we have this new student evaluation form which has both qualitative and quantitative measures. I read those forms very carefully, indeed I read every single one of them from every class in every semester. There are some problems but they are few and far between. Either that or students are not taking that form seriously. If it is the latter, then it would be helpful if the SBA or some student organization would come up with suggestions on how to better administer those forms. It is not optional for the professors to have that evaluation occur."

"When I read those forms, the students are generally satisfied with the level of their education. On a scale of one to five, the law school median is a four. There are only a few teachers of whom the students are critical and even there it's rarely unanimous. Strong opinions on both sides are the more frequent case. This can mean there is a good but very rigorous, non user-friendly teaching going on. If the question is what can I do to improve the quality of teaching, we have a system based on academic tenure. A short answer is that I can work with people on improving their teaching and encourage faculty to work with each other to that end. We can recognize gifted teaching as the students are doing with the SBA annual award (Professor of the Year Award). We can continue to reinforce the ethic that good teaching, accessibility and mentoring count in promotion and pay."

What is the status of the loan forgiveness program for students going into public interest law? (Student question.)

"It's not called loan forgiveness anymore. It's called L-RAP, the Loan Repayment Assistance Program. The status of that proposal is lodged somewhere with the SBA."

"I had received a proposal from Steve Smith [former SBA president] that was not nearly detailed enough. It had no specifics on how to finance the program. It was just a general outline. We took that to the Alumni Board to see if they supported it and they gave us their qualified support because there were not enough details about how it was to be financed. I have asked Carl Eging, the Director of Admissions and Financial Aid, to serve as a clearinghouse for all the information on L-RAP programs in the United States and I keep sending him everything I see published on it. We are hoping for some detailed suggestions as to how it can be financed. The L-RAP programs that have been successful have been financed on a state-wide basis or with a consortium of schools."

"There are two other things that could affect this issue. One is the Law School Admission Council (LSAC), the people who give us the LSAT. The LSAC is the major financier of legal education. When their loan program was set up it was with the understanding that as soon as there were sufficient reserves to support the program in the event of unforeseen economic circumstances, money would go towards some sort of loan repayment assistance program. Last year, we were told that they would complete the funding of the reserves as soon as there were sufficient reserves to support the program in the event of unforeseen economic circumstances, money would go towards some sort of loan repayment assistance program. Last year, we were told that they would complete the funding of the reserves and that money would start to be available to all the schools on an equal basis. Federal Legislation prohibits the LSAC from making money available in proportion to the amount of loans generated. That is considered an illegal kickback. I don't know how much money we will see from that, but it is earmarked specifically for L-RAP."

"The other event that I think could override this is the downturn in the job market. The schools in the east are telling us that public interest law jobs have become much more plentiful in the last few months of the job market. That's a result of the job market. That's a result of last year's downturn. Some of these jobs are government jobs and they are the only ones available because law firms are cutting back so much. What we may be looking at is a governmental problem with law students turning to government jobs to pay off their loans than they had anticipated and needing help with things such as debt consolidation or refinancing as opposed to an incentive to get people to take the lower paying jobs." (Student question.)

In that case, would the program disappear?

"It depends on how long this economic downturn lasts. I have heard many people say that the high salary differentials between the government jobs and the large law firm jobs, was really a glitch of the 1980's and won't happen again."

Do you support the L-RAP program in concept?

"Yes, I do. I always have. For me the real issue has been how to fund it. Some of the programs that have been problematic have been those similar to an income tax. They have been funded on the backs of all the other law students. That created a lot of resentment among the students."

Has the ABA given you its report from last year's inspection, and is it available to students? (Student question.)

"Yes, I have. For me the real issue has been how to fund it. Some of the programs that have been problematic have been those similar to an income tax. They have been funded on the backs of all the other law students. That created a lot of resentment among the students."

FLEMING'S Fundamentals of Law

Legal Examination Writing Workshop was Sold Out one week in advance for all Southern California live seminars. Thank you for your tremendous response and intense interest. We are committed to bringing you the highest quality law school and bar preparation courses your money can buy. For over a decade we have been a leader in major innovations in the legal education preparation field. We are proud of our courses and the results our students have achieved. We want to send you our best wishes and encouragement during your law school career. Thank you again,

Jeff A. Fleming
Fleming's Fundamentals of Law
LRC's Reference Department Often Proves Invaluable

by Franklin A. Weston
Senior Reference Librarian

Did you forget how to Shepardize while you were away for the summer? Do you need to find the Vista Municipal Code? Are you totally confused when you try to limit a search when using the new SALLY terminal? Do you want to use LEXIS and have lost your personal I.D. card? Do you have a cite to a book that is absolutely not in the LRC? Do you have a speeding ticket you need to find the Municipal Code? Are you totally confused when you try to limit a search when using the new SALLY terminal? Do you need to find the Vista Municipal Code?

MISSION.

The "mission" of the reference librarians is to find the answers for themselves. The goal is to teach law students to be self-sufficient in any law library by finding the materials needed, or to recognize the alternative resources which another library might own. Since students will be at USD for three or four years and then probably rely on a much smaller library in practice, it is important to learn alternative sources in which to find answers, and to find your way around an unfamiliar library.

COMPUTER-ASSISTED LEGAL RESEARCH.
The reference librarians teach CALR (computer-assisted legal research) to the first-year law, LLM, and MCL students during Spring semester. The students learn basic research and writing skills during Fall semester in order to understand the fundamental legal research materials: the books. In the second semester when LEXIS and WESTLAW are taught, students will have a better notion of what they are looking at when "pulling up a case" on the screen. This sequence also helps to impart a sense of CALR as one resource in an array of legal research tools.

COMPUTER INSTRUCTIONAL LAB.
The LRC has a computer lab which contains five IBM-clones and five "Mac"es with both dot-matrix and laser printers. These computers are equipped with LEXIS and WESTLAW software, as well as WordPerfect 5.1 on the clones and Microsoft Word on the Mac's for use as word processors. The terminals can be used to "cut and paste" cases which are found on LEXIS or WESTLAW into documents in WordPerfect. Arrangements for instruction in this function can be made through the reference librarians.

INTERLIBRARY LOAN.
The LRC has a large collection of books. If the library at USD does not own a needed item, law students and faculty may make requests for materials from other libraries via Interlibrary Loan at the reference department.

GUIDE SERIES.
The reference librarians have created a number of Guide Series on various subjects which help patrons find cases, use materials such as Shepard's citations, locate tax materials, compose legislative histories, or even locate other law libraries in the San Diego area. These are updated regularly to reflect changes in the law and legal resources.

SOCRATES. The bust of Socrates which sits on the reference desk is the good luck symbol of the LRC. Law students, and those graduates studying for the bar, have started a tradition by rubbing the bald head of Socrates "for luck" before taking the exams.

If you need assistance with a research question, or you are confused with how to use a treatise or periodical index, do not hesitate to ask a reference librarian for help. Our service area is staffed from 8-8pm Monday through Thursday, 8-6pm Friday, 9-3pm Saturday, and 12-4pm Sunday. The reference telephone number is 260-6412.

If we are not available, you may leave a message and we will return your call.

YOU NEED TO MAKE THE MOST OF YOUR TIME

MWBP LAUNDRY SERVICES PROVIDES:
- FREE PICK UP & DELIVERY
- 2 DAY TURNAROUND
- PROFESSIONAL LAUNDRY QUALITY

CALL 459-9478

The California Bar Performance Test Review

- An innovative approach to helping you pass the California Bar Exam
- Designed by Sara Berman-Barrett, Esq., and clinical law expert and author Professor Paul Bergman, Esq., UCLA School of Law
- To put your name on our mailing list for a free brochure, call Lois at (213) 206-1410.

Coming in May 1992

HAPPY HALLOWEEN FROM THE MOTIONS STAFF
Students Find Interests Other than Law

by Will Daniels

Law students often have been criticized for doing nothing but study law 24 hours a day. I decided to interview some first-year students and find out if there is any truth to these allegations.

Danielle Davidson, Volunteer

Q: What activities other than law are you getting involved in?
A: "I will be volunteering my services at the UCSD Medical Center."
Q: Why did you decide to do volunteer work?
A: "I have done research work on juvenile cases and I am thinking of getting into a legal service that involves children, so I thought it would be good to spend time with kids who are going through difficulties in their lives right now. This way, I hope to be able to understand them a little better."
Q: What will you duties be?
A: "I believe that I will mostly be playing with children who are bed-ridden. Most of them have cystic fibrosis or cancer. And I will be reading them stories and just trying to keep their spirits up."
Q: I imagine that would be hard on you.
A: "I think so, but that is the challenge—to go in there and really make an effort to help these kids."
Q: Is the schedule for volunteer work pretty flexible?
A: "If I didn't have any problems. I was able to choose the day I wanted to work and you only have to volunteer four to eight hours a week. There is a set schedule, and I will be working every Thursday morning from 8-12pm."
Q: If someone else wanted to volunteer their services, how would they go about applying for volunteer work at UCSD?
A: "Well, I called the volunteer desk at the UCSD Medical Center and told them that I was a student with free time. They are really looking for students who can share any of their time. I think that if others want to volunteer they would have no problem."

Julia Ramirez, SBA Representative

Q: What activities are you participating in?
A: "I'm the SBA elected representative for the evening division, a member of La Raza, and the Women's Law Caucus."
Q: What are your duties for each of these activities?
A: "For SBA I am the liaison between the evening first-year students and the Student Bar Association. I go to meetings and take whatever information from the SBA to my group. If they have any questions, comments, or things they would like to have implemented or discussed at the meetings, they would come to me and I would speak for them. For La Raza, I worked on a fundraising banquet for scholarships. I will become more active as the year goes on. As for Women's Law Caucus, I plan to participate as much as my schedule permits."
Q: How do you plan to represent the first-year evening division students at SBA?
A: "I have some student leadership skills from undergraduate and I basically want to make sure that the first-year evening division students can get their two cents in. There are more needs being an evening division student because people don’t have time to participate, yet they want to be involved. I want to try to help the evening division students fit into the rest of the student body."
Q: How did you get interested in the SBA?
A: "I was born a member of a student council. At UCSD I was an elections manager for two years; I was on the student organization finance board; and I was in program commission. I like to get involved."
Q: With all these commitments and work and school, how do you manage to cope with it all?
A: "My first priority is SBA rep because that is an elected, rather than a chosen, one. But, I plan to be involved as other things come up. There will be times when La Raza needs me and times when the Women's Law Caucus will need my support. So, I will just balance them as they come."

William Daniels

Ace Reporter and generally nice guy

Q: What are your duties for each of the other activities?
A: "My first priority is SBA which reads, "Since we are terribly understaffed, you better write a story to go along with it."
Q: What is your first story?
A: "For the first-year evening division students at SBA?"
Q: Do you think it's any good?
A: "I believe that I will mostly be playing with children who are bed-ridden. Most of them have cystic fibrosis or cancer. And I will be reading them stories and just trying to keep their spirits up."
Q: I imagine that would be hard on you.
A: "I think so, but that is the challenge—to go in there and really make an effort to help these kids."
Q: Is the schedule for volunteer work pretty flexible?
A: "If I didn't have any problems. I was able to choose the day I wanted to work and you only have to volunteer four to eight hours a week. There is a set schedule, and I will be working every Thursday morning from 8-12pm."
Q: If someone else wanted to volunteer their services, how would they go about applying for volunteer work at UCSD?
A: "Well, I called the volunteer desk at the UCSD Medical Center and told them that I was a student with free time. They are really looking for students who can share any of their time. I think that if others want to volunteer they would have no problem."
Q: With all of these extra commitments, where are your priorities?
A: "My first priority is SBA rep because that is an elected, rather than a chosen, one. But, I plan to be involved as other things come up. There will be times when La Raza needs me and times when the Women's Law Caucus will need my support. So, I will just balance them as they come."

All Law Outlines Are Always 10% OFF

At The USD Bookstore

Mon - Thurs 9:00 to 6:00
Fri 9:00 to 4:00 Sat 9:00 to 2:00
260-4551
Where to Go and What to Eat: San Diego Has it All

by Pam Schaffer

One can't survive the USD experience on bagels, the Grill's salt fries, and bad coffee served in styrofoam. The many occasions to eat due to sheer boredom provide opportunities unique to law students. Take advantage of it; such pleasures are few and far between. Here's a list of alternatives that is topical organization at best, but you'll get the idea.

Best fish tacos
Hana Seafood, Pacific Beach, 4535 Mission Boulevard: Had to start here; a small tribute to your fish burrito. Cheap cheap.

Fresh fish
El Pescador, 627 Pearl near Bird Rock: El Pescador in La Jolla offers fresh fish for the weekend barbecue, as well as tasty fish sandwiches and clam chowder to take down to the beach at sunset. Lobster as well, although when you go here rather than roadtrip to Puerto Nuevo for lobster, you know that you've lost that old college spirit.

Vegetarian
La Fresqueria, 1125 6th, next to Super Taco Loco: For the hard-cored, there is of course Kung Food on 5th and Quince in Hillcrest, but for those of us not quite able to place a name to the face when it comes to the Kung's delicacies, La Fresqueria is the happier alternative. There you'll find great torta sandwiches; one favorite is the special. Can't tell you exactly what's in it, but it's spicy, messy and wonderful, and you can ditch the alfalfa sprouts in the sugar bowl. Great fresh fruit salads and shakes, fresh bread and cioppino. If you're working downtown, this is the establishment. Only open M-F, 7:30-3pm.

Barbeque
Kansas City Barbeque, 610 W. Market: This one takes some strength of character. Beef and pork ribs, sausage hot links, corn on the cob, curly fries and lots of golden lovelies to wash it all down. You'll regret it in the morning, but it's a necessary evil. Refer to yourself and your date as Tom and Mimi while you're there since this place was featured in Top Gun.

Billiards and cheap food
Hard Times Billiards, 1106 Broadway: The Morena Club always provides cheap thrills, and it's so close to home. But for quality pool, go downtown to Hard Times Billiards. It's enormous and old, with character that's hard to find in San Diego. Unfortunately, Hard Times was "discovered" by the PlaySkool Productions crowd, which means that obscene things such as parties occasionally ruin the ambiance. Nevertheless, the crowd tends to be entertaining, the beer is cheap and women can get group lessons for free.

Hang-over breakfasts:
Ranchero Omelette: Cecill's, Ocean Beach. 5083 Santa Monica Chocolate Chip Pancakes: John's Waffle Shop, La Jolla 7906 Girard Cinnamon Rolls: Hobnob Hill, Hillcrest. 2271 1st (closed Saturdays)

Italian
Filipé's, 1747 India between Date and Grape Street: Go downtown to what is left of San Diego's Little Italy. Wonderful Italian delis, wine shops, and restaurants. Check out Filipé's--much different than the one in Pacific Beach.

If you happen to be a student with a cash flow, Fio's on 5th downtown is wonderful, as is Piatti in La Jolla Shores. You can always sit at the bar in each and eat pizza.

Cheap Italian
Pasta Expresso, on Arnett and Haines in Pacific Beach: We've gone out with enough law students to know how conservative most are with their dinero. We watch them mentally calculate the actual value of each dollar spent according to the current rate of interest on their student loans. For those of you hesitant to part with your checkbook, cruise your roach coach downtown to Pasta Expresso. You'll get your choice of pastas along with bread and salad for under $5. Run by recent college graduates, Pasta Expresso provides good music, magazines and a patio. You can hang out there by yourself comfortably, saving yourself a buck as well as social stigma.

Next Issue: Everything else that we missed—we're sure you'll let us know.
CROCE'S, 802 Fifth Avenue, Downtown

HOLLYWOOD: Margaritaville in San Diego. Music at Croce's tantalizes the diverse crowd seven nights a week with exhilarating jazz or upbeat calypso. The music is not what he would have played, true; maybe that is why his larger-than-life portrait more closely resembles that of Jimmy Buffet. Nevertheless, all patrons are having a wonderful time, either enjoying the jazz at the cocktail tables or the active pick-up scene at the bar. Croce's is intimate during the week and boisterous during the weekend. It is perfect for those nights when one is in a mood for Fio's or 515 Fifth, but would rather wine than dine. Connoisseurs of fine living or those who read *Culture* magazine will enjoy Croce's. Here is a place where not all wine is from California, yet a place where such is available on tap. Do not order a draft; order the fruit of the vine. A bar for bar lovers. A place to go to not to drink, but for cocktails. The thirty-something waiters or waitresses are cordial, if not overly solicitous, and will make whatever your imagination desires. Even if it means making it up. I recommend the Harvey Wallbanger.

Speaking of walls, the brick interior and black and white checkered tile floor lends an air of unpretentious charm. The bar itself is the most well crafted, beautifully designed piece of wood one has ever seen. It is a work of art dedicated to the craft of actually building something with one's hands, as opposed to the occupation of shuffling paper or realocat-

ing the wealth of insurance companies. A visit to admire the bar is worth the price of admission alone which, by the way, is free.

GRINGO: A tragedy of bad taste, wasted potential, and poor location. Actually, I rather liked it! However, it's unforçigable way the the widow uses the fact of that music teacher Jim Croce to drum up business. The bar is decorated like a tiny Graceland, every inch covered with memorabilia of the late great. Let's face it: Jim never saw the place and they don't play his style of folk-rock music.

Aside from this tasteless sacrilege, you'll find one of the few jazz bars in town. It would be great for data from what little it remembers (from what they're like), but get there early for a seat at one of the scarce tables. It can get heavily crowded on weekends with yuppies aboundig. Prices aren't too forbidding but are by no means cheap; the selection of wines is wonderful and the beers OK (try the Dog Street Beer from Philly). Parking is alternately nonexistent or hazardous (last Saturday the police were arresting a sidewalk crack vendor as we returned to the car!). Not a fabulous place to eat, but if you're going for the music/amphitheum then go ahead and chow down. The grub is the standard alternately nonexistent or hazardous (last live entertainment (which is to say, every night). Good place to go but it would be infinitely better if it were near the beach and had a "No smoking" sign. I was rather surprised at the number of young, attractive people there. Overall, a pretty good place to go but it would be infinitely better if it were near the beach and had a "No Yuppies" sign out front. And its NOT free - there's an extra fifty cents per drink during live entertainment (which is to say, every night).

JOHNNY M'S, 801 Fourth Ave

Hollywood: Madonna and Michelangelo would both be proud. Immediately one notices the hip and hot-looking babes writhing wildly on the floor (dance floor, that is) reminiscent of the Lucky Star video. A two level dance floor offers anonymity in the crowd at the first level or the opportunity to display your talents on the upper level. The classic dance music is upbeat and diverse, everything from "ABC" by the Jackson 5 to "YMCA" by the Village People.

Secondly, the dome ceiling is the exact replica of the Sistine Chapel outside of Italy. The work depicts angels, and represents the qualities of brotherhood, loyalty, fidelity and equality. The dome's design resembles an Italian fresco, but is actually constructed of elegant stained glass windows. It is illuminated like the dome in Grace Courtroom, allowing for easy admiration.

Johnny M's creates an incredible party ambience. The hot-looking waitresses prance about serving Kamikaze shots in test tubes or vodka jello globs which they personally feed you by hand. In addition, every hour they mount the bar for go-go dancing. The dance floor shimmers with rainbow Instalbeam lighting and a polka dot glow from the disco ball. The bar stretches the length of the establishment and the dance floor incitingly occupies the majority of the floor space.

Gringo Allen Poe: The Raving

As I left a tavern dreary, while I wandered drunk and bleary,
I heard a sad and curious music from our old forgotten lore,
As I searched yet for a beer, heading for a bar quite near
Towards the music oh so queer, I stumbled thru the bar room door.
There I heard the Bee Goes chanting, the disco music I abhor,
Only this and nothing more.

Ah distinctly I remember, it was after bright September
And each a separate dancing member, wrought the burden on the floor
Quickly, I saw Mr. Goodbar- fur upholstery in his car,
In a white suit near the bar - polyester's what he wore -
For the goddesses waiting there, bell bottoms pants are what he wore.
Only this and nothing more.

Presently, my jay grew stronger, besetting them no longer,
"Sir," said "Oh Dancer, your forgiveness, I pray, living ceased on trying to score,
Cry for the Terpsichorean muse, her graceful gifts now no more,
Choir for the Terpsichorean muse, her graceful gifts now no more,
Choir for the Terpsichorean muse, her graceful gifts now no more.

So society is crumbling, disco freaks are dancing, stumbling,
Try and I'll up on fumbling, living ceased on trying to score,
Cry for the Terpsichorean muse, her graceful gifts now no more,
Cry for the Terpsichorean muse, her graceful gifts now no more,
Cry for the Terpsichorean muse, her graceful gifts now no more.

GRINGO'S PICK OF THE MONTH:

EMERALD CITY, 945 Garnet, Pacific Beach

This nightclub is possibly the best kept secret outside of Pacific Beach. I especially recommend it after bar review, after 12:30am, when you can usually enter for free to bohboh with a relatively happening crowd. Otherwise the cover is $5. Don't leave until 2am because the best schmoozing occurs outside after closing. Wednesday nights feature House of Parliament night, when the go-go dancers don their uniforms of sequin go-go shorts and tassled brass and dance among the day-glo daisies and revolving mannequin heads. I've heard the best house music here since that of D.J. Doc Martin of L.S.D. (Love, Sex and Dancing) of the Los Angeles warehouse scene. Tuesday is Gothic night where patrons break out the heavy black eyeliner, rosary beads and purple hair to dance macabre to Sounsel and the Banshees and the Cure. Do not go here on the weekends; the crowd only shows up on weekday nights.

HOLLYWOOD'S PICK OF THE MONTH:

KELLY'S PUB, 2222 San Diego Avenue, Old Town

Me saintly Mother would be proud to know that her baby boy was haunting Irish pubs - this one in particular. Now don't you go being no snoozers now, mind ye, just because the Western State legal types go there. Them folks from the Neon Law School are just as fine as you and me. Only... well, don't be telling em yer yer from USD or there's the extreme likelihood of receiving a dissertation about their school is just as good and how glad they are not to be wasting their money supporting the Mother Church. Fifty little piggies!!

But I digress--back to the task at hand, now. It's situated, o'course, near Old Town in the heart of just about nothing. As have been all me pucks, it's a simple and casual place where yer date neeeds be primping herself to be looking beautiful. My friends, I only recommend places to ye that go beyond chichness and fancy-pants-ness to find the real you. (Didja ever wonder why I hide my face in the picture every month?) Me good pal Hollywood only found fault with it in that no one there was wearing black leather underwear, or if they were they had the complete lack of fashion sense to be wearing it underneath their other clothes! That's every bit of wonderful time to be had there includin', but mind ye not limited to, all the favorite beers o' the world on tap (Guinness, Anchor Steam, etc.), marvelous and beautiful barpersons, live music (though they couldn't play "Oh, Danny Boy" for me), darts, and a delightful crowd of folks boastin o' their ancestors from the Emerald Isle. Would ye believe it? Thar's every bonny o' parking! Try topping that with yer' "Johnny M's" mister white leisure suit!!

A great casual pub in the tradition of, well, in the tradition of other great casual pubs! Go there.
Bo Dean's Bodacious Basketball Crystal Ball

University of San Diego Mens Basketball Schedule*

| Nov. 22 | at SDSU  | Jan. 18 | at San Francisco |
| Nov. 25 | SMU     | Jan. 23 | Portland |
| Nov. 29 | UCSD    | Jan. 25 | Gonzaga |
| Dec. 4  | at S.F. Austin | Feb. 1 | at Santa Clara |
| Dec. 6-7 | SW Mo., Santa Clara | Feb. 7 | at Loyola Marymount |
| Dec. 11 | CS Hayward | Feb. 8 | at Pepperdine |
| Dec. 14 | at San Jose St. | Feb. 13 | Pepperdine |
| Dec. 22 | CS Northridge | Feb. 15 | Loyola Marymount |
| Dec. 25 | at Northpole | Feb. 20 | at Gonzaga |
| Dec. 28 | Lehigh | Feb. 22 | at Portland |
| Jan. 2  | Navy | Feb. 27 | San Francisco |
| Jan. 4  | at Arizona St. | Feb. 29 | St. Mary's |
| Jan. 7  | at Colorado | Mar. 7-9 | at WCC Tournament |
| Jan. 11 | Santa Clara | April 6 | NCAA Final, Minnesota |
| Jan. 17 | at St. Mary's |

*Home games are in bold.

The Adventures of Newt and Biff: Law School Tribulations

by Courtland W. Creekmore

Newt: Hey Biff, you're looking pretty buff. Are you back on steroids again?

Biff: No way, Newtster. I'm in law school. Lugging casebooks up and down the hill really gives me an all-around pump. How about you? How's life in med school?

Newt: Vibrant. I have to commit the entire human anatomical structure to memory tonight. After that I'm going out drinking. Wanna join me?

Biff: Sorry, Newstein, I'll have to pass on that one. I have to get a one-inch margin set for my closed memo. Law school is much tougher than I thought it would be.

Newt: Egregious. Isn't there someone you can complain to? The Bishop maybe?

Biff: Well, I tried the Student Bar Association. One person there said she'd help me, but only if I agreed to erase my name on the interview list and write her in.

Newt: Inconceivable. How can you stand the pressure at a place like that. Lawyers sound vicious.

Biff: Well, I have a lot of motivation. See, if I don't do well then my heirs and I starve. But if I do well then my property is worth a lot more. Then I'll supplant Tommy Lasorda as the Slim Fast spokesman.

Newt: That's right. Also in your case, if you don't do well then your creditors start an in rem against the property you own. It's just one way of getting you to study harder.

Biff: I guess you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: Talley ho! Now you're talking. Just think, after three years of law school you could work for me. I guess I'll have to get greedy and sneaky.

Biff: I'm not talking about working for you, Newtly. I'm talking about working for the people. I'm going to run for office in my state. I'll use my knowledge to serve the people.

Newt: That's a nice idea, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: That's the spirit, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: That's the spirit, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: That's the spirit, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: That's the spirit, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: That's the spirit, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.

Newt: That's the spirit, Biff. But you know how it is. In law school you have to be tough. You have to stand up for yourself and fight for what you want. It's like in politics.

Biff: I think you're right. It's either law school or bust for me. I guess I'll have to get greedy and sneaky.
A Chance for Expert Opinions: The Alumni Advisor Program

One of the most well attended first-year programs is upon us! The Alumni Advisor Program, sponsored by the Law Alumni Association, pairs first-year law students with alumni. Those who choose to participate will be paired with an advisor at a reception to be held on Thursday, November 19 from 4:30-6pm.

This annual reception is typically attended by 100-150 students and alumni, and in the past has provided a successful first meeting. One’s advisor may then be contacted for advice and information regarding the legal profession and particular areas of specialty. A day on the job with the advisor also may be arranged. Note, however, that after the reception it is the students’ responsibility to set up future contacts with their advisors.

This is an exciting opportunity for students to meet alumni who practice in particular fields of law and discuss specialties of legal practice and future trends. The advisors may also assist with counseling and course selections, as well as potential networking. However, this is not a job-placement program and your advisor is not expected to find you a job.

A variety of alumni participate in this program, from individuals who work in large or small corporate firms, to those who work in the attorney general’s office, the district attorney’s office, and those who work as sole practitioners. Alumni Advisor pairing will be made at the end of October.

To insure your position in the program, check your student mailbox for the flyer, fill out the form on the reverse side and place it in your mailbox by Thursday, November 6. The mailing boxes marked “Alumni Advisor Program.” Forms must be in today, October 29.

If you have questions, contact Kathy Riebel in the Law Development and Alumni Relations Office, Room 112.

Symposium: Provoking New Ideas

Federal sentencing guidelines will be the topic of a USD School of Law Symposium on Saturday, November 23.

The new federal sentencing guidelines, which took effect on November 1, 1987, have been heralded as a revolution in criminal justice. Those guidelines were intended to eliminate inequality of treatment in sentencing by creating standard classifications and by grading offenses. Panellists at the symposium will discuss whether or not the guidelines have lived up to that promise. Have they been implemented correctly and have they changed the criminal justice system? The panel will also discuss reasons these guidelines have been criticized harshly by attorneys and judges alike, and what the future might hold.

The symposium will run from 9-12:30pm in Forum A1 of the Haas University Center. The cost is $25 for USD alumni and criminal defense lawyers and $35 for others. Lunch will be available for $5 following the symposium. For further information, contact Laura Berend, USD Legal Clinic, at 265-4600, extension 4394.

Vargas, Continued from page 1

School of Law is enrolled in my class as a student.

Vargas attributes the quick success of the program to the commitment of the students to the ideal of understanding binational relations. The students have a tremendous interest in American law in light of the free trade agreement between Mexico and the US. They want to be able to provide legal services to American corporations that are looking to possible future economic investment in Mexico. In addition, the students are trying to get an overall grasp of the way the American and Mexican legal systems interweave in border cities like San Diego and Tijuana.

Vargas is pleased with the program’s progress. “The students are eager to learn. Basically they have to be conversant in both legal systems. I hope someday we can have it on both sides of the border.”

Pro Bono, Continued from page 1

decided was whether late applications would be accepted. Chong had requested that the deadline be extended due to lack of notice.

"In the interest of fairness to everyone, we decided not to accept any late applications," Rodgers said. The committee did not want to shut out those who did not know they would be able to submit an application late or penalize those who had turned them in on time.

Because Chong was a member of the SBA, the committee was not informed of the late applications. According to Chong, the late application issue should have been resolved first so he could have been present for the other discussions. He believed this was another indication of poor process.

Broadus and Randolph both stated that this was mere oversight; the Chair discussion was not planned. Members of the committee said that it was not their intention to exclude Chong but, rather, that they had not intended to address other issues before deciding about the late applications.

Five students were selected to sit on the pro bono board. Chong took part in the selection process.

In the meanwhile, Dierickx was trying to get on the SBA agenda to discuss the whole issue of pro bono.

Dierickx said she wanted the issue discussed because she believed it was up to SBA to a whole to decide the course pro bono would take. In addition, Dierickx said the selection of the Board and chair was unfair, because it was not adequately publicized, and "undemocratic." Dierickx went on to say that she did not receive her notice until the day the resumés were due and that she approached Broadus and Randolph but they were unresponsive to her concerns.

Dierickx stated that Randolph, as SBA president, played political favorites because she had been involved with pro bono since its inception.

"I, in no way, wanted to foreclose that side of the issue," said Randolph. "I wanted to make sure all sides were fairly discussed."

Broadus believed that there was no point in fighting about the process. He said that the board was picked fairly and that the most important thing was to move pro bono along and accomplish something.

According to Dierickx, she felt strongly about the unfairness of the selection process that she put forth a resolution asking the board be disbanded and a new board and chair be elected by the general SBA. Kovalsky sponsored the resolution at the October 14 SBA meeting. Kovalsky said that he believed Dierickx was being excluded from the agenda of the meeting.

The issue was hotly contested during the meeting. Kovalsky referred to the methods of choosing the board as being totalitarian. Others announced that this would not have become an issue if money for stipends had not been included in the grant. The meeting was disrupted and unorganized. Procedural questions were unanswered and there was confusion as to who could do what and when.

The meeting went into overtime and broke up when Kovalsky stormed out and Dierickx followed, effectively breaking quorum.

Discussion continued at the Octo- ber 21 meeting. Randolph asked that the SBA allow Rodrigues to put forth a written

Continued on page 13
WOMEN'S LAW CAUCUS

The Women's Law Caucus sponsored a talk by Catherine Chinn, a civil rights litigator in the area of employment discrimination last Wednesday. Chinn was the first person to obtain a federal restraining order against a federal judge. Her presentation described the personal rewards of being an employment discrimination litigator and also touched upon some of her personal experiences in court.

In addition to sponsoring this event, the Women's Law Caucus also held their Second Annual Celebration of Women in Law was on October 7. Members of the San Diego Legal Community, USD Alumni, faculty, and students gathered at a wine and cheese reception to discuss women's issues and the role of women in the legal profession.

Among the guests were the Honorable Judith McConnell, presiding judge of the San Diego Superior Court; the Honorable Elizabeth Kutzner of the San Diego Superior Court; and the Honorable Sandra Berry of the San Diego Municipal Court; as well as several alumni of the USD Women's Law Caucus.

Both events are just part of a series of ongoing presentations and lectures being sponsored by the Women's Law Caucus. Upcoming events will be posted and published in ****Sidebar.

PHI DELTA PHI

Big Brother/Sister Program

by Anne Dierickx

Under the supervision of John Elias, the Big Brother/Big Sister Program is once again underway. Each year PDP runs this program in conjunction with the Partnership in Education Program. The USD law school’s partner in education is Carson School, located just five minutes away from USD, on Linda Vista Road. Law students are paired on a one-to-one basis with students at Carson School. This individual attention is important to the fourth, fifth and sixth graders who participate in the program.

According to Kathy Murphy, head of the Partnership Program for the San Diego School District, for many of these students the one hour a week spent with a big brother or sister is the greatest amount of time the student will spend communicating with an adult on a one-to-one basis. Volunteers have a choice of the type of student they will pair with for the year. Requests can be made for a student with special needs, or one who just needs extra motivation. One of the successful components of the program is the care put into ensuring that both student and volunteer are happy with the match up.

Law students are encouraged to communicate with their teachers frequently. Most teachers are grateful for the program because it provides the students with another outlet for questions and individualized attention. Murphy stresses the fact that the program is flexible and open to new ideas. For example, if a big brother or sister is interested in organizing an activity or field trip, that idea will be considered.

Currently more than 25 people have committed to being in the program. It is not too late to join—the Carson school can always find a child who needs a mentor. Applications are still being received at the PDP office.

Police Ride-Along

by Helen Chao

The San Diego Police Department offers a Police Ride-Along Program in which a resident may ride with an officer during a ten-hour shift and experience the crime problems in their neighborhood. Although the Police Department is reluctant to extend this program to non-residents of a particular division, the Western Division of the San Diego Police Department, located at the intersection of Friars and Napa, has relaxed its rules for all USD law students.

As a ride-along, you could become a material witness to incidents or events that form the basis for a criminal or civil proceeding. If a case does proceed to court, you may be required to testify. Three shifts are available to all USD law students:

1. 6:00am - 6:00pm
2. 7:00am - 4:00pm
3. 3:00pm - 7:00pm

Please note that the first and third shifts are less popular and the waiting list is shorter. A sign-up sheet is posted on the PDP door in the Writs. A Ride-Along Request Form will be put in the mailboxes of those who sign up. The form should be returned to the PDP office no later than tomorrow, October 30.

SHOULD YOU WORRY ABOUT GETTING AIDS?

Can I Get AIDS from Using Bathroom Facilities that Have Been Used by Someone Who Has AIDS?

No. The virus is not spread through air, water, or on surfaces.

Can I Get AIDS from a Mosquito Bite?

Current evidence indicates that mosquito and other insect bites do not transmit the virus.

AIDS IS HARD TO CATCH

This information is based upon data from the U.S. Public Health Service. For more information, call your local health department, the National AIDS Hotline (1-800-342-AIDS) or your local Red Cross Chapter.

American Red Cross
San Diego/Imperial Counties Chapter
5450 Fifth Avenue
San Diego, CA 92103
(619) 292-2620

American Red Cross
San Diego/Imperial Counties Chapter
5450 Fifth Avenue
San Diego, CA 92103
(619) 292-2620
MOTIONS -- October 29, 1991 -- 13

SBA PRESIDENT'S REPORT

by Shawn Randolph
SBA President

There are a few items of business that I would like to address through this edition's President's Report. The following are reports on various committees on which I sit in order to represent the SBA, including: Pro Bono, Faculty Committee, and Law Alumni Board of Directors.

Pro Bono

The Pro Bono program has been addressed at a number of SBA meetings, and now that the program has gotten off the ground, there is a lot to report. I sit on the Pro Bono Board as an "ex-officio" member.

For those of you who are unaware of our pro bono program, we have one. It was started by a group of students: Warner Broaddus, Ann Broderick, Marty Kovalsky, myself, Steve Smith (last year's president), and John Sullivan. We met a number of times at the end of last year where we formulated plans for a program through which we could create awareness of volunteer opportunities for students.

During that time we got word that there was a large foundation willing to grant funds for just such programs. They had extended their deadline for submission of grant proposals until the time that went on running the implementation of this program. A compromise under the SBA bylaws urgency clause. The compromise kept the Pro Bono Board that had been chosen and allowed the Board to choose their own chair.

It was amended by Dierickx to open up the chair position for an SBA election at the October 28 meeting.

The Dierickx/Kovalsky resolution was defeated by a vote of 13 to 12. The Rodriguez regulation, as amended passed. (At press time a new chair had not yet been elected. The vote was scheduled for October 28. Broaddus has applied.)

There has been grumbling from both sides as to the entire issue. Broaddus said that some people have used SBA to "grind their own personal axes." Dierickx stated the entire process was undemocratic and felt she was "shut" out from legitimately voicing her concerns by an SBA playing favorites instead of doing what is in the best interest of the students.

Some students think Randolph mishandled the situation and could have made things run more smoothly. Some think Randolph should have excused herself from the proceedings in SBA because of a conflict of interest since she was on the pro bono board last year. Randolph admits things could have been handled better.

"What's ultimately so annoying is that none of this has anything to do with the substance of the pro bono program. All I want to do is get on with it," concluded Broaddus.
MOTIONS

OPINION

Anita Hill: A Victim

by Julie Totten

The television set and I began a game of fatal attraction as I observed Professor Anita Hill brazenly testify as to the previous conduct of the newly-confirmed Supreme Court Justice Clarence Thomas. My law books were quickly cast aside for the weekend as I was lured to the confirmation hearings as a moth is to light. Yet, at the same time, I was mortified that our elected officials completely disregarded the pain and humiliation suffered by this woman.

It was not enough for the Senators to twist and turn her articulate and emotive testimony; they had to take it a few steps further by asking her if she was a scorned woman and by blatantly accusing her of perjury. The Senators seemed confounded as to why Hill did not come forward sooner. It does not surprise me, however. The same social structures and viewpoints that prohibited her from addressing this issue at the time, quickly questioned her sanity after she spoke now.

The Senators also interrogated Hill as to why, an employee at the Equal Employment Opportunity Commission, did not lodge an internal complaint. San Diego employment discrimination attorney Catherine Chinn, while speaking to USD students last week, addressed this issue. She said that the law does not require a victim of sexual harassment to voice a complaint internally before filing a lawsuit. The reason, Chinn explained, is "because the risk of retaliation is too high."

Chinn went on to state that what most people do not understand about sexual harassment is that it involves economic power. Although sex is an underlying issue, the ultimate harm to a woman's livelihood and economic well-being.

Unfortunately, this is difficult for most men to understand. Few men would be offended by a proposition made by a female employer. Such a proposition would likely be consistent with the concept of locker room banter and bragging. Most men are flattered by such conduct, not threatened.

The Wall Street Journal reported on Wednesday, October 18, that some men do, indeed, understand. More than 200 pending harassment suits against former Senator Frank Duchess of Albany.

Second, sexual harassment is a subject that has been swept aside far too often in the past. Thomas complained that these hearings were not fair. He was right. If not for the leak of confidential information, this drama would not have unfolded before us.

Second, sexual harassment is a subject that has been swept aside far too often in the past. Thomas complained that these hearings were not fair. He was right. If not for the leak of confidential information, this drama would not have unfolded before us.

We all may never know the real truth. More likely, the truth will be decided within each observer's individual mind. However, it is evident that two individuals have been unfairly damaged. Both Thomas and Hill have had their reputations attacked and their integrity questioned. Regardless of who told the truth, how can either go forward from this event a whole person? Many people who know Hill or Thomas may come into contact with the future will have made judgments about their character, good and bad, based largely on these hearings.

Sexual harassment is a very serious issue. Sexual harassment is no less important than racial discrimination, child abuse, wife battering, or a number of other social ills that we live with today.

Undoubtedly, thousands of women are sexually harassed every year in America and around the world. Many working women live in fear of the potential of sexual harassment in and outside of the work environment. Few men, equally, may fear untrue allegations of sexual harassment against them. A difficult and delicate balance must be achieved.

An environment must be established where victims of sexual harassment, not to mention other types of abuse, feel comfortable to come forward. Victims should not have to worry about the potential of being victimized again by the public. Victims of rape have often been further victimized after their allegations were made public.

On the other hand, the same environment must discourage false allegations that may potentially irreparably damage an innocent person's reputation.

Thomas v. Hill: Both Victims of the U.S. Senate

by Mitchell M.T. Kam

Many had hoped that the Clarence Thomas confirmation hearings would not develop into proceedings reminiscent of the Robert Bork battle. What started out somewhat quietly as an investigation into Judge Thomas' views on Constitutional Law and judicial matters, suddenly metamorphosed itself into a tragic national spectacle.

With allegations of sexual harassment brought forth by Oklahoma law professor Anita Hill, the Thomas confirmation process became everyone's worst nightmare. The hearings into these allegations have provided so many with so very few answers. However, a number of matters became painfully apparent.

First, these reopened proceedings would never have occurred if Hill's allegations were not leaked by an unknown senator or staff member on the Judiciary Committee. The attempt made by a number of senators to state that both Hill and Thomas are two very good, intelligent people. Thomas' testimony diametrically opposed that of Hill. One of the two must have lied. Or was it a situation where both genuinely believed the truthfulness of the testimony that they gave? We all may never know the real truth.

More likely, the truth will be decided within each observer's individual mind. However, it is evident that two individuals have been unfairly damaged. Both Thomas and Hill have had their reputations attacked and their integrity questioned. Regardless of who told the truth, how can either go forward from this event a whole person? Many people who know Hill or Thomas may come into contact with the future will have made judgments about their character, good and bad, based largely on these hearings.

Second, sexual harassment is a subject that has been swept aside far too often in the past. Thomas complained that these hearings were not fair. He was right. If not for the leak of confidential information, this drama would not have unfolded before us.

On the other hand, the same environment must discourage false allegations that may potentially irreparably damage an innocent person's reputation.

Second, sexual harassment is a subject that has been swept aside far too often in the past. Thomas complained that these hearings were not fair. He was right. If not for the leak of confidential information, this drama would not have unfolded before us.

We all may never know the real truth. More likely, the truth will be decided within each observer's individual mind. However, it is evident that two individuals have been unfairly damaged. Both Thomas and Hill have had their reputations attacked and their integrity questioned. Regardless of who told the truth, how can either go forward from this event a whole person? Many people who know Hill or Thomas may come into contact with the future will have made judgments about their character, good and bad, based largely on these hearings.

Sexual harassment is no less important than racial discrimination, child abuse, wife battering, or a number of other social ills that we live with today.

Undoubtedly, thousands of women are sexually harassed every year in America and around the world. Many working women live in fear of the potential of sexual harassment in and outside of the work environment. Few men, equally, may fear untrue allegations of sexual harassment against them. A difficult and delicate balance must be achieved.

An environment must be established where victims of sexual harassment, not to mention other types of abuse, feel comfortable to come forward. Victims should not have to worry about the potential of being victimized again by the public. Victims of rape have often been further victimized after their allegations were made public.

On the other hand, the same environment must discourage false allegations that may potentially irreparably damage an innocent person's reputation.

"Second, sexual harassment is a subject that has been swept aside far too often in the past. Thomas complained that these hearings were not fair. He was right. If not for the leak of confidential information, this drama would not have unfolded before us."
Governor Wilson and AB 101: Better off a Padre

by Dallas O'Day

As a Dodger fan, I've always enjoyed watching the Padres lose. And I've been lucky enough to see some of our losses. But I'm worried—now the Padres' latest acquisition has shown that he can make the toughest catch even for them. The situation that I'm referring to is Governor Pete Wilson, who signed a contract with the Padres for one day.

Wilson shouldn't have had to display his defensive prowess if he had not committed an error in vetoing AB 101, which would have prevented employers from discriminating against homosexuals by adding sexual orientation to a list of categories protected by California's Fair Employment and Housing Act. Wilson justified his veto by claiming that the bill would hurt business.

Well, Wilson really blew it. He managed to infuriate both the left and the right, who were ticked off because Wilson made a point which implied that they were bigots. I found the whole thing interesting, which was a welcome break from the monotony of the Democratic administration. Although I liked the Duke, I was surprised to see in the October issue of Motions a call to recognize the mixture of our country's cultures, but it has been our country's failure to recognize its native culture that has forced many to deny their true selves. The easiest escape for a Latino (another misnomer), is to reveal in the gran- deur of his European origins, and shame- fully deny his native blood. To celebrate Columbus is to passively deny our origins, for purposes of remaining consistent with a society based on false pretenses and self-interpreting perspectives. We have learned that spilled blood was incidental to the ne- gotiation of the Europeans to civilize a ''sav- age new world.'' But this world was neither ''Old'' and ''New.'' There are many, like myself, to whom the celebration of Columbus is a bittersweet recognition of the melting pot this country is. ''Hispanic; of Spanish origin.'' This classi- fication bastardizes entire races by recog- nizing its father but not its mother. Our father is Spain, who took its bride, America, by force, and raped her. Do you really want to celebrate the anniversary of our parents' wedding?

Today we recognize the mixture of our country's cultures, but it has been our country's failure to recognize its native beginnings a society that would tear them from their native lands to supplement a free-enterprise economy. The acrocity of their enslavement is matched only by the enslavement of indigenous people in their native land. People of color were met by Europeans proclaiming that they came in the name of God. To bear a cross with a sword's edge is ironic; but to wield it against people whose only sin was their unfortu- nate location is barbaric. Perhaps Columbus is just the lamb we sacrifice to magnify the inaccuracies of a Eurocentric American history. Perhaps he is the symbol of the point in history which we must return to if we are to fully appreciate the true parentage of our world. We struggle now to heal and love our earth. We now recognize societies around the world that were previously unwilling members of immutable alliances. Why then do we celebrate the moment in time that we became guilty of what we are

Continued on page 16

Letters to the Editor:

Letters to the editor will be published monthly. Please address all letters to Motions Editor and place them in the Motions mailbox (located on the main floor of Wilson nearest the elevator). Letters must be signed and include a phone number so we can contact you if necessary. Names will be withheld upon request.

GALLSA Questioned

I was surprised to see in the October issue of Motions that the Gay and Lesbian Law Students Association (GALLSA) had, as you describe it in your title, finally achieved recognition on cam- pus.

According to my copy of the Uni- versity of San Diego Catholic Code of Right and Responsibilities, a campus homo- sexual organization does not meet the criteria the university established for group registration, let alone "recognition."

I quote from page 64 of the USD Graduate Student Handbook:

"Organizations wishing to be registered with the appropriate student government will meet the following criteria: . . . Activities to be listed must be consistent with the moral and social teaching of the Roman Catholic Church and tradition of the University."

It is clear that recognition of a homosexual organization is inconsistent with the moral teaching of the Church.

I am writing to let you know that the Church teaches us to tolerate others' values. The Church has in recent years come a long way toward respecting other religions and other lifestyles. It is clear, however, that in recent years the Church has been very clear that sodomy and homosexuality were inconsistent with Church teaching. Sodomites are to be for- given and assisted, but nonetheless are liv- ing a life inconsistent with Catholicism. This is not to suggest that homosexuaility should be prohibited. But for the

Colombus: Remembered Not Revived

by Chris Tenorio

Why all the Columbus bashing? Why shouldn't we celebrate the discovery of the most advanced civilization the world has ever known? Why shouldn't we re- jocce over the beginning of a mixture of cultures that has formed the entire world so- gether? Here's why.

As a Chicano, I am a living repre- sentation of Columbus and his birth of the "Old" and "New" Worlds. There are many, like myself, to whom the celebration of Columbus is a bittersweet recognition of the melting pot this country is. "Hispanic; of Spanish origin." This classification bastardizes entire races by recognizing its father but not its mother. Our father is Spain, who took its bride, America, by force, and raped her. Do you really want to celebrate the anniversary of our parents' wedding?

Today we recognize the mixture of our country's cultures, but it has been our country's failure to recognize its native
now trying to eradicate? Let us not celebrate the beginning of our "new world," but rather recognize the end of our indigenous genius. Only by recognizing who we are can we recognize where we are going.

Thomas (Chris Harrington), Continued from page 14

that it was virtually impossible that they could both be telling the truth. Third, even though one of them was lying, I could not tell which one of them it was.

It is at this point that I heard so many disturbing opinions. Many people have said that Thomas should not have been confirmed because he did not disprove Hill’s allegations. They said that Thomas was being nominated to the highest court in the land. His decisions would effect the men and women of this country for decades, perhaps even centuries. As a result, these people concluded that if there was any doubt as to his sexually harassing Hill, he should not be confirmed.

This is a dangerous position. A founding principle of our country is that a person is innocent until proven guilty. A person does not have to disprove an allegation. Rather, the person making the allegation must prove his case. If we reach the point where we take any action against, or deny anything to, an individual on the basis of unfounded allegations, we have come dangerously close to the tyranny we try so hard to guard against.

I can hear the arguments. "Innocent until proven guilty" applies in a criminal context. Since no charges were filed here, it does not apply. Rather, the Senate was just evaluating the morality of a nominee in much the same way a politician is subject to the same types of scrutiny.

I submit that the basic and fundamental tenet that a person is innocent until proven guilty is so essential to our country that it applies implicitly everywhere. First, it is how we all want to be treated. As you read this, imagine that you had received a callback from a large firm, and the hiring partner told you he would be making you a job offer. There was no uncertainty. You knew that you had the job. Before the offer could be made, and ex-employer contacted that hiring partner and told him you had stolen money from your past employer. In fact you had never done so. You knew the charge was false.

We would all agree that the hiring partner would have the right to ask you if this charge was true, and even conduct some independent analysis of the charge. Let’s assume that after doing so, the hiring partner knew that someone was lying, but could not decide who. In short, the ex-employer could not prove that you stole the money, but neither could you disprove the charge. Do you think you should still be entitled to the job?

What if the ex-employer made his charges of misconduct so public that your reputation was ruined nationally? The basic point is that none of us want to be subject to the risk of losing our jobs, reputations, or anything else, on the basis of unsubstantiated allegations. If we are willing to condone this twisting of our individual liberties when the stakes are high enough, what starts off as an entangled right becomes a line drawing exercise. In short, a right means nothing unless we protect it, especially when the price of doing so is costly. It is precisely because Thomas’ nomination had no such make, that Hill’s failure to prove her allegations meant they should have had no effect on the outcome.

Miles Weiss

"Well, I interview of course. Ha Ha!"

Gwen Reeves

"I listen to reggae music."

Dean Spizzirri

"I pray, I walk, I play with my son, I sleep, I listen to music."

Linda Keck

“Thomas v. Hill" (Mitch Kam), Continued from page 14

In a society where the communication between men and women is so frequently misunderstood, many men may earnestly not be certain what is acceptable behavior from a woman’s point of view. One positive note has been the consciousness raising effect these allegations have had. People across the nation are discussing sexual harassment with each other, and many are learning of information of which they were once ignorant.

Hopefully, this phenomenon will not fade now that the hearings have concluded. This discussion is healthy. Our nation has for too long avoided confronting this uncomfortable subject. There has recently been a trend where subjects such as racial discrimination, child abuse, welfare and other sensitive subjects have been gradually surfacing in public discussion. It is time that sexual harassment was added to that list.

Third, it appears likely that the Judiciary Committee made mistakes regarding the handling of Hill’s allegations. Many in the public have argued that committee members did not take Hill’s allegations seriously when first brought to the attention of the committee. This may be so, but others counter that Hill’s request of confidentiality also may have hindered the efforts of committee members in pursuit of a thorough investigation. A very difficult situation was presented. How could Senator Joseph Biden and the committee members have proceeded and assured both Hill’s confidentiality and a thorough investigation? Regardless of how this question is answered, arguably the dilemma could have been handled better than the actual outcome.

Fourth, the judicial confirmation process has been severely damaged. What has for years been a forum to determine the qualifications and reasoning of a nominee, has been transformed into a circus where how well you identify with particular political philosophy is given more weight. Although hundreds of fine public interest groups provide a valuable service from many Americans, a few may have abused their use of power here. The members of the Judiciary Committee did not make matters any better during the hearings into the sexual harassment allegations.

While the goal of the hearings was to determine the veracity of the allegations made, senators continued to play partisan politics. Senators frequently gave monologues supporting their positions when they should have been posing questions to the witnesses. While apologizing to Hill and Thomas for the events subjecting them to questioning and national scrutiny, senators continued to defend or attack each other while not taking full responsibility for the lack of their action that ultimately led to the necessity of the hearings. The senators’ actions only gave credibility to Thomas’ charge that the Judicial Committee was a legislative body and it was now more inappropriate and unfair for that body to be conducting the hearings examining the sexual harassment charges.

At the end of these hearings no winners emerged. Both Hill and Thomas were scarred by this preventable misadventure. The integrity of the confirmation process has been severely damaged. It is a process that is need of serious reexamination. The reputation of Congress, already under attack for unpaid restaurant bills and bounced checks, has been further tarnished.

However, out of this chaos a unique opportunity is now presented to the Senate and the nation. The confirmation process should be overhauled. Senators have the opportunity to reform and restore integrity to and confidence in the confirmation process and the Senate itself.

These hearings involving allegations of sexual harassment should never have occurred. They would not have occurred if the allegations, when first made, were properly confronted and a proper confidential inquiry conducted. A thorough investigation must be pursued in an effort to identify the individual or individuals responsible for this blatant violation of Senatorial rules. If an identifying full responsibility can be made, an appropriate punishment must be enforced to indicate that this type of behavior will not be tolerated.

Continued from page 14 -

sexual harassment charges are filed by men each year. Although this is significant, it is just one-tenth of the number of charges filed by women.

It is interesting to note that while most of the charges lodged by males involve a female boss or co-worker making unwanted sexual advances, they sometimes concern a man pressing for sexual favors from another man. While I believe that most men are not threatened by advances made by a woman, I think they begin to relate to the precarious power play created by sexual harassment if the advances are coming from another man. I do not wish that uncomfortable and helpless feeling on anyone.

It saddens me that the Senate did not take Hill seriously. It saddens me because there were millions of women who watched Hill. Who will believe us if we legitimate claims to make, but were horrified at the way this victim was treated. Although most people agree that Americans are now more conscious and aware of their conduct at work, I believe the hearings will have a chilling effect on sexual harassment charges brought by women. This is unfortunate because, as Chinn stated, "Only by making them pay will they stop.”

Continued from page 14 -

October 29, 1991 — MOTIONS

QUESTION OF THE MONTH: What do you do to relieve Law School stress?

Miles Weiss

“I listen to reggae music.”

Gwen Reeves

“I pray, I walk, I play

with my son, I sleep, I listen to music.”

Linda Keck

Anita Hill (Jolie Totten), Continued from page 14

Kam is an alumnus of the University of San Diego School of Law ‘91. He is currently pursuing an MBA at the University of Texas at Austin. This article was recently published in the GSBulletin.