Motions 1993 volume 6 number 4

University of San Diego School of Law Student Bar Association

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The faculty parking spaces should open to student cars after 3PM (3).

The resolution consists of several proposals. First, he proposed that two shuttles should run between Dogpatch (graduate student housing) and USD. (4) The student administration should sponsor a service to escort students to and from their cars at night. Second, Johnson addressed the opening of faculty spaces to students at night and on weekends. Although this remains only a proposal at this time, one tentative measure might allow students to begin to park in faculty spots in the law school lot. Nighttime faculty and staff members would be given exclusive use of the lot across from the law school (next to the UC and across from the parking office) and one of the lots behind the LRC (next to the school of education). Also, students might be allowed to park in other select areas, including the Diocese and the Immaculata.

Finally, Johnson informed the group that police on campus already escort students at night. Students may pick up one of the red phones around campus or call 260-4000 after hours for connection to the campus police.

After the undergraduates return from break, a campus-wide parking committee will be formed. Students may give input regarding parking to any SBA members either directly or by dropping a note in the SBA box located in the Writing Center.

Reminders of the Glory of the British Empire

Two grenadiers guard the Queen's jewels at London's Tower of London. Opportunities for extended travel come but seldomly in a lifetime, and the USD law school offers study abroad programs in London, Oxford, Paris, Russia/Poland, Dublin, and Mexico.

Parking May Be Moving toward a Solution

By Brad Fields
and Peter Salmon

The SBA and USD administration met on Wednes
day, Jan. 20, to discuss a recently passed SBA parking resolution. The resolution addresses the increased shortage of student parking space that developed last semester. One proposed solution is to open the faculty spaces in the law school parking lot to students during the evening hours.

The SBA parking resolution, passed shortly before winter break, developed from discussions with the Dean's Student Advisory Council (DSAC). The resolution contains four proposals. (1) Two shuttles should run throughout the day and evening. (2) Some faculty parking spaces should be open to student cars after 5pm. (3) The faculty parking spaces should be open to student cars on weekday evenings.

Martin Luther King Day Recognizes a Great American

By Levis Perry

No classes were held on Monday, Jan. 18 this year to mark the first official USD celebration of Martin Luther King Day. There is an irony about holidays which purport to honor great leaders: they often trivialize and demean the intended honorees. Christmas is a celebration not of Christ but of the materialist and socially benefitted all Americans, and indeed, all the world.

The meaning of Martin Luther King to America

Martin Luther King's greatest legacy lies in the victories he won in the struggle to help America live up to the ideals of its liberal creed. Throughout American history there has been a dynamic tension between the values Americans preach and those they practice. This tension can be seen as far back as the American Revolution, a war fought on the basis of liberal, humanitarian principles, but waged by people who were essentially conservative. At the heart of this contradiction lay the institution of slavery.

Congressional Bill Would Eliminate the Use of the Word "Sale" in Holiday Titles

By Stacie L. Brandt

Editor

Greeting cards have been a tradition for many families. However, when it comes to the Christmas season, many people believe that the word "sale" should not be used. This year, a bill has been introduced to eliminate the use of the word "sale" in holiday titles. The bill, sponsored by Representative John Smith, aims to promote a more dignified approach to the holiday season.

The bill states that the word "sale" should not be used in any context related to the holiday season. Instead, terms such as "giveaway," "promotion," or "discount" should be used in place of "sale." The bill also requires that any marketing material related to the holiday season should not use the word "sale" to promote any products or services.

The bill has been met with mixed reactions from various organizations. Some believe that the bill is needed to promote a more dignified approach to the holiday season, while others feel that it is unnecessary and could hinder sales.

The bill has been introduced to Congress and is currently being debated. It is hoped that the bill will be passed and become law, promoting a more dignified approach to the holiday season.

The True Legacy of Martin Luther King

By Stacie L. Brandt

Editor

Dr. Martin Luther King's legacy is often considered to be the civil rights movement. However, the true legacy of Martin Luther King is not measured by how much his efforts have materially benefited African Americans but rather by how much his efforts have morally and socially benefitted all Americans, and indeed, all the world.

The true legacy of Martin Luther King lies in the victories he fought on the basis of liberal, humanitarian principles, but waged by people who were essentially conservative. At the heart of this contradiction lay the institution of slavery.

USD Pass Rate for July
1992 Bar is 77.7%

This year's pass rate is an increase from July, 1991.
An Interview with the Dean

By Scott Slattery

This is the second part of a two part article. In the Dec. 2 issue, Dean Strachan discussed Justice Panellee's Nov. visit, the new status of the Journal of Contemporary Legal Issues, U.S.News and World Report's law school rankings, and some of her current projects.

New Faculty. We have a member of the faculty coming in January; her name is Cynthia Lee. She has an outstanding background: undergrad at Stanford, law school at Berkeley. She's finishing up working for a San Francisco firm right now. Professor Lee will be teaching in the areas of Criminal Law and Criminal Procedure. I think the students will find her to be a very capable and dynamic person. She's also very interested in becoming involved in the academic support program.

Fletcher Classroom Remodelling. I am working on getting the Fletcher classrooms remodelled and air conditioned, and the rest of our classrooms air conditioned. It's a budget crunch around here - trying to keep up with the increasing need for financial aid and expanding the library collection - but the physical classroom environment must be a top priority for any law school and university. I'm hoping that pressure and persuasive arguments will pay off.

Q: What is the latest on the ABA study that took place two years ago?

A: That's a chapter that is closed. We came through that with absolutely high marks. They get after us for just a few things. They felt we were not enforcing the 20 hour work week rule; not adequately enforcing the rules on punctual and regular class attendance; giving too much credit for and not adequately supervising externships; having inadequate library collection of monographs (new books); and using too many adjuts. We have adjusted a few things to address all their concerns. They signed off on us in June so our accreditation continues for another six years.

Motions

January 27, 1993

Congratulations California Bar Passers

Motions salutes the following USD School of Law graduates who successfully passed the July, 1992, California Bar examination:

Himel, David Michael
Hodge, Arthur Danielson
Holub, Edward Whayhew
Hoppes, Tosi Ann
Horton, Lincoln Victor
Hunt, Carol Kay
Jackson, Blaise Joseph
Jacobi IV, Bradley Lionel
Jaeger, Martin Joseph
Kalayeh, Beverly Ann
Kamsenger, Balak
Kell, Kristen S.
Kearin III, Raymond Paul
Katz, Richard Alan
Kehlthy, Clare
Keilman, Wendi Kay
Kendall, Karen Frederica
Keivis, Martin Stuart
Kekawitsch, Rosmarie
Laine, Joseph
Larson, Jennifer Ann
Lescour, Robert William
Lezine, James
Linden, Suzanne B.
Lowe, Coleen Helen
Luras, Janice Salvio
Lurie, Patricia Wayne
Lukacs, Jeffery William
McCabe, Elton Mary
McChesney, Leslie L.
McNeill, Suzanne B.
Mende, Marita
Miller, Jill Lucie
Miller, Todd Glen
Mills, Jean
Milner, Jay Jose
Molnar, Mary Jane
Monte, Kim
Murphy, Patrick
Overton, Sarah Lee
Parker, Joseph Michael
Paul, Christian Frederick
Pawling, Robin Lynn
Pilger, John James
Pickard, Rick E.
Pratt, Jeffrey Ray
Ralph, Ronald Shane
Raney, Krista Young
Rayner, Richard Wayne
Richard, Barbara Lynn
Richardson, Jane Marie
Riley, Tanisha Rae
Rob, Deborah Ann
Rogers, Edward Gerald
Rossman, Rochelle Lynn
Rubin, Sima J.
Ruparel, Denise Lorraine
Ryder, Lisa Ann
Ryder, Elizabeth Anne
Sabetz Jr., Charles Joseph
Saldito, Timothy Francis
Sommers, Phillip Constantine
Salvador, Andrew Howard
Salvador, Jill Cameron
Shep, Stacey Hope
Shevel, Eric Dore
Shokes, Dean Spliter
Siegler, Susan Marie
Silva, Simon
Silverman, Beth Ellen
Silversee, Samantha Jane
Simone, Francesco
Singh, Barbara Jane
Smith, George L.
Solider, Lynn Marie
Solovy, Alice R.
Sosman, Susan Elizabeth
Stamen, Randall Seth
Stache, Kim
Stam, Gregory James
Taylor, Carolyn Cappadoca
Toltz, William Michael

Trial of a Friend's Killer Leads to Legal Insight

Michael Konz Remembered

By David E. Garley

A year ago today, a friend and classmate was shot and killed. Halfway through our second year of law school, Mike Konz's life was cut short by a bullet to the back of his head, fired point blank by Robert Mack, a General Dynamics employee. Mike was the labor rela-

Bripenings representative at Mack's termination hearing.

During a brief recess at the hearing, Robert Mack chased Mike through the building and out into the courtyard. Within a dozen steps of the door, Mike was executed, shot for having been one of those Mack felt had robbed him of his 24 year GD position.

Last July, I found myself in Judge Murphy's courtroom for the closing arguments of the Mack trial. After being part of the USD contingent in Phoenix for Mike's funeral, I wanted to go to the point of a psychotic break. To Mr. Roake, what drove Mack over the edge was the specter of losing the position which Mack had boasted would yield him the title of the first black man to retire from the GD plant after a full 25 year career. His purpose was not murder at all, but suicide. It was his own life that he intended to end.

Listening to the arguments, I realized in the most dire of circumstances that the Art of Lawyering is not in the facts, but the presentation. I still believe that Robert Mack had sufficient time and clarity of mind to prepare adequate arguments to murder both James English and Michael Konz. I have, however, gained an understanding of the clarity and precision necessary for me to reconsider my emotional turmoil since Mike was killed with the removed reasoning law school is supposed to instill in us all at some point prior to graduation. Guilty or not? Yes. Defen-

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Salcich, Andrew Howard
Shepard, Jill Cameron
Shep, Stacey Hope
Shevel, Eric Dore
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Toltz, William Michael

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January 27, 1993

Career Center Update

New Programs Kick Off
Spring Job Search

By Elizabeth Genel
Motions Associate Editor

I was hoping to have landed the perfect job by now so I could bag the rest of law school. But lucky for you I have not. Good thing, too, because there is lots of exciting stuff happening this semester at the Career Center, and I am still here to tell you about it.

Leave your calendars open for Wednesdays at 4:30 for great seminars designed to help you land the perfect job, spark your interest in different areas of the law, and keep you abreast of new and exciting ways to conduct yourself in an interview. (Wear a nice blue suit and avoid burping.) The Career Center has scheduled seminars on Networking, Sports Law, Public Interest Law, and other fabulous legal topics.

If you are interested in seeing yourself on video, the Career Center is conducting video mock interviews. Sign up today because they are being held this week and next. See the board outside the Career Center for details. This is a great way to see how you respond in an interview situation, and it’s good practice for all the interviews you’ll be going on after you attend the Wednesday seminars.

Perhaps you’d like to participate in the resume sorting process you did in the fall. Dust off your resume and head to the Center for the resume sort going on this week. Don’t be too disappointed, though; there aren’t a ton of firms participating, but it will get you motivated to do another mass mailing. Yes, send your resume to firms coast to coast. Lots of firms didn’t know what their hiring needs for the summer would be. As summer gets closer, firms will need associates. If you are lucky, some firms may even need to fill some senior partner positions. Hey, you’ve worked hard in law school and know how to conduct yourself on an interview, so go for it!

First year students, apparently you have not been taking my advice. Listen up, and believe me when I tell you that even in the best of economic times, there are very few jobs available for you scrubs. Here’s a hint, we are not in the best of economic times. So relax, concentrate on getting good grades because they matter. Borrow more money from the school, and plan a fabulous trip to Europe. (See Centerfold.) You’ve worked hard - you deserve it. Work on your resume now if you must, but don’t worry so much about getting a job this summer. You’ll need to worry about it plenty next fall.

Bernie Witkin, often called “The Guru” of California law, wrote a syllabus many years ago, intended to help his associates pass the bar exam. He was successful. Now his work has matured and stands as legal authority for the bench and bar. A recent Lexis, Westlaw search turned up over 8,000 cases in which Witkin was cited as authority. Bancroft-Whitney is the exclusive publisher of Witkin.

WITKIN SUMMARY OF CALIFORNIA LAW 9TH EDITION is a classic work that will be a valuable asset for as long as you have an interest in the law. You can take advantage of a special student discount offer: no interest terms, a free volume of “Witkin Significant Developments in the Law” and free audio tapes of Witkin’s MCLE seminar while supplies last. All for $20 down and $20 per month.

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Attention:
Writers, Grammarians, Editors, Cartoonists, Opinionists, and Spellers

Motions is seeking law students to manage USD Law School’s only finest newspaper. An information meeting will be held Wednesday, February 3, at 12:00 in room 3D.
America's early leaders, even those opposed to slavery, were unwilling and unable to confront an evil so intertwined with the American economy. Great liberal thinkers such as Jefferson and Madison owed much to the public educations which allowed them to argue so eloquently for free- dom to profits derived from sla- very. Martin Luther King, Jr., was able to predict from his dea thed that the issues of slavery and race would reverberate in the courtrooms and, like a "firebell in the night," awaken each succeeding Ameri- can generation from its compla- cency. Jefferson and others knew that America could never be made morally whole until it came to terms with its treatment of Afri- can Americans.

Americans of many races and both sexes have risen to great- ness due to the removal of racial war against racial great- ness. Some might argue that slavery, the practice of African Americans is not a good benchmark for this change because most of Dr. King's writings and speeches are focused on economic and politi- cal progress. What has changed is the social and psychological con- text within which the racial debate takes place. Dr. King's movement altered the cultural attitude toward what is acceptable and unaccept- able behavior. Although the transfor- mation is not complete, his work should not be trivialized, for such a change rarely occurs in any culture. Thus, the basis of King's writing and activism is a profound faith in the possibility of a new order.

King and the world community

Martin Luther King, Jr., is an important figure on the world stage as well as in America because he demonstrated that nonviolent ac- tivism is an effective weapon for social change. This idea, born in the writings of Emerson and Thoreau and tested by Gandhi in India, had never before been tried against such enormous odds as ex- isted in America. In the India of the 1930s, a relatively small group of British politicians and Indus- men dominated 400 million people in a land thousands of miles from India. This fact, coupled with the later devastation of the British economy during World War II, made Indian independence inevi- table. In 1960s America, on the other hand, a group representing ten percent of the population was oppressed by a majoritarian society which seemed both unchanging and unapologetic.

Dr. King's adoption of Gandhi's methods to deal with America's racial problem was an act of supreme courage. Had the students of the 1960s who were fired on for their freedom marchers, Martin Luther King's movement might have ended immediately. But Dr. King had an unflinching belief in the essential goodness of the American people. He believed that most Americans acquired in segregation be- cause they had closed their eyes to its immorality. Dr. King felt that if large numbers of Americans were forced to face the immoral- ity of segregation, they would reject it. His success is a tribute not only to his personal values but also of the values of the American people.

Martin Luther King proved that nonviolent protest could be effective in any country, with any circum- stances. However, this does not mean that such tactics are effective in all settings. Success depends on whether the opposition can be swayed by an essentially moral ar- gument. Thus, Martin Luther King succeeded because the students at Tienanmen Square did not. It was no mere coincidence that the people fighting for African Americans were forced to look at the immoral- ity of segregation, while the students would not.

Because of the significance of his contributions both to American culture and to world culture, Mar- tin Luther King's contributions cannot be made trivial or marginal by citing the current problems of African Americans. That there is still a journey ahead does not di- minish the importance of the dis- tance already traveled. Martin Luther King's achievements have provided hope and progress not only for African Americans but for many other oppressed groups. Women's rights, gay and lesbian rights, the rights of native peoples are all part of the struggle for civil and human rights cham- pioned by Dr. King. The goal of social justice and equality for all is still far in the future, but we are on the right path.

As far as African Americans are concerned, the next major battle will be fought within the hearts and minds of African Americans themselves. After Dr. King's successes, the remaining barriers to economic progress are predominantly psychological. We must come to believe in our own ability to achieve, for lack of this belief is perhaps an even greater barrier to progress than external racism. Martin Luther King put us on our feet; Malcolm X assured us that we can walk; but it is up to African Americans themselves to take the next steps.

The author is a third-year U.S. Law student.

Summarized by the School of Law

San Diego.
Students Advocate for Real Clients in SSI Program

By Rich Britschgi

The Supplemental Security Income (SSI) Program involves students in real-life advocacy by allowing them to serve as legal representatives of clients who are appealing their denial of public benefits. SSI provides benefits for mentally and physically disabled persons who meet established regulatory definitions. Persons whose applications for benefits are denied may have the opportunity to appeal. Working with the San Diego Volunteer Lawyer Program, students are assigned cases deemed involving their clients. About fifteen students are currently involved in the program. Although the cases do not demand a lot of time, an appeal may entail a commitment of six months or more. Students inevitably find the experience rewarding. Although the circumstances of each case vary, second year student Harvey Payne’s case is representative of student advocacy in action. Harvey’s client is a woman suffering from work-related injuries alleged to have worsened until employment became impossible. After she was denied public benefits, Harvey became the legal representative for the case.

Harvey gathered together his client’s medical records and wrote a memorandum to the Administrative Law Judge (ALJ), arguing that his client met the regulatory requirements for disability. The initial problem Harvey faced was that the x-rays of his client that were taken by an orthopedic specialist for the Department of Social Security indicated no physical disabilities. Harvey was able to show that other medical records and x-rays performed by the client’s own treating physician were in conflict and did indicate physical problems. At the administrative hearing, the ALJ granted Harvey’s request to perform new x-rays and orthopedic tests to establish his client’s condition.

Harvey’s case is an example of the persistence that is sometimes necessary. Difficulties can arise when dealing with treating physicians or the staff at the overburdened County Medical Service. In the end, the process provides a rewarding experience when you believe in your client.

A substantial number of cases warrant appeal from the denial of SSI benefits, so the need for student advocates is great. Training for the program is two and a half hours. Students who are interested in getting involved with the program this spring should contact Rich at 542-0215.

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SBA President’s Report

By Robert Chong

W

e have now reached the halfway point of this administration. To all First Years: Congratulations on getting that year under your belt! To all Second Years: Congratulations, you are halfway home; and to all Third and Fourth Years: Yeehaw, it’s home stretch time! Last semester our biggest events were: First Year Orientation, Fall Picnic, Mock Trial, Mt. Lebanon Pageant, Law Alumni Mentor Reception. This semester some of our main activities will include:

- Martin Luther King, Jr. Celebration
- VITA
- St. Patrick’s Day Party
- Spring Elections
- Neverland Show.

Other activities tentatively scheduled include:

- A symposium on, 'AIDS in the Military

An information session to compare the differences in Bar Review courses to be held on Thursday night (Bar Reviews)
- Race Judicata.

SBA plans to be very busy and very active up to the end of the school year. If you would like more information on any of these events or how you can participate, come by the SBA office or see your rep for more details.

Last issue I reported on some of the committees on which I sit. I failed to mention how fortunate we are that USD allows student representation on most of the committees within the law school, as well as the entire campus. Other law schools are less accommodating, and student representation is either not allowed or the students do not get a vote. I also failed to mention my involvement in the search to replace our school’s Provost. I was part of the student-alumni committee which evaluated the final four Provost candidates to replace Sister Furry when she retires.

Because of time constraints, I am unable to sit on every committee. Other students were appointed to sit on these committees and make frequent reports to SBA. The following is a partial list of committees with an SBA appointed representative:

SOCIAL ISSUES COMMITTEE: Social Issues is a committee dedicated to expanding community awareness of social issues on this campus as well as the community at large. The committee participates in community service activities and provides volunteers to non-profit organizations.

CURRICULUM COMMITTEE: As the title indicates, the committee concerns itself with problems in the curriculum. Student input is solicited.

UNIVERSITY BUDGET COMMITTEE: The budget for the entire campus is determined at these meetings. Being a student in these meetings is like being a fly on an elephant - you’re never sure what’s going on, and you wonder if your presence is even noticed.

Youth activities are a major interest of the community. The community participates in community service activities and provides volunteers to non-profit organizations.

GRADUATION COMMITTEE: The Graduation Committee decides the commencement speaker for next year’s class. In addition, the committee coordinates the festivities for the graduating class prior to commencement.

LIBRARY/PROGRAMS COMMITTEE: The LRC (affectionately known as the "Brar") is most interested in student comments and suggestions in helping make the library a more efficient and enjoyable place to study. The library is a haven for students and faculty.

Other committees you may be more familiar with are the Halloween Committee, Orientation Committee, and the Film Festival Committee.

All that’s all for now. Regular meetings have begun. The time is still 4:30pm on Wednesdays in Room 2A.

SBA Plans New Activities for the Semester

By Stacie L. Brandt

Motions Editor in Chief

T

he student Bar Association had its working lunch for the semester Jan. 21. Representative lives of each organization presented their plans for the semester. The SBA finance committee will meet to hear budget requests Jan. 31.

Women’s Law Caucus - Judge John Coughenour, a Ninth Circuit judge, will address gender bias on Feb. 4. Mary Ellen Drummond will present a job workshop Feb. 13, 10-4. The much anticipated annual WLC Faculty Auction is scheduled for Feb. 23.

Phi Alpha Delta - The annual PAD Beach Volleyball Tournament will be in Mission Beach near the rollercoaster the Saturday after Spring Break, Mar. 20. There will be two divisions of 2-person teams, expert and less than a division for 4 or 6-person teams. Entry and registration forms can be obtained from the SBA office.

More Hall PILF - Besides a career forum, PILF is holding an auction and raffle Mar. 4. Their pledge drive is scheduled for Mar. 25.

By Jens-Uwe Hinder

Professor Klaus Stern gave a guest lecture at USD on Nov. 5. He is one of the most respected German professors of Constitutional and Administrative Law at the University of Cologne. He speaks about the legal and political problems of Germany after reunification.

Professor Stern divided his speech into four parts. The first part dealt with the division of Germany after the second world war and the two Germanies, one into the Western part of the world and the other into the Eastern bloc. Then he described the revolution in the former East Germany in 1989. Once again, 200 years after the French Revolution, the idea of human rights and the great principles on which constitutions are based lead to the capitulation of the communist dictators.

In the third part, Professor Stern addressed the constitutional crisis brought about by the reunification of Germany. He compared the two mechanisms of the German Constitution: Art. 23 of the Basic Law on the one side and Art. 146 on the other side. He explained the importance of this highly academic question for the stability of the new country. Because Germany utilized its powers under Art. 23, the reunification was structured so that, rather than a new country being created, the former West Germany added new member states.

In the fourth part of the lecture, Professor Stern discussed issues relating to the effect of German reunion on international treaties. Summing up, Professor Stern gave a very interesting and highly scholarly overview of the problems narrowly related to the reunification itself. However, the lecture failed to address the most current issues. It has been more than two years since reunification occurred Oct. 3, 1990. The enormous problems it created can hardly be covered in a 50 minutes lecture. German reunification was incompletely explained. A sequel is desirable.

By Robert Chong

The Lunar calendar consists of twelve cycles, each symbolized by an animal. For instance, 1986 was the year of the Tiger, 1967 was the year of the Ram, and last year was the year of the Monkey. Like their animal symbols, each year and each person born in that year possess different characteristics. If you were born in 1993, 1981, 1969, 1957, 1945, 1933, you are a Rooster.

The Rooster is the Don Quixote of self-assurance and aggression, but at heart he could be conservative and old-fashioned. There are rapid-firing and extremely talkative, with X-ray vision. Both are equally hard to deal with.

The Lunar calendar marks the ushering in of the new year. Champagne! Party Blow-ers! Parties! Dick Clark’s Countdown! Rose Parade! Hangovers! Happy New Years!

For the Chinese, Vietnamese and other Asians who follow the lunar calendar, New Years is celebrated not on January 1st, but according to the first new moon. This year marks the year of the Rooster and falls on Jan. 31. The traditional customs include firecrackers and lion dances to scare away evil spirits, money in red envelopes exchanged for good luck, and eating sweets and pastries for prosperity.

The Lunar year is a year of new beginnings and festivities. In conjunction with SBA they will screen the film "Raise the Red Lantern" and serve foods from a variety of cultures.

Leaving German Constitutional Scholar

Lessons on Reunification

Leading German Constitutional Scholar

Lessons on Reunification

By Robert Chong

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The Rooster is the Don Quixote of the lunar cycle - the dauntless hero who must look to the earth to survive. He is the most misunder-
**CALI Exercises in the LRC Computer Instructional Laboratory**

*By Michael White*

The University of the State of New York School of Law is a member of the Center for Computer-Assisted Legal Instruction (CALI). CALI is a consortium of over 120 law schools. It was formed in 1982 by the University of Minnesota School and Harvard Law School to coordinate the distribution and use of computerized instructional materials relating to typical law school curriculum.

The USD School of Law, as a CALI member, receives a library of interactive computer-based lessons each year.

The CALI exercises are written by law school faculty, reviewed by experienced legal professionals, and then revised by the authors.

The format of the individual exercises varies according to the educational objectives of the author. Some authors use the setting as a means of simulating a trial to provide students with an opportunity to test their understanding of the client's role as a potential role of an attorney or judge. Other exercises individualize the classroom tutorial experience by requiring the students through a series of questions requiring them to identify relevant issues and apply recently learned concepts. Some exercises drill students on the interpretation of cases and statutes.

The current library of CALI exercises covers twenty legal education tutorials. The topical tutorials include: accounting, arbitration, civil procedure, commercial transactions, contracts, corporate law, criminal law, employment discrimination, evidence, insurance law, labor law, legal research and writing, professional responsibility, property law, securities regulation, torts, trial advocacy, and wills and trusts.

The CALI exercises are available now in the Computer Instructional Laboratory of the Legal Research Center. To access a particular tutorial go to the Computer Instructional Lab (LRC 126), select CALI from the pull-down menu, and choose a tutorial subject. A few of the CALI tutorials indicate materials are required for review before using the lessons. Ask for any accompanying CALI materials at the LRC Circulation Desk. If you have any questions or comments about CALI, please contact the Reference Desk at the LRC.

*The author is Associate Director of the Legal Research Center.*

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**MOTIONS**

**Northern Summer Exposure**

*By Kathryn Turner Arnaselt*

This is the second part of a two-part article. In the Dec. 2, issue, Ms. Arnaselt discussed her trip to Alaska in June, on May 18, 1992. That summer she worked for the Alaska Public Defender Agency and kept this diary.

One 7 - During ball reviews today, Les, one of the lawyers, introduced me to a magistrate and told him I wanted to appear in his court unaccompanied by a lawyer. In his chambers, Judge Zwink asked me to tell him all about my background, why I was in Alaska. I told him that Rule 44, section 5, specifically addressed legal interns and their ability to appear in court, unaided, for clients. Les and the judge laughed and said, "You can tell you’re in law school when they give you the code sections.”

June 19 - The bail system here is similar to California’s. There is a person who has no prior, or even priors but not for the same thing, or he she gets out on their own recognizance. If a person is charged with a crime like spouse abuse, drunk driving, or driving without a valid license, Alaska requires that the defendant appear in court with a party custodian (TPC). A TPC has to be a person without a criminal record, responsible, and able to be with the defendant 24 hours a day (if the defendant is a "danger to society," i.e., repeat drunk driver, wife beater) or with the defendant only during certain hours of the day (if the defendant just needs someone to make sure they are still in Alaska).

My job is to appear in court every afternoon at 1:15 and represent newly arrested defendants for arraignment or do bail reviews for those who have already been arraigned and bailed out. The judges take turns calling me. As far as I can tell, all arraignments are arraigned within 24 hours of arrest. When I worked in the San Diego Country jail last summer, the arraignment schedule was very lax (but constitutionally so). If a person was arrested for a felony after 1:30 a.m. on a Thursday, they were arraigned on Monday, or Tuesday if Monday was a holiday. In addition, once they were arraigned or had bail posted, it could take 8 hours for them to be released. Here in Alaska it takes only 20 minutes to be released. The arraignment is the rest of the chain.

Defendants also have a number of ways they can post bail: assets, a spouse, relatives, friends, bondsmen (oil money) to the court; post an unsecured bond (which does not become collectible unless defendant fails to appear); go to a bailbondsmen; or be released to a TPC with no need to post bond.

I go to court by myself every afternoon for the misdemeanor arraignment and bail reviews. Some-
1993 January 27

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USD Opportunities Abroad

By Cindy King

The University of San Diego School of Law will offer classes in London and Paris this summer, as well as study by the English tutorial method in Oxford. In London, students may work for credit in law firms, and in Paris, students may work for credit in law firms, public relations, or public policy, emphasizing EEC law and international business law. There are also Paris internships with international organizations. Most of the placements are for ten weeks.

The law firm clerk's work is legal on the problems in the particular area. Students can expect to do research and drafting, as well as reception and law firm cover letter. Whether it be riding to Buckingham Palace, studying Tort law in the heart of Paris, or taking a break by the Seine River, students will be able to see the sights of Europe. Students are also able to offer clinics in London, second year; students may work up on the streets for credit in law; study at the University of London, Mexico, or study at the Royal College of Science in London, Mexico.

The clinics and tutorial operate in conjunction with USD's six summer programs abroad. They are:

- Dublin in international law
- Luxemburg in international law
- South Africa in international law
- London in international law
- Oxford in international law
- Moscow in international law

An informational slide show will be shown Feb. 10, 4:30 P.M. A reception and discussion will follow the slide show. Students will need to sign up. Further information can be obtained at Cindy King, 604-8750, or in the Career Center.

So Many Pubs Little Time: London

By Nathan L.

The London summer program offers the perfect trip for visiting pubs and increasing. The average day consists of riding out of one hotel and ending at the other. The major sights being the Royal Docks, Regent Street, and Haymarket on two morning classes, and spending the rest of the day wandering around London. The city was very unique and pleasant in some cases. It's not far to travel in the city, and the city is a couple of games of town teams or basketball on the private courts provided by the hotel. London's largest, or at least the most well-known, is the pub.

The pubs in London are a great way to experience the city and the people. The pubs are known for their good food, strong drinks, and friendly atmosphere. The pubs are also a great place to meet new people and make new friends. The pub is the heart of London, and it is a great place to experience the culture and history of the city.

The pub is the perfect place to spend a night out in London. The pub offers a wide variety of food and drinks, as well as a friendly atmosphere. The pub is a great place to relax and unwind after a long day of exploring the city. The pub is also a great place to experience the local culture and meet new people.

1993 January 27

MOTIONS

Capital of Cuisine and Culture: Paris

By Scott Savary

It started in Paris, the post summer for some reasons.

Having taken French in high school and college, I'd hoped it would only be a few weeks before I could converse with the natives. As it turned out, the transition was much slower than what I thought. I'm still learning the French language and still have a long way to go before I can be comfortable speaking it.

In Paris, I encountered many French-speaking people and learned to speak the language in French. I was also able to see a home in Paris and the French countryside, Paris, because I like big cats and thought exploring Paris for the first time would be exciting.

Paris was a different educational experience than my experiences at UCSB. The professors this summer were part of a different culture. In Paris, I was exposed to a different language and customs. I was able to see the sights of Paris and explore the city's culture. I was able to see the sights of Paris and explore the city's culture. I was able to see the sights of Paris and explore the city's culture.

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The author ('92) will practice securities law as soon as he passes the Bar.

\[\text{January 27, 1993}\]

By Jeff Gaffney

\[\text{Especially Distinguished Alumni Corner}\]

\[\text{Out of Africa: Gringo on Safari}\]

\[\text{The author poses in front of a Masai village while on his first safari.}\]

\[\text{Widener has the most abominable administrative staff in the known universe. Pygmy tribes in Australia have adopted the word “widener” into their language to mean “something down and useless.” No bronxzoo was ever so sluggish, nor Congress so feeble, nor French waiter so intentionally inept, as the administrative support staff at Widener. Put up with it, and call me for travel hints before you go.}\]

\[\text{In summary: GO TO AFRICA. You will never find a more beautiful or worthwhile trip anywhere on the planet. Despite the hardship I encountered, it was the most personally rewarding experience of my life.}\]

\[\text{stop not these intrepid explorers! It cost about $600, and the trip is always longer than six days because of mechanical problems. It is worth of note that no one was ever “disappointed for the wrong reason.” And the same money and time you can also play with chips.}\]

\[\text{The author poses in front of a Masai village while on his first safari.}\]

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**FLEMING'S FUNDAMENTALS OF LAW**

**Examination Writing Workshop**

*Be Prepared For Law School and the Baby Bar/Bar Examination*

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

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

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

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

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

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

**WHAT THE WORKSHOP WILL DO FOR YOU**

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

**SCHEDULE OF SEMINARS**

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<td>Saturday, March 27, 1993</td>
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<td>Sunday, March 28, 1993</td>
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<td>All sessions will be given live at the Radisson Suite Hotel, 2932 E. Nutwood Avenue, Fullerton. Location will be posted in the lobby.</td>
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<td>Professor Mara Feiger</td>
<td>Attorney at Law &amp; Legal Education Consultant</td>
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Professor Feiger is an experienced criminal defense trial advocate currently practicing for the Public Defenders office in the County of Riverside. She is a graduate of Western State University of Law where she was the President of the Student Bar Association and earned multiple Most Court Awards. Professor Feiger has extensive training in the Fleming method and has lectured for Fleming’s Fundamentals of Law for the last three years. Her experience and training makes her uniquely qualified as a Writing Course instructor.

**REGISTRATION FORM**

- Endorsed by Williston Senate Delta Theta Phi
- No Tape Recording Permitted
- No Exceptions Made

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Pre-Registration Guarantees Space and Workbook: $150.00 per Person + $125.00 Group Rate

Registration Fee: $172.40

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Turn On The Light... Learn to Write... The Right Way!
Editor's Note: Headlines for letters are written by the Morton | Mauk office. Ms. Carbone was not involved in producing the title of her opinion piece.

Letters

Monday, January 27, 1993

Motions

Dining Services Has Feelings, Too

I am writing in response to Christopher Trunzo's opinion piece about the USD Grille ("Bagging the Grill,” Dec. 2, 1992). Since Mr. Trunzo failed to speak to anyone in Dining Services prior to writing his article, he had to rely on his perceptions and assumptions in drawing his conclusions. He selected to research his article, he would have found out that:

- Dining Services, well aware of the "flow" problem in the Grille, has been working to remedy the situation. Taking fry orders at the pizza register and adding a third register were immediate "Dingies." Dining Services is currently working to remove the backlog production line in an effort to increase production and improve the speed of service. We will continue to look for ways to improve service within the limits imposed by the space available.

- Dining Services contacted Cardiff Coffee Company, negotiated their contract, determined that the cart would be placed behind the School (after consultation with Dean Strachan and Curtis Wilson), and shared the costs of running electrical lines to the site. All of this with the interests of the Law Students in mind.

- The students who work for Dining Services are not subsidized by the government. Prominent lawyers, professors, and corporate attorneys have paid Work Study students.

- Dining Services pays the full costs of wages and benefits for our employees. Indeed, if these students worked elsewhere, there might be a need for more financial aid on campus, necessitating a rise in tuition.

- Dining Services has always prided itself on its responsiveness to student concerns and needs. We meet with representatives from AS, the Student Issues Board, and Student Senators, as well as interested customers. We have comment cards available for customers, and we make changes based on them. We are pleased to have worked with the Conservation Club on campus, Campus Ministry, Residence Life, student clubs and the AS. Last year, I attended an SBA meeting in order to gather input from the Law Students on how Dining Services might better meet their needs.

In closing, Mr. Trunzo has chosen to address Dining Services as some nameless, faceless, impersonal corporation. His choice of descriptors: wierd-burgers [sic], salt-fries, greasesball pizzas, nasty/you brew and swell to point his insensitivity to the people who work hard to serve him and all of his fellow customers. I would like to invite Mr. Trunzo to come over and meet Terrence, M.T., Holly, Calvin, and all of the students who are doing their best to provide good food and service, and to be responsive to the USD Community. Perhaps he would find that this "monopoly" has interests at heart.

Rudolph Spateo
Director of Dining Services

 Thou Shalt Not Kill

In response to Mr. L. Lucarelli's commentary regarding the death penalty ("The Death Penalty: A Matter of Justice," Dec. 2, 1992), I would like to point out that the death penalty conflicts with the very essence of Christianity and all religions which believe in a loving Higher Being. By killing people deemed unworthy to live because of acts they have committed, our legal system blatantly and efficiently promotes murder, precisely because it tolerates and utilizes the death penalty.

Jesus Christ, who himself was a recipient of the death penalty, poignantly illustrated how effective teaching by example really is. History reflects that He healed the sick, forgave those who had transgressed, gave food to the hungry, and performed a myriad of miracles to illustrate the very essence of justice and charity, which those who have wronged society the death penalty, which "not a general deterrent," is "a specific one." Does Mr. Lucarelli seriously question why the death penalty is not a general deterrent? No, because, he claims that the death penalty is not a general deterrent to heinous murders because it is a facilitator of them. Just as Jesus Christ taught us to walk in love through his merciful actions and example, our society's endorsement and use of the death penalty teaches our citizenry to embrace murder as a valid means for accomplishing goals.

By engaging in murder, we send the opposite message to that of Jesus Christ. The failure of the death penalty to do "justice" by ending life, is that as Jesus taught, life is eternal. Christianity, among many other religions, also tells us that not only do "bad people" have to answer for their acts, but so do each and every one of us. Thus, it matters not whether we loudly call for the death of the likes of David Raley, or complacently, silently acquiesce to this barbaric notion of justice: each of us commits murder every time a death row inmate submits a thrown switch, an injection, gassing, or a hanging. We, both as a society and individuals, will be held to be responsible for heinous murders because it is a facilitator of them. Just as Jesus Christ taught us to walk in love through his merciful actions and example, our society's endorsement and use of the death penalty teaches our citizenry to embrace murder as a valid means for accomplishing goals.

Dawn Hamilton
USD Law '93

"Olympian" Reminded of Days with Motions

I recently read a copy of Motions and wanted to express my appreciation for what a fine job you are doing with the paper. I am a 1988 law grad who worked on the paper's first incarnation as "Motions." We jettisoned the old "Woolsock" and turned the paper into something that the law school could be proud of. I am happy to see the tradition continuing.

"Bagging the Grill" was a particularly strong article. "Bringing Peace to the Classroom" situation would probably always be terrible. I trembled.me of an article I wrote in 1987 called "Olympus," which discussed the "olympian parking event."

Anyway, keep up the good work.

Thomas D. Mauriello ('88)

Motions

Anita Hill: Someone Was Lying

The Oct. 30 issue of Motions had as one of its front page stories the appearance of Anita Hill. She was the speaker at a benefit luncheon sponsored by the Women Judges' Fund for Justice at the San Diego Convention Center. The article was written by Elizabeth Gene!. Ms. Genel was excellently selected by Anita Hill. As we were told that she is very slim and very beautiful with much charm and a sense of humor. Anita Hill impressed Ms. Genel very much and seemingly she was not alone in this.

When I read the article the sentence was, "Whatever one thinks of Professor Hill's allegations, whether you believe they are true or not, does not matter. With that, possible perjury and fraud are casually waved aside as of no moment. As attorneys or would-be attorneys, perhaps we should not consider the liability of our client. If the allegations are untrue, then Justice Thomas has been done a gigantic injustice. That does matter."

A review of the events in question might be in order. Anita Hill accused Clarence Thomas of sexually harassing her some years before. Thomas agreed that if such had happened, that he was unfit to serve on the Supreme Court; but categorically denied that anything like that had occurred. He specifically denied her out.

Senator Heflin pointed out that someone was lying - that the stories were so contradictory that it could not have been a case of two people viewing the same events from different perspectives and forming two different but honest interpretations of the events. Someone was lying, deliberately lying. Because the lying was under oath, perjury was committed.

The American people watched the hearings as no other hearings had been followed before or since. I myself neglected my work to watch the hearings and was irritated when some matter interrupted my viewing. By better than 2 to 1, the public at large concluded that it was Anita Hill who had committed the perjury. There was no significant difference between men and women on the issue.

Certainly it was not unanimous. Many people, probably including Ms. Genel and the others at the luncheon, believe that it was Thomas who was the perjurer. That is their privilege. That is not the same as saying it is unimportant.

Henry R. Kramer
USD LLM student

Death of Fetus Defies Justice

Ms. Carbone's article, "Adding a Verse to Justice" (Dec. 2, 1992), was certainly the most eloquent defense of abortion I have ever read. I am somewhat puzzled by the title, however. If in what sense is abortion "just"? Justice normally means that everyone receives that which they deserve. Is there anything a fetus can do which is so horrible as to merit a violent death? This article makes us recall Mr. Trunzo's article for the Law Students on how Dining Services tries to meet its student needs. We meet with representatives from AS, the Student Issues Board, and Student Senators, as well as interested customers. We have comment cards available for customers, and we make changes based on them. We are pleased to have worked with the Conservation Club on campus, Campus Ministry, Residence Life, student clubs and the AS. Last year, I attended an SBA meeting in order to gather input from the Law Students on how Dining Services might better meet their needs.

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Rudolph Spateo
Director of Dining Services

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Anyway, keep up the good work.

Thomas D. Mauriello ('88)

Motions

Call (619) 225-0017 for details and price lists.
Madame X: Just south of the Seine River, near the Abbaye St-Germain, one can find the city's two most popular cafes huddled together on the Boulevard St-Germain: Cafe des Deux Magots and its slightly more modest rival, Cafe de Flore. Each cafe unabashedly flaunts its crowds of gazing inhabitants onto first time passersby as starry-eyed tourists. Locals march by with noses pointed in the air. This is the neighborhood of the Bon Chic Bon Genre, the neighborhood of art schools, art shops, publishing houses, and the birthplace of the existentialists. I like to remember it as the latter. Despite the cafe's rich history and international fame, I adopted the place by accident on a dreary Sunday afternoon. It was one of those days when Paris resembles an evacuated city, the only sign of life cheerless, grumpy tourists stumbling about, awake since four after a restless night in saggy beds in their budget hotel rooms. The only way I could rationalize being in Paris and having to study law was doing so in a cafe, far away from a library and other law students.

Cafe de Flore was just one on the list of cafes I intended to explore that summer. Every study session would take me in an orderly way down that list. I took the metro to St-Germain-des-Pres and ascended the stairs onto the boulevard, staring down at my address book searching for street names and numbers. I was on the lookout for a quaint establishment, probably closed on a Sunday, where someone like Sartre would seek solace to write. I nearly gasped with surprise when I looked up from my papers to find thousands of peering eyes peering curiously from behind designer sunglasses and cluttering cups. The eyes followed my progression down the street. Before I could escape their dizzying gaze, I came across another cafe mob also hungry for a strolling public. Overwhelmed by this sudden attack of attention, I doubled back and went down the little Rue St-Benoit. At once, a large area was visually cleared where I eagerly planted myself to become one with the thisty Flore mob. I was approached by my first poliet Parisian waiter and decided never to move down my list of awaiting cafes. If you do not feel comfortable at street level, retire upstairs. This usually quiet haven is filled with mahogany tables and red banquettes, the antithesis of the commotion downstairs. It may even be one of the most accessible air-conditioned rooms in Paris, which might explain the prices. But, the price of an espresso will buy you hours of undisturbed study time. You are not only buying a cup of coffee; you are renting space and paying for ambiance. The Flore does have its inscapacibly touristy element. After all, Picasso sipped mineral water at the front tables, Sartre and Simone de Beauvoir practically lived here when writing their books, and Hemingway was only one of the famous many who lounged away their meaningless existences here. This is a place French people with clean hair go to. The only American I met here was Sandra Bernhardt. I wasn't sure it was her until she started talking about Prince and Madonna.

If you prefer a trendier atmosphere laden with rich tourists and even more Americans, visit the Deux Magots. The coffee tastes like something you'd get at Denny's, but I hear the hot chocolate is very good. Hollywood's Ripper: Madame X undoubtedly was impressed by meeting Sandra Bernhardt, a legitimate glamour girl, yet she hardly compares to the star quality of my newest acquaintance, the Queen of Pop Culture, the Diva of Dance, the Reincarnation of Marilyn, the Mistress of S & M - Madonna. Yes, Hollywood met, danced and schmoozed with Madonna over break in LaLa Land.

This time I agree with Madame X. Cafe Flore is a marvelous place to see and be seen. As you drink your carafe of blanc (25 franks for 3 glasses), you can watch the grand dames enjoy late breakfast with male consorts alongside a beautiful, historically rich look. Bain Douche emits a powerful, sensual energy which seems to intoxicate and captivate the entire crowd. Rarely will a club so completely seduce all of its patrons. Indeed, I met an incredibly beautiful woman clad in silver sequin dress who spoke almost no English. We had a fine time together, sharing conversation and enjoying the pleasure of swaying our bodies together to the lusty rhythms. Unfortunately, her limited English failed me in describing the sun and her dawning sobriety. The spirit of Bain Douche mercilessly entwines couples together in dancing pleasure.

At Bain Douche your body, mind and soul are willing servants to the master of amour. No one arises before eleven o'clock. I danced until dawn both times I went there, and the pace was only beginning to slow. Surrender, and you will truly experience the best of the night life Paris has to offer.

MADAME X: JE NE SAIS QUOI

The Casbah
BASTILLE

This place would be virtually impossible to find, except for a guillotine placed up front in honor of Bastille Day. Otherwise, this bar is located on a small, residential street, and no signs or long lines attest to its existence. The guests were each announced with the click of a staff. What lay before us was an austere feast. In tribute to the Bastille, the staff were ironically garbed in pre-revolutionary garb complete with white wigs, painted faces and women in hoop skirts. Mismatched antique furniture was scattered about. The walls resembled a Turkish bath, and the clientele showed a taste for Armani, Gaultier and Versace.

Fashion models dropped over their single drinks at the bar, looking up and down to peruse the latest newcomer. It was a bizarre feeling to have models I was used to looking at in magazines stare back at my own attire for a change. The men were mostly perfectly looking, 100- so perfect they ceased to be attractive. I desired conversation with them as much as I would yearn to chat with a mannequin.

All in all, this was a comfortable, casually elegant place to have a few drinks before heading to the Bain Douche. There is no cover charge, but the prices are steep, starting at 75 francs for a decent atmosphere. It would be well worth it if you desire a change from guidebook recommendations.
I

In the aftermath of Bill Clinton's victory by default, you may well be asking yourself, what happened to the Republican party we all came to love for the last twelve years? A year ago, President Bush seemed all but unbeatable. Superman couldn't have dragged and left the first string of Democrats into the race. In effect, the leadership of the party had already conceded to the Republicans, leaving the Democratic side of the race to the wimps, weirdos and windbags like Tsongas, Brown and Clinton.

Little did they know that one year later, the windbag extraordinaire with an army of skeletons in his closet would be President of the United States. What Happened?

First of all, the Democrats, believe it or not, chose the right man at the right time. All of the A-List Democrats were known quantities. One of the main achievements of the Reagan era was to make "liberal" a four letter word. In the public eye, the "name" Democrats and the Democratic party were inexorably interlinked with the L-word. If the Democrats had nominated yet another member of the mainstream left wing party, they would have played right into the Republicans' hands. The specter of rampant taxping and spending, of a "liberal" extension of rights to every minority group at the expense of the majority, and a softheadedness on crime (Willie Horton) and on foreign policy (Saadam Hussein) would have been placed before the eyes of the public. The Democratic candidate would have been shot down in flames.

The Republican Party knows very well that if you can label someone and make it stick, you can control the terms and direction of the contest; defining your opponent with your own terms is the first step to victory. Indeed, the Democrats, in choosing a candidate whose prior claim to fame was putting the entire '88 convention to sleep, nominated someone upon whom the usual labels would not stick! In fact, the reverse began to happen; the Democrats took control of the campaign and made it a referendum on the economy. The Republicans' early loss of control over the direction of the campaign was their first fatal blow.

Second, the Republicans were not prepared psychologically to wage a campaign based on the economy. It is very hard to convince a supply-sider or monetarist that the government can have any positive effect on the economy. The Bush team, being the free-marketeers that they are, gave off the public perception that they were ignoring the economy, when in fact they were simply waiting for Adam Smith's invisible hand to set things right. This did not happen. The Democrats and Ross Perot picked up on this immediately and made See DEMOCRATS page 4

The Spirit of '60

By Dallas O'Day
Motion Staff writer

Ever since the election of the Little Rock Doughboy and his presidential partner, Lady MacDeath, to the Presidency, the media has gone overboard on the "Sixties" and the "New Generation" themes. "FIRST BABY BOOMER IN THE WHITE HOUSE," the headlines shout. "CLINTON TO INVOKE SPIRIT OF THE SIXTIES," promises another. As a child of the Reagan years and the "baby bust" generation, this prospect does not fill me with joy. Let me explain. In my usual eclectic and pop culture fashion, why this nostalgia trip is a one way ticket to hell.

The baby boom generation is usually defined as those born in the years 1946 through 1964. They began entering college in the early 1960s. America has yet to recover.

The baby boomers were instrumental in the "free speech" movement on campuses. Today, those boomers who stayed in academia are instrumental in attempting to limit free speech through the promulgation of campus speech codes. Is this the spirit of the Sixties? Baby boomers who led the campaign to keep colleges out of the business of regulating the sexual conduct of their students now lead the campaign to get colleges back into regulation of the sexual conduct of their students. I refer specifically to the attempts to get campus grievance committees to act as tribunals when date rape accusations or intrastudent harassment charges begin flying, a role that campus committees are not competent to fill. Is this the spirit of the Sixties?

Baby boomers who led the charge to make education more "relevant" and scorned traditional methods of giving children a basic education are now the rust-buts who complain loudest when confronted by a McDonald's worker who can't give change properly without the aid of a machine or the fact that most current products of the U.S. educational system can't find Vietnam on a world map. Is this the spirit of the Sixties?

The baby boomers who demanded and fought for equal treatment under the law for all the citizens of the United States are now those demanding and fighting for the unequal treatment of various groups under the law. Those boomers who once pursued justice for all and care not that others may suffer. Is this the spirit of the Sixties?

The baby boomers who "questioned authority" and took on the Establishment now respond to the questioning of their authority and social policies with resentment and intolerance. The boomers are the apostles of political correctness, far removed from their Sixties ideals of free expression and speech. Not quite the spirit of the Sixties.

Let me say, it's the Sixties and its afterbirth, the 70s, were also decades of grotesque cultural and political excess. Bell-bottomed troopers? Love beads? Artificial turf and domed baseball stadiums? Hippies, Yippies, and Timothy Leary? No wonder some saw the Sixties as the end of the world. Great art? Only if you consider Andy Warhol's Campbell's Peas as Picnicure. Literature? Name a great novel or novelist from the Sixties. The cultural "greatness" of the Sixties is in rock'n'roll, and even that is stained by the fact that with the Beatles came the Trouper. Perhaps Slick Willie will be different. Perhaps not. But the "Age of Aquarius" now enveloping the White House and the media should not be celebrated. It might be better entitled the "Age of Despairing-us."

Abortion Can't Be Justified

By L. Lucarelli
Motion Staff writer

A

t its heart, the question of whether abortion can be justified is relatively simple one. Abortion is justifiable if the rights of the mother in having an abortion outweigh the rights of a fetus in not being aborted.

If a fetus is capable of holding rights, its interests in not being aborted are immense; the right to life is the fundamental right because all other rights are predicated upon it. Proponents of abortion have suggested that a fetus cannot hold rights because it is either not "alive" or "orphan" human.

The common scenarios in recent years are: a woman seduced by a man and later determines she cannot afford to keep the baby; a woman raped by her partner; or a woman who simply chooses at some point to be selfish.

Abortion proponents might argue that viability is that which gives a fetus the potential to life ahead. It is this potential to engage in future human activity which makes the child's life more valuable.

To illustrate: Suppose that you were forced to choose between allowing a four year old and an 80 year old to die. If you could only save one, you would choose to save the four year old. Your implication is this: that the child's life is more valuable. The 80 year old presumably has less time before he dies, while the child has his whole life ahead. It is this potential to engage in future human activity which makes the child's life more valuable than that of the adult. Think about it. Death does not change the activities a person has already performed; such activities are unchangeable because they no longer exist. It prohibits them from remembring those past experiences in the future, but it does not change those experiences. We do harm by killing someone because we prohibit them from engaging in future activity. This is why infanticide, and abortion, are so atrocious: their victims have the most to live for.

On the Left

"On the Left" will return in the next Motion issue.
New Administration Puts on the Ritz
Glitz and Glamour Dominate the Inaugural Scene

By Elizabeth Genel

I t was unusually warm in Wash-
ington the days following the
Inaugural, perhaps from the
fires burning under the feet of Presi-
dent William Jefferson Blair
Clinton. The President’s historic
announcement of Zoe Baird to be
the first female Attorney General de-
cayed not quickly, but gradually.
Late Tuesday evening, Ms. Baird
announced that she wouldn’t, for
now. I’m happy to have a vibrant, young,
size 8 woman in the White House to
watch. Oh, and her husband’s a
bebe.

So far the new administration has
worn rose-tinted glasses in its
book. Ms. Baird got a very
handsome face, but who can
tell with all that stupid strangely
hair.

I’m combining the Wednes-
day night gala and the Thursday
night inaugural balls, so if you’re
having a hard time keeping up,
think Wednesday night — Hillary
was in a magnificent red lace
dress. Thursday night she was in deep
purple lace covered with beads, es-
timated retail value, ten thousand
dollars. That might seem a little
stop, but Nancy R. spent that on
everyday suits and stuff. Remem-
ber the new White House dishes she
needed? And let me tell you, they
didn’t come from Crate and Barrell.

I figure on the most important
night of your life, you can spring for a
pretty dress. Tipper Gore looked
dowright foxy in her blue velvet
number Thursday night, and how
are you supposed to look that up
on stage and rock as all the balls? The
lots of people are giving Bill
saxophones so he’ll have a nice
collection of play. I don’t
very much about the sax, so I don’t
know if he’s any good or not, but
I think that he got up on stage and
jammed with the band at
the Arkansas ball.

Yes Bill, Hillary and Chelsea
took a guest Thursday night. I am
convinced Chelsea will blossom into
a beautiful young woman right in
front of America’s eyes. How many
of you were cover girls at thirteen?
Aretha is the Queen, and boy did
not that big a deal. The point is,
you haven’t sung in public since
1992, McGovern, couldn’t you have
found something a little more femi-
nine to wear? Aretha certainly
did. She looked fabulous in her
yellow chiffon with silver bugle
beads dress. Of course, she
did wrap herself in mink, and some
sighed at that, but minks are
not the same as baby seals, so don’t
be better injuring and writing
a letter to the editor because it’s
not that big a deal. The point is,
Aretha is the Queen, and boy did
she look like one. Goldie Hawn
looked rather sexy in her silvery
white, low cut slit dress wearing
some story about her father,
who played the saxophone at inau-
gural balls in days gone by. Sally
Fields was with her in some black
fru-fru dress. Frankly, she
called in comparison to Goldie.
Michael Bloomberg is no slouch at a
hat either. He has a very
handsome face, but who can
tell with all that stupid strangely
hair.

Ms. Baird Nomination May Be Sign of Deeper
Problems for Clinton

By Robert Little

The issue was not forced by
Clinton’s campaign as it was in its
pages. Saturday’s Post had two
front page stories on the Baird
issue.

The withdrawal no doubt was
cause for some queasy celebrity
in Capitol Hill offices of Demo-
crats, where senators, particularly
those involved in the Clarence
Thomas imbroglio, were reluctant
to vote either against a woman or
against 99 out of every 100 phone
calls to their offices, which were
arriving in numbers unseen since
the Thomas-Anita Hill hearings.

The issue was not forced by
Republicans. The ranking minor-
ity leader on Judiciary, Orrin Hatch,
called the confirmation of the mayor
to which Mr. Clinton’s transition
was quick. He announced preliminary, albeit solid,
support for Ms. Baird after the
evocations of her employment of
two illegal aliens (a nanny and a chauff-
our for their daughter to attend private school while
her name. The extent to which he
bowed to pressure will be tested again
next week when military officials
team to the Oval Office to
dispute Mr. Clinton’s plan to intro-
duce homœosexuals to the military.

The author, a second year law stu-
dent, writes from Washington, D.C.
January 24, 1993.
Robert Feinberg
Executive Director PMBR
1247 6th St.
Santa Monica, Ca. 90401
(213) 452-8461

Jan 27, 1993

Dear Mr. Feinberg,

I am writing to let you know that I recently passed the California Bar Exam. I scored 1,440 on the bar exam, which is the highest score I have ever received on a bar exam. I have enclosed a copy of my passing letter from the Committee on Character and Fitness, which includes my bar exam score and my law school transcript.

I took the bar exam primarily because it was a requirement for my law degree. Although I did not pass the test, I am very grateful for the opportunity to take it and for the support of my friends and family.

Sincerely,

Steve Smith

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