Motions 1995 volume 31 number 1

University of San Diego School of Law Student Bar Association

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A Look at Criminal Law

By Chris Lamb

The Public Defender

It wasn’t until 1965 in Gideon v. Wainwright, that the Supreme Court formally recognized “in our adversary system of justice, any person haled into Court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him.” Gideon ultimately proved the case in point: at his retrial, with appointed counsel representing him, Gideon was acquitted by a jury.

The reason for this, he explained, is the steady erosion of civil liberties that he has personally witnessed over the last fifteen to twenty years. The unfortunate reality, he says, is that “people will, little by little, give up their freedoms so that the railroad can run on time.”

The recent backlash in public sentiment toward recidivism has proven to be as challenging for the P.D.’s office as the gradual diminution of civil rights. Three strikes and adult accountability for juvenile offenders, two of the more recent manifestations of the backlash, have resulted in a greater workload and responsibility for P.D.’s.

Bardesley calls these recent developments in criminal law “cheap, easy shots” designed to get politicians re-elected. It’s (continued on page 16)

Francis Bardesley, Public Defender
Boalt Hall

IN THIS ISSUE

• Library Supplement: Learn all the services the library has to offer.
  pages 9-12

• Career Services: Complete schedule of important dates inside
  pages 5 and 14

• First year professors: they have your pictures, now you can have theirs.
  pages 6-7

• Interview with popular professor, Justice Richard Huffman.
  page 13

The SBA operates on a budget of about $50,000 a year, funded by your yearly student fees of $50 each for day students and $40 each for evening students. This money is spent on social and public interest events, legal aid for some more interesting (hopefully) information.

The SBA also operates as the channel through which to bring student concerns to the attention of the law school administration, and if need be, to the larger University administration’s attention.

If you have a concern you would like to air, you can bring it to the attention of your student representative, to any of the executive board members, or by coming to an SBA meeting. Meetings are held every Wednesday at 12:30, usually on the first floor of the Law School. The exact room is determined by the class room assignments of the law school. Any student can attend.

Although, each registered student organization has one representative to the SBA.

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WHAT'S NEW IN THE LRC? NEW BOOKS RECEIVED

Compiled by Franklin A. Weston
Senior Reference Librarian


BALDWIN, ROBERT E. Empirical Studies of Commercial Policy. Offers studies which integrate the institutional details of current trade policy with creative economic analysis and focuses on economic behavior that provides insights for policy makers, academic economists, and students.

BRENNER, SAUL. State Indecisio: The Alteration of Precedent on the Supreme Court, 1946-1992. Analyzes the decisions of the Vinson, Warren, and Burger Courts, as well as the first six terms of the Rehnquist Court—a span of 47 years—that formally altered the concept of precedent.


CHAPPELL, DAVID L. Inside Agitators: White Southerners in the Civil Rights Movement. Offers a powerful account of the black leaders enlists the help of white liberals and moderates as well as to manipulate hard-line segregationists into behavior that was often politically self-destructive.

CORNELL, JILLIAN. The Trial of Ezra Pound: A Documented Account of the treason Case by the Defendant's Lawyer. Tells the story of the man who was imprisoned in the U.S. because of an alleged criminal crime which was never proved, and of his ultimate release 13 years later in 1958.

CREEDEN, SHARON. Fair is Fair: World Folktales of Justice. Collects tales of justice from around the world from the trial of Socrates to the Salem Witch Trials to the Navajo Peacemaker Court to the Ted Bundy case.

CROMARTIE, ALAN. Sir Matthew Hale 1609-1767: Law, Religion and Natural Philosophy. Tells the story of the greatest, and the most universally admired common lawyer of his age, and of his role in Stuart politics.

DOWIE, MARK. Losing Ground: American Environmentalism at the Close of the Twentieth Century. Weaves a breathtaking tale, from the movement's conservationist origins as a handful of rich white hunters and fishing clubs, through its evolution in the 1960s and 1970s into a powerful force that forged landmark environmental legislation.

EPSTEIN, RICHARD A. Modern Product Liability Law. Covers the historical background of the law from the 19th century up to a close analysis of the modern age—the theories behind it, the defenses available, and the questions of procedure and proof on which it rests.

FINKEL, ADAM M. Worst Things First: The Debate Over Risk-Based National Environmental Priorities. Explores the controversy over selecting an approach to set the nation's environmental policies, and describes the EPA's plans for pursuing risk-based planning, while analysis suggests ways to improve its methods, processes, and implementation.

GANGI, WILLIAM. Saving the Constitution From the Courts. Argues that abuses of judicial power are eroding the basic American principle that the government hold itself accountable to the people and that justEquals no longer understand American structures as set up by the framers of the Constitution.

GRAY, FRED. Bus Ride to Justice: Changing the System By the System. Reflects on the life and distinguished career of a successful civil rights lawyer in Alabama who worked closely with Rosa Parks and Martin Luther King, Jr.

GURNEY, JOHN. Copyright Theft. Reviews all forms of copyright theft, from commercial to domestic, covering book, electronic, database, audio, video, games and multimedia, and asks if existing laws can effectively serve such a rapidly changing industry.

HART, MICHAEL. Decision at Midnight: Inside the Canada-US Free-Trade Negotiations. Tells the story of the PTA negotiations themselves, the preparations for and conduct of the negotiations, as well as the ideas and issues that were behind them.

KAMINER, WENDY. It's All the Rage: Crime and Culture. Offers something here for everybody: from the rise in race excuses and notions of individual account- ability, to victims rights and concerns about TV violence, The federal antitrust legislation and the politics of crime control.

KULL, ANDREW. The Color-Blind Constitution. Provides the previously unreported history of the color-blind idea of the U.S. Constitution and the Supreme Court's interpre- tations of the anti-discrimination principle.

LEVINE, SUSAN. Degrees of Equality: The American Association of University Women and the Challenge of Twentieth-Century Feminism. Traces the history of the AAUW from its founding, and explores the problems that women confront and the strategies they have developed to achieve equal rights.

LEWIS, ANDREW D. E. The Roman Law Tradition. Explores the various ways in which the Roman law has affected and contin- ues to affect patterns of legal decision-making throughout the world.

MACRORY, RICHARD. A Source Book of European Community Environmental Law. Provides a helpful bibliography covering a proliferation of books and articles on this topic in all languages of the Community with a unique set of multi-lingual indices.

MEYER, MELISSA L. The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinabe Reservation, 1889- 1920. Examines in detail the course of events leading to the destruction by the U.S. Government of the Anishinabe adaptations under the guise of assimilation.

MOORE, R. LAURENCE. Selling God: American Religion in the Marketplace of Culture. Argues that religion... is a noontime speaker<br>and women confront and the strategies they have borrowed (and invented) commercial practices to promote religion—and how business leaders have borrowed (and invented) religion to promote commerce.

POST, ROBERT C. Constitutional Do- mains. Democracy, Community, Manage- ment. Demonstrates that the law establishes distinct and competing forms of social order: democracy, in which the law embodies the possibilities of self-determi- nation; community, in which the law artic- ulates and enforces a common social identity and management, in which the laws create the conditions for accomplish- ing specific goals.

QUADAGNO, JILL. The Color of Wel- fare: How Racism Undermined the War on Poverty. Offers the argument that the U.S. embarked on a journey to resolve the “American Dilemma” of poverty and racism, but instead of finally instituting full democratic rights for all its citizens, the policies enacted in that turbulent decade (the 1960s) failed dismally.

WEINRIB, ERNEST J. The Idea of Pri- vate Law. Advances the idea, by invoking Kant and Aristotle, that government embod- ied a special morality that links the doer and the sufferer of harm, and that it is an aspect of the common law and constitutional practice, with its own structure and ratio- nality.

WEST, ROBIN. Progressive Constitu- tionism: Reconstructing the Fourteenth Amendment. Develops an interpretation of the "equal protection" clause that con- trasts with the views, conservative and lib- eral, of the Rehnquist, Burger, and Warren Courts.

WOMEN'S LAW CAUCUS READY FOR NEW SCHOOL YEAR

By Jena Kirsh

The Women's Law Caucus was organized more than twenty years ago to support women in the law and create a forum for feminist issues and other issues of interest to women at the law school. But no need to swear off baking cookies a la "attorney's edition," for these clever cookies also provide a welcome treat to the legal crowd, including regulars from the faculty and administration (who have been well-trained to arrive with beer in tow).

Every April the WLC honors an outstanding alumna with its "Celebrating the Life of Women in Law," a sumptuous hors d'oeuvre reception that also provides a great networking opportunity for mem- bers. Last year's honoree was Adrienne Orfield, a partner at Ault Deuprey who spoke about her road to cracking the iron curtain of the legal profession.

You can sign up for a lifetime membership in the WLC for $10. What's more, for another $15 you can join Lawyers Women's Club at the same time, which is the San Diego women's bar association. So drop by our orientation table, or the WLC office, and come to our membership meeting later this month. Your WLC directors look forward to meeting you!
"Bar/Bri Was Good For The Essays . . .

Robert Feinberg
President
PMBR
1847 9th Street,
Santa Monica, CA 90401

Dear Professor Feinberg:

I just received my bar exam results from Nevada and learned that I passed with a
"MBE" score of 170! In preparing for the MBE I reviewed all the practice questions in the
PMBR Multistate Workbooks and attended the 3-day weekend workshop in Reno. I attribute my
high score to the fact that PMBR thoroughly prepared me for the MBE.

Besides PMBR, I also took BAR/BRI for the Nevada part of the bar exam. I attended all the
BAR/BRI lectures and used their outlines for my substantive review. Even though BAR/BRI was
good for the essays, PMBR was essential for the Multistate.

The reason why I think BAR/BRI students need to supplement with PMBR is because the MBE
seems to be testing obscure areas of law and nuances not covered in the BAR/BRI materials. I
spent countless hours reading and reviewing the BAR/BRI outlines and I know first hand that
many of the questions on the MBE were not even covered by BAR/BRI. On the other hand, PMBR
questions covered those "gap" areas and focused on the "fine-line" distinctions tested on the MBE.

I am a recent graduate of USD (University of San Diego College of Law) and now I can see why
PMBR has such a great reputation at my law school. My advice to future bar candidates is simple:

Thanks again.

Very truly yours,

Neil M. Alexander, Esq.

PMBR Was Essential For The Multistate!"

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Look out. The traffic is moving a lot faster up ahead. That's because the Largest California-Owned Bar Review Course, BarPassers, has merged with West Bar Review. Which means that the best just got better. Not only will you have access to BarPassers' renowned California Specialists, (including Steven Bracci, Laurel Liebert, and Robert Hull), but you'll be hearing from the best lecturers in the country (including Arthur Miller of Harvard Law School, Gail Bird of Hastings, Lawrence Levine of McGeorge and many others).

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The best part is that if you're already signed up for BarPassers, you're in the best course that just got better. If you're not in our program, or if you'd like to switch in, give us a call, and we'll merge you West today!

BarPassers
"Your Future is Our Future" 1-800-723-7277

Aticus one month after he was born

A New Life
By Jennifer Brobst
Instead of the usual summer job clerking for a firm between the second and third year of law school, I had a baby. His name is Atticus, a reference to Atticus Finch from Harper Lee's To Kill a Mockingbird. The most outstanding impression that comes to mind when I picture my new little boy is how very real he is. I did do project work as a law clerk throughout the summer (including writing a three strikes appeal while having contractions). Whenever I returned from the library or stopped working at the computer, I looked at and held little Atticus and he made all my legal work seem so imaginary, so intellectual and academic. As much as I love the law, it simply can't compare to the breath of fresh air this little boy has brought to our house. The learning curve of a new baby is astounding as he discovers how to focus on a face or hold onto your neck as you hug him. Law school is extremely stressful for most but being a baby makes it look like a Hawaiian vacation - everything is unknown and terrifying for awhile. But as the crying gets softer and more controlled, and the first smiles and coo's emerge, you know that with your help and his own survival skills he's learned to trust you and to cope with life. This is something that I will take with me into my last year of law school and for all of the rest of what life has to throw at me and my family. Life simply doesn't get any more real than finding people you can love and trust. I am so fortunate to have the opportunity to obtain a law degree, but I am truly blessed to have a son.

The birth and death of a son
A Lost Life
By Belinda Etzerd Rachman
Michael Matta was 22 when he died. He found out three years ago that he was HIV+. He was so thrown by his diagnosis that he couldn't make long term plans. I begged him to use what remained of his time in a productive way, by talking to high school students, to warn them about AIDS and encourage them to use protection. (He wouldn't do it.) From the time Michael was 12 we were having sexually explicit conversations about the need to use condoms, about what activities were safe and which were not. No parent ever communicated with their child in a more open and honest way. There was nothing more I could have done to protect him and it still wasn't enough.

The Center for Women's Studies and Services needs volunteers in the area of Domestic Violence and Sexual Assault. The next training is September 5 through September 30. Hours are Tuesday and Thursday evenings and Saturdays. Interested persons please call 233-8984.

Giving Judges What They Want: Lawyers & Judges' Perspectives
Grace Courthouse, Saturday Sept. 16 9:30- Registration & Breakfast (Room 314) 11:11 am - What Judges Really Want From Attorneys: Everything You Ever Wanted To Know But Were Afraid To Ask
11:12 - Giving Judges What They Want: A Lawyer's Perspective Free to students, RSVP to Sarah Nord 800-628774

Michael one month before his death: Kids never listen to their parents. When I was teaching 6th grade I brought in a photo of Michael and asked my girls if they thought he was cute. "Oh yes," they all said. I asked if they would go out with him. They all replied in the affirmative. Then I told them he was HIV+. They were shocked because he didn't look sick. When he came out for Christmas vacation I took him to my class so they could see for themselves that people with AIDS don't look any different from anyone else, so they better be careful with everyone. It was a direct lesson that I hope they didn't forget.

I sent Michael a ticket to meet me in San Francisco after finals in May. His doctor wouldn't let him travel alone, so I went to New York. We spent a wonderful week together. He could no longer walk and could barely talk. When I left him I knew I would never see him again. A month later his lung collapsed, he was put in a Morphine coma with a respirator. The doctor asked if he could disconnect the respirator. I knew it would be what Michael would want. A month after the last time I saw him, he was gone. The next time you have a sexual encounter with someone you are unsure of, I suggest you use a rubber.
In order to receive a List of Participating Employers, the resume you submit to Career Services must adhere to the following BASIC REQUIREMENTS:

- SINGLE-SIDED (exceptions approved by Career Services).
- RESUME QUALITY PAPER (8½" x 11") in white, off-white, ivory, beige, or light gray only.
- LASER-PRINTED. A computer terminal and laser printer are available in Career Services for student use.
- ACCURATE reflection of: class rank/grade point average (as reflected on your transcript), participation in academic and/or extracurricular organizations, and previous degrees. Resumes are subject to verification by Career Services staff. Providing false academic information on a resume is a violation of the Code of Conduct and will subject students to disciplinary procedures.

If you wish to include CLASS RANK on your resume, illustrate the ratio and, if you prefer, convert the ratio to a percentage (e.g., 36/235 = 15.32% or 15%; 37/235 = 15.74% or 16%). Use the following class size when listing class standing:

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<th>DAY</th>
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<tr>
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<td>Class of '97:</td>
<td>/235 or</td>
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<td>Class of '98:</td>
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- CORRECT ILLUSTRATION OF ALL DEGREES AND GRADUATION DATES, especially your law degree and expected law school graduation date:
  - J.D. expected month, year, or
  - Juris Doctor expected month, year

YOU ARE RESPONSIBLE for ensuring that your resume meets the following standards:

- Zero typographical, spelling or grammatical errors.
- Proper Bluebook citation for all publications, including law review, etc.
- Active verb use in describing work experience -- avoid personal pronouns.

### AUGUST 1995

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<td>20</td>
<td>21</td>
<td>First day of classes</td>
<td>22</td>
<td>23 Resume Workshop</td>
<td>12-12:50pm &amp; 4:30-5:30pm</td>
<td>24 Resume Workshop</td>
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<td>27</td>
<td>28 Job Search 101 12-12:50pm &amp; 4:30-5:30pm</td>
<td>29 Resume Drop 8am-6pm; 1st floor foyer</td>
<td>30 Resume Drop 8am-6pm; 1st floor foyer</td>
<td>31 Summer Clerking: THE STUDENTS’ PERSPECTIVE 12-12:50pm</td>
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### SEPTEMBER 1995

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<td>5 Cover Letter Workshop 4:30-5:30pm (evening students only)</td>
<td>6 Video Mock Interviewing 4-6:00pm (evening students only)</td>
<td>7 Interviewing &amp; Hiring: THE EMPLOYERS’ PERSPECTIVE 4:30-5:30pm</td>
<td>8 Video Mock Interviewing 2-5pm</td>
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<td>10</td>
<td>11</td>
<td>12 On-Campus Interviewing -- First Day</td>
<td>13 On-Campus Interviewing</td>
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<td>26 On-Campus Interviewing DOJ Summer &amp; Honors Application Deadline</td>
<td>27 On-Campus Interviewing</td>
<td>28 On-Campus Interviewing</td>
<td>29 On-Campus Interviewing</td>
<td>30 Northwest Minority Job Fair, Seattle, WA</td>
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# Guide to First Year Section Professors

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<td><img src="photo_not_available.png" alt="Professor Jean Montoya" /></td>
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<td>Property</td>
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<td><img src="photo_not_available.png" alt="Professor Minan" /></td>
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<tr>
<td>Torts</td>
<td><img src="photo_not_available.png" alt="Professor Virginia Nolan" /> (teaches both section A and B)</td>
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Guide to First Year Section Professors

Evening

Professor Walt Heiser

Professor Mike Kelly

Professor Frank Engfelt

Professor Kevin Cole

Professor Doris Alspaugh

Professor Ed Ursin

Professor Ehrlich

Professor Grant Morris
FLEMING'S
Fundamentals of Law

Examination Writing Workshop

Don't Miss...
The Legal Exam Writing Workshop

13 Reasons Why You Must Attend...

- Learn how to improve your grades from a recognized expert-professor Jeff A. Fleming
- Learn effective exam problem-solving techniques
- Learn the difference between essay and multistate strategy
- Learn the difference between the A, B, C essay-student will write two exams for critique
- Learn in-depth issue spotting methods
- Learn the difference between major and minor issues
- Learn comprehensive outlining/organizational strategies
- Learn how to properly interpret calls of questions
- Learn how to develop successful legal arguments (Fact to Element Analysis)
- Learn how to use public policy analysis
- Learn the relationship between the casebook and legal exams
- Learn how to get the most out of class and study time
- Learn how to write the superior answer

Saturday, September 16, 1995: Noon - 6:00 pm
Sunday, September 17, 1995: Noon - 6:00 pm

All sessions will be given live at the California Western School of Law, 350 Cedar Street, San Diego, in the Auditorium

REGISTRATION FORM

Name: ____________________________
Address: __________________________
City: __________________ State: _______ Zip: _______
Telephone: ________________________
Law School: ________________________ Semester in which currently enrolled:
Workshop Location/Date to be attended:
Form of Payment: 
Check 
Money Order 
(Make payable to Fleming's Fundamentals of Law)
MasterCard 
Visa 
Discover
Credit Card # ________________________ Credit Card Expiration Date: ______
D.L. # ____________________________ Date: ______

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REGISTRATION IN THE NAME OF THE ENTRY WILL BE IN EFFECT ONLY IF PROPERLY POSTED
CALIFORNIA TOLL FREE NUMBER: 1 (800) LAW-EXAM

For More Information, Please Contact
Your Campus Representatives:
Bill Tran
Bradford Duea
Craig Chemey
Hendley Hutchinson
Maryanne Gallegos
Jennifer Madden

Pre-Registration Guarantee:
Space & Workbook
$150.00 PER PERSON
$125.00 GROUP RATE

(Pre-registration is required to guarantee space.)

Registration at the Door
(IF SPACE AVAILABLE):
$160.00

Course available by Mail Order for $172.40
(includes tax, shipping & handling)
Special Library Supplement

NEW LRC COMPUTER LAB TO EMERGE FROM CONSTRUCTION DUST

By Prof. Nancy Carol Carter
Legal Research Center Director

Walls will fall and dust will rise as construction crews begin the important work of revitalizing the LRC computer lab early this Fall. In the first phase, small, specialized labs are being replaced with a spacious and updated multimedia electronic teaching facility. When outfitted with new computers in a second phase, the lab will exemplify technological currency. This project is a part of the LRC plan to offer students the most up-to-date career training and to improve access to the growing array of online and other electronic research information.

Construction will center near the present Lexis and Westlaw labs. Noise and disruption will be a fact of LRC life for a while, but largely in the first floor Information Services area. Students seeking quiet study space will still find it in the Reading Room and on other LRC floors.

Computers are being relocated to the LRC's Lower Level until the new lab facility is complete. This temporary computer lab will meet student needs for Lexis, Westlaw, and general lab services during construction.

LRC's Workstation

Once fully equipped and wired, the renovated lab will house networked personal computers replicating the lawyer's workstation: a single computer providing online access to research databases, local electronic information, and the Internet, while supporting word processing, cut and paste document production, CD-ROM searching.

The Library's Computer Project may temporarily inconvenience you, but when it's done, you'll be happy we did it!

LRC HOURS

SUNDAY - THURSDAY
8:00 a.m. - Midnight

FRIDAY - SATURDAY
8:00 a.m. - 10:00 p.m.

REFERENCE HOURS ARE POSTED

THE LRC CLOSES AT:
Christmas and New Years and on July 4, Labor Day, Thanksgiving, Memorial Day Martin Luther King, Jr. Day

Reference to the Rescue

SPOTLIGHT ON REFERENCE LIBRARIANS

By Ruth Levor
Associate Director
Head of Public Services

Meet the best resource for legal research at USD, the LRC reference team. Four ultra-qualified individuals stand ready to guide you through the rich maze of library materials and online resources seven days a week, for a total of 70 hours each week. Each reference librarian has a graduate degree in Library Science, one from UC Berkeley, one from Catholic University, another from Louisiana State, and yet another from Columbia University (see if you can guess which librarian attended which institution). In addition, Mark Hammond and Larry Deshem have JDs, Mark from the University of Virginia and Larry from right here at USD! Jin Wang has an additional Masters in Literature from Beijing University, and Frank Weston, our Senior Reference Librarian, has done graduate work in education and has approximately 25 years of experience as a law librarian, in the law firm and corporate environments as well as in academia.

This group of "whiz kids" combines for a total of 53 years (!) of library and/or law-related professional experience upon which you can (and should) draw for assistance with your legal research. Don't stand and scratch your head when you get an assignment that involves looking something up in the library. While they won't hand you the answers or do your assignments for you, the reference librarians will go the extra mile, drawing on their considerable expertise, to ferret out the most appropriate resources to meet your research needs.

These experts have worked in law offices, either as practitioners or as librarians; they have studied law; they have been trained in legal and general research; and they have worked on countless research projects themselves. They have also produced research guides, bibliographies, and articles about legal research; they are active in local, regional, and national professional associations; and they constantly review professional literature and network vigorously with colleagues to remain abreast of the field of legal research. In particular, they are "plugged in" to the latest electronic legal research tools and can advise and guide you in using computers for your research needs.

The reference librarians urge you not to hesitate to tap into their wealth of knowledge and expertise. Too often, students either approach the Reference Desk (located across the Information Services Area and to the left when you enter the LRC) tentatively, fearful of appearing inept and uninformed, or they don't approach it at all, preferring to flounder and waste precious time rather than admit to needing help. The LRC librarians are firm believers in the motto "The only 'stupid' question is the unasked question." Generations of law students and lawyers have come to depend on them as scholarly consultants for all types of research ventures, so become part of this venerable tradition, and step into the spotlight with the reference librarians.
Service with a Smile

By Ruth Levor
Associate Director and Head of Public Services

A n outstanding cast of service-minded individuals is responsible for the many services available at the LRC, as well as for the growth, orderliness, accessibility, and fine appearance of the collection. The most visible are the librarians (see "Spotlight on Reference Librarians"), and staff of the Public Services Division, headed by Ruth Levor, who also serves as Associate Director of the LRC. The Circulation staff are the first to greet you, answer your directional questions (Where are the telephones, copiers, change machine, bathrooms...?), and explain library policies about checking out books, due dates, overdue fines, etc. The 3-member full-time staff cover among them the 180 hours that the LRC is open. In addition to their smiling faces and eagerness to assist patrons, they bring to the desk background that includes graduate work in Political Science (Suzanne Stone), a Paralegal Certificate from USD (Cynthia Carrillo), and management of a wind chime business (Ruth Hastings, Head)! They are joined by Graduate Student Assistant A.J. Lutz and a part-time Office Assistant.

Speaking of smiling faces, you can't miss that of Public Services Assistant Sergio Pinto, who operates out of the Reference Dept., providing support to the 4 librarians and back-up to the Circ staff, as well as supervising the Computer Lab and Reference work study and graduate students and overseeing the maintenance of the labs, photocopiers and change machine. His degree in Civil Engineering and graduate work in Computer Science certainly come in handy!

Also close to the "front lines" are the librarian (Sushila Selness) and staff (Pat Bernal and Niran Shenoda) of the Collections Services Division. Sushila, a veteran of many years of librarianship at both USD and SDSU, oversees the selection and ordering of materials for the collection, and she and her staff are responsible for the entire maintenance of the stacks (Pat) and microforms holdings (Niran) as well as preparing materials for shipment to the bindery. In addition, Pat processes all interlibrary loan requests. While Pat is on the horizon of completing work on her Master's in Library Science, Niran is in the throes of new motherhood!

As with any organization, "front lines" are only part of the story of an efficient operation. Without the people who acquire and process the materials, service to our patrons would come to a grinding halt. Three librarians and 5 staff members are dedicated to making sure that the materials you need are received, paid for, checked in, cataloged, labeled, and shelved as efficiently as possible. Under the direction of Loren Stamper, who is an accomplished linguist as well as an experienced librarian, the Technical Services Division attends to these functions. With the assistance of Technical Services Librarian Margaritc McDonald, another J.D./M.L.S. and skilled craftswoman (weaving and beadwork are her specialties), and Catalog Librarian Kathy Whistler, who is close to completion of a Master's in American Literature, busy staff members keep up a constant hum of LRC productivity. They give a context for the study of the individual cases assigned in classes. Also look for special readings assigned by professors, the latest legal reviews and periodicals, court rules, and spare Blue Books.

Many students buy their own copies of hornbooks, nutshells, and study aids. They use the Reserve Room as a consumer education center, getting a good idea of which titles are most useful before making an investment. The USD bookstore carries many of the titles kept on reserve. Writing and Exam Relief

The Reserve Room has books on legal research and writing, including how to take a law school exam. Examples of past law school exams, somerimes with sample answers, are available at the Circulation Desk. As with Reserve Room items, they circulate for three hours.

Help Yourself!

You can freely browse and read in the self-service Reserve Room or check items out for use elsewhere. Flash your student ID to guaranteed three hours with one of these titles during the law book world. We let you know exactly what time the item is due back. Warning! These books can burn! Like hot potatoes, they need to be passed from student to student. Keep any Reserve item out too long and you'll face a stiff fine. Avoiding this costly experience couldn't be easier. Return reserve items to the Circulation Desk at the time (telephone calls don't count). If no one else has asked for the item, you can renew it for another three hours with Exam Room Extras

As a service to night owls, a few reserve books can be taken out overnight if they are back by 8 a.m. the next morning. They can leave the building three hours before the LRC closes. As a service to the hard core in a study marathon, we check out LRC chair cushions for the Reserve Room. Get comfortable, but watch the time due for a cushion, just as you would a reserve book.

Library Literature

THE WHOLE WORLD is at your fingertips, with over 2,000,000 volumes just the beginning of the services and amenities offered in the LRC. Information Services Area staff can help you with the Information Services Area catalog on your computer or the printed catalog at one of the three "gopher terminals." The online catalogs have replaced our card catalog, but information services and amenities offered in the LRC.

More Than Just Books in the LRC

By Ruth Hastings
Associate Director and Head of Public Services

The LRC is the heart of the USD legal world and in various academic pursuits. The online catalogs have replaced our card catalog, but they are the residents of the LRC Administrative Services Area. The availability of over 360,000 books can often be obtained from other institutions through interlibrary loan; consult a reference librarian for assistance.

The "front lines" of the LRC are the first to greet you, to give every student a fair shot at getting a turn with the latest class assignment or study material. Look down the short hall near the Circulation Desk to locate the corridor collection.

Students find plenty of law school help in the Reserve Room. Hornbooks and nutshells are popular for their overview of a subject. They give a context for the study of the individual cases assigned in classes. Also look for special readings assigned by professors, the latest legal reviews and periodicals, court rules, and spare Blue Books.

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Law Outlines are Always 10% Off at the USD Bookstore!

Present this coupon and receive 20% OFF any USD clothing or souvenir item.


USD Bookstore
260-4551
Regular Semester Hours:
Monday - Thursday 9:00 - 6:00
Friday 9:00 - 4:00
Saturday 11:00 - 4:00

Library Literature

More Than Just Books in the LRC

By Ruth Levor
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The “Back Room” Mystery
LRC’s Technical Services Division Delivers

By Loren Stamper
Head of Technical Services, and Margaret McDonald
Technical Services Librarian

Every library has a seemingly myste-
rious back room where arcane ritu-
als occur out of sight of library us-
ers. Our back room offers a number of
work-study jobs for students and handles
operations vital to the functioning of a
modern law library.

Despite rumors, there has never been a
human sacrifice or a black candle burned
behind the doors of the Technical Services
Division, located in room 114 (the “back
room”), near the Circulation Department.
Rather, the Technical Services Division
knows all about the importance of currency
in legal research and is working to provide
you with the most up-to-date access to the
LRC collection and to ensure that the latest
materials are available for your use.

Technical Services is made up of four
units: the acquisitions, cataloging, serials,
and processing units. The acquisitions unit
is responsible for placing orders for all new
library materials, receiving the materials,
and paying the invoices for them. Items
which have been ordered appear in SALLY;
a boxed area on the screen shows that the
item was ordered and gives the date or-
dered. Once the item has been received,
the status box will state that the item is
being processed. If you need an item that
SALLY says is “in process,” please contact
a reference librarian. After the item is cata-
loged and made available, the status box
will give the location, call number, and
availability of the item. Student sugges-
tions for new acquisitions are welcome.
Use the SALLY “Information” option to
leave your suggestions online, or drop a
note in the LRC suggestion box.

The cataloging unit is responsible for
describing and analyzing all new works,
and providing a record in SALLY. The
description includes the author, title,
publisher, and other relevant information.
Subject analysis involves assigning appro-
priate subject headings and giving the work
a Library of Congress classification number.

The serials unit is responsible for receiv-
ing all the materials that come on subscrip-
tion or standing order. These serials include
reviews and periodicals, looseleaf services,
supplements and pocket part updates, case
reporters, codes, government documents and microforms. Each serial
issue is recorded as received in SALLY.

SALLY’s detail-oriented and labor

intensive job provides a wealth of informa-
tion to users of SALLY. When looking at
a serial publication in SALLY, you may see
a line in the status box that tells you the
latest issues received, or you can press the
line number of the item in the status box
to view all issues received for that item.

Updating schemes for legal materials are
as varied as the materials themselves. Some
materials are available in looseleaf format,
with loose pages that are interfiled in a binder
(see, United States Law Week).

What you can do with a law degree.

Research Aids

First-year students are very likely to be
puzzled by legalsh. To find your way
around in this new land of law, the follow-
ing reference books are indispensable. The
law dictionaries, such as the Black’s Law
Dictionary and the Ballentine’s Law Dic-
tionary, are essential sources for legal defi-
nations. Foreign students may use one of
the LRC’s many foreign language and mul-
tilingual law dictionaries for legal expres-
sions in languages other than English. Le-
el lexis provides synonyms to a legal
concept and can aid you in selecting more
appropriate terms in legal research.

A dictionary of legal abbreviations like
Bieber’s Dictionary of Legal Abbreviations
and the Bieber Dictionary of Legal Cita-
tions offers useful clues to decipher the
secret coding of legal shorthand. If you
don’t know how to cite statutes, cases or
law reviews, the Bluebook—A Uniform
System of Citation—is a most accepted
guide to citation and is required for most
law school writing. When a citation guide
is not specified, the Maroon Book—The Uni-
versity of Chicago Manual of Legal Cita-
tions is an acceptable source and is applied
more modern approaches. Some Cali-
ifornia courts prefer the California Style
Manual in citation format.

Research Short Cuts

For unseasoned researchers, legal re-
search can be a nightmare. Long hours spent
searching through books and periodicals
may not yield desired results. The reference
collection offers short cuts in research. For
some questions, you will find the answers
done by others and update it yourself.
For instance, the printed or computerized
index of legal periodicals, though con-
sidered as secondary sources, often pro-
vide overviews of specific topics and list
references to primary sources that are of-
ten difficult to find by using a statute
index or case digest. You may use the
articles as a reference source to begin
your research, but always watch out for
possible biases of the authors.

For students researching laws in each
state, the Martindale-Hubbell Law Di-

gests proves to be the single most useful
compendium which summarizes the statu-

tory law of each of the 50 states plus the

District of Columbia, Puerto Rico and
the Virgin Islands, with comprehensive
digests of state laws and federal laws on more
than 100 topics. The Subject Compilations
of State Laws and the National Survey of State
Laws are also good sources for state-by-

state statutory comparisons, which will

Sources of Compiled Legislative Histories
and Union List of Legislative Histories pro-
vide public laws from the first Congress to
the 101st. Together, these tools can save
you countless hours of searching and make
your library research more efficient.

Though the scope of information em-
braced by the reference collection seems
vast, the collection itself is very small.
Please come and browse our refer-
cence collection and talk to the refer-
cence librarians. Both the collection and
these reference experts will make your
law school days a little easier.
Your Tax Dollars at Work

By Sushila Selness
Head of Collection Services

D o you want to find the full text of the North American Free Trade Agreement? Do you wish to look at a Senate bill that becomes law? Perhaps you need statistics from government agencies or the arguments for and against a law. You need to know the portion of the state lottery funds went to public schools in California in 1997? You can answer these questions in documents in the LRC. The LRC has a partial depository of federal and state documents since 1967. Libraries designated as depositories of federal depository materials make them freely available to the public. The LRC selects and houses government documents that are requested by patrons. Some of these are available in hard copy, others on microform.

Federal documents:
The LRC acquires core titles from the legislative, executive and judicial branches of government, including the Code of Federal Regulations, Legislative letters, bills and slips as they are signed. The core executive and agency publications include the Federal Register, the Code of Federal Regulations, the Code of Federal Regulations, and agency decisions such as the Federal Trade Commission and the Interstate Commerce Commission. Additionally, the LRC receives slips opinions of the Supreme Court and bound volumes of the United States Reports as they are published. The LRC also subscribes to commercially reprinted government documents in order to provide access to older publications. For example, our holdings for the Code of Federal Regulations, the Federal Register and the Federal Register microform go back to 1938 and 1936, the beginning of their respective publication. Similarly, congressional bills, hearings, committee reports, other agency documents from 1970 on are available in microform at the LRC. This comprehensive set of documents comes with detailed indexing.

For legislative research prior to 1970 you may consult the United States Serial Set which contains the full text of older congressional documents. This entire span covering the years 1789 through 1970 is available on microform. State Documents:

As a depository of California documents, the LRC receives copies of bills currently before the Senate and the California Laws of the session. We also receive the full text of California bills from 1963 on. It includes bills, constitutional amendments, concurrent resolutions, and joint resolutions of the California legislature for all years. The information is complete. There is a microfiche edition of each bill. In addition, you can find arrivals to the state constitution, changes in the constitution and balloting on amendments. The LRC also has the California Voters Pamphlet dating from 1910. The pamphlets supply arguments for and against proposed constitutional amendments, propositions, initiatives and referenda, and reproduce the texts of the proposed laws.

FILM TREASURES

By Sushila Selness
Head of Collection Services

O nline services and CD-ROM indexes can help users, and LegalTrac. The first two indexes are in paper volumes, while the latter is located on the CD-ROM stations in front of the detailed reference desk. After you have obtained references from the index to some periodical articles, your next step is to make sure that the journals subscribed to the periodical you want. To find this out, you need to perform a title search in SALLY, the library catalog. Once you have found the title you want displayed on the SALLY screen, be sure to read all the information in the status box. In the box you will find such things as the number of volumes, the frequency of publication, the Library of Congress classification number (if any), and what volumes we have, including the latest issue received. If you type in the line number from that box, you can see what issues we've received and when we received them. If you type in a "Y," you can see if any of the volumes are checked out.

The final step is finding the item in the LRC. Generally, bound periodicals volumes are under the periodicals collection on the first floor and the second floor. These bound periodicals are shelved in alphabetical order by title. Additionally, we have the Library of Congress classification numbers, and can be found with the rest of the classified materials in the Reading Room, the Senate, and Tax Room. These classified journals are a small part of our collection; most of the journals are in alphabetical order in the Periodicals collection. The LRC also has an amount of periodicals in the microforms collection on the first floor near the Circulation Desk. Items in the Microforms collection include back issues of legal newsspapers, paper journals, and duplicate copies of some periodicals. In some cases, older publications are available in the shelves near the microform cabinets.

Library periodicals are great places to start your research, and are a very important means of keeping up to date on current developments in your chosen field.

Meet SALLY!

By Kathy Whistler

SALLY is your key to library use at USD. It is the combination of a large campus libraries--Copley Library at the west end of campus, the Media Center in the lower level of McFaddin Hall, and the Legal Research Center--can be searched on computer terminals at each location. The online catalog, known as SALLY, is used to search the library's catalog for any book, periodical, government document number (if applicable), and call number. Generally, if you do not know the exact author or title of a work, a keyword search is the most effective approach.

The Legal Research Center collection is organized by the Library of Congress (LC) classification system. Call numbers begin with an alphabetic designation followed by numerals. If you are not familiar with this system, pick up an explanation of research guide at the Reference Desk. Five guides with the LRC guide to call numbers will bring you up to speed on locating items in the LRC. The library uses the Dewey Decimal system, always beginning with numerals. Media Center call numbers vary widely. Once you have learned how to search and retrieve books, there are other ways to search and retrieve books. Subject searching techniques are available in print guides near each terminal. For more information, please contact the Reference Desk to learn more about searching SALLY on campus or from your home computer. How SALLY Got "Her" Name.

SALLY is named in honor of USD Provost and Vice President for Academic Affairs, Sr. Sally Fury. Seven years ago, when the campus libraries were working to modernize their operations, Sr. Fury provided indispensable leadership and support to initiate the library automation project, one of USD's most forward-looking investments.
**Belinda Etezad Rachman Says**

**Interview with a Judge**

**By Mary Daggett**

**Associate Justice Richard Huffman, State of California, 4th Circuit, 1st Division**

**Where did you go to law school?**

University of Southern California. Did you enjoy law school?

Yes. I was an evening student, and we were required to go to school five nights a week and every summer. So, it wasn't as much "fun" per se, but I enjoyed the educational experience.

**What was your first job out of school?**

Working for the California Attorney General.

Did you always know that you wanted to be a lawyer/prosecutor/judge? No. I always wanted to go into business law. But when I got out of school, the Attorney General's Office offered me 25% more [money] than the business firms, so I took it. Through the office, I was also able to work part time in administrative law. Those same opportunities don't exist anymore. Lawyers usually only work in one area now.

If a law student wanted, eventually, to be a judge/judge/judge, what would you advise that student to do?

Don't limit yourself. Don't plan your life just yet. But gain trial experience. When you talk to people, they will tell you that it's all done on the merits, but that's not always true. A lot of it is a function of opportunity and there's a strong political side to it; except my appointment, of course.

Any thing that's important is to get involved in community activities. I have to see an application that doesn't have a community activity. To apply for that position, we work with community organizations or do pro bono work.

What was the most difficult decision you had to make as a judge and/or prosecutor?

I worked in the DA's office for many years; there were so many difficult decisions, it's hard to think of just one. I guess the hardest decisions I've had to make have been the executive decisions, like personnel matters. The one that comes to mind was when a long term attorney had to be let go.

As a judge, I guess the most difficult decision I've ever made was when we executed the mafia case?

There's a reason our system is set up the way it is, with jury trials. The public couldn't imagine it any other way. We have an obligation, especially to criminal defendants. I remember one case that was particularly difficult to keep myself from stepping in.

There is a myth that as a prosecutor/judge, it's easier to become jaded about human nature and people in general. In your experience, is this true? If so, how has it affected you?

Some people do get jaded, but many of them are people who would have gotten jaded as bus drivers or store clerks. It seems to involve people who want to change people. One thing that helps is to work to make the system more rational and fair, but not to have high expectations. You just do what you can.

I can see how prosecutors can get jaded because they see so much street crime and the community victimization of people. They have to work to avoid it. Working in the community is important to keep balance.

As a judge, it's less of an issue because you are removed from the affinity, but you still need to work to keep balance in your decisions.

**Have you ever felt threatened as a result of prosecuting or deciding a case?**

No, not really. I guess maybe once in a case involving a motorcycle... There were some graffiti and some threats. You didn't feel threatened when you prosecuted the mafia case?

Frattine? No. In fact, after we won the conviction he came up to me as we were leaving the courtroom, shook my hand and said "Good job." Here it's not like it is in Italy.

I would be most frightened if I got a long term appointment in family court - the emotions run so high there.

It's more of a problem now than it was before. It's escalating. People certainly need to be more security conscious these days. How does your job in general, and your being a public figure specifically, affect your family?

Well, my family is very supportive. We've always viewed it as a family project. When I used to travel, my wife and son would go along. It was a "family operation."

It puts the family under some scrutiny, but we look at it as a partnership. As a judge I maintain a sense of dignity, act professionally and always with the appearance of propriety. My family does too.

Given everything you've seen as a prosecutor and as a judge, how do you feel about gun control?

Unfortunately, the gun control issue has become a lightning rod. Right now we have more than enough laws on the books to control firearms. The problem is that most of the criminals don't go for the legally. There's a penalty, but they use them anyway.

What we need is better enforcement of the laws we have, not another law. It's too easy for a politician to see the public's fear of violence and say "Let's pass a law." What ends up happening is the politicians move on and we end up with the same problem we faced before.

We need to focus more on the cause: why America has so much more violence than anywhere else. Why 75-80% of criminal defendants have drugs in their system when they're arrested.

What we really need is a rational set of laws and enforcement. Gun control is not the answer to the problem of violence in America.

On one hand it's been said that special cases make law, and many judges make mistakes, and when you've got some of the greatest judges and justices, Marshall, Holmes, Cardozo, etc. have been cases where they've been willing to go out on a limb to serve the ends of justice. Where do you stand on the issue of judicial activism?

I'm probably more of a believer in that it's the role of elected officials to set policy. The judicial role is an even-handed, rational application of the law and to guarantee Constitutional rights. Besides, judges are not the best group to decide policy matters. They're too isolated and what can happen is the judges can end up with their own subjective beliefs on everyone.

Justices are in a position to make policy, and I'm not opposed to doing it. But we do our best to make a sound, objective application of the law. I believe in the separation of powers and the democratic system.

As a judge, what are your "pet peeves," that is, what might an attorney do that would annoy you if they did?

When an attorney is unprepared to go to court, and I don't just mean having clean clothes, but the attorney needs to have thought out the case before he or she goes to court. Why are you here? Why are you raising this issue? What's the purpose? What's the law on point?

Another problem is when the attorneys...
EMPLOYERS' OPEN LETTER TO LAW STUDENTS

A s employer members of the Na-

tional Association for Law

Placement (NALP), we have de-

veloped this letter to give students addi-

tional insight into employers' perspec-

tives on the recruiting process.

Focus Your Time

Prior to beginning your job search, we recommend you bring your search into focus. Take a few moments to reflect and put to paper your present goals in terms of working environment, areas of practice, geographic preferences, and concerns about personal and professional quality of life. Your career services of-

tice has extensive, reliable information about recent employers. Read the employer resumes and NALP forms carefully. Con-

sult any other materials from the em-

ployer on file. You should also feel free to question employers about information that is not provided. The comments of fellow students who have clerked at em-

ployers in which you are interested can give you insight into the intangibles of the office's culture. Speak with Career Services about their knowledge of par-

ticular employers. You should now have a basis for making informed compari-

sons among types of employers, com-

paring which will prove invaluable as your search progresses.

ON- AND OFF-CAMPUS INTERVIEWING

Some suggestions:

1. Only request interviews with employ-

ers in which you have a genuine interest.

2. Be specific about whether your aca-

demic credentials and experience fit an-

employer's specified qualifications or preferences.

3. Review the employer's materials on

file.

4. Prepare in advance so that you will be

able to discuss the employer's specific needs

during your interview.

5. Be prepared to discuss your resume.

6. Have readily available copies of your

transcript and a brief writing sample.

CALL-BACK INTERVIEWS

If you participate in on-campus inter-

evews (or arrange initial interviews on

your own) and begin receiving call-back

invitations, it is time to focus your search

further. We recommend that you apply

the previously discussed focusing tech-

niques to the information you have gath-

ered from your initial interviews. You

should then be able to make educated decisions about which call-back invita-

tions to accept.

When you receive a call-back invita-

tion, you have two options: call to

schedule an interview or decline the in-

vitiation. If you are no longer interested in a particular employer or city, do not

be concerned that your decision will be

taken personally. Most employers have a limited number of invitations to ex-

tend; you are helping your fellow stu-

dents by telling each employer as soon as possible that you will not be accepting its invitation.

A few suggestions to help the hiring

process proceed more efficiently:

1. Respond promptly to call-back invita-

tions.

2. Schedule call-back interviews only

with employers that you are seriously considering.

3. Avoid rescheduling interviews unless

absolutely necessary.

4. Cancel or reschedule interviews as far

in advance as possible.

5. When you call, ask how much time to

allow for your interview visit. Arrange

time to your interview, and be prepared to

stay as long as is necessary to complete all scheduled interviews.

6. Bring copies of your transcript and a

writing sample. (Please note: these proce-

dures vary from employer to employer.) If your writing sample is part of a work as-

signment from a previous employer, you

should ask the permission of that employer to distribute the document, and you should delete all identifying references to the cli-

cent or the parties involved.

7. Make sure that you can be reached by

telephone. An answering machine can be

very helpful.

8. Following a call-back interview with an

employer, if you do not wish to be consid-

ered for an offer, please inform the em-

ployer promptly that you wish to withdraw from consideration.

We hope these suggestions will be use-

ful. We wish you well in the upcoming

hiring season.

PROTOCOLS FOR STUDENTS DURING THE INTERVIEW PROCESS

A fter the fall 1994 recruiting season, a

group of second-year students at

the University of Tennessee Col-

lege of Law wrote the following protocols:

The professional discretion of attor-

neys, to which they are legally and ethi-

cally bound, should take root on the first
day of law school and should remain
most examined and objective.

During interviews, the subject should be

counseling during the interview process. For example, do not be surprised if an

employer acts without discretion or to probe is inappropriate. Other year of experience -- can be very in-

structive.

If an employer acts without discretion and has embarrassed a student or a group of students, or if the interview seems unpro-

fessional or uncomfortable, one should re-

port this back to Career Services for the

file. Career Services can advise you on

whether to ignore or pursue it.

For example, do not be surprised if an

employer hosts a post-interview social event

but extends invitations to only a few of the

candidates. This is a somewhat outdated practice, but when it occurs it will be hurt feelings and indirect talk.

In a situation like this, the professional response for the uninsured candidate is probably to chal-

lage it up to experience and "let it go."

By contrast, a more severe and inex-

cusable situation is the interview in which an

interviewer asks inappropriately personal

questions. It's very unlikely that a student

will be asked questions unrelated to job

competence. But, should it occur (and this

can include questions about marriage plans,

religious preferences, political affiliations, etc.) the student should, without hesita-

tion, politely decline to answer. It is criti-

cal after such an interview to advise Career

Services of the questions asked; they can advise you further on how to profession-

ally pursue the matter.

Never hesitate to ask advice from friendly colleagues in the classes above. They may have their own war stories and success-

ful strategies to pass along, and, since the
career choices are not present, up-

per-class colleagues are usually far more will-

ing to discuss the overall process -- and are

much more relaxed about it, too. The long

view -- or a view at least tempered by an-

other year of experience -- can be very in-

structive.

Remember your own best and worst expe-

riences throughout the interviewing process and think about how you would do differently, given the chance. Consider that when you eventually have the responsibility of interview-

ing candidates for any position, your style can be the best of your own experiences, while

consciously avoiding the worst.

Top Ten Reasons Why You Should Participate In The Resume Drop

(August 29th & 30th)

10. Become acquainted with Career Services. The Career Services office provides valuable resources, presents job skills workshops and employer panels, and offers counseling in professional development and job search strategies.

9. Go with the flow. Most large firm employers (and some small firms and public sector employers) rely heavily on law school fall recruiting programs in hiring for summer clerks and entry-level associate positions.

8. It's easy. All you do is make copies of your resume (meeting Basic Requirements as specified by Career Services) and drop them in large manilla envelopes located in the resume drop area.

7. It's inexpensive. You're only out the cost of copying. Career Services mails the resumes out on your behalf. In addition, Career Services will provide all the "write directly" employer addresses pm an on-office computer. You can easily download the addresses onto your own disk for at home use.

6. It's fun. Drop a few resumes, chat a bit and catchup on your colleague's summer, drop a few more resumes.

5. Increase credibility with loved ones. "Yes, I am trying to get a job -- I'm even participating in Resume Drop.''

4. Peace of mind. By dropping resumes, you'll have covered one of the many bases in your job search.

3. Everyone else is doing it. Of the 2L, 3L, 4L day/evening, and LLM students invited to drop resumes last year, 80% participated.

2. Good odds for getting an interview. Over 60% of all students dropping resumes in Fall 1994 were invited to interview (69% of 2L’s and 51% of 3L’s).

1. It's a beginning. You have to begin somehow; why not begin with those folks who have indicated that they are interested in considering resumes from USD law students?

For more information about resume drop, stop by the Career Services office, 1st floor Warren Hall, Room 111.

For motions wednesday, August 16, 1995
Take The Worry Out Of Studying With

FLEMING'S
Fundamentals of Law

**STUDY CHECKLIST**

✓ OCTOBER 1995 FOUR-DAY BABY BAR REVIEW
  - Orange County – September 2-5, 1995 (Video Presentation)
  - Milpitas/San Jose – September 2-5, 1995 (Video Presentation)

✓ TWO DAY LEGAL EXAMINATION WRITING WORKSHOP
  - San Diego – September 16 & 17, 1995 (Live Presentation)
  - San Mateo – September 30 & October 1 (Live Presentation)
  - Orange County – October 7 & 8, 1995 (Live Presentation)
  - Los Angeles – October 14 & 15, 1995 (Live Presentation)
  - Orange County – October 21 & 22, 1995 (Live Presentation-Attorney at Law, Mara Feiger)
  - Bakersfield – November 4 & 5 1995 (Video Presentation)
  - Riverside – November 11 & 12, 1995 (Video Presentation)

✓ FEBRUARY 1996 LONG TERM BAR REVIEW
  Begins October 7, 1995 ends February 11, 1996

✓ FALL FINAL REVIEWS
  - San Diego – November 17-21, 1995
  - Orange County – November 27-December 6, 1995

✓ FEBRUARY 1996 SHORT TERM BAR REVIEW
  - Begins December 20, 1995 – Ends February 13, 1996

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• First Year Essay Examination Writing Workbook (Torts/Contracts/Crimes)
• Second Year Essay Examination Writing Workbook (Evidence/Real Property/Civil Procedure)
• Third Year Essay Examination Writing Workbook (Constitutional Law/Criminal Procedure/ Corporations)
• Fleming’s Multistate Examination Questions and Answers

For Information regarding the seminars or registration procedures, please write or call:

FLEMING’S FUNDAMENTALS OF LAW
23166 Los Alisos Blvd., Suite 238 • Mission Viejo, CA 92691 • (714) 770-7030 • 1 (800) LAW-EXAM • Fax (714) 454-8556

Learn to Write ... The Right Way

Live Reviews & Personal Attention
Tips On A Career In Criminal Law

Question: What do you believe law students who are interested in a career in criminal law should focus on during their education?

D.A.: Writing and computer skills.

P.D.: Substantive criminal law, evidence and trial advocacy courses.

Sample Salaries in Criminal Law:

<table>
<thead>
<tr>
<th>Public Defenders</th>
<th>Atlanta</th>
<th>$37,841 to $76,904</th>
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<td>$45,000 to $100,000</td>
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Three Strikes also snags the two-bit crooks.

“Three Strikes” also snags the two-bit crooks.

“How can a fourteen-year-old be a minor for any aspect of his life, but for the one aspect where it takes the most judgment and understanding of life, be treated as an adult?”

Mr. Barsdley rejects the popular notion that juveniles have changed in recent years, become more sophisticated.

“It’s pop psychology to say that after four million years, human nature has somehow changed in the last fifteen years. Fourteen-year-olds today are as immature as they were fifteen years ago. They do have guns and drugs that they didn’t have fifteen years ago, and that’s a serious problem. But when we talk about holding a juvenile accountable for the full adult consequences of his conduct, that presupposes adult rationality, maturity and understanding that is not there. There have to be consequences to conduct, but they should be rational consequences, and treating a fourteen-year-old as an adult is not a rational consequence in my mind.”

Moines would like to thank Francis Barsdley and Paul Pfingst for their time and consideration in granting these interviews.

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David Rubin, 1986 graduate of the University of San Francisco School of Law, is a San Diego Deputy District Attorney. We found him at the courthouse on a Saturday afternoon preparing for trial. David explained that he is currently working on his first and only civil trial. Interestingly his life partner, Todd Stevens, a civil attorney has also taken only one civil case all the way to trial. Since David is a criminal prosecutor he is amused that he has the same amount of civil trial experience as his civil attorney partner, Todd. David is also proud of Todd since he was the 1992 Pro Bono Attorney of the Year.

Yes, David Rubin is gay. Can you be out and a successful attorney in San Diego? Yes! In fact The Tom Homann Law Association (THLA), the San Diego Bar Association for Gay and Lesbian lawyers, has an extensive membership. Gay and Lesbian attorneys can be found in all areas of the field, starting with the top law firms in the city. When asked about what it’s like to come out on the job, David just shrugged his shoulders as if it is no big deal, and actually for David it isn’t, never has been.

David comments that many gays and lesbians stay in the closet for fear of losing opportunities. Unfortunately, says David, "the decision to come out in your resume or your interview is very personal. There is no right or wrong way, only a question of being comfortable with who you are." David explains a successful interview essentially depends on your ability to bond with the interviewer, whether you are gay or straight.

David emphasized the importance of using any available resource to learn about your "audience" before you present yourself. Although it didn’t come up with David while he was interviewing for his clerkship with the District Attorney’s office, David has no reservations about coming out at the time. In fact, it was his first day on the job when he came out.

"It’s a simple story," says David. "Basically, a secretary was making small talk while I was waiting and said that as I was single she would like to find a ‘nice lady’ for me." David’s response was, "That’s very nice, but I’m gay so it will have to be a nice man." Since meeting Todd, David has found it easy to integrate him into any and all social events at work.

As for being out as a student, once again David says that it is a personal choice. The advantages of networking with other gays and lesbians in the legal field is worth considering. David was out in law school and helped revive the gay/lesbian association on campus. He laughed, "We called it FLAG..." and no, that is not a typo. Even though David strongly believes the decision to come out is a personal one, he feels it is important to consider some broader community issues. He points out that negative concepts about homosexuals are fueled by ignorance and stereotypical perceptions. He stressed the importance of putting an actual name, face and personality with the label “homosexual.” "We cannot begin to dispel the myth until we show the public who we really are... professionals, mothers, fathers, productive members of society with morals and values." As an example, David discussed his experience with juries. A stereotypical thought is that gays/lesbians would be more tolerant and less likely to convict, however, it is just the opposite. "The fact of the matter is that they are the toughest jurors." Because gays and lesbians are so used to conducting themselves appropriately in society, they have far less tolerance for those who do not. "If you want a child molester conviction, make sure you have a lesbian on the jury," says David.

David is especially adamant about the need for “openness” among gays and lesbians. David notes the important contributions of the gay and lesbian community in the areas of terminal illness treatment and diversity awareness. However recent, and possibly future, court decisions forewarn new challenges and possible set backs. Colorado’s anti-gay-rights amendment that is currently before the Supreme Court and the challenges to the military’s “don’t ask, don’t tell policy” are just two examples. He feels the community stands to lose much of the progress made in recent years unless there is a conscious and united effort to dispel the negative images portrayed by the media. (As an example, when covering the Gay Pride parade, the San Diego Tribune chose to run a photo of the float with the most flamboyant men instead of a more sedate group which better represented the majority of the participants.) "So", reiterates David, "while the decision to come out is a personal one, the impact of that decision on the gay and lesbian community is significant." And on being a DA in general, "It is challenging, rewarding, interesting and fun."

If you would like to meet David and other gay and lesbian lawyers please come to the Tom Homann party on August 27th at 4:00 pm. Food and beverages will be supplied in a "cool loft." Queers and Queer friendly, RSVP to Paula Rosenberg at 232-8377. If you want to make it a big night meet fellow bi, gay, lesbian and straight USD law students at Professor Steve Hartwell’s house for a potluck dinner at 7:00 pm the same night. For more information on the BIGALLSA potluck dinner leave a note in Mick Franca’s file folder.

By Kay Newton and Angela Rosenau

OUT OF THE CLOSET AND INTO THE COURTS

David (Drama Queen) Wilson

Graduated last in Georgetown’s 1974 Class

When no firm would hire her she took to hanging around city jails to get to know the local street walkers. She always wore loud clothing so that the girls would remember her. Soon she had a thriving business representing Ladies of the Evening. She never lost a trial, once she tapped into her natural acting abilities, courtesy of 2 years at New York’s Neighborhood Playhouse.

Yearly income: $84,000

Vinny (The Mouth) Callatezzi

Last in the 1959 class at the University of Florida

Joey (The Squeeze) Avanti paid all of Vinny’s school expenses on the condition that he would be house counsel to Joey family business for the rest of Joey’s life and that of his son. Joey and son have a laundering business that requires a lot of special negotiation.

Yearly income: $2,350,000

Bubba (Tater) Johnson

Last in the 1962 class at Old Miss

His motto is “It’s not what you know but who you know.” His west base consists of the local KKK and similarly situated fellas. He almost never goes to court. Most Saturday nights you can find him bringing doughnuts down to the Sheriff’s office, joking and kidding with the cops until his clients arrive, at which point they summarily dispatched into his care.

Yearly income: all the livestock he can eat, all the bourbon he can drink and $20,000.

Sol (the Mensch) Lebowitz

Last in his 1953 class at Fordham

His mother was so proud when he graduated that she hounded her brother in law Morry until he hired Sol to be staff attorney at the Ladies Garment Workers Union where he was V.P. Sol spends most of his time schmoozing with the big dress makers to make sure they keep manufacturing in the U.S.

Yearly Income: $90,600.

Who Ends Up At The Bottom Of Their Law School Class?

by Belinda Etzad Rachman
The Tale of One “Humpty Dumpty”

As Told By Ms. M. Goose, Esq.

r the party of the first part, hereinafter referred to as “Humpty Dumpty,” allegedly remained in a stationary seated position near, on or about a physical obstruction of such dimensions that are unknown and yet to be discovered, and also to be discovered at such a later time as to the proper ownership of said obstruction, hereinafter referred to as “a wall.” The aforementioned party, one “Humpty Dumpty,” suffered from extreme deceleration trauma of such a nature that it was described in the attached affidavits given by disinterested parties as “great,” resulting from an unknown initial force.

The party of the second part, hereinafter known as “the King,” admits to owning several horses, the exact number of which is to be discovered, and admits to having a relationship with numerous men such that the aforementioned “King” does have an employer/employee relationship with these men. The King, however, denies any relation with ownership, of or any other legal connection that may incur liability to, the “wall.” It is claimed by the aforementioned “King” that each and every horse in their numbers, as well as in addition to each and every previously mentioned man in the employer/employee relationship, fully in their numbers, were present at the location of the aforementioned “wall” following the previously described “fall” of “Humpty Dumpty.” Upon arriving at a Point of view with said horse and assisting in any manner as a disinterested party, the King denies any liability for any possible ensuing or resulting medical problems incurred by one “Humpty Dumpty,” that any and all horses are protected by the “good will” nature of any assistance they may have allegedly provided in an emergency situation. Despite the good will emergency situation assistance provided entirely with good intentions, in fear that the aforementioned “Humpty Dumpty” was in dire need of such assistance due to the alleged “fall,” they (the aforementioned “King”’s horses and “King”’s employees in the employer/employee relationship) were unable to replace, return or restore said “Humpty Dumpty” to his original state, which that he was known by prior to the alleged “fall” due to a lack of requisite knowledge on the ground with obvious and threatening injuries to his person. The foregoing men in the employment of the aforementioned “King” as well as the aforementioned horses, having duly admitted and declared that they are not of the medical profession, nor are they trained in any emergency medical techniques, deny any liability for any possible ensuing or resulting medical problems incurred by one “Humpty Dumpty.”

What might a lawyer do to ingratiate him/herself to you?

Never try to ingratiate yourself to a judge. Be so thoroughly prepared that you know the case, you’ve briefed the issues, and can get the judge up to date.

Always approach your presentation with professionalism and dignity. These days you hear about attorneys throwing insults, being rude and getting into scrapes. Don’t. Being efficient, and polite, respectful treatment of self, opposing counsel, and the court staff is very important.

Some people would say you’ve had a phenomenal career. What’s left that you would like to accomplish?

Well, I really like what I’m doing now. My legal work as a justice and professor are really enjoyable. I haven’t had a day yet that I didn’t want to go to work. Besides, neither the President nor the Governor has called me yet, so there is no pressure to talk about my career other than what I’m doing.

I’ve been playing golf, and I guess my biggest goal right now is figuring out how to hit the ball more than 50 feet in the same direction.
APALSA
By Janet Lee

The Asian-Pacific-American Law Students Association (APALSA) provides support for Asian-American law students, as its title so aptly suggests. Admittedly, our contingency is fairly small, but we are growing. APALSA participates in outlining workshops, gives practice runs in oral arguments (Spring semester), and provides opportunities to meet Asian attorneys in San Diego. At the very least, 1Ls can meet 2Ls and 3Ls who may be able to provide invaluable information to get you through the horrors of the first year of law school.

We are also a very social group. Every year we have something organized for Chinese New Year, and we have dinners, parties, happy hours. We welcome everyone to join, not just Asian-Americans. The most important thing to keep in mind is that APALSA has great pizza at their first meeting. As a free pizza connoisseur at this school, I can attest to the superb quality of APALSA's edible offerings. If you see Marty Lorenzo around, stop him and ask him about APALSA; he's the president. If you're a little bashful, don't stop him and just make sure to come to our first meeting.

JLSA
Just in case and cultural events affecting the Latino floor of the Law School). We beginning of the semester.

Stop and elementary school projects.

day, Outlining workshop, in the LA RAZA office in the

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Jewish Law Students Association

JLSA
Jewish Law Students gather on a regular basis to discuss and kibbitz. Last year we co-sponsored Stop Hate Week, went as a group to see Quiz Show, had an abridged Passover Seder and had guest speakers for lunchtime meetings. If you need a yenta matchmaker, fresh bagel or just a respite from the crosses over the doors, come to the next JLS meeting. Watch Sidefeel and the chalkboards.

LA RAZA LAW STUDENTS

Ours is a diverse group of students who have an interest in Latino issues. We work hard and party hard. First semester is aimed at helping our 1L's succeed. Other events include: annual scholarship banquet, LALSA Moot Court Competition, community service projects, multicultural day, Outlining workshop, Sunset Serenade, and elementary school projects. Our organization directly participates in legal, social and cultural events affecting the Latino Community. Everyone is welcome to join. Stop by our table at Orientation, or anytime in the LA RAZA office in the Writs (bottom floor of the Law School). We will be having a Sunset Serenade (beach ball, and some make-shift Mariachis) to kick off the beginning of the semester. For more info call: 260-4600 ext. 4342.

MOTIONS

TRIAL TEAM TRY-OUTS
Didn't make law review? Don't de-spair, come to where the fun people are! If you're a 2L, 3L or 4L, interested in litigation and willing to travel and have fun in law school...THE USD NATIONAL MOCK TRIAL TEAM WANTS YOU!

USD's Trial Team has been voted the best in the Ninth Circuit for the last 3 years straight. Made up of the top 15 to 18 litigators in the school, the team travels nationwide competing in trial competitions judged by local trial lawyers and judges. These trials include opening statements, direct and cross examinations, and closing arguments, and are more fun than moot court. Learn the litigation skills which must be utilized long after an appellate argument is even considered!

If you want to be part of the best and brightest and are willing to travel to Miami, Sacramento, Chicago and Austin, come to our informational meeting at 12:00 noon on Wednesday, August 30th in Grace Courtroom. Try-outs for the team will be held September 25 - 29. Don't miss out.

PRO BONO LEGAL ADVOCATES
By Johanna Hayes

The Pro Bono Legal Advocates Board would like to welcome all incoming and transfer students to USD! Pro Bono work is free legal service performed to help those who cannot afford representation and to ensure that everyone has equal access to justice. Our student-run organization provides a variety of unique opportunities for law students to gain invaluable experience in areas of advocacy, mediation, and client counseling. We currently have eight programs available for your participation. All of our programs are flexible and are designed to work around your busy schedule. The following is a list of our programs and their contact information:

- Domestic Violence Prevention - Heather McGlessky: Students staff the downtown Family Court's Domestic Violence Re-stRAINING ORDER CLINIC and assist clients in obtaining restraining orders and other legal documents.
- Mediation - Michelle Paradise: Students become certified mediators and mediate disputes and draft agreements in Small Claims Court cases.
- Mentoring - Michelle Paradise: USD law students are matched with Kearny High School students who are not realizing their full potential and serve as role models and encourage them to seek high career goals.
- Guardianship - David Brayton: Students assist clients in completing the necessary legal documents to obtain guardianship, which are legal arrangements under which one person has the legal right and duty to care for another.
- AIDS Home Visits - David Brayton: We have two programs designed to assist home-bound and hospitalized clients with HIV and AIDS. One program is an estate planning service for 2Ls and 3Ls to assist clients with estate planning by drafting legal documents such as Wills and Powers of Attorney. The other program is called Special Delivery. Students volunteer by delivering prepared meals to people with AIDS.
- Juvenile Law - Dan Tagliaferri: Students work with the San Diego County Juvenile Probation Department to assist in the processing of juvenile offenders.
- Community Service Activities - Michelle Gamble: PBLA will also be participating in large community service activities, such as the AIDS walk and the MS walk. If you are interested in becoming involved with Pro Bono, please visit us at our UC Office (Student Organizations Office - Lower Level), leave a note in our mailboxes, or call us at 260-4600, ext. 8728. For general questions, contact Christine Keating (Chair) or Johanna Hayes (Vice Chair).

Barrister's Society

In England, a Barrister is an advocate, a counselor, learned in the law admitted to plead at the bar with exclusive right of audi-

Looking for more information about these events in future issues!

- Fall Picnic (they give away free stuff!)  
- Halloween Party (Start your costume now!)  
- PILF Monte Carlo Night  
- Broom Ball (If you don't already know what this is, come find out!)  
- Speaking events sponsored by various clubs

For Rent!!!
Still looking for a place to live?
- One bedroom and studio apartments in Victorian homes.
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