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## Woolsack 1985 volume 25 number 4

University of San Diego School of Law Student Bar Association

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# The Woolsack

Volume 25, Issue 4 February 1, 1985

University of San Diego Law Student Publication

January 31, 1985

## Simmons Would Run Again

by Scott Dreher  
Editor in Chief

Election Central, November 6, 1984, was a depressing place for some. Mayoral candidate Dick Carlson's band played happily in one of the ballrooms even while Roger Hedgecock was winning handsomely, but many Democratic candidates felt nothing but empty gloom. Many, but not all. U.S.D. law professor and Democratic candidate for Congress Bob Simmons was not so depressed.

"It's difficult to explain, but I felt no real letdown," Simmons recalled with an almost apologetic smile. "As the obvious underdog in such a campaign, I did not actually expect to win, although one always hopes."

"Instead of disappointment, I felt a kind of relief, relief that it was finally over. The campaign took an incredible amount of time, work, effort, and sacrifice, and since that time I've felt like I've been on vacation."

So, will the candidate who fought like a mongoose seven days a week, 18 hours a day, for six months, campaigning while at the same time teaching law school, give up his vacation?

"I would like to run again for Congress," Simmons affirmed, "and I'm thinking about it."

While he's thinking, Simmons is maintaining his lines of communication with his supporters, friends, and

party leaders. But, more importantly for Simmons, he is following Rep. Bill Lowery with an interest well beyond keen.

"Both our suit in San Diego Superior Court against Lowery's campaign, and the Federal Election Commission investigation in Washington, are still pending," reminds Simmons. "Bill Lowery is the epitome of all that's gone wrong with our system."

"He is simply not accountable to the people who elected him. People know nothing about him and I'm not underestimating the seriousness of the problem."

Simmons went on, underscoring facts he knows may soon become painfully clear to everyone.

"Lowery caters to the interests of the Political Action Committees, the special interest groups who specialize in buying votes," said Simmons. "P.A.C.s are running roughshod over the interests of individual citizens. Lowery encourages it by selling himself, and people seem uninformed or uncaring."

Simmons will indeed run again, if the circumstances are right.

"We're going to continue to watch him (Lowery), and if the bad votes and corruption continue, and if the political circumstances seem to favor the Democratic party nationally, then I'll run again. Remember that President Reagan is a lame duck

now."

Simmons points to surveys of Republican voters which revealed that, even though many such voters disliked and disapproved of Bill Lowery, they nevertheless voted for him, in order to help President Reagan.

But when the results were in last fall, Simmons had done very well indeed for someone in his position, and he has gained several distinct advantages towards any future electoral bids he undertakes. One is simply the experience.

"I don't have to invent the wheel next time," he said. "I learned the precious value of the mass media. I didn't quite believe how vitally important it was, even though everyone told me. Especially television."

Simmons had hoped that by creating a large, grass-roots, volunteer organization, he could defeat the incumbent Lowery. And his formidable organization was more successful and effective than any before him. "But such an organization is necessarily limited, and is much less effective without a good media campaign. Modern mass media use is just a necessity," Simmons continued.

"I gained valuable experience, and that in itself is worth about six months in terms of campaign and preparation time."

Although Simmons has come up

(continued on page 10)



## Assemblywoman Killea Speaks Here Tonight

Assemblywoman Lucy Killea, San Diego's 78th District representative in the state legislature, is the featured guest tonight for Prof. Robert H. Dreher's Local Government class.

Killea will speak this evening at 7:00 p.m. in Room 2B of the law school. A wine and cheese reception sponsored by Phi Alpha Delta, will follow at 8:00 p.m. in the Fletcher reception area.

Killea serves on the Assembly Committee on Local Government, and was convincingly re-elected to the Assembly last fall, after being first elected Assemblywoman in 1982.

"Who better to speak on local government than Lucy Killea?" queried Prof. Dreher. "She will present a well-founded overview, and from a legislator's standpoint, of local government in the U.S., its problems, and its future."

A veteran of local government, Killea was appointed to the San Diego City Council in 1978, and in 1979 was elected to the Council with 72 percent of the city-wide vote. She served as Deputy Mayor before her election to the assembly, and is a former San Diego Planning

Commissioner.

"Assemblywoman Killea possesses a wide range of education and practical experience in local government," Dreher said. "Educational districts, fire protection, sewage districts, and police departments are all the responsibility of local government. Thus, it is important to see first-hand just how it works."

American local governments spend more money than federal and state governments combined, and Dreher noted that they therefore impact quite often and most directly upon the individual citizen.

The prestigious *California Journal* rated Killea as one of its top Rookies of the Year, in part because of her successful fight for her resolution calling for a two-year freeze on offshore oil drilling leases.

Killea is currently Vice-Chair of the influential Assembly Transportation Committee, and she chairs the Assembly Select Committee on International Trade, Investment, and Tourism. She is also Legislative Liaison to the World Trade Commission Advisory Council, and is a member of several civic, business, and charitable organizations.

## No Explanation Yet

## U.S.D. To Study Low Bar-Pass Rate

U.S.D. first-time takers of the July 1984 California Bar Exam posted a 54.4% passing rate, down from 72% a year ago. When combined with repeat takers, the pass rate for U.S.D. was 47.1%, slightly lower than last year's 49%.

Overall, scores on the July Bar showed their biggest one-year drop in 21 years, and the pass rate was the lowest in many decades. The decline was especially severe among minorities. Just 11.6% of the blacks who took the exam passed, compared to 48.3% of the whites, while the passage rate was 18.1% for Latinos and 30% for Asians.

Of the 7,352 students who took the three-day exam, 41.8% passed, compared to 49% in July, 1983.

The Committee of Bar Examiners has offered no explanation for the radical drop in the passage rate, and it has denied rumors that the test or the grading was more difficult than in previous years. Nor does U.S.D. Law School Dean Sheldon Krantz have

any explanation for the lower passage rate.

"We don't yet know why the rate has dropped as it has," Krantz stated. "There have been significant fluctuations in recent years with respect to the pass rate."

"However, we are putting together a faculty-student committee, chaired by Prof. Hugh Friedman, to review the Bar aspects, passage rates, and procedures, for several reasons." "We intend to analyze the parts of

the Bar exam not only to try and figure out some reasons for the lower passage rates," continued Krantz, "but also to examine how the law school might help future students do better on the Bar examination."

Among the major California law schools, the best pass rate was achieved by graduates of U.C. Berkeley, 76.1%, followed by U.C. Davis, 74.4%. Stanford University, the previous leader, ranked third, also at 74.4%.

## Denton New Pres.

## Law Alumni Directors Named

Local attorney Steven R. Denton has been elected president of the University of San Diego Law Alumni Board of Directors for 1985.

Denton, a 1975 USD Law School graduate, is a member of the San Diego firm of Ludecke, McGrath and Denton.

Other newly-elected board officers are Shelley A. Weinstein of Allen, Rhodes and Sobelsohn in Los Angeles and Adrienne A. Orfield of Ault, Midlam and Deuprey in San Diego, vice presidents; Judi Foley of Seltzer, Caplan, Wilkins and McMahon in San Diego, secretary; and Thomas E. Polakiewicz of Jones, Hatfield and Penfield in Escondido, treasurer.

Six San Diego attorneys were elected to the board as new members.

They are William E. Blatchley of Blatchley and Shepersky, Virginia Nelson of Harris and Nelson, Frederick Schenk of Casey, Gerry, Casey, Westbrook, Reed and Hughes, and individual practitioners Randall W. Magnuson, Monty A. McIntyre and Louisa Porter.

Returning board members are Michael R. Pfeiffer, student representative; local attorneys James J. Mietzel and Seymour J. Rose; and outgoing president Webster Burke Kinnaird who will serve as a board member in 1985.

The 14 alumni and one student who compose the board of directors serve as an advisory group to the Law School and aid the Law School Alumni Association with social and education activities and fund raising.

### Inside . . .

Law School Retreat	10
Spotlight On Prof. Banoff	5
Placement Office News	8
Library Eases Tax Research	8
Bar Passers	3

## The Woolsack

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## From the Editor:

## Of Pitfalls And Penduli

By Scott Dreher  
Editor in Chief

*Out on the road today  
I saw a DEADHEAD stricker  
on a Cadillac.  
A little voice inside my head said  
"Don't look back. You can never look back."*

—Don Henley, "The Boys of Summer"

Somebody once told me you can never really 'go home'. Probably true, on some levels at least. But neither can one forget where he came from.

And it is said that no matter what happens today, the pendulum will eventually swing back. That's true, too, if one assumes that the pendulum is swinging at all.

But what if you're caught halfway between here and there, with no destination in sight? When the pendulum hangs uncertainly, tentatively and wavering, then what?

For example, some see abortion as a question of life and death. Between those two choices there is no real alternative, save life. Others, however, see it as a question of a person's right and choice to control her own body. To these people, too, there is no other option. Nevertheless, in *Roe v. Wade*, the U.S. Supreme Court apparently saw the abortion issue first as a question of a woman's right to control her own body, up to a point after which the issue became one of life and death.

Individual freedoms have always been precious in this country, as preferable to oppressive government interference with our lives. Thus, if I want to smoke cigarettes, despite possible harmful consequences, I may do so. If I choose to drink, that's fine, too, as long as my indulgence doesn't infringe on someone else's person. If I am capable of a free and informed choice, I may choose and then act, within the above caveat.

So where does the State of New York get off passing a law making it a crime to fail to wear my seatbelt? In my own automobile?

### In 1984:

1. As a driver, know the risks. I've seen the facts, figures, and gory pictures. I certainly don't harm anyone else by driving my car without my seatbelt fastened securely. Doesn't my government give me credit for having the ability to make that choice for myself? Or must it make all my choices for me.

The State of Illinois passed a similar law some years ago, which was subsequently declared unconstitutional and struck down. That law required all motorcycle drivers to wear a helmet. One tends to hope, or even pray, that the seatbelt law meets the same fate.

I suppose we can't ever truly go 'home'. Some years ago, the seatbelt law would be unconstitutional. What has changed? Or from where did we come?

We came from people trodden by a government and its unjust laws, and possessed of a desire simply to be free to control themselves.

So if we fail to look back, even a little bit, we forget where we came from. At least until the pendulum starts swinging. What happens when the pendulum begins swinging wildly, illogically, side to side and off-track, slashing Right then Left and leaving a deep swath of waste all around? Death Himself swings in much the same way.

The last time it happened people revolted.

**WOOL-SACK.** The seat of the Lord Chancellor of England in the House of Lords, being a large square bag of wool, without back or arms, covered with a red cloth. — *Black's Law Dictionary*

## UNHAPPY WITH YOUR GRADES? READ STALEMATE

*Stalemate* — A Concise Strategy For Improving  
and Stabilizing Your exam Performance

Available at USD Bookstore and Law Distributors



## The Woolzack

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## President's Report

### Grads Get Ready

## SBA: Money and All That Jazz

by  
Sue Bridenbaugh  
SBA President

SBA Board members found their ways back to the office after some grueling finals and a welcome winter break. Our initial spring semester meeting introduced some 1985 "resolutions" of sorts:

1. *Give the student body some material proof of its SBA dollars at work.* This was easy. After repeated attempts to find out who was responsible for the Writs' TV set and who had/would repair it, we decided the best solution was to replace it. We would especially like to hear from the "soapers" about the clarity of the picture, purity of colors, etc.

Dean Krantz also helped us get more for our SBA dollars by matching our purchase of two IBM Selectric III typewriters with the purchase of two more. When all four of them arrive as scheduled "sometime in February," they will be permanently bolted to the tables in the special typing room in the law library. In keeping with this strong show of security, there will be an I.D. card "check-out" process which will undoubtedly aggravate many students, but just may help keep the

typewriters in working condition for more than the usual 1½ months.

2. *Hold a spring budget meeting.* This was so well received last semester by the various law school groups seeking funding that we decided another one was a must. This one should be a lot faster, and we will strictly adhere to the Feb. 2, 10 a.m. starting time. Groups should note that all budget requests must have been turned in to the SBA office or Treasurer's mailbox by January 28. Fiscal agents needing budget request forms, check-reimbursement forms or information should also check those locations.

3. *Plan some activities.* Actually, our real intent is to carry these planned activities through to completion. Our "acclaimed" spring concert series kicked off January 17 with the Richard James Trio playing for the law school lunch bunch. Similar concerts are scheduled for February and March, with at least one "Junk Food and Jazz" music and refreshment event planned for the evening students as well. Two distinguished speakers are also scheduled. Further information is pending confirmation of the cur-

rently tentative dates. Also tentative is a job search panel drawing on the expertise of the placement office and alumni. Its occurrence is contingent upon student interest, evidenced by the number who sign up at the placement office. Further details will be posted.

4. *Reminders.* Are any third-year students interested in having some say about their graduation party? Libby Stroube sends out requests for a committee on a regular basis, but it seems many are still curious about who's in charge. You have now been reminded; if you, or someone you know, are interested in helping, contact Libby in the Alumni Office.

Lastly, don't forget to take advantage of all the programs, entertainment, and study breaks that USD offers outside the law school. Most of these activities are free to anyone with a valid USD ID card. We are endeavoring to get all the most current and relevant information about these campus events posted conspicuously at the law school. It might not be the most glamorous idea we have come up with, but it's a great cheap date!

### Commentary

## Deception — on — Demand

by Roy Santonil  
Assistant Editor

An advocate (Latin: ad vocata) "speaks for" a person or issue, using reason and rhetoric, in order to persuade a judgment. Simple enough. Nevertheless, an advocate does not make that final judgment. For example, a clear, logical, well-reasoned, precedent-based, emotionally appealing case may, and, incredibly, often does result in an outrageous and poor judgment.

Twelve years ago, the Supreme Court judged, 7-2, that conceived but unborn children were not persons under the law, and that the doctor's decision to abort a child was within the scope of the constitutionally-protected, fundamental right to privacy. John Hart Ely, one of America's leading commentators on constitutional law, called *Roe v. Wade* "a very bad decision ... it is bad because ... it is not constitutional law and gives almost no sense of obligation to try to be."

For advocates of life, the best available recourse since 1973 has been to continue to "speak for" the unborn child, persuading judgment with reason and rhetoric, not vio-

lence or reprisals. All too often, debate on the issue has disintegrated into heated, but fruitless, polemic. Recently, President Reagan has voiced support for the overturn of *Roe v. Wade*, but only perseverance will bear out what Thomas Paine once said, "Time makes more converts than reason."

Pro-life advocates, with patient persuasion, must nevertheless recognize the awkwardness of finding common ground. There is life and there is death. In speaking for our sons and daughters, pro-life advocacy means tearing at a shroud of deception and revealing—unabashed, raw truth. It is not comfortable. No one wants to see it. What abortionists call "post-conceptive fertility control," and what feminists call "voluntary miscarriage" and "every woman's right," is, in real honesty one thing: the whim (read: choice) for the destruction of life. For the passionate, any attempted justification is deception-on-demand.

Dr. C. Everett Koop, chief surgeon at Children's Hospital in Philadelphia, PA, writes: "The pro-choice faction says that children who result from rape or incest, or who are defective or deformed really never have lives worthy to be lived. And they (the faction) lead us to conclude that nearly all abortions performed in this country correct one or another of those tragedies."

"It simply isn't true. [Those tragedies affect] less than five percent of all abortions. The rest are performed just for convenience."

With the number of legal abortions increasing from less than 100,000 in 1969, to nearly 2 million last year, could it be that more women (and men) are simply choosing not to face the consequences of their actions? A foundational precept

of our criminal justice system is the proposition that people able to discern their actions must face the consequences of their actions. Convenience seems a shallow excuse for felonious irresponsibility.

While it is true that judgment is the product of advocacy, it is not necessarily true that good advocacy produces good judgment. Janet Roe probably had an excellent ACLU attorney. The real unknown factor is within the mind of the man making judgment — it is conscience.

Conscience accounts for the fact that judgments are unpredictable. As judges, men dispense their will. Regardless of the clarity and professionalism with which one advocates, one cannot know ultimately whether a judge will choose to follow or forsake his or her conscience. Thus, we have *Roe v. Wade*. It is law. It is judgment. But it is also vulnerable to conscience.

When a physician takes the Oath of Hippocrates, the standard form of the oath includes the phrase: "I will give no deadly medicine to anyone if asked, nor suggest any such counsel; furthermore I will not give to a woman an instrument to procure an abortion." It is ironic that abortionists are festering in wealth since *Roe* came down. Notwithstanding his rhetorical skills, an advocate cannot account for each man's judgment.

Seals and Crofts wrote a song, or more appropriately, a hymn, titled "Unborn Child." As artists, they sing what some lawyers advocate:

"Just let it be, you'll never regret it,  
Just wait and see.

Think of all the great ones  
Who gave everything that we  
might have life here.

So please bear the pain."  
It's better than the pain of  
conscience.

## Steven's Visit A Success

by Law School Dean  
Sheldon Krantz

I take strong exception to the negative editorial about the Justice John Paul Stevens visit to campus which appeared in the last issue of the Woolsack. It certainly was unfortunate that a larger room was not available for Justice Stevens' Lecture. By the time we were able to confirm dates with Justice Stevens for his appearance, however, Camino Theater was irrevocably committed for another event. The University Administration could not unilaterally revoke a previous commitment made for Camino and we did not ask them to do so. We considered holding the Lecture off-campus, but decided instead it would be preferable to remain at U.S.D. We therefore

held the Lecture in Manchester Auditorium, the next largest facility on campus.

Given these constraints, I thought the events during Justice Stevens' visit were extraordinarily successful. Over 400 students (including virtually everyone who expressed interest in attending the lecture) were able to hear Stevens either on Thursday evening or Friday morning. A number of members of the local Bench and Bar, including many of our alumni, were able to attend the lecture as well. The comments about the two-day visit have been uniformly positive, from both within and outside the Law School community. Justice Stevens also indicated how impressed he was with the faculty and stu-

dent body and with the events themselves. Again, it is unfortunate that a larger facility was not available, but it did not detract from the quality of the events.

Thus, the writer's negative comments simply do not ring true, and, contrary to his remarks about the University, it profits very little from the Law School. Professional schools, such as law schools, tend to provide disproportionately small amounts of overhead to universities. This is the case at U.S.D. as well. In my opinion, the Nathanson Lecture Series was inaugurated in a fashion that brought great credit to the University and the Law School. We will do everything possible to improve the event even further in the future.

## Woolsack Forum: Prof. Lou Kerig.

### Discrimination Has No Place Here, Or Anywhere

by Prof. Dwan V. "Lou" Kerig

I was using the student's men's restroom some time ago and was surprised and disappointed to see anti-semitic graffiti on the walls.

Surprised because I thought that stuff went out with World War II. Before the war I heard and saw lots of it in my home town. Boy, the descendants of the American Revolution did not discriminate in their discrimination. The French-Canadians got it, the Italian-Americans, the Greeks, etc. During the war, however, I saw none of it amongst the troops. An attitude of "We're all in this together" prevailed. Kildroy was king of graffiti. I remember after the war when the boys and girls came home, the Greco-Americans made sure that the people

of my home town would not forget. They marched in the victory parade as a unit in the colorful garb of the Evzones—with empty spaces in ranks where Spiro Angelopoulos and George Bonitiatis could not be.

Disappointed because, on the assumption that a law school person wrote it, we're talking about educated people. I can understand a person learning discrimination at home in his childhood. But I cannot understand a person not learning better during his college years. Class discrimination is the illness of ignorance.

I suppose it could be argued that the graffiti is just harmless anti-social expression — not behavior. Well, I surely hope that the voting to select the members of our prestigious stu-

dent organizations is not influenced by such expression. I know it was not in the case of the Moot Court Board during the years that I was faculty advisor.

Please understand that I am not preaching that every man is your brother whom you should love. I don't practice that. I tend to hold people off until they show me what they've got. Then, I decide how close I want to get to them. What I am saying is that it hurts to be singled out for discrimination, because of what you are. It's an injustice which lawyers and lawyers-to-be must not cause and ought not tolerate. I wish I knew more of how to detect and correct discrimination.

To be sure, I asked the Dean to have the walls of the restrooms repainted.

## USD Grads

### 121 New Attorneys

U.S.D. graduates who passed the July, 1984 Bar exam include:

Anderson, Martho O.; Babington, Beth Ann; Baker, Bryce Stuart; Baranco, Elizabeth A.; Beckhart, Paul Eric; Bender, Jr.; James Dean; Bolinger, Thomas Lee; Boss, David Geoffrey; Bowman, Herbert David; Brown, Karen Marie; Brown, Michael John; Brunner, Christine M.; Bunge, Sarah Lynn; Cahill, Kevin Alan; Candelore, Craig Alan; Carpenter, Richard A.; Chognard, Anne Marie; Conti, Linda R.; Coppess, Michael John; Corbin, Kathleen Wilson.

Coughlin, Colette Marie; Cupit, Donald Lee; Currey, Cynthia Luella;

Dexter, Douglas Evans; Downen, Sigrid A.; Doyle, Stephen Patrick; Edwards, Cheryl Lynn; Edwards, Duncan L.; Eisenberg, Jay Richard; English, Donald Albert; Evoy, Joanne Elaine; Fish, Michael Herbert; Fitch, Stephen Jay; Foote, Timothy Charles; Francois, Denise M.; Garcia, Oscar A.E.; Gardon, Jeanette Ross; Garmon, Mary Leslie; Gillick, Mary F.; Gilligan, Michael J.

Gladson, Linda Jayne; Gordon, Debra Kay; Green, Jeffrey A.; Green, Mitchel C.; Grijalva, J. Ernest; Gustafson, Randall D.; Hall, Richard Scott; Hamilton, Robert P.; Hansen, Bernard Martin; Hartney,

Michael T.; Higgins, Richard A.; Himmel, Ellen J.; Hoey, Natalie V.; Holbaugh, Susan K.; Hulker, Elizabeth M.; Jenkins, Charles D.; Johnson, Rebecca M.; Josephson, April E.; Kams, Timothy Alan; Karen, Timothy C.

Katz, Jonathan Dean; Keefe, J.H.; Kenny, Robert L.; Kerkstra, Paul R.; Kleier, Timothy L.; Klein, Eric Gerard; Klein, Keith J.; Kobernick, Todd E.; Kolender, Joy Lynn; Kostas, James C.; Koval, Arlene R.; Kowalko Baier, Beth; Krohngold, Susan R.; Lambert, Leslie E.; Lanoue, Susan Ann; Lewis, Flint H.; Long, Michael J.; Lorinsky, Clay; Madden, Janet N.; Martin, Donald K.

McBride, Cameron L.; Michael, Marguerite; Mihaly, Stephen A.; Miller, Dearing Dee; Miller, Kirk Allen; Morrell, John, L.; Mosher, Harold George; Murray, Patricia Ann; Newmark, Katya Lisa; O'Bryan, Sean T.; Osman, Mark Allen; Pearson, Ronald Craig; Phillips, Charles V.; Principe, Timothy D.; Reinecke, Barbara St. S.; Ricciardulli, Guy A.; Ridpath, IV, William L.; Robbins, Rhonn Keith; Robinson, James Donald; Rosenberg, Adam Richard.

Ross, Stephen C.; Rubin, Marjorie G.; Satter, Lisa Anne; Schmelzer, Gerry Charles; Schneider, Peter A.; Schuchert, III, Joseph S.; Seder, Lauren Ann; Seyfert, Valerie Anne; Spokoyny, Larry Stanley; Steeve, Jr., Rolf Grover; Stevens, James Craig; Stroza, Nicholas; Sullivan,

## Alumni Office Notes

### Alumni Notice:

The USD Placement Office provides a service whereby you may advertise for a law clerk and/or associate position. The Placement Office will collect interested students' resumes and forward them to you. Contact 260-4529 for more info.

### ALUMNI SOCIAL HOURS SCHEDULED

Following the success of two Fall Alumni Social Hours, the Law Alumni Association has decided to sponsor three more after-work gatherings in San Diego County. In an effort to reach out to all alumni, locations will branch out from downtown and Mission Valley. And in an effort to make the date easy to remember, the planning committee has chosen the last Wednesdays of February, March and April as the dates. Chairman Jim Mietzel 73 says "The Book and Candle was very convenient to the downtown crowd as evidenced by the 50 or so who attended our Christmas Social. Bobby McGee's in La Mesa seems like a good place for those who are east of downtown, and we'll find someplace up by the Courthouse in Vista for North County alums." Watch your mail to match the place with the date.

### ALUMNI URGED TO RETURN DATA FOR DIRECTORY

All alumni should have received a request for the essential information required to assure complete data in the new alumni directory tentatively scheduled for release in July. We sincerely hope that everyone has replied.

Publication of the directory will be handled by Harris Publishing Company of White Plains, New York. This company is the sole authorized agent for the production and marketing of the directory, and assumes all financial obligation, including the compilation, editing, billing, and distribution of the volume and will cover its costs through individual book sales to alumni only. This plan will assure the publication of a professionally compiled volume.

During the next several months alumni will be contacted by telephone for verification of the information to be printed in the directory. At that time, and at that time only, they will be asked if they wish to purchase a copy. The number of directories printed will be based on the number of advance orders received via the phone calls.

Alumni who have not returned their questionnaires and are not reached by telephone by the Harris firm will be listed in the directory with the address, if current, provided by alumni records. If you have not received your questionnaire or you do not wish to appear in the directory, please notify us in writing.

### ALUMNI ADVISOR PROGRAM

First year students who would like to be paired with a local alumna/us for some guidance/insights about law school and law practice should fill out a sign-up sheet in the Records Office *this week*. The Alumni Association has a number of members who have volunteered to be a mentor to law students and every effort will be made to pair students with grads in requested specialties of practice or locales (ie. north county, downtown, MValley).

### ALUMNI/STUDENT NIGHT AT THE PADRES

Your Alumni Association comes through again!! We have 75 tickets for **BOTH OPENING DAY (April 15) AND CUBS ON MAY 10** (first appearance). We will probably do a tailgate party on both games. Contact the Law Alumni Office at 260-4600 ext. 4373 or come to Room 203 F.

### LOS ANGELES RECEPTION — FEBRUARY 28

On February 28, the Law School will host a reception for alumni in Los Angeles at the offices of the Graduate Tax Program in Century City. All alumni in the area are invited to attend, but announcements will be mailed to west-side areas only. The party will begin at 5:00 PM and end at 7:00 PM so drop by as traffic permits. The address is 2040 Avenue of the Stars, Suite 400 (the ABC building). Please call Becky at 556-8995 to make your reservation.

### ALUMNI SPONSOR INTERVIEWING FORUM

The Law Alumni Association, the Placement Office and SBA will present a program on Friday, February 22 for all interested students on various aspects of interviewing and job placement. Alumni who do interviewing for their firms will conduct a "Tips" session, Susan Benson will describe the various services available through the Placement Office (there is a lot besides on-campus interviews), and other alumni will discuss different types of firms and practices.

Following the program there will be a wine and cheese reception to allow students more time to talk with the panelists. Advance registration is required. There will be a sign-up sheet in the Placement Office. Watch the bulletin boards. Hearsay, etc. for specifics as to time and location.

### CLASS REUNIONS

**1969** - Invitations are in the mail for the February 23 Fifteen Year Reunion Dinner. A class committee, headed by Dale Marriott has planned a fun evening at the new Radisson Hotel in Mission Valley. Other committee members are Don Schmidt, Dave Stevenson, Rich Songer, Bob Slatten and Richard Santwier. Call the Law Alumni Office to make your reservation, if you haven't already: (619)260-4600 ext. 4373.

**1960** - a special Twenty-fifth Reunion certificate will be presented to the members of the Class of 1960 at the Graduation Ceremony on May 26.

**1965, 70, 75, 80** - Reunion questionnaires have been mailed to all members of these classes soliciting ideas and volunteers. Committees will be forming soon. If you have not received a questionnaire, either we do not have your correct address, or your correct class year. Let the Law Alumni Office know if there is a problem. If you don't, don't complain later!!

### NUT 'N' BOLTS SEMINARS

Due to the success of the Nuts 'n' Bolts Seminars put on by the Law Alumni Association last semester, plans are being made for another series. If you have topics to suggest, call the Law Alumni Office at 260-4600 ext. 4373.

## GRADUATION 1985:

DATE: Sunday, May 26 at 10:30 AM followed by a reception for grads and families.

**Announcements:** Each grad gets five. Additional quantities may be ordered from the Bookstore for 50¢ each. Order them soon. They will be available for pick-up from the Law School Financial Aid Office in March/April. Announcement=Invitation. No tickets needed for the ceremony.

**Caps & Gowns:** Go to Financial Aid to be measured.

**Diplomas:** The Records Office will post notices about reviewing their list of names. You are responsible for making corrections to your listing.

**Awards Ceremony:** The Awards Ceremony will be held on Friday, May 24 from 5 to 6PM in Camino Theater. Scholarship, service and merit certificates/awards will be given. Please plan to attend and honor your classmates, maybe even yourself! Families welcome. Wine and cheese following.

**Baccalaureate Mass:** Saturday, May 25 at 4PM in the Campus Stadium. All are welcome.

**Grad Party:** Contact Libby Stroube if you want to work on the Grad Party: Rm 203D or 260-4600 ext. 4373. No Volunteers, no party.

Next Issue:

Feb. 28

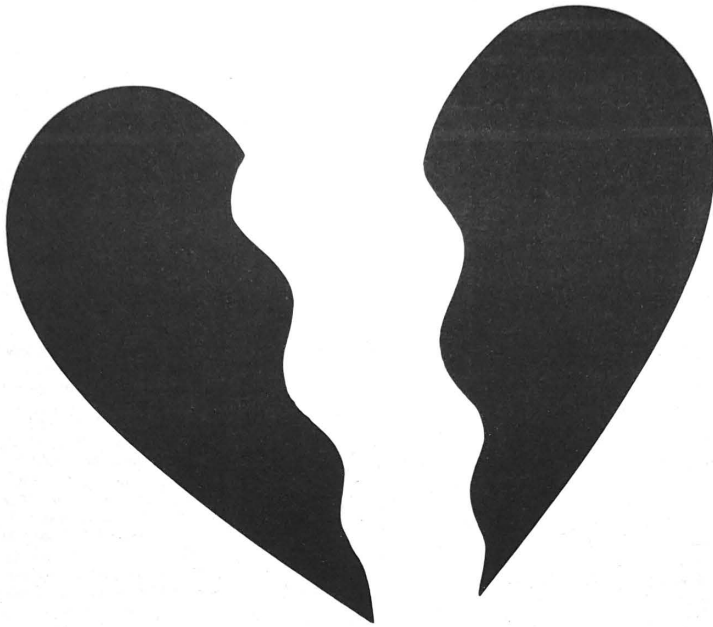
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Feb. 19



Daniel Joseph; Takahashi, Gayle S.; Thompson, Bradley Lee; Tomlinson, Rooney G.; Williams, Kemi Luellyn; Willison, Lynne Victoria; Winet, Randall Lawrence; Wities, Robert Barrett; Yates, Edward Eugene; Vaughn, Amy Anne.

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Earl Sterrett  
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## Faculty Spotlight: Prof. Barbara Banoff

# Securities Law Still A Challenge

by Roy Santonil,  
Assistant Editor

Who says you have to have a finance degree in order to understand high finance? Liberal arts majors, take heart. Wall Street may have a niche for you yet. Case in point: Barbara Ann Banoff. When she graduated from Radcliffe College in 1966, her English degree led to a year with the Royal Shakespeare Company in London, England. Hardly the stuff of heady corporate litigation. Prior to law school, Banoff also served as technical assistant for the National Ballet of Canada and as a workshop director for the Stratford National Theater in Stratford, Canada. Today, after that stint in the theater arts, Banoff teaches Corporate Finance and Securities Regulation at USD Law School.

"Basically, I was tired of 9:1 crap-productivity ratio," says Banoff, referring to her theater experience. Translated: "no fun." Shareholder freezeouts and stock price analysis may be a far cry from piroquettes and soliloquies, but, for Banoff, the intellectual rewards of teaching law are greater.

From the world of National Theater, Banoff enrolled at the University of Santa Clara Law School in 1970. Think of it as a transition from tutus to torts. From Ophelia to offers.

The interim was hers. Banoff graduated number one in her class, and served as Editor-in-chief of the law review. She also took the time to win the Roger Traynor Moot Court competition. Her accomplishments include a Senior Fellowship at Harvard Law School, a Judicial Clerkship with Judge Kaufman of the Second Circuit Court of Appeals, and a position as Staff Counsel for the U.S. Senate Select Committee on Intelligence Activities. Still, underlying all this experience was the desire to teach. As she puts it, "I knew I wanted to go into teaching from the first day of law school."

In 1973, fresh out of law school, Banoff went to work for the New York firm of Sullivan and Cromwell, a biggie. She accepted the associate position with an eye fixed firmly on academia. With her ultimate aim as teaching, she felt that working with a large firm was "the most intensive experience I could find (that) I could eventually apply to teaching."

Why leave a lucrative position with a prestigious 200-lawyer firm in order to someday teach?

"Games," says Banoff. "Intellectual games. I enjoy the analytical process and battling things back and forth . . . reasoning."

Banoff indeed sets a high standard for intellectual rigor. Despite that, she maintains a self-effacing sense of humor. "My classmates thought I was wierd, but I loved law school. It was fun."

### "Why leave a lucrative position with a prestigious 200-lawyer firm in order to someday teach?"

Professor Banoff sees no dichotomy between theory and practice. Though much of her experience with securities litigation was with law "practice," Banoff found that knowing what you are doing requires a well-developed sense of theory. "Students who hate law school aren't necessarily going to like it any better out there if they dislike law school because they dislike theory." When she worked with the Senate Committee on Intelligence Activities, most of the practical work was investigative, focusing on facts, not theory. Yet, while working with a securities law firm, Banoff found that much of the "practice" of litigation was highly conceptual.

"(Students) should be careful about thinking there is only one kind of law practice," Banoff advises. First impressions about legal practice tend

to be "frozen" by a student's limited clerking experience. Thus, according to Banoff law graduates should avoid the notion that they'll be doing the same things as the firms for whom they clerked.

"I didn't want to get involved in what appeared to be a non-intellectual profession." Translated: she didn't want to stop challenging her mind.

Admittedly, securities work tends to be a large-firm subject. But the key for Professor Banoff was finding an intellectual challenge. Though fully aware of society's need for legal counseling services, and the practical, generalist approach, Banoff's personal goals were nonetheless aimed at the satisfaction of sharing her enthusiasm for the art of reasoning. Thus, her penchant for the classroom.

Professor Banoff came to USD

via teaching positions at Rutgers Law School and the University of Minnesota School of Law. She notes that we are fortunate to have on our faculty one of the country's leading securities experts, Homer Kripke. Besides, as she says, "Minnesota was freezing."

Born in California, Professor Banoff has come full circle, back to sunny San Diego. She sees San Diego as primarily a real estate-based business community with much room for growth in the specific area of securities. Once San Diego's business base expands even more to open avenues for high technology development, the specialized securities lawyer will be in great demand.

"Right now is a bad time for people to get into a career in government," advises Banoff. She attributes this to proposed freezes in Federal

spending and a political climate which favors deregulation. Politically, Banoff has remained a staunch, life-long Democrat and a believer in the free market.

At home, in Solana Beach, Banoff relaxes with her two, in her words, "idiosyncratic" cats. She has a "remote interest" in tennis, and likes to read "junk novels" when not engrossed in the intricacies of securities laws.

Last year, Professor Banoff co-edited a book called *Japanese Securities Regulation*. The Virginia Law Review featured her comments on SEC Rule 415, and, in addition, she is collaborating on an empirical study of the burdens of class action suits. No doubt atypical work for a college English major.

It was the underlying need for intellectual challenge that brought Barbara Banoff from studying "to be or not to be" to teaching "10b and 10b-5." In either case, though, Banoff feels that the "games," the analytical process, is what good lawyers will need in order to know what things are important and why.



"Games," says Banoff. "Intellectual games."

### Appellate practice seminar: February 16

## Calif. Supreme Court Justice at USD

On Saturday, February 16, the Honorable Joseph R. Grodin, Associate Justice of the California Supreme Court will be the featured speaker in an unprecedented day-long program at the Law School.

Under the sponsorship of the Law Alumni Association and the Appellate Committee of the San Diego County Bar Association, all six justices of the First Circuit, Fourth District, California Court of Appeal will

present a seminar on appellate practice. Joining the panel will be USD alumna Mary Eikel '74, senior writs attorney for the Court of Appeal in San Diego, and the recently retired Justice Gordon Cologne, who is now of counsel with Dale and Lloyd, as moderator.

The program will be open to all members of the Bar, and to USD law students on a space-available basis. At press time, the procedure for stu-

dent sign-ups has not yet been determined nor has the student fee. For attorneys, an early registration fee of \$50 will apply to registrations received prior to February 1. Registrations received after that date will be \$60. All registrations will include coffee breaks, luncheon, a program syllabus prepared by the Appellate Committee and edited by the justices, and a cocktail reception following the program.

## Stevens Wows 'Em Again

Over 125 alumni, faculty, students, parents, friends, and etc. crowded the West Conference Room of the U.S. Supreme Court for a reception on January 4, 1985. The Honorable John Paul Stevens sponsored the event for U.S.D., and Dean Sheldon Krantz used the opportunity to present a plaque to Justice Ste-

vens commemorating the inaugural lecture of the Nathaniel L. Nathanson Lecture Series, which speech Stevens gave at U.S.D. in October.

In addition to the location and the host, there was another draw to the event — four other members of the Court dropped in to watch the presentation, as did Attorney General-

Designate Edwin Meese.

As Justices Burger, White, Blackmun, and Rhenquist visited with the guests, Justice Stevens told Dean Krantz that he would make a place for this very special memento in his office.

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- Take-home problems with model answers prepared by practicing attorneys will be provided.

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**OVERCOMING EXAM-RELATED STRESS**

Many students are apprehensive about the multistate exam because they have not had the exposure to multistate type questions in law school. The HBJ Workshop will show you how to overcome this apprehension. For instance, our lectures can teach you how to make educated guesses with uncanny accuracy even if, under the pressure of the exam, knowledge of the law may be weak in a particular area. Or we can show you how the interrogatory may tip off the answer even without any knowledge of the law.

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## Tax Publications On Line

# Computers Aid Tax Research

by Mary Lynn Hyde  
Gov. Pubs. and  
Microforms Librarian

Tax. Aarrgghhh! How in the world does one keep up with the changes? Congress just passed tax reform legislation this past summer. And already, post-election proposals call for major tax reform in the next Congress. Just when you think you have the I.R.C. mastered, legislation or rulings change everything.

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TAX NOTES, a weekly periodical published in paper format and mailed to subscribers; TAX NOTES MICROFICHE DATA BASE (distributed weekly in microformat in an expanded version with supplementary full-text documents); and TAX NOTES TODAY (published on-line and available daily through electronic mail) make it possible to get a grip on the ever-changing world of tax.

TAX NOTES contains summaries of tax law decisions from all federal courts, actions on decision, all proposed regulations and public comments on such proposals, all IRS private-letter and revenue rulings published in the Internal Revenue Bulletin, IRS Manual transmittals, incoming and outgoing Treasury Letters, tax related GAO reports, full text General Counsel memoranda, technical memoranda and IRS new releases. Tax Notes also contains features called "Congressional Round-Up", "Press Watch", and "IRS News". It includes a tax calendar with reminders of filings and payments due, plus the dates and place of tax related hear-

ings, seminars, and courses. And finally Tax Notes includes articles and editorials on topical tax issues.

Tax Notes is published every Monday and is available online in both LEXIS and WESTLAW the next day.

TAX NOTES MICROFICHE DATA BASE is a weekly publication in microformat issued simultaneously with TAX NOTES. It contains the Tax Notes issue and the full text of all the documents reference in that issue: Federal Register items, Congressional bills, and reports, GAO reports, IRS rulings, Treasury letters, court decision, etc. The Microfiche Data Base is a thorough compilation of current tax materials that make one-stop research possible. It is available in the Microforms Room, LL 210.

TAX NOTES TODAY is a daily electronic magazine similar in content to Tax Notes and similar in comprehensiveness to Microfiche Data Base. Its key feature is its currency. Tax Notes Today is the most up-to-date source of information on developments in the field of tax. For example, the full texts of court decisions are published online within hours of their release. It also contains the full text regulations, rulings, memoranda, decision, procedures, releases, and selected White House and Congressional documents.

In addition, it contains summaries of a variety of tax related documents as well as tax news highlights and a comprehensive tax calendar. The current day's issue of TAX NOTES TODAY is available online by 7 am PST in both LEXIS and WESTLAW.

Consulting one or more of these new breed tax periodicals makes tax research efficient, effective and electronically easy.

## Placement Office Notes

# USD Involved In Placement Conference

USD's Career Planning & Placement Office will participate in the first annual Southern California Law School Placement Consortium's Spring Recruiting Conference on Friday, March 1, 1985, at the Anaheim Marriott. This program is designed to assist students interested in summer and permanent positions for 1985.

The Consortium has arranged for individual interview rooms at the Anaheim Marriott. Law firms will send a representative to the hotel to interview interested students. There will be no cost to students who wish to participate in this recruiting conference.

The SCLSPC members are the University of San Diego, Whitt-

ier, California Western, Southern western, and Pepperdine schools of law. Law school placement consortia have sponsored recruiting conferences in other areas of the country for many years. However, this is the first time a consortium has formed to sponsor a recruiting conference in California. The recruiting conference will be co-sponsored by The Barristers of the Los Angeles County Bar Association.

All legal employers in Los Angeles, Riverside, San Bernardino, Ventura and Orange counties have been invited to interview students from Consortium law schools for 1985 summer and permanent positions. The Placement Office believes that employers

will find this conference a convenient way to meet their hiring needs.

The Consortium must have sufficient employer interest before they can proceed with the conference. Employers who wish to participate in the recruiting conference have been asked to register not later than February 2. The Consortium will decide no later than February 2 whether to proceed with the recruiting conference.

Interested students should check the Placement Office bulletin board beginning February 4 for further information. Alumni whose firms would be interested in participating are asked to call Susan Benson at (619) 260-4529.

# Law Placement Office — Better Than Ever!

by Susan Benson

## RECAP ON FALL SEMESTER

With Fall recruiting behind us, let's take a moment to reflect on some of the highlights. We hit the golden number this fall — 50 — on-campus recruiters — which is a 19% increase from the previous season. Seven of those recruiters are of the 100 biggest law firms in the Country.

Recruiters were extremely impressed with the students they interviewed at USD and made a definite commitment to returning next fall. The consensus was that USD students were well-polished and well-prepared. (See, it pays to read those firm resumes and Martindale-Hubbell).

Congratulations to those of you who have accepted offers for this summer. You survived the interviews in sweltering heat, the anxiety

involved with waiting for call-backs, and the ego-deflating rejection letters. Those of you who do *not* have a summer job lined up, please read on, PUTTING USD ON THE MAP

We would like to commend those students who have contacted firms on their own and forged ahead beyond the boundaries of San Diego County. Many of you have interviewed in cities like Boston, New York, Washington, Denver, Dallas, Seattle, Houston, Dayton, Phoenix, Las Vegas and with much success. Not only are you broadening your horizons, but you're also expanding USD's network of employer contacts nationwide, and we thank you.

If anyone receives an invitation to interview at a firm not currently in our files (i.e., On-Campus, Special Contact), we would appreciate your providing us with the firm's name and a contact person so that we may invite them to recruit on campus next fall.

## NALP WESTERN REGIONAL CONFERENCE

On January 10, 11, 1985, Susan Benson and Mary Ann Salaber of the Law School placement office, attended the annual Western Regional Conference sponsored by the National Association for Law Placement. Placement directors and recruitment administrators from major West Coast law schools and

law firms gathered at the Kona Kai Club here in San Diego to share and evaluate professional concerns about the recruitment process. The issues raised at the conference provided us with information which we can share with students to help them better prepare for their legal careers.

## WHAT TO LOOK FOR IN THE SPRING

### SPRING ON—CAMPUS RECRUITING PROGRAM

We will be organizing a Spring On-Campus Recruiting Program for the first time. Firms in San Diego County that did not participate in Fall On-Campus recruiting will be invited to recruit around mid-March through mid-April. Of course, the program is contingent upon a favorable response from local law firms. As of this writing three recruiters are booked for spring semester:

1) The U.S. Army, Office of the Judge Advocate General will be interviewing on Feb. 8th. Interested first and third-year students and graduates are urged to pick an application packet, submit a resume, and sign up for an interview by February 7th.

2) The IRS, Office of the Chief Counsel will be recruiting on Feb. 21st and Feb. 22nd. Third-year students with an interest in Taxation

(continued on page 10)



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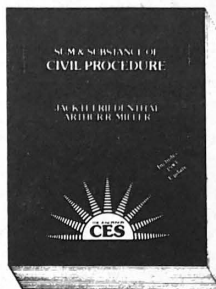
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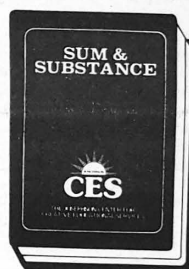
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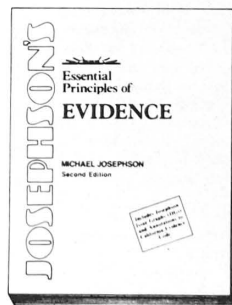
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## Placement Office Notes, *Continued From Page 8*

and LL.M. candidates interested in interviewing with the IRS must submit a resume by January 29th.

3) Horton, Knox, Carter & Foote of El Centro will be recruiting interested third-year students and graduates on March 21st. Submit a resume by March 1st.

Both spring recruiting programs are in their early stages of development. We will keep you posted, throughout the next two months. Be sure to check the "ADDENDUM" board daily; it is our only means of keeping you informed of new events. **SURVEYS**

All second-, third-, and fourth-

year students were asked to complete a questionnaire evaluating the job interviewing process. The most commonly asked questions as well as questions students found most difficult to respond to during interviews were all related to personal values and career goals. In order to respond articulately to these questions, students should know their strengths and weaknesses, what they want out of life, what they are looking for in a law firm or other work setting, and have a clear vision of where they'll be five years from now. This requires some self analysis and research on the potential employer. When asked to give one bit of advice to a fellow

student about interviewing techniques, the basic message from your peers was: Relax, be yourself, be prepared.

We have conducted our own version of the summer associate survey. Students evaluated their summer clerking experiences addressing issues such as supervision, workload, employee morale, office facilities, salaries, etc. The response to our survey was excellent; many respondents indicated that they were willing to share their comments with interested students. Please stop by the Placement Office if you wish to review these surveys.

## Police Ticketing Foreigners

by Steven Wright

More law students and other university students may be surprised to see red lights flashing in their rear-view mirror in the near future.

The increase in contacts between law enforcement agents and university students is due to a recent crack-

down by the police on violations of California registration and licensing requirements. Unfortunately many of the erstwhile offenders may be ignorant of the fact that, despite considering some other state to be their domicile, they are required to register their vehicle in California and to get a California driver's license.

The California Vehicle Code, as recently amended in 1983, requires all "residents" of California to register their vehicles in California, if used primarily on California roads and highways, and to get a California driver's license.

Due to an extremely broad and ambiguous definition of "resident", it is possible that all university students, even those here for just the scholastic year, may be considered "residents" of California. Specifically the Vehicle Code creates a rebuttable presumption of residency if the individual concerned is present in California for six months of any twelve month period. In addition rental of an apartment or house for use as a residence is indicative of residency.

The police have apparently adopted the narrow construction that all university students are to be considered residents, and therefore

are subject to the registration and licensing requirements, and have been handing out tickets accordingly. The Department of Motor Vehicles has been backing up this interpretation.

Some students are probably saying, "Mom and Dad own the car and the registration requirements won't apply to me." This is apparently not so. An exception to California registration does exist for non-resident owners who have their vehicle properly registered in their home states.

There is a caveat to this exception. If the vehicle registered in the other state is lent or rented to a resident of California, for use primarily on California highways and roads, it apparently must be registered in California.

Therefore it is possible that all university students with out-of-state license plates and/or driver's licenses are candidates for tickets; that, at least is the view put forward by the police and the D.M.V.

However, students should not swap license plates with the neighboring car in the parking lot, at least not yet. The ticket involved is merely a "fix-it" ticket (i.e., no fine is involved). Court decisions are forthcoming.

## Blood Drive Begins Feb. 19

On Tuesday and Wednesday, February 19 & 20, the San Diego Blood Bank, in conjunction with the Office of Student Affairs and the Biology Club, will be holding a Blood Drive in USD's Salomon Lecture Hall from 9:00 AM to 2:00 PM.

Although walk-up appointments will be more than welcome, advance sign-ups are recommended. Students from the Biology Club will be in front of Serra Hall on Thursday, Friday and Monday, February 14, 15 & 18, from 10:00 AM - 1:00 PM with appointment sheets.

For more information, contact the Office of Student Affairs at 260-4590.

## Simmons — To Run Again?

(continued from page 1)

against the rather grim reality that in politics packaging and selling a product are more essential than having a good product, that realization has not dampened his idealism that a good product still has a chance to make a difference. He retains his strong conviction that he can make things better, and that people will throw off the curses of the Lowerys and realize that things can be better.

"I just have to find a good way to present the product to the voters," adds Simmons. The vacation is over, and even as he sits relaxed and at ease on the soft couch in his office, his great courage and stamina are already a bit restless. And the product is as good as ever.

**Woolsock contributors are welcome**

## Moot Court Board Slates Competitions For Spring

by Susan Gruskin,  
Vice-chairperson  
Moot Court Board

The Hon. Jack R. Levitt presided over the final round of the Law and Motion competition on November 15, 1984. Jennifer Kearns, Tim Nemecek, Shannon Evans, and Mark Siegel were all awarded for their excellent performances. In the end, however, only one winner could be selected, and that was Jennifer Kearns. Best Appellant's Brief was written by Tim Nemecek, and Best Respondent's Brief went to Evelyn Wiggins. The Best Oralist award was presented to Mark Siegel.

The Annual St. Thomas More Competition will be held February 5th-7th. The final round will take place at 5:00 p.m. on February 7th with three justices from the Fourth District Court of Appeal presiding.

The Annual Criminal Law Competition will be held March 5th - 7th. This competition allows participants to exhibit their advocacy skills in the criminal law setting. The problem will be available on February 12.

The Negotiations Competition will be the last competition open to second and third year law students this academic year. This competition is the first of its kind at the University of San Diego and will offer students the opportunity to develop the skills and insight necessary to successful negotiations.

The USD Moot Court Board has invited Herb Cohen, distinguished author of the best-selling book *You Can Negotiate Anything*, to judge the competition's final round which will be held March 21, 1985. The problem will be available to competitors on March 13th.

First year students will have the opportunity to compete in the Winter Competition. The twelve Best Oralists in the first year of this competition class will compete in a semi-final round. The four finalists from this round will present their oral arguments in the Grace Courtroom on April 11th.

The Moot Court Board encourages all first year students to participate in the appellate competitions before the Winter Competition approaches. First year students are invited to participate in the competitions as Bailiffs-Timekeepers. This experience gives the student an opportunity to observe oral arguments, listen to the typical questions asked in a competition, and take advantage of the critiques the judges give to competitors. Students can sign up for Bailiff-Timekeeper positions at the Moot Court Office.

Applications for the 1985-86 USD Appellate Moot Court Board will be available on March 26th, & the applications are due on April 8.

## Women In Law

### Dutch Auction For Professors' Wares

by Cheryl Geyerman

Women In Law is organizing a fundraiser in conjunction with its annual Meet-The-Faculty Wine and Cheese reception on February 27. The fundraiser is an auction of donations provided by the law professors.

Can you meet the challenge of a racquetball game with Professor Davis? How about an Eggs Benedict brunch at Dean Heiser's or a fish fry with Corky Wharton? Want a servant? Rick Barron is ready. Or a beach barbecue at the lovely Solana Beach and Tennis Club with Professor Banoff? To get a complete look at the list of offerings by professors, watch the Women In Law bulletin board on the first floor of the law school located between the Coke machine and the Career Placement office.

Space will be provided on the board for written bids, Dutch auction style. The winning bids will be announced at the Wine and Cheese reception to be held Wednesday, February 27, beginning at 5 pm, in the Fletcher reception hall.

The funds raised are to be used to organize and promote the 15th

Annual Far West Regional Conference on Women and the Law which will be held at USD School of Law on October 25, 26, and 27, sponsored by Women In Law. The conference will consist of 30-49 workshops on issues that confront women as they work within and are affected by the legal system.

Women In Law is seeking interested women and men who would like to invest their energies in producing the major event of their law school career. To get involved with this exciting effort, leave your name and number in the Women In Law box next to the SBA office, or come to the next Women In Law meeting as posted around the law school.

Volunteers are needed to work on publicity, entertainment, fundraising, facilities, workshops, and more. This is a good opportunity for the student who wants to make contacts, gain experience, and explore career options.

Other Women In Law activities this semester include International Women's Day celebration and a panel on De-Mystifying the Bar.

## Weekend in Palm Desert

### Law Students Retreat Set

Father Owen Mullen will conduct a special Law School Retreat from Friday evening February 22nd until Sunday morning the 24th. The retreat, to be held at a special retreat center in Palm Desert, CA, is sponsored by the Law and Graduate Ministry.

This opportunity provides professional students a chance to take a brief break from their daily routines while gaining a firmer grasp on their individual faith.

The atmosphere is very informal — most talks and discussions are conducted around the pool-jacuzzi area. There is time allotted for study as well. It also provides an opportunity to meet other students who perhaps share a common interest.

The cost of the retreat is only \$5.00 — the chaplain's program supports the rest of the expenses. This fee includes room and board from Friday evening until Sunday morning. The retreat concludes after Mass around 10:00 A.M. — this provides ample chance to get back to San Diego early — to continue your study time.

Other law students have attended the retreats in the past and found them fulfilling. If you have any questions or are interested in going on the Spring Retreat please contact Father Mullen in Room 118 in More Hall or call 260-4735 during the daytime or 296-5723 evenings as soon as possible.

## Appeals Court Justice To Judge Thomas More Finals

The 1985 St. Thomas More Constitutional Law Competition will have three justices from the California Court of Appeal, Fourth District serving as the final round bench.

The Fourth District comprises the San Diego area, and the Honorable Gerald J. Lewis, Robert O. Stanforth, and Howard B. Wiener will judge the finalists.

Preliminary rounds are scheduled for February 5th and 6th, with the final round being held on February 7th, at 5:00 p.m. in the Law School's Grace Courtroom. An awards ceremony and reception will follow the final

round of oral arguments.

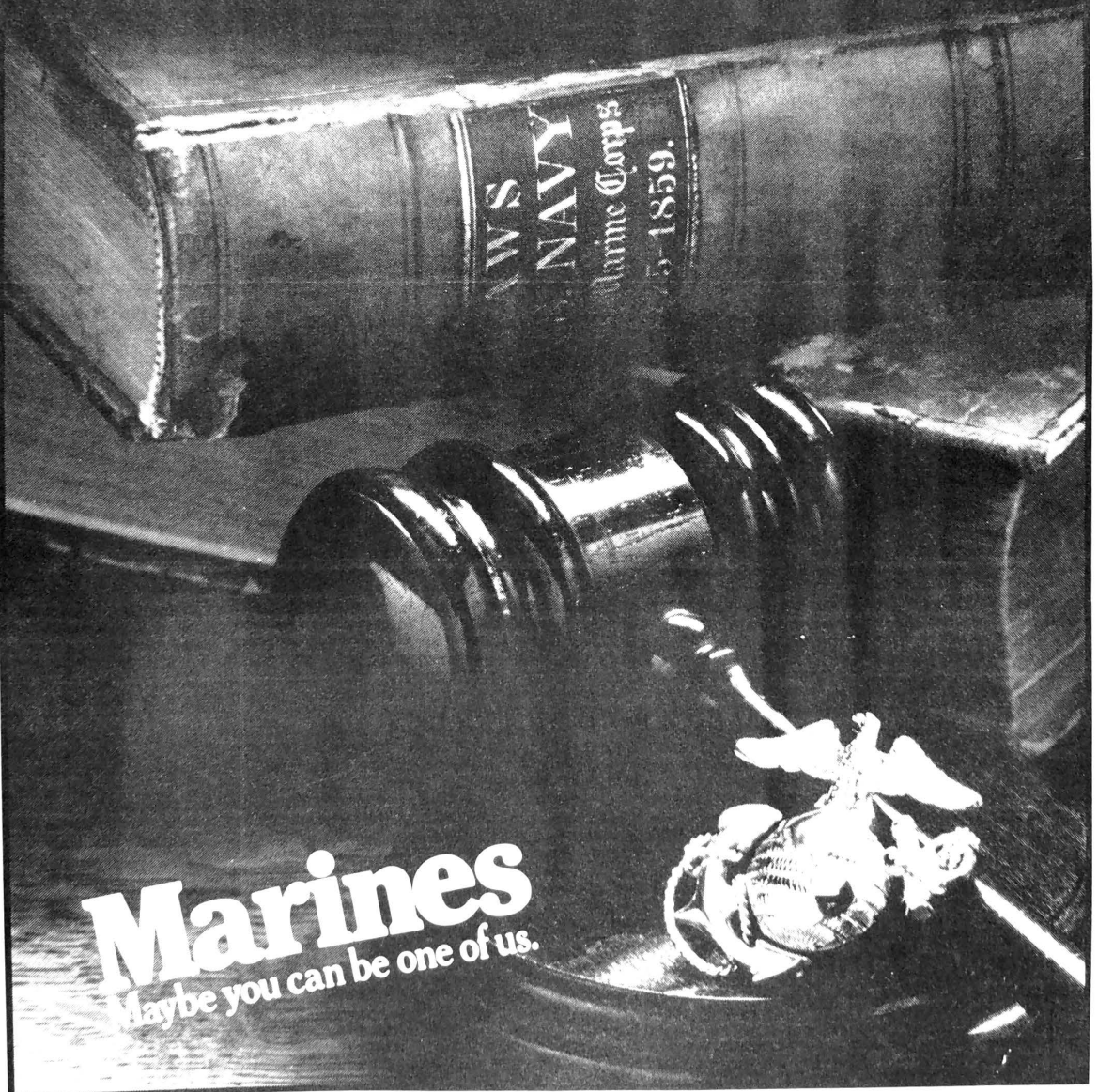
The problem for the St. Thomas More is provided by the California Young Lawyer's Association as part of its statewide Justice Traynor Moot Court Competition. The first place team will represent USD at the State Finals being held at UC Davis on March 22nd and 23rd.

Bar Bri Bar Review, Inc. has donated two free Bar Review Courses to be awarded to the members of the first place team. All students and faculty members are invited to attend the final round and the reception.

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## Student Triathletes

# Books and Competition Mix Well

by Bruce Rorty  
Managing Editor

A 26 mile 385 yard marathon or a 110 mile bicycle race is a grueling athletic event in itself, requiring incredible aerobic fitness. Beyond these events lie the several triathlons, where athletes swim, bicycle, and run over varying distances. Bill Harris and Jake Stüb are two third-year law students who competed extensively in triathlons the past year. They stopped by on a bike ride to share their experiences recently.

WS: What is a triathlon?

JS: There are three different types of triathlons — the "sprint" with a mile swim, 30 mile ride, and 10km run, the "tinman" or half triathlon with 1.5 mile swim, 55 mile ride, and a half marathon, and the "ironman" triathlon, which features a 2.5 mile swim, 110 mile ride, and a full marathon run. I have done several sprint and tinman triathlons so far.

WS: Bill, when did you begin competing?

BH: We started at the same time. Jake and I did our first event in March, 1984, the San Felipe Sprint in Mexico. We began training the summer before, first running and bicycling. We started reading about

it, and saw many people training in San Diego. Our training began haphazardly, but then we started training in all three events. From there it was a natural progression, beginning with 10km and half marathon races.

WS: Jake, what was your most memorable event in competition?

JS: My most memorable one, but not my best one, was when I did the Monterey Bay Tinman last summer.

## "training makes you utilize your time"

I did the two mile swim and was on a long climb up the Santa Lucia Mountains, about thirty miles into it, and with twenty five miles to go before the half marathon. I was thinking how crazy it was to be doing this. The last few miles of the run I swore to myself I would stick to tennis and sand volleyball. It was crazy, I was hurting so much!

WS: What made you go back?

JS: The satisfaction of having completed the event began to overtake

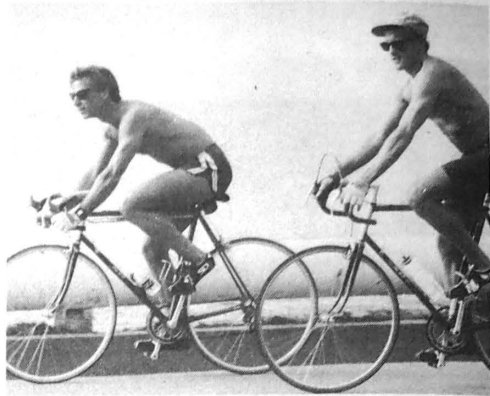
the aches and pains. Two days later I was running my tail off, swimming, and lifting weights.

BH: My most memorable experience was when we were all standing around at the San Felipe Sprint, waiting for it to start. I was waiting for a gun to go off, to start everyone running into the water. The gun never went off and suddenly everyone was taking off into the water. I didn't have my goggles on and had a big fear of swimming back then. I jumped in, people were crawling over my back. I was hyperventilating, my goggles were half off, and I thought I'd drown! But I finished the swim and from there it was all downhill. What a traumatic experience! For most people, the first time you have to swim with 500-1,000 people around you is tough.

JS: The hardest point in the triathlon is rounding the buoys. Everyone bunches in and bungs into each other. But it is not intentional, as, for example, the roughhousing that occurs underwater in water polo.

BH: Some people use the crowd to their advantage and climb over competitors' backs.

WS: How do you mix law school and triathlons?



Triathletes Bill Harris and Jake Stüb on a training ride along the Sunset Cliffs in Point Loma.

JS: They combine themselves very well. Before I got into triathlon training, I could only study for six or seven hours in a row. Now, after a good workout, I can go 12-15 hours. Ha!

BH: One time after a good workout, I didn't put the casebook down for 36 hours! Even read the pocket parts. I don't think it's that hard to mix the two. You work out three hours a day, go to class three hours a day, and study the rest of the time. Training makes you utilize your time. One of the reasons I began training is that if I

don't feel well, I tend to sit around. With the bar coming up in February, it is important to have the mind and the body tuned up.

WS: What events are coming up in the near future?

JS: The ocean is too cold now for triathlons. But we'll be running 10k's and half-marathons in the interim. Then it's San Felipe in the spring!

WS: What is your best result?

JS: I'm getting up there. My best was my last event, the Chuck's Steak House Triathlon, where I finished in the top fifteen out of 500 competitors.

BH: Mine was 498th out of 500. No, just kidding! My best was the Del Mar Triathlon, where I placed about thirtieth out of 700.

WS: Are you competing solely for enjoyment or to win?

JS: The first few events this summer were to see if I could do it, as there is a whole lot involved. Then there was a transition in the last three or four. I was really pushing myself and trying to pass every person in front of me. I was actually in a lot of pain. Bill and I, with a masters swim program over the winter, and weights to keep our strength up, plus riding, and running, can be quite competitive. My goal is to place (i.e. top five). I plan to continue for an indefinite period.

BH: The upcoming season will be the big one for me. The timing is right. I'll finish the bar and then really go for it — six hours a day plus work — and see how well I can do. When I settle into full time work after the summer, I will go back to what we are doing now. The bike rides really eat up the time. The attorney I worked for this summer, Murphy Reinschreiber, is in the upper second level — about tenth place. He went to USD. Murphy works 30-40 hours a week during the summer with a schedule of free Fridays to take off to Chicago or Seattle for an event. One must be marketable to do that. He budgets his time well, and is not far behind Molina, Mark Allen, Steve Scott, and Scott Tinley. Each week those fellows swim 20,000 yards, ride 400 miles, and run 60-70 miles. The biking takes the most time.

WS: What other sports do you play?

JS: Since triathlon season ended last fall, I have played a lot of sand volleyball. Playing in the sand is strenuous.

BH: I've played a lot of tennis. You have to make a choice. We went six months without playing tennis together. There are a few other folks at USD Law school who are training. That's good. Pete Ryan, Bob Stansell, Suzanne Stansell and Ed Mansley are getting ready for the spring.

JS: Suzanne Recheigl and David Greenberg competed in the Chuck's Steak House and Del Mar Triathlons this fall, respectively.

BH: Well, let's go for a ride along the Sunset Cliffs.

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### SCHEDULE OF CLASSES: ORANGE COUNTY

- Saturday, February 16, 1985  
5:00 p.m. - 10:00 p.m.
- Sunday, February 17, 1985  
1:00 p.m. - 8:00 p.m.

● All sessions will be held at **Western State University, College of Law, in Fullerton, 1111 N. State College Blvd.** Room number will be posted on the day of the class.

### SAN DIEGO

- ★ Saturday, February 23, 1985  
12:30 p.m. - 6:30 p.m.
- ★ Sunday, February 24, 1985  
12:30 p.m. - 6:30 p.m.

★ All sessions will be held at **California Western School of Law, San Diego, 350 Cedar Street, Room 2G.**

### ORANGE COUNTY

- Saturday, March 2, 1985  
12:00 p.m. - 6:00 p.m.
- Sunday, March 3, 1985  
12:00 p.m. - 6:00 p.m.
- All sessions will be held at the **American College of Law, 401 S. Brea Blvd., Brea (Imperial at Brea Blvd.)**

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