3-28-1988

The Forum (Volume 18, Number 5)

Valparaiso University School of Law

Follow this and additional works at: https://scholar.valpo.edu/law_forum

Part of the Law Commons

This Article is brought to you for free and open access by the Valparaiso University Law School at ValpoScholar. It has been accepted for inclusion in Valparaiso Law School Forum by an authorized administrator of ValpoScholar. For more information, please contact a ValpoScholar staff member at scholar@valpo.edu.
Johnstone's career in legal affairs is highly radical proposals that might prove America's land transfer system included increasing competition through strict enforcement of federal antitrust law, more automation and modernization of the administrative aspects of land transfer, and centralizing statewide record-keeping, thus eliminating the current local records system.

Johnstone's lectures were well received by his audience. The lectures were televised into the community for those who could not obtain or attend the lecture. A reception was held for Johnstone and his commoners following his first lecture. Both students and faculty engaged him in lively conversations, adding to the success of the Fifth Annual Seegers Lecture Series.

By Dennis Lee Goss

The Seegers Lecture Series continued at the Valparaiso University School of Law on February 15th and 16th with two lectures presented by Quintin Johnstone. Johnstone's lectures were the fifth in the Seegers Lecture Series, an annual event made possible through the generous support of Edward A. Seegers, a retired Chicago attorney with close ties to Valparaiso University and a Visiting Professor of Law at the New York Law School.

Johnstone presented two lectures on land transfer before capacity audiences in the Weems Hall courtroom. On February 15th, he talked about the role of service specialists, i.e., the lawyers, money managers, title insurers, and real estate brokers, whose job is to facilitate the transfer of realty from seller to buyer. Johnstone mentioned the traditional duties of duties among the service specialists, and then outlined the functional integration that is now occurring among the four groups. He further talked about entry into the lucrative real estate field of the companies that have previously distinguished themselves in areas outside the land transfer sphere, companies such as Metropolitan Life (title insurance), Sears (merchandise), General Motors and Ford (auto manufacturers), and Owens Illinois (products manufacturer).

Johnstone stated that the current land transfer system has worked somewhat adequately, but suffers from significant problems. He mentioned the high commission rate of brokers, who hold short-term from their depositors and then lend long-term to builders, thereby hiding a squeeze line which can lead to a cash crisis. Johnstone also mentioned such negative factors as high commission rates, the failure of lawyers to be price competitive in the field, and the massive, groves power of large corporations that are entering the land transfer arena.

On February 16th, in the second of his two lectures, Johnstone offered some personal and admitted radical proposals that might improve America's land transfer process. First, among his suggestions were new federal standards, measures that would affect both the buyer and the seller. One proposal, for instance, would provide the community with Johnstone's highly profitable, land-transfer oriented banks. Second, he proposed a merger of the structurally sound FDIC and the administratively shaky FSLIC. Third, he suggested that law firms establish well-staffed departments or even entire practices built on conveyancing specialization. The use of paralegals and the increase in work volume in the land transfer field would make the ventures more attractive to law firms.

Fourth, Johnstone stated that lawyers and brokers could combine their arts into full service brokerage houses. Although this would require changes in the law, the "one-step" service, that a lawyer-broker combination would create would be more convenient for the public, and more efficient for the specialists handling the transfers, and would add more efficiency to the delivery.
The Forum

Take advantage of Law Week

One note of interest. I've tentatively decided to make Beth Henning and Nadine Dahm co-editors-in-chief of The Forum for next year, and Dennis Lee Goss will be managing editor. Hopefully, they'll all be helping me with the next issue in defining what's going on when they return next year.

With Law Week coming up soon, I'd like to encourage everyone to attend at least some of the activities. Check page 6 for features about some of the activities and page 7 for a calendar of events. Some of the events are free (like the guest speakers) and the others are inexpensive (like the annual Law Week roast).

Not all law schools celebrate Law Day, which falls in April. And even fewer schools have an entire Law Day, such as The Forum. The Student Bar Association (SBA) puts a lot of time and effort into planning and organizing this event, and students should take advantage of this.

A wide variety of activities will be offered. The SBA is sponsoring a talk by Yvonne Burke during the luncheon, the Association of Trial Lawyers of America (ATLA) is having a talk by Don Rice, and the Midwest Environmental Law Center (MELC) is having Professor Robert Blomquist talk, to name a few. And Jus Vitae is having a couple of videos during chapel break. On the lighter side, there's the annual roast. And on the romantic side is the annual Barrister's Ball.

Since every law student pays an activity fee when he registers, and since the SBA gets part of this fee, the law students are in fact paying for Law Week indirectly. Since we are paying for these events, we should take advantage of them.

Also, Law Week activities can provide a good opportunity to get away from the humdrum routine of going to class and studying. Many of the speakers will talk about the practical aspects of being a lawyer, rather than the theory of the law that we are constantly taught in class.

With nice weather finally arriving, many of us (especially the third years) are anxious to do something besides going to class. Spring fever has already struck the law school to a certain extent, and we can channel our energy into some productive activities during Law Week. Take advantage of these activities while you still can.

Rubes®

By Leigh Rubin

Albert discovers a misnomer.

The Forum

THE FORUM is a student created publication designed to present in an accurate and objective manner the news of the Valparaiso University School of Law community. To this end, the editors welcome comments and suggestions from the student body and faculty.

"You have not converted a man because you have silenced him."

John Viscounte Morley

"On Compromise" 1974

Kathy Fox Editor
Beth Henning Sports Editor

Laurie Bigsby
George Brasovan
Nadine Dahm
Dennis Lee Goss
Bridget Ryan Staff Writers

The opinions expressed are those of the by-lined authors and not necessarily those of the law school or undergraduate faculty, student body or administration. Unsigned editorials represent the opinions of the editorial staff.

Both students and faculty members are invited to sound off on issues that affect them and the VU law school community. Read letters to Editor, The Forum, Valparaiso School of Law, Valparaiso, IN 46383. Letters should be brief, typed, double spaced and signed. The editors reserve the right to edit to assure grammatical accuracy and to keep the letters to a reasonable length. Opinions expressed are those of the writer and not the Forum staff.

Dear Third Year,

My tax professor last semester kept asking me what income is. I still don't see the point in defining something that cannot be given a definition in 1000 words or less. I subscribe to the notion that I know it when I see it. What was the point in torturing us?

Signed,
G&R Blockhead

Dear Third Year,

A third year, ye of infinite wisdom, you must know, if anyone does. I am a pitiful first year yearning for the knowledge that it seems only you can give. My question today is, will those silly questions that keep popping out of the people who monopolize our class's time ever cease? Sometimes I lie awake at night thinking about how much tuition I pay, how much each hour of credit costs and how much each minute of class costs. Then I think of the other students in the class and the tuition they are paying. Then it hits me: one person in our class has wasted tens of thousands of dollars. Surely and is still asking three questions per average class hour (and is still going strong). Dear third year, will this torture persist for the next three years?

Signed, Quizical

Dear Taxing,

From whose perspective are you speaking, young man? The Block or the head? If you are referring to the former, you will find that pondering at this point is fruitless. If you are referring to the latter, climb ahead until you attain a definition you are confident with. Remember, the point of the labyrinth is not to satisfy him, but to confuse yourself.

Dear Questioning One,

Yes, this will continue for the next three years. Given the opportunity, these same people of whom you complain will be teaching law in the very near future. Therefore, don't worry about facing them in a court of law.
It seems unlikely that I would choose to write to future lawyers about the prospects of ‘getting your money’s worth’ in the next four years, if you can believe what you ‘hear’ and what is inferred in the ‘Tabloids’, or any that have become as renowned for their acquisitiveness as physicians are rumored to be. Should I? Let me set you here’s a question for you ‘cagey’ characters who get what you go after: do you acquire the most dollars and three years of your life in your legal education. Are you getting out of it what you should be, or are you skipping over the real rewards?

Think for a moment about your financial situation. You spent a basic tuition fee of $7,750 this year. With an average credit load of 15 hours per semester, you paid $18.45 for each card session you were entitled to attend. Yet, some of you are too busy to attend very often. Every time you cut a class for which you paid, you were out $18.45. You also lost out on what you could have learned. That doesn’t make much sense to me.

Here is another bewildering circumstance. Over three years, with tuition theoretically stable at $7,750, you pay $23,250 for 90.0 credit hours. That is roughly $258 per hour. That is not a very high fee, considering easily 93.0, 94.0, or even 95.0 credits without paying an extra penny. Yet, some students do will any amount of scheduling change and course dodging to make the 90.0 hours come out right on the mark. “No sir,” they say, “you’re not going to catch me taking extra credits or courses for free. Why should I study any more than I have to?”

Sometimes I have to admit the whole scheme seems crazy to me. Many students make the choice to come here to study law, but some choose efficiency and time, and waste more money trying to get out of the commitment, than they devote to realizing the rewards of their investments.

We all know what those rewards are—knowledge of the law, ability to think analytically about particular societal problems, and the acquisition of special, legal skills. It’s easy to recognize the rewards, not so easy to acquire them. That takes many hours of reading, writing, reflection—study. Obviously, many of our students study effectively and sufficiently. But it is also obvious that some do not.

If you happen to be among those who permit a bland and everything to come before your study time, you need to re-evaluate and set your priorities in the right order. For the time being, nothing is more important than the time you invest in your studies. Even the much sought after clerking job, especially those jobs where the firm strings you out for forty to fifty hours per week, is not going to earn you the degree you are in vesting so much to acquire. Apply ing yourself consistently and consciously to your school work is the only appropriate course for you to take while you are a student. When you accomplish “studying,” you can only gain in understanding, knowledge, a sense of achievement—the feeling of getting on well with your school objectives.

While you are here, which is just three short years of your entire life, though I understand it sometimes seems like “forever,” take advantage of the ideal circumstances. Take advantage of being an elected official as being an American response to a request from Mexican President Ascona for assistance against an invasion of Honduras, or a Chinese response to the likelihood of a Japanese response to the Korean Peninsula. I am sure that in years to come we will look back on these days as a time when we were faced with the task of demonstrating that a nation of more than 200 million people could respond to such a situation in a manner that would allow us to live up to our ideals.

Finally, are we to believe that Ascona actually requested U.S. military assistance? Or are we to believe that the U.S. asked Ascona to ask for assistance, as has occurred in the past? The Sandinistas have previously made numerous incursions into Honduras in pursuit of the rebels during the lengthy Nicaraguan civil war. Why should the American people believe that this latest incursion, which, incidentally, lasted only one day, would lead to an all-out Sandinista invasion of Honduras in the absence of American troops, when it has not been allowed to proceed as far?

The American public is the victim of an administration attempt to disguise its method of domestic policy with domestic political problems because of the media attention a deployment receives. In fact, deployment of the 82nd received so much news coverage, that the coverage has buried such administrative negatives as the Iran-Contra indictment, the Israeli atrocities in the occupied territories, and the failed shuttle diplomacy of U.S. Secretary of State George Schultz, an override of a presidential veto of a civil rights bill, and failure thus far to get the INF treaty to pass Congress. All these stories would have been better if the headlines had not been for the tensions in Central America being exacerbated by the sudden influx of American military personnel.

In recent days, bipartisan leadership in the Senate, led by Senator Boren (D-Okla.) has called for a thorough investigation of the conduct of the Contra aid. The feeling is, however, that any new package of aid would be only too humanitarian, non-military purposes.

Secondly, deployment of the 82nd could have been merely an attempt by the administration to divert attention away from, among other things, the indictments against North, Poindexter, Secord, and Hakim for their roles in the Iran-Contra scandal, which were announced earlier this month. Moving troops to foreign soil can be an effective way of dealing with domestic political problems because of the media attention a deployment receives. In fact, deployment of the 82nd received so much news coverage, that the coverage has buried such administrative negatives as the Iran-Contra indictment, the Israeli atrocities in the occupied territories, and the failed shuttle diplomacy of U.S. Secretary of State George Schultz, an override of a presidential veto of a civil rights bill, and failure thus far to get the INF treaty to pass Congress. All these stories would have been better if the headlines had not been for the tensions in Central America being exacerbated by the sudden influx of American military personnel.

In recent days, bipartisan leadership in the Senate, led by Senator Boren (D-Okla.) has called for a thorough investigation of the conduct of the Contra aid. The feeling is, however, that any new package of aid would be only too humanitarian, non-military purposes.

The Forum March 28, 1988 Page 3
By Kathy Fox

On February 25, Professor David Myers presented his inaugural lecture on "Career and Community: A Functional Analysis of Regulatory Takings." Myers took the traditional view that a taking occurred. Of using these air rights, Rehnquist felt that a taking had occurred. The Honorable Betty B. Fletcher, Ninth Circuit Court of Appeals, Seattle, Washington, lists the following as benefits of a clerkship: "It provides an opportunity for clerks to work closely in a family environment, meet with judges in a division or a circuit as well as enable a clerk to develop relationships with other clerks. Clerks travel throughout the circuit and get to hear highly qualified attorneys argue cases. A clerk's work is mainly intellectual, there is no client billing, and clerks enjoy the luxury of working on one issue." The Honorable Abner J. Mikva, U.S. Court of Appeals, D.C. Circuit states: "For a law student who wants to be a litigator, a trial court clerkship is much more useful." Journal of Legal Education, Vol. 36, No. 2, p. 153, June 1986. In addition, the prestige associated with a clerkship, clerkships emphasize judgment and require a general ability to focus on the issue to analyze the issues precisely. For these reasons a number of firms will avoid a "signing bonus" to a clerk who joins the firm as an associate. Therefore it is not necessary to put off your job hunt for a permanent job because you intend to clerk. A firm may offer even a "signing bonus" for circuit court clerks and some federal district level clerkships. But some of these appeals level court rulings in cases difficult to predict. The result of these factions is a "takings" litigation in unjust ways. The result of this in mind and apply later to a firm has a case in that court. Keep the other hand, bankruptcy and tax firms like to hire bankruptcy or tax clerks for their practice.

In recent years Valparaiso law school has accepted students with the Third and Sixth Circuit Courts of Appeals. Twenty-five cases accepted Supreme Court clerkships in Indiana. Nine-teen graduates accepted Supreme Court clerkships in Arizona, Colorado, Indiana, New Mexico and Missouri, and a few chosen for the superior court clerkships in Illinois, Michigan and Michigan.

Please remember, if you are interested in clerking, you must apply and you are in your second year of school, NOW is the time to apply.
Symbles Swows "Toxic Whistlebl"unty.

By Katho Fox Forum Editor

On March 4, Jeff Symmes talked about "Toxic Whistleblowers," spotlighting the federal health hazardous waste storage area. Purdue would test chemicals, then know the identity of individuals. However, people were afraid to talk about what was going on because they were exposed to radiation. Symmes called Bob Webb, the IOSHA director, and informed him of what was going on at Purdue. Symmes worked as a reporter, receiving radioactive material was also being transported to the West Coast. After Symmes began complaining, people began to notice what he was doing and where he was going. He was given an oral reprimand by the university. Six weeks after he started to work for Purdue, he called IOSHA again, but nothing was done.

Symmes also found sites where Purdue was burning hazardous waste materials since the 1950s. He found radioactive buildings where toxic waste was burned. He was interviewed by the U.S. Environmental Protection Agency while he was there. He called the Indiana Attorney General's office two days later. An investigator went there, and found out what was going on. Symmes passed the information to the government, and the state went to look at the sites.

Symmes said Symmes called the government's Accountability Office, and was told that he should have a civil suit, and he was hoping for labor rather than IOSHA. New cases were not being handled because of the toxic waste problems.

Toxic to page 11

---

Hansen, Talks on 'Waller Street' careers

By Katho Fox Forum Editor

On March 1, Jayma Meyer talked about Wall Street practice. Meyer is an attorney with the Wall Street firm of Simpson, Thatcher & Bartlett in New York and is also a daughter of U.S. Law School Professor Al Meyer. Meyer said it is often difficult to get a government job as an attorney, especially at the federal level. It is often difficult to get to the person you want to reach, but often you can reach them whenever it is one or two levels below. This was true ten years ago when Meyer was looking for a job and is still true.

Meyer encouraged students interested in working for the government to study and fill out the forms and send out the resumes. Even if they do not get a job, it is worth the try. Meyer worked for the Federal Trade Commission doing antitrust work and got out of law school.

Meyer moved to Washington, D.C. for the government for three years, then went into private practice.

In attics, Purdue had hazardous waste storage areas. Purdue would test chemicals, then know the identity of individuals. However, people were afraid to talk about what was going on because they were exposed to radiation. Symmes called Bob Webb, the IOSHA director, and informed him of what was going on at Purdue. Symmes worked as a reporter, receiving radioactive material was also being transported to the West Coast. After Symmes began complaining, people began to notice what he was doing and where he was going. He was given an oral reprimand by the university. Six weeks after he started to work for Purdue, he called IOSHA again, but nothing was done.

Symmes also found sites where Purdue was burning hazardous waste materials since the 1950s. He found radioactive buildings where toxic waste was burned. He was interviewed by the U.S. Environmental Protection Agency while he was there. He called the Indiana Attorney General's office two days later. An investigator went there, and found out what was going on. Symmes passed the information to the government, and the state went to look at the sites.

Symmes said Symmes called the government's Accountability Office, and was told that he should have a civil suit, and he was hoping for labor rather than IOSHA. New cases were not being handled because of the toxic waste problems.

Toxic to page 11

---

Substantively, participating students work toward the development of a wide array of tasks normally performed by attorneys. Students receive three credits for each semester they participate in negotiations with prosecutors. Students learn factual development in a case, i.e., to obtain the facts and then screen them to determine which facts are essential and which facts are irrelevant. They also learn how to select a theoretical analysis and how to apply that analysis to the facts of a case.

The criminal law clinic occasionally handles divorce, juvenile, and misdemeanor cases. However, the majority of cases referred to the clinic are post-conviction criminal cases involving defendants who have already been convicted by plea or by trial. Post-conviction cases are more complex procedurally because the issues previously raised cannot be ignored. There is usually more pressure on the defendants, and the case challenge students to develop and refine theories and issues on their own.

Post-conviction cases come to the clinic as either a defense by the defendant or a request by some federal entity, like the Attorney General, the FBI, the IRS, or even the military. There is usually far less support and involvement in the legal profession, Vandercoy believes that practice in initiating and developing a wide array of cases is an indispensable element of the legal profession, something which can be taught or learned in the classroom.

Interest in the criminal law clinic is growing. The number of students seeking hands-on experience with practicing law and ethics are generally required to participate. Participation is usually restricted to third-year students, but students in the clinic are encouraged to sign up for two years. Students will receive two credits and one seminar is per semester. The clinic can accumulate five to ten students in an academic year, each of whom is assigned to approximately five cases. Students work roughly ten hours per week and are paid a stipend of $125 per semester.

Students interested in obtaining more information about the criminal law clinic are encouraged to contact Vandercoy.

---

Hansen, Talks on 'Waller Street' careers

By Katho Fox Forum Editor

On March 1, Jayma Meyer talked about Wall Street practice. Meyer is an attorney with the Wall Street firm of Simpson, Thatcher & Bartlett in New York and is also a daughter of U.S. Law School Professor Al Meyer. Meyer said it is often difficult to get a government job as an attorney, especially at the federal level. It is often difficult to get to the person you want to reach, but often you can reach them whenever it is one or two levels below. This was true ten years ago when Meyer was looking for a job and is still true.

Meyer encouraged students interested in working for the government to study and fill out the forms and send out the resumes. Even if they do not get a job, it is worth the try. Meyer worked for the Federal Trade Commission doing antitrust work and got out of law school.

Meyer moved to Washington, D.C. for the government for three years, then went into private practice.

In attics, Purdue had hazardous waste storage areas. Purdue would test chemicals, then know the identity of individuals. However, people were afraid to talk about what was going on because they were exposed to radiation. Symmes called Bob Webb, the IOSHA director, and informed him of what was going on at Purdue. Symmes worked as a reporter, receiving radioactive material was also being transported to the West Coast. After Symmes began complaining, people began to notice what he was doing and where he was going. He was given an oral reprimand by the university. Six weeks after he started to work for Purdue, he called IOSHA again, but nothing was done.

Symmes also found sites where Purdue was burning hazardous waste materials since the 1950s. He found radioactive buildings where toxic waste was burned. He was interviewed by the U.S. Environmental Protection Agency while he was there. He called the Indiana Attorney General's office two days later. An investigator went there, and found out what was going on. Symmes passed the information to the government, and the state went to look at the sites.

Symmes said Symmes called the government's Accountability Office, and was told that he should have a civil suit, and he was hoping for labor rather than IOSHA. New cases were not being handled because of the toxic waste problems.

Toxic to page 11

---

Substantively, participating students work toward the development of a wide array of tasks normally performed by attorneys. Students receive three credits for each semester they participate in negotiations with prosecutors. Students learn factual development in a case, i.e., to obtain the facts and then screen them to determine which facts are essential and which facts are irrelevant. They also learn how to select a theoretical analysis and how to apply that analysis to the facts of a case.

The criminal law clinic occasionally handles divorce, juvenile, and misdemeanor cases. However, the majority of cases referred to the clinic are post-conviction criminal cases involving defendants who have already been convicted by plea or by trial. Post-conviction cases are more complex procedurally because the issues previously raised cannot be ignored. There is usually more pressure on the defendants, and the case challenge students to develop and refine theories and issues on their own.

Post-conviction cases come to the clinic as either a defense by the defendant or a request by some federal entity, like the Attorney General, the FBI, the IRS, or even the military. There is usually far less support and involvement in the legal profession, Vandercoy believes that practice in initiating and developing a wide array of cases is an indispensable element of the legal profession, something which can be taught or learned in the classroom.

Interest in the criminal law clinic is growing. The number of students seeking hands-on experience with practicing law and ethics are generally required to participate. Participation is usually restricted to third-year students, but students in the clinic are encouraged to sign up for two years. Students will receive two credits and one seminar is per semester. The clinic can accumulate five to ten students in an academic year, each of whom is assigned to approximately five cases. Students work roughly ten hours per week and are paid a stipend of $125 per semester.

Students interested in obtaining more information about the criminal law clinic are encouraged to contact Vandercoy.
The VU Law School 1988 Law Week offers a unique opportunity for students to hear speakers addressing legal issues of today as well as relaxing with fellow students at the Ball and Roast.

**Barrister's Ball to be April 16**

By Laurie Bigby

This year, the Ballroom, an annual Law Week event, will be held on the campus at the Marquette Park Pavilion in Gary, which overlooks the Indiana Dunes State Park. Chairpersons Becky Gragg and Derla Gross have put together a special event to recognize the sending off of the third year law students. The Barrister’s Ball will conclude the Law Week events for 1988.

The Barrister’s Ball will begin with cocktails from 6:30-7:30 p.m. followed by a prime rib dinner. The Student Bar Association (SBA) funded event will be formal to formal dress and will overlook the Indiana Dunes State Park Pavilion in Gary, which during the cocktail hour a string duet, violin and viola, will play for our entertainment. After dinner, the entertainment will be a disc jockey, D.S. Danis Audio and Video. The show will be emceed by Bertha Derda and Derda expect the audience level at this year’s Barrister’s Ball to be approximately two hundred.

Tickets for the Barrister’s Ball, along with the luncheon roast, will be on sale from March 23 to April 6. The cost for the Barrister’s Ball is $14 per person. The Law Week luncheon ticket price is $8 and any questions about the luncheon should be directed to Barbara Balling. The Law Week Roast ticket price is $13. If any student purchases tickets for all three events, they will receive a ten percent discount.

Everyone in the law school, along with spouses and friends, are invited to share in the Law Week events. Come to the Barrister’s Ball for an enjoyable evening with your classmates and colleagues. See ya there.

**Awards luncheon scheduled**

By Nadine Dahm

To honor those students who have achieved academic excellence, as well as those students who have participated in co-curricular activities, an awards luncheon will be held during Law Week. The luncheon will be held on April 12th at the Porter County Expo Center and tickets can be purchased for $8 (students, faculty & spouses) and $10 (alumni). The doors will open at 11:30 a.m. and the luncheon begins at noon.

After lunch, Dean Ivan Boden­tzeiner will begin the awards presentation. Awards will be given out for scholastic achievement and participation in various law school activities. The scholastic awards will feature eight special awards and an award for each student who has written an honor paper in the spring of 1987 or the fall of 1988. The awards luncheon award is the most special award. The recipients of this award are chosen by the faculty for their overall contribution to the law school. This year, Larry Thrall, Jean Doylis, and John Whitley will receive the honor.

The participation awards are given to those students who participate in the various credit-oriented co-curricular activities at the law school. These activities include Mock Trial, Negotiations Team, Mock Trial, Client Counseling, Appellate, and The Forum. All award recipients will receive a special certificate, designed personally for the VU Law School.

The scholastic awards luncheon will feature eight special awards and an award for each student who has written an honor paper in the spring of 1987 or the fall of 1988. All award recipients of the scholastic awards will receive a special certificate, designed personally for the VU Law School.

The awards luncheon is an annual event which was started in the spring of 1984. Prior to 1984, there was a similar type of awards luncheon; however, it did not recognize enough students. The current awards luncheon recognizes all students who have achieved academic excellence.

After the awards presentation, Yvonne Burke, a former California Congresswoman and the Chair­person of the 1973 Democratic Na­tional Convention, will give a speech. All law week and faculty members are encouraged to attend the luncheon. Tickets are on sale in the atrium for a limited time, so buy your tickets today.

**Third Year Class to be roated at the Annual Law Week Roast**

By Bridget Ryan

This year the annual Law Week Roast has a new twist to it; instead of choosing a faculty member to roast, the Law Week Roasting Committee decided to focus the event on the third year class.

"It has always been a faculty roast, but faculty members thought that it was getting old," commented committee member Cindy Pean. "Many of the faculty members have been roasted several times already, so we felt that a change was necessary."

The long-standing tradition of roasting a person during Law Week has been labelled the "biggest and best" social event of the year. "It is definitely the biggest part of the year," explained Student Bar Association (SBA) social chair Lisa Woons. "Of the 350 students in the law school, we expect 300 to show up."

Two years ago, law school dean Ivan Boddentrzeiner was the celebrity in the spotlight, and outstanding skits included law student Scott Faurote's rendition of the dancing scene from the movie "Risky Business" and the Super­hero "Shuffle" performed by the third year class. Last year, Professor Al Meyer sat in the hot chair, but many faculty members commented that this roast was outstanding because many students and faculty members were roasted besides Meyer.

Last year's success encouraged the Roasting Committee to choose the entire third year class as this year's focus. "We were considering the first year class, but we felt that they might be offended because they haven't been through a roast yet. The third year class knows what to expect," commented Woons.

The Roast is being held at the Porter County Expo Center on Thursday, April 14, with skits starting promptly at 8:30 p.m. Opportunity to present a skit involves turning in an application sheet to one of the committee members, who then decides whether or not the skit will be allowed.

Even though the theme of the Roast is the third year class, participants of the skits may choose to roast. "As in previous years, the roast does not center on one person or class," explained Woons. "Skit members can choose any student, group, faculty or staff member to imitate."

After the last skit is finished, a panel of faculty members will choose the best skit and $100 will go to the winners. Following the skits, eating, drinking and dancing to the tune of DJ will be on the agenda. Free beer, wine, pop and munchies will be provided for the party. Tickets are $3 in advance and $4 at the door.
Trost: speak on Terrorism

By Kathy Fox
Forum Editor

For a catalog containing detailed information and application forms, write:
Graduate Program in Banking Law Studies
Marvin A. Hartman
Boston University School of Law
85 Blue Hill Avenue
Boston, Massachusetts 02215

or call: 617-353-3023

Master of Laws
Boston University School of Law

LL.M. Degree in Banking Law Studies

A unique graduate program offering separate, multi-disciplinary courses of study in American Banking Law and in International Banking Law Studies.

Taught by faculty of the Boston University School of Law, eminent banking law attorneys and management experts, these innovative programs provide an exceptional blend of intellectual and practical education at one of the nation's most prestigious law schools. Covering the full range of advanced banking law subjects, the curriculum also includes courses specially developed to produce lawyers to the economic and managerial aspects of the domestic and international financial services industries.

This comprehensive LL.M. program offers a singular educational opportunity for lawyers who wish to practice in these dynamic, fast growing areas of specialization.

Applications are now being accepted for full or part-time enrollment in September 1988.

The law school's Jesup International Case Competition, hosted by the University of Cincinnati Law School, will be held in Cincinnati on February 27 and 28, 1988.

For a catalog containing detailed information and application forms, write:
Graduate Program in Banking Law Studies
Marvin A. Hartman
Boston University School of Law
85 Blue Hill Avenue
Boston, Massachusetts 02215

or call: 617-353-3023

The moot court problem this year, for example, and speaks openly for this. Israel is very up front that deterioration is its policy. Finally, a government can adopt a prevention or defense action. Here, the threat of terrorism is real, but the anti-terrorism measures being taken to destroy the terrorists is only a political goal, not a military objective.

Fourthly, the government can engage in the policy of reaction. This policy assumes that the terrorist activities is something that we can prevent or control. It relies on how the policies are enforced or regulated. A government can engage in the policy of reaction or defense. It is not new, but it will not achieve the terrorist's objectives. The terrorist's objectives are to disrupt the democratic system, to create disorder, and to provoke a reaction. The terrorist's goal is to achieve a change in the current political order. It is an absolute terror. It is a threat to the state. It is a threat to the government. It is a threat to the people. It is a threat to the system.

In conclusion, the United Nations has created an ad hoc committee to keep a watch on terrorism and count the number of incidents that have occurred.

Trost said there must be a concern with the international community abhorring these acts. At the same time, the UN has to recognize the existence of the UN for it to be able to do anything.
Prof. Williams speaks on international law research

By Kathy Fox
Forum Editor

On March 25, Professor John Williams talked about doing research in international law. Williams is a political science professor at Principia College in Illinois.

International law can be organized into: basis; sources (where the law comes from); resources (documentation); and tools (reference librarians, telephones).

The Spanish philosophy of the 1960s was natural law, which said that the law is floating around waiting for us to find it. At the end of this century, a division occurred between the rationalists and the positivists. Positive law is just what agree on and write down, which is a modern contract law theory. Those who were writing the law down at this time were at extremes between these two philosophies, and this affected international law.

The documentation of international law has fallen into categories, too. One school believes that domestic law is parallel with international law, while another school believes that the two are not parallel.

In the Fina case, an officer tortured a son to death in a foreign country. The parents came to the U.S., sued the officer liable in civil law. The court had to use natural law (since international law, while another approach includes looking at time frames, the subject matter or the format of the topic. The person can continue his research by looking at treaties which get the approval of the Senate or executive agreements (which could conceivably override prior inconsistent federal law). Other sources are Treaties and Other International Agreements of the U.S. and Treaties in Force. Williams recommended that researchers create a bibliography before they do their research. The researcher should start with his personal knowledge of the area or a textbook. Once he finds a cite, he tracks it down to another cite, and continues this process until he discovers that the citations have been becoming repetitive. Then he knows he has a list of the “better” resources.

Williams' talk was part of a symposium sponsored by the International Law Society (ILS).

---

Crossword Companion

Answers to today's crossword on page 2

HOW OFTEN DO YOU CALL A COMPANY, JUST TO TELL THEM HOW MUCH YOU LIKE THEIR PRODUCT?

AT A LAW IN A FLASH, WE GET CALLS LIKE THAT EVERY DAY.

Students from all over the country tell us how much Law in a Flash flashcards have helped them study for law school exams and the Multistate Bar. Law in a Flash doesn’t only make legal principles crystal clear and easy to remember - it’s interesting as well. It combines definitions, mnemonics, theory and entertaining hypotheticals to give you a study aid which is uniquely effective.

Available at Bookstores Nationwide
- Constitutional Law
- Criminal Procedure
- Torts
- Real Property
- Evidence
- Criminal Law
- Civil Procedure
- Sales
- 3,600 card Multistate Bar Review Set

Law in a Flash
For A Free Sample Call: 1-800-23FLASH
BLOOM COUNTY

by Berke Breathed

The Forum
March 28, 1988
Page 9

VU Law school to begin foreign studies program

By Kathy Fox
Forum Editor

The VU School of Law will begin an exchange program with the University of Navarra's Department of Law in Pamplona, Spain, according to Professor Ruth Vance.

One of the problems with setting up such a program is ensuring that the law student is learning the same subject matter over there that he would learn over here. A need exists for students to study the Spanish language in Spain as well as the legal system to get their administrative remedies as required by the Administrative

ject matter jurisdiction, that the plaintiffs had failed to exhaust

doing so, the co's signs encroached on Main Street's right-of-way. The

otified the parties to remove their signs; when the parties failed

il!£w to return to VU for his own academic competence.

Stith and Spain's law courses are all year-long courses, so a VU

law student would need to stay in Spain for two semesters to rea-

ly understand the coverage of the course. An intensive language

course in Spanish is offered in Spain in September to help foreign

students adjust.

The exchange program is particularly useful for students in-

tered in international law (especially European and South American law). It is also useful for people who want to practice in dominantly civil law influenced jurisdictions like California where large Hispanic populations exist.

An exchange of publications, library assistance and professors will also occur. The student exchange is limited to two students a year from each university.

Stith plans to present a report on the exchange program at one of VU's Tuesday Forums in April. Watch the board for an ex-

act date.

Further information on the exchange program can be obtained from Stith.

Kent defeats VU in client counseling competition

By Kathy Fox
Forum Editor

On February 15, VU's client counseling team competed in the regional client counseling competition.

The client counseling problem this year dealt with the First Amendment freedom of expression.

Professor Ruth Vance said that last year, when the competition was held here at VU, VU's team won the regional competition.

This year, the competition was hosted by Notre Dame, which finished second in the regional competition. Kent University won the regional competition and will advance to the national competition in Albuquerque, New Mexico. VU did advance to the semi-finals in the southwest area but ultimately lost to Kent.

Vance said the competition is a good experience for all students who participate. She thinks a law student's competencies are better held at Loyola University.

The team, whose date of the competition was moved forward two weeks; normally, it is held during the first weekend of VU's spring break. This new date gave our team less preparation time. Vance said the competition is a good experience for all students who participate. She thinks a law student's competencies are better held at Loyola University.

The team spent thirty minutes interviewing the client and 15 minutes wrapping up before the judges. While wrapping up, the team discusses problems and then dictates a memo for the file in which the team lists the facts and issues and states the steps they think they can do to solve the problem.

This year, team members are Barb Bolling and Lisa Wyatt, and Tony Makkis. A first-year, serves as team alternate. Vance and Assistant Dean Curtis Cichowski serve as team coaches.

Court listens to arguments

By Kathy Fox
Forum Editor

On March 1, the Indiana Court of Appeals heard oral arguments

to the VU School of Law.

In the morning, the court heard oral arguments in the case of State of Indiana Dept. of Highways v. Welsh Oil, Inc. and Peter Stith. During reconstruction work several years ago in Crown-

,. Point, the Highway Department determined that Welsh's and

Blanco's signs encroached on Main Street's right-of-way. The

State notified the parties to remove their signs, when the parties failed
to do so, the State removed the signs in June, 1987.

Welsh and Blanco re-erected their signs. They then filed suit seek-

ing temporary restraining orders and preliminary and permanent

injunctions from further activity by the Highway Department.

The trial court denied the State's motion to dismiss and granted the tem-

porary restraining orders.

The State appealed on the grounds that the trial court lacked sub-

ject matter jurisdiction, that the plaintiffs had failed to exhaust

their administrative remedies as required by the Administrative

Appeals to page 11
GROUP ACTIVITIES:

ATLA

The Association of Trial Lawyers of America (ATLA) successfully co-sponsored a party with the Women Law Students Association (WLSA). The party was held at the Ole Campus Inn on March 2.

ATLA's law week speaker will be attorney Don Rice. Watch the bulletin board for more details.

WLSA

The Women Law Students Association (WLSA) successfully co-sponsored a party with the Chicago Bar Association at 29 South LaSalle Street. For more information, please see Beth Henning or Roger Weigel at TR:7345.

CBA

The Chicago Bar Association (CBA) is sponsoring many events of interest to all law students. The Young Lawyers Section is sponsoring: Trial Practice Course; Litigating Business Disputes, Business Divorce, Piracy and Litigating Business (CBA) is sponsoring many events. Young Lawyers Board for more details.

Jus Vitae

Jus Vitae is continuing to hold its Tuesday Forum. During Law Week, our topic will be "Late Abortion: Is This Something on Which Pro-Life and Pro-Choice Can Agree?" This will be a three-part presentation of videotapes and discussion taking place at the following times:

Tuesday, April 7, 7 p.m.

Tuesday, April 12, 7 p.m.

Thursday, April 14, 10 a.m.

All sessions will be in classroom A and are open to all interested in attending.

MELC

The Black Law Students' Association's (BLSA) sponsored activities for the months of March and April are:

- On March 28, BLSA will sponsor a doughnut sale in the law school atrium from 8-11 a.m.
- On April 7, BLSA's low week speaker will be Leo English.
- On April 15, BLSA's law week speaker will be Louise English. Cervan. Cervan is with the law firm of Mayer, Brown & Platt in Chicago, and her topic will be negotiations.

BLSA

The Midwest Environmental Law Center (MELC) will sponsor oral elections for executive board positions:

President-Beth Henning (L)

Vice-President-Barb Bolling (L)

Secretary-July Esbil (L)

Treasurer-Ann Molis (L)

Sign-up sheet for committee chairmen and membership is taking place as well. If interested, please sign up on the MELC bulletin board. Committees: Constitution, Public Relations, Programs, Membership and Research. All members are urged to participate.

The Black MELC event for this school year will be held on Monday, April 11 at 3 p.m. in Classroom A. Professor Robert Blomquist will discuss "The Environmental State of the World." This event helps kick off Law Week. Professor Blomquist will discuss environmental conditions that have made global impact in recent years. All are invited to attend.

IRA - THE FROSTING ON THE CAKE OF RETIREMENT!

What's wrong with wanting to have your cake and eat it, too?

Contribute up to $2,000 a year (spousal limit, $2,250) toward retirement and you:

- Start earning interest now on your deposits.
- Defer taxes on interest earnings until after retirement.
- Build a comfortable and safe income for your retirement years.

Remember that as many as 70% of Credit Union members are still eligible for full or partial tax deductions for contributions to an IRA.

Who says you can't have your cake and eat it, too! No one who has one of our IRAs!

See us NOW for more information!

Valparaiso University

Federal Credit Union

A Non-Profit, Co-operative Financial Institution

All Savings Federally Insured up to $100,000

Federally Insured

Helping Hands Helping You

Convenient

ATM and Night Depositary

1404 East Broad Street

Phone: 462-7805
The Forum
March 28, 1988
Page 11

ABA

On February 27, Steve Cox and Ann McGuffin represented the VU
School of Law at the American Bar Association (ABA) Round-
table in Bloomington, Indiana. The topic for the spring round-
table was Women’s Issues in the Law. Our own STEVE COX was
interviewed for a national ABA liaison position.

Later in the day, discussions con-
cerning elections for circuit gover-
nor, membership, programming and resolutions to be presented
this summer were held. Liaison
reports were also given.

PAD

Phi Alpha Delta’s Halleck
Chapter’s newly elected officers
were installed Wednesday, March
23. Outgoing Justice Perry
Broader administered the oath of
office to new Justice P.S. Mar-
chand, Vice-Justice Douglas Batt,
Marshall Ozie Barreto and Ex-
ecutive Director John Garman.
Other new officers include: Brian
Stiller, Clerk; Jeff Sturm, Treasurer; and Kim Tahor, Rush
Chairperson Designate.

Marchand stated that the im-
mediate objectives of the incoming
administration are collecting
chapter dues, resolving any linger-
ing problems from the last PAD t-
shirt sale, and improving
communications among the members
of PAD.

Longer range objectives include
increased fundraising efforts, upgraded
academic support, and social
events.

A PAD chapter meeting is
scheduled for April 6, time and place t.b.a.

SPORT SHORTS

By Beth Henning
Forum Sports Editor

Law Students Utilize Less Than Ten Percent of Their Brain Power!

What? In this institution of
higher education, how could we
possibly be studying Debitor-
Creditor or Civil Procedure at
brain power less than 100 percent?

Sorry to say--it’s a fact; scientists
have estimated that individuals
utilize less than ten percent of
their brain power. To what could
such inefficiency be attributed?

In order to arrive at a plausible
explanation of the inefficiency of
our brain power, the concept of
brain hemispheric dominance
should be explored.

Research in the 1950s and ’60s
revealed that each side of the brain
is divided into a hemisphere
which specializes in a unique and
separate mode of processing infor-
mation. Verbalization, data hand-
ing, and logical reasoning are left
left brain functions, while visualiza-
tion, auditory, tactile and spacial
concerns are right brain functions.

Why am I discussing hemispheric functions in a sports
column of a law school newspaper you wonder... It seems to me
that many concepts utilized in the field
of sports psychology can be easily
adapted to our study of law.

The most efficient performances
in all areas of human activity, be
it legal writing, oral arguments or
shooting a lay-up, occur when the
two hemispheres “cooperate” to
contribute each one’s unique mode
of processing to the task best
suited to its abilities.

Toxic from 5

At Crawfordsville, the toxic
waste dumps are leaking into
Sugar Creek. West Lafayette is not
the only city in Indiana with tox-
ic waste problems. Symmes said.
The Tippecanoe landfill has 140
acres, and 10,000 tons of pb sludge
are dumped there every year. (Par-
duce is located in Tippecanoe Coun-
ty.) The landfill was closed in 1980
but it is still being operated. The
landfill built on a sandbar and the
waste leaks right into Wildcat Creek.

The people around the landfill
have signed an agreement not to talk
about the contamination there, Symmes had difficulty
Appeals from page 9

Adjudication Act and that the
signs encroached the right-of-way
as a matter of law. The plaintiffs
argued that the Highway Depart-
ment’s decision was not ad-
ministrative, that the trial court
gathering information. Purdue is
required to pay 50 percent of the
costs since the landfill has been
put on the national clean-
up list.

The ill Lilly Co. has been in
Lafayette since the 1930s. It burns
400,000 tons of hazardous waste a
year, and its toxic contamination
has been known to travel as far as
two miles from the plant.

Symmes and others like him are
now training people on how to
deal with toxic waste. He said that
the Attorney General’s office is the
final factor in charging people
with clean-up. He said that the At-
torney General’s office is a “joke,”
though, because it has only two
people working on this problem.

THE GYM HEALTH CLUB
2810 North Calumet
Valparaiso, In. 46383

Phone: 464-8269

Power Lifting
Body Building - Sports Training

STUDENT RATES

| SINGLE | Monthly $28.00 | Semester $99.00 | School Year $140.00 |
| COUPLE | Monthly $35.00 | Semester $140.00 | School Year $190.00 |
Stanley H. Kaplan has chosen his bar review. Have you?

WHY MORE STUDENTS ARE CHOOSING KAPLAN-SMH BAR REVIEW COURSE

1 INTENSIVE QUESTION REVIEW: Over eighteen hours of in-class question analysis by experienced law school professors is an integral part of every SMH and Kaplan-SMH Bar Review course at no extra cost.

2 NARRATIVE TEXTS: The law you need to know for your bar exam is explained for you—not outlined—in our comprehensive texts.

3 UNPARALLELED CONVENIENCE: Preparation for the bar exams of nineteen jurisdictions is available at over 100 Stanley H. Kaplan Educational Centers nationwide (except in New England, D.C., Maryland, and New Mexico where courses are administered by SMH).

PREPARATION FOR

- California
- Colorado
- Connecticut
- Dist. of Columbia
- Florida
- Illinois
- Maine
- Maryland
- Massachusetts
- Michigan
- New Hampshire
- New Jersey
- New Mexico
- New York
- Pennsylvania
- Rhode Island
- Texas
- Vermont
- Virginia

If you plan to practice in any of these jurisdictions, your first step should be to contact your campus rep or your local Stanley Kaplan Educational Center.

See your Campus Rep, or call:

Call Days, Eves., & Weekends

<table>
<thead>
<tr>
<th>Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARLINGTON HEIGHTS</td>
<td>437-6650</td>
</tr>
<tr>
<td>CHICAGO/NORTH</td>
<td>764-5151</td>
</tr>
<tr>
<td>DOWNTOWN CHICAGO</td>
<td>346-9346</td>
</tr>
<tr>
<td>HIGHLAND PARK</td>
<td>433-7410</td>
</tr>
<tr>
<td>LAGRANGE CENTER</td>
<td>352-5840</td>
</tr>
</tbody>
</table>

©1987 Kaplan – SMH