The Forum

Vol. 18 Issue 6
April 28, 1988

Class of 1988 graduate
Third years take a look back

By Bridget Ryan
Forum Staff Writer

On Sunday, May 21, the class of 1988 will finish their academic training at the Valparaiso University School of Law. After three years, the students will sit together as one for the last time as they reach the culmination of their training at the Valparaiso University School of Law. 1988 will finish their academic year. The former Chief Justice Ratcliffe of the Federalist Society has been added to the program. He will provide an introduction to the Federalist Society. The Federalist Society is a national organization of conservative and libertarian law professors, law students, lawyers and judges interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is empirically the pro-vince and duty of the judiciary to say what the law is, not what it should be. The Society seeks to promote awareness of these principles and to further their application through its activities. This entails reordering priorities within the current system, to place a premium on individual liberty and traditional values, and the rule of law. It also requires restoring recognition of the importance of these norms among lawyers, judges and law professors. In working to achieve these goals, the Society has created a conservative intellectual network that extends to all levels of the legal community.

"I've learned a lot over the last three years, but more than anything I have discovered that I really want to become a fireman," explained David O'malley, a senior. "I've never forget the terror of finals in my first semester, where I had a general mental breakdown from the uncertainty of not knowing what I was doing." Margaret will be employed by Chief Justice Batell of the Indiana Court of Appeals for one or two years. "The thing I'll miss is waking up for my 12:30 class at 1:30 every day," commented John Hallacy. "It has been a long three years and I feel that I have aged from law school both mentally and physically." John will be returning to western Michigan. "More than anything else," stated Bill Koch, "I will miss my close friends. They were there to cheer me up when I was down and there to party with me when I was up. Bill be returning to his home state of New Jersey after graduation.

Graduation will be held at the VU Chapel at 1:30 p.m. on May 22.

VU forms chapter of the Federalist Society

Chapters have emphasized different kinds of activities, including speaking engagements, group discussions, local faculty debates, public interest research and litigation, and publishing newsletters. The Federalist Society publishes the Harvard Journal of Law and Public Policy, which, among other things, publishes the Federalist Society's Annual National Symposium. Speakers at Federalist Society events have included Supreme Court Justices Rehnquist and Scalia, Senator John Danforth, Burger, George Bush, Edwin Meese, Griffin Bell, Robert Bork, Judge Laurence Silberman, Judge Ralph Winters, Professors Paul Bator, Roland Berger, Allan Bloom, Jesse Choper, Laurence Tribe, Michael J. Green, and Milton Friedman, Lino Gringlas and dozens of other legal scholars.

Tuesday, April 26th at 3:00 in the Courtroom, The Federalist Society will present "An Introduction to The Federalist Society" to inform all who may be interested in joining the organization. Professor Charles Grob says it is a mandatory event.

Law school to change system

By Kathy Fox
Forum Editor

The VU School of Law will be changing its grading system for the 1989-90 school year. Assistant Dean Bruce Berner said at a student meeting held on March 31. "I'm really going to miss class and exams just to employers, so this is the closest group of students at a disadvantage when applying for law school and jobs.

The current 1Ls would have one year of numerical grades and two years of letter-based grades on their transcripts. The new system will change grades in the following manner: The 1Ls will present their grades after the second year. The new system will replace numerical grades with letter grades.

Another meeting was held on April 18 and the Student Bar Association agreed to hold a referendum on the matter. Students were given an opportunity to express their opinions on the matter on April 19 and 20.

The second year students voted 45 to 30 against changing the grading system. The first year students, however, voted 42 to 31 in favor of changing the grading system. The faculty will be making a final decision on the matter soon.

Graduation May 22
Finally

Finally. My last issue of The Forum. In a sick sort of way, I think I'm actually going to miss it. It's become a part of me over the past two years.

When I took over The Forum in August, 1986, everyone on the previous year's staff had graduated except for one girl who had become editor-in-chief of law review and didn't have time for the paper anymore. Now I have six staff writers who do a tremendous job of helping me out. I appreciate all the time and effort they have put out to help produce The Forum.

When I took over a couple of years ago, I had no one around to tell me where layout for the paper was done, where our publishing was done, whether we had a camera, etc. I also had no files whatsoever. All I had was a box of stationery. Needless to say, the first issue I put out was the roughest issue I've ever done. I hope Beth and Nadine benefit by the help I've been trying to give them over the past few weeks. People had a habit of snickering when I first told them that I was going to put out six issues a year. Or they'd kindly put me on the shoulder and walk away shaking their heads. And I couldn't really blame them, because during my first year (1985-86), The Forum only came out twice (once in September and once in October). I took over The Forum pretty much by default, too; nobody else seemed interested in running it when I took it over. But I was determined I was going to do better than the previous year's editors had. I'm not sure that I've accomplished that, but I've tried.

Looking back, I'm not sure I've done anything to improve The Forum except to start putting it out on a regular basis. And I added a crossword puzzle and Bloom County. But I also don't think I've done any major harm to it.

I'm sure a lot more of you will be doing with this paper than I've done with it. I hope that everyone will help out Beth and Nadine next year as much as they've helped me out over the past couple of years. I wish Beth and Nadine the best of luck with The Forum.

I'd like to congratulate John Whitfield, who is the one person I know of that received an award for contributing to the law school. If anyone has contributed a lot to the law school, he certainly has, and I definitely deserves such an award.

I'd like to say farewell to the class of '88, the class I've "suffered" through three long years of law school with.

Here are some of the things that make the class of '88 unique:
- We were the first class to have Vance and Straubel for Legal Writing.
- We were the first class to not have Stevenson for Evidence.
- We were the first and (thankfully) the last class to have Smithburn come from South Bend once a week to teach us evidence.
- We were the only class to have had Evidence every Monday afternoon for a marathon three straight hours it was even worse for me because I had an hour of Business Associations right before that.

I have a gripe about the outrageous amount of money I was required to pay for a few Xeroxed class materials. I paid for a few Xeroxed class materials - $500. I was told that the high price for your class materials was the result of the ravages of inflation. As to your tuition, I discovered that the administration has been getting wonderfully wasted on $500 worth of Heinekens.

- We were the only ones to have both Trust and Estates I and II crammed into the spring semester, which resulted in our having six hours of T & E a week.
- We were the last class to have the honor of having Louis Barstall teach us Torts.
- We were the last class not to have Yoconov and Blomquist teach us Torts.
- We are the last class to have spent a year at the old law school (Wesemann I), which is now VU's business and financial aid office.
- We were the first class to spend all three years here under the administration of Dean Ivan Bodensteiner.
- We were the last class not to have any part-time students.
- We were the last class to spend all three years under the administration of Robert Schnabel.
- We'll see each other for the last time on May 22. Let's make our last few days here worthwhile. And if any of you get down to Franklin (Indiana), be sure to look me up.

Dear Third Year:

Dear Third Year,

How does someone go about applying for your highly exalted and under­ rated position as student leader and guru for the uneducated masses?

Signed, Mahatma Spinaks

Dear Leon,
The job may be thankless, but someone has to do it. The anonymity aspect can be an asset, especially when the mail is zany. I only hope that my successor carries on the tradition as a clever sleuth. Harass the next Editor in Beef for valid consideration. Sarcastic types are encouraged to apply.

Signed, Paper Hungry Pete

Dear Third Year,

Why don't I get any mail? More importantly, who are all those jerks who get mail and snobbishly just let it sit in the mail slots of their lockers until it is falling out? Why don't they pick up their mail?

Signed, Delirium Tremens

Legal Writing. For the same amount, I could have purchased two cases of Stroh's beer and gotten delightedly tipsy. Where has the tuition I paid gone?

Signed, Dennis Lee Goos

Dear DT,

Upon investigation of your complaint, I was told that the high price for your class materials was the result of the ravages of inflation. As to your tuition, I discovered that the administration has been getting wonderfully wasted on $500 worth of Heinekens.

Signed, Bridget Ryan

Answers to crossword puzzle on page 8.

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 Goos
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. Unsign­ ed editorials represent the opinion of the editorial staff.

Both students and faculty members are invited to sound off on issues that affect law and the VU law school community. Send 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 accu­ racy and to keep the letter to a reasonable length. Opinions expressed are those of the writer and not the Forum staff.

April 25, 1988
In a few weeks, you graduates will be struggling through the turmoil of having your entering day back in the Fall of 1985, you have been longing to see February.

So many things happened over the past three years that shaped your “outta here” mind-set, you can’t count them on all fingers and toes. Your first semester grades were positively revolting. All one of top billing at college, you were put-out when you discovered you had to sit through three hours of Evidence every Monday afternoon in the grading of your bluebooks and by nations who suddenly find that we are now in a position of being a hard sell indeed for any ing up to others for so long. We are standing point, something must be who remember the way we once whoops and work toward resolutions.

In the absence of global restructuring, America’s first priority must be the protection of our nation’s interests. If we do not (1) pursue world unit, then we must (2) weaken our military, and (3) drain the capital gains tax should be instituted. This does not cross the category of free enterprise as much as (2) would argue. Profits on real estate and corporate income would continue, though regulated. The higher capital gains tax would merely allow the government to redistribute wealth in America in an effort to make the growing stratification of our society.

Minimum wage should be doubled in order to offset disproportionate gains in part-time service related fields of employment. An increase in consumer credit would follow, adding to the stability of interest rates. Still, wage increases would not diminish the profit margin of numerous businesses. But our concern is not with the workers, not the profits of business entities.

4. An increase in government make-work programs to rebuild such vital national requisites as the transportation system, deteriorating airports, prisons and the transportation system. Import restrictions if you are going, there might make a humorous soul with a good sense of humor to lift your spirits on a down day. But no soul you’ll ever know will be as clever, as wit- ty, and as downright funny as that venerable Professor. He was older than you, and in line for a place in Trial Practice and PreTrial Skills. You tried to push your way in, but you couldn’t come up with the grand I needed to justify my losing my job. The only chance you wound up taking was closed, and you wound up taking a course cross-listed with the undergraduates only to find out they took the class in the aisles.

No wonder you want “outta here.” But, hold on. There is another side to being “outta here.” It is be- ing out therein the real world. Your challenges are, in some form or other, registering for one or two challenging electives. After the endlessly listless of required courses you had passed, this was your chance to study something interesting for a change. Unfortu- nately, that Spring we collapsed both Trusts & Estates courses into one semester. That course loaded you up for six or seven credit hours. And, instead of being permitted to savor Professor Must be the protection of our nation’s inte- rests. If we do not (1) pursue world unit, then we must (2) weaken our military, and (3) drain the capital gains tax should be instituted. This does not cross the category of free enterprise as much as (2) would argue. Profits on real estate and corporate income would continue, though regulated. The higher capital gains tax would merely allow the government to redistribute wealth in America in an effort to make the growing stratification of our society.

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Recently, Mr. Goss has had the inclination to criticize some actions and policies promoted by one of the political parties in memory, namely the current Reagan administration. While the political parties are speaking out against a government that was empowered by this nation’s voting majority, a grievous harm is done when inaccuracies, distortions, and statements are used to that end. This crime can be easily exemplified in the (March) Goss editorial. It is the purpose of this article to better clear up Mr. Goss’s obvious shortcomings in research and political knowledge.

Mr. Goss would have his readers believe that the current administration is acting out a narrowly focused and long term foreign policy in Central America. If so, this policy could only be rivaled by the diplomatic maneuvering of Germany’s Chancellor Helmut Kohl, who it seems one’s nationalistic pride to think that his government can act so far sighted in such a rapidly developing world, reason dictates that this is not the case. When proponents such fervor, the regional peace plan in Central America, Mr. Goss fails to include a number of pertinent facts.

The fact that President Ortega’s emergence first is Mr. Goss’s confusion between fantasy and cold reality. The most had Mr. Goss’s confusion over the Arian Peace Plan reveals that the adoption of civil rights, the freeing of all political prisoners, and the freedoms of both speech and the press, are to be granted to the public of each nation involved. This, as it applies to Nicaragua, is fantasy. The cold reality is that dictator Ortega has released only 12% of his total political prisoners. What’s more, it is rumored that of this eight percent, a majority of those released are one time soldiers who had fallen out of grace, but are now given a second chance but only to Nicaragua’s self-appointed messiah.

An informed observer must also weigh the impact of Daniel Ortega’s recent increase in a historically steady importation of weapons. This clearly is not the sign of a quasi-political relaxation of force in Nicaragua. There appears to be no upcoming free elections, no introduction of civil rights to the populous, and no attempts at encouraging free speech. In Nicaragua, free speech means one is free to read the speeches of Daniel Ortega in his state controlled press.

The Arian plan also called for a cease fire between the government and the resistance in each participating nation. These opposite factions were to then begin normal beneficial negotiations of peace. The date of compliance was to have been November 5, 1987. Yet within the Nicaraguan borders, this proposal was only a fable. It takes no genius to realize that Daniel Ortega’s Nicaragua never materialized as scheduled. By November 5, 1987, Daniel Ortega was as yet unwilling to even negotiate with the Contras. The March 1988 invasion of Honduras clearly shows Ortega’s unwillingness to bargain in good faith, even after having established a cease fire. This dictator only asserts that the Contra Freedom Fighters cease their firing so as to ease his task of destroying them. And when we consider those released prisoners, invasion (look it up Mr. Goss-invasion means “the incoming or appearance of something having to do with some entry force”). It must not be forgotten that this is one of several recent border violations authored by this Nicaraguan czar. The invasion of 1988, named the “triumph or death offensive” is a mirrored reproduction of the 1986 invasion which also lasted not one, but several days. Confident in his armed forces, and reassured by the Democratic congress in their denial to further aid to the Contras, Ortega stormed across the Honduran border. Such an action understandably prompted Honduran President Aragon to ask his nation’s ally, the United States for military assistance. Political realities do not indicate otherwise!

The peace process in Nicaragua has failed so miserably as to even require the plan’s creator, President Arias, to say that among all of the nations involved, the Ortega government has shown the least compliance “with amnesty, democratization, free elections, and the lifting of a state of emergency.” Does not this remove all questions of the status of the Arias plan in Nicaragua? Can an informed observer really cling to this plan as the great emancipation of Nicaragua? No.

As, while Mr. Goss says, it would be pleasurable to operate under a foreign policy of “unity and international cooperation,” it can not as yet be done. Some detrimental influences outside of the United States want only chaos and anarchy. This makes it within the United States wish to bury their heads in the sand and think that the current 1990’s. Even a current presidential candidate exemplifies his ability to conduct a foreign policy by bellowing that “There are no Sandinistas in Detroit!” Still, while this positioning is taking place, the current administration has, and will continue to do so until its end, shoulder the burden of operating a foreign policy based on reality and not some tunnel-visioned utopian dream.

It is true that the Republican party has steered the nation away from a path that the United States had been pursuing. This nation no longer allows itself to sit idly by and watch other countries in the world theater fold up, as we did when Afghanistan fell. No longer will America be willing to give away canals, or to allow positive identified terrorist groups to prey on its travelers abroad without handing to those groups some hard hitting retribution.

Clearly Mr. Goss has drafted a document based on emotion and opinion. He criticizes the force which allows him to write such damaging and harmful propaganda.

Deans remember...

Assistant Dean Bruce Berner said: I remember that the class of ‘88: as the first class to suffer through three years with me as dean. As a class which took a genuine interest in the law school and worked to make it a better place for students by initiating and participating in a wide variety of programs and activities; and as an interesting, diverse group of very decent people. For the future, I predict great success as attorneys and loyalty to the law school as alumni. My only doubt about the class stems from its selection of me as class advisor!

Dear Editor,

This letter serves as a “thank you” to Gail Peschel, who helped me find employment in my hometown.

I began my job search in the fall of 1987; 80 cover letters and resumes went out, and 72 rejections resulted. Shortly after I sent the first interviews again resulted in rejection. I was ready to throw in the towel when I passed Gail’s office.

She told me two years ago that when the time came, she would have a stream of interested employers. From a mediocre grade point average, I needed any kind of help. When we started working, she and I worked as a team. We found that my approach could be vastly improved. Furthering our success, personal mamienners needed some refining.

For one month, we kept in touch. A result of Gail’s assistance, one job offer came, which I accepted! Gail, if you are reading this letter, thanks for being there. It’s a great comfort and pleasure to work with you for advice. You have much to offer, and it will remain unnoticed if you decide to stop. Rather than stop. If nothing else, you offered me your kindness, your guidance, and at times your shoulder to cry on.

Thank you!

Sincerely,

Conny Franken
Younger loses battle with cancer

By Kathy Fox

Irving Younger passed away at the end of February after a year and a half battle with cancer. He was an expert on Civil Procedure and Evidence. Many members of the third-year class will remember Younger. After his lecture, he would go on a jog to work off the sugar-tapes. (Except that Smithburn didn’t even use sugar-tapes.)

Below are photos of Younger at various times, which include:

1. Smiling at the camera.
2. Biking with his dog.
4. Wearing a tie.
5. Drinking coffee.

The key to successful negotiation is preparation. The lawyer's role is to act as a facilitator to work out the controversy so both sides can come to an agreement. Not only attorneys are engaged in an ongoing relationship, but businesses are constantly negotiating for deals.

The cooperative type of negotiation works better when the parties have a common interest. In most cases, they have to disclose all the facts, threatened with losing all evidence. Inhouse lawyers are other sources of information. The attorney should be informed.

The best source of information is the client, who knows the most about the transaction. The attorney should not obtain himself. Opposing counsel can be another source of information and should not be viewed as the enemy. Newspaper and other attorneys are another source of information. The attorney should find out as much as possible about the local custom.

Client counseling techniques are useful in negotiations. The lawyer should use open-ended questions. Active listening is a key, because it gets the client to speak freely and without inhibition. Statements that facilitate discussion should be used, like “I hear you. Then what happened?” Sometimes silence can act as a facilitator, too.

The lawyer, in preparing for negotiation, should brainstorm. First, he should decide what kind of transaction he is working on and what type of resources are needed. It is also important, when dealing with a number of issues, to keep track of the agreement and break the issues down.

Cervan said it is important, especially in litigation, to do a lot of work on the phone. Sometimes the lawyer will not get a response this way, though. For this reason, he should keep all the clients he talked to and write them a letter reminding them of the conversation. The lawyer should also respond to their questions as quickly as possible.

The negotiation should determine what authority he is acting under in the transaction. The lawyer can be gotten informed from the client, which can be a dangerous reaction, or can be formal and in writing. Inhouse counsel has the advantage here, because he only has one client. Over a period of time, it becomes apparent through custom what information as he can about the case, then, he will know what the other side is seeking. The lawyer should also advise the client to keep notes of the conversations and keep a record of the discussions and meetings. During negotiations, the lawyer should be aware of everyone's language, cultural differences and the environment.

The lawyer should get as much information as he can about the case, then, he will know what the other side is seeking. The lawyer should also advise the client to keep notes of the conversations and keep a record of the discussions and meetings. During negotiations, the lawyer should be aware of everyone's language, cultural differences and the environment.

The first and most visible sign is that the current trees are working in a balance between the oxygen and carbon dioxide. It is being disrupted by the destruction of many forests," explained Blumquist.

Soil erosion and top soil loss is the second vital sign of the earth's health. Overgrazing of livestock has led to a great depletion of topsoil. A 1982 United States survey based on one million samples showed that American farmers are losing two million tons of topsoil, which is being blown or washed away each year.

Another environmental indicator, desertification, shows that 14 million acres of new desert are formed every year throughout the world. This is caused mostly by overgrazing and overplowing of the land.

Surface groundwater indicators show that groundwater quantity and quality are being greatly reduced each year. Thousands of lakes have become biologically dead because of acid rain. In Canada, over 450 acidified lakes exist. In Ontario, there are over 50,000 lakes. In the United States, 9,000 lakes are now threatened with losing all life forms. In Sweden, all bodies of fresh water are contaminated with toxic substances. In the United States, 1,500 lakes are recharged. The quality of there water has increased, too. Water is now being contaminated with toxic substances. In the United States, the agricultural process of applying pesticides has contaminated the groundwater of 32 states. Landfills have also contributed to the contamination of all bodies of fresh water. Canadian statistics estimate that 30 percent of all plant and animal species are in the next 20 years. Some of these species are endangered or are likely to be killed before they are even discovered.

Another vital sign, the climate, shows that the temperature of the earth is slowly rising due to the human consumption of certain products. The use of fossil fuels with their by-products has lead to the green house effect, where an area becomes heated because the radiation is trapped within itself.

The earth's temperature has risen one degree Fahrenheit already, by the year 2006, the temperature is predicted to rise to eight degrees. This will lead to a change in the agricultural status of the Midwest; instead of growing corn, indiana may be growing tropical fruits.

The sea level has also risen due to the increased temperature, which has led to melting of glaciers. By the year 2100, the sea level will rise between 4.7 and 7.7 feet. This may destroy many of the coastal cities or force the American government to invest in protective measures such as dikes.

The last major vital sign is the ozone layer, which is slowly being corroded by gases in the atmosphere. The ozone shield protects the earth from the dangerous ultraviolet rays, which can cause the depletion of the shield will lead to higher rates of skin cancer, lower crop output, and a disruption in the food chain.

Seminars on Negotiations

By Kathy Fox

On April 12, Lesley English Cervan talked about “Negotiations.” Negotiation, Cervan said, means to work with another in order to come to an agreement. Not only attorneys are engaged in an ongoing relationship, but businesses are constantly negotiating for deals.

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The best source of information is the client, who knows the most about the transaction. The attorney should not obtain himself. Opposing counsel can be another source of information and should not be viewed as the enemy. Newspaper and other attorneys are another source of information. The attorney should find out as much as possible about the local custom.

Client counseling techniques are useful in negotiations. The lawyer should use open-ended questions. Active listening is a key, because it gets the client to speak freely and without inhibition. Statements that facilitate discussion should be used, like “I hear you. Then what happened?” Sometimes silence can act as a facilitator, too.

The lawyer, in preparing for negotiation, should brainstorm. First, he should decide what kind of transaction he is working on and what type of resources are needed. It is also important, when dealing with a number of issues, to keep track of the agreement and break the issues down.

Cervan said it is important, especially in litigation, to do a lot of work on the phone. Sometimes the lawyer will not get a response this way, though. For this reason, he should keep all the clients he talked to and write them a letter reminding them of the conversation. The lawyer should also respond to their questions as quickly as possible.

The negotiation should determine what authority he is acting under in the transaction. The lawyer can be gotten informed from the client, which can be a dangerous reaction, or can be formal and in writing. Inhouse counsel has the advantage here, because he only has one client. Over a period of time, it becomes apparent through custom what information as he can about the case, then, he will know what the other side is seeking. The lawyer should also advise the client to keep notes of the conversations and keep a record of the discussions and meetings. During negotiations, the lawyer should be aware of everyone's language, cultural differences and the environment.

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The American Bar Association Section of Urban, State, and Local Government Law awarded Thom Reitz; Daniel Rustmann, Law II; and Larry Thrall; Jean Doyle and Nadine Dahm for their work in Local Government.

The Indiana State Bar Foundation Scholarship Award was presented to Mary Jane Rhoades; Troy Swanson; Larry Hyatte, Tim Vojslaver and Pat Greenhagen. All complaints should be addressed to them.

A faculty and staff baby picture contest was won by Steve Brockington, Carol Kasebier, Steve Penn, Steve Whitt, Steve Smith, Rick Hines, John Hyatte, Tim Vojslaver and Pat Greenhagen. All complaints should be addressed to them.

The evening's festivities began with a slide show extolling the camaraderie of school life, expected to the strains of "Lean on Me." Mary Beth Lavezzo manipulated the equipment with her usual capability.

As the foil of the slide show, the musical duo known as The New and Improved Joint Torments, alias law students Tim Baker and Paul Ritsema, performed their tearjerkling hit, "Leave 'em Valparaiso," loosely based on the 60's tune, "Leavin' on a Jet Plane." Following the Baker and Ritsema madrigal, lunacy erupted into next semester. Best wishes to all of them as they leave us to enter the legal profession. And good riddances.

Following the Law School Chat, another slide show was inexplicably offered to a confused but delighted audience. Pictures of well-known faces flashed on the screen, accompanied by degrading barbs from the narrator and hosts.

Thereafter, a quartet of guitar-playing beasts swagged to the stage and belted forth a medley of songs rewritten to insult, incite and inspire. George Brasovan, Pat Blackmoan, Tim Vojslaver and Paul Ritsema formed the group Constructive Criticism, and sang and played their way into the...uh, hearts of the assembled mass.

The skits were interspersed with door prizes, and 130 Mary Scott Farmote jokes. A contest was held to determine which of the evening's performers was the hands-down winner was the finale act, Constructive Criticism. The group won a $100 prize for their efforts. The contest was judged by Philip Brockington, Mary Ann Tuthill, and Steve Brockington. Jack Jackson can make the difference of whether the Democrats win this year. Burke was the leading front-runner for the 2023 election. The "Most Beautiful Baby" picture, as voted by those choosing to cast ballots, was won by Professor Philip Brockington.

Following all the skits, jokes and chuckles, a three hour dance nicely capped the evening's festivities. Drunkum and Gomorrah behavior prevailed. The evening gave birth to new topics for rumors, innuendo and gossip—enough to fill the halls of Weismann through finals and well into next semester.

As reported, this year's rosettes were the entire third year class, the only bright spot on our law school in its 115 year history. Best wishes to all of them as they leave us to enter the legal profession. And good riddances.

Finally, a special and sincere thanks to the organization committee, Cindy Penn, Lisa Wooten, Kim Tahor and Kevin Speer. They did a fantastic job, and their efforts are undoubtedly appreciated by all who attended.
The Forum

April 25, 1988

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Passing bar exam not necessarily all it takes

By Kathy Fox

Rice speaks on litigator mistakes

By Nadine Dahm

The single most difficult thing most new litigators must deal with is fear. According to Rice, "Fear absolutely prevails the courtroom. Fear and failure are the way of the lawyer getting his job done. Fear and failure are the way he wins his cases." The problem is that fear is contagious. If one person is afraid, the others are likely to become afraid too. This can lead to a lack of confidence and poor performance in the courtroom.

Rice emphasized that new litigators must learn to manage their fear. He suggested several strategies for dealing with fear, including:

1. Preparation: New litigators should be well-prepared for every case. This will help them feel more confident and better equipped to handle the challenges of the courtroom.

2. Practice: Practicing makes perfect. New litigators should practice their speeches and arguments multiple times to build their confidence.

3. Visualization: New litigators should visualize themselves succeeding in the courtroom. This can help them overcome their fear and believe in their ability to succeed.

4. Mindfulness: New litigators should practice mindfulness techniques to stay present and focused during the trial. This can help them stay calm and centered.

5. Support: New litigators should seek support from their colleagues and mentors. Having a network of people who believe in them can help them feel more confident and less afraid.

Rice concluded that new litigators should have a positive attitude and be open to learning. He said, "If you approach the trial with a positive attitude, you will be more likely to succeed. If you approach it with a negative attitude, you will be more likely to fail."

The single most difficult thing most new litigators must deal with is fear.

By Kathy Fox

Bodenstein to step down

By Kathy Fox

At the end of the 1988-89 school year, Ivan Bodenstein will be stepping down as law school dean. He will continue to teach Civil Procedure and Civil Rights.

Right now, the administration is trying to select a " dean search committee" to look for someone to take over as dean when Ivan steps down. The faculty is currently debating whether the committee should consist of only tenured professors or some younger, non-tenured faculty members.

After the committee is formed, it will consider nominations for the position, and a new dean will be selected before Ivan steps down.

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VU Law professor dies

By Kathy Fox
Forum Editor

VU School of Law Professor Richard Stevenson passed away on Friday, April 8. Services were held at 1:30 p.m. on April 11.

Stevenson taught Evidence and Trial Advocacy. He also coached the Mock Trial Team and was faculty advisor for the American Trial Lawyers Association. However, he had a stroke in the late fall of 1985 and never completely recovered. He never resumed teaching and was in a nursing home when he passed away.

He received his B.A. from St. Ambrose College in 1952, his J.D. from the University of Iowa in 1955, and his LL.M. from Harvard in 1959.

He began teaching at the VU School of Law in 1955 and played a major role in bringing a clinical program to VU. He co-authored the Indiana Trial Lawyers' Guide.

He will be sorely missed by the VU School of Law.

Harre named VU's president

By Kathy Fox
Forum Editor

Alan Harre will become Valparaiso University's new president on June 30.

Harre is presently president of Concordia College in St. Paul, Minnesota. He was elected to be VU's 17th president at a special board meeting recently. He will succeed VU's current president Robert Schnabel, who is retiring.

Harre did not apply for the position, but he was among the 150 people nominated for the position.

A special service will be held for President Schnabel on Monday, April 25, from 10 to 11 a.m. in the chapel. The service will honor his service at the university and his upcoming retirement.

1988-89 Student Bar Association

President: Tim Murray
Vice-President: Kevin Speer
Secretary: Jocelyn Murphy
Treasurer: Barbara Bolling

3L Representatives
Philip Benson
Rebecca Lockard
Mark Niermann

2L Representatives
Georgeanna Orlich
Pete Richert
Kim Tabor

Faculty Representative
Peter Pogue

Honor Court Appellate Justices
Greg Hazian
Heidi Jark
Tom Vander Hulst (alternate)

2L/3L ABA/LSD Representative
Steve Cox
April 25, 1988

Potts speaks on Child H

By Kathy Fox

VU School of Law Professor John Potts held a press conference at the law school on April 11 to discuss recent developments in the case of In the Matter of Unborn Child H.

The case, which is currently pending before the Indiana Supreme Court, is an equity case involving a father's right to prevent the mother from having an abortion. "It is a tale of love and sex and death," Potts said.

In the case, an 18 year old woman and a 24 year old man living around Terre Haute had sex in January and February of this year. The woman was 10 weeks pregnant the week before Potts held the press conference. On April 5, the father obtained a temporary restraining order which prohibited the mother from having an abortion while the case was pending in court.

The father offered to marry the mother. If they did not get married, he said, he wanted the child and offered to pay the medical expenses involved in having the child. The mother said she did not want to share her boyfriend with the baby.

The mother's doctor said no medical reason existed for not bearing the child. On April 7, the temporary restraining order was struck down for the lack of an affidavit swearing to a certain fact. Ninety minutes later, this decision was overturned by an appellate court, but by then the girl had already had an abortion.

On April 8, the appellate judge said he would make the injunction he had issued permanent on April 11, which he did. The mother appealed to the Indiana Supreme Court; one of her points on appeal was jurisdiction. The other point, as stated in her filings, is, "If an abortion should occur, either through medical or other course, while this matter has been pending in either the lower court or this Supreme Court, can defendant be held in contempt of the restraining order entered in this case?"

Potts said that the mother's motion to correct errors, which was filed with the trial court on April 11 or 12, delayed "mother" and "child" every time it appeared, on the ground that none of the above were involved in this case. (Roe v. Wade uses "parent" repeatedly, Potts said.) The motion also stated that the temporary restraining order was "inviolently causing her (the mother) to be a brood of "These are histrionics unknown in American history," Potts said.

On April 13, the father had filed his brief with the Indiana Supreme Court, but the mother had yet to do so. On that day, the mother's attorney called the Court and reported the child dead.

Potts said the case demonstrates pressure by both the mother and father's rights. The privacy rights of the father were never litigated here.

Potts, a well-known pro-life activist, is currently involved in the case on the father's behalf.

Law Board invites all

By Nadine Dahm

The 1988-89 Law Review Board wishes to invite all interested students to enter the 1988 Summer Writing Competition. Because there has been a lack of participation in the past by minority students, the Board encourages full participation by all students.

This year's writing competition will be held during the summer. Two sessions will be available to interested students. The first session will be held between June 15 and July 15. The second session will be held between July 15 and August 15. All competitors must commit to either the first or second session.

The writing competition is designed to enable students with superior writing skills an opportunity to write on to Law Review. Papers will be judged only on the individual student's writing skills. No weight will be given to the student's class rank.

Any paper deemed acceptable by the Board will be accepted. No limit exists as to the number of papers that will be accepted.

The writing competition is one of three ways a student can get invited to write for Law Review. The Board will automatically invite all first year students in the top 15 of their class. The Board will extend invitations to minority students who are not invited to write for Law Review.

Papers are due on the last business day of June 15. The Board will automatically invite first year students in the top 15 of their class. The Board will extend invitations to minority students who are not invited to write for Law Review.
The American Trial Lawyers Association (ATLA) elected its officers for the 1988-89 school year on April 18. They are:

President Heidi Jark
Vice-President Roger Weitgenant
Secretary Treasurer Chris Mascal
Treasurer Stephen Krentz

Congratulations to all three.

The American Trial Lawyers Association (ATLA) elected its officers for the 1988-89 school year on April 18. They are:

President Heidi Jark
Vice-President Roger Weitgenant
Secretary Treasurer Chris Mascal
Treasurer Stephen Krentz

Congratulations to all three.

The Young Lawyers Section of the Chicago Bar Association (CBA) is sponsoring several seminars during the month of April. The seminars will be held at the CBA located at 39 South LaSalle Street in Chicago. CBA law student members may purchase tickets at a 50 percent discount.

The following officers were elected for the 1988-89 school year:

President Robert Bankes
Secretary-Harlan Treasurer-Stephen Krentz

Congratulations to all three.

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Thanos teaches aerobics

By Beth Henning
Forum Sports Editor

Who is teaching many law students how to stay in shape? Why, The Forum Feature Athlete, Mary Kay Thanos, of course! Mary Kay has been the resident aerobics instructor of Wesemann Hall for the past two years.

Being in great shape is nothing new to Mary Kay. A resident of the Calumet area, she attended Crown Point High School and excelled in several sports. Mary Kay went to State for swimming, taking first place in the 50 Freestyle (with a time of 23.9) and also swimming the freestyle leg of the Medley Relay team, which also took first place honors.

Swimming was not the only sport that landed Mary Kay at the state playoffs. Her talents led her to the Indiana State Tennis Tournament, where she placed third in the number one singles spot. Her talents led her to Franklin College on an Academic/Athletic Scholarship for tennis. Ironically, Franklin College was so small that it did not have a pool! She attended Franklin because she wanted to stay somewhat close to her home, but not too close.

At Franklin, Mary Kay won the Indiana State Tennis Tournament. She also participated in the NAIA tourney, where she placed third and fourth in the nation.

Mary Kay took a year off between Franklin College, where she obtained a double degree in Business and Political Science, and law school. She belonged to a health club in Merrillville, where they asked her to teach an aerobics class. When she came to VL, she missed aerobics, so she put a sign-up at the law school, and Wesemann Hall Aerobics was born!

Mary Kay has been offered several positions in the Munster and Merrillville areas. When I asked Mary Kay about the relationship between law school and aerobics, she said that it is a good way to vent frustration and stay sane during the school year. She added that many of the class participants were not entirely enthusiastic at the beginning of class, but they always felt better after the workout. She hopes that the aerobics tradition will carry over into next semester, perhaps with more faculty participants.

The Forum salutes Mary Kay for her many accomplishments and wishes her the best of luck in her future endeavors. Wesemann Hall will certainly miss Mary Kay Thanos, Aerobics Instructor/Attorney-at-Law.

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Regina F. Marquez, Hastings Law School

"After two years in law school, I've seen just about every study aid on the market. Most of these 'googies' are factual but unmotivating. Law In A Flash, on the other hand, asks the questions needed to stimulate thinking. The cards duplicate the same pattern found on exams: problems designed to test application of law."

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Keith A. Miller, Syracuse College of Law

"I think your flash cards are great. I have enjoyed browsing through the series. It has reminded me all too vividly how much I have forgotten, and how desperately I would need, what you are doing should I ever venture to take a bar exam again (Heaven forbid)!

Orville L. Freeman, Former Cabinet Member under Presidents Kennedy & Johnson; Partner, Popham, Haus, Schmoch, Kaufman & Doby, Washington, D.C.

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Deans from page 4

ween the students and the administration; was very active and interesting; weren't just interested in putting in their time; the class really wanted to know and discuss the materials, projects, etc. pages 1 and 2, and was very active in clinic and put in a lot of those island and weekend there.

Ernest Smith, University of Maryland School of Law

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