4-1-1991

The Forum (Volume 21, Number 6)

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.
By Donna McCoy
Lifestyles Editor

This year's Law Week activities will begin with the Luncheon on Wednesday April 3. The Luncheon will begin at 12:00 and end at 2:00. The keynote speaker for this year's luncheon is Gaylord Nelson, founder and 1931 chairman of "Earth Day." Senator Nelson will speak about Earth Day and how it affects us. The luncheon will take place at the Porter County Expo Center.

The Roast this year will have a few new names. Also, at the Porter County Expo Center, the Roast will begin at 7:00 on Thursday, April 4, with the doors opening at 6:30. The Roast will begin with a slide show, then at 7:30 we will have a lip-sync contest, to be judged by faculty members. At 7:45 we will Roast the third year class and some select members of the faculty.

Instead of having faculty do the Roast this year, we are going to let the students impersonate faculty as they Roast, so no one is safe. At 8:00 comedian Ken Severa will perform and finally at 9:00 DJ Kerry Konika will play dance music until 1:00.

Please remember that the Expo Center requires the Law School to have security at this function because of past incidents, and that the security guards are on-duty policemen who would probably be glad to find us another place to spend the evening. Seriously, this year the SBA is providing a free shuttle service to and from the law school.

The security guys will be on the lookout for those too drunk to drive. If you are asked to get in the van, please do so. Hopefully no one will need to be asked. Again, this is free to the students so please take advantage of it. The reason we do this is because we care about your lives and careers and we would hate to see either ruined.

Finally, Barrister's Ball will take place at the Indiana Oak Inn in Chesterton at 6:00, Saturday April 6. Cocktails will be served from 6:00 to 7:00. At 7:00 dinner will be served and at 8:00 the (Chico) Joe will play until midnight. There are hotels in the area for those who wish to stay in Chesterton. The Indiana Oak Inn has a special room rate of $34 for law students that night. There is also an Econo-Lodge and Super 8 Motel nearby, both of which are new.

If you plan on drinking at Barrister's please designate a driver or budget for a hotel.

Have a fun week!
Domestic violence is national problem

By Ann Lederer
Contributor

"Every 15 seconds, a woman is murdered in the United States and in her home." Lavoy Hygena from the Caring Place, Inc. came to the law school on Monday, March 25th to speak about domestic violence. Ms. Hygena spoke about how the Caring Place operates, the cycle of domestic violence, the problems victims of domestic violence encounter in everyday situations and within the law. This lecture was sponsored by the Equal Justice Alliance, Women's Law Student Association, and Coalition for Choice.

Many people do not realize how prevalent domestic violence is and that domestic violence occurs in all socioeconomic statuses. In fact, the average income in households of domestic violence is $40,000 per year.

There are three definite phases in the cycle of domestic violence. Phase One is called Tension Building. During this phase the tension increases and this period can last anywhere from a couple of months to several years. Phase Two is recognized when there is a discharge of the build-up tension in the form of battering. This may include physical battering or emotional/psychological abuse. Phase Three is called the "Honeymoon Stage." During Phase Three the abuser apologizes, often times with gifts and promises that it will not happen again. This is a very low point from Hygena's perspective in part why there is domestic violence and why the cycle continues until the victim is finally able to get out of the cycle. On the average, a victim reconciles with their boyfriend or spousal six times before they are able to break free from the cycle.

During the whole cycle, the abuser asserts power and control over the victim. This control is established and reinforced through emotional abuse, economic abuse, sexual abuse, using the children, threats, using male privilege, intimidation, and isolation. For instance, the abuser often emotionally abuses the victim by putting her down, calling her names, playing mind games. Often times the abuser will treat the victim like a servant, make emotional "suggestions" decisions, not allowing her to work, and/or he maintains all control over the finances. These are just some of the examples of how the abuser establishes and maintains control over the victim.

The results of domestic violence are devastating. One of the most damaging results is psychological/emotional trauma. The victim is unable to make any decisions for themselves. This is due in part to the state of fear. Understanding the affects of domestic violence helps one to understand why it is so difficult to get out of an abusive relationship. Ms. Hygena re-emphasized the difficulties of breaking the cycle when she stated, "he said he would hit me and he did, he said he would kill me if I leave him...so why wouldn't he?" Many people do not understand that the abuse really the question to be phrased, "why does he hit?"

Learning about domestic violence is very important for us as a society. Ms. Hygena said that the law has improved to protect victims, however "there is more work to be done for improvement. It is necessary to educate judges and lawyers about the cycle of domestic violence so that they can understand their clients and change the laws to protect victims from further abuse."

The Caring Place has a 22 bed shelter and a 24-hour crisis line. On an average, victims come to the law school on Monday, March 25th to speak of domestic violence. "Every 15 seconds, a women is murdered in the United States and in her home," Ms. Hygena said.

Overview of 1990 Clean Air Act Amendments

By Paul Jesse
Contributor

On November 15, 1990, President Bush signed the Clean Air Act Amendments into law. For the first time, many previously unregulated sources of air pollution, particularly smaller businesses, will face permit requirements and air pollution controls. During the next 18 months, the United States Environmental Protection Agency (EPA) and the state will develop regulations to implement the new rules. It is estimated that the U.S. EPA alone will draft more than 400 new regulations.

Since the new regulations will affect virtually every business, its suppliers or its customers, it is important for businesses to begin assessing the potential impacts of the new legislation now. More than 150,000 businesses will need EPA permits for the first time. The physical and administrative burdens imposed on businesses will affect large industrial and manufacturing facilities as well as many smaller businesses, such as dry cleaners, gas stations, and bakeries. Proper planning by these businesses can reduce implementation costs and may afford the opportunity to affect the regulations directly.

ZONE

The new law establishes a schedule for geographic areas to deal with excessive ozone levels. Excessive ozone levels can be caused by the burning of hydrocarbons, such as vehicle exhaust, or by the evaporation of hydrocarbons as with paint or stain drying. Some industrial areas, such as Clevelend, Cincinnati, Dayton and Toledo have been designated as "moderate areas" requiring ozone pollution be reduced to acceptable levels by 1996. These areas must achieve a 3 percent reduction in emission levels each year until the ozone target is met. Some of the expected measures to reduce emissions include:

1) A reduction from 100 tons per year to 50 tons per year in the definition of "major source" of pollution emissions. The reduction will make it more difficult to obtain permits to expand operations and may subject existing sources of 50 tons or more to increased controls.

2) Increased scrutiny on all new permits. Pollution sources without permits now may be penalized to remain permits to allow their operations to continue unaffected.

ZONE 2

Air-blower recovery nozzles on service stations dispensing more than 10,000 gallons of gasoline per month.

F1eet owners in California, New York, Texas and Florida, were notified that they probably can be absorbed in the Kaplan investment, which these former enrollment leaders have been the national leader in review courses for the SAT, LSAT and GMAT and is involved in others.

Student representatives in California law schools - those who often participate in the courses years in advance and themselves get the results. The companies like to volunteer, receive more information, or need assistance, you should call the Kaplan offices.

Stanley Kaplan may halt bar reviews

By Terry Carter

Stanley H. Kaplan-SMH Bar Review - a joint venture that is one of two national full-service operations in the field - may have flunked some big tests in Indiana, Florida and New York and could cease operating this year.

If the company does halt operations, it is unclear what will happen to deposits and other monies students have paid toward future review courses in the 1990s.

Kaplan-SMH's four state representatives, based in New York, Texas and Florida, were notified this week that the firm's company's bid was far too low, the sources said.

At the beginning of the joint venture, which was created when Kaplan and other course offerings went nationwide in the various states, the company was reluctant to pump money into the operation because it would drive up the value, Kaplan's eventual asking price, according to sources familiar with negotiations.

The initial startup in operations such as review courses is costly because the profit margins are high, industry sources said.

In recent years, though, the financial concerns of the joint venture partners reversed and McLaughlin was less interested in putting money into it, even to the point of cutting out the use of

31. Ann Lederer, left, and Lavoy Hygena of the Caring Place at a recent forum on domestic violence. Photo by Doug Lai.
German Barrister discusses reunification

By Greg Copp
Associate News Editor

Events moved rapidly last October when former East Germany reunited to form one German nation for the first time in nearly 50 years. But one former East German barrister, Holger Franke says it will take at least another decade for former East Germany to achieve economic and social parity with West Germany.

Franke was a former student at the Supreme Court of Schleswig-Holstein, spoke on the situation in Germany March 25th at 7:00 PM at VU School of Law. "It was not a unification of two equal nations," said Franke. "The East German planned economy is hardly able to cope with a free market. The East German industrial plants are too old and rotten, likewise their public administration, and the traffic and communication systems." Franke said inefficient East German industries such as coal mining are struggling to survive and are laying off huge numbers of workers. The Institute for German Research of former East Germany is expected to reach 40 to 50 percent within a year.

"The East Germans thought the West German system would bring prosperity, where it really is just very uncertainty," said Franke. "This is a dangerous development which no one is needed to deal with those feelings with care.

Franke feels West Germany owes a moral debt to the East Germany's that the East Germans made the first peaceful revolution in German history." Holger Franke

East German government over the last four decades are now being offered to the former owners. But sorting out the rightful owners has proven difficult and uncertain, said Franke. "In many areas the ground is heavily contaminated, treatment for the contaminated ground is very expensive."

East Germany was exposed the West German law system last October, but Franke pointed out that East German judges and lawyers disciplined in socialist law are not qualified to administer the West German system. "Another question that must be asked is do we want district attorneys and judges who are concerned with Franke, who answered that he feels all of them should be replaced. Too many are communists, but because they ignored individuals' rights.

"Many of them collaborated, many of them had collaborated, with the East German secret police, which was called Stasi," said Franke, who added that those judges and district attorneys were convicted and sentenced 70,000 East Germans for political crimes and crimes against humanity. "Our first goal must be to regain the confidence to the East German system. This is possible in a constitutional state by establishing a law system that takes individuals' rights seriously," claimed Franke.

The West German constitution, drafted with the approval of the victorious allies after World War II, was written with the expectation that it would be re-drafted once two Germanies reunified. Franke said rewriting the constitution became a most important question when the two states simply adopted the West German constitution. Franke also said there is some support for changing the constitution to allow for the reconquest of the three East German troops outside NATO territory. There is also talk of adding an article to the constitution that would make protection of the environment a stated national goal.

Former East and West Germany are split over the question of abortion. The law is not the proper way to deal with the issue by 1993. Franke said that the East German law because "criminal law is not the proper way to deal with the issue of abortion." He also mentioned that Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association. Franke was a member of the American Bar Association.

Environment Moot Court team competes

By Daniel Bokas
Assistant News Editor

Taking the sights of New York, along with the positive experience of competing in a moot court made the Environmental Moot Court competition in White Plains, NY both enjoyable and worthwhile, according to coach Laura Dooley.

The competition was held February 21, 22, and 23 at the Park Central Hotel, White Plains, New York. Valparaiso University's team of Jeff Chato and Mary Ellen Savage. The team with Cynthia Oppler, also with Dooley, were among fifty law schools participating.

At issue was an appeal of a criminal environmental case in which a corporate CEO and a mid-level manager were convicted for omitting material fact in response to an EPA inquiry.

The moot court format was unique, according to Dooley, in that there were three sides argued, instead of the usual two sides in other moot court competitions.

There were three preliminary rounds. Individual teams argued a different position: government, defendants, and intervenor, during these preparatory rounds. Twelve teams with the highest preliminary scores advanced to the total round of the quarterfinals.

Valparaiso's team won one of the preliminary rounds, but because of the scoring system which scores from 1 to 5, preliminary rounds were combined, advanced no further.

Valparaiso finished 19th overall in the competition, although the team's brief was awarded fifth place. This was Valparaiso's first year in the Environmental Moot Court competition.

Dooley said that the Valparaiso team was selected from an intramural competition in which thirteen students vied for the three panel positions. Ten dress rehearsals were held at the law school in preparation for the competition.

The judges were law professors and students of faculty members and local attorneys.

In addition to the competition, team members were afforded the opportunity to listen to various speakers and participate in seminars involving environmental concerns. There were also several workshops sponsored by the EPA.

BARRISTERS BAL --- APRIL 6, 1991 --- 7:00PM
INDIAN OAK INN

ỊN MEMORIAM of a true friend. Courtesy of ELIZABETH TAYLOR and HERBERT F. SIEGEL

Jesse, from page 1

graduate of Yale College (Phi Beta Kappa, cumma summa laude) and the School of Environmental Law (cum first honors in class). Before joining the Yale Law School Faculty in 1985, Professor Frey practiced in a law firm in Washington, D.C. (Lea, Harris, Wye, and May, of counsel). He holds a degree in law from New York University School of Law. Recently joins the American Bar Association Administrative Law Section.

Mr. Giglio has practiced in a variety of environmental matters, including wetland restoration and mitigation, and government, and the Federal Discharge and Separation of Powers. Professor Elliott is married to the late Mary Ellen Savage. They have two children ages 4 and 6.

Mr. Bertram C. Frey is Acting Regional Counsel, United States Environmental Protection Agency, Region V, Chicago, Illinois. Region V includes Minnesota, Wisconsin, Illinois, Indiana, Michigan, and Ohio. The Chicago office of Asst. Counsel employs approximately 100 attorneys. Mr. Frey is responsible for regional criminal enforcement cases and defensive litigation for air, water, safe drinking water, pesticides, toxic substances, hazardous waste and Superfund actions. He reviews financial law and personnel law matters for the region.

Mr. Giglio has published articles on the public trust doctrine as a vehicle for environmental protection. He is a co-author of a recent article on anti-backsliding under the Clean Water Act. He is a frequent speaker on a variety of environmental law issues. Prior to his service with the Environmental Protection Agency, Mr. Frey served as a law clerk to two former Presiding Judges of the Illinois Appellate Court, 5th District, the Honorable Charles E. Jones and the Honorable John Karna. He earned a Bachelor of Arts degree from Haverford College and his law degree from the Northwestern University School of Law.

Mr. Laurence McHugh is a partner of the law firm of Barnes & Thornburg, and resident in the firm's South Bend, Indiana office. He has practiced environmental law on various aspects of environmental law, serving Barnes & Thornburg, and resident in the firm's South Bend, Indiana office. He specializes in representing clients in environmental litigation focusing on various aspects of environmental law. Before joining Barnes & Thornburg, Mr. McHugh practiced with the firm of Conn, Conn, Anderson, Westover, Killingsworth 

Beshers, located in Phoenix, Arizona, from 1987 to 1989. In 1989, Mr. McHugh was associated with the firm of Ricks, Pitt & Poust in Kansas City, Missouri. From 1982 to 1988, Mr. McHugh was Visiting Lecturer in Law and Adjunct Professor of Environmental Law at the University of Cincinnati College of Law and Associate Professor of Environmental Law at the Northern Illinois University School of Law.

Mr. McHugh received his A.B. in History, magna cum laude in 1970, from Indiana University, Bloomington, Indiana. He is a Phi Beta Kappa. Mr. McHugh went on to receive his J.D., cum laude, from Indiana School of Law in 1973. While at the School of Law, Mr. McHugh was a Contributing Writer and a member of the Board of Editors of the Indiana Journal. He was named to the Dean's List while attending the School of Law.

Anthony G. Giglio is a lawyer with the firm of Day, Reavis & Pogue, resident in the Firm's Chicago, Illinois, office. Mr. Giglio is a member of the Practicing Environmental Law Section. He received his B.A., cum laude, from DePaul University College of Law in 1986.

Mr. Giglio's practice includes representing a broad range of environmental matters, including Superfund, the Clean Water Act and the Clean Air Act. In addition, he has extensive experience in a variety of other environmental matters, including wetland restoration and mitigation, and governmental, and the Federal Discharge and Separation of Powers. Professor Elliott is married to the late Mary Ellen Savage. They have two children ages 4 and 6.

Mark McGreevy has practiced in a variety of environmental matters, including wetland restoration and mitigation, and government, and the Federal Discharge and Separation of Powers. Professor Elliott is married to the late Mary Ellen Savage. They have two children ages 4 and 6.

Mr. Giglio's practice includes representing a broad range of environmental matters, including Superfund, the Clean Water Act and the Clean Air Act. In addition, he has extensive experience in a variety of other environmental matters, including wetland restoration and mitigation, and governmental, and the Federal Discharge and Separation of Powers. Professor Elliott is married to the late Mary Ellen Savage. They have two children ages 4 and 6.

Mark McGreevy has practiced in a variety of environmental matters, including wetland restoration and mitigation, and government, and the Federal Discharge and Separation of Powers. Professor Elliott is married to the late Mary Ellen Savage. They have two children ages 4 and 6.

Mark McGreevy has practiced in a variety of environmental matters, including wetland restoration and mitigation, and government, and the Federal Discharge and Separation of Powers. Professor Elliott is married to the late Mary Ellen Savage. They have two children ages 4 and 6.
By Greg Copp
Associate News Editor

In 1965 Mario Savio painted the dirtiest four-letter word in a busy intersection just to demonstrate that students at Berkeley加州 campus and started the free speech (known by some as the filthy speech) movement.

Six years later, a lad named Cohen wore a jacket emblazoned with vulgarity into a Coral Gables courthouse. Officials informed him that he had defiled the women and children and arrested him for disturbing the peace. The Supreme Court ruled that Cohen was not guilty because he had not worn the jacket that in place, reasoning that Cohen wore his jacket in a manner that made it not targeted at any individual, and that those who wore it to protests could not "over their eyes." How could they avert their eyes before seeing the jacket? Cohen fully answered by the court. At any rate, Cohen's jacket and Savio's scrabbled efforts to teach us a lesson.

Not enough people, or at least not the right people, to result in banning such "speech." As an example, in 2004, Cohen and Savio were saved by the spirit of the times. But the times are changing.

Today, in the enlightened Nineties, between 100 and 200 American colleges and universities have passed "speech codes" which prescribe speech deemed to be offensive. Anti-hatists from Stanford in the west are busy drawing up lists of words, terms, and phrases that are to be banished from campus discourse. Obviously, racist epithets and sexist terms are on the list. But not enough.

Words do have power, and insults can wound. But those derogatory in use of "offensive", words and expressions are taking an awful lot upon themselves, and are to be mightily countermanded.

A Brown student was expelled for using the word "nigger". The student was a student government. It is a reasonable notion that the Brown enforcers of these rules at least questioned the time, space, and manner of the utterance and asked for a hearing. Why? When language rises to the level of threats, nothing short of its banishment from the peace or defacing property, causes of action independent of limits on speech are at hand. The prejudice and forget the speech police. They tend to get carried away.

Judge Rattliff comments on legal professional education

By Judge Wesley W. Rattliff, JR.

One of the saddest things about the educational system is that there are no brokers, and no one seems to take any interest in the fact that the cost of legal instruction is rising faster than the cost of living.

The SBA is struggling for survival, and needs a serious involvement of leadership. I hope there is enough life left in the body for the new board to save it.

Quality of Law School Graduates

Like most lawyers, I have some opinions about what be taught should be taught in law school. Generally, I believe it is most important for the schools to afford their students a strong and rigorous education in the basics. No one can meet the challenges of the legal profession unless he or she has fulfilled those course requirements. Law schools have an obligation to the public to make sure that all who aspire to become members of the profession have an adequate instruction in the basic subjects. To be sure, the expansion of the law in many new areas and the proliferation of new courses should not be overlooked. The inclusion of instruction in these new and changing areas is important to the ability of the law schools to adapt the curriculum to meet new demands made upon the legal profession as it approaches the arrival of the 21st century. As more skills training has placed additional burdens upon law schools and students. The newly imposed requirement of twenty hours of pro bono service reflects the desire to do more good with their time. This view, is a progressive and positive step. Yet, much of the fear that a fair balance will be struck is not perfect, but on the whole, the present quality of legal education is quite good.

Law School Curriculum

Like most lawyers, I have some opinions about what be taught should be taught in law school. Generally, I believe it is most important for the schools to afford their students a strong and rigorous education in the basics. No one can meet the challenges of the legal profession unless he or she has fulfilled those course requirements. Law schools have an obligation to the public to make sure that all who aspire to become members of the profession have an adequate instruction in the basic subjects. To be sure, the expansion of the law in many new areas and the proliferation of new courses should not be overlooked. The inclusion of instruction in these new and changing areas is important to the ability of the law schools to adapt the curriculum to meet new demands made upon the legal profession as it approaches the arrival of the 21st century. As more skills training has placed additional burdens upon law schools and students. The newly imposed requirement of twenty hours of pro bono service reflects the desire to do more good with their time. This view, is a progressive and positive step. Yet, much of the fear that a fair balance will be struck is not perfect, but on the whole, the present quality of legal education is quite good.

Law School Curriculum

Like most lawyers, I have some opinions about what be taught should be taught in law school. Generally, I believe it is most important for the schools to afford their students a strong and rigorous education in the basics. No one can meet the challenges of the legal profession unless he or she has fulfilled those course requirements. Law schools have an obligation to the public to make sure that all who aspire to become members of the profession have an adequate instruction in the basic subjects. To be sure, the expansion of the law in many new areas and the proliferation of new courses should not be overlooked. The inclusion of instruction in these new and changing areas is important to the ability of the law schools to adapt the curriculum to meet new demands made upon the legal profession as it approaches the arrival of the 21st century. As more skills training has placed additional burdens upon law schools and students. The newly imposed requirement of twenty hours of pro bono service reflects the desire to do more good with their time. This view, is a progressive and positive step. Yet, much of the fear that a fair balance will be struck is not perfect, but on the whole, the present quality of legal education is quite good.
Letters to the Editor......

Anti-discrimination policy
Editor's Note: The following is a letter from Prof. John Potts that was originally sent to members of the School of Law's Anti-Discrimination Policy Advisory Committee. The letter is in reference to a proposed change in the law school's anti-discrimination policy which would prohibit discrimination on the basis of sexual orientation.

John Potts is not a lawyer, but it is not an orientation we should want to affirm as normal or natural, either. It would not be something we should want to either affirm or encourage.

We particularly should not want to encourage a molasses-in-crackcase misapprehension of the purpose of both the molasses and the crankcase and is not an act proper to the nature of either. A molasses-in-crackcase orientation may not affect a person's ability to be a good lawyer, but it is not an orientation we should want to affirm as normal or natural, either. It would not be something we should want to either affirm or encourage.

Christian views and Christian values sometimes need to be stated, and stated clearly. In my memorandum of March 20, 1991, I attempted to do this, but do it deliberately, by using an awkwardly constructed phrase that made no personal attack on anyone, sticking only to substantive issues.

We always hope that our statements will cause no personal offense to individuals, and that the unanticipated possibility that they might do so is not a reason for Christians to be silent when others seek to change the character of this institution.

I truly regret that some members of our community in good faith feel that my affirmation is not a civil statement affirming molasses into a crankcase. Each example, that some employer has its proper function, and is to put molasses into a crankcase. Each example, that some employer

Sarcasm and arrogance
Dear Editor:

It is lucky for us and Prof. John Potts that the YU School of Law doesn't discriminate on the basis of sensitivity towards the feelings of others; or on the basis of the policy to assure compliance on controversial subjects. If it did, we'd have to look for a new tax policy.

First it was the abortion debate last fall. When given the chance to debate the difficult question, difficult to the least who understand that both have rights), he wouldn't have to stand and reply or to invite to shed light rather than heat on the issue. Instead, he preaches, bullied, and insulted his opponent.

And what are we to do once we have identified people with unusual sexual orientations as our opponents of a cause for whom discrimination should not exist, by us or by anyone who wants to interview here? The logical next step will be an affirmative action program. The large number of heterosexual marriages among our opponents might be taken as evidence of past discrimination, individually and institutionally. Perhaps we can write the North American Man/Boy Love Association seeking applications.

John Potts is not a lawyer, but it is not a normal or natural orientation, we should not want to affirm as normal or natural. A molasses-in-crackcase orientation may not affect a person's ability to be a good lawyer, but it is not an orientation we should want to affirm as normal or natural, either. It would not be something we should want to either affirm or encourage. An unanticipated possibility that they might do so is not a reason for Christians to be silent when others seek to change the character of this institution.
Democrat hopes dim for 1992

By George Will

We are less than twelve months from the New Hampshire primary and less than certain that we still say America is a two-party system. For now, we seem to have one-and-a-half party system, with party competition stopping short of the presidential level.

Electorating a president has been difficult enough for Democrats since 1952. They have been in a 10-election slump, during which they have played .300 ball, winning a percentage .101 points below that of year's Atlanta Braves. (A shift of a few votes in 1960 and 1976 would have made the would have made the Democrats one-for-10 from 1952 through 1988.)

Defeating an incumbent president is usually hard. It has never been done in the afterglow of a successful war.

Desert Storm was the most clear-cut foreign policy victory in 29 years, since the Cuban Missile Crisis (which was not really foreign policy in any sense) did. But back then, when America considered itself at the wheel of the world, victories were assumed, so the psychological lift from that crisis was probably less than the lift from Desert Storm can be.

Since America's two-party competition is the world's oldest - as evidenced in 1856, the two parties' presidential candidates have generated 1,208,665,869 votes. Republicans have received 51.8 percent, Democrats 48.2 percent. But since 1952 Republicans have received 53.3 percent, Democrats 46.7. And since 1952, the Democratic 55.1 percent, Democrats 44.9.

The modern era of presidential politics began in 1952 when Truman retired, breaking the Democratic Party's organic link with FDR and prewar politics. Beginning with 1952, Democrats have lost seven of the ten elections, and five of the last six. Since 1952 Republicans have won 69 percent of the electoral votes. Since 1968 they have won 79 percent.

In the ten elections since 1952, 33 states that today have 430 electoral votes (55 more than the 270 needed to win) have gone Republican seven or more times. Twenty-seven states with 261 votes have gone Republican eight or more times.

An even clearer era of Republican ascendency began in 1956.

In 1968, since then, Democrats have won only one election, and that by a whisker, in 1976, barely beating an accidental president and a Watergate-weakened party.

Since 1968, 40 states with 430 electoral votes have voted Republican in four or more of the 12 elections; 33 states with 333 votes have voted Republican five of six; 20 states with 168 votes have voted Republican all six times.

In the six elections 1968-88, there were 306 distinct contests (50 states and the District of Columbia, six times). The score: Republicans 241, Democrats 60.

Republicans are overwhelmingly favored to carry 147 Southern and 11 Northern states.

If Republicans also carry California's new total of 54 (20 percent of 270), then Democrats must carry 80 percent of the remainder, a washout.

Democratic prospects are brighter below the presidential level. They are apt to stay that way even if Republicans try to "nationalize" the election with a national strength theme. Politics probably will remain stubbornly local.

In 1992 Democrats will be in the 38th consecutive year of control of the House. No Republican now serving there has ever been in the majority, had no GOP House seats in four of the last five elections.

In 1990 two-thirds of congressional incumbents won with reduced percentages. But Republicans will get no help from re-districting. Democrats control 30 state legislatures (up from 29 last year), Republicans control just five (down from 29). So it is probable that the year 2002 will be the 48th consecutive year of Democratic control of the House.

The Democrats 54-44 control of the Senate is more vulnerable. Of the 34 seats to be contested in 1992, 20 are held by Democrats. Eleven of the 20 Democrats are freshmen and nine of the 11 won in 1986 (during the midterm sag of Reagan's second term) with less than 33 percent of the vote.

Regarding the presidency, even the Census Bureau has been reluctant to elevate the public to even the 3 percent level. Every Democrat ever elected president since the emergence of the Republican party has been from an Atlantic Coast State.

Today population is moving West faster than ever. One way even the 3 percent level remains in the 1990s, seven were in California, two in Texas, one in Arizona.

If Democrats need any other depressingly obvious numbers, here are some. Since 1968, Texas has voted Republican five of six times, California voted Republican five of six, and monomaniacal Arizona has voted Republican in every election since 1948.

It was at this point that Casey entered the equation of the U.S. Open for creative school kids: the Invent America contest sponsored by the Commerce Department. Casey and his tee won school, state and regional qualifications, then a trip to the 1989 finals in Washington. Now, as a science bug up against science whizzes, he had to make a hole-in-one on a par four.

He did. The Bio-Tee captured the grand prize, earning Casey $500 and a letter of congratulations from George Bush.

Returning to Colorado, it was other letters that Casey had in mind. He wrote to some PGA touring pros about his tee, and they wrote back. "I would be happy to try some of your Bio-Tees," Fuzzy Zoeller said. Hale Irwin wrote, "I might use them on the Tour." Dave Stockton, captain of the Ryder Cup team against European players this fall, said, "Do the one-time use in white and blue? (They) might work well for the Ryder Cup team.

A week ago, the sweetest letter of all came: from the director of the PGA "party's organic 1992 tournament in August in Colorado promising to offer Bio-Tees to all players, as well as sell them to fans. The Colorado Golf Association, making the invention "is long overdue," will use them at all state tournaments this year.

Since winning the Invent America competition, Casey has been thinking less about golf and more about social economics. So has his father, John. A former life insurance executive, is now the president of a new company that will be manufacturing and marketing Casey Golden's golden gones.

Bio Dynamics, Ltd., is about to go up against the General Motors and Ford of the golf tee industry; a company in Maine and another in New Hampshire.

The equivalent of 30,000 white birch trees are needed to produce between 1.5 and 1.7 billion tees annually.

That makes nearly all of America's tees, the equivalent of 30,000 white birch trees are needed to produce between 1.5 and 1.7 billion tees annually.

Like one-foot puts, the economics of golf tees are not complex. They wholesale for about a penny. Golf pros at private country clubs, or at pro shops, who are beyond nickle-and-dime their members, pass them out as freebies. Public course pros will often sell a bag of 20 for $1, a lacernous 500 percent markup. Country club giveaways mean that golfers are tempted to leave them behind, creating a demand for getting them at the front and end litter at the back.

After winning the Invent America contest, Casey had not just messed some more and perfected the ingredients of his tree, but also cut out the pesky moss, fertilizer and grass seed - at the suggestion of greenskeepers - and put in renewable plaits that will add inert humus to the soil.

What he may add to the environmental health of the country is Casey Golden's in the front ranks of conservation. His father has always been a star. I go back 30 years with them when we were on our college golf team together. I predicted much fair way for Casey, but I was wrong about "colleagues for John, and now that's happening. He has a lad - a tee-hugger - who took action without benefit of a career in far as his membership in Earth First.

Casey saw a problem, tried it and swung away. He's leading the tour in tee earnings.

Colman McCarthy is a member of the Village Voice. His column is distributed through the Washington Post Writers Group.
FOUND GUILTY OF BEING "POLITICALLY INCORRECT"

BY CENS.R. SHP


HAP-ESPOSEE, THE PPCC SPOKESPERSON SAID THAT THE JOURNALIST/STUDENTS WERE ARRESTED IN THE LIBRARY AND TAKEN TO COURTROOM FOR THEIR TRIAL.

IN ADDITION TO COMPLAINING THAT THE CHARGES AGAINST THEM WERE WITHOUT MERIT, THE JOURNALIST/STUDENTS COMPLAINED THAT THEY LACKED REPRESENTATION.

JUDGE, M. BEE-TRAY STATED, HOWEVER, THAT THEIR ACTIONS SPEAK FOR THEMSELVES AND THEREFORE DID NOT NEED ANY OPPRESSED CLASSES, FURTHERMORE, DEFAME SAID, THEY ALL LACKED SENSITIVITY.

GUARDS TO RESTORE ORDER AFTER THE UPSET FOLLOWING KILLS TESTIMONY. THE DEFENDANTS DID NOT CALL ANY.

JUDGE, IMA LACKEY REASONED, THAT AN EXAMPLE MUST BE MADE OF THESE DANGEROUS, NEFARIOUS SCOUNDRELS.

REVOLUTIONARY GUARDS LED THE CONDEMNED JOURNALIST/STUDENTS TO THE GALLIOLS BEHIND THE LAW SCHOOL. THE SENTENCE WAS PERFORMED GRADUALLY CARRIED OUT.

KILLS STUDENT GROOM DEMONSTRATED IN SUPPORT OF THE EXECUTION. CHAINING HEY, NO WESTERN CULTURES, GREETING THE GROAN, WAY DOING MARSHMALLOWS.

THE EXECUTED JOURNALIST/STUDENT S CORPSES WERE LEFT HANGING TO SERVE AS AN EXAMPLE TO ANY WHO WOULD DEViate FROM THE POLITICALLY-CORRECT LINE.

EXPLANATION THROUGH AN ATTORNEY... THE BORES, TRAY CONTINUED... THEY'RE ALL-LAW STUDENTS AND SHOULD BE ABLE TO REPRESENT THEMSELVES IN A COMPETENT, MANER.

THE TRIAL PROCEEDED SMOOTHLY AND WAS OVER WITHIN THE HOUR. THE PROSECUTIONS KEY WITNESS, SANDON, REDEFAME TESTIFIED THAT THE ACCUSED HAD CHRONICALLY AND CONSISTENTLY EXHIBITED A CALLUS DISREGARD FOR THE REVOLUTIONARY WITNESSES CLAIMING THAT THEIR SUPPORTERS WERE INTIMIDATED WITH LIKE TREATMENT... TRAY DISMISSED THEIR PROTEST AND FOUND ALL THE DEFENDANTS GUILTY AS CHARGED. THEY WERE SENTENCED TO DEATH.

TO BE HUNG IN THE NECK-UNTIL-DEAD. THE DEFENDANTS APPEALED IMMEDIATELY... THE APPELLATE COURT, IN A PER CURIAM DECISION TEN MINUTES LATER AFFIRMED THE TRIAL COURT'S DECISION... CHIEF JUDGE JACOBS TOOK THE DEATH SENTENCE.

THIS PHOTO EXHIBITS IN GRAPHIC DETAIL THE FATE SUFFERED BY THE REPEATEDLY FORMER NEWSPAPER EDITORS MCKRAEKERY, BORE, AND ASKUB--CONVICTED OF CONTROVERSIAL JOURNALISM IN THE FIRST DEGREE.

THE OPINIONS EXPRESSED HEREIN ARE THOSE OF NO PARTICULAR PERSON AND MAY OR MAY NOT REPRESENT THE VIEWS OF THE SCHOOL OF LAW. IF THE OPINIONS EXPRESSED OFFEND ANYONE LIGHTER UP! THIS ISSUE IS INTENDED TO BE A PARODY OR SATIRE OF LIFE AT THE SCHOOL. WE HOPE THAT OUR READERS WILL TREAT THE CONTENTS OF THIS ISSUE WITH THE GOOD NATURED LAMPOONING THAT WAS INTENDED. THE PEOPLE ACTUALLY RESPONSIBLE FOR ANY AND ALL FACTS, SCAFFOLDS, CHARACTERS OR EVENTS MENTIONED IN THE ISSUE ARE NOT TO BE IDENTIFIED WITH THE PEOPLE AND EVENTS MENTIONED IN THE ISSUE. ANY AND ALL ACCUSATIONS ARE SATIRICAL AND NON-EXISTENT.

INSIDE:
FASHION UPDATE: GAFFNEY, BRIETZKE DISCUSS LATEST TRENDS IN MENSWEAR

EVERY-ONE ETHICS: QUERY--WHAT IS THE SANCTION FOR FAILURE TO USE LIP BALM?

WHY VU SCHOOL OF LAW SHOULD BE DECLARED A TOXIC WASTE SITE BY BOB BLUMOUST

THE--IVAN BODENSTEIN STORY. MY SECRET LIFE AS A MEMBER OF THE REAGAN KITCHEN CABINET

THE FOREPLAY
VOL. I NUMBER I
ANNUAL PARODY ISSUE
APRIL FOOL'S DAY, 1991

THE FOREPLAY
VOL. I NO. 1
APRIL 1, 1991

EDITORIAL BOARD
D-TRAIN DILLWORTH EDITOR-IN-CHIEF
KENT NELSON MANAGING EDITOR
ROBO COPP NEWS EDITOR
M lifecycle VIEWPOINTS EDITOR
SCOTT KOSZLOP LIFESTYLES EDITOR
DOUG I. EVELYN PHOTO EDITOR
BIBLO THOMAS SPECIAL CONSULTANT
GONE BUT NOT FORGOTTEN
ALLEN BORE LEINAD ASKUB
ALEX MCKRAEKERY

THE OPINIONS EXPRESSED HEREIN ARE THOSE OF NO PARTICULAR PERSON AND MAY OR MAY NOT REPRESENT THE VIEWS OF THE SCHOOL OF LAW. IF THE OPINIONS EXPRESSED OFFEND ANYONE LIGHTER UP! THIS ISSUE IS INTENDED TO BE A PARODY OR SATIRE OF LIFE AT THE SCHOOL. WE HOPE THAT OUR READERS WILL TREAT THE CONTENTS OF THIS ISSUE WITH THE GOOD NATURED LAMPOONING THAT WAS INTENDED. THE PEOPLE ACTUALLY RESPONSIBLE FOR ANY AND ALL FACTS, SCAFFOLDS, CHARACTERS OR EVENTS MENTIONED IN THE ISSUE ARE NOT TO BE IDENTIFIED WITH THE PEOPLE ACTUALLY RESPONSIBLE FOR ANY AND ALL FACTS, SCAFFOLDS, CHARACTERS OR EVENTS MENTIONED IN THE ISSUE. ANY AND ALL ACCUSATIONS ARE SATIRICAL AND NON-EXISTENT.

FOREPLAY MASCOT--SAY WHAT YOU WANT AS LONG AS I DON'T DISAGREE WITH IT.
"Yes, Bruce, I agree with you, but I see the Teenage Mutant Ninja Turtles more like the 90's version of the Chicago 7."

"Alright, so I didn't win the election, and my professional ethics have been called into question...but my car is better than your car!"

"My man wears English Leather or he wears nothing at all!"

"Did you call me a Republican?"

"Hmmmm...what should I be doing?"

"Say Curt, ahh, you wouldn't be sleeping on the job, would you?"
"Did someone just flatulate?"

"So let me get this straight: First you get a crankshaft, and then you do what with the molasses?"

"...and I coach the negotiations team and I also have no carvings!"

"Hey, I went to Northwest too!"

The Professor of Christmas Past

The Northwest Catholic Handshake

 Scenes from Dean Gaffe-prone's Inaugural Address
THE DEAN

ENOUGH SAID!
Letters to the Editor, cont'd

from page 5

however, how should we respond to Prof. Potts' childish and willful memory of his individual. I think each of us, whatever way we find appropriate, should let Prof. Potts and ourselves do it. I think we disassociate ourselves from the tone of his cruel and offensive statement, even though we are in agreement with the opinion that underlies it.

As for a community response, I am against a community response. My observation that living well is the best revenge. In this context, living well may mean elevating the Mr. Swart's level of a childish and cruel attack to a higher plane of disputation. Goodwill, open-mindedness, compassion, humor, and a commitment to reach a mutual apprehension of truth should be the goal. To be on record for a commitment to and practice of these virtues is the only way to cleanse the forum of the poisonous lies, prejudice, cruelty, and sarcasm excoriated by Prof. Potts' unfortunates statements.

Religious diversity

Dear Editor:

I write this brief note separately from my other letter to make a different point. I think it is unwise and dangerous to discourage and discourage our we encourage diversity in religious opinion and belief and pledge ourselves to defend the right of each person to hold and practice their religious beliefs that are a basic component of the statement that we will not consider religion in any of our decisions. These are not the same ideas, and which one we adopt goes to the heart of what it means to be a law school in a religiously diverse society.

As we learned from the Holocaust, the opposite of love is not hate but indifference. I hope that the American law of religious freedom by being vigilant in protecting it and finding ways to make it as an essential element of human life, not by pleading to be indifferent to religion. It is difficult enough to explain how being Lutheran affiliated affects UVU School of Law without voluntarily and unnecessarily giving up our prerogative to speak from a particular religious perspective.

Paul Landskroener

Forum shouldn't exist

Dear Editor:

This letter is in response to Mr. Swart's recent column attacking Paul Landskroener, and earlier issues of the Forum. I was interested in the remarks from the perspective of a professional journalist whose work I respect. I am referring to Washington Post, Chicago Tribune, Newday, and the Associated Press.

Paul's remarks were singularly vicious, and absolutely unprofessional. His characterization, even if only by implication, of Mr. Landskroener as vomit, literally reeks of an intolerance and hate that I have always associated with fascists and foul and ancient stench I thought buried in the bunker of Adolf Hitler.

The fact that Swart used his office and position to launch this attack - and that permitting it constitutes an unforgivable breach of the public trust: the people's right to believe that communication vehicles will impact will be used responsibly, objectively, and in furtherance of public good.

It is clear, from the pattern of publication established through Swart's column and the earlier (incredibly incompetent) remarks of Prof. Stults' resignation, that Forum editorial management cannot distinguish between journalism that addresses potentially explosive issues and publication of libels that ignite them. The single case that comes to mind is the situation is that few people take you seriously, but as a professional for the profession, I find your continued existence an insult analogous. In closing, I suggest - at the very least - an apology to the community you purport to serve. And First Amendment shield such arrogant incompetence, but it does not excuse it. And finally, to Mr. Swart - as a man who bore arms under oath to defend this nation closing the eyes of vast majority, the only man had the Paul Landskroener of the world in mind, not you.

Sincerely, Kim Anderson

Appalled by articles

Dear Editor:

The last two issues of the Forum have brought me appalled articles! Since I'm now to the law school realm, I can understand that if this kind of journalistic reporting is commonplace in law school newspapers or this blatantly biased journalism.

Because I'm a commuter from Chicago and am frequently at the University of Chicago Law School Library, I've read their school newspaper several times. I was taken by the impression that their aim of paper is to inform the student body, faculty, and interested community about things taking place at the law school, and to probe, offer perspectives on legal, social, financial, philosophical, and religious issues, as well as to offer interviews with students and/or faculty to the community get better acquainted. Does the Forum share these intentions? I certainly hope not.

I was appalled by the articles on Prof. Stultz and Paul Landskroener. A school newspaper should not be used to denigrate the private voice personal vandilations toward students and professors. I do hope that the racists and personal indignation will stop! Let have a little more respect for our colleagues and superior!

Come on...please print a non-racist, non-discriminating, informative, and professional-like newspaper.

Sincerely, Judy Nolde, IL

"The Real Challenge"

Dear Editor:

During a recent conversation between the co-authors of this letter, we decided that the incendiary public articles in the last issue of The Forum could not go unaddressed. The articles are "The Cult of 'Anti-War Drunkenness," both by Michael Swart, Viewpoints of the Forum.

In the article "The Real Threat," Swart effectively addressed the surrounding issues that Swart's column, and also presented a strong message in support of one objective. Swart, Statement that we will not be indifferent to this action. I find it rather surprising that Mr. Swart used when discussing Paul Landskroener's article, "Why I oppose the war in the Gulf," directly violated Swart's own principles.

We were both shocked to find that the technique Mr. Swart used in the closing years of Vietnam, pledge ourselves to defend the right of each person to hold and practice their religious beliefs the world in mind, not you. the sixties and rudely associating it with, this article, nor am I passing judgment on anyone. If so, as you will see, I would be condemned as a fruitcake and cruelly and offensive statement, I simply want to encourage everyone to take a close look at the real issues involved. In Swart transcended the boundaries of good taste. To quote Swart in "The Real Threat," "One should not distort facts, and...self-righteously condemn other informed opinions. Instead, the proper approach should be to present stances, and in doing so, people find common ground."

We would hope that Swart can accept this letter as constructive criticism and not as an attack on him personally. At the same time, we challenge Swart to stick to his guns in the future and argue objectively, rather than vindictively.

Alex Moskovic, Forum Managing Editor

Maryland abortion law

Dear Editor:

Abortion rights activists won more than ever before in any state or nation of the modern world. Abortion was authorized on demand up to the 24th week, upon any viable fetus with a "genetic defect." In other words, an unborn child able to survive on its own can be killed simply for having some minor "defect."

This law is a frontal attack on the principle of equal protection for all human beings regardless of disability. It finally makes clear the nature of the ideology that has been pushing the "autonomy" right underdeveloped fetuses, "defective" newborns, and senile and physically adult.

Please act now to preserve the lives of the least of our sisters and brothers. Publicize these facts widely. It is not too late to prevent a virulent abortion law from being referred in Maryland, and to prevent its spread throughout the country.

Sincerely, Richard Stich Professor of Law

Confessions of a witch

By Daniel Buksa

Associate News Editor

Phoeas J. Barrister was sitting alone at a table in the student lounge. He looked pale and worried and waited for anything to happen.

"Well, I can't be the "everyman" law student anymore," said Phoeas. "Everyman" is socially correct. It shows insensitivity towards women." continued Phoeas. "Now from now on I'll be called "Professor" or "every person" law student," he related.

That sounds reasonable enough," I commented.

Phoeas was still perturbed, though.

"Where does it end?" he wanted to know. "They changed all of the church songs, you know," said Phoeas. "I grew up worshipping Him, but now I find that God is Gender-neutral, or even a She!" he exclaimed.

"Well, that is a little silly," admitted, "but I'm sure that the political correctness is just what they are doing, and we in mind what is best for us."

"I don't know about that," he whispered in a see witch, page 12
Lifestyles

Page 8 The Forum

Student Profile: Onofrio Olivadoti

By Allen Fore
Editor-in-Chief

Known as "Ono" to his friends, Onofrio Olivadoti's first name comes from the Italian word, "Olivia." "It's an old family name, going back several generations," Olivadoti said. Olivadoti is a graduate of Merrillville High School. He received his undergraduate degree in Industrial Technology from Purdue University. Law school has been in Olivadoti's plans for some time. "I've always wanted to be a lawyer," he said. "I don't think it was because of the law, but because it had a reputation." He continued, "It was also convenient since it was close to home." The size of the student body has been a big change for Olivadoti. "Valley is in the world's apart from Purdue, in terms of size," he said. "It seems like you know the body here, and everybody knows what you're doing." Olivadoti has found the academic system at VU School of Law very challenging. "The professors are generally very good," he said, "but it didn't overwhelm me with the Socratic method. They're more inclined to have a dialogue." Free time is a rare commodity for Olivadoti, but he usually spends it socializing with friends at some of the local watering holes. "I think we have a good group of people at the law school," he said. "They are a bit competitive at times, but I suppose that's part of the environment. I've made some good friends here."

Olivadoti hasn't found a family who happens to own a private game farm next to the world famous Kruger National Park. "I was looking for a location where the mention of apartheid immediately gives away my destination," said Olivadoti as the airfare was relatively cheaper, but it is commonly known to us as South Africa. There are many of my views on one article, the community, and we agreed to refurbish our old house to make it better for us. We felt throughout the whole year that we were making our first trip to South Africa.

There is a sense of insecurity by those who live in Johannesburg...a sense I found that is felt throughout the country and to conduct research for my seminar paper which addresses the problems and how they have been on civil rights development. My traveling partners included Joanne and her parents. They are all natives of South Africa but have called America home for nearly eleven years now. They were so kind to allow me to stay with them during my time in Johannesburg. The next two weeks were spent in Johannesburg visiting friends and family. Olivadoti hopes to practice corporate law business in Chicago and, eventually, "make loads of money." by Doug LaLone

Photo Editor

In February I had the long awaited opportunity to visit a part of South Africa that I had only heard about. I suppose that's part of the environment. I've made some good friends here."

From the President

By Jennifer Nelson
SBA President

April brings Law Week, finals and a new SBA! Congratulations to all the newly eligible officers and reps! This year has been interesting to say the least. I would like to thank all the students for their help and support throughout the year. Thanks to those reps who attended all the SBA meetings. Both Lisa Gray and Donna McCoy had perfect attendance, and I applaud their diligence.

Issues for students to be concerned about include: 1) next year's academic calendar regarding make-up days for Good Friday and Martin Luther King Day by eliminating one week of Spring Break and adding a week to Christmas break. Associate Dean Berner will address that issue at the next SBA meeting on April 8th. 2) how can we encourage law students to be responsible and encourage them not to drink and drive? 3) the anti-discrimination policy and how it will impact on-campus interviews. Please contact your reps if you have any questions or your views on these issues.

FORUM DEADLINE

THURSDAY, APRIL 11, 5:00PM
LAST ISSUE OF THE YEAR!
HERD IN THE HALLS

BY TAMMY WALZ
COLUMNBIST

...ASK JEN AND WENDY ABOUT RECENT "CUFF ACTION" AT SUNDAY BRUNCH.

...YOU KNOW YOU'RE PLAYING "NO BLOOD, NO FOUL" B-BALL WITH LAW STUDENTS WHEN ONE GETS HIT IN THE FACE AND HIS IMMEDIATE RESPONSE IS: "DOES THE WORD TORT MEAN ANYTHING TO YOU?" Gotta love those "PICK-UP" GAMES, EVEN WITH OUR DEAR BULLIES.

...CONGRATULATIONS TO KIM AND TONY AND SALLY AND JOHN ON THEIR RECENT ENGAGEMENTS.

...THANKS TO CAREER SERVICES AND SBA FOR SPONSORING THE FLUSH PARTY AGAIN THIS YEAR - UNFORTUNATELY, REJECTION LETTERS WEREN'T THE ONLY THINGS DOWN THE TOILET THAT EVENING; AFTER THE SKIRMISHES WITH LAW ENFORCEMENT PERSONNEL THAT NIGHT, WE'VE GOT TO WONDER HOW MANY OF US WILL EVER BE ELIGIBLE TO TAKE THE BAR, MUCH LESS PASS IT.

...THEY CAN'T FOR THE "ALMOST 2 LS" WHO FINISHED THEIR BRIEFS AND ARE CASTING THROUGH ORAL ARGUMENTS ON THE WAY TO FINALS. NOW MAYBE I CAN START MY SEMINAR PAPER.

...TOKYO: THANKS FOR BEING A GREAT SIDEKICK.

...CONDOLENCES TO THOSE OF YOU WHO LOST THE POLITICAL CAMPAIGN TO EARN A SPOT IN THE HALLowed OFFICES ACROSS FROM CS.

...YOU KNOW IT'S A GOOD DAY when you're dancing on bar stools and shotgunning Tequila with football players from LA.

...RANDY: IT'S INAPPROPRIATE TO ASK A GIRL AT JACKSON'S IF SHE'S EVER SEEN THE GUY SHE'S WITH.

...TO THE COUPLES WHO INSIST ON PDA AT SCHOOL TRY THE DUNES INSTEAD.

...ASK DEB AND JIM ABOUT THEIR "NAUGHTY AND NICE" TOY COLLECTION.

...HOPEFULLY, THE LUNCHEON MENU THIS YEAR WON'T INCLUDE HOCKEY PUCKS.

...SODOM AND GOMORRAH, OOPS! THE ROAST SHOULD BE A BLAST AGAIN THIS YEAR, ESPECIALLY WITH THE FACULTY PANEL FEATURING EVERYONE'S FAVORITE (OR MOST DREADED) PROPS.

...BB'D'S, BB'D'S, AND CFMP'S SHOULD BE FULLY ASSEMBLED THIS WEEK, SO ENJOY BB! HOPE EVERYONE HAD A BLESSED EASTER!

...FINALLY, A SADLY APPROPOS POEM SUBMITTED BY JULIE BRAUN OF DRAKE LAW SCHOOL, EXPLAINING WHY ATTORNEYS HAVE A BAD REPUTATION IN THIS WORLD:

A WEALTHY OLD LAWYER NAMED ARTHUR McDUNNY SAT DAILY ATOP HIS MOUNTAIN OF MONEY. HE WOULD STEAL FROM THE SICK AND BLIND DOWN BELOW, JUST TO SEE HIS MOUNTAIN GROW.

BUT GIVE A LAWYER A CHANCE AND HE'LL ROB HIS OWN MOTHER.

THE MONEY was ALL THAT HE WANTED IN LIFE. HE was COMPLETELY content until one day HE KNEW FOR CERTAIN that HE had come down with THE FLU. HE went to the doctor and PICKED up SOME PILLS, BUT HE WOULDN'T PAY THE DOCTOR HILLS. HE was SOON FEELING FINE and COUNTING his LOOT WHEN HE FOUND OUT the DOCTOR had FILED SUIT.

He called an ATTORNEY that he had ONCE KNOWN and FILED A MALPRACTICE SUIT OF HIS OWN. IT was a BAD DAY IN COURT for ARTHUR McDUNNY, they made him PAY the DOCTOR MONEY. WHEN he returned home from COURT that DAY, his MONEY had ALL BEEN H AULED AWAY. WHO WOULD DO SUCH A THING, WHAT KIND OF SLEAZER?

The money had all GONE to his LAWYER FOR FEES. He was atop a TALL BUILDING TO END IT ALL. WHEN ON THE SIDEWALK he noticed a MAN S LIP and FALL. AS he CLIMBED OFF the BUILDING his INSTINCTS were KEEN AS THE FIRST LAWYER on an ACCIDENT SCENE. IN the BACK of his MIND ran a CASH REGISTERbell.

IT was in FRONT of a BANK where the MAN had just FELL. A TRIUMPHANT MOMENT FOR ARTHUR McDUNNY. BUT YES, he would REBUILD his MOUNTAIN of MONEY. Even THIEVES will NOT STEAL FROM EACH OTHER.

Annual Awards

Luncheon

Speaker: Gaylord Nelson

Wednesday, April 3
12:00 PM
Porter County Expo Center

The Forum April 1, 1991
Student licenses: law on the road

ISBA moot court team organizes
By Doris Robinson
Staff Writer

A student moot court team will compete on April 5 in Springfield, Illinois in the All-Court Competition, sponsored by the Illinois State Bar Association (ISBA). The topic for the competition is grandparent visitation rights in the Bible. The ISBA invites all Illinois schools to participate. For the first time, the VU School of Law was permitted to participate in this exciting challenge. A team consisting of 3L Allen Fore, 3L Angelo Spratos, and 2L Alex Moskovic responded to the competitive call.

The VU team has great potential and will be a strong contender for the opposing schools to face. Spratos and Fore have previous team experience. In addition, the team chose to write their brief on behalf of the appellee, while all other teams wrote briefs for the appellant. This will make the Valparaiso team more familiar with both sides of the argument. Like other moot court competitions, only one written brief is required, but teams must be prepared to argue either side. Scoring will be determined on the basis of the brief and the oral argument with 80% of the score attributed to each component. The two semi-finalist teams will compete in the Illinois Supreme Court chambers before a panel comprised of Chief Justice Ben Miller of the Illinois Supreme Court; Judge Harlington Wood of the Seventh Circuit Court of Appeals; and Justice James Knecht of the Fourth District Illinois Court of Appeals.

Moskovic acknowledged the responsibility of the support the members received from faculty who have assisted the aspirants in oral argument practices. Prof. Dave Myers, Ivan Bodenstein, Geri Yonover and Seymour Moskowitz committed their time to serve as practice judges and to provide feedback to the team.

The team hopes that a successful competition this year will ensure that the law school will officially recognize the ISBA competition as part of the school's moot court program.

Competes, from page 3

by the Environmental Law Institute which the competitors could attend and participate in. A banquet was held as the conclusion of the competition. The Valparaiso team also took the opportunity to do some sight-seeing. They visited Ellis Island, the Statue of Liberty, and Wall Street, as well as other cultural and historical sights in the New York area.

Minnette, from page 7

lives. I believe this position abandons the liberal goal of ensuring rights of those individuals who need their rights protected the most, the defenseless. A shocking fact is that the most dangerous place in our country for our youth is now in a mother's womb, not in our city streets. Conservatives, who have recently been so concerned with making our streets safe, should take a closer look at this danger zone.

Many people believe that abortion is strictly a woman's decision. This is not a correct approach to this dilemma. I can attest that it is also a man's issue. As a father of an aborted child, who would be four years old, I can not possibly describe the guilt and hurt I have experienced over the last four years. This is the first time I have openly admitted my mistake. I can only regret that it was a part of that decision. Based on my experience, I feel that no one should encourage, be a part of, or even passively allow abortions.

I am sure that there are thousands of men and women who are currently living with the same horrible memories of their wrong decision to abort their child. Children are truly a gift to us all regardless of their predicament. I am not trying to condemn anyone for their past mistakes but I would be passing judgment on myself. I am, however, attempting to speak out against the senseless killing of unborn children. I am personally going to do the most I can to restore the human dignity of the unborn.

Lastly is the Biblical perspective. Out of fairness to those that don't embrace the Christian faith or the Judeo-Christian heritage, I have saved the Biblical perspective for last. The Bible is extremely clear on who is ultimately the author of life. A divine creator, not simply a moment of passion, is truly responsible for the unborn child. For us to subsequently interfere with his sovereignty is clearly wrong.

The Lord's compassion for children is obvious to any student of the Bible. He also clearly reveals to us that this compassion begins in the womb. (Psalm 139:13, Jeremiah 1:5, Luke 1:14 and John 3:4). The Lord even began his life on Earth in the womb of Mary. If the Lord is truly the lord of a person's life, he is the lord of that person's womb. Taking the life of an unborn child is nothing short of a sin. For Christians to not attempt to stop this dreadful sin is also a sin. A True relationship with the Lord is based on our willingness to be obedient to his will and respond to his call to righteousness.

Swygert Moot Court Competition
4:30 p.m., April 1, Stride Courtroom
National and Jessup International
Moot Court Team Tryouts

Monday, April 15, 1991, 7:30pm

Sign up with Prof. Laura Dooley for a tryout time by April 5

Judge Ratliff, from page 4

educationally defensible is a question which undoubtedly will be debated for some time.

The Legal Profession

Much has been said and written about the current state of the legal profession, and how lawyers are perceived as a favorite whipping pins of the media and other segments of society.

Nevertheless, most of those who so eagerly criticize the profession are themselves oblivious to the office at the first sign of any personal difficulty. My observation is that while all is not well with the profession, neither is all bad.

Unfortunately, popular television programs such as "LA Law," by the lack of ethical standards of the lawyers there portrayed, present a negative image of the legal profession.

I also am concerned about some to the advertising techniques employed by some lawyers, both in print and in the electronic media. While I realize that lawyer advertising is here to stay, I would hope that it is one form of advertising more dignified and tasteful manner that is now employed by some. The "old special" who has no place in the legal profession.

As an old country general practitioner, I am finding that the lengthening hours in the tortuous specialization and towards the metropolitan mega-


operations covering the midwestern bar exams and the two national full-service companies - are estimated to make up a $50-million-a-year market.

In California, 13,000 students sit for the bar exam each year and of those who take bar review courses, said BAR/BRI's, more than half take the BAR/BRI course. In second place in California is BarPassers, with Kaplan-SMH a distant third.

Kaplan-SMH has been operating bar review courses along with other Kaplan review courses in 145 centers located throughout the 50 states. The bar review courses cover 21 jurisdictions. A law student from Ohio, for example, can study there for the California bar and be ready by the time he does not offer a course on the Ohio bar exam.

BAR/BRI, on the other hand, offers review courses in 50 states and offers review courses on 47 jurisdictions. The big four for Kaplan-SMH in Florida, New York, Texas and Florida.

Reprinted with permission from the Los Angeles Daily Journal.

Kaplan, from page 2

Kaplan, from page 2

overnight mail service, sources said. As the Postal Service in late March became inclined to spend more money on the venture because it expected to make it run in the near future.

McLaughlin had kept eight Northeastern jurisdictions including Massachusetts when he entered the joint venture and sources said he plans to try to expand on the venture in the markets from that base. He could not be reached for comment. But his competition, BAR/BRI, a wholly owned subsidiary of Harcourt Brace Jovanovich Inc., scoffs at the possibility.

"Without the Kaplan name and centers I don't see how he can run it outside of New England," said Stanley Chees, Bar/BRI president. "I don't know how he could hold it together outside the New England states."

BAR/BRI would reap rewards from the Kaplan-SMH losses. But it is far and away the leader of the two, training 35,000 students yearly of the lawyers so who take bar exams. Bar review courses offerings - including locals, some national supplemental

Buksa, from page 1

"that he would encourage the administration to bring jury trials to the school."

Rucker continued by relating that "such experiences had helped him in his legal studies.

LaLone, from page 7

the ten foot waves that crashed upon the beach, often filling our swim suits full of sand. I found the body surfing to be a greater thrill than riding the Cork Screw at Cedar Point.

The remaining three days of my trip were spent around Johannesburg visiting friends, a gold mine, and touring Soweto. I found my day at Soweto very educational. Soweto is very different from what the American media portrays it to be. It is a densely populated city with more and more share of troubles. I found the Soweto Police to be very hospitable, more than I could have ever expected them to be. They provided me with tour guides (black policemen) who escorted me throughout the city, fed me a wonderful lunch, allowed me to review videos of riots, and gave me a ringside seat at a police awards ceremony.

The Soweto police force is roughly 3,000 strong, with roughly 23% of the force being black. The police force is combating the 2,000 car thefts that occur each month, the 200 carjackings that occur each month from tribal fighting, and the numerous other problems that face any society with a large percentage of unemployed and employed.

With roughly sixteen different tribes and South Africa's Black, speaking their own language, one can only begin to understand the problem the authorities are faced with.

"These personal experiences are an extension of what is real," said Rucker. "We have to break the image of immense value to the law student."

Ratliff and Hofman expressed similar sentiments.

My discussion of South Africa would not be complete if I did not share my thoughts on apartheid. Reform is in the air (kind of like negligence?) and anticipated by all. It is the general consensus in South Africa that the oppression of the Afrikaners and the Black will be removed. The Black will have parity.

"But," he said, "all of these changes are in a country where the majority of the people are necessarily evil. In fact, it is Brace Jovanovich Inc., scoffs at the possibility.

Unfortunately, popular areas. I would hope that not every lawyer identifies 189 lawyers. Would hope the country lawyer Bar/President.

Laura Dooley for a tryout time by April 5

The Forum April 1, 1991

Page 11

Sign up with National and Jessup International Pro/.

Commenters have noted that a new provision known as the "permit shield" can provide a defense to liability if the company complies with the terms of the permit, but only to the extent of the requirements covered by a particular requirement.

One of the most contentious issues debated before Congress involved immunity for companies that were being fought during a self-audit. Congress rejected this provision, saying it was too little, too late for companies which voluntarily discover and fix violations to face civil, and even criminal penalties. While that congressional debate also advertised the large number of new lawyers that will make up a $50-million-a-year market.

The new law requires an estimated 150,000 businesses to obtain permits for the first time and with companies with all permits addressed a source category and will affect all companies that are entitled to be covered by the local air permit authority to establish a source category for air pollution inspectors to enforce.

The new law requires that the local permit does not address if the permit does not address the emission limit; it does not help if the permit does not address all applicable issues. Therefore, companies must evaluate all applicable provisions and negotiate with the local air permit authority to include some provision, perhaps a statement of non-applicability of some provisions, into the permit itself.

enforcement.

A tough enforcement approach including authority for air pollution inspectors to issue "parking tickets" for violations, is adopted under the new law. Now, more noncompliance episodes will be expected them to be. They provided me with tour guides (black policemen) who escorted me throughout the city, fed me a wonderful lunch, allowed me to review videos of riots, and gave me a ringside seat at a police awards ceremony.

The Soweto police force is roughly 3,000 strong, with roughly 23% of the force being black. The police force is combating the 2,000 car thefts that occur each month, the 200 carjackings that occur each month from tribal fighting, and the numerous other problems that face any society with a large percentage of unemployed and employed.

With roughly sixteen different tribes and South Africa's Black, speaking their own language, one can only begin to understand the problem the authorities are faced with.

"These personal experiences are an extension of what is real," said Rucker. "We have to break the image of immense value to the law student."

Ratliff and Hofman expressed similar sentiments.

My discussion of South Africa would not be complete if I did not share my thoughts on apartheid. Reform is in the air (kind of like negligence?) and anticipated by all. It is the general consensus in South Africa that the oppression of the Afrikaners and the Black will be removed. The Black will have parity.

"But," he said, "all of these changes are in a country where the majority of the people are necessarily evil. In fact, it is Brace Jovanovich Inc., scoffs at the possibility.

Unfortunately, popular areas. I would hope that not every lawyer identifies 189 lawyers. Would hope the country lawyer Bar/President.

Laura Dooley for a tryout time by April 5

The Forum April 1, 1991

Page 11
Recycling, from page 4

By Drew Dillworth

Drivers to inhibit dust. Otherwise, we would have to sort through weeded fields to help facilitate burning. My own grandmother used to pour it along her property line to keep the neighbor’s crabgrass from spreading into our yard.

Whatever the reasons behind such disposal, the reality is that eventually all of that oil will seep through the soil and into the aquifer, tainting the ground water. An oil spill will easily get into a community, and in a couple of years, it can show up in the soil, not something you want to happen.

It is difficult to find these products in this part of the country but you can ask at your parts store or the garage that does your work if they would be willing to offer, recycled products as an alternative. Third, encourage the recycling. China is a finite resource and with the problem and ask them about the problem with the recycling. China is a finite resource and with the problem and ask them about the problem with the recycling.

Second, reuse recycled lubrication products in your own car; remember these products are of high quality.

Witch, from page 7

"It becomes so that you don’t know what to call a minority or an ethnic group anymore. They change their identification label almost everyday it seems. The database of people, what they call themselves, as to get special entitlements.” Phineas added.

"Hmmm,” I said.

"Further down the road,” he said, “this whole political correctness stuff is invading the law.”

"Well,” I said, “you have to be careful of what you write in essay papers, you especially have to be careful of internet, because the PC Police have informers all over.”

"How much did all that cost?” I wondered.

"Oh, well,” said Phineas, "you don’t know about that. Phineas added.

"I’m sure everything will work out in the end,” I said.

"I hope so,” quavered Phineas. "I notice that they’re changing the name of the law school," I said.

"I don’t care about it,” he said.

"I don’t know about that,” Phineas said.

Recycling

As to Issue 1: No, unequivocally. As to Issue 2: No, visibly. While this school has the potential to turn around a football program, the team had to achieve the ultimate goal, which would result from government participation in the effort. Legislation needs to be passed to officially encourage used motor oil recycling.

I learned as a boy. They say that if you mess with the nest, you will have to leave. But I learned that they say the same thing about the PC Police. You can have a high school senior- This is how the recruiting process is often won. You can have a high school senior- This is how the recruiting process is often won.

The solution to the used oil problem is a realistic one. We do not need to pay incentives which will continue to benefit the environment for years. Used oil can be either recycled into lubricating oils or reconditioned into industrial fuels. Currently most of the used oil generated at collection sites in the Midwest is reconditioned and made into fuel for use in specialized designed, clean burning furnaces by a Chicago area industry—like Canada and Central Europe in particular, have highly developed markets for refined oil, which would result from government participation in the effort.

Despite the nine point margin of victory over the second place Flyers who had 49 points, the victory was questionable during the competition; the team had to realize that this was not a victory of not having a driver and not being able to compete in the dividend. The team loses the game, but the majority of Americans who care their own work. They say that if you mess with the nest, you will have to leave. But I learned that they say the same thing about the PC Police. You can have a high school senior- This is how the recruiting process is often won.