First of Four Seegers Lectures Focuses on Women in Law

By Robin King
News Writer

October 22 marked the first Seegers Lecture of a four part series. Three more lectures are to follow. The Hon. Vivian Sue Shields presented a lecture on the life of Antoinette Dakin Leach. Vivian Sue Shields became the first woman to join the ranks of the Indiana trial judges in 1965. In 1978, she was the first woman to sit on the Indiana Court of Appeals. She received her law degree from IU School of Law, after which she practiced as an attorney for the IRS. Thereafter she held the post of deputy attorney general.

Shields’ speech honored the contribution of Leach who “carved out a place for women” in the law. Leach was “willing to jeopardize her own interests,” to further a general good. Leach was denied admittance to the Indiana Bar on the grounds that she was not a native, a right not granted to women at that time. Leach appealed to the Supreme Court with a typewritten brief, possibly the first received by the Supreme Court. On June 14, 1893, Judge Hackney reversed the lower court’s decision, stating that ancient customs restricting women to the domestic scene were “fictions” that should no longer abridge their privileges as citizens.

Following Shields’ lecture, Dean Gaffney presented the Leach Centennial First Woman Awards. Recipients included Hon. Vivian Sue Shields, Indiana Attorney General Pamela Carter, Hon. Sarah Evans Barker, and Valparaiso’s own Francis Tilton Weaver, who graduated from VU School of Law in 1925.

A round table discussion closed the event. Cynthia Minor, who practices in Sports and Entertainment law, spoke of just a few of the goals of the Indiana State Bar Association Task Force on Women and the Law. Some of the task force’s goals are as follows: adoption of a rule of professional conduct, revision of law school curriculums, exploration of child care issues, and a report of findings to the Indiana Bar. In regard to the progress of women, Minor said “as far as we’ve come, we still have long way to go.” For example, approximately only 6% of partners in the legal field are women. Salary differentials still exist and women are often clustered in lower paying jobs.

Minor also spoke of the “MTV generation,” and how the male youth of today often perceive women. She spoke of a program in Gary, Indiana which works with H.S. age males in an attempt to educate them about the changing roles of women. The program has been successful and the students have been very receptive.

The participants were asked to speak on their experience with gender bias and the forms it often takes. Sarah Evans Barker stated that society has “moved away from patterns of blatant discrimination to subtle discrimination.” In her opinion, sometimes the “evidence of bias” is gone, but the bias itself is not. Barker made an analogy to pornography, saying “we know it when we see it.” She also spoke in regard to the quota mindset which continues to persist. The quota mindset often perpetuates ideas that “one size fits all.”

By Jessica Bowman
News Writer

On Friday, October 29, the law school hosted the United States Court of Appeals, Seventh Circuit, while it heard arguments on three cases: Wildlife Express Corp. v. Carol Wright Sales, Inc., Herman Jordan, et al., v. Indiana High School Athletic Association, and Wildlife Express Corporation v. Carol Wright Sales, Inc. The court did not decide any cases on this day. An informal question and answer period with the judges took place after lunch.

Student turnout was heavy and closed circuit television was provided in Classroom A to accommodate the overflow of spectators from Student Courtroom. Most students were impressed with the prestige of having the Seventh Circuit hear cases in the law school. Furthermore, all agreed that viewing the arguments provided useful insight into the differing approaches of oral advocacy.

Third-year student Charles Putzer was glad to attend the first argument. “Anytime a circuit court comes to hear arguments in front of students is good,” said the Oshkosh, Wisconsin resident. “It gives me a more realistic approach of what it’s all about,” Putzer added.

Tom Kingston, a first-year student from Eugene, Oregon, attended the second argument. Kingston took notice of the judges’ dissatisfaction with an attorney who dodged a question. "It was interesting," stated Kingston, "how judges got frustrated when the attorney was not prepared to answer questions from the bench." Kingston also stated that attending these arguments was "a great experience for a first-year student."

Mitch Edlund, who attended the last argument of the courtroom’s various players. The attorneys presented cogent, well thought-out arguments, said the second-year student from Morrison, Illinois. "There was good interaction between the judges and the attorney’s and you could also see the different personalities of the judges," he said.

The following day’s arguments, derived from supporting briefs.

In Wildlife Express Corp. v. Carol Wright Sales, Inc., plaintiff Sandra Waldridge alleged that she suffered injuries as a result of exposure to defendants' manufactured goods while working at a plastic products plant from January 1986-1988. Plaintiff was exposed to plastic pellets, dust, and other chemicals while employed at the plant.

In 1987, plaintiff was diagnosed with Bell’s palsy, which resulted in the permanent loss of vision in her right eye. None of plaintiff’s doctors attributed her ailments as being the result of her exposure to chemicals.

Plaintiff’s legal counsel provided her medical records and employment records, which backed his position. Barker made the case for a program, while the plaintiff’s injuries were the result of her exposure to chemicals at her former place of employment.

Plaintiff proceeded to file suit, and defendant filed for summary judgment, focusing entirely on the issue of causation. Plaintiff then submitted the affidavit of Dr. Marcus, which stated that according to his opinion, plaintiff’s injuries were the result of defendant’s injuries.

The trial court held that the testimony of Dr. Marcus was inadmissible because it lacked substantial basis and therefore, was merely conclusory. The court used Federal Rules of Evidence 702 and 401 in finding the expert testimony "speculative", thus inadmissible.

The basis of the court’s decision was that the testimony was not grounded in fact. The court relied on American Nat’l Bank & Trust Co. v. K-Mart Corp., 717 F.2d 394 (7th Cir. 1983), which held that the law court’s task was to examine the expert opinion and the method of reaching a conclusion may be looked into. The plaintiff asserts...
The SBA has brought the following issues to the Faculty. The Curriculum Committee will be advised of student concern on current class offerings, professors, and classes. The First Year Faculty Representative will discuss the voting process for the Committee on Legal Education on an annual basis. I hope we'll get a look at the "highest court in the land" - the basketball court reserved for the use of the more athletic justices and their clerks. I am also delighted to announce that Justice Ginsburg will join us in Cambridge, England, next summer as our distinguished jurist-in-residence. My colleague, Professor Rosalie Levinson, will work with the justice to prepare materials on "Gender Discrimination and Women's Rights." She will also provide portions of some of the briefs in several of the cases in this area of the law that were successfully argued by Justice Ginsburg when she was a law school professor in the United States. The Dean has approved this course and it will be posted outside of the Law School. It is a free elective course, open to all students.

As always there is much more going on that you will not need to read the SBA meeting minutes posted outside of the SBA office. We attempt to communicate issues as fast as we can, but there is seldom time or the vehicle to carry this out. If you have question or input, please leave a message with your representative and you will receive a response. Please enjoy the Halloween party. Thanks for all the sincere compliments on my costume last year. Although it is seldom time or the vehicle to communicate issues as fast as we can, I hope you will receive a response. You will. I enjoy the SBA meeting minutes, which I received each time I have used my costume.
Battered Women Finally Receive Their “Get Out of Jail Free” Card

By Melinda Baas
Staff Writer

More than 50% of women are battered some time in their lives. Ninety-five percent of battered women are men. Women who leave their abusers are at a 75% greater risk of being killed by the batterer than those who stay. There are an estimated 2,000 women in prison for killing abusive partners. Men kill women at three times the rate estimated for killing abusive partners. Men who leave their batterer receive sentences of 15 to 20 years. What is happening here?

These are statistics compiled by the National Clearinghouse for Battered Women. The statistics show an startling disparity in the treatment of battered women by the justice system. Only in the past ten years has the “battered woman syndrome” been allowed in the courts as a valid defense for murder.

Their “Get Out of Jail Free” Card

These clemency projects have not been without controversy. Critics contend that this justifies women killing their abusers. The same arguments have been used against recognizing the “battered women syndrome”. The self-defense argument is used by critics to refuse acceptance of the “battered women syndrome.” One of the basic principles of the self-defense doctrine is that violence is a last resort. There must be an attempt by the party using the force to escape if possible.

Arguments like this ignore psychological aspects of the syndrome and practical considerations. Leaving is not simple. Many women do not have the skills to immediately start out on their own, which means reliance on welfare. This could result in separation from their children because courts often view a father with a regular income as a better caretaker than a mother on welfare.

Another very real fear is that the abuser will not let the woman leave. One man told his wife “It’s either you or me.”, when she threatened to leave. A woman who has repeatedly been told “If you ever leave me I’ll kill you” is faced with a pretty tough choice. Some women just reach a point where they cannot take anymore “walking on eggshells”. For some of these women the only way out is violence.

Self-defense does not condone violence. It merely justifies based on circumstances. The high penalty behind a first degree murder charge is meant to protect society from dangerous individuals. Are these events that likely to kill again? A battered woman has usually suffered years of abuse before violence erupts. Are they a real threat to society? These women have not killed at random. They did what they did to protect themselves from a deadly harm. If battered women are not a threat to society, why are they in jail? Good question.

Do women who turn against their abusers deserve a special kind of forgiveness? Hell, yes! They should get a medal—the medal for defending their family against potentially lethal violence.” - Kathy Fryer

The Next Issue of The Forum will be distributed on December 6, 1993. It will be the final issue of this semester. The Deadline line is November 30, 1993 at 5:00 p.m. Articles must be submitted on diskette.

Pilgrim in An Unholy Land

By Mike Thompson
Editor-in-Chief

There is Still Much to be Thankful For

It wasn’t until I was eight or nine years old that I realized that everyone wasn’t celebrating my birthday on Thanksgiving Day.

To many of you that may seem inconceivable. Others who know how egotistical I am might not be all surprised. Regardless of how silly it sounds, I mean, it was a reasonable conclusion to make at the time. After all, since my birthday always fell on or near Thanksgiving Day, it so happened that it was the most convenient time for my family to celebrate my birthday at the same time that they got together for Thanksgiving dinner.

After we ate a huge meal, consisting of some of my favorite foods, we devoured my birthday cake, and I received my presents. Then I would watch one or two of the parades that were being held around the nation—presumably in my honor. To top it all off, I never really had to go to school that day. What kid wouldn’t reach the conclusion that the whole day was set aside in his honor?

I always thought it was a tad odd that the whole country didn’t turn out to celebrate some people’s birthdays. I mean, they always held the Indianapolis 500 race on my sister Cher’s birthday, which also corresponded with my friend Ward’s birthday; they always had a lot of flag waving and fireworks on Nik Woods’ birthday on July 4th. George Washington and Abraham Lincoln still had holidays for their birthdays, and they had been deceased for years on some reason, though, a lot of my friends had birthdays each year, and it seemed to me that no one took any real notice of them. It struck me as a little bit unfair, but it made me especially thankful on my Thanksgiving Day that I rated a full-blown national holiday.

I don’t know what it was that made me realize that I wasn’t the hole beneficiary of the Thanksgiving Day celebration. I do remember that I was sad when I found out. It seemed like I had shared my holiday with a bunch of people whom I didn’t know. As my teacher told the class that Thanksgiving Day is a day for everyone to come together, I remember thinking, “Oh sure... You can be thankful because you don’t have to share your birthday with everyone else.”

Well, it has been about fifteen years since I came to the sad realization that I am one of those reason that all the major cities have big parades in late November each year. I have pretty much recon- ciled myself to this fact, and I have tried my best to go on with life.

As Thanksgiving, 1993, approaches, I still look to it as my own, personal holiday. As I get older, I appreciate even more the theme of that day. It has been almost a quarter of a century since I made a rather understated entrance into the world. In the years since that fateful day, I have been abundantly blessed with a good home, loving family, great friends, and a cute dog. There are plenty of other good things that have happened to me, but I don’t want to bore you with the details.

The reason that I am going so far beyoncl the fact that this is my own, personal holiday, is because I am finally willing to share it. In fact, the more I experience life, the more I realize the importance that everyone recognize what Thanksgiving Day means. With all the negativism, cruelty and hatred that pervades society, Thanksgiving provides us one of those few special days out of the year when we can look around and focus on all the good things that surround us.

We live in a country that has defied poverty, foreign, and individual achievement that the world has ever known. We live in a nation that embodies the moral force that defeated communism. We are not the best in the world because of any racially-geographical notion; we are the best because our system of government—more than any other—permits and promotes individual achievement.

We live in a land governed by a document that was written over two hundred years ago by men who, in God’s wisdom, gave the United States that was the focal point for defending the free- doms that permit us to excel. Now, over two hundred years later, that document is just as powerful and just as important as it ever was.

Our nation—a nation that is forever young—is still a beacon, a shining light for all those who must have freedom. In spite of all her faults, in spite of all her mistakes, the United States is still the best boat afloat.

We, the people, as long as this world shall endure, that is the way it shall always be.

November 25th is Thanksgiving Day. If you happen to be thinking about our country that’s bugging you, try spending a few minutes on something focusing on one of the good things that we have going for us. I think you will find that this is still a darn nice place to live in, and that we still have much to be thankful for.

Trust me—I know what I’m talking about. Hey, it’s my holiday, isn’t it!°
Letter to the Editor

Is a Rape Victim to Blame?

By Leslie Kralis
Staff Writer

During a lecture at the School of Nursing, Professor Seymour Moskowitz addressed several nursing students, professors, and practitioners on a most unpleasant topic—Elder Abuse and Neglect.

Moskowitz contends that severe conflicts with the aged have persisted throughout history citing as an example an excerpt from Shakespeare’s King Lear. He suggests that the notion of the “golden years” may actually be tarnished due to societal attitudes toward the elderly as powerless, unproductive, and parasitic.

In fact, Moskowitz’s lecture revealed some shocking realities. According to a 1991 congressional report, an estimated 5% of the American elderly population, more than 1.5 million of the nation’s elderly, may be abused yearly. Moskowitz pointed out that the actual numbers of elder abuse cases are probably much higher because it is far less likely to be reported than child abuse. He clarified that mistreatment of the elderly involves a variety of behaviors: physical abuse, psychological abuse, financial exploitation, and neglect. Because of the rapidly increasing population of elderly citizens otherwise known as the “graying of America”, the problem is likely to intensify.

All fifty states have some type of statute addressing the problem, usually including elder abuse in adult protective services legislation. Much like child abuse statutes that require mandatory reporting, forty-two states mandate the reporting of elder abuse by professionals, and by others, and make the failure to report a criminal offense, such as a Class A infraction.

Moskowitz opined that the steps taken to solve the problem of elder abuse have been ineffective. For example, very rarely do victims bring criminal charges against the perpetrator because in most instances, the abuser is a family member. Even more rarely prosecuted are the cases where a professional has failed to report the abuse and a victim is returned to their former environment only to be abused again.

Moskowitz believes that the criminal law should be reserved for the most egregious cases of abuse. He proposed five possible avenues for improving the situation: public attention and awareness of elder abuse, pro-active services for the elderly, more in-home services for the elderly, the use of civil law, and legislation providing new remedies for abused elders.

In addressing the use of civil law, Moskowitz sees the implementation of tort actions against professionals for failure to identify and treat elder abuse as a more effective remedy.

At the forefront of this new cause of action are states such as Michigan and California which allow for civil suits against professionals who fail to identify and report suspected instances of elder abuse to the appropriate authorities.

This is a constructive alternative because it puts the burden to report, thereby initiating an investigation, on professionals, especially health care professionals, who possess the medical knowledge to identify the abuse. Also, they are typically the first to receive the abused victim in an emergency room setting.

Moskowitz became involved with the topic of elder abuse because it involves both issues of Family Law and Health Care Law, two courses that he teaches at the law school. Because the elderly are a particularly vulnerable segment of the population to which very little attention is paid, Moskowitz was interested in how the law might be useful in addressing some of the serious problems that confront them. The lecture is merely the beginning of Moskowitz’s efforts on elder abuse. A written report, detailing his research, is being prepared and will be mailed to community agencies, hospital emergency rooms, nursing homes, and others who deal with the elderly. As part of the report, Moskowitz has collected and analyzed current statutes in all fifty states on elder abuse, especially mandatory reporting, and has presented those statutes in easy-to-read chart form.

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GIGGLE’S PIZZA

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The public debate on gun control has come to pass on demonstrations across the country. Both groups are terrified of the violence that plagues our nation’s cities and threatens the safety of our citizens at all times. Gun control advocates want the violence curbed with less guns aimed at them; The National Rifle Association—with a 3.3 million member following—wants to be cured with more guns to defend themselves. In 1990, there were 37,000 handgun deaths, ten times the yearly total forty years ago. More than 50% of homicide victims in 1992 were killed by handguns. In a Louis Harrill Poll conducted in June of this year, 18% of adults surveyed knew someone who “had a child who was wounded or killed by a child who had a gun,” and 12% knew of a child who shot himself by accident.

Today, 287,000 federally licensed firearm dealers are free to order unlimited amounts of guns without any background checks or waiting periods. These dealers are allowed to sell virtually any type of gun to any person who asserts he or she has a previous criminal record. The government issued 35,562 new firearm dealer licenses last year, while revoking only 24. Had enough of more guns?

The gun issue in the American public has, much to the chagrin of the National Rifle Association. Many Americans now view the NRA as a bullying, extremist organization which will bribe and threaten elected officials to oppose any and all legislation on gun control.

The Brady Bill, introduced in February of 1993 and overwhelmingly passed in the Senate, has yet to become law due in large part to the NRA’s sophisticated lobbying and fundraising efforts. But the signs that the NRA’s efforts are beginning to backfire. The Brady Bill, which would require a 5-day waiting period for those that are behind handguns could be purchased so that police can conduct background checks, is favored by 9 out of 10 Americans according to the Louis Harrill Poll. Not coincidentally, that same ratio of Americans feel that crime is worse now than when the NRA was founded.

In the country’s only two statewide elections this year, the gun control debate has dominated the campaigns, with the electorate clearly favoring gun control candidates. Indeed, New Jersey’s incumbent Democrat Governor Jim Florio has won the NRA to thank for single-handedly reviving his political fortunes.

Florio in 1990, and the Democratic-controlled state legislature passed, the toughest gun law in the country that virtually banned the use of semi-automatic assault weapons—civilian versions of military rifles that have no legitimate civilian purpose.

The Republicans gained control of the state legislature in 1992 and attempted to repeal the ban. Florio vetoed the measure and campaigned across the state with his personal copy of the law to be upheld. Republican lawmakers felt the heat from the NRA, who spent $150,000 in an effort to cause Florio to turn the ban and make crude threats to end the careers of those that supported gun control in 1990.

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Women In The Law

Seekers, from page 1 enough," but Barker asserts that "one is not enough." As women, Barker stated "we don't want tokenism." Barker also noted the importance of not stereotyping certain areas as "women's areas." Juvenile law has often been designated as a woman's area because it involves children. Stereotyping, according to Barker, taints the area, which often suffers as a result. Attorney General Pamela Carter stated that bias is often seen in terms of presumptions. Often there is an assumption of competence for male lawyers, and that presumption isn't always there for women. Minor stated that young attorneys should pursue their interests and "do it to [their] finest."

Hon. Vivian Sue Shields advised that we should seek "to sensitize people to the fact that we are bridged by our divisions. The law is a broad field, and there is room for the contributions of each of us in any area we choose." The pursuit of a legal education is difficult and the challenges which we will face as attorneys promise to test our abilities. The advice given by Pamela Carter, to be "supportive of [our] colleagues," is well taken. No man in what your fellow, your conviction, be disciplined, work hard, and strive to persevere. Society will always present challenges for us to meet, and as Sarah Evans Barker stated, "be remember be."

A special thanks to Professor Lind, the Hon. Vivian Sue Shields, and all of the participants of the first Seegers Lecture. The next lecture will be held on November 12, 1993 at 4 p.m. Everyone is encouraged to attend.

Delta Theta Phi Legal Fraternity Would Like to Welcome All Our Newly-Initiated Members to Our Fellowship! Congratulations!

Public Citizen Seeks NAFTA Environment Changes

NAFTA, from page 5 Speculating as to whether the Supreme Court will consider the separation of powers argument, Professor Michael S. Straubel said the Court will avoid a separation analysis if it can.

In addition, Professor Blomquist said that he supports NAFTA and that the agreement is an environmentally sensitive trade package. "In the past, trade treaties, such as the General Agreement on Tariffs and Trade (GATT), totally ignored environmental considerations. NAFTA and its side agreements provide for several standards of environmental protection," Professor Blomquist added. On the same issue, Professor Strubel agreed that NAFTA and its side agreements are "sensitive but said that it could be improved. However, he said that NAFTA is better than nothing."

"Nothing means not working on what problems exist. With NAFTA and the relationship that it creates between the U.S. and Mexico, that is what they are doing about environmental improvement," Strubel said. If NAFTA fails, the U.S. will have no leverage on environmental matters, and Mexico will be free to do what many fear," he added. Professor Ehren, on the other hand, said he strongly opposes NAFTA, partially because he has not seen any real evidence that the side agreements will solve any environmental problems.

"If the question is, 'is the president avoiding environmental concerns generally?' the answer is 'yes,'" Professor Ehren said. "I think the president is just ignoring environmental issues as well as the job issues," he added.

Friends of the Earth and Greenpeace have been largely in favor of the Environmental Protection Agency (EPA) report on the Earth's environment and theWindwards. In the November 12, 2004 issue of the New England Journal of Law, an article by Richard J. Painter argued that the EPA failed to address the issue of climate change in its report. Painter argued that the EPA's failure to address climate change was a violation of its obligations under the Clean Air Act. However, a recent study by the National Oceanic and Atmospheric Administration (NOAA) found that the Earth's climate has been warming at an unprecedented rate, and that the warming is primarily caused by human activities, such as burning fossil fuels. The study, which was published in the journal Nature, concluded that the Earth's average temperature has increased by about 0.8 degrees Celsius over the past century, and that this increase is likely to continue in the future. The study also found that the recent warming of the Earth's surface is unprecedented in at least the past 1,000 years, and that it is likely to lead to significant changes in the Earth's climate, such as increased sea levels, more frequent and intense heat waves, and more frequent and severe droughts.

The study's findings are in line with other studies that have shown that the Earth's climate is warming, and that this warming is likely to have significant impacts on human societies. For example, a study by the Intergovernmental Panel on Climate Change (IPCC) found that the warming of the Earth's climate is likely to lead to significant changes in the Earth's weather patterns, and that these changes are likely to have significant impacts on human societies. The study also found that the warming of the Earth's climate is likely to lead to significant changes in the Earth's ecosystems, and that these changes are likely to have significant impacts on human societies. For example, a study by the National Oceanic and Atmospheric Administration (NOAA) found that the warming of the Earth's climate is likely to lead to significant changes in the Earth's oceans, and that these changes are likely to have significant impacts on human societies.

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Ideas for Reforming Our Government

By Frederick Technich II
Staff Columnist

As we seek to reform our federal govern-
ment, instead of term limitations, we
should first consider adding more repre-
sentatives in the current 435. By shrinking
the House constituencies we would be
making our representatives more account-
able because fewer numbers of voters
would be needed to defeat them at the
polls. Along these same lines, newcomers
would also have a better chance at being
elected because they would have to appeal
to a much smaller number of voters.

By making the constituencies smaller,
it would be easier for the more accountable
and representative of the people, the way it
was intended to be, and the way it should be.

In the Senate, where the problem isn’t a
lack of representation, but one of election,
one of our current problems is the ever
increasing size, scope, and intrusiveness of
the federal government. Many people
want to limit the federal government, but
Even in large groups, such as United We Stand, we
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as individuals our votes seem ineffective.
Even in large groups, such as United We Stand, we
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ment’s out-of-control growth. The sheer
momentum of the behemoth prevents such
a purely national solution. Instead of
attacking the corruption of the federal gov-
ernment on a national scale by way of

in an increasingly large and complex national
government. This is especially true when
the people face political disinformation,
demagoguery, and a decrepit state school
system.

As our closest body of representatives, it is our state legislatures’ natural role
to protect us from an intrusive federal govern-
ment. We should once again allow them to
fulfill that natural role. And if they don’t
do the job adequately, they are still
accountable to us because their constitu-
encies are very small and local in nature.

What we need is a stable and restrained
federal government that will allow us to
determine our own futures. We need a
government that won’t force the state of
Wisconsin to ask permission to reform its
welfare system. We need a more republi-
can type government, with less pure
democracy and less populist passion. We
need a government that is more in line with
its own republican conceptual design.

A larger House and a repeal of the Sev-
eenteenth Amendment would help us to
effect this important and necessary change.

3L Steering Committee Gives Report

By Lauren Jaworowski
3L Steering Committee Chair

Just a note to update the 3Ls
on the purpose and the progress of the 3L Steering Committee.
The members of the committee
are Rod Bry, Lori Gillis, Angie
Mills, Leatha Mullins, and Lau-
ren Jaworowski. Kip Winter
serves as a committee advisor.
JoAnn Albers is our administra-
tive contact. The committee’s
main function is to organize all
events related to our graduation
in May. At this moment, we have yet to secure a
commencement speaker, but Kip
and Leatha are closely working
with Dean Gaffney and the
administration on this project.

Fittings for caps and gowns
will take place on February 7 and
8. The SBA will cover the rental
costs of the caps and gowns.

The committee recommended
to the SBA that gift certificates
to Strongbow’s Restaurant be
given to the five students who
will graduate in December.
The SBA accepted our suggestion
and will purchase the certifi-
cates.

JoAnn has brought it to our
attention that our class may have
a “musical interlude” during our
graduation ceremony. This
would allot a small portion of
time during the ceremony to an
artistically talented student in our
class. If anyone is an aspiring
singer, musician, or dancer,
please let one of the committee
members know if you would be
interested in sharing your talents
with our class at our graduation

The Forum
November 5, 1993

Ideas for Reforming Our Government

By Frederick Technich II
Staff Columnist

As we seek to reform our federal gov-

erment, instead of term limitations, we
should first consider adding more repre-
sentatives in the current 435. By shrinking
the House constituencies we would be
making our representatives more account-
able because fewer numbers of voters
would be needed to defeat them at the
polls. Along these same lines, newcomers
would also have a better chance at being
elected because they would have to appeal
to a much smaller number of voters.

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and representative of the people, the way it
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Page 7
Myra Bradwell (above) was the first woman to practice law in Illinois and her life will be the subject of a lecture to be delivered by her autobiographer, Jane Friedman, on Nov. 12. Bradwell was the plaintiff in the celebrated case of Bradwell v. Illinois, when she was denied admission to the bar.

Law School Wins Soccer Trophy

SOCCER, FROM PAGE 11

Canadian took a page out of TNN highlights for SocCER, FROM 1993 Soccer champi­...
Torts Hypo Goes Awry

By Dan Taylor
Staff Writer

A George Mason University School of Law professor inadvertently caused an uproar at that school while instructing a first-year torts law class about assault. Michael Krauss, a tenure-track professor, was utilizing hypotheticals to illustrate his point. The professor acknowledged there did not need to be a monoline assault hypothesis to show his students the value of the hypo.

The dean of the law school, Henry Manne, along with most of Krauss’s colleagues at the school, had also been in Krauss’s class. The dean stated that he received his Juris Doctor degree from Columbia Law School.

Krauss said that when he first heard of the protest, “he was shocked, distressed, and saddened.” “Now I am just angry!” he related. “They [the protesters] did not even bother to come to me to find out my side of the story; they just went off without first ascertaining the facts.”

There has been a large demonstration of support for Krauss however. A counter-petition was originated and signed by 85 IL’s,” Krauss stated however that none of the 150 first-year students who heard the hypo in class signed the petition.

Krauss and his teaching methodology have also been supportive of Krauss. According to Krauss, numerous alumni and students have written letters to the editors of local and student newspapers voicing their support of Krauss and his teaching methodology.

Krauss has been teaching torts, products liability, and jurisprudence at George Mason for the last seven years. He has received his Juris Doctor degree (L.L.M.) from the University of Sherbrooke in Quebec, Canada. He also has received an L.L.M. from Yale Law School and completed his doctoral residency at Columbia Law School. Prior to teaching law at George Mason, Krauss served for five years as a commissioner on the Quebec Human Rights Commission, a quasi-judicial body which enforces quebec’s Constitutional Charter of Rights. Krauss has been frequently published, including most recently in a law review article in the New York Journal of International Law on the already existing Canada-United States free trade agreement, and an article entitled “Tort Law and Private Ordering” in the St. Louis Law Journal. He has also written extensively on patent law issues and on civil rights in Canada.

Many alumni of George Mason law school have also been supportive of Krauss. According to Krauss, numerous alumni and students have written letters to the editors of local and student newspapers voicing their support of Krauss and his teaching methodology.

Krauss was “thrilled to be the representative.” He hopes that the class will not regret his short speech. He further commented that in his capacity, he will do whatever is reasonably required to fulfill his position.

Prof. Bruce Berner has been elected the class advisor for the Class of ’94. This position requires the chosen professor to give a short address at the graduation ceremony. Upon being chosen Prof. Berner stated that he was “thrilled to be the representative.” He hopes that the class will not regret his short speech. He further commented that in his capacity, he will do whatever is reasonably required to fulfill his position.

Prof. Al Meyer suggested that Berner possibly “staffed” the box. To that comment Berner replied that he, “would want to know what he was doing near the box.”

Some class members were upset about the controversy of choosing the late Charles Gromley. Prof. Gromley died last December and it was felt by some students that the Class of ’94 was last class to have Prof. Gromley for a substantial amount of classes. It was later decided that Prof. Gromley would be honored separately at graduation. This provoked a write in campaign for Prof. Gromley, but it failed to receive enough votes. The runners-up in the election were Profs. Bodenstein, Levinson, and Dooley. They will be the “hooders” at graduation, that is, at the ceremony they will assist graduates in donning their hoods after receiving their diplomas.

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Over the last two years, the league has lost the 3 players most responsible for the resurgence of the NBA—Michael Jordan, Magic Johnson, and Larry Bird. The NBA has the solid foundation of young stars to continue as the best run league in sports. Aside from the retirement of Michael Jordan, the NBA is dealing with the sudden deaths of Reggie Lewis and Drazen Petrovic. The NBA has been dealt to a season ending injury with Michael Jordan no longer leading the Bulls, the winds will be hard pressed to four-peat. However, the next NBA championship will constantly be reminded that the victory was hollow. It did not "actually" de throne the defending champs. Without further hesitation, the NBA prognostic.

Atlantic Division

1)New York Knicks-The key to win the NBA championship. The addition of Patrick Ewing and Hakeem Olajuwon will be the defense and in the league. Patrick Ewing is a constant star. Look for Michael Jordan to be nastier and Alonzo Mourning to become more of an offensive factor this year. In forward Anthony Mason, the Knicks prove they have a solid player in the league—the tough Mason has the ability to play defense and Supply the Magic with a devastating inside-outside combination for the next decade. Coming off a mediocre season, he did during the regular season last year—he wore down during the playoffs. His injuries in the playoffs could be troublesome when you have young centers like Shaquille O’Neal and Alonzo Mourning in the backcourt.

2)Orlando Magic-After winning 41 games last year, the Magic won the draft lottery and added the multi-dimensional Afernee Hardaway to the fold. The combination of center Shaquille O’Neal and forward Hardaway propel the Magic to the next level. Shaquille O’Neal will be the best center in the league and numero uno in the NBA, and #1 pick A.C. Earls, and #1 pick A.C. Earl to the Magic will make them a good team. With Shaquille O’Neal at the point, the Magic will be able to make a deal to shake up the chemistry.

3)Boston Celtics-The sudden death of star Reggie Lewis is a continuation of the bad luck that has beset this franchise since the drug overdose death of Len Bias in 1986. With the retirement of Kevin McHale, the Celtics will need players like Robert Parish, Ray Allen, Alonzo Mourning, and #1 pick A.C. Earl to play the center position. Robert Parish is winding down a great career—at 39, you have wonder how much the Chief will contribute. Ray Allen is the best guard in the NBA, McHale, and Lewis around.

4)Washington Bullets-The Bullets made a bad deal by trading the underrated Harvey Grant for dispointing center Kevin Duckworth. The Bullets want to move Pervis Ellison to the power forward position. At small forward, Tom Gugliotta displayed a lot of the same characteristics of Larry Bird—very good outside shooter, excellent rebounder, and an excellent passer. But the Bullets have lost their star backcourt in Isiah Thomas and Joe Dumars. However, the Bullets picked up two young guards in Lindsey Hunter and Allen Houston. Hunter could be a star. Up front, the Bullets have some talent in Eric Sessions, who is not a star but a good player, and Olden Polynice. With new coach Don Chaney, the Pistons should be much improved.

5)Detroit Pistons-The trade of Dennis Rodman is addition by subtraction. The fact that they picked up Sean Elliott, one of best small forwards in the game, is a bonus. The Pistons still have their star backcourt in Isiah Thomas and Joe Dumars. However, the Pistons picked up two young guards in Lindsey Hunter and Allen Houston. Hunter could be a star. Up front, the Bullets have some talent in Eric Sessions, who is not a star but a good player, and Olden Polynice. With new coach Don Chaney, the Pistons should be much improved. The Pistons will be as good as they are responsible for the resurgence of the NBA. Even without Michael Jordan, the NBA has the solid foundation of young stars to continue as the best run league. Without the cap, the NBA might wind up like major league baseball—a league with poor financial conditions and the problem of small market teams being unable to support a team.

Dick Ebersol, president of NBC sports, recently said that because the network has lost $95 million this year in covering AFC championship games, the network is trying to prevent superstation WGN from televising 41 games of the Chicago Bulls. NBC says they will allow WGN to televise the game in exchange for $250,000 a game. This is outrageous and just a bit

A major problem with sports is the constant focus on the television ratings. An example of this is the television ratings of baseball games which have been on a decline for the last 3 years. Many point to the baseball coverage of CBS. However, this is very misleading because the Cubs have traditionally been an overachiving team. But ESPN telecasts six games a week, superstations such as WGN and WTBS broadcast the Cubs and Braves every night and the fan also has the local team to watch. How much baseball can one fan watch, on the decline, then how can one explain that baseball attendance (excluding the expansion teams) increased by over 10% from last year.
The clear blue skies allowed the temperature to warm the overworked body of the collection of ex-soccer players - now students of the law. One lad, dressed as a referee, held the shape of an athlete and had been nurtured at an out of school soccer program by the Mecca of young, raw soccer recruits. Another man had been banded around in the summer by a team of former players by cheese state, but had become the pillar the team could rally around in and out of game. A Yankee played each game so physical that he often resembled Spuds McKenzie (God rest his soul). A New Jersey Rocker, still callow to the game of soccer, displayed flashes of expertise and lungs that would not cease. A Wall Street lawyer, a wall who traversed the field denying many a competitor their shot at bliss. The quiet gentleman who came to play, like Todd Day, Blue Edwards, Eric Murdock, and Lee Mayberry, the Bucks have a nice nucleus to build around. The addition of Ken Norman should provide energy, like Craig Elllo as 2-guard is a stop-gap measure. The Hawks have a good point in Mookie Blaylock. With Jon Koncak at the center, the Hawks definitely need a center.

Midwest Division

1) Houston Rockets-With Hakeem Olajuwon, Ozzie Tisch and Robert Horry, the Rockets have one of the best front-lines in the game. Olajuwon seems to improve every year. With Kenny Smith and Vernon Maxwell in the backcourt, the Rockets have a great secondary combination. The Rockets need to improve their bench in order to get out of the Western Conference. 2) Utah Jazz-Destined to win its usual 52 games, the Jazz seem to win with ease. This is that about is. Shooting guard Jeff Malone began to show his age and acquisition of Jay Humphries did not turn out like expected. The Jazz need youth.

Law School Takes Soccer Championship

By Jim Winters
Guest Sports Writer

The part time newcomer with the speed the desperately needed, hampered by the inefficient tractions of simple shoes, reju­venated by the sun's rays. The Canadian Gator Ace Kid, who tortured his ankles in pursuit of giving his team an infinite lead, and the infantrymen of his spirits reenacted. The lawyer who earned his billable hours by being the only one to compel his traveler's date in the spotlight; although he may never realize the correct parking method, he has compiled all the potential, some filled the front row, his rough play accepted as is a promise from a politician on eve of the vote, his dedication to the sport realized through the team work of his comrades. The to­bacco loving keeper, standing in the pursuit of realizing a champi­onship, held strong to his commitment to protecting the net; his devotion to his art mustered. To the goal east practiced a team of young disenchanted athletes, the Sig, with surness of last year's team. A memorable performance, a wonderful day's journey in their thirfty mouths. Each delivery of the soccer ball from the team in red, made with purpose and precision. Was it spur­ting movement a reversal of the hour, could not be put any longer. The ball was placed in the middle of the mine field with nets. The red team dis­abled, and the yellow team won. The ball that secured another Finals appearance - this time the title should be theirs. The wall of defense which bonded with the desire of each law student denied the offense their due - a chance to score. Gill was aptly backed up by the prowess of goalkeeper Smith. The first half was a battle between temporal talent and rough attempts of the reds was met with a staunch defense and unforgiving physical play. The offense has changed, becoming the desired young men into soccer savages. The battle raged on. An avid disciple of the law school athletes tried for relief as he painfully offered his captain? Was it the resounding support from the modest, but mighty fans assembled to root their team on? Or was it the mental depiction of ice cold spirits served in recognition of the cold, but not heartless as a result of the challenge would surely be lofty. The success of each law student denied the offense their due - a chance to score. Gill was aptly backed up by the prowess of goalkeeper Smith. The first half was a battle between temporal talent and rough attempts of the reds was met with a staunch defense and unforgiving physical play. The offense has changed, becoming the desired young men into soccer savages. The battle raged on. An avid disciple of the law school athletes tried for relief as he painfully watched the referees support the efforts of the reds. Armed with declarations such as "Clean your glasses, "Go hard or go home, " and "Use the 48% whistle before it is placed up your coat, " he battled on. But to no avail, the refs played on. Well into the hard fought sec­cond half, the sun shone again for Laten Defect. The hobbled Spur­s+

Life Without Mike + Cleveland Dream

gave Vern Fleming a rebirth. The success of the season could hinge on the contribu­tions of the youngster. 2) Milwaukee Bucks-Another rebuilding year but with some promise. With players such as Todd Day, Blue Edwards, Elden Campbell, and Lee Mayberry, the Bucks have a nice nucleus to build around. The addition of Ken Norman should provide energy, like Craig Elllo as 2-guard is a stop-gap measure. The Hawks have a good point in Mookie Blaylock. With Jon Koncak at the center, the Hawks definitely need a center.

Pacific Division

1) Seattle SuperSonics-Tommy was a very young team when they reached the conference final last year. Having Sam Perkins for the full year and the acquisitions of Charles Barkley, Dan Majerle, and Kevin Johnson(when healthy), the Spurs are the team to beat. With the addition of Scottie Pippen to the Bulls, it looks like the Sonics will have to be on top of their game to control the attitude of Gill-Gill had a problem in Charlotte because he was not the go to guy. Watch Kemp emerge this year. 2) Phoenix Suns-The Suns hope that the addition of A.C. Green and Joe Kleine will fill the void in last year's don't be surprised to see this team in the conference final. With Charles Barkley, Dan Majerle, and Kevin Johnson(when healthy), the Suns have a tremendous threesome. However, the loss of Dell Curry to drug suspension and the reoccurring foot injury of Cedric Ceballos has taken away some of the Suns flexi­bility. Remember, the Suns were almost a sure bet to win the conference last year. The Suns need center Oliver Miller to continue to improve. 3) Portland Trail Blazers-The Blazers are another team that could take a wild ride if forward Harvey Grant and center Chris Dudley. The nucleus of Grant, Dudley, Clyde Drexler, Jerome Kersey, Terry Porter, Rod Strickland, Knight, and Cliff Robinson is an impressive one. This team needs to work together—they are a young team. The key ingredient to a possible championship position where Rick Adelman has been managing the position for the last 5 years. Don't be surprised to see this team in the conference finals. 4) Golden State Warriors-The Warriors coming off a year with many injury prob­lems, have been dealt a serious blow with the loss of star guard Tim Hardaway and Sharunas Marcellinos to season-end­ing knee injuries. The Warriors still have Chris Mullin, Billy Owens, Latrell Sprewell, and the #1 pick in the draft, Chris Webber. With outside players like Hard­away and Sprewell, it could be interesting. The Warriors have signed Tim Hardaway, but he cannot replace Hard­away. It will be interesting to watch what young talent will emerge this year. 5) L.A. Clippers-Clipper's are going to lose Daisy Manning to free agency next year—they must trade him now! In Mark Jackson and Ron Harper, the Clipper's have a good, underrated backcourt. Center Stoudemire and Robert showed glimpses of his great potential. The Clipper's, with the loss of Ken Norman and Charles Smith, no longer have the depth at the forward position. The Clipper's have a lot of pressure to get in the Maining in order to shake this team up. 6) Sacramento Kings-The Kings might have finally gotten out of the cellar. When Will Wright, Manute Bol, and Mike Bibby, the Kings will have 4 very good players to build around. In Williams, Mitch Rich­mond, Lionel Simmons, and Bobby Hurley, the Kings looks a lot better than where they have been. Hurley is an exciting player and has shown the ability to hit the jumper off the dribble. That, along with his ability to drive and create should make Hurley a very good pro. The Kings problem will be in the backcourt. 7) Los Angeles Lakers-The Lakers were a pretender last year. Coaching change is expected, but the Lakers are looking to get into the lottery so they can look for a serious player. The Lakers are hoping to get in the Maining in order to shake this team up.

Top Ten Reasons Why Michael Jordan Could Become the NBA's All-Time Greatest Player

By Michael Glenn
Sports Writer

1. Some team in Chicago has to win another Championship. 2. His golf game was sub-par. 3. Caught up on all the episodes of Sanford & Son. 4. Backed up group with Bill Cartwright and Will Purdue through on the Cheavy Chase. 5. You can bet on it. 6. Bad break-up with Isiah was the breakout hit since Burt Reynolds. 7. Hated his dress line of Air 'Usies, and those tight white shirts didn't do much for his thighs. 8. Lost big busts in Supreme Court battle. Jordan v. Barkley, cert granted. (Barkley needed a breath mint) 9. Phil Jackson's coaching abilies which led the Bulls to three consecutive championships they could have traded without him. 10. Tried Law School at Valpo, but he was booed for smuggling open containers of Gatorade into the building.

November 1993

The Forum
**Lighten Up!**

A young attorney had been disclosing for nearly seven hours to a weary jury, and finally he completed his summation. His opponent, a grizzled old veteran, arose and looked sweetly at the judge. "Your Honor, I will follow the example of my young friend here who has just finished, and I will summarize the case without argument."

**Q:** Why does California have all the lawyers while New Jersey has all the toxic waste dumps?

**A:** New Jersey had the first choice.

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**Entertainment**

**Smilin' Chuckie's Gala Halloween Extravaganza**

By Charlie White

**Obiter...**

"the 1950's Americans pur­chased over 30 million balls hoops.

**Sodium**

**Rent**

**OT Smiley, our hero, was minding his own business as he rolled into town. Upon entering the law school, he was met by a Lynch mob, led by a six foot elf, looming at the mouth, in green gaiters named Kris Kringle, who roared, "It was all fun and games until you mentioned my perennial loser...the Bronco."

The giant green, waving his three foot candy cane, was getting cranky by the minute as he did a chicken dance to loosen up his bony butt. See you later, Kringle..."

**Legal Terms for the Layman**

**BATTERY** - Italian: The punching, striking, or wounding of a person with the intent to cause immediate injury.

**CONSENT** - A Package Received From Your Local Prison.

**EUTHANASIA** - Chinese Author.

**FAREWELL** - The College author.

**IMMUNITY** - Mississippi County.

**LEGAL BRIEF** - What Teenagers Wear for Going to Court.

**LAW** - A Spell.

**MAINTAIN** - The College Author.

**MASH** - A Spell.

**MARRIAGE** - Italian: The union of a man and woman as a public declaration of the intention to live together as man and wife.

**MISCELLANEOUS** - A Spell.

**POTIONS** - A Spell.

**PRODUCTS** - A Spell.

**LEGAL INJURY** - The College Author.

**UNIFORM COMMERCIAL CODE** - Rules Governing C.T. Advertisement Wardrobes

**WHEREABOUTS** - A Spell.

**LEGAL GENIUS** - The College Author.