The Forum (Volume 25, Number 2)

Valparaiso University School of Law

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Law students unrepresented

By Christopher Hedges
News Editor

New university rules and regulations designed to combat sexual assault to speech are in effect for the law school and the main campus. All were created or approved by the University President and the University Senate.

Law students have no voice on the University Senate which is comprised of one-third undergraduate students and two-thirds faculty members.

The rules were published in the Valparaiso University Student Handbook and were developed from recommendations made by the University Senate and approved by University President Alan Harre. Many of the rules contain sanctions for violation.

The Student Handbook was distributed to all law students to provide notice of new university regulations that were not included in the Law Handbook. According to a memorandum from the registrar’s office, law students are bound to the policies printed in the Student Handbook.

Among the policies included in the Student Handbook are VU’s sexual assault and harassment policy that includes sanctions for “insulting words or symbols.” Also included in this year’s Student Handbook is a free speech policy. The sexual assault policy specifies that the University will not tolerate sexual, physical, emotional, or any other kind of violence between men and women. It also “strongly encourages all persons who feel they may have been victimized in such situations to report it to Law Students Councils.

SEE REPRESENTED, PAGE 10

3 lose recognition

By Gary Shupe
News Writer

Budget proposals were not the only thing on the agenda at the SBA meeting of September 29th. Also discussed were petitions of organizations for SBA recognition. This “recognition” is important to most student organizations because it allows them access to bulletin board space across from the SBA office, the opportunity to obtain an office in Heritage Hall, and most importantly, it allows them to ask the SBA for funding. Without SBA recognition, student groups can still meet and organize, they can not, however, ask for “a piece of the pie.”

To gain SBA recognition, student organizations must submit a copy of its constitution and bylaws, and also a list of its present officers to the SBA. During the September 29th meeting, the Intellectual Property Association, the Jewish Law Student Association (JLSA), and Coalition for Choice had not met these requirements and are no longer recognized by the SBA. The board space of Coalition for Choice was forfeited to Sports and Entertainment Law, which had been on the board space waiting list. JLSA and Intellectual Property, stand in jeopardy of losing their board space as well.

Board space is important because it gives organizations visibility

SEE GROUPS, PAGE 12

1L students take two less classes

By Chris Whitten
News Writer

This year’s entering class at Valparaiso University School of Law is the first class to participate in a bold new curricular structure, that is being tried on a two year experimental basis.

The result of the proposal, as adopted by a secret ballot vote at the December 1, 1993 general faculty meeting, is that the first year curriculum would be streamlined into six, one-semester required courses. The adopted proposal, in addition to “semesterizing” courses, also shortened the credit-hours of each course by one hour. In addition, the proposal moved Constitutional Law, which was previously taught in the second year, to the first year curriculum.

“Law schools all over America have been engaged continuously in a process of reforming their curriculum in order to train better and more qualified lawyer, and Valparaiso has tried to learn from this experience and produce curriculum we think will be appropriate for our students,” said Dean Edward Gaffney.

Last year’s Curriculum Committee, chaired by Professor Blomquist, was involved in a comprehensive study of curricular developments at other AALS law schools, and concluded that semesterizing first year courses is consistent with national trends in legal curriculum reform.

The decision to streamline first year courses was consistent with national trends in legal curriculum reform.

The process of streamlining the first year curriculum is not without cost. As Professor Smoot has stated in class, “sacrifices have to be made with regard to certain material.” The sacrifice Professor Smoot is most concerned in Contracts is substantially reducing his coverage of the UCC.

According to the proposal adopted by the Curriculum Committee, “the content that was omitted from the first year courses could resurface in new or restructured courses in the second or third years—chosen and tailored by the individual student to meet his or her specific interests.”

Sacrifices have to be made with regard to certain material.

Professor Smoot has reaffirmed this notion stating, “if you want more on the UCC, Professor Lind teaches a course dealing with the UCC in the second year.”

An additional worry with the new streamlined approach to first year curriculum, according to Professor Stith is that, “it deprives students of a unique learning experience gained by reviewing first semester exams.” Professor Stith also commented that, “students grades usually

Indiana Court of Appeals to visit VUSL

By Tom Betker
News Writer

Phi Delta Phi Legal Fraternity, Norris Inn chapter, and the Moot Court Society will be co-sponsoring the October 27th visit of the Indiana Court of Appeals.

The Court of Appeals will be hearing two oral arguments that day in the Stride courtroom, one at 10:30 a.m. and the other at 2:00 p.m.

Anne Morgan, Phi Delta Phi president, stated that “everyone is encouraged to attend, especially the 1Ls. Everyone who goes will get a lot out of it.”

She said this is a great opportunity for students to watch an appellate court in action while hearing two real life cases. A

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FORUM
The career services corner

Areas with a Future

By Gail Peshel

Practice areas for the 90's and beyond—what areas are projected to be the most active? The media and consultants generally agree that litigation, intellectual property, environmental, health care, family, international, labor, and criminal law will either grow or continue to be vigorous practice areas. Communication, energy, tax, bankruptcy and risk management are other areas often discussed as viable areas. The following listing includes only some of the areas in which attorneys work and contain admittedly very brief descriptions, but hopefully include enough information to spur you on to investigate them more fully.

- **Litigation** - The U.S. population is very (and perhaps increasingly) litigious. Lawsuits abound and no one expects the number of cases filed to decline.
- **Intellectual Property** - Issues involving biotechnology, computer software, copyright and trademark are expected to increase. As medicine and biological research progress, and as computerization and miniaturization evolves, numerous questions will have to be answered and limits defined. Disney and other corporations will continue to vigorously protect their trademarks and copyrights.
- **Environmental Law** - Issues encompass corporations, individuals, land owners, banks, government, and foreign countries.
- **Health Care Law** - The aging of the baby boomers and their parents, as well as advances in medicine are two of the reasons practice in this area will increase.
- **Family Law** - Medical advances will also impact this area of practice. Adoption, divorce, and elder law issues are not projected to abate either.
- **International Law** - NAFTA, the European Community, the unification of Germany, the Soviet Countries, China, Hong Kong, international opportunities and challenges abound and will require the assistance of attorneys.
- **Labor Law** - Age discrimination cases are projected to increase as the baby boomers advance in years, while newer legislation such as the American Disabilities Act will have to be defined through legal processes.
- **Criminal Law** - States are hiring more law enforcement officers. As more officers are hired, more cases will be filed that will have to be prosecuted.

II's take two less classes

**SEMESTER FROM PAGE 1**

go up the second semester, which is good to show future employers." During the formation stages, students were invited to give their suggestions to the proposal. During a Curriculum Committee meeting, Jeff Majerek, SBA representative, raised the question whether reducing courses by a credit hour would turn them into black letter law courses. Renee George, SBA Vice President, stated, "One of the main reasons I voted for the proposal was because it gave students more time to work on legal writing, by reducing the number of other substantive courses." George also stated that, "under the new system students would only have to study for three finals instead of six." As this new curricular structure has only been in place since the start of the 1994-95 year it too early to do an assessment of the successes or failures of the new structure. ▲

Christine Drager speaks out

By Christine Drager

SBA President

What are the benefits of Student Bar Association recognition? Basically, if a group fulfills the requirements for SBA recognition, the group has a right to use the hallway bulletin board space, request SBA funds, and use Heritage Hall office space.

The requirements for SBA recognition are fairly simple. All groups seeking SBA recognition are requested to submit a current list of officers and a current copy of the organization's bylaws. The deadline for SBA recognition was September 9, 1994. Some of the organizations that were recognized last year and had bulletin board space did not fulfill these requirements this year. SBA members need to find out why each of these groups still existed because some of the groups that had fulfilled the recognition requirements wished to obtain bulletin board space. Members of these non-recognized organizations were invited to attend the Sept. 29 SBA meeting to petition for recognition. Only representatives from three of these organizations made an appearance at the meeting. After listening to their reasons for missing the September 9th deadline, the SBA decided to recognize two of the organizations. The SBA decided to allow the third organization to have the benefit of bulletin board space for up to one month because the group is still in the process of reorganizing. This group, however, will not have the right to request funds until they have fulfilled the recognition requirements.

These decisions obviously do not preclude groups and organizations from obtaining the right to freely associate. However, any group that wishes to seek the benefits of SBA recognition are encouraged to petition for recognition in the future. Students should feel free to contact me at the SBA office in regards to this issue or any other SBA related issue at any time. I appreciate the input. Thank you! ▲

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To the glory of God.
Schroer, the Dean of Men at the university, has expressed concern over the large number of students who have signed up for the Lambda Chi fraternity's recruitment efforts. Despite the fact that Lambda Chi is non-functioning, the fraternity is currently involved in a recruitment effort, which may cause parking woes to erupt once again.

Lambda Chi Fraternity may cause parking issues this semester for using the restricted fraternity lot to park. The parking lot is under the complete control of the Lambda Chi fraternity, and the fraternity can engage in "neighborly relations" and resolve any problems. Parking is restricted further in winter where snow makes it difficult to park in the two gravel lots. These lots cannot be blacktopped because of drainage problems. The VUPD are empathetic to the parking needs of the law students as Chief Ed Lloyd of the VUPD states, "we try not to be too rigid and bend where we can".

The parking lot is under the complete control of the Lambda Chi fraternity. The parking lot is and will be the responsibility of the Lambda Chi fraternity. The parking lot is under the complete control of the Lambda Chi fraternity. The parking lot is under the complete control of the Lambda Chi fraternity.

Recolonized fraternity to reclaim its unused parking lot

By Renea Gummo
News Writer

The recolonization of the Lambda Chi Fraternity may cause parking woes to erupt once again. The space allowed for law student use cannot therefore re-designate the area for law student use. If the fraternity moves back in the Spring and reclaims the lot they have the right to tow any unauthorized vehicle or to instruct VUPD to ticket any violators.

The hearing was a preliminary meeting. The SBA's answer is twofold. One, the September 19 hearing was closed as a courtesy to the individual organizations presenting budgets and not to necessarily exclude students. Committee member Steve Duckett felt this allowed for an "informal" setting where budget presenters could feel more at ease. Second, the September 19 hearing was a preliminary meeting. What is decided by the committee as a result of that hearing is not binding and was presented for a vote in the general SBA meeting September 29.
Health care bill may arise from ashes

By Cheryl Booth
Health Law Contributor

After a long "illness," with symptoms of excessive public controversy and insufficient public support, the health care reform plan proposed only a year ago has been declared officially dead. The cause of death, according to Senate Majority Leader Mitchell, was partisan politics manifesting itself in a Republican filibuster, as well as large scale lobbying against the plan by insurance companies and small business alike. Senate Minority Leader Bob Dole, however, differs with this diagnosis. He ascribes the failure of health care reform to the scope of the proposed plan, which left many—particularly those in the "middle class"—unsure of the effect the sweeping reform would have on them.

Despite the end of the plan, neither Democrats nor Republicans are giving up completely on the possibility of some health care reform in the future. Both Senator Mitchell and Senator Dole are in apparent agreement that health care reform proposals will be brought out again sometime during the next session of Congress. However, for those to whom the demise of the current health care reform plan was a disappointment, the prognosis for health care reform of the magnitude attempted by the plan is not good. According to USA Today, the November elections could have a substantial impact on the next Congress, in that the GOP is generally expected to make gains in both Houses. Balanced against this potential conservative influx, though, is the fact that the returning Congressional supporters of health care reform will have the advantage of hindsight.

Health care reform dead (for now)

By Ed Heam
Managing Editor

The last breath of air has been breathed. Health care reform, Clinton-style, is dead! Once again, we can rest assured that we continue to be able to choose the doctor we want to treat us. We can still decide if we want comprehensive health care that covers everything from a nose bleed or catastrophic coverage to be used only in the case of an emergency. We can decide how much we want to pay for health insurance by choosing the amount of our deductible and our insurance provider. And, finally, we still have the choice to forego health insurance totally in order to spend our hard earned dollars on whatever we think is more important at the time.

Yes, choice, in the true meaning of the word, (I really am pro-choice) has been secured for us so that we can decide the course of our lives instead of government bureaucrats. Furthermore, business can still look forward to the option of offering health care benefits to employees as an incentive to lure the most qualified individuals into their particular work force.

Oh, but how the liberal Democrats are crying. From Jay Rockefeller, who promised to give us health care reform no matter what the American people wanted, to Ted Kennedy, who believes that he has an obligation to give the American people what they want, these Democrats are crying. From Jay Rockefeller, who promised to give us health care reform, to Ted Kennedy, who believes that he has an obligation to give the American people what they want, these Democrats are crying.

They will be able to examine the mistakes made this past year in their effort to pass health care legislation, including an apparent miscalculation of popular support for reform, and perhaps be able to build the consensus needed to at least begin health care reform. The key, according to USA Today, will be both Democrats and Republicans finding and agreeing upon smaller-scale solutions, such as state-level efforts to create innovative and affordable insurance plans, and more businesses switching to HMOs or other managed-care plans. Another possibility is an attempt to pass more focused legislation, requiring insurance companies to cover pre-existing conditions which would include a guarantee that workers would keep their insurance coverage despite changing jobs.

So, as the first round in the fight for health care reform ends with a "TKO," and Congress gears up for Round Two, the most that can be said for the future of health care reform is that, as was shown this past year, anything can happen. Unfortunately, this leaves Americans exactly where we have been since this campaign for reform began: waiting for Washington to do something about the problems in our health care system. Of course, the problem is pinning down exactly what Washington is expected to do. Apparently, at least for now, all the rest of us can do is to take a ballot and call our Congressman in the morning!

The All-knowing Queen Hillary wanted nothing less than to ensure that the American people had liberty still exists, and that we won't hear much from Hillary for at least a few years. Health care is not dead, it's safe!
The First Amendment is an absolute prohibition against federal abridgment of free speech. It says, "Congress shall make no law abridging the freedom of speech." The First Amendment does not apply to the states.

The Federal Supreme Court, however, has legislated the principle that the First Amendment does apply to the states, and to all American governments. The highest federal court says that the First Amendment is a law that all people are "due" as a matter of right, at all levels of government. This is legislating because representative legislators are generally the ones we rely on to decide what laws we are "due."

That is what the "due process" clause is really about: The legislature decides what laws we are "due" and the courts make sure that we all get them.

We suffer from the court's legislating because not only must our local community governments labor under the burden of the "absolute" prohibition, the prohibition is no longer absolute.

An absolute right to free speech at all levels of government would deny us the right of people to self-government by forbidding people the right to set the moral tones of their own communities. Thus the federal court system has struck an odd balance between two diametrically opposed principles: the right to regulate versus the right to have absolutely no regulations. As a result, both principles lose, and we benefit from neither.

If the First Amendment doesn't mean what it says in state cases, then it no longer means what it says in federal cases, and we lose the freedom from nation-wide federal regulation. If First Amendment principles do apply to the states, then we lose the freedom to protect ourselves and set the moral tone for our communities. Either way, we lose.

Once again, the Federal Supreme Court has managed to expand its own power at the expense of our freedom. ☁

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By Troy D. Clayton
Contributor

People call him Slick, Slick Willie. Yes, our fearless Commander-in-Chief is at it again. In a truly pathetic turn of events, our invasion of Caribbean Superpower, Haiti, has turned into a welfare mission. It is again like Somalia all over again. But aside from this, the real tragedy is in how the Haitian situation was handled by the Slickster.

First, Bill Clinton again didn't live up to his word. During his speech to America on Thursday, September 15th, Mr. Clinton stated that General Cedras had to leave Haiti or else an invasion would result. Now that General Cedras had to leave Haiti we know that the deal agreed to by Mr. Carter and General Cedras does not include exile of the General. In fact, Mr. Carter told us in a press conference on Monday, September 19th, that Mr. Clinton did not tell him that exile had to be part of the deal to stop our invasion, therefore Carter never raised the issue to Cedras during the negotiations. Call it a mistake, call it a flipflop, but in the end, call it another lie to the American people by our President.

Second, Mr. Clinton deployed the 82nd Airborne just as the negotiations between the U.S. delegation and the Haitian Generals were nearly complete, almost causing the U.S. delegation to be held hostage, not to mention the collapse of the negotiations. Yes, Bill Clinton did know that a peaceful resolution to the Haitian situation was almost complete, but as Leon Panetta stated gingerly on Nightline, "A decision had to be made." Was Clinton's decision wrong? Yes, in fact, our fearless leader's decision was wrong. He placed our delegation in grave jeopardy and almost turned peace into war.

Third, Mr. Clinton deployed our troops with inadequate fire power. Two members of the 82nd Airborne claimed that members of their division were deployed to Haiti with only 15 rounds of ammunition. The claim was validated by Pentagon officials to Senator Hank Brown. That's one clip of bullets and that's dangerous. If these troops would have met any resistance their lives would have been in serious jeopardy. Of course, after the Pentagon confirmed the soldiers claims, the commanding officer of the 82nd Airborne, Major General Mike Steele, quickly denied that soldiers were inadequate armed. Would we expect anything less from a President who loathes the military?

Fourth, Mr. Clinton has deployed our troops to watch. Watch as the Haitian military and police beat Haitian citizens. Yes, this is what our President calls a peace-keeping force. According to Senator Hank Brown, this is what an estimated two billion dollars of your tax money will do in Haiti: pay for our military to watch beatings in the street. But don't forget that our motives are genuine; to place a ungrateful Marxist back in power.

Lastly, our President committed our troops to Haiti for an unspecified amount of time and without definite objectives. Are we peacekeepers? Re-builders? Both? Neither? Let's face it, we have no national interests in Haiti. It doesn't have oil fields, strategic military value, or anything else worth committing our troops to protect. Further, the Slickster has avoided giving any time-table on how long our troops will be in Haiti. Clinton's policy reeks with the smell of financial and military aid until the year 3000. Can the U.S. really afford to be rebuilding countries like Haiti?

In the end, this whole situation in Haiti has been a tragedy. From the empty threats to the vacillating policy, our President has failed us again. We are now the butt of international jokes and our power is no longer feared or revered. The question is: Will we allow our fearless leader, Bill Clinton, to get away with this? Yes, our President is an idiot. ☁
Compiled by Christine Cutter
Activities Editor

American Trial Lawyer’s Association
Contact President Chris Spanos
See article in this section of the FORUM for more details.

Black Law Student Association
Contact President Bernita Harris

The purpose of the Black Law Students Association is to provide support, academic and otherwise to black law students. The general meetings are schedule for Wednesdays (Oct. 5th, 26th and November 9th). Dues are due on Wednesday, October 19th.

Important Events you’ll want to be aware of are:

October 13th= Sweetest Day Flower Sale and BLSA Welcome Dinner
October 16th= Potluck Get-together

Also planned are 1L study groups and workshops, as well as an Adopt-a-School visit. Look on the BLSA bulletin board for times and dates of these activities.

Christian Legal Society
Contact President Mary Annerino

Meetings occur every Tuesday afternoon at Mary’s home. This lively fellowship of law students involves bible study, sing-alongs and faith support. This group is non-denominational and all are welcome! If you are interested please contact Julie Croner or Mary Annerino.

Delta Theta Phi Legal Fraternity
Contact Bruce Parent

Delta Theta Phi is the largest, co-ed, professional fraternity at Valparaiso University. Its members use their professional skills to protect the dependent and disabled against workplace and the community. The purpose of WLSA is to support students find international jobs and study programs.

Phi Delta Phi Legal Fraternity
Contact President Anne Morgan

Sports & Entertainment Law Association
Contact President Craig McKenzie

See article in this section of the FORUM for more details.

Student Bar Association
Contact President Christine Drager

SBA is always looking for volunteers for important and fun events! If you don’t have a ton of time, but would like to get involved this is a great opportunity. SBA has several short term projects where you could be of assistance.

Women Law Student’s Association
Contact President Tracy Reilly

The purpose of WLSA is to support the rights and goals of women in the workplace and the community.

How your organization can submit articles for this section.

Does your group have an upcoming speaker, fundraiser, meeting, or significant event that you would like to advertise or share in the Activities Section of the Forum?

Simply submit your photographs and stories on disc (please WP 5.1) to Christine Cutter, Activities Editor in the Forum box in the SBA Office by Monday, October 17th.

DTP offers members a chance to relax and meet other law students social functions. We also offer an outline bank exclusively available to members of the fraternity. We have one of the lowest membership fees of any law school fraternity.

Pick up an application from the folder on our activities bulletin board and return it today! Our formal induction will be Thursday, October 13th.

Designated Drivers Initiative Program
Contact Jeff Zagaj

DDI is still looking for students interested in dedicating an evening as a designated driver or to take incoming students calls to inform drivers. The service will be available Thursday - Saturday from 10 pm - 2 a.m. Student drivers will work on a volunteer basis. It is o.k. if you can only dedicate one night to being a designated driver. Any type of time you can give us is great!

See additional article in this issue of the FORUM for more details.

Environmental Racism Program and Equal Justice Alliance
Contact Co-Directors Sherry Faubion and Heather McCreary

This group consists of Conservatives AND Libertarians who discuss various legal and political issues. The group meets weekly for the discussions. They also sponsor speakers that discuss “hot topics” in the law. New members are always welcome!

The Forum
The Forum is ALWAYS looking for exciting articles, writers, artists, photographers, etc...

Story meetings are every Tuesday at 10 a.m. in Heritage Hall 202.

Lace-up your Chuck Taylors....
Andrei Junge
Contributor
What do Elizabeth Taylor, Horace Grant, NBC and Major League Baseball have in common? All have recently been involved in legal battles. “Sports law” is a burgeoning area of law involving the visibility, huge money, and tremendous growth of professional sports,” states Gary Roberts, vice-dean of Tulane University Law School. Entertainment law is a dynamic and high profile field that is constantly evolving in this MTV generation. Membership in the Sports and Entertainment Law Association will expand your knowledge of this area as well as establish the “contact base” for persons who want to practice in this field of law.

Lace up your Chuck Taylors and sign up for our 3-on-3 basketball tournament on October 15th across from the Law School. Look for the sign-up table in the atrium and register your team of four. Women, men and faculty are all encouraged to enter teams. Prizes will be awarded.

Health Law Association
Contact President Katie Lockman

The purpose of the Health Law Association is to educate the law school community on issues of health law and to create a community within the law school that encourages and support student participation in health law.

ALL STUDENTS who are interested please attend the next Health Law Association meeting, Monday, October 24th at 10:00 a.m. in the Chicago Seminar Room. If you would like to get involved before then, please leave a note in locker #142.

Hispanic Law Student Association
Contact Chris Gackenheimer

Presently working on fundraisers around November. The group welcomes new members and is open to non-hispanic members as well.

Indiania Civil Liberties Union
Contact President David R. Hoffman

This organization addresses international interests through guest speakers and discussions. They participate in Amnesty International and help students find international jobs and study programs.

Jus Vitae
Contact President Tom Betker

Jus Vitae is a national law reform organization originally founded at Valparaiso University. Its members use their professional skills to protect the dependent and disabled against all forms of violence— including abortion, infanticide, and the involuntary killing of the sick or aged. Its ultimate aim is equal protection and civil rights for every human being. Pro-life education, brief writing, law clerk positions, internships and job placements are among the activities of its members.

Recent Activities Include:

October 2nd=cookie fundraiser.
October 3rd= constitutional amendments.
October 4th= participation in the Valparaiso Life Chain.
October 5th= Sweetest Day Flower Sale.

M. E. L. C.

J. Madison

The Federalist Society
Contact President Lisa Ravalli

The Federalist Society
Contact Co-Presidents Heike Cockerill and Lora Grandath

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Recent Activities Include:

October 2nd= Participation in the Valparaiso Life Chain.

Every Monday= Jus Vitae

Coffeehouse

Jus Vitae will be selling different flavors of coffee and tea along with cookies. Snackwells will be available for those who are health conscious.

Late October= Beth Sinkevitch will be speaking about pro-life litigation. Look on Jus Vitae bulletin board for exact time and date.

Midwest Environmental Law Caucus
Contact President Jim Knopp

MELC promotes environmental awareness through activities such as community events, speakers and student research opportunities.

See article in this section of the FORUM for more details.

Pi Alpha Delta Legal Fraternity
Contact SBA President Christine Drager for more info

Sports & Entertainment Law Association
Contact President Craig McKenzie

See article in this section of the FORUM for more details.

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Contact President Christine Drager

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Organizational Round-up

October 1994

Celebrating 25 years

FORUM
The "Real" Low-down on Cardozo Cup
By Mike Glisson
Contributor

The Cardozo Cup was another huge success as the games were all very close. The 2Ls let the 1Ls win the first game as an ice breaker. The 1Ls came in their softball gear; including jerseys, spikes, headbands, wristbands, bats, gloves and even civil procedure books for in-between innings. The 2Ls came in cutoffs, no shirts, with beers in hand just trying to catch some rays. Somehow, the 1Ls advanced to meet up with the loaded 3L squad who had been practicing for the event for two months. In a pitchers duel, the 3Ls didn't cover the spread, but they pulled it off with a 1-0 victory. Finally, the Championship game arrived. The faculty squad was awesome as they played the 3Ls to a tie. The faculty had to stop after a few innings because in the senior softball leagues, they only play two innings. Not only was the tournament a success, but there were some incredible side shows.

Eye Sore of the Tourney:
Pr. "Bunson" Berner seemed to have “bermed” off the majority of his pants. There were reports of a streaker at shortstop, but it was just Mountain Man Berner showing off his virility.

Socks Fan:
Dean Gaffney was not shy about admitting that he is a Socks Fan. He was displaying a pair of sky blue socks that were distracting the batters when he was pitching. Didn't 1L Fish from Barney Miller wear those?

Daisy Dukes:
Pr. Straubel, who battled Pr. Berner for the award, earned this one. He wasn’t as pretty as Daisy Though!

Hit of the Day:
Pr. Bodensteiner sent a rope to the gap in right field. Witnesses reported that he had to receive oxygen upon arriving at second base, but Bodie claims it is inadmissible as ludicrous hearsay.

American Lung Assoc. Award:
Dean Vandercoy was sighted taking a "Real" Break. You can only study for so long. A great way to work off frustration, get some exercise and meet your fellow law students is to sign-up for an intramural team. Games are either on Monday & Wednesday or Tuesday & Thursday and they usually run no longer than an hour.

Presently, we have sign-ups for the following intramural teams:
Wolleyball (men, women, coed), Team Bowling Tourney, 3-on-3 Basketball Tourney, Wrestling and Intramural Basketball (men, women). If you are interested, please check the Intramural Bulletin Board outside the lounge. All students are eligible to play—these activities are sponsored by the SBA and are of no cost to law students. If you aren't an athlete "NO BIGGER"! Cheerleaders are always welcome. It's not too late to cheer on the law school teams that are headed in to the All-Campus Tourneys. The dates and times of these games should be posted on the intramural board. Check it out and cheer on your favorite Law School Team!

Full steam ahead for ATLA members
By Tracey Cassens
Contributor

Association of Trial Lawyers of America (ATLA) is a national professional organization which serves attorneys who are actively involved in trial work and law students who have a keen interest in trial practice. Last year was the first year the ATLA student chapter became nationally established at Valparaiso. Some highlights from last year included the following: an all day seminar conducted at the law school in which lawyers from Chicago to New York City participated; the first Valparaiso ATLA trial team completed and placed among the top six at the regional competition held in Lansing, Michigan; and an extremely good fundraiser allowed the Valparaiso student chapter to hold a "beer and pizza bash" for its active members.

Despite the immense success ATLA experienced during the 1993-1994 school year, this year we have already increased our membership and fundraising profits considerably. Thank you to all students and faculty who purchased sweatshirts and t-shirts! Not only do we have a dart tournament planned in October, but we will be conducting mock trial team try-outs in late November. This year we will be attending two competitions—one in February and one in March. The two teams will be coached by Ron Kurpiers.

Congratulations to Greg McEwen who has been elected as the National ATLA Student Member Representative. Greg attended the National ATLA Convention held in Chicago this past summer where he was elected among others to represent law students across the country! Congratulations and Good Job!

Congrats and a big thank you to last year's trial team members: John Olson, Marsten Frazzini, Chris Becker, Paul Gagnon, Chris Spanos, Boris Prentiss, John Prokos, and Scott Lofitz!

Thanks also to Shon Leverett, Doug Fahl, Sally and Camille for all their help.

MELC members hit the beach
By Christine Cutter
Activities Editor

This might sound relaxing, but actually the day was far from that. Members of the Midwest Environmental Law Caucus (MELC) dedicated a Saturday to cleaning the beach. On Saturday, September 17th, the Indiana Dunes State Park organized an all day Beach Sweep. This is an annual event where volunteers spend their time picking up litter and trash on the beach as well as throughout the state park.

When asked what was most memorable about the experience, John Prokos MELC Vice President responded, "It was shocking how some people can be so piggish and wanton. It was very disheartening because much of what we picked up could not be recycled (because it was so dirty)."

It was shocking how piggish some people can be.

Prokos added that the group is planning on returning in the spring for their own organized "BEACH RETREAT!!"

Work up a Sweat...
By Christine Cutter
Activities Editor

Don’t you think you need a break? You can only study for so long. A great way to work off frustration is some exercise and meet your fellow law students is to sign-up for an intramural team. Games are either on Monday & Wednesday or Tuesday & Thursday and they usually run no longer than an hour.

Presently, we have sign-ups for the following intramural teams:
Wolleyball (men, women, coed), Team Bowling Tourney, 3-on-3 Basketball Tourney, Wrestling and Intramural Basketball (men, women). If you are interested, please check the Intramural Bulletin Board outside the lounge. All students are eligible to play—these activities are sponsored by the SBA and are of no cost to law students. If you aren’t an athlete "NO BIGGER"! Cheerleaders are always welcome. It’s not too late to cheer on the law school teams that are headed in to the All-Campus Tourneys. The dates and times of these games should be posted on the intramural board. Check it out and cheer on your favorite Law School Team!

A Group of 3Ls eagerly await their turn to play winner of the 1L v. 2L game.

Fancy footwork by the ILs led them to victory against 2Ls in All-Campus COED Football Tourney
MELC members hit the beach

On Wednesday, October 5th, MELC will be welcoming State Senator Pete Sorenson as he discusses citizen suits under the Superfund law (CERCLA). SuperFund is a system set up within the Environmental Protection Agency to clean up hazardous waste sites with government money and the government then turns around and sues the people who caused the pollution. This usually involves abandoned waste sites. Keep your eyes open for posters for more information about this exciting lecture YOU WON’T WANT TO MISS!

CAMPFOUT- OCTOBER 22nd

This is an opportunity to enjoy the great outdoors one last time before winter hits. MELC will be going to a state park for a weekend.

For more details check the MELC bulletin board.

HALLOWEEN AUCTION

Once again MELC will be hosting an annual Halloween Auction fundraiser at the SBA Halloween Bash. Students will have the opportunity to bid on cool evenings and events sponsored by generous Professors. Some of the items that have been up for bid in the past include: a bicycle ride and gourmet picnic with Prof. Moskowitz, an authentic homemade Spanish meal with Prof. Myers, sailing on Lake Michigan with Prof. Whitten, Bulls tickets sponsored by Prof. Yonover, etc.

The "real" low-down Cardozo Cup

CARDozo FROM PAGE 7

several tomes on his smokes while batting and walking around the bases. Who says Deans aren’t multi-talented?

Obscenities?: Pr. Levinson’s batting stance was obscene. Thus, was no Amendment protection. However, her lights were protected due to the state’s interest in promoting-American Gladiator Wear. Was that her tights were protected due to the state’s interest in promoting.

WHO says Deans aren’t multi-talented?

It proved to be more competitive and also controversial.

LAW SCHOOL DATING

Top 5 Hot Spots for Dates at Valpo:

1. Jackson’s Barf and Grill
2. 2nd Floor Library, Window Seat
3. Cup of Tea outside 1st Floor Bathrooms
4. Law School Lunch Buffet-Egg Salad or Ham
5. Bin Willy’s for fine dining (best to wear a suit and tie)

WHO ARE THE CUTE MEn AT Valpo? WHAT THEY WANT?

3L Mike Winter (study builder, Face man)
Looking for a single, cute female who likes to take long walks on the beach. Heavy into romance. Has a penthouse on the lake and would like to share his paddleboat with a lucky lady.

2L Dave Hutson (Belly builder, Marlboro man)
Looking for a Mountain Woman who knows how to cook, clean fish, and ride a Harley. Prefers a smoker who enjoys rodeos, WWF, and drag racing.

THE VUSL LAVATORY SITUATION

What is up with the bathroom situation at Valpo? The student consensus is that there needs to be a ventilation system in these rooms. Sometimes you will think that there is a thunderstorm outside, but the sun is shining brightly. Have you ever noticed that everyone is staring at you when you come out of the bathroom?

QUERY? How come the girl’s bathroom has a couch in it? Do they take their blouse in there? Guy who just got out of the couch, but do you think we could get a big screen T.V. in ours to even it up a little bit? There is nothing that goes in those recycling trash cans! I’ll give you a hint—not food! When food is put in the trash cans in that particular can CANNOT be recycled. Defeating the whole purpose for recycling! Get it? MELC hopes to solve this problem by providing more cans that are well-marked in high traffic areas.

THE FORUM, 1994

Celebrating 25 years of the Forum

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October 1994
The phenomenon of Limbaugh is far reaching. From Notre Dame professors and local school board members to commercial artists in the area, all around the bar and I grabbed a big tumbler. I filled that baby full of Crown Royal, and I walked over and said, "Here you go, Rush, EIB, Excellence in Bartending," and I dropped it right in his lap. I was just mortified.

The book goes on to explain how the River Bank has been transformed into a community gathering place for all walks of life in Northern Indiana. From Notre Dame professors and local school board members to commercial artists in the area, all seem to find time to make a trip to the River Bank to talk about the issues of the day.

The chapter closes at page 44 with the $250,000 question put to Norm’s dad: How does one start a Rush Room? “I tell them to buy a radio and then turn it on. That’s about all there is to it.”

"Blessed are the pure in heart, for they will see God."

—Jesus Christ
Matthew 5:8


**Do we want a seat on VU’s Senate?**

By Laurie Green
Contributor

Valparaiso Law School is affiliated with its undergraduate counterpart, as are many law schools throughout the country. Our name is a constant reminder of this: Valparaiso University School of Law. Whether this is a blessing or a burden can certainly be debated, but it’s a fact of our existence and raises some particular questions. One of them is to what extent the law school should or is able to participate in activities, programs or the governing of the undergraduate university, particularly those activities, programs and rules which affect law students.

There are arguments that cut in favor of representative participation, and some that don’t. Among the strongest of the former is the law school is bound by the policies of the undergraduate school; for example, the students at both levels are bound by the same student handbook.

The obvious question is: is this being true, do law students want a say, more particularly, a vote, in just what those policies are?

The undergraduate school has a governing structure which consists of a Student Senate and University Senate. The Student Senate is analogous to our own S.B.A. The University Senate, however, serves a broader function in that it recommends policy to the university president on a number of issues. This latter group is made up of one third students and two thirds faculty representatives, all of whom are affiliated with the undergraduate school. Some of the issues they consider, as evidenced by their committee membership, include CCPC (campus safety), educational policies, parking and inter-collegiate athletics. Some of these issues necessarily affect the law students. Additionally, the general reputation of the university affects, to some extent, the reputation of the law school and visa-versa.

Furthermore, more of the law students live on the campus and so are, perhaps, more directly affected by the policies set by the board.

Christine Drager, S.B.A. President, is investigating the possibility of the law school acquiring a seat on the Senate. As she suggested recently, it is not always appropriate not to do a thing merely because it has never been done. The law school has not had representation on the University Senate. The question under consideration is: should we?

Of course, there are arguments that cut against representation as well. A major consideration is how participation in the University Senate might affect accreditation via the A.B.A. There is an A.B.A. conference in Chicago in October which Christine will be attending, and she hopes to get feedback from a number of other law schools concerning their perspectives and experiences about this issue.

Another argument that might cut against participation in the Senate is that of the autonomy currently enjoyed by the law school. While we are, in fact, bound by the university handbook, we also have our own S.B.A. and our own processes for student groups etc. Would we be giving up any of that autonomy if we became involved with the Senate by applying for a voting seat?

A final question to consider is whether or not the law school is directly affected by the policies of the University, as a whole, that would be voted on whether or not we are involved as a voting member of the University Senate. It comes down, I think, to a basic balancing test of the freedom versus the freedom of non-participation. What’s YOUR opinion?

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**Law students unrepresented**

REPRESENTED FROM PAGE 1

“Both procedures involve examining the evidence and hearing from witnesses, specifically the woman and her alleged perpetrator,” states the regulation contained in the law and student handbook. “In order for sanctions to be successfully brought against a perpetrator, adjudicators will be looking for a preponderance of evidence to support the woman’s story.”

A preponderance of evidence means that the evidence presented more clearly indicates that an assault has been committed than that an assault has not been committed,” states the rule. “It does not mean that conclusive proof of an assault is necessary,” according to the rule.

The racial harassment policy was developed after discussions in the Senate University for consideration or final exams. Also last year, a proposal to ban smoking on campus was passed by the University Senate and the University President last year. That action prohibited the law school from having a designated smoking room during final exams. Also last year, a proposal to start a ROTC program at Valparaiso was rejected by the University Senate.

The right of free expression and advocacy is equally protected for all providing it is peaceful and not patently offensive to Christian sensibilities.” It allows peaceful protest, stating, “protest is peaceful if it does not interfere with academic freedom and freedom of speech (including not only disruption of a class but also interference with the freedom of any speaker invited by any group of the University community to express his/her views); does not restrict the freedom of movement of any member or guest of the University; does not harass persons in the area; and does not obstruct the normal processes and activities of the University community.”

Every year, there are a flurry of university policies affecting student life that come before the University Senate for consideration or review. The issues include campus safety, smoking bans, parking restrictions and guidelines for dealing with students with psychological problems.

Earlier last month, a proposal to create a nondiscrimination policy for the university was vetoed by Harre after consulting university counsel. The rejected policy would have stated that Valparaiso University would not discriminate against faculty, staff or students on the basis of religion or gender.

The resolution as passed by the (University) Senate would have added to the policy a commitment by the university not to discriminate unlawfully on the basis of religion and a commitment not to discriminate on the basis of sexual orientation,” wrote Professor Phillip Brockington from the Chicago law under graduate newspaper, the Torch.

A proposal to ban smoking on campus was passed by the University Senate and the University President last year. That action prohibited the law school from having a designated smoking room during final exams. Also last year, a proposal to start a ROTC program at Valparaiso was rejected by the University Senate.

It is a violation of the Honor Code to cheat on this crossword puzzle.
Jonathan wasn't in any trouble or danger, but he sure did feel like it. When he started, he had it all worked out. He had received the letter he was waiting or that would confirm his future purpose. That was before.

"911, Is it an emergency?" "Sort of, uh, uh I'm not in any danger if that's what you mean."

"Please hold." (long pause) Jonathan was thinking out loud, shouting, in fact.

"911, emergency? Is there someone hurt or injured?"

"Sir, this is 911. Is there an emergency? Is there someone hurt or injured?"

"I am. I mean... I mean, I'm lost. I don't know what to do."

"Tell me where you are."

Jonathan was nowhere. He had worked so hard to get good grades and he was always volunteered at the food kitchen when he had time. He had a long list of activities that had kept him busy but apparently, he didn't have what the school was looking for. Was it his personal state?
Safe ride program started to prevent DUI

Funding to come from ABA

By Jeremy Sosin, News Writer

The Student Bar Association in conjunction with the American Bar Association, Law Student Division, is working on a designated driver initiative to provide safe rides home and to inform students of the legal ramifications of a DUI arrest on their personal life and/or professional careers. The effort is headed by the ABA representative, Jeff Jazgar, who is working with a committee to get the program under way. Jazgar believes that Valpo needs a reliable way to get students home from a night of social activities without forcing people to drink and drive. He also believes that the prevention this service will provide is a good example to the community.

The program will potentially run Thursday through Saturday nights to provide safe rides home from law related parties or local drinking establishments. Sorry, no bar hopping. The service is for law students only. The program will rely on a volunteer staff comprised of four law students per night, two drivers and two others along for the ride. Each car will be staffed by a male and a female at all times. This initiative is also encouraging students to take responsibility for themselves by attempting to create benefits for designated drivers. Potentially, local establishments will provide free soft beverages for drivers who pledge not to drink alcohol for the evening.

The funding for this program will initially come from ABA funds, but the focus is to make the program self-sufficient through business or private donations, and student fundraisers. The greatest need, however, will be finding willing volunteers to spend an evening driving around fellow law students. The program has a faculty staff member, Professor Bodensteiner, and is currently working on an endorsements from the local police. If you believe you might benefit from this program, then you are encouraged to stop in the SBA office to find out more information and how to get involved.

FORUM, 1994

3 groups lose recognition

GROUPS FROM PAGE 1

and it offers them a convenient forum to communicate to the student body.

One other organization, Illinois Student Bar Association (ISBA), had not, as of the 29th, submitted its bylaws or its list of officers to the SBA either. However, because an ISBA member appeared at the meeting on the 29th to explain the reason for its noncompliance, its recognition was not revoked. ISBA was allowed to retain board space and have access to an office in Heritage Hall, although it will not be allowed to receive funding from SBA until it submits the required documents. Revocation of SBA recognition was delayed one month to give ISBA time to compile and submit these materials.