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Clinton announces anti-terror legislation

ACLU News Analysis

WASHINGTON — On Thursday, April 6th, the House Judiciary Committee held hearings on "International Terrorism: Threats and Responses." One piece of legislation under consideration will be the Clinton Administration's proposal, the so-called Omnibus Counterterrorism Act of 1995. The ACLU believes that this bill, which was introduced in the House of Representatives on February 10th, would eviscerate the Constitution and the Bill of Rights to an extraordinary extent.

The bombing of the World Trade Center and the recent subway gas attack in Japan clearly demonstrate the terrible consequences of terrorist acts. At the

Please see Anti-Terror, page 4

Attorneys argue about practice rights

Judicial Inquiry?

DONALD LEVINSON, PROFESSOR ROSALIE LEVINSON, and Indiana Supreme Court Chief Justice Randall Shepard discuss the Court's visit to Valparaiso University School of Law. The Court heard a case involving the Indiana Rules of Professional Conduct last Thursday.

By Anne M. Morgan
Phi Delta Phi Contributor

Stride courtroom was packed on April 18 to welcome the Indiana Supreme Court to the law school to hear oral arguments.

The case heard was Sweeny v. Blackburn, a complicated case involving the Indiana Rules of Professional Conduct, particularly rule 5.6 regarding restrictions on an attorney's right to practice.

Chief Justice Randall Shepard commented after the formal proceedings that he enjoyed visiting the school and Phi Delta Phi had done a great job planning the event. He and two other justices are members of PDF.

After the arguments, justices and lawyers alike mingled with V.U. law students at a reception in the atrium, in many cases initiating conversation with students too shy to approach them.

"It was really cool to be able to ask the justices questions about the legal profession," said Renea Gummo, 2L.

Keirsten Anderson, 1L, said, "I liked the argument of one attorney and the delivery of the other. But just as I was starting to understand it, they lost me!"

The Indiana Supreme Court heard Sweeny v. Blackburn, a complicated case involving the Indiana Rules of Professional Conduct

Photo by Kim Streen

Phi Delta Phi International Legal Fraternity hosted the event which enabled law students to witness oral advocacy in an actual Indiana Supreme Court case. The event had been planned for over 3 months before the justices arrived.

Heather Mc Cleery, 2L and officer of PDP, "It took a lot of hard work by a lot of people, but it was worth it."

PDP also hosted the Indiana Court of Appeals in the fall semester.

City/State:
Chicago-Gary decision might make Gary's airport the 'third' Chicago airport

News:
Student Bar Association donates $1,000 to Oklahoma City relief

Serving the students:
Your source for law school news and information.
Good luck on finals!

The Forum
Don't let fear of terrorism ruin American freedoms

President Clinton's Omnibus Counterterrorism Act of 1995 must be examined closely to prevent it from being used as a tool to intimidate or threaten average American citizens seeking to express their political views. We must not rush to give up our freedoms in an effort to provide a safe environment. Some of the provisions of the proposed legislation seem to err on the side of taking away liberty to make sure we are all safe. We must not allow ourselves to be so frightened that we overreact to the threat by destroying the right to free association and speech, the right to environmental protection, and the right to participate. Those of the authors and do not necessarily represent the views of The Forum staff, and I hope it will be reconsidered.

Elihu Feustel

Proposals strip editor of content control

To the Editor:

Determining what the topic for this article was going to be was difficult. I could write about foreign policy, the Oklahoma City bombing, or the GOP candidates for President. I was prepared to write a little piece on each of these topics, but that was before...before I went to the SBA meeting last Thursday night.

My purpose for attending the meeting was to lend moral support to the Editor-in-Chief of the Forum. I came fully prepared to hear some resolution to the friction between the Forum and the SBA, instead I heard nothing.

I don't remember when the war between the SBA and the Forum actually started, and at this point, I don't really care. What I do remember is the fact that people on both sides of the fight were approaching trying to make a case for their respective positions. I also remember that, at times, tension between the "Committee and SBA was quite high.

With all this in mind, I found it ironic that at the last SBA meeting of the year, nothing was done to bring some sort of resolution to this year-long conflict. I don't care who wanted to wait until next year to resolve this dispute because no matter who it was, the idea of starting off a school year the way this one has ended is ridiculous.

The two proposals were made to resolve the friction. In my opinion, neither is satisfactory. The proposal made by the Editor-in-Chief is a cave-in to the SBA. It allows the Forum to be a committee of the SBA, and gives power to a review committee composed of the two highest ranking officials of the newspaper, the resident highest ranking members of the SBA, and a dean-appointed faculty member to iron out any conflicts that may arise between the SBA and the Forum. Further, the proposal talks about a commitment to turning out a "quality" publication. The problem with this proposal is three-fold.

First, it makes the Editor-in-Chief nothing more than a figurehead. He (or she) can always be overruled on matters of content by the review committee. Further, it leaves the Editor-in-Chief open to attack from the committee.

Second, the proposal gives the tie-breaking vote on the review committee to a faculty member. No offense to our fine faculty, but I seriously question whether a faculty member will vote against the SBA, especially when the SBA is considered a committee of the SBA.

Lastly, the proposal uses woolen words like "quality," I want to know what the term "quality" means. Does it mean objective, or something else? I guess we can leave that to the review committee too.

The other proposal was similar, but it gave positions on the review committee to student organizations. This is even worse. Students are not free to critique the SBA or the faculty, but now the Editor-in-Chief can worry about upsetting one of the student organizations.

Since I said that a resolution to the conflict should have happened this year, I'm not satisfied with either of the current proposal, here's mine. First, I would have forced the issue at the SBA's last meeting; no Flush Party and no Bulls game until the issues of dispute were resolved.

Second, my proposal would make the Forum independent from the SBA. The reason for this is because the Forum's job is to watch over our government and make sure it's doing its job properly. Under this proposal, the Forum will be similar to government-controlled papers of the Eastern Bloc. Remember, this country fought to overthrow newspaperers like Pravda, and everything they stood for. Its like the real world (you know, that thing were not a part of) where the papers report on our government's policies and scandals. Right now, the SBA has nobody to answer to and things will only get worse if the Forum is a committee of the SBA.

Third, there would be no review committee at all. Not only is the paper stripped of the Editor-in-Chief the power he deserves to run the paper properly. How can he do a good job if he's always looking over his shoulder? I know that the current Editor was not hand-picked by the SBA, but I, along with a lot of other people, believe that the current Editor is more competent, he is professional.

Lastly, I propose that all those that have problems with the paper stop complaining and write articles. If you don't think something is right, write an article and don't run to our student government to bail you out, stick up for yourself. I know for a fact that the Forum publishes everything; no matter how pathetic, because they publish my articles in every edition.

The only thing I can say in closing is that I hope the Forum and the SBA examine closely the proposals on the table because if either passes, the Forum won't be worth the paper it's printed on. Remember, appearance of censorship is worse than censorship itself.
SBA sends $1,000 to OK City victims

By Christopher Hedges
Editor-in-Chief

The Student Bar Association Administrative and Executive Boards voted unanimously to donate $1,000 to help with the Oklahoma City disaster relief effort.

The original motion submitted by SBA Secretary Bart Arnold would have sent the money to the Oklahoma City Fire Department. However, the fire department's rules prohibit donations. A fire department official suggested sending the money to the Disaster Recovery Fund that is being run by Boatman's Bank in Oklahoma City.

"It seemed like something right for us to do," said SBA President Renee George. "We are all Americans, we are all United States citizens. We should all look out for each other, especially when something like this happens."

The bombing of the Murrah Federal Building in Oklahoma City on April 19 sparked a nationwide effort to help the victims and track down those responsible for the carnage.

President Bill Clinton, at a news conference after the bombing said: "Whoever did it, we will find out and there will be justice that will be swift and certain and severe."

"Make no mistake about it," Clinton said. "This was an attack on the United States, our way of life, and everything we believe in.

Clinton urged Americans to not take retribution against people from other countries. "This is not a question of anybody's country of origin. This was not a question of anybody's religion. This was murder."

Student groups receive funds

By Christopher Hedges
Editor-in-Chief

The Student Bar Association Board voted to allocated money for two student organizations at last Thursday's meeting.

The SBA officials also voted to allow the names of people voting against motions and those abstaining to be printed in the SBA minutes.

The motion passed unanimously after the funding requests were passed.

ABA Representative Shane Beal asked the Law Week Committee to explore the possibility of having Barrister's Ball in Chicago.

And, the SBA Board moved to postpone discussion of SBA-Forum relations until next semester.

As for the funding, the Sports Entertainment Law Association was allocated $366.40 to pay for hotel fees that were incurred during a March conference in New York.

Two SBA Board members voted against the funding request.

The American Bar Association and the Drunk Driving Initiative requested $263.00 for 600 key chains with the DDI program number to be distributed next year. The motion passed with three against.

The SBA also requested money from the Board for ABA conferences in Chicago and Indianapolis.

A motion passed that would allocate up to $1,635 for the summer time conferences.

Also passed was a motion for $54 to rent a van for a summer retreat to be held at a member's grandmother's home in Indiana. One SBA Board member voted against the motion.

SBA Treasurer Mike Glisson reported the SBA's current student fund balance was $36,528.56 out of a total budget of $62,332.12.

The current budget balances, according to the treasurer's report are the following:

- $11,174.99 for the General Fund
- $1,260.81 for the Executive Fund
- $4,007.10 for the Law Week Fund
- $2,105.00 for the Forum
- $6,453.31 for the Activity Fund
- $128.95 for the ABA Fund
- $11,398.40 for the Steering Committee Fund
- $0.00 for the Social Fund

Glisson told the SBA Board members and student present at the meeting that he estimated $15,000 will be spent by the Steering Committee for graduation.
President's anti-terrorism bill targets groups
Civil liberties group views administration's bill as a threat to the 1st, 4th and 5th amendments

Anti-terror, from page 1

same time, it is important to remember that existing U.S. laws were adequate to apprehend, prosecute and incarcerate, for a very long time, the who perpetrated the World Trade Center bombing.

Moreover, according to the FBI's own statistics, terrorism in the United States, and terrorism against U.S. targets abroad, have actually decreased over the past few years. And in just its last session, Congress enacted legislation prohibiting persons in the United States from providing material support for violent acts of terrorism. We therefore question why the "Administration is asking Congress to do damage to the Constitution when adequate and quite effective law enforcement tools to combat terrorism already exist.

The Administration's Proposal

- The Clinton Administration proposes a number of constitutionally dubious elements, including provisions that would:

  - Allow the government to deport aliens, who have been convicted of no crime, but not citizens who are unpopular with the organizations or governments that the President claims by the President to be "terrorist.

  - Subject U.S. citizens to lengthy prison sentences and fines for contributing to the legal, non-violent, charitable activities of organizations or governments that are unpopular with the U.S. government.

  - Grant to the President the power to freeze the assets of, and bar contributions to, unpopular organizations and bar the contributor from entering or remaining in the United States any alien who is a spokesperson for, or official of, any "terrorist organization" found by the President to be "detrimental to the interests of the United States.

- The proposed legislation would make two substantial changes in existing law. First, it would render excludable or deportable from the United States any alien who is a spokesperson for, or official of, any "terrorist organization" found by the President to be "detrimental to the interests of the United States.

  - Finally, though the bill provides that a license could be obtained to give money to a designated group, it also provides that such a license would be mandatory, or even in-kind contributions. Criminalizing such legal activities is part of the way to deal with terrorism.

  - The Omnibus Counterterrorism Act of 1995 would also subject citizens and alien enemies to the same restrictions for activities protected by the First Amendment. Only last year, Congress adopted legislation prohibiting any person from providing "material support" for terrorist acts. To prevent FBI "fishing expeditions" into activities protected by the First Amendment, the legislation included a clause prohibiting investigations in cases in which the government lacks facts that reasonably indicate that the target of the investigation knowingly and intentionally has willfully engaged in the violation of a federal criminal law. The Administration's proposal would make modest protection and permit investigations even in the absence of such facts. The FBI has a long and regrettable history of unfounded investigations into First Amendment activity, including its investigation of the Communist Party of the People of El Salvador (CISPE), whose activities were clearly protected.

- The Administration's Proposal Targets the Fifth Amendment

  - The Fifth Amendment to the Constitution guarantees that a person shall not be deprived of life, liberty or property without due process of law. Yet the Administration's provisions would establish a new court that could deport non-citizens as "terrorists" without allowing them to contest their deportability. The bill would make literally thousands of individuals the subject of a "terrorist" designation, and they would not have a right to appeal the designation, and they would not have a right to appeal the designation.

- The Administration's Proposal Threatens to make literally thousands of individuals the subject of a "terrorist" designation, and they would not have a right to appeal the designation.

Please see Bill, page 12
PDP has largest pledge group in chapter's history

By Anne M. Morgan
Phi Delta Phi Contributor

Phi Delta Phi International Legal Fraternity initiated 6 new members this spring on April 21. The new members are: Lori Bechtold, Christopher Hedges, Nicole Kimble, Jo Ann Price, Sonya Scott and Frederick Techlin. They join the 22 initiates who joined PDP in the fall, to make this one of the largest pledge groups the V.U. chapter has seen.

Also announced at that time were the names of the new officers: Heather Mc Cleery (President), Ann Gentry (Vice President), Glen Harris (Secretary), Renea Giummo (Treasurer), Karen Edsell (Historian), Joe Barksdale (Fundraising Chair), Rehana Adat (Community Service Chair), and Denise Wilson (Community Service Initiative Chair).

The recipients of the honor of the Community Service Initiative Award were also recognized: Deneen Wilson, Heather Mc Cleery, Karen Edsell, Keirsten Anderson and Christine Cutter. They went beyond the call of duty.

Activities of PDP this past year included hosting the Indiana Court of Appeals, the Indiana Supreme Court, and attorney Jacqueline Leimer on entertainment law, as well as the Future Interests Workshop, community service events benefiting Spring Valley and social events.

Student Organization News

People on the move

Forum News Report
Moot Court
Intellectual Property Team

Congratulations to Paul Richards and Chad Schiefelbein for winning the National Finals Rounds of the Giles Sutherland Rich Intellectual Property Moot Court Competition.

Student organization election season is over, and new executive boards are now getting set to plan for the upcoming year. Some of the student organizations with new officers include the following:

Delta Theta Phi
Legal Fraternity

Heidi Meyer, President
Chuck Simono, Vice-President
Kelly Travis, Treasurer

Sara Russo, Secretary
Angie Barker, Tribune
Doyll Andrews, Baliff
Dawn Bartelsen, Master of Ritual
Steve Eizler, Public Relations

American Trial Lawyers Association
Doug Fahl, President
Camille Waters, Vice President
Shontay Leverett, Treasurer
Sally Meyer, Secretary

Intellectual Property Association
T.J. Jarvis, President
Andy Hartman, Vice President
Ed Kourany, Treasurer
Kim Streen, Secretary

If you would like to include your student organization news in the Forum, please contact Christine Cutter, West Campus Editor at 465-7831.

The Chapel of the Resurrection is collecting donations for Oklahoma City disaster relief.
Make checks payable to the Chapel of the Resurrection and designate for Oklahoma Relief. Checks may be brought or mailed to the Chapel Office.
A public service ad from the Forum, your source for law school news.

The Forum wants your student organization news

Drop off your contributions, student organization news, story ideas, and suggestions in Christopher Hedges' locker (#302) or send them via electronic mail (CCH4402@exodus.valpo.edu).

Or, give the Forum staff a call at 465-7831.

The Forum accepts contributions on any subject. Everyone is encouraged to participate.

What's to do at VU?

Worship:
Chapel of the Resurrection
Sundays: 8:45 a.m., 10:30 a.m., 10 p.m.
St. Teresa's Catholic Center
Sundays: 10:30 a.m.

Movies:
Friday, April 28 — The River Wild, Neils, 7 & 9:30 p.m. $2.
Saturday, April 29 — The River Wild, Neils, 7 & 9:30 p.m. $2.

Lectures:
Thursday, April 27 — Christian Activities Board, Union Great Hall, 7-30 p.m.

Music:
Sunday, April 30 — Songfest, Chapel, 2:30 p.m.

Theater:
Friday, April 28 — Much Ado About Nothing, Kroencke Hall, 8 p.m.
Saturday, April 29 — Much Ado About Nothing, Kroencke Hall, 8 p.m.
A political fight leads to an exciting opportunity for Gary

Indiana Governor Evan Bayh and Chicago Mayor Richard Daley share a few words before signing an agreement to ally Gary Municipal Airport with Chicago's O'Hare, Midway, and Meigs Fields. The deal was made after the Illinois legislature threatened to take control of O'Hare airport which pays the city $90 million in airline ticket taxes every year.

A 'third' Chicagoland airport lands near Valparaiso

By Christopher Hedges
Editor-in-Chief

It seemed like it was the hand of fate for all involved. On one side, Gary and northwest Indiana wanted to be considered as the site for the third Chicagoland airport that everyone knew had to be built in the near future to handle the increasing air traffic searching for a runway. Chicago's politicians wanted to retain control of O'Hare and the two other Chicago airports — Midway and Meigs — despite threats from the Illinois legislature to take control of the airports that generate $90 million a year in airplane ticket taxes.

It all worked out for northwest Indiana and Chicago earlier this month in a surprise move that created a new regional airport authority to oversee Chicago's and Gary's four airports. Gary's airport will receive some cargo and passenger traffic. It will also receive $1.2 million from Chicago's $90 million ticket tax.

"The guaranteed money for three years in effect doubles the budget of the airport," said Gary Mayor Thomas Barnes.

"It all worked out for northwest Indiana and Chicago," said Evan Bayh, Mayor of Gary. "We now have a structure in place for long-term regional planning on aviation issues. Under the agreement signed in Gary by Indiana Governor Evan Bayh, Barnes, and Daley, the Chicago/Gary Regional Airport Authority will oversee O'Hare, Midway, Meigs Field and Gary Regional Airport. Daily operations of all the airports will remain the same and the respective city councils will still approve budgets for the airports, according to Daley's office. "In the long-term, this agreement guarantees a seat at the
Indiana Governor Evan Bayh, Chicago Mayor Richard Daley, and Gary Mayor Thomas Barnes explain the details of the Chicago-Gary airport alliance to a crowd of about 150 journalists and curious people at the Gary Municipal Airport. The airport’s passenger terminal. Gary Mayor Thomas Barnes.

table to Gary and Indiana for any future third airport deliberations,” said Bayh.

According to the statement issued by Mayor Daley’s office, the “bi-state authority’s powers are limited to implementing certain capital improvement projects relating to regional aviation needs and overseeing long-term aviation planning for the region.”

The authority’s agreement will last six years, with Chicago having the option for leaving after three years. Chicago will have to give six months notice before leaving the airport authority. The twelve volunteer airport authority board members will be comprised of five members appointed by the mayor of Gary and five appointed by the mayor of Chicago. One each will be appointed by the governors of Indiana and Illinois.

“Springfield would have dictated for Springfield without Gary, Chicago or Indiana,” said Bayh had the deal not been signed. “All parties are now guaranteed a say in the decision that will be critical to the future of the region and that is as it should be.”

The agreement has its roots in the announcement by the Illinois legislature that it wanted to take control of Chicago’s airports from Chicago. The take-over would have left Chicago without a say in the selection of a third regional airport. The move also would have diverted the $90 million in revenue generated by the airports from Chicago to the downstate legislators.

The voting on the plan to ally Chicago with Gary came in secret, lest the Illinois legislature take action to prevent the plan from being carried out. Because the agreement places the airport authority under Federal laws, the Illinois legislature cannot dictate to Chicago what to do with its three airports. The same type of arrangement is in place for New York (Newark International Airport) and Cincinnati (Northern Kentucky International Airport).

A majority of Gary’s City Council and Chicago’s City Council voted to approve the regional authority. Chicago Alderman Edward Burke called the move by the Illinois legislature to take control of O’Hare, Midway and Meigs an attempt to “embezzle our birthright” and “unconscionable pillage.”

Many in Chicago and Gary are optimistic the arrangement will bring more business to the Gary airport, located on U.S. 12 and near the I-90 toll road.

“We are really one region when you look at it,” said Daley. “This agreement is good for the region.”

Gary Councilman Roy Pratt told The Hammond Times: “I am predicting once we get some airlines to recognize the profitability of using Gary Regional and the incentives of the airport zone, airlines will begin locating here.”
Is the legal profession in crisis?

By J. Thomas Vetne

Contribution

The grass is always greener on the other side of the fence," or so says the old adage. For Mary Ann Glendon, author of A Nation Under Law: How the Crisis in the Legal Profession is Transforming American Society, the fence demarcates not a property line but a temporal line. Her fence is a point in time, set somewhere in the mid-1960s, prior to which a "kinder and gentler" law was practiced, dispensed and taught; after which exists a time of crisis marked by a disillusioned bar, a biased, over-worked bench and an ivory tower out of touch with both.

As the title indicates, Glendon focuses her attention on the barren state of the legal Profession, a state that more than any other, could be called "dysfunctional." In refreshing contrast to the "hired gun roaming the plain," Glendon criticizes modern career opportunity for "jonesing for the Garbage in, Garbage out" culture of computer programmers. Students in the post-crisis era study law not for its own sake, but because career opportunities in fields like history, sociology and philosophy are limited. In the words of one former student, law degrees have "the degree of choice for all those who would rather not make any irrevocable choices, who lack unshakable convictions about what they want to do with their lives, who could use some time, some room, some psychic slack."

Not surprisingly, many who begin legal study in this frame of mind leave with it. Some even become professors of law without having devoted much study to it. From her position on the hiring committees at Boston College and Harvard, Glendon sees the "kinder and gentler" law as "a priest like disinterestedness of mind. Classical judges strove to maintain impartiality and self-restraint while honing interpretive skills. But "[n] in the legal world of the 1960's, to speak without irony of judicial detachment ... is to invite a knowing smirk."

To what does Glendon attribute the breakdown of classical judicial values? One significant factor is an ever expanding caseload: facing 800 pending cases a year, one judge stated that he was "not help but feel a bit confound a sense that the steady stream of business from a stable roster of clients would flow on forever...." Facing tighter budgetary constraints, business clients have demonstrated an increased willingness to shop for better legal bargains. To survive, firms have had to compete with one another for clients, and clients are happiest when lawyers "pull[ their] teeth...."

Loss of this guaranteed client base, a sine qua non of pre-crisis legal autonomy, led to a real-life parade of horrors in large firm practice. As many an attorney entering practice in the last three decades has learned, being a good lawyer just isn't enough. Rainmaking, the skill to attract new clients, became an increasingly valued activity. Billing by the hour became a "freemium way of life" in which associates are expected to bill between 1,800 and 2,200 hours per year. Litigation, which promises a steady supply of billable hours, is stratification and perverting this branch of the legal profession in the past three years, then, is a sense that the practice of law has become a business much like any other (or gain a better result), turn a profit and please the customer.

II. The Judiciary

In a pattern used throughout the book, Glendon compares a by the new, the pre-sixties practice with its modern variant, and the latter always comes up wanting. She begins this section with a discussion of the great judges of the past: Holmes, Cardozo and Friendly. The "right" blend of political sophistication and legal expertise. Some even become professors of law without having devoted much study to it. From her position on the hiring committees at Boston College and Harvard, Glendon was struck by the number of teaching candidates from first rate law school who had taken no more law courses than the required first year surveys. These same professors maintain an affinity for their undergraduate course of study with the result that they have a sense of how various regulatory arrangements work out in practice," the new breed of professors "prefer to talk about the sex lives of caterpillars."

IV. "Lawyers and the Democratic Experiment"

In section four, Glendon grapples not with another crisis-torn branch of the legal profession, but with the legal profession as a whole and its role in American society. What emerges is a picture of a people possessed of a litigiousness unseen since Athens was torn apart by excessive use of courts in the early centuries B.C. To paraphrase Aristophanes, when critics only chirrup among the fig-trees for a month or two ... Americans spend their whole lives in chaffing forth judgments from their law-courts. Glendon asks us to consider the case of Tom the accountant who tried to sue a waitress who failed to show up for a date, or Albert the night-watchman, responsible for more than fifty suits including one against his own employer for shutting a door on his finger. Law pervades every strata of society, and since Tocqueville traveled in and wrote about our country in the mid-1800s. But what can explain the increased willingness of individuals to turn to courts for redress of the "disappointments of everyday life?"

Glendon attributes the litigious boom to erosion in official social controls. The "kinder and gentler" law, was only meant to be a "last-ditch resort for the settlement of disputes." But American has become "a land of strangers where opportunity lies just around the corner, but next-door neighbors do not know each other; where disputing parties often recognize no common source of authority (other than the law) and have no mutually respected umpire to consult (other than a judge) ... and where many parents are trying to hold full-time jobs while raising children without the support, interdependence, advice, criticism, common sense and care of relatives, friends, and neighbors."

Even businesses are suffering from lack of informal methods of dispute resolution. Once litigation shy, corporations now regularly resort to the legal system, in fact contract disputes between companies now comprise the largest category of federal cases.

V. Discussion

On reading Glendon, one cannot help but feel a bit confounded by the myopic scope of her book. For instance, section one attempts to discern the causes...
es of crisis in the practicing attorney branch of the legal profession. But rather than examining that branch as a whole, she focuses on the part that works for the largest of the small firms and generalizes the results. It is a bit like asking what is wrong with ministers in America, then confining the investigation to highly visible television evangelists.

Part of the problem, as is pointed out in the text, is lack of social science data to help assess trends in smaller and single person firms. It is no fault of her own if the only data available is gathered from megafirms like Skadden, Arps and Cravath, Swaine & Moore. But another part of the problems is that, when mentioned, private practitioners don't easily fit into crisis paradigm.

Unlike their counterparts in large firms, modern small entrepreneurs seem to be a throwback to pre-crisis practice. One comes away from the book with the feeling that in small firms there is no sense of alienation from partners and associates, no overriding pressure to sacrifice hour and bureaucratization, and no emphasis on Rambo litigation with its "no-holds-barred attacks on... opponents' positions, and sometimes on the opponents themselves." As one private practitioner put it: "I don't deal with a lawyer one time and think, 'I'll never see you again,' nor do I go into court before a judge, thinking, 'I'll never see you again.' I practice before these people day in and day out. If I don't treat them civilly in this case, they won't treat me civilly in the next."

My own limited experience as a clerk in a three attorney firm in Austin bears out the wisdom of this policy. The firm deals almost with the same hospital staff, the same court clerks, the same insurance companies and the same defense attorneys. Entrusted with the task of obtaining copies of a client's x-rays, normally a routine process, I was stymied by a hospital undergoing changes in staff and medical records release procedures. When a week had passed with nothing to show for it, I enthusiastically suggested using a subpoena, something large Dallas firms do a matter of course. My employer positively blanched at the thought. He was unwilling to risk years of built up goodwill on any course that even hinted of hard-ball tactics. His solution was to call an acquaintance on the hospital's administrative staff who was able to free up copies that day.

Another traditional, pre-crisis legal activity alive and well in small firms, and all but dead in large ones, is dispute avoidance and peacemaking. Glendon's focus on the part that goes into her crisis paradigm.

VI. Conclusion

A time when lawyer jokes about and respect for the legal profession seems to be at an all time low, A Nation Under Lawyers: How the Crisis in the Legal Profession Is Transforming American Society.

Bibliography

A Nation Under Lawyers: How the Crisis in the Legal Profession Is Transforming American Society.
By Mary Ann Glendon

FULL TIME OPPORTUNITIES

#204 CHICAGO, IL The state tax department of Connecticut needs a national public accounting and management consulting firm located in Prudential Plaza is seeking to expand. The state tax dept. has been made up of a mix of attorneys and non-attorneys for over 25 years. Candidate must have strong oral and written communication skills seeking public and research skills. Qualified candidate would need to have some federal tax background. An interest in constituency matters and the desire to see some state tax work in a plus. Salary range is also negotiable for eligibility. Submit a cover letter and resume, to: Joan Thomson, 130 N. Fifth, Suite 700, Chicago, IL 60610.

#205 DENVER, CO The Denver District Attorney's Office, 303 W. Colfax Ave, Suite 1300, Denver, CO 80224, seeks a Deputy District Attorney. Salary, $34,000. Seeking new law graduates on an ongoing basis. Send a cover letter and resume, to: Bonnie Wright-Benedetti at the address given above.

#206 TACOMA, WA National Tribal government positions exist with the Puypadul Indian Tribe. The Puypadul Indian Tribe Department of Natural Resources and the Department of Human Resources, seeks a Tribal government consultant. Interested individuals must have experience in tribal government.

#207 HONOLULU, HI Legal Aid Society of Hawaii, full time position in living allowance $15,280 and educational stipend $4,725. Seeking a legal aid attorney. Salary, $34,000.

#208 BRAINTERD, MN Universal Pensions, a national pension consulting firm, is seeking an attorney with 0-3 years experience in employee benefit law, tax law, insurance law, securities or related areas to work in the company's headquarter in Brainerd. Send a cover letter and resume to: Human Resources Director, Universal Pensions, Inc., PO Box 979, Brainerd, MN 56401.

#209 FARGO, ND Nilles, Hansen & Davis is interested in hiring a litigation associate for the Fall of 1995. The Nilles Firm is a full service litigation law firm. As one of the largest firms in ND, the firm offers great opportunities to have a unique legal opportunity on a high level of diversity.

#210 TAMPA, FL An associate is needed in the civil division, general civil litigation and corporate defense areas. The present legal staff, is basically divided into two distinct groups: transactional and corporate practice.

#211 LAUDERDALE, FL The law firm of Henderson, Niles & Davis, 1501 Lake Ave, 201 N. First St., P.O. Box 2626, Fargo, ND 58108, and 525 Chouteau Blvd., Suite 701/2080-7672. Submit a cover letter, resume and writing sample to: Robert F. Martin, Executive Director.

#212 RENO, NV Washoe Legal Services seeks a legal aid attorney to do a wide variety of legal aid work in Sparks. Salary range $20,600-

#213 EDINA, MN The duties and responsibilities of this position include the overall administration of the organization's program. Please submit a resume and letter to: Donald Christensen, Executive Director, Washoe Legal Services, P.O. Box 3237, Reno, NV 89505.

#214 SPRINGFIELD, IL Rural Legal Aid Society of West Central Ohio, 51 East High St., Springfield, OH 45502, 513/325-5991, seeks a staff attorney.

#215 KANSAS CITY, MO Allied National Companies is seeking an entry level to experienced attorney to review contracts, compliance guidelines, etc. Send a cover letter and resume to: Karen Brink, Allied National Companies, 911 Broadway, P.O. Box 64105, Kansas City, MO 64105.

#216 AKRON, OH The University of Akron, C. Blake McDowell Law Center, 505 Main St., needs a full-time attorney with a J.D. and 1-3 years of experience. Must be available asap. Send cover letter, resume and writing sample to Roy F. Martin, Executive Director.

#217 CHADRON, ND Chadron State College seeks an instructor in the Criminal Justice Program. This is a one to two year temporary replacement appointment beginning August 19, 1995. Experience in corrections related to the top pay. This is a commensurate rate with experience and education. Chadron State College, 301 N. 5th Street, Chadron, NE 69337.

#218 WASHINGTON, DC A Labor and Employment attorney is needed for the National Federation of Independent Business. Duties include advising unions on negotiations, grievances, terminations, layoff notices, written and oral communications, work force reduction, employee compensation, EEO law, discrimination regulations and general research. Serve as representative of the organization at a variety of meetings with government officials, governmental unions on position government regulations and policy. Need strong writing, research and analytical skills.

#219 FORT WORTH, TX The U.S. Securities and Exchange Commission is recruiting for a compliance attorney. Salary, $52,066, Fort Worth District Office, 801 Cherry St., P.O. Box 27221, Fort Worth, TX 76102 has the position available. Salary, $35,000.

#220 CHADRON, NE Chadron State College seeks an instructor in the Criminal Justice Program. This is a one to two year temporary replacement appointment beginning August 19, 1995. Experience in corrections related to the top pay. This is a commensurate rate with experience and education. Chadron State College, 301 N. 5th Street, Chadron, NE 69337.

#221 KEAMS CANYON, NY Legal Aid Society seeks an attorney (will consider 3L). Must be willing to sit for next available bar exam. Salary in the area of civil trial experience, business and public interest civil matters (domestic consumer, etc.).

#222 GREENVILLE, NC Attorney Bailey Melvin推销 an attorney. This Greenville personal injury firm seeks a 1994 or 1995 law graduate. Please send a cover letter, resume and reference to: Bailey Melvin, 99 S. Main St., Greenville, NC 27835.

#223 WASHINGTON, DC Newly created public interest group focusing on systemic solutions to DC's problems, is looking for a full-time attorney. Contact: NAME.

#224 WASHINGTON, DC Federal Public Defender Division of the National Office of The Federal Public Defender is recruiting for an attorney in its�数ooder positions. This Division is responsible for the service's work pertaining to federal criminal cases. The position is available for many aspects of trial work, and various aspects of pretrial matters.

#225 WASHINGTON, DC Organization needs a full-time clerk to assist in the preparation of draft legal documents, assisting with the preparation of legal documents and assisting attorneys with all phases of litigation. Experience as a law clerk is required, along with experience in taking depositions, filing motions, and landlord/tenant law. JD preferred, one year of employment, and working knowledge of LEXIS, WESTLAW and JURIS required. Submit resume and letter of reference to: William E. Greene, National Federation of Federal Employees, 1016 16th Street NW, Washington, DC 20036.

#226 FT. LAUDERDALE, FL The Federal Public Defender for the Southern District of Florida is accepting applications for a Judicial Clerk. Candidate must have law school graduation and legal experience. The position is available for many aspects of trial work, and various aspects of pretrial matters. For a job description, contact: Hewan

Tomlinson at 202/939-5697.

#228 WASHINGTON, DC The Forum Division of the National Office of The RIS is recruiting for Technical Support positions. This position is available for many aspects of trial work, and various aspects of pretrial matters. For a job description, contact: Hewan Tomlinson at 202/939-5697.

#229 WASHINGTON, DC Organization needs a full-time clerk to assist in the preparation of draft legal documents, assisting with the preparation of legal documents and assisting attorneys with all phases of litigation. Experience as a law clerk is required, along with experience in taking depositions, filing motions, and landlord/tenant law. JD preferred, one year of employment, and working knowledge of LEXIS, WESTLAW and JURIS required. Submit resume and letter of reference to: William E. Greene, National Federation of Federal Employees, 1016 16th Street NW, Washington, DC 20036.

#230 WASHINGTON, DC Federal Public Defender Division of the National Office of The Federal Public Defender is recruiting for an attorney in its 数ooder positions. This Division is responsible for the service's work pertaining to federal criminal cases. The position is available for many aspects of trial work, and various aspects of pretrial matters. For a job description, contact: Hewan

Tomlinson at 202/939-5697.
Employment Classifieds

May 1995

Tips from Career Services

Informational interviews:
valuable for networking

By Gail Peshel
Director of Career Services

- Don't expect an information interview to lead to a job offer. Landing a job with the person who is providing you information almost never happens. Job openings may not exist in that office, or the position may not be in a position to hire. Responses should only be sought to informational interviews for critique and not for an application.

- Keep the interview tightly focused on specifics. Avoid vague questions such as what it takes to "make it" in a similar position. Also avoid asking questions that have already been answered in the organization's printed material. For example, such as how an attorney made partner are usually covered in brochures or can be answered quickly by an office manager.

- Instead spend a few minutes getting acquainted with the interviewee and then start getting information that you cannot obtain elsewhere. Determine beforehand what that information is and frame your questionings accordingly. Ask for names of other employers that might be hiring. Ask who else you should talk to. Always try to get at least two names from each contact.

- Use the telephone. Face-to-face interviews are not always necessary. If you are traveling, advance interviews or schedules will not permit anything but a telephone contact. The telephone can be a very effective and time-efficient way to obtain information. Consideration of your interviewer's time dictates that you phone first to schedule a specific date and time when you can call back and conduct your informational interview.

- Give information in return. Be ready to answer the interviewer's questions, and be able to synthesize information you have obtained prior to your current interview. If you later run across an article or information you think would be a plus, send a personal note to that contact and inform him or her about your progress.

A thank-you note is mandatory. Time is valuable and thanking someone for even a ten-minute conversation is appropriate. As Kennedy's Career Strategist states, "If you don't use that opportunity to remind the interviewee of who you are and how you appreciate the courtesy don't be surprised if you aren't on the list when he/she does hear about an opening."

Good luck with your job search and good luck with finding "luck is when preparation meets opportunity"- Chinese proverb.

For more Services

Career Services is provided as a public service of the Forum.

Depending on qualifications and positions selected, the salary could range from approximately $20,000 to $32,000, with approximately $43,813 GS-12/1 per annum. Submit an application letter and resume. Address not shown but can contact Mr. D. Ortisi for further information. Applications must be received by May 12, 1995 to be considered.
Anti-terror bill targets unpopular groups

The Clinton Administration proposal undermines the protections of the Fourth Amendment

The Fourth Amendment protects all people in the United States from unreasonable searches and seizures. It requires that the government obtain a search warrant—"particularly describing" the premises to be searched. And, in the case of wiretaps, the government must specify the location of the telephone to be tapped, unless the government can show that the suspects were attempting to evade a wiretap by repeatedly changing phones. One section of the President's proposal, however, would do away with the Fourth Amendment's specificity requirement in the case of wiretaps employed in investigations of alleged terrorists. The government could tap any phone during a so-called terrorism investigation without specifying which phone, and without showing that such a "roving" wiretap was made necessary by attempts to evade a tap on a specific telephone.

The Omnibus Counterterrorism Act of 1995 would turn certain violations of state law into federal "terrorism" crimes. These portions of the proposed legislation are so broad that they invite selective prosecution of unpopular groups for political reasons.

One section of the proposal, for example, would allow federal prosecution of acts that violate state laws prohibiting murder, kidnapping, or assault, and the vast category of damage to buildings or personal property. Yet all of the activity described in this section is already a crime under the state laws. The bill would turn these state crimes into federal crimes when the Attorney General makes a non-reviewable certification that the crime was politically motivated. Having the government infer political motivation in an unreviewable determination, poses a great threat to the First Amendment.

Conclusion: The Bill Requires a Fundamental Re-Working

Merely tinkering with this bill by deleting a word here and or adding a section there will not cure it of its constitutional infirmities. Rather, this legislation, and other legislation drafted to respond to perceived terrorist threats, must be rethought from top to bottom, with fidelity to the following constitutional principles:

-- People, whether citizens or not, have the right to support the legal activities of the organizations and groups of their choice. This is a fundamental part of the right to free association.

-- People have the right to examine the evidence offered against them, whether in the context of a criminal trial or in a deportation proceeding, regardless of the nature of the charges.

-- An anti-terrorism statute should not be so broadly drawn as to give the government the power to selectively prosecute persons for conduct that the government decides is calculated to serve an undesirable political end.

Anti-terrorism legislation that is consistent with the Constitution can be written. Aspects of such legislation, including tighter controls on plastic explosives and nuclear materials, already appear in the Administration's bill. However, Congress must not abate the Bill of Rights to protect people from terrorism.

For more information: Gopher://necas.org:6601
FTP://ftp.pipeline.com/alcu

 Jackson's Bar

Coming soon!
New menu -- French Fries
Later kitchen hours

May 6th Annual Hog Roast & Student Appreciation Day
!! Live Band !
Thursday, April 13th
Live Band 8 p.m. - ??
Weekly Specials for April

TUESDAY
$1.25 Mug Nite

WEDNESDAY

Jam Nite with Scott Yates 10 p.m. to ??

THURSDAY
$2.25 Draft Pitchers
$1.00 Schnapps Shots (including 100 proof)
$1.00 Red Beer
Free Darts 10-12 p.m. (except April 13th)

FRIDAY
Red Beer/$1.00 Bottle

SATURDAY
$3.00 Draft Pitchers

Coming next fall:

The Forum Welcome Back issue

Let us know know what you think makes Valparaiso
and Porter County an enjoyable place to live.

For more info, contact Christopher Hedges, editor-in-chief
at (219) 465-7831 or via email: CCH4402@exodus.valpo.edu.

Obiter Dictum

"To claim the right to abortion, infanticide, and euthanasia, and to recognize that right in law, means to attribute to human freedom a perverse and evil significance; that of absolute power over others and against others. This is the death of true freedom."

Pope John Paul II
Evangelium Vitae

NewsExtra

The Forum
May 1995

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