Supreme Court to decide constitutionally of RFRA

By Brendan Maher and Steve Duckett

On Wednesday, February 19, 1997, the United States Supreme Court heard oral arguments in City of Boerne v. Flores, a case challenging the constitutionality of the Religious Freedom Restoration Act (RFRA). Congress passed RFRA in 1993 in response to the Supreme Court's decision in Employment Division v. Smith (the "peyote case"), in which the Court held that the Free Exercise clause of the First Amendment did not mandate exceptions to a state's facially neutral, generally applicable criminal laws when a religious practice violated those laws. RFRA was enacted to counter that decision, and provides that before a state may "substantially burden" a person's religious practices, the state must have a "compelling interest" and must use the "least restrictive means" of accomplishing the state's objectives.

In the case before the Supreme Court, the respondents were a group of Catholic parishioners from a small Texas town. The City of Boerne, pursuant to a law allowing the designation of certain structures as historical landmarks, had refused to allow the parishioners to tear down their church building in order to build a bigger church on the site. As a result, the parishioners had been relegated to holding mass in a school gymnasium. The parishioners sued under RFRA, claiming that the city had substantially burdened their ability to practice their religion without compelling justification. The city defended on the ground that RFRA was unconstitutional on its face as an attempt by Congress to legislatively override a Supreme Court decision and as a violation of the federalist principles of separation of powers.

The oral arguments presented to the Court were impressive all around. Marcia Hamilton argued the case for the petitioner, the City of Boerne, while Douglas Laycock argued for the respondent parishioners. The Court also heard amicus arguments from Jeffrey S. Sutton, State Solicitor for the State of Ohio, arguing that RFRA violated the Constitution, and from Walter Dellinger, the acting Solicitor General of the United States, urging the Court to uphold the act.

Due to the importance of the issues to both state governments and religious groups across the country, seating was at a premium in the courtroom in which arguments are heard. Though it is usually easy for would-be spectators to see arguments at the Supreme Court, on Wednesday there was not nearly enough room for everyone interested in attending.

Despite Dean Gaffney's Tuesday prediction that this was an "easy case" which would go "9-0" for the parishioners, the intense questioning from the Court indicated otherwise. With the exception of Justice Thomas, virtually every Justice managed to ask at least one of the oralists a question or two. Justices Scalia and Rehnquist seemed skeptical of Congress' power under the Fourteenth Amendment to enact RFRA, while Justices Kennedy and O'Connor explored the potential federalism concerns raised by Congress' effectively overruling a Supreme Court decision of which it disapproves. Other Justices focused on the parishioners' argument that Congress was merely providing an additional statutory right, rather than usurping the Court's role as final interpreters of the Constitution. The City of Boerne and the State of Ohio argued that these issues were intended to be resolved, and indeed were being resolved, at the state level.

The Court will hand down a decision in the case by the end of its term in June. Just what the disposition will be is difficult to guess given the multitude of concerns expressed by the various Justices at argument, however it is clear that the questions the Court will answer are not as simple as they might at first seem.

Having had the opportunity to attend these arguments, we would highly recommend that law students with any interest in Constitutional law, oral advocacy, or the Supreme Court itself, do everything possible to arrange a visit to our nation's highest court. Our thanks to Dean Gaffney for being a fantastic guide to the Court, and for a very informative experience.

See companion story on Page 4

Dinner chez Smoot!

By Malini Goel and Marianne Manheim

Staff Columnists

It was January 25, 1759...Robert Burns came into this world. On January 25, 1997, his birth and life were celebrated in a ritualistic manner, in the case of accomplishing the state's objectives.

The planning started last summer, and involved the shipping of food from all corners of the earth: Salmon from Zabar's of New York, Muskrat organ, Cigars from Honduras. To what lengths must one go to achieve such success at Robert Burns Supper? A phone call is dashed off to a source in Minnesota who then alerts his own contact in... continued on Page 7, see Dinner.

Krauthammer: Euthanasia -- the newest constitutional right?  

Eye on America: Cutting corporate welfare

School & Beyond: Law school field trip?
Letters to the Editor

No one owes you anything

I recently heard a story that, in addition to demonstrating the absolutely nonsensical frame of mind of one of the people involved, pointed out the existence of a disturbing school of thought to which I hope not many people adhere.

One of your law school classmates, in response to the possibility of United States Supreme Court Justice Clarence Thomas speaking at the third-year class’ graduation in May, told two other students “I think there’s gonna be a problem with that…All I know is that Thomas hasn’t done anything for me as an African-American.” She went on to purportedly (and I would hope incorrectly) speak for other black law students, threatening that if Thomas did speak, “we would all walk out.”

Let me begin by pointing out that the issue itself is most because Justice Thomas will not be able to speak at the graduation ceremony for the Class of ’97 in May. However, the third-year class, in a democratic response to a poll conducted by the 3-L Steering Committee, chose Justice Thomas as its number two candidate, behind only Colin Powell, from a list that included several other Justices, former President Carter, and others. In addition, Justice Thomas has graciously consented to judge a future Swyney Competition here at the law school, and participated in last summer’s Cambridge program.

It is the illogical and selfish attitude that the above anecdote demonstrates that is so troubling. The student who is unhappy with her classmates’ choice does not have any “right” to a speaker that she personally approves of. She had a chance, equal with every other third year student, to vote on a speaker. In addition, if one of the candidates was particularly upsetting to her, she could have attempted to influence people not to vote for that candidate. She didn’t, or at least was unsuccessful, and a candidate that she personally dislikes was selected. Welcome to the democratic process. In that process, “you can’t always get what you want.”

Even more disturbing is this student’s evident belief that Justice Thomas, or anyone else for that matter, somehow owes her something. Justice Thomas, despite the controversy that surrounded his confirmation, is a classic American success story. He rose from rather humble beginnings to the pinnacle of the United States legal system. Whether one agrees with his jurisprudence or not, he does not owe anything to anyone, and he certainly does not owe anything to one disgruntled member of VUSL’s graduating class because they happen to be of the same race. To even suggest as much is as self-centered as it is ridiculous.

Because of the diverse nature of our third-year class and our law school as a whole, whoever ends up speaking at graduation will likely have both supporters and detractors. One thing should be perfectly clear however…that speaker will be honoring our class by his or her presence, and will not owe any of us anything other than a good speech.

Brendan Maher, 3L

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The Forum

February 27 – March 20, 1997

Vol. 20 No. 12

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To the glory of God.

Financial Aid Dept. answers concerns

In a recent meeting withenny Mullenix and Charles Hofbeck, we were asked to provide you an outline of the process by which loans are awarded by Financial Aid and disbursed to Student Accounts, in response to the letter that Mr. Hofbeck submitted to January 17 issue of The Forum.

Pre-bills are issued approximately a month prior to the beginning of each semester. These are estimates of the tuition and fee charges, as well as the financial aid credits that will be applied to those charges for the next semester. As the accompanying letter states, “this includes an estimate of your spring semester subsidized and unsubsidized Direct Stafford loan not disbursements.”

On the day that classes begin, provided the students file is complete, the actual loan disbursement is transferred to the students account in the Business Office. The actual date of that transfer is, of course, the date that is also reported to the federal government. In the event that the loan is not disbursed until a later date, due to an incomplete file, the actual date of that later transfer would then be reported to the government.

Interest on subsidized loans does not begin to accrue until the actual date of the disbursement.

The university does not receive the loan funds from the government until they are drawn down electronically, which does not occur until after the disbursement is made to the students account. In effect, the university is “advancing” the money to the student until disbursed by the government.

In respect to the Perkins Loan, federal regulations are very clear that there is a limit to the amount of total financial aid a student may receive in a given academic year. Aid, including that received from sources outside the university, must be capped at the total cost of attendance. Thus, if a student award equals the cost of attendance and the student is awarded a Perkins Loan, another source of aid must be reduced.

The decision was made to repay the outside loans because they were the most costly to the student. Each student who held a private loan for this year and then received a Perkins loan was informed at the time of the award that the Perkins would replace part or all of their LAL or LSL.

As always, the Financial Aid and Business Office staffs are available to respond to your questions and concerns. We would encourage you to raise those questions as they occur.

David Fevig, Director, Financial Aid;
Phyllis Schroeder, Associate Director, Financial Aid;
Susan Scroggins, Assistant Comptroller
ILLINOIS BAR EXAM

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Law School Field Trip?

By Steve Dukett and Brendan Maher

Contributors

With a wind— at least too much so for my taste — take-off, Brendan Maher and I were off to D.C. to experience one of the true high—lights of my law school career. You see, we were going on a field trip, of sorts. We were going to meet our own Dean Gaffney in Washington to visit the Supreme Court and listen to oral arguments on the constitutionality of the Religious Freedom Restoration Act.

When we arrived at the airport Dean Gaffney was waiting for us at our gate. Brendan and I knew little about what was planned for us other than that we were going to have reserved seats at the Court the next morning. We knew that Dean Gaffney had some other plans, but they were sketchy at best. So off we were into the heart of D.C.

On the way in the rental car, Dean Gaffney explained to us that the case was important, but nonetheless an "easy case" for the Court to decide. "9-0," he explained. "RFRA is constitutional."

Dean Gaffney then explained that he was to be dining with Justice Scalia that evening. Seems the two are actually friends, which is funny enough if you are familiar with either man's politics.

Were impressed when he told the security guard to, "Call Maureen at the residence, she'll get this straightened out!", Our Dean, he is one connected man.

After Gaffney dished us in favor of the Supreme dinner invitation, Brendan and I made our way to a dinner of our own and then to a favorite watering hole of mine in D.C. Contrary to popular belief, and previous articles in this publication, we had to dodge no actual bullets while walking the four blocks to and from the bar late at night.

The next morning we met downstairs in plenty of time and made it back to the Court. After sitting in the Court's cafeteria (yes, even the Supreme Court's food is bad) and dining at a table next to the retired Justice Harry Blackmun, we were finally ushered through more security than I had ever seen. The screws in my right knee set of the metal detector and I thought my a** was grass. Luckily, they believed that I really did not have a knife planted under the skin of my leg and I was allowed to proceed.

The actual chamber of the courtroom is probably smaller than you would think. The nine justices sit high, and the attorney who is arguing is probably no more than 5 yards from Rehnquist's evil stare. The debate was spirited, and even humorous in some parts. All of the judges were active questioners with the notable exception of Justice Thomas. He never once opened his mouth, which was disappointing since he has relatively strong opinions about some of the core issues in the RFRA case, namely religion, federalism, and legislative deference. Probably the best questioners were Justices Scalia, Kennedy, O'Connor and Ginsburg.

Anyone who has had the privilege of spending a week with Dean Gaffney in London can reasonably predict what came next.

The arguments were concluded and Court was adjourned for the day, we were running late for our next appointment. Surprised? We hurried down First Street to the National Republican Capitol Hill Club, another ironic place for our Dean to be eating. There we met the Duesenbergs, our lunch hosts and annual benefactors to VUSL. Also joining us was the Clerk of the Supreme Court, which was interesting because he gave us a bit of a behind-the-scenes perspective that proved to be very insightful.

Brendan and I commented to the Dean about how if he started hanging out with Republicans and conservative Supreme Court justices, he might start to see the light. He sort of chuckled and gave us a "just you wait" sort of look. Next thing we knew we were hustling to our next appointment at the ACLU. Right!?!? Guess you gotta take the good with the bad. The meeting went rather well, and, after the guitar sing-along, we heard thoughts on the RFRA issue from Doug Laycock, one of the two men (the other being Solicitor General Walter Dellinger) who had argued for RFRA's constitutionality.

It was at this moment when Gaffney revealed for the first time that he was a mere mortal and revealed that he was not so certain about his previous day's prediction of an "easy case." He is now of the opinion that it will be 6-3 in favor of RFRA, maybe even 5-4.

Following our meeting at "P.C. Central", we were treated to a sense of reason—a 35 minute Q & A session with Antonin "Nino" Scalia. He revealed to us in that short time that the famous Lemon test is garbage, as is the O'Connor endorsement test, that there is no such thing as the "living constitution" (a term he uses with particular disdain), and that he gives little or no consideration to the contents of amicus briefs. The frank nature of our conversation was very refreshing, especially when you consider the famous "That's for me to know and you to find out" response that Rehnquist gave to our class in Cambridge when pressed about the validity of an opinion handed down in the 1860's.

All in all, the trip to D.C. was a London-like whirlwind, but also a very educational experience. I would urge students who have such an opportunity in the future to capitalize on it, no matter what the cost.

HEALTH LAW ASSOCIATION

And...we're off!

The First Annual 'Ambulance Chase' road race is Saturday, April 12, 1997 at 10:00 a.m. Scheduled events include a 5K Run & a 5K **Fun** Walk around the Valparaiso University campus. We need many volunteers from all organizations! There won't be too much of a time commitment, I promise! We will post a sign up sheet on the HLA board—please sign up so we have ample coverage for all stations: finish line, water stations, registration, t-shirt packaging, etc.

The admitted runners will be limited to current VU law school students, all VUSL faculty, regional attorneys/judges & all VULS Alumni for both individual & group team sign up—so get your teams ready & get out & run!

WE NEED A RACE LOGO!

Creative artists: Please sketch a race logo & submit it with your name to locker #487 or with your name to locker #487 or via email to kfox@wesemann.law.valpo.edu for prize awards for our race winners! We will already have trophies, so please give our runners more of an incentive!

ALL FACULTY

Please submit your suggestions (via email to kfox@wesemann.law.valpo.edu) for prize awards for our race winners! We will already have trophies, so please give our runners more of an incentive!

Any individual or organization that would like to volunteer or contribute funds to the race, please contact Kristi Fox, locker #487 (219-789-7900). In addition, any organization that helps will get a spot on the race shirt for their organization logo!

THANKS to all individuals & organizations for your participation!

More information to come...
Cutting corporate welfare

By Mark Pappas
Staff columnist

A strange coalition of political groups joined forces in Washington last month in an effort to end what has been called “corporate welfare.” The new coalition known as “Stop Corporate Welfare” pledged to target nearly twelve billion dollars of government subsidies earmarked for large corporations.

Members of Stop Corporate Welfare include liberal Ralph Nader and conservative House Republican John Kasich. Rep. Kasich of Ohio, the House Budget Committee Chairman, will lead the drive on Capitol Hill. Kasich, known for his conservative social and economic beliefs, said recently, “Last year we reformed welfare for those who don’t have lobbyists in Washington. This year, we intend to reform welfare for those who do.”

The spending cuts are targeted for programs like the Overseas Private Investment Corp., which gives loan guarantees to companies that invest in developing countries. Supporters of Stop Corporate Welfare argue that such loan guarantees for multi-billion dollar corporations are unnecessary. The group believes that companies like IBM, Exxon, and Archer Daniels Midland should bear the costs of potential risks rather than U.S. taxpayers.

Other programs targeted to be axed include a $350 million “Market Access Program” that subsidizes advertising to help food exporters such as M&M Mars and Sunquist; a $100 million program that finances road construction for timber companies; and a $1.3 billion program that subsidizes oil and gas exploration.

The Stop Corporate Welfare coalition is working to cut just a small portion of the corporate welfare that is part of our annual federal budget. The libertarian Cato Institute puts direct federal spending on business at $75 billion a year. The battle ahead for Stop Corporate Welfare is to convince members of Congress that the spending cuts are necessary to balance the federal budget. However, the fact remains that large corporations contribute millions of dollars every year to both Republicans and Democrats. Those members of Congress who have benefited from such contributions are unlikely to vote for reductions in corporate welfare.

Americans deserve a Congress that does not balance the federal budget on the backs of the poor while continuing to finance projects for multi-billion dollar corporations. Corporate welfare should be reduced just as other federal programs must be reduced in order to balance the budget. If we are going to cut spending for programs like APDC, Aid for Families with Dependent Children, we must also cut spending for programs like Aid for Dependent Corporations.

Crossword Companion

1. Place
2. Green fruit
8. Science (abbr.)
11. Long stick
12. Direction
13. Criminal (slang)
14. Preposition
15. Worn-out horse
17. On
19. Scientist’s room
21. Distant
22. Procedure
23. Roman emperor
24. Original (abbr.)
26. Appendage
28. Canvas home
30. Fissure
32. Sticky substance
34. Lion’s home
35. Mat
36. Tableland
38. Talk a lot
40. Wager
42. Begins
43. Male sheep
44. Beaver structure
45. Unruly group
46. Information
47. Appendage
48. Wager
49. Wild animal
50. Textile (slang)
51. Elderly
52. Sheath
53. Waterproof canvas (abbr.)
54. Type size
55. Sharp bite
56. Factor (slang)
58. Hebrew (abbr.)
59. Child’s game
60. School of whales
62. Us
63. Consume
64. Place of confinement
66. Agree
68. Transportation
69. Food thickener
70. Even
71. Detecting device
72. Raised railroad
73. Numbr
74. Within the law
75. Midwest town (abbr.)
76. Time zone (abbr.)
77. English jacket
78. Afraid
79. Investigates death
80. Indian (abbr.)
81. Venetian traveler
82. Air Force (abbr.)
83. Moist
84. Large
85. Procedure
86. Girl (slang)
87. A lot (slang)
88. Explosive
89. Each
90. Elderly
91. Tableland
92. Talk a lot
93. Auricle
94. Begins
95. Unruly group
96. Appendage
97. Wild animal
98. Loom
99. Wide-mouthed jar
100. Type size
101. Father (slang)
102. Hebrew (abbr.)
103. Child’s game
104. Item in an atlas
105. Southern state (abbr.)
106. Southern state (abbr.)
The fallacy of color-blindness

Minority dissents

By Bryan K. Bullock
Staff Columnist

IN THE NOW INFAMOUS CASE of Plessey v. Ferguson, the well-meaning Justice Harlan dissent- ed in the case by saying, "Our Constitution is color-blind, and in the Constitution, one color is not held to be more公民 than another." Even though, as stated earlier, his dissent was well-intentioned, it was, in fact, totally wrong. The Constitution has never been a color-blind document. There were specific provisions in the Constitution from its inception that dealt with Indians and protected slavery...both obviously color-conscious concerns. Although it did not mention African-Americans or blacks explicitly, the Constitution contained provisions which protected slavery in the states as part of the compromise between the framers. The fact that virtually every black person in the country were slaves overshadowed the fact that the framers did not mention them directly.

Further, the fact that the "other persons" in the Third-Fifth Clauses and the "persons owing services" implicated by the Fugitive Slave Clause were black clearly shows that the Constitution was never meant to be a color-blind document and that Justice Harlan was speaking about a document that he hoped would exist but that did not in fact exist. Additionally the document was written by men who owned slaves and written for a budding nation where African slavery was taken for granted.

It was against this social, political and Constitutional backdrop that Chief Justice Harey stated in Dred Scott v. Sanford, that black people "had no rights which the white man was bound to respect." Whether physician-assisted suicide should be legal in America, as in Holland? Tribe offered a riff on the stages of life. "Life, though it cannot be believed without the Constitution." It nearly got him laughed out of court when Justice Scalia cut him off with "this is lovely philos­ophy. Where is it in the Constitution?"

The three-judge court in Assen acquitted Dr. Chabot. So did an appeals court. So did the Dutch Supreme Court. Thus, notes Dr. Herbert Hendin (in his indispensable study of euthanasia in Holland, Reducing by Death: Doctors, Patients and the Dutch Care), has Holland "legally established mental suffering as a basis for euthanasia."

Why is this important for Americans? Because the U.S. Supreme Court was asked to decide whether physician-assisted suicide was legal in America, as in Holland. The two cases before the court both involve the terminally ill. But the deployment of these heart-breaking cases of terminal illness is part of the cunning of the euthanasia advocates. They are pulling heart strings to get us to open the door. And once the door opens, it opens to everyone, terminally ill or not.

How do we know? Justice David Souter asked that question in one form or another at least four times: Once you start allowing euthanasia for the terminally ill, what evidence is there that abuses will follow?

The answer, in a word, is Holland.

I'm not even talking here about the thousand cases in the Netherlands that translate into 20,000 cases a year — of Dutch patients put to death by their doctors without their consent. (Most, by the way, are killed not for reasons of pain, but, as the doctors put it, for "low quality of life" or because "all treatment was withdrawn and the patient died not die." I'm talking here about Dutch doctors helping the suicide of people not terminally ill, not chronically ill, not ill at all, but, like our lady of Asses, merely bereft.

The litigants before the Supreme Court claimed the right to assisted suicide on the grounds not of mercy but of liberty — the autonomy of individuals to determine when and how they will die.

But on what logical grounds can this autonomy be reserved only for the terminally ill? [At the court, the lawyers for the euthanasia side, Kathryn Tucker and Laurence Tribe, turned somersaults trying to answer the question. Tribe offered a riff on the stages of life: "Life, though it feels continuous to many of us, has certain critical thresholds: birth, marriage, childbearing. I think death is one of these thresholds." It nearly got him laughed out of court when Justice Scalia cut him off with "this is lovely philosophy. Where is it in the Constitution?"

Holland. The fallacy of color-blindness
Dinner chez Smoot

continued from Page 1

stomach, provided by a premiere butcher on the Southside (hint to our last article). It was then sewn up with surgeon precision, and roasted for five hours. Voila!

The Piper piped it into the dining room as it was placed on the table. Professor Smoot's Father-in-law, a Senior member of the Armstrong Clan, serenaded the group with Robert Burns' poem 'Address to a Haggis', as they began their evening meal. Gallantly, Smoot of Scotland, member of the McLellan Clan, drew his dagger ('skihn dubh') and struck, as the haggis burst open, and the scent...well, we can only imagine what the scent was like. Only Robert Burns could describe such an experience with eloquence.

"His knife see rustic Labour dight.
An' cut ye up wi' ready slight,
Trenching your gushing entrails bright,
Like onie ditch;
And then, O what a glorious sight,
Warm-reekin, rich!"

If only to be a fly on the wall, what an experience it would be. Maybe next year, if we have the $$$.

If anyone is interested in further information on Robert Burns, see the internet site at www.clan.com/burns. It provides poems, songs, a biography, how to host a supper, and more than you ever wanted to know about the subject.

Thanks Professor Smoot, for sharing with us your Scottish Experience, Smoot-style!

Menu

BURNS NIGHT SUPPER
JANUARY 25, 1997
A GATHERING OF THE CLANS
ARMSTRONG, MCDONALD AND McLELLAN

Haggis
Neeps and Tatties
McClannd Highland Single Malt Scotch
Smoked Scottish Salmon
Armstrong Ridge Champagne
Braised Hare
(Scottish Blue Hare Soup)
1993 Macon-Villages (Lucbo)
Braised Bodner Leg of Canadian Arctic Muskox
1993 Bourgogne (Mongeard-Mugneret, Vosne-Romanee)

Purse of Chestnuts
Clyde Cucumber with Mushroom
Trophy Laird
Burns (Scottish) Cheddar Cheese
Warre's Warrior Porto
Stewarts' Private Blend Estate Grown Columbian Coffee
McClelland's Ballena Suprema Cigars
Danish Collection (Honduras)
Selected Digestifs

Menu and pictures provided by Professor Smoot

ATTENTION

DEADLINE for submissions for the next Forum is Monday, March 17th, the first day of classes after spring break. Anyone wishing to contribute to that issue, Vol. 27, #13, must submit his or her material to the usual locations by 5:00 pm on the 17th. Additionally, if anyone has photos of law week activities that they would allow to be printed in the next issue, please put the pictures and a note in locker #429.

The 14th issue of The Forum this year will be out on April Fool's Day. Accordingly, anyone who wishes to display his or her wit is encouraged to submit a contribution. If you have not previously written a piece The Forum, perhaps now is the time to showcase your comedic talents and entertain the law school community as well.
Bar Exams — Which One?

By Gail Peshel
Director of Career Services

Spring break. The end of another school year approaches. Students have the choice of spring break, Cambridge, summer school, returning home or working in a new city — lots of options, and many different choices are being made by first and second-year law students. Third-year students also have a lot of choices, including the selection of the state where they will sit for a bar exam. Many third-year have made that decision, have focused on a particular state and are preparing to take its bar exam. But for those third-year students who have not focused solely on one state, learning which states allow to consider sending in the paperwork (and money) necessary to be admitted to motion on the D.C. bar.

One other option: For graduates taking a bar exam with a Multi-state component, consider applying to be admitted to the D.C. bar on motion (no test). But remember that there is a time limit on admission by motion — the first 25 months after receiving notice that you passed a bar exam. So after you receive your notice that you passed, consider sending in the paperwork (and money) necessary to be admitted to motion on the D.C. bar.

The ABA lists these states in its Comprehensive Guide to Bar Admission Requirements. They are: Alaska, Arizona, Delaware, Kentucky, Maryland, Nevada, New York, Ohio, Rhode Island, South Dakota, Washington, and West Virginia.

One option for graduates taking a bar exam with a Multi-state component is to apply for admission to the D.C. bar on motion. But remember that there is a time limit on admission by motion — the first 25 months after receiving notice that you passed a bar exam. So after you receive your notice that you passed, consider sending in the paperwork (and money) necessary to be admitted to motion on the D.C. bar.

Dear Job Goddess...

By Kinna Walton

I graduated from law school and recently passed the bar, and I am working now in the marketing department of a corporation. My job gives me some time to do legal research, but I worry I'm not getting the experience I need. I really want to find work as an attorney, but there are some obstacles for me. I went to school in another state, so alumni are scarce where I'm living. Also, I can't afford to quit my job and volunteer to help out at a law firm. I need my salary to pay my bills. How can I earn a living and still make the contacts I need?

SS, California

No nearby alumni? Can't afford to volunteer? Phew, SS — "pshaw" being the suitable retort here, even though the Job Goddess admires she doesn't know exactly how you'd actually pronounce the word. No matter. The Job Goddess will tell you exactly what you need to do to find work you do want, even if you can't drop everything and hitchhike the thousand miles to find your nearest fellow slum. In fact, the Job Goddess will even set fire to the circus hoops you want her to jump through, by assuming that you can't let your current employer know you're looking for another job.

You don't say what kind of law you want to practice, but it doesn't matter. For the sake of argument, let's say it's plagiarism-reclamation law. Contact the local bar association, and find out who runs the plagiars-reclamation specialty section, and when the section meets. Go to the next meeting, and introduce yourself to the section chairperson. Volunteer to help out, whether it's researching an issue or making a presentation to the section on some cutting-edge topic, or anything else.

The Job Goddess knows a recent law school graduate who got the criminal defense job he wanted by researching the status of polygraphs in his state, and making a presentation about it to the criminal defense section of his local bar. If you don't feel comfortable making presentations, SS, any other kind of volunteer work — for instance, helping to set up meetings or find speakers — will give you an excuse to talk to people who do exactly what you want to do, and turn strangers into contacts.

You should also expand your reading list, SS. Find out what practitioners in your specialty read, and start reading those publications yourself. If you read an article that interests you, write to the lawyer who wrote it, compliment them on the article, and ask for advice on breaking into their field. As a writer herself, the Job Goddess can assure you that a well-written cover letter makes them very open to helping you. In the same vein, let's say you stumble across an article in some legal periodical about someone who does what you want to do. Contact them and tell them you want information about the job and would love advice about following in their footsteps. Will everybody fall at your feet if you do the Job Goddess suggests? Perhaps not. But enough of them will that you will make all of the contacts you need, SS. And remember: Every time you make a contact this way, even if that particular contact can't help you, you need to do two things: ask if they know anyone else who might help you. And thank them profusely for any advice, information, or referrals they do offer.

Getting the idea, SS? You can see the theme here; find things that you feel comfortable doing, that also, coincidentally, get you in touch with people who may help you. The Job Goddess is confident that by activating any one of these ideas, or ones you generate yourself, you'll be pleasantly surprised by how quickly you can get out of that marketing department and into the legal job of your dreams.

Wishing You Every Earthly Reward,

The Job Goddess

Dear Job Goddess,

I have an idea that really stinks, and I need your help. I was a visiting student at a law school that didn't have a traditional grading system. This was a real problem in trying to convey to law firms exactly how I had done. So I asked the registrar of the school I visited for advice, and she gave me a formula for converting my performance to a traditional 4.0 grading system. The formula was complicated, but I finally figured out that I had a 3.7 average, and I put that on my resume and sent it out to law firms. However, after I mailed out my resume, I went back to check my work and realized that I had miscalculated my grades, and I really only had a 3.64 average. I'm horrified and I have no idea what to do.

Signed,
L.J., Ohio

L.J., the Job Goddess is not proud to admit her first reaction to your letter, which was, "How? Like I'm gonna write a column over this one?" For one thing, how often is something like this going to happen to anyone — among the millions who read the Goddess?

But then the Goddess mulled, and realized there's a much bigger issue here that everybody can identify with. Namely: What to do when you've sent out correspondence with a big, bad boner in it? People send out accuracy-challenged correspondence all the time. In fact, the Job Goddess recounts many similar stories in her best seller, "Guerrilla Tactics for Getting the Legal Job of Your Dreams." There was the one about the young woman who sent out a 300-piece mass mailer, only to later read the "objective," line at the top of her resume, which she intended to state: "Seeking a position in the public interest." Unfortunately, her spell-checker had overlooked the fact that she had dropped the "L" from "public interest." (Think about it for a minute."

And there was another story about a student who sent out a mailer with a letter that suggested he was a First Year student and a native New Yorker that showed him to be a Third Year student. What he did was to send out a letter to all of the same people he'd gotten the mailer, stating, "On further review, I find that I am a Third Year student."" Stopping cringing yet? OK, L.J., here's what the Job Goddess's pool of experts had to say about your problem. For a start, it's important to recognize the implication here; if you screwed up your math with this formula, what about your accuracy in other matter like, oh, say, calculating your client's damages? Attention to detail is a crucial skill for attorneys, and that's really what's at stake — whether your GPA is in actuality at a bit lower than your resume states. But take heart, L.J., no expert the Goddess contacted felt your problem was insurmountable. Here's what to do. First of all, you need to come clean at some point, because the truly important point here is that you didn't mean to deceive anyone. You may have a honest belief that it wouldn't matter, which is far less serious than any conscious deception. It's just a matter of figuring out when, and how, to make a clean breast of things. Kathleen Brady, career services director at Fordham Law School, suggests contacting the registrar of the school you visited to find out if other people made similar mistakes. If the formula is so complicated that many people screw it up, your own boo-boo diminishes in gravity.

Then, you have a choice. One thing you can do is contact everyone you sent your resume to — you don't state in your letter how many people they're talking about — and notify that you accidentally mistated your GPA. Recite the details of the formula so they can see it. If you find yourself, you've never made a mistake like this before (assuming this is true), convey your obvious mortification, and, as Kathleen Brady suggests, "It wouldn't hurt to make a self-deprecating joke about it. After all, you've got one fact on your side: a lot of people go to law school in the first place because they hate math."

Susan Richey, assistant dean for career development at Franklin Pierce Law School, advocates the idea of contacting everyone who got your resume to notify them of the mistake, because "You never know where your resume will wind up; you don't know who the people sent it to might pass it along to."" Kathleen Brady says another possibility is to wait and see who's interested in interviewing you, and when they contact you, bring up the mistake, and apologize. This is not something you're still interested in interviewing you. As Neal Fillmore, assistant career services director at Franklin Pierce Law School, advocates the idea of contacting everyone who got your resume to notify them of the mistake, because "You never know where your resume will wind up; you don't know who the people sent it to might pass it along to."

The Goddess isn't one to lecture, L.J., but your problem also highlights something else — and that is the importance of finding your dream job by getting to know people instead of sending them thousands of letters. If you had, say, met these same potential employers by volunteering on a local bar association committee with them, and then shown them your resume only after they'd expressed an interest in hiring you, a mistake like this would probably hardly surface. What's the story?" Why? Because they would already know — and like — you as a complete package. The Job Goddess encourages you to get out there and let people get to know you, L.J., instead of letting yourself be judged by a crummy mistake.

Wishing You Every Earthly Reward,

The Job Goddess
INDIANA, Hammond
Law firm seeking 3L to clerk approximately 10 hours each week. Firm does substantial work in medical malpractice and banking areas as well as general practice work. Submit resume to Career Service Office by February 28 in order to be included in the packet that will be mailed to firm.

INDIANA, Laporte
Newby, Lewis, Kaminsky & Jones, a firm with immediate need for a law clerk to conduct legal research for a general practice firm. Clerking position is to begin as soon as possible and extend through the rest of this school year. Send a resume and cover letter to: Mark A. Lienhoop; Newby, Lewis, Kaminsky & Jones; P.O. Box 1816; 916 Lincolnway; LaPorte, IN 46350.

NATIONAL LAWYERS GUILD SUMMER PROJECTS 1997
Information and applications are available in the Career Services Office for summer internships for the a variety of programs in a wide variety of states.

NATIONAL RIGHT TO LIFE COMMITTEE SUMMER INTERNSHIP
Variety of internship positions available. Applications available inCareer Services Office. For more information, call: (202)626-8800 x 153.

INDIANA, Gary
Law Clerk—2L or 3L to work 10-15 hours per week with possibility of full-time summer employment in general law practice in Miller Beach area. Please send cover letter & resume to Lenore Haepey at Meyer, Lyles & Geiman, P.C., 363 S. Lake St., Gary, IN 46403. FAX: (219)39-3070.

INDIANA, Merrillville
Law Clerk—Needed after Spring Break to work with AV-rated solo practitioner. Hours flexible, part-time during school year, possibility of full-time in the summer. Practice concentrated in state and federal criminal practice, appellate, death penalty defense, and personal injury. Apply A.S.A.P. by sending or faxing resume: to: Marc Gonzalez, Jr.; Suite D, 9120 Calumet Ave., Merrillville, IN 46410; 219/769-3030 or FAX: 219/769-3031.

INDIANA, Indianapolis
Summer Intern—Office of the U.S. Attorney, Southern District of Indiana is seeking 2 interns for paid positions in the summer 1997 program. The Office prefers second- or third-year law students with superior academic qualifications. Knowledge of federal law and criminal and civil procedure would be an advantage. Candidates will be required to successfully complete an FBI background check prior to beginning the internship. The internship will last approximately 12-13 weeks from May/June through August. Interns must be available to work Monday through Friday from 8:30 a.m.-5:00 p.m. Federal regulations may restrict interns' ability to contemporaneously hold other employment. Submit a current resume, law school transcript and writing sample to: Judith A. Stewart, U.S. Attorney, U.S. Courthouse, 5th Fl., 46 East Ohio Street, Indianapolis, IN 46204. DEADLINE: March 17, 1997.

INDIANA, South Bend
Summer Intern—South Bend City Attorney's Office has openings for summer internships. The work will consist mostly of research and writing in various phases of municipal law. 40 hours per week—$7.28 - $8.09 per hour. Send cover letter, resume, references and writing sample to: Anne E. Brunceul; Chief Asst. City Attorney; 1400 County-City Building; South Bend, IN 46601.

INDIANA, Elkhart
Law Clerk—Elkhart County Superior Court I is seeking a clerk to fill a permanent position. A.S.A.P. is responsible for compiling legal research and authoring rough draft opinions in specific cases. May be required to perform as Court Bailiff and assist with trials. Qual: Must have completed a J.D. or LL.B. Degree from an accredited law school. Licensure to practice law in the State of Indiana is not required, but individual is expected to be scheduled to take the bar exam in the near future. Court or legal experience is preferred. Salary is dependent on experience and qualifications and offers full benefits. DEADLINE: March 15, 1997.

INDIANA, Hammond
Associate—General practice law firm with a concentration in personal injury, criminal defense and family law (also practice in bankruptcy, estates and corporate matters) has an opening for a new associate. Send resume to: Pamela Norris, Director, Lawyering Program, Albany Law School, 80 New Scotland Avenue, Albany, NY 12208, e-mail: psnor@mail.albany.edu

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