By Randy Fisher
Managing Editor

The 16th Annual Monsanto Lecture on Tort Reform and Jurisprudence, held on April 3rd, brought the highly acclaimed academic Jonathan Turley to the Law School. Professor Turley, a nationally recognized legal scholar and professor at George Washington, is a mainstay at Capital Hill hearings and has been a guest legal analyst for several major television news channels.

The charismatic Turley spoke at length about the growing concerns of how the U.S. Congress passes political issues of major importance to the courts. Turley said the "most significant changes in society come from tort litigation." Often, industry-wide litigation on tobacco, agent orange, asbestos, and the like, end up in the courts, not in Congress.

Professor Turley suggested that this was not what the Framers of the Constitution had in mind and may be a lapse in our governmental system. "These lawsuits conflict with our Madisonian Democracy," said Turley. At the Senate hearings on the federal tobacco lawsuit, Turley testified that the legislative circumvention that is taking place with torts is a leap of faith and that these battles are best fought in the legislature. "Issues that go to the core of our political system should be reserved for Congress."

However, when the door is slammed on Congress or the topic gets too heated, Congress allows the courts to set the national agenda on these major political issues, citing cases like Brown v. Board of Education. According to Turley, this deprives our nation of the "Madisonian Moment" and places too much trust in the judicial system to reach the correct outcome.

Now more than ever, Turley believes, state courts are swallowing up the majority of litigation on these tort issues. "This is a race to the bottom," stated Professor Turley. Currently, a single state can cripple an entire industry, leaving next to nothing for the remaining 49 states.

Overall, Professor Turley presented an entertaining and enlightening lecture through his exploration of important "balance-of-power" issues within the scope of tort legislation and social regulation. His manuscript, entitled "The Least Dangerous Branch and the Most Dangerous Products: Torts and the Role of the Courts in Social Regulation," will be published as an article in the Valparaiso Law Review.

Speaker focuses on peace

Israeli Consul General delivers speech to an ARC crowd of about 250

By Shane Cigel
Editor-in-Chief

"Neither Israelis nor Palestinians are going to disappear, so both peoples need to live together." It was a theme stressed over and over in a speech given March 19th by Moshe Ram, Council General to the United States for the state of Israel, in his speech entitled "A Quest For Peace in the Middle East."

Ram talked about the difficulties surrounding finding a lasting peace with the Palestinians and also his frustrations with Palestinian leader Yasser Arafat.

"Yasser Arafat is still under the impression that terrorism against Israel pays and that it will force Israel into concessions," he said.

Ram pointed specifically to the Camp David Accords of 2000, a meeting between Arafat, former U.S. President Bill Clinton and former Israeli President Ehud Barak.

In that meeting, Israel was prepared to give Palestinians 90% of the West Bank and the Gaza Strip as well as the majority of East Jerusalem. Ram said Arafat thought he could get more from Israel and walked away from the deal.

"Arafat thought he could get more by engaging in terrorism 17 months ago," "This is the tragedy of the Middle East."

Ram then pulled out an Israeli newspaper showing the pictures of 327 Israelis killed since the Camp David meetings. Ram said that all 327 of the deaths were as a result of terrorist acts.

Ram also pointed out the major issues underlying the relationship between Israelis and Palestinians.

Dealing with Drop in US News and World Report Rankings

By Randy Fisher
Managing Editor

Unless you have been trapped in the library elevator for the past month, you know that the recent issue of The US News and World Report rankings gave Valparaiso University School of Law (VUSL) a 4th tier school, a drop from the 3rd tier. Reaction has varied throughout the law school. Dean Cominetti, along with members of our faculty and staff, have sought damage control within the halls of Wisemann with a meeting to address student concerns and an exclusive interview with The Forum. These meetings were both informative and comforting, as they put the US News report into the proper perspective. As Dean Cichowski stated, "Are you upset because you think they (US News and World Report) got it right or are you upset because they got it wrong?" Most would agree that they got it wrong.

In interest of informing the law student body, we at The Forum have assembled the following story to explain what the rankings mean and how, if at all, the rankings effect our quality of education and future legal career. Also, a chart prepared by Dean Cichowski breaks down where VUSL ranks in each specific category collected by US News.

Report's History

US News began ranking law schools in the mid-1980's. The rankings began as an objective test of quality of education, but then turned into a subjective money maker for the magazine, where only the elite schools truly benefited. This issue of US News is their number one selling issue each year.

While US News ranks other professions such as medicine, only the top 50 or 100 are ranked. Showing utter disdain for lawyers and legal institutions, all 185 ABA accredited schools are placed before the US News "Tier 1" schools.

As far as VUSL's history within the rankings, the school has been in the 4th tier before. When the rankings started, schools were placed into quintiles. At that time, VUSL was placed into the 5th quintile before moving to the 4th quintile. Placing a greater emphasis on the "top" schools, the rankings then switched to quartiles, at such
Conflict: Playing the Game

Here is the predicament; if we choose to ignore and devalue the US News report, we may not see or address the areas where we need to improve. However, a law school can get caught up in pursuing an entire mission of improving the school’s rankings within the US News report. Some schools have been known to invest millions of dollars by sending out flyers to legal professionals in hopes of improving their reputation.

It is evident from our administration that we will not lose sight of our goals and mission—providing a quality legal education. The VUSL mission will not change just to be ranked higher by a magazine. “You can be comfortable with who you are and be proud of who you are and not pay attention to these rankings, or you can play the game and spend money on improving rankings, when that money could be spent elsewhere on student programs or on more important resources,” said Dean Cichowski. “Why corrupt your mission for the sake of US News and World Report?”

So What Happened?

Simply put, nothing happened, nothing changed. “We have the same faculty, same facilities, same fine students, same great alumni and the reasons for coming to this law school have not changed,” Dean Conison said. Upon analyzing our data, we look to be a strong 3rd tier school. In several categories, we are in the upper 3rd and even 2nd tier. So why are we placed in the 4th tier? Your guess is as good as ours!

What is Being Done to Make Changes at VUSL?

“If anything, the rankings will help by providing us with a challenge,” said Dean Conison. Some might view this challenge as negative. Dean Conison, along with other members of our administration, are looking to turn this situation into a positive. For instance, to increase financial backing, our administration can use the rankings as leverage when asking alumni to fund needed improvements. Efforts are also being made for our professors to attend conferences and speaking engagements, in an effort to represent our school and promote the Valpo name. Most important for students, a free bar passage program is in the works, headed by Professor Stuart. This program will aim at improving bar passage rates for VUSL students.

How Should Students React and How Can We Help to Improve the Ranking?

Students should react “by not letting a third party news magazine tell us how good we are,” Dean Cichowski said. And if the rankings still have you down, then act as ambassadors to the school. Spread the name and always be positive about the school. Our talent can be reflected through our Law Review or through competitions such as Moot Court or Negotiations Team. We are here to support the school financially once all those nagging loans are paid off. As Professor Bodensteiner puts it, “Don’t let this ranking make you feel inferior.” Is someone from Harvard going to argue in court that he or she’s a Harvard grad therefore he or she should win the case over you, a Valpo grad?

Where Do We Go From Here?

Well, it’s quite obvious. We can learn to live with rankings and not let it effect our psyche. VUSL has been producing quality attorneys for years and a 4th tier ranking will not change that fact. The idea that the same yardstick can measure all law schools ignores the quality that makes our law school unique. Take the rankings for what its worth, a big moneymaker used to hype up the elite law schools. And for those students attending the “top law schools,” you might want to be thoroughly prepared for court, because here we at VUSL cannot wait to see how your education “ranks” against ours!

A Breakdown of U.S. News Data

(Courtesy of Dean Cichowski)

Methodology:

1. Nine charts were created by sorting the 175 included schools by each of the nine ranking categories for which US News seems to fit report data (there are three categories for which they do not report data - see chart).
2. On each of the nine charts, schools were ranked from 1-175 (allowing for ties).
3. VUSL was then ranked on each chart, and an assigned a tier equivalency to each of the categories.

Breakdown:

Tier 1 contains schools 1-50, 51 schools included.
Tier 2 contains schools 52-90, 39 schools included.
Tier 3 contains schools 91-135, 45 schools included.
Tier 4 contains schools 136-176, 40 schools included.

The categories on the chart are listed in order of weighting in the ranking system. For example, the first category (academic poll) is the "heaviest" factor in the system weighing in with a 25% factor.

An added feature to the 2003 rankings: on the web site version, beyond the top 51 schools, all you see is a list of rankings. If you want to view the individual category scores and do any kind of relevant study of the scores, you have to pay $9.95 to U.S. News. This is not helpful to any school below the top 51.

They have restricted this information for those who pay a web subscription.
A Letter From Dean Consion

Mr. Perkins, my high-school French teacher, was a dapper man who sported a trim moustache and a tweed sports jacket. He would sometimes come into the classroom to find the words “LA TENSION” written in screeching, jagged letters on the blackboard—sometimes under the pull-down map of France, cruelly lying in wait for him. Many years before, students had discovered that these words were sure to drive the man crazy. Knowledge of how to deal with Mr. Perkins became part of school culture, passed on from one generation of students to the next. I tell you this, not because I want to discuss my wayward youth, but because Mr. Perkins presents us with a confluence of two phenomena: la tension, and la culture. And both phenomena are highly significant in your lives as law students.

The significance of la tension is rather obvious. Law school is a demanding, often stressful, environment. You have to work hard—probably harder than you have ever worked before. You have a lot of demands to juggle—study, family, work, and more. You have been taught to think differently from family members and other normal people, and so you may feel a bit isolated. You are constantly thinking ahead to the challenges of the bar examination and obtaining a job. The demands of law school pose a constant threat of tension.

The significance of culture may be less obvious, but it is no less pervasive. You learn an enormous amount from classes and books. Yet you learn a great deal, too, from fellow students, as you absorb the law school’s culture. While you don’t learn torts or employment law this way, you do learn great deal about how to act in a professional environment. You learn what the faculty expect of you and how various professors will treat you. You learn how to search for a job and how to conduct yourself effectively with prospective employers. You learn how to help the school, for example with recruiting. And you learn what is acceptable and what is accepted in your interactions with other students.

Each law school has its own culture. At some schools la culture promotes la tension—the faculty intimidates or the students engage in cutthroat competition. Mercifully, that is not the culture here. Ours is one that fosters a strong sense of community, and acceptable conduct here is conduct that builds a healthy sense of community. This is not to say that students don’t compete with each other, or that students never create la tension unnecessarily. But on the whole, thanks to our culture, we have a strong sense that we are all working together, and we recognize that it is best for all of us if every student succeeds, if every student has the greatest possible opportunity to fulfill his or her potential.

In my view, the sense of community and the culture that promotes it is one of the great strengths of the law school. It is a strength in which you can take personal pride, for it is a strength whose continued efficacy depends on you and your fellow students. Be mindful, then, that as you do your part to educate the students who follow you, and to create the culture, you are playing an essential role in making this law school such an excellent institution.

A message from the SBA president by Mick Story

In keeping with the retroactive theme of some of the articles in this edition of “The Forum”, I thought I’d take a look back at two of the more significant issues at our school over the past 9 months. The first is the Diversity Program and the second is our “ranking” in the US News & World Report.

The Diversity Program was created and will be implemented to make our law school better and improve the pedagogical environment of our education. Whether you believe this or not, it is true, the articles in this edition of “The Forum”, and arguably must be, the first step in an overall Diversity Plan that will address the issues of matriculation, retention, graduation and eventually alumni giving that will allow this program to be endowed rather than supported via tuition waivers.

The Diversity Program will not decrease the LSAT average of our entering class. To be eligible for the program, a student must have first been admitted to the law school and then have at least the median or average LSAT score of the previous years entering class.

Recently The US News & World Report placed our law school in the “fourth tier” for no quantitative reason. If this concerns you, the first thing you need to ask yourself is if it bothers you because it’s right or because it’s wrong. Next realize that you can improve the ranking of our school. First, you can increase our bar passage rate by passing it the first time. Second, you can improve our ranking by doing everything in your control to secure employment at graduation as well as nine months later. However, the bottom line is your degree and the name on it will carry us as far as we want it to. Otherwise, if we believe these rankings, we are allowing others to tell us our value and worth.

To my fellow classmates, good luck in all your future endeavors and I look forward to seeing your successes. To the 2L’s and 1L’s good luck as well in your final year or two here at Valpo and I hope to have left the school a better place for all of you.

Student Responds to Email Debate

Dear Forum,

I agree with Lisa Kinser’s letter entitled “I” intended to be “I” and “Porsche” incorrectly in my email.

―Duly admonished by a top real estate salesperson and owner of his own company!

Lisa Kinser

The Forum stands behind its policy of printing letters that come from the VUSL student body, so long as the letter carries with it the name of the writer. However, The Forum reserves the right to edit for length and grammatical accuracy.

Good Luck On Finals!!!
A parting shot from the editor

By Shane Cigel

Well, another year has come and gone. This year felt like it flew by. I would like to pause for a moment and reflect on the 2001-2002 year at VUSL.

First, I am ecstatic to see all of the people who voted in the SBA elections last week. I was told that 74% of all 1L's voted and 51% of all 2L's. I was also told that these statistics blew away last year's figures. I witnessed a lot of interest and enthusiasm throughout the halls, some good campaigning going on, and even a flyer or two. It was nice to see the candidates taking their prospective positions so seriously; it can only mean good things for the SBA next year. I would like to congratulate all those who won and wish you the best in your new positions.

The most highly publicized program of this year was without question the diversity program. It marked a series of discussions and debates around the school. I was happy to see our students and faculty engaging in conversations geared towards improving our school. I truly believe that having a more diverse student body will improve the academic level of our school. The more backgrounds we throw into the pot, the more we will learn not only about others, but about ourselves as well.

I have read William Smith's piece, and I guess the only thing I can say about it is that we're not trying to get our student body to represent society as a whole, but rather to make our student body to represent society as a whole, but rather to make our student body to represent society as a whole, but rather to make our student body to represent society... We basically started from Forum off and tuning.

I encourage all of you to voice your opinions next year in The Forum. I found out through the diversity program that people aren't afraid to voice their opinions, it's just a matter of getting them in this newspaper and not over email.

By the way, we could always use a few more staffers to help us out, so if any of you have any desire to work for The Forum, your assistance would be greatly appreciated. You can either stop me in the halls or send me an email stating your interest in working with us.

I want to thank those who have made The Forum possible this year. The list includes Bruce Berner, our faculty advisor, Dean Comison, who gave us the thumbs up on starting The Forum; Curt Cichowski, who handled a lot of our administrative issues; and most importantly, my staff, who logged major hours to keep all of you an informed law school.

Fisher and myself decided we were going to go through with this project, we had little money, no place to work, and no staff. When we finally solved all of those problems, new questions arose. What were we going to write about? Who was going to read this thing? Would the staff have enough time to contribute to make this work?

After a while, I stopped worrying about these questions and just tried to put out the best product we could. I think we can chalk this year up as a success. I hope you all enjoy having a student newspaper again. The importance of having a newspaper at our school can't be stressed enough.

In the words of Thomas Jefferson, "The press is the only tocsin of a nation. When it is completely silenced... all means of a general effort are taken away."

I encourage all of you to voice your opinions next year in The Forum. I found out through the diversity program that people aren't afraid to voice their opinions, it's just a matter of getting them in this newspaper and not over email.

By the way, we could always use a few more staffers to help us out, so if any of you have any desire to work for The Forum, your assistance would be greatly appreciated. You can either stop me in the halls or send me an email stating your interest in working with us.

I want to thank those who have made The Forum possible this year. The list includes Bruce Berner, our faculty advisor, Dean Comison, who gave us the thumbs up on starting The Forum; Curt Cichowski, who handled a lot of our administrative issues; and most importantly, my staff, who logged major hours to keep all of you an informed law school.

By William Smith

How much discrimination will we tolerate? Most people believe that discrimination in all its forms is intolerable and subject to government action. But that is not the case.

First off, let's address the issue of connotation. "Discrimination" can be good or bad, depending on how it is used. I have read enough to know that the term "discriminating" used to be a compliment. A discriminating diner was one who knew value and shunned low quality goods. A discriminating diper was one who ate well and avoided greasy spoon cafes. To speak of a woman as having discrimination meant that she knew who were people of integrity and who were charlatans and rogues. In all these situations, the term "discriminate" meant being able to differentiate between good and bad.

Currently, discrimination has been interpreted to mean only the differentiation between people based on their skin color, and not on any meaningful personal qualities of the individuals. However, we should broaden this definition to include all differentiation people make. Once we do that, we can begin to understand that government's attempts to quash discrimination are both doomed to failure, and illiberal.

To show you what I mean I will start with the most absurd of situations and progress to the current state of things. If peanut butter currently sells better than Skippy peanut butter. The government has found this situation to be irrational, and mandates that shoppers can no longer discriminate against Skippy peanut butter. If you have bought 5 jars of Jif previously, and your next purchase of peanut butter is not Skippy, you can be charged with violating this new anti-discrimination policy, and made to pay a fine to the manufacturers of Skippy. Utter nonsense, right?

Next off, the government determines that white men are marrying far more white women on a percentage basis than white women constitute of the general population. The Feds decide this is pure discrimination and that in the future, at least 12% of white men must marry black women, since 12% of women are black. If the populace seems unwilling to comply voluntarily, a lottery will be developed to ensure non-discrimination in future. Absolutely ridiculous, right?

Following this, the federal courts decide that people are discriminating in their choice of roommates. From now on, anyone who tries to get a roommate of another race and fails can sue in court and use the fact that that person has had 4 roommates, but never had a roommate of another color. Idiotic, right?

But not so fast. Now consider someone who rents out his extra room rather than sharing an apartment with a roommate. Depending on how the situation is structured, this person CAN be charged with discrimination if he only has had people of one race or ethnicity renting out that extra room. The difference between agreeing to be roommates and a lease-holder subleasing part of his apartment is very thin, but in one case, we'd think it silly of charging him with discrimination, and in the other, we'd have no problem with it.

So the question is, at what level of personal choice are we comfortable with discrimination, not, how do we eliminate discrimination? Not only is it not possible to eliminate discrimination, but also even attempting to do so would wreak havoc with personal choice and autonomy.

By Shane Cigel

Well, another year has come and gone. This year felt like it flew by. I would like to pause for a moment and reflect on the 2001-2002 year at VUSL.

First, I am ecstatic to see all of the people who voted in the SBA elections last week. I was told that 74% of all 1L's voted and 51% of all 2L's. I was also told that these statistics blew away last year's figures. I witnessed a lot of interest and enthusiasm throughout the halls, some good campaigning going on, and even a flyer or two. It was nice to see the candidates taking their prospective positions so seriously; it can only mean good things for the SBA next year. I would like to congratulate all those who won and wish you the best in your new positions.

The most highly publicized program of this year was without question the diversity program. It marked a series of discussions and debates around the school. I was happy to see our students and faculty engaging in conversations geared towards improving our school. I truly believe that having a more diverse student body will improve the academic level of our school. The more backgrounds we throw into the pot, the more we will learn not only about others, but about ourselves as well.

I have read William Smith's piece, and I guess the only thing I can say about it is that we're not trying to get our student body to represent society as a whole, but rather to make our student body to represent society as a whole, but rather to make our student body to represent society as a whole, but rather to make our student body to represent society... We basically started from Forum off and tuning.

I encourage all of you to voice your opinions next year in The Forum. I found out through the diversity program that people aren't afraid to voice their opinions, it's just a matter of getting them in this newspaper and not over email.

By the way, we could always use a few more staffers to help us out, so if any of you have any desire to work for The Forum, your assistance would be greatly appreciated. You can either stop me in the halls or send me an email stating your interest in working with us.

I want to thank those who have made The Forum possible this year. The list includes Bruce Berner, our faculty advisor, Dean Comison, who gave us the thumbs up on starting The Forum; Curt Cichowski, who handled a lot of our administrative issues; and most importantly, my staff, who logged major hours to keep all of you an informed law school.

By William Smith

How much discrimination will we tolerate? Most people believe that discrimination in all its forms is intolerable and subject to government action. But that is not the case.

First off, let's address the issue of connotation. "Discrimination" can be good or bad, depending on how it is used. I have read enough to know that the term "discriminating" used to be a compliment. A discriminating diner was one who knew value and shunned low quality goods. A discriminating diper was one who ate well and avoided greasy spoon cafes. To speak of a woman as having discrimination meant that she knew who were people of integrity and who were charlatans and rogues. In all these situations, the term "discriminate" meant being able to differentiate between good and bad.

Currently, discrimination has been interpreted to mean only the differentiation between people based on their skin color, and not on any meaningful personal qualities of the individuals. However, we should broaden this definition to include all differentiation people make. Once we do that, we can begin to understand that government's attempts to quash discrimination are both doomed to failure, and illiberal.

To show you what I mean I will start with the most absurd of situations and progress to the current state of things. If peanut butter currently sells better than Skippy peanut butter. The government has found this situation to be irrational, and mandates that shoppers can no longer discriminate against Skippy peanut butter. If you have bought 5 jars of Jif previously, and your next purchase of peanut butter is not Skippy, you can be charged with violating this new anti-discrimination policy, and made to pay a fine to the manufacturers of Skippy. Utter nonsense, right?

Next off, the government determines that white men are marrying far more white women on a percentage basis than white women constitute of the general population. The Feds decide this is pure discrimination and that in the future, at least 12% of white men must marry black women, since 12% of women are black. If the populace seems unwilling to comply voluntarily, a lottery will be developed to ensure non-discrimination in future. Absolutely ridiculous, right?

Following this, the federal courts decide that people are discriminating in their choice of roommates. From now on, anyone who tries to get a roommate of another race and fails can sue in court and use the fact that that person has had 4 roommates, but never had a roommate of another color. Idiotic, right?

But not so fast. Now consider someone who rents out his extra room rather than sharing an apartment with a roommate. Depending on how the situation is structured, this person CAN be charged with discrimination if he only has had people of one race or ethnicity renting out that extra room. The difference between agreeing to be roommates and a lease-holder subleasing part of his apartment is very thin, but in one case, we'd think it silly of charging him with discrimination, and in the other, we'd have no problem with it.

So the question is, at what level of personal choice are we comfortable with discrimination, not, how do we eliminate discrimination? Not only is it not possible to eliminate discrimination, but also even attempting to do so would wreak havoc with personal choice and autonomy.
LexisNexis®
Rewards of Working Smarter!

Over 17,000 Cash Winners

$100 weekly

$1000 monthly

$100,000* grand prize: law school tuition

Plus, daily cash winners for using LexisNexis®!

It's simple...

Just go to www.lexisnexis.com/lawschool to view the official rules and register. After that, each time you use the LexisNexis® research service, you're entered to win!

Use LexisNexis...
Where it really pays to research!
"It's wonderful to see everyone come together outside of school and relax while enjoying a good meal, music and dancing." Brandon Nowak, 2L

“What better way to relive high school prom. One of the funnier moments was when I received a Bill Clinton cigar.” Erik Hafferman, 3L
"It was entertaining to watch everyone do the electric slide. The music was superb and the food was tastey." Victor King, 3L

"Barrister's Ball was memorable but it was sad knowing it was our last Barrister's together." Jaclyn Thompson,
Valparaiso Dining Offers A Little Something of Everything

By Kathy Kwak

Have you ever wondered if features editor there were places to eat in Valparaiso? I thought my only options were McDonald’s, Burger King, Wendy’s, or Taco Bell... ok, let’s throw in Chili’s too.

In an effort to expand my horizons, I decided to go searching for some alternatives and discovered that I had jumped to conclusions a little too quickly.

Within this little town, there is a plethora of eating options. I chose the following four restaurants, because I heard that these places were popular by word of mouth. I will check them myself.

Remember now that I’m not a professional food critic, but just a law student who loves to eat like everyone else.

Marla Elena’s
454 S. Greenwich Street
477-2490

Course: House Salad w/ French- This was not a tossed salad, but instead an onion salad. I would not recommend this salad if you are on a first date. Mahi Mahi- I highly recommend this to all of the fish lovers out there. Ostrich- This is the special of the house so I decided to try a little bit. It was served VERY red and had to be taken back. I think that it was still “ka-kawing” at me, but in the end, it just tasted like steak. For those of you who like to try “new things”... go for it! Mashed Potatoes w/ gravy- The taste was garlicky and the gravy was a bit odd.

Custard Cake w/ raspberries & blueberries- YUMMY! This was the best part of my meal. A great dessert for that sweet tooth.

Overall: The service was ok. The server was not very familiar with the menu, but in the end, it just tasted like steak. For those of you who like to try “new things”... go for it! Mashed Potatoes w/ gravy- The taste was garlicky and the gravy was a bit odd.

Cheesecake w/ Blueberry Sauce- I don’t even like blueberries, but I didn’t even notice that bananas were in this dessert. This tasty treat was presented perfectly and looked like a piece of abstract art. Every bite just melted in my mouth.

Course: House Salad w/ Honey French- Your typical house salad. A loaf of bread was included along with honey butter. I don’t know what it was about the butter, but it was amazing. Do they sell this stuff? Combo Appetizer Platter- A wide variety of your typical appetizers to tie you over until the main course.

Overall: This place served ENORMOUS dishes. I didn’t even have room for dessert. If you are a steak, chicken, or seafood lover, and have a big appetite, then I would highly recommend this place. The fun, relaxed atmosphere is a great place for any occasion.

Dish Restaurant
3907 N. Calumet Avenue
465-9221

Course: House Salad w/ Honey Mustard- This salad had the perfect selection of vegetables, and the dressing was outstanding.

Linguine w/ Clam Sauce- This is one of the house specials, and I would highly recommend it. The sauce was a bit spicy, but added the right amount of “kick” to the linguine.

Tiramisu- DELICIOUS!

Overall: The service was excellent. This place reminded me of a fancier Olive Garden. If Fuzoli’s isn’t satisfying your craving for some Italian food, then give this place a try.

Kelsey’s Steak House
5639 US Hwy 6
762-2242

Course: House Salad w/ Honey French- Your typical house salad. A loaf of bread was included along with honey butter. I don’t know what it was about the butter, but it was amazing. Do they sell this stuff?

BBQ Chicken with Shrimp- This meal was HUGE. I would definitely recommend this to all of you pasta lovers out there. All the meals were served with bread, and the unique quality of this place was the fact that the servers walked around and served single slices of bread to everyone. However, there were some weird herbs baked into it, and I couldn’t tell you what it was.

White Chocolate Banana Tart w/ Chocolat Sauce- I don’t like bananas, but I didn’t even notice that any of these places were like the fine Chicago eatings that I am used to. However, I think that I will be able to survive for the next two years. So remember, the next time you drive by a restaurant and think to yourself that you would never eat there, instead of passing it, just stop in and give it a try.

VUSL performance of Guys and Dolls receives rave reviews

By Michelle Ross

The law school community stepped out of its business attire for a night and into clashing shades of green, pink and orange as they performed Guys and Dolls last month.

It was an elegant evening dedicated to benefiting the school’s Law Clinic. Rumors circulated around the law school that this year’s performance was the best in the musical’s seven-year history.

The actors were amazing, the music was inspiring and first-year student Jason Utzsch had the honor of kissing Professor Dooley. All in the performance was a stunning example of the multiple talents of VUSL.

"The production was a wonderful event," said Professor Derrick Carter, who played the role of Lieutenant Brannigan. "It especially made it easy to do the stage in the rehearsals and the actual performances.

Erin Coffelt, 2L, said she enjoyed the experience of performing on stage as opposed to last year’s performance which was held in Strinne Courtroom. “I’ll probably never have the opportunity again to be on stage, under the lights, with a live audience. It was an exciting experience.”

The show utilizes the talents of members of the law school community. Professor Berner has been involved in local productions for the past 12 years and Professor Carter was involved in theater while he attended college. The Forum’s own Shane Cigel has been involved in theater throughout high school and college.

Professor Carter enjoyed preparing for his role. "My role as Lieutenant Brannigan was relatively simple - chase the gamblers, but the role allowed me many opportunities to ad lib. It’s risky when you ad lib, and there’s danger in throwing off the other performers. But it keeps things fresh with the occasional unexpected lines. The only disappointment was that the play’s run came to an end too soon.”

The musical ran for three years during the seventies. Former VUSL student Randy King loved Gilbert & Sullivan productions and thought that the musical might work at VUSL. In the early years, the law school performed "I’ll Be home for Christmas.

In the nineties then Dean Gaffney resurrected the idea as a fundraiser. Since its revival, the law school has performed HMS Pinafore, You’re A Good Man Charlie Brown, The Fantasticks, Pirates of Penzance and this year’s Guys & Dolls.

Auditions commenced before the close of the first semester. The rehearsals for the production began in January. The rehearsals were held weekly and picked up as the performance loomed near. The week before the show students and faculty rehearsed every night. “My favorite part is to see students, facility, staff and alumni work together and get to know one another,” said Nicely, Nicely Johnson, aka Professor Berner.

This year two performances were held. The first was a free performance held for the students and the second was open to members of the community for a $100 ticket price. Proceeds were used to benefit the clinic and netted approximately $20,000 this year.

The performance attended by the community included a champagne cocktail hour and dinner.

This year, approximately 300 students attended the first performance and 170 people attended Friday night.
Losing a loved one can be tragic. For most VUSL students, losing a son or daughter is unimaginable. For Robbin Benko, however, losing her son became a horrifying reality. At approximately 2:30 AM PST on Oct 22, 2001, John Edward Trowbridge was stabbed to death at an apartment in Las Vegas. Trowbridge was 23 years old.

The sudden and tragic loss of a family member can have a devastating effect on a person’s psyche. Certainly few would have blamed Benko for dropping out of law school. A semester later, however, Benko, a 1L, is still in school. She credits the support of a family member can have a

saying she is thankful for support from VUSL faculty, students and staff at VUSL for helping her deal with her loss. "I cannot express how thankful I am to the students, faculty, and staff for the support and understanding," Benko said. "Without their encouragement and support I would not have been able to continue taking classes. And for that I will be forever grateful." Benko missed three weeks of school following the death of her son. During that time she received a myriad of gifts, cards, flowers, and phone calls from other students lending support. When she came back to school, she was mobbed with hugs from fellow students before making it through the front door. "It took me an hour to get back to my locker," said Benko. "It was great how everyone offered to help and asked what they can do." Although the missed school time forced her to drop Civil Procedure, Benko has maintained her full-time status at VUSL. She said that she will make up the lost credits by taking summer school classes and retaking Civil Procedure in the fall.

Benko is thankful to Professors Carter and Dooley for stepping beyond their roles as professors, providing encouraging words and lending a shoulder to cry on. Carter, along with Dean Levinson and Professor Blomquist, provided help on her case. She credits Carter for helping her examine the case from a criminal aspect. He provided information on what to expect during the criminal process, what to expect from the judges, the defense, and the prosecution. Blomquist assisted her on the possibility of filing a wrongful death suit and on finding a lawyer in Nevada.

Trowbridge had moved to Las Vegas on a whim. After having lived in San Diego during his time in the Navy, Benko said that Trowbridge missed being out west. "His plan was to eventually move back to San Diego," said Benko. Trowbridge had lived in Las Vegas for only three months when he was slain.

Benko said that her son's temporary stop in Las Vegas was to make some quick money before moving to San Diego. He worked in restaurants and moved from one friend’s house to another to save up the cash necessary for the move.

On the night that Trowbridge was murdered, he had met up with a friend, Johnny Hernandez and two friends of Hernandez at a Subway store. After meeting at Subway, the four went to Hernandez’ studio apartment. At the apartment Hernandez and another man were on one side of the room playing video games across the room of Hernandez’ studio apartment. Trowbridge was lying on the bed reading a bicycle magazine. Kane, the accused, was allegedly in a drug-induced state and sitting on a beanbag next to Trowbridge. It was then that Kane allegedly grabbed a replica Roman dagger that he owned, reached over and stabbed Trowbridge in the neck. Trowbridge was allegedly stabbed four more times and died about 30 later.

Kate was arrested that morning and charged with open murder. On April 1, 2002, he was committed to the Lake Crossings Mental Health Institution, where he will remain for 120 days. Then the courts can determine if he is competent enough to stand trial. If Kane if found incompetent, he will remain at Lake Crossings until he is fit to stand trial.

In the meantime, Benko said that she has been trying to help the District Attorney’s office by helping collect evidence and compiling a biography of Kane’s life in order to further understand his motives. Benko is investigating the possibility of a history of drug abuse and family mental illness.

Benko said she is also assisting lobbyists in Nevada to ensure that the state legislature enacts or maintains statutes that keep dangerous persons institutionalized in a criminal mental facility or in prison.

Benko said that she anticipates Kane pleading not guilty by reason of insanity. If he does, the D.A. will argue that Nevada law does not recognize a voluntarily induced mental state as an acceptable defense. Benko said that Dean Levinson has given her guidance on the constitutionality of the insanity issue. Nevada currently has a statute that abolishes the insanity defense. The Nevada Supreme Court found the statute to be unconstitutional in Finger v. State. The state then presented the decision to the United States Supreme Court. The Court denied certiorari, which essentially leaves Nevada with the antiquated McNaughten rule recognizing insanity as a defense.
IT'S SHOW TIME IN THE NBA; LAKERS LOOK TO THREE-PEAT
By David Masso

It's playoff time and the Los Angeles Lakers are attempting to win their third consecutive NBA title. The real issue is: Can anyone stop Shaquille O'Neal? Shaq is fighting off some nagging injuries, including an arthritic toe, but can anyone stop or at least neutralize the seven-foot, 300-pound plus center? No, but maybe if he's feeling poorly enough, then somebody can beat the Lakers. Let's look at some possible candidates:

Sacramento boasts the NBA's best regular season record at 61-21 (that's three games better than the Lakers' record of 58-24). But there is something about the Kings that makes people wonder, does this team have the defensive strength to win close games? Sure the Kings are flashy and they play extremely well at home (36-5), but Sacramento plays an almost European style of game, relying on perimeter shooting, behind the back or no look passes, and Chris Webber. The Kings have proven their toughness, winning close games on the road this season at San Antonio and at Sacramento. Sacramento has not proven its toughness. Only time will tell, but a look at these two teams is likely a look down the path to the NBA finals.

Sacramento will have to get by Utah, which should be no problem. The Jazz are tough but do not have the power to do better than some close losses and maybe one win. The Kings will next face either Dallas or Minnesota, both of which bring young talent to the court. And while a second round match up of Sacramento v. Dallas/Minn. will be exciting, it is unlikely that either team is experienced enough to overcome the Kings talent and home court edge.

As for the Lakers, do not expect the defending champs to run down Portland the way they did last year. Although there is always a good chance that Portland will implode, the Blazers are playing much better than most would have thought. A sweep seems very unlikely and this series could go five, but expect the Lakers to win a close one. If the Lakers hold off Portland, a rematch with the San Antonio Spurs is likely.

Again don't expect a sweep like the Lakers 7, Bulls 6, Celtics 3, and Rockets 2) have combined for 20 of those championships. Or you could always turn to baseball; at least until the August player's union strike.

THE FORUM
A STUDENT PUBLICATION OF VALPARAISO UNIVERSITY SCHOOL OF LAW WESEMANN HALL VALPARAISO UNIVERSITY VALPARAISO, IN 46383

EDITORS
Shane Cigel, Editor-in-Chief
Randy Fisher, Managing Editor
Jenn Klein, Photo Editor

CONTRIBUTORS
Kathy Kain, Lifestyles Editor
Kathy Kwak, Lifestyles Editor
David Masse, Sports Editor
Michelle Ross, News Editor
Allen Timms, Features Editor

FACULTY ADVISOR
Professor Bruce Berner

THE OPINIONS EXPRESSED IN THE FORUM ARE THOSE OF THE AUTHORS AND DO NOT NECESSARILY REPRESENT THE VIEWS OF THE SCHOOL OF LAW FACULTY, STUDENTS, OR ADMINISTRATIVE STAFF.

PLEASE SEND CORRESPONDENCE TO:
EDITORS, FORUM, VALPARAISO UNIVERSITY SCHOOL OF LAW, WESEMANN HALL, VALPARAISO, INDIANA 46383. ARTICLES MAY BE SUBMITTED TO THE FORUM MAILBOX IN THE SBA OFFICE. THE EDITORS RESERVE THE RIGHT TO EDIT THE ARTICLES TO ASSURE GRAMMATICAL ACCURACY AND TO KEEP THE LETTERS TO A REASONABLE LENGTH. LETTERS TO THE EDITOR SHOULD INCLUDE THE NAME, ADDRESS AND PHONE NUMBER OF THE AUTHOR.

THE FORUM IS PUBLISHED MONTHLY DURING THE ACADEMIC YEAR.
Frivolous Lawsuits Filed by Prisoners
A lawsuit was filed against Buchanan County, Missouri, alleging that the county should award damages to a prisoner who broke his leg while attempting to escape from jail.

Fun Fact
In ancient Rome, long before the advent of the Christian Bible, Romans would swear to “tell the truth, the whole truth, and nothing but the truth” by placing their right hand on their testicles. It is from this ritual that we derived the term “testimony.”

Truth?
There are two kinds of lawyers: those who know the law and those that know the judge.

True Stories
A Michigan lawyer was sentenced to ten days in jail for contempt of court as the result of his repeated refusal to obey the judge’s admonitions to turn off his cell phone in the courtroom. The last straw for the judge was when the lawyer chose to interrupt his questioning of a witness to take a call.

A Kansas lawyer received nearly $35,000 in workers’ compensation because he hurt his shoulder reaching into the backseat of his car for his briefcase.

Outrageous Lawsuits
A woman driving a car collided with a man who was riding a snowmobile. The man died at the scene. Since his snowmobile had suddenly cut in front of her, police said she was free of blame. She sued the man’s widow for the psychological injuries she suffered from watching the man die.

Outrageous Laws
In Stark, Kansas, it is against the law to quack like a duck.

PERSONALS

“If Vito comes around and breaks your legs, it was probably for your own good.”
--Professor Bruce Berner on growing up in NJ

I got rat fudged.

One for the treble, two for the bass, come on party people let’s ROCK this place!

Penguin....Penguin....Penguin....Penguin....

My quality control captivates your party patrol, your mind body and soul; for whom the bell tolls, let the rhythm explode; Big Bad and Bold, B-Boys of old!

If you had to summarize your campaign in one word, what would it be? STRATEGERY!!

COMPASIONATIVITY!!!

Ask me if I’m a cat? Are you a cat? No.

In case you are wondering...they are fake.

Lieutenant or Detective...they’re all the same!

Judith got away.....DDDDUUURRR

You can dress up a pig...but it’s still a frickin’ pig (you ruined my story dude)

Come on now...yah...bah!!!

Oh my god.....she’s how old???

You R a rabbit.

Dance music is our generation’s classical music...and glow sticks are my light-saber

Hey....ahh...There’s hair on my cheese...

So I was eatin’ my sandwich and there was a hair on my cheese and apparently she thought that was funny.

To place a personal, include writing in an envelope marked “Forum Personals,” and place it in The Forum mailbox located in the SBA office. Please include 25 cents for each personal. Ads without proper payment will not be published!
A TRIBUTE TO THE 3L'S

GOOD LUCK

CLASS OF 2002

Meshel Al-Akeel
Fahad Al-Arfaj
Patrick Alberts
Douglas Allen
Cara Bacot
Kathleen Barkow
Matthew Barrett
Cherrie Baysinger
Laura Benacki-Stafford
Michael Bickis
Charity Blackburn
Amy Blair
Susanne Boyle
Kathleen Brill
Drew Broadus
Canoner Brown
Christine Childers
Lewis Claussen
Nanette Clemons
Kimberly Connor
Angela Crossin
Cindy Crowe
Kendall Dameron
Michael Dovellos
R. James Duensing
Stefanie Dunton
Amy Durr
Lynne Eaton
Melanie Eggers
Kevin English
Jill Erickson
Corey Everts
Laura Ezzell
Andrew Fish
Bradley Fisher
Michael Fitzsimmons
Amber Franks
Kimberly Franks
Danette Garza
David Gray
Kurtas Groberg
Robert Groszek
J. Dan Guinn
Courtney Gustafson
Eric Hafferman
Autumn Halaschak
Catherine Halliday-Roberts
Steven Hand
Sabrina Haney
Anne Harrigan
Sherry Hartzer
Richard Herman
Jennifer Irons
Justin Jochums
James Jones
Debbie Julkes
Benjamin Kim
Victor King
Lisa Kinser
Tara Kocheran
Kristy Kopaczewski
Timothy Kuiper
Michael Kuiriger
Gennelia Laluna
Peter Lantka
Susan Lee
Marianne Legge
Katherine Lowery
Jessica Luecht
Timothy Marr
Trent McCain
Amanda McCrovvitz
Mark Miller
Catherine Morford
Jessica O'Connor
Shaun Olsen
Thomas O'Meara
Jennifer Ortiz
Karin Palladino
James Palmer
Erinn Parker
Nico Peters
Anthony Petralia
Kimberly Prewitt
Karyn Price
Adam Rasmussen
Amy Redman
Thomas Riley
Grace Roman
Stephanie Roskom
Matthew Ross
Timothy Rushenberg
Kristin Schaeferman
Christopher Schmidgall
Derrick Schmidt
Gail Siegrist
Richard Simpson
Steven Skalka
Mary Slavens
Rebecca Smith
Sherry Smith
Mick Story
Scott Strange
Eric Stule
Ul-Jun Suk
Joseph Svetanoff
Matthew Tarkington
Jaclyn Thompson
Daniel Tomson
Mick Vande Griend
Donald Van Der Moere
Heather Cander Tuuk
Laura Ezzell
Susan Lee
Steven Skalka
Andrew Fish
Marianne Legge
Katherine Lowery
Jessica Luecht
Timothy Marr
Trent McCain
Amanda McCrovitz
Mark Miller
Catherine Morford
Jessica O'Connor
Shaun Olsen
Thomas O'Meara
Jennifer Ortiz
Karin Palladino
James Palmer
Erinn Parker
Nico Peters
Anthony Petralia
Kimberly Prewitt
Karyn Price
Adam Rasmussen
Amy Redman
Thomas Riley
Grace Roman
Stephanie Roskom
Matthew Ross
Timothy Rushenberg
Kristin Schaeferman
Christopher Schmidgall
Derrick Schmidt
Gail Siegrist
Richard Simpson
Steven Skalka
Mary Slavens
Rebecca Smith
Sherry Smith
Mick Story
Scott Strange
Eric Stule
Ul-Jun Suk
Joseph Svetanoff
Matthew Tarkington
Jaclyn Thompson
Daniel Tomson
Mick Vande Griend
Donald Van Der Moere
Heather Cander Tuuk
Laura Ezzell
Susan Lee
Steven Skalka
Andrew Fish
Marianne Legge
Katherine Lowery
Jessica Luecht
Timothy Marr
Trent McCain
Amanda McCrovitz
Mark Miller
Catherine Morford
Jessica O'Connor
Shaun Olsen
Thomas O'Meara
Jennifer Ortiz
Karin Palladino
James Palmer
Erinn Parker
Nico Peters
Anthony Petralia
Kimberly Prewitt
Karyn Price
Adam Rasmussen
Amy Redman
Thomas Riley
Grace Roman
Stephanie Roskom
Matthew Ross
Timothy Rushenberg
Kristin Schaeferman
Christopher Schmidgall
Derrick Schmidt
Gail Siegrist
Richard Simpson
Steven Skalka
Mary Slavens
Rebecca Smith
Sherry Smith
Mick Story
Scott Strange
Eric Stule
Ul-Jun Suk
Joseph Svetanoff
Matthew Tarkington
Jaclyn Thompson
Daniel Tomson
Mick Vande Griend
Donald Van Der Moere
Heather Cander Tuuk

3L SUPERLATIVES
Most Likely...
...to be a Third World Dictator - Jim Duensing
...to sleep through school awards ceremony - David Gray
...to cite the constitution in defense of a parking ticket - Matt Tarkington
...to sell a car to a judge during oral arguments - Peter Lantka
...to be on the back of a phone book - Trent McCain
...to specialize in cheerleading law - Jake Fish
...to have his underwear starched - Jim Palmer
...to be the only 50 year old in the Valpo Boys Club - Colby Leonard
...to be in a music video - Drew Broadus
...to compliment her mugger - Jill Erickson
...to still be roommates at 80 - Karin Palladino and Amy Blair, Amy Durr and Sherry Hartzer
...to be kicked off Notre Dame's alumni list - Brian Williams
...to succeed - Charity Blackburn
...to vehemently deny ever being in Valparaiso, Indiana - Class of 2002

(Editors note: These superlatives are for amusement purposes only and are not meant in any way to be taken seriously) - S.C.

Go Forth and Set the World on Fire.
-St. Ignatius of Loyola

Fondest Memories

Enjoying the Valpo basketball games and laughing at the VU football team.
Mark Miller

Watching the IL's after receiving their first semester grades. - Kim Prewitt

Seeing my first year writing professor take a slip and wipe-out in class. - Gennel Laluna

My home run in my first at bat at Cardozo this year and watching the IL's try to get in the backyard to get it. - Mick Story

I remember leaving the subtleties of inebriation with the help of a bottle of Black Velvet and Professor Carter. - Pete Lantka

I will always remember being asked to sing "Yankee Doodle" with my fellow astoniished classmates in Jurisprudence with Professor Gaffney. - Jaclyn Thompson

I will remember when Professor Bernard tripped the first day of Torts and said, "we don't just teach torts in here, we demonstrate it." - Christi Childers

Reading a professor's midterm practice question i.e.: a law professor's defamation suit against two law students for referring to her as "Mrs. Robinson" when in fact I and another student referred to this particular professor, with the same affectionate sobriquet. - Jim Palmer