The Forum (Volume 33, Number 2)

Valparaiso University School of Law

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Part of the Law Commons
Interview

Professor Carter

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125 Years - a Series

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Supreme Court Lecture to Focus on Judicial Independence

VALPARAISO - Harvard University Law School professor Charles Ogletree will be the featured speaker at the Valparaiso University School of Law’s annual Indiana Supreme Court Lecture October 28.

Ogletree, the Jesse Climenko Professor at Harvard Law School, will speak on: Recurring Threats to Judicial Independence” at 4 p.m. in Wesemann Hall on campus. His lecture is part of an ongoing series of activities celebrating the School of Law’s 125th anniversary.

Ogletree will talk about the ongoing debate concerning the appropriate role of the judicial branch of government and whether courts are or should be engaging in judicial activism or judicial restraint. A reception will follow Ogletree’s lecture.

Ogletree is perhaps best known for serving as legal counsel to Professor Anita Hill during her testimony during the Senate

see OGLETREE page 2

Professional Development Day

By Randen Schoppe

Staff Reporter with staff reports

Attorneys representing forty-nine different areas of law filled the halls and atrium of Valparaiso University School of Law, Friday October 3rd. Professional Development Day went off the day before homecoming to attract more alumni to the event. Most of the forty nine lawyers who came to the event were graduates of VUSL, and everyone who came were very willing to talk and give advice to the students who surrounded the tables to talk to the lawyers.

Samuel Brooks, class of ’90, of the United States Attorney’s General Office, said that if one wanted to work for the U.S. Attorney’s Office the best way to get a job was to take a job else where and get experience before attempting to get a job there. Others encouraged students to get involved with the various clubs and student groups around the law school and to keep those grades up. Krista Bartholomew, ’00, told the 1Ls who were talking to her about working as Prosecutor in the Juvenile Division, that they should all participate in the school play.

Judging from where the crowds were the thickest, Sport Law, Entertainment Law and working for the government were the biggest draws. Tracy Reilly, ’95, seemed to attract the most interest even in the afternoon as she told several stories about working with famous clients and gave tips for working in the entertainment industry.

Some of the attorneys said that it took time to get to your dream job and you should be willing to take a job that wasn’t quite what you wanted and get some experience before trying to get the job you really wanted. Scott Andersen, class of ’99, said that you should get a job and start developing your contacts in the Sports area, even while in law school and then keep your eyes and ears open once you are out the workforce. He also said don’t be afraid to start at the bottom of ladder

see PROFESSIONAL page 3

Cardozo!

By Jeffrey Haupt

Managing Editor

The 2003 Cardozo Cup had everything from shirts that turned a legal term into a sexual reference, to a faculty team that came ready to win back a title that they did not get to defend in last year’s game. Yet, the 2L team was as empty as their side of the score board.

The 2Ls showed the faculty team and the crowd how to hit the long ball, how to turn the double play, and how to get boosed by the crowd (that will usually happen when you throw the little kid out for not tagging up, but at least on appeal - with a little help from the crowd - the 2L team let the kid back on base and erased the out).

At about 8 p.m. on Friday, October 10, 2003, the 2Ls ran the gambit and overwhelmingly knocked off anyone that was willing to field a team.

3L class that dominated the 2002 Cardozo Cup as 2Ls quickly found themselves behind the “8-ball” when this year’s 2L team jumped out to a six point lead after the top of the first inning. While the 3L’s made a few nice plays, in the end their efforts came up short. The 2Ls had their revenge and knew now the championship game was set.

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3L class that dominated the 2002 Cardozo Cup as 2Ls quickly found them-
Blood Drive
By Tara Wozniak
Staff Reporter

How easy is it to save a life? Well, if you donate a pint of blood—you can save three. Surprisingly, half of us will need blood in our lifetime, yet, only five percent of us are able to give blood actually donate. When only five percent of qualified donors donate, there’s almost always a shortage of some type of blood.

On October 1, 2003, SBA teamed with LifeSource, a nonprofit full-service blood center providing blood to hospitals and home health agencies in the Chicago land area, and used our student lounge as a temporary location for a blood bank. One student, Lindy Martin (1L), captured the reason for giving blood the best. She said, “I give because, in the event that I would need blood, I’d hope that someone would give for me... and I give because I can... it’s the easiest way to save a life.” Thankfully, Lindy is not the only person at VUSL who feels this way.

The wait to give was long because of an unanticipated and overwhelming number of walk-ins, 63 VUSL students, staff, and faculty members generously showed up and waited to donate their blood. Forty-eight individuals donated a pint of blood each, impressively surpassing SBA’s goal of collecting 35 pints. These 48 pints of blood will allow approximately 144 people needing blood, the opportunity to live.

The need for blood is great, in part because the life of blood is short. Donated blood is divided into three components: red blood cells, plasma, and platelets. Red blood cells must be used within 42 days, plasma can be frozen for up to a year, and platelets can be stored for only five days. Thus, LifeSource needs 1500 donors a day just to meet the needs of the patients in its communities.

You can safely donate blood every 56 days. Think about it: if you began donating blood at age 24 and donated every 56 days until the age of 76, you would have donated 39 gallons of blood. If one pint can save up to three lives, and eight pints are in a gallon—you would have potentially saved someone’s life 936 times. Hopefully, when one in two of us need blood in our lifetime, someone out there will decide to give just that once.

Ogletree Continued from Page 1

confirmation hearings of U.S. Supreme Court Justice Clarence Thomas.

He has published widely on a host of topics regarding race and justice in America, including the award-winning book “Beyond the Rodney King Story; An Investigation of Police Conduct in Minority Communities.” Ogletree received the American Bar Association’s Equal Justice Award, the Human Rights Award from the NAACP chapter in Cambridge, Mass., and was selected by the National Law Journal of Women as the most influential lawyer in America.

Ogletree graduated from Harvard Law School, where he was elected national president of the Black Law Students Association. He has served on the Stanford Board of Trustees for 10 years and is chair of the Board of Trustees of the University of the District of Columbia.

This lecture is made possible with the generous support of the Indiana Supreme Court, which will be represented by Justice Frank Sullivan Jr. at the lecture.

For more information about Ogletree’s lecture, contact Lisa Todd, assistant to the dean, at (219)465-7834 or lisa.todd@valpo.edu.
Habitat for Humanity
By Tara Woznoak
Staff Reporter

Instead of sleeping late or lounging around on a Saturday morning, 13 students from our very own law school left at 8:00 a.m. (yes, A.M. on a Saturday) to do a bit of gardening and construction for Habitat for Humanity. In case you don't know, Habitat is a non-profit organization that works with people from all walks of life to build decent, affordable housing in partnership with people in need.

When we arrived at our Habitat houses in Hammond, the Master Gardeners, a group of certified volunteers in home gardening, were quick to grab four of us, put shovels and rakes in our hands--and order us to "Dig." And dig we did--a huge, monstrous hole that almost tunneled to China. Our hole was to be the home for a Sugar Maple we later named "Bob." We were machines--digging through roots, and clay, and rocks, and metal--because, as we learned from the Master Gardeners, the hole for a new tree has to be at least the depth of the base of the tree (Bob's base was more than two feet high) and twice as round.

After two laborious hours of digging, two strong men in our group (Tyler Bellin and Chris Baker) dropped Bob into his new home. And then, you guessed it; we were instructed to fill the hole back up. After three long hours of work, one house was built. And now April and her daughters can feel pride for their home because this small house will be a safe and nice place to live--a place where they are shaded by a fine Sugar Maple and a place where Dwayshahnae and Onita can grow up.

As I stood by April at the end of the morning, chatting and admiring our superb gardening skills she glanced at me and said "I'm almost about to cry. It's so beautiful." At that moment, those grueling hours spent digging that humongous hole for our Sugar Maple became worth it. Here was a woman working hard to finish her Bachelor's degree from Purdue, planning to start her own preschool in the future, and just wanting to provide the best home possible for her daughters. And she will. During the morning of September 27, 2003, 13 students from VUSL helped another small piece of her dream become reality.

At this time, a few of us met April Tyler, the homeowner of the house belonging to our Sugar Maple. April and Habitat have been working on her house since, ironically, the month of April of this year. Finally, she and her daughters, Dwayshahnae (age 11) and Onita (age 9), are within days of moving into their new home. She thanked us for our help and agreed that our tree was a fine Sugar Maple, and in tribute to our hard work, our Sugar Maple should always be known as "Bob."

Throughout the day, the 13 of us got pretty dirty, planted a lot of shrubbery, cut and nailed several pieces of trim and molding, dug a huge hole, and all in all--had a little fun and learned a bit, too. We learned how to plant a tree, how to put up molding, and most importantly, how a community of strangers can come together and build a home. After hundreds of hours of volunteer work, one house was built.

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Front (L to R): Tara Wozniak, Betsy Block, Kaite Nolan
Back (L to R): Amy Vroom, April Tyler,
Other participants included: Chris Baker, Tyler Bellin, Laura Boyer, Jill Cochran, Aubrey Kuchar, Andrew Oostema, Patrick and Melissa Olgivy, Carla Porter
A Penny for Your Thoughts
By John Sayas
Contributor

We are all too familiar with the scenario of a ringing telephone right as you sit down for a long awaited dinner. Even though you have that feeling in your gut that it is just another solicitor, you pick up the phone in hopes of hearing a familiar voice of a family member or friend. Then the let down takes over as you hear, “Is this the residence of (fill in the blank).”

I remember when caller-ID was supposed to be our answer to quiet and uninterrupted dinners, but it seems that everyone in the world comes up on the screen as “unavailable.” So what are we to do?

A champion was supposed to arrive on October 1 of this year, bearing the banner of the “Do-Not-Call” registry. Our job was supposed to be easy; just register our number on the list and the calls will begin to disappear from our lives. However, like so many other things in our life, it may have been too good to be true.

To begin with, the law does not bar calls from charities, telephone surveyors, political organizations (what a surprise), and companies that have an existing business relationship with the person to whom the number belongs.

Also, a recent decision by a Colorado District Judge may derail the law by deciding the law violates the First Amendment rights of telemarketers. Reasoning for the decision was simple; the law discriminates against certain kinds of calls, meaning calls for profit. The judge highlighted that instead of allowing complete freedom to decide who should or should not call, the drafters discriminated by favoring types of calls from political organizations and charities.

Regardless of how the appealed decision turns out, one can be sure that support for the law is evident. As of the October 1st deadline, over 51 million numbers had been registered on the list. Whatever your position is, please come and share your feelings on how this affects your life.

Affirmative Action Lecture
By Mark VanDonselaar
Staff Reporter

Larry Purdy recently came to Valparaiso University School of Law to speak about affirmative action. Purdy is a litigation partner in the Product Liability and Mass Tort Litigation group of the Minneapolis-based law firm, Maslon Edelman Borman & Brand. Purdy recently served as trial counsel for the plaintiffs in the two recent cases involving affirmative action in the admissions policies of the University of Michigan and the University of Michigan Law School.

Despite the complexity of affirmative action and admissions policies, the message Purdy brought to VUSL was really quite simple. As most people do, Purdy believes that all forms of racial discrimination are wrong. Purdy was quick to point out that he is and has always been in support of affirmative action. However, Purdy also believes that race should not be a determining factor in college admissions as it is at the University of Michigan undergraduate college and law school.

Purdy offered admissions statistics from the U. of Michigan Law School to demonstrate that Michigan’s admissions standards essentially boiled down to the race and LSAT score of applicants. Purdy stated that in 1995 of the 15 white students applying the U. of Michigan Law School with an LSAT score of 156-158 one were admitted. Of the 14 Asian students who applied with identical LSAT scores none were admitted. However, of the ten African American students that applied with the same LSAT score all ten were admitted. According to Purdy, this is clearly a double standard, applied to persons according to their race, which he believes should not be tolerated.

Purdy also offered statistical evidence that the majority of people do not want affirmative action to be administered as Michigan does. Purdy states that a poll taken in 2001 confirmed that 85% of people polled were in favor of affirmative action. However, when those polled were asked if race should be a factor in college admissions 85% of respondents answered in the negative.

Purdy does not dispute that diversity of race in the make-up of college or law school classes is a benefit to all students. Purdy said that diversity was never at issue in the recently decided affirmative action cases. However, Purdy believes that diversity should be obtained via methods other than taking the applicant’s race into consideration.

Throughout the question period following Purdy’s initial statements, there seemed to be a prevailing question as to what alternative means should be used to guarantee a diverse class without using race as a factor in admissions. Purdy was unable to offer any clear alternatives besides eliminating race as a consideration altogether and focusing on each applicant as a whole and not a sum of his or her personal characteristics.

125 Years A Piece of Heritage
By Tara Woznoak
Staff Reporter

While most of us spend the good part of our lives within the walls of Wesemann Hall during our law school career, the majority of us know little of the history that came before us. In the next six issues of The Forum, this column will explore a small piece of VUSL’s rich and interesting heritage in honor of 125 years of Valpo Law.

Part I: Back to the Beginning.

The year is 1879. Legal education in the United States has been highly organized. In fact, lawyers of the day are predominantly trained through their own efforts by “reading the law” and serving in limited apprenticeships. This minimal training leads to incompetent attorneys and disgrace within the profession. In just this year, the ABA is created and promotes a more structured legal education program linked with academia, intending to dispel the tainted image that has befallen upon the profession.

Recognizing an opportunity in a shifting paradigm, Henry Baker Brown, founder of Valparaiso University, decides to develop a two-year law program in 1879. He recruits Mark DeMotte, a prominent Valparaiso attorney, to head the department. DeMotte strongly supports the ABA’s vision that lawyers should be trained through formalized schooling and some of the first classes were actually held in his own downtown law offices. In fact, George Norris (class of 1883), who later became one of the most prominent United States Senators of the time and authored important legislation such as the Norris-LaGuardia Act of 1932 and helped create the Tennessee Valley Authority, recalled holding regular evening moot court sessions in DeMotte’s office.

During the early years, the buzz carried that this Northern Indiana Normal School (later named Valparaiso University School of Law) was “the poor man’s Harvard.” This Valparaiso school provided a legal education of the highest quality on par with Harvard, but was also unusually affordable. Legal education of the time was very expensive, costing up to four times more than training in other disciplines.

However, Brown’s vision of education was that it should be useful and accessible to all. Thus, Valparaiso became known as the “the poor man’s Harvard,” because the education was good and cheap. (What happened to the cheap part?)

While there is confusion as to how many students made up that first 1879 class, the most told account is that the class consisted of six men and two women.

The school welcomed students of diverse experiences, including women and men of all ethnic, educational and financial backgrounds. While this view was quite novel for the time, unfortunately, the school was not as welcoming to African Americans. In fact, the first African American was not even admitted to the law school until 1947; however, this exclusion was the sad story of most law schools of the era.

Although the school that came before us is quite different than what exists today, the students seem to keep coming for the same reason. Early students reported an atmosphere of personalized education and a unique close-knit community. Amazingly, ask a student today why he came to VUSL, and his reason will likely be a version of this tale.

The story of VUSL is not just a story of the school, but a story of us. At the conclusion of this year’s The Forum, hopefully, you will come away with a better understanding of the struggles and triumphs that our law school has faced, discover pride in the individuals who walked the hall before us, and realize your own place in the history of our Valparaiso University School of Law.

A special thanks to Michael Swygert 67’, for his help in this series.
Opinion

The Forum

EDITORIAL

Written opinions, whether you agree with them or not, should be given the opportunity to be presented to the public.

The Forum has published opinions and articles that have been called inappropriate by some of our readers. We know this is a fact of life for a newspaper that chooses to publish opinion articles. Last semester The Forum published an opinion from one of our staff writers on his problems with the case of Lawrence v. Texas. Although the article did not contain any obscene or indecent language, The Forum received complaints from several students about the opinion piece. A few students even contemplated the idea of complaining to the administration about our publication of the opinion.

An opinion was published this past week in The Torch involving a point-counter-point view on homosexuality and its legal standing in America. While The Forum editorial staff does not agree or disagree with either writer, we do agree with the fact that the writers should be given their chance to have their opinions placed into the “marketplace of ideas.”

This “marketplace” should be the judge of whether an idea or an opinion is valid, not an editor, government, or any other person that has the potential power to censor a media source. Written opinions, whether you agree with them or not should be given the opportunity to be presented to the public.

These very opinions and the debate they cause are necessary for a democratic society.

Justice Brandeis concurring opinion in Whitney v. California explains our position best by stating that, “Those who won our independence believed... that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth... that it is hazardous to discourage thought, hope and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies...”

While we do not promote the use of material that is obscene, we do support our writers and their desire to have their message or work heard by our readers. There is no clear guideline on what is inappropriate, but what we do know is that a controversial article or subject does not become inappropriate because of the controversy. Whether an article raises an eyebrow or two or strikes at the heart of the reader’s beliefs does not make the article unfit for publication. Besides, if we only published opinion articles containing content on which everyone could agree, there would be nothing for us to publish.

SBA President’s Platform

Aubrey Kuchar, a third-year law student, is SBA president

The last few weeks have been very productive for SBA. I am happy to report that progress has been made regarding the concern about the Honor Code (a large document encompassing the Valparaiso University and Valparaiso University School of Law honor system) and Honor Pledge (“I have neither given nor received any unauthorized aid.”). At the October 8 meeting SBA elected 1Ls Tyler Starkey and Lindy Martin, 2Ls Jeff Haupt and Ryan Adler, 3Ls Kendra Klink and Darren Hartman, and 3L Part-time student Randy DeCleene to the Honor Code Committee. As previously explained, the committee will meet independently of SBA and will report periodically to the student body on its findings. Please do not hesitate to explain your concerns to these students.

In addition, SBA hosted a VERY successful blood drive – THANKS to all who donated! We look forward to having a second drive in the spring. Furthermore, thirteen students demonstrated master gardening skills at a Habitat for Humanity project a few weekends ago. These green thumbs landscaped five homes in Hammond. We hope to have a second Habitat for Humanity weekend in the spring. Finally, this Sunday, October 19, VUSL will gather a team of runners and walkers to participate in the Susan G. Koman Race for the Cure Breast Cancer Benefit at Valparaiso High School – there is still time to sign up - see Amy Vroom for information! Make sure to check the dry erase board for future philanthropy projects.

In other news, SBA has planned the Halloween party. Among the concerns from last years party were the FREEZING temperatures in Butterfield Pavilion, the lack of alcohol other than beer, and the CRAZY deejay. Therefore, to avoid such negatives (and the fact that the Valpo Parks Department wouldn’t turn on the WATER at Butterfield!) we will have the Halloween party at the Elks Lodge in town. The Elks Lodge boasts HEAT and a CASH BAR! SBA will be charging a $3.00 entrance fee with proceeds donated to a local charity. The Halloween party will be dee-jayed by VUSL’s own master spinner, Raj Malviya. If you have a special request, see Raj asap!

Rock on, VUSL!
In recent months, the law school has received commitments for three of the largest gifts in its 125-year history: $1.5 million from Richard and Phyllis Duesenberg for an endowed faculty chair; $1.5 million from Herbert Stride for an endowed faculty chair; and $1.03 million from Michael and Dianne Swygert for a program of faculty fellows. Other noteworthy recent gifts include $525,000 from Larry Evans for a scholarship endowment, and $600,000-$700,000 from the estate of Kermit Schottman for another scholarship endowment. In a little more than a year, the law school has raised about $7 million in gifts and pledges—by far most we have ever raised in a comparable period.

Gifts of this kind make an extraordinary difference to the law school: if they didn’t, we wouldn’t be so happy to receive them or work so hard to encourage alumni and friends to make them. But it may not be just how and why these gifts make such a difference. For example, one might think that a $1.5 million commitment means that we have in hand $1.5 million to spend. Sometimes we do, but usually we do not. And so, I would like to take some time to explain the meaning and import of gifts to the law school. In this column, I will explain why we do not see a $1.5 million gift immediately translate into smaller tuition increases or anything but the impact of a gift because it is targeted to a less visible scholarship for a particular student. We have to respect the funding is in place, we cannot begin to use it.

One peculiar aspect of all gifts is that a very large gift. Unlike the First National Bank of Valparaiso for Heritage Hall renovations, will have an immediate and obvious impact. This, however, is not the entire explanation of why you are not seeing dramatic changes immediately from the recent $7 million in gift commitments. One additional factor is that many of the gifts will be paid in installments over a period of years. Few people can write a check for a million, and it usually takes several years to fully fund a very large gift. In many cases, until a certain proportion of the funding is in place, we cannot begin to use it.

A second, and related, factor, is that most of the very largest gifts are for endowments. An endowment is a kind of trust account, in which the funds are invested so that a steady stream of income can be paid out each year, in perpetuity. For example, a $1 million endowment will normally pay out $40,000 to $60,000 each year from the investment gain. The original $1 million, however, by law cannot be touched. The drawback of this type of gift, of course, is that in any given year we have only about $50,000 to spend, rather than a million. But the advantage, and a big one, is that we have the $50,000, or so each and every year to use for the intended purposes. The reliability of endowment income is tremendously important in stability and predictability to our financial management.

As you can see, the impact of the wonderful gifts we have been receiving is more complex than might at first sight seem. A million dollar gift usually does not mean a million dollars in cash, to spend as we please, but about $50,000 every year, until the end of time, to be spent for a particular purpose. In my next column, I will explain to you more about how these gifts strengthen the school, and why I expect that we will continue to receive more such gifts in the future.

**Letters Policy**

*The Forum* reserves the right to edit any contributions and/or reject them without notification. Written contributions must be typewritten and signed, and must include the writer’s telephone number. Unsigned letters will not be printed. Students should include their year in school. When referring to specific *Forum* articles, please include the date and title.

Please submit contributions via e-mail or in hard copy to The Forum’s mailbox in the SBA office. E-mail contributions also must include the above information.

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**Happy 50th Birthday, Dean Conison!**

---October 21---
An Independent Point of View

R. Andrew Smith, a first-year law student, is a staff columnist

A few days ago, I had never heard of the Central American Free Trade Agreement, and I doubt many other Americans have either. Some well-informed citizens may remember a similar acronym, specifically NAFTA or the North American Free Trade Agreement, which established a free trade agreement between Canada, Mexico, and the United States. CAFTA is essentially an extension of NAFTA through the Central American countries, going as far south as Costa Rica. Much like its northern counterpart, CAFTA aims to remove tariffs and trade sanctions, extend democracy, raise standard pay wages, and create more domestic jobs. The program also hopes to help increase citizen involvement in trade negotiations.

That is where the similarities stop though. Where the negotiations of NAFTA took almost six years to complete, the Bush administration aims to have the finalized agreement for CAFTA by the end January 2004, meaning the temporal scope of negotiations will last two years.

This leads me to another question: why are we just now finding out about a trade agreement that will have such a pervasive affect on the American people? Congress knows very little about the negotiations, so it makes sense that the American people are equally uninformed. Input from legislative committees has been barred and under the guise of “national security,” all transcripts of negotiations are executively classified. The drafters of the agreement also hope to make the nations more transparent, when in actuality, the conduct of negotiations looks much more opaque. One of the purported goals of the agreement is to solidify democracy, but the representatives of the people are specifically left out of negotiations. Much like its older sibling, this new trade agreement benefits only those who can exploit what it aims to establish.

After NAFTA was passed, large industry producers flocked to Mexico for inexpensive real estate and a work force so desperate for a means of substantive income they were willing to work long hours for miniscule pay. CAFTA aims to do the same in a new area of the world.

Effects of CAFTA will settle into each of these other countries as well. The rush for inexpensive labor will decrease workers rights and job safety. Exploitation of the third world countries in Central and South America will only add to the atrocious human rights violations currently committed in the name of laissez-faire capitalism. Corporations will be able to subvert democracy by allowing them to reject barriers over free trade. Corporate farms will also take over, edging out independent farmers and family owned farms.

The effects of this agreement will create economic fallout that will last for years, adding to the current recession, or creating a new one, by forcing more Americans into unemployment. Class stratification will increase, forcing those in the lower end of the middle into poverty, and raising those with interests in production into wealth. This instantiates the duplicitous nature of the American regime, following in the footsteps of ill-advised tax cuts and unwarranted interventions in global affairs. It is high time the government that is supposed to be for the people works for the people and not for that minority at the top of the economic pyramid. Congress needs to step in and halt this expansion of detrimental free trade agreements to preserve our economy and our way of life.

Write for The Forum! Submit articles or opinions to forum@valpo.edu

California Recall

Barry Wormser, a first-year law student, is a staff columnist

Ever thought about the beauty and splendor of California? I recall visiting California a few times, and it is quite a scenic state. Sure, Hawaii has its volcanoes, and Maryland has the Chesapeake Bay, but California has more natural beauty than Richard Grieco has straight-to-video releases.

Sadly, a phenomenon has shaken the beauty of the state, and that phenomenon is “The Recall.” Cast aside your political bent, because this column does not care to debate the good or bad of Gray Davis. Rather, let us be reminded of four fascinating (and real) candidates we probably missed.

By the time you read this article, we will all know who resides in the Governor’s mansion in California. But what would have happened if the winner been:

- Jonathan Miller, an MIT graduate, who diminished my opinion of the esteemed school by pointing out the obvious fact: “California is a part of America” (I am not kidding, quoted from his website). Incidentally, he opposes the recall, which, seeing as how he is a candidate, is kind of like trying to hook up with your best friend’s girlfriend - “I don’t want her to cheat on my best friend - but if she’s going to, it might as well be me.”
- Leonard Padilla, bounty hunter, who claims to have caught every person he has hunted for 27 years. Also of note, he is a convicted felon whose key campaign issue is the decriminalization of drugs. I believe after paying their debts to society, felons deserve a second chance. However, would it ever be sensible for a convicted felon to decriminalize drugs? My answer - only if you have a wicked handlebar mustache (which he does).
- Scott Davis. Davis’ platform consists of two things, fiscal conservatism and organ donation. There is a joke in there somewhere, though I cannot find it.
- Jeff “The Govna” Rainforth, a reform party candidate, whose main platform is extending California bar hours to 4am and allowing smoking in California bars. While these are odd issues, even more bizarre is the inclusion of the “Notable Family Members” list on his website. There are more pictures of this guy in a bolo tie on his website than haircuts. California has come real close to being the jerry curl or bowl cut of our great nation. But realistically, as I think about the natural wonders California contains, I am reminded that this is the same great state that has given us Battlefield Earth, Dolph Lundgren, and the band Nelson. It goes without saying: we are indebted to California.

Sadly, if Florida is the mullet of the American haircut, California has come real close to being the jerry curl or bowl cut of our great nation. But realistically, as I think about the natural wonders California contains, I am reminded that this is the same great state that has given us Battlefield Earth, Dolph Lundgren, and the band Nelson. It goes without saying: we are indebted to California.

Somewhere in the hills of the Sierra Nevada Mountains a redwood is crying.
asked if he could see me again and I agreed. It seemed like a nice guy. At the end of the date Johnny's fame earned us free appetizers, deserts, and martinis after dinner. Who knew that dating a celebrity on purpose would be so rewarding? Apparently, Johnny simply smiled and tried to ignore my inner dialogue urging me to giggle and request a performance. Apparently, Johnny's fame earned us free appetizers, deserts, and martinis after dinner. Who knew that dating a celebrity on purpose would be so rewarding? Apparently, Johnny simply smiled and tried to ignore my inner dialogue urging me to giggle and request a performance. Apparently, his superior playing ability (one piece of advice ladies, if you want to win a game with Johnny, you beat him) was not only defeated in my argument, but also too full for lunch. He wanted his crops to grow but with no rain the seeds won't sprout. I sat at the computer and stared for hours wanting the words to come, they wouldn't. Finally, writing the most difficult paper of my life, every step painful.

On the second date, Johnny opted for a more casual approach and decided to take me to a sports bar. We played darts for an hour or so, in which three of the four games I won. This was apparently quite disturbing to Johnny because he would not stop saying, "I can't believe you beat me," followed by a blank stare. Of course I had to rouse him up a little by reminding him that I had actually beaten him three of the four games we had played. From that point forward, any subsequent date we went on had to involve a game of darts enabling him to reestablish his superior playing ability (one piece of advice ladies, if you don't want to play the game every day for the remainder of your relationship, let him win).

In the course of this relationship I even had the opportunity to see Johnny Diamond in action on the karaoke circuit. To be honest, he was not very talented, but seemed to enjoy the activity nonetheless. He even dedicated one of his songs to me: Build me up, Buttercup by The Foundations. It was pretty humorous, although I appreciated the effort.

At this point I was noticing some major character differences between Johnny and myself. I am not a sappy person and Johnny just seemed full of sentimentality, besides that I was getting tired of playing darts. I was having reservations and began to look for a way to break it off.

During one of our several conversations Johnny's love of peanut butter had come up. I responded to this statement by instigating an argument for entertainment purposes that Jiff is far superior to Skippy. Johnny bites and argues the superiority of Skippy. Little did I know, Johnny was very passionate about peanut butter and was quite offended at my assertion of Jiff's superiority. On our next date, a date for lunch, Johnny greeted me with two peanut butter sandwiches each in a separate bag, one marked A and the other marked B, and demanded that I eat both of the sandwiches and tell him which tasted better. I thought this was a bit absurd and since we were going to lunch, I didn't want to eat the sandwiches. Johnny insisted and I finally cooperated.

I misidentified the Skippy sandwich as better and was not only defeated in my argument, but also too full for lunch. Johnny then proceed to tell me that he loves peanut butter so much that every time he goes to the grocery store he buys a jar of it along with a Hershey bar, comes home, sits at the kitchen table and dips his chocolate bar right into the jar of peanut butter. This visualization was just too much for me to handle. I am a very visual person and this image was the breaking point, I had had enough of Johnny Diamond and his antics and quickly thereafter, put an end to the relationship.

Moral of the story, dating the karaoke king has its perks, posh martini bars are cool, and peanut butter leads to a sticky situation.

The purpose of this column is merely to provide the reader with a bit of entertainment, at my own expense, by using my dating experiences. Unfortunately, these stories are 100% factual and represent the worst, but most humorous of my experiences. I will never write a column about a VIU law student - rest assured, guys! I also welcome the submission of your dating horror stories or any relationship questions you may be willing to submit for discussion. Your anonymity will be protected. Please submit inquiries to forum@valpo.edu with the subject line: "Kickin' it with Kelly." I am in no way claiming to be an expert on relationships; I am only having fun and hope to entertain you!
Opinion

Supreme Summer

Ryan Adler, a second year law student is a staff columnist

June is always an intriguing month for the country, especially in the legal community. The Supreme Court customarily waits until June, the end of its annual term, to release judgments and opinions on the most watched issues of the day. This past summer was no letdown with Lawrence v. Texas. In a 6-3 ruling on June 26th, the Court voted to strike down a Texas anti-sodomy law. (Note: Justice O’Connor concurred with the judgment, but wrote a separate opinion.) Within minutes of the decision, gay rights groups hailed it as the beginning of full legal and social acceptance of homosexuality in these United States. I hate to break it to them, but they’re far from accurate. The opinion fell far short of being an illustrious gain for the heterosexually challenged.

To begin, the ruling was not just about the right of two men to do in their bedroom what two men aren’t supposed to do anywhere. In the words of Justice Kennedy, “The State cannot demean [the plaintiffs’] existence or control over their destiny by making their private sexual conduct a crime.” This may sound well and good, but the implications are vast and intolerable.

Senator Rick Santorum was greatly criticized for pointing out that if the Constitution protects the right to private gay sex, then it protects the right to polygamy, incest and adultery just the same. Members of various gay rights groups described his assertion as “hurtful” to the homosexual community. Hurtful or not, he was dead on. This supposed vindication was just as much as a win for old school Mormons, a number of families in West Virginia, and Kobe Bryant. (Santorum forgot to mention bestiality, which would also be protected under this proposition. This means that Valparaiso’s very own “Chicken Lover” is a proud poster child for this crusade.) I hope that they’re happy with their new allies in this political fight.

Also included in his fanciful opinion is a reference to a case from the European Court of Human Rights. This asinine body of humanists, with no regard for the history of Western Civilization, decided a similar gay rights case in 1981. It held that under the European Convention on Human Rights the criminalizing of homosexual conduct was illegal.

If I’m not mistaken, that court and that convention have NO relevance for the interpretation of the Constitution of these United States. The Justices of the Supreme Court swore an oath to our founding document. They owe no duty or credence to the intellectually bankrupt practices of modern Europe. We follow our laws, our history and our tradition. This proud legal heritage has served us well for over two hundred years. How has continental Europe’s sense of history and tradition fared for its people over the past two centuries?

Oh, Canada!

Randen Schoppe, a first year law student is a staff columnist

Americans say that they feel safer than they did before September 11th, but are we really safer? I went to Canada this past weekend and when crossing the border I had to wait longer to pass through the toll booths on the bridge to cross the river into Canada then to pass through Customs.

When I hit the border, the toll booth worker was talking on the phone and I had to wait until she was done talking to receive change from the payment I gave her. When I crossed the bridge, the Canadian custom’s employee asked me a few questions and didn’t even check my documents. This I expected. After all Canada was not attacked and there have been few, if any, terrorist attacks against Canadian interests either at home or abroad.

Three days later, I approached the exact same border crossing expecting, as a young male traveling alone, to receive at least a little grilling on the American side of the border.

I was totally blown away when the American custom’s employee took even less time then the Canadian had. He asked me where I was from, where I was going, the purpose of my visit to Canada and whether I had any drugs, alcohol or tobacco in the vehicle. When I replied that I was from Indiana and that I had been to Toronto to attend a church conference and that I had no illicit substances in my vehicle he waved me through.

Now I didn’t expect him to ask me one million questions, but what got to me was the fact that he didn’t ask to see any identification. I know I look like a typical American, but that shouldn’t stop them from at least asking to see a driver’s license or passport.

Americans are usually set apart by their dress, accents and actions, no matter what the color of their skin. All of these could be taught by anyone who has seen some American movies or traveled here for even a short period of time.

During the Cold War the KGB had a training base that taught their agents how to talk, act and even think like Americans. Americans could even be recruited to work with Islam terrorists or with other terrorist groups.

Justice Scalia was right when he wrote, “the Court has taken sides in the culture war.” Instead of maintaining specific, reasoned arguments, these six Justices embraced a “go with the flow” doctrine with this decision. Nevertheless, there is hope.

This Court is not populated by spring chickens. Rehnquist won’t be on the bench for much longer, which is a tragedy. However, O’Connor has hinted at retirement in the near future. At 83, Stevens is the oldest member of the Court. Health questions have dogged Ginsburg for awhile. I venture to guess that at least two of the last three will not make it past President Bush’s second term. Bush will fight to replace them with jurists that recognize their duty as to the Constitution ALONE. They will be swayed by their oath, not by public opinion.

These facts highlight the quandary of substantive due process. It was a crap theory in the Lochner era and it’s a crap theory now. It is used to justify fabrications that five or more justices “feel” is the right thing to do. I’ve been called a cynic because I subscribe to the idea that many of the Supreme Court’s holdings are not dependent on the Constitution, but only on the membership of the Court. Substantive due process has infected the nation’s highest court with an off-arbitrary tone. Cynicism is the only reasonable conclusion. Stare decisis will be bastardized each time a new Justice is confirmed. Only when the Court learns to think through, not feel through, its cases will the law be as it should.

So to all that embrace this decision as the dawn of a new era, remember that your “victory” is only a few Justices away from the Ash Heap of History.

John Walker Lindh is an obvious example of an American who worked with the Taliban and during the heyday of the Irish Republican Army much of their support came from these shores.

While I am not advocating taking every vehicle apart that approaches the border it is too much to ask the border patrol to check the ID of the people who wish to enter the United States? Just because I said I was an American does that make me one? I think if I had said I was from Iraq or Afghanistan, they would have checked my documents.

There was even a speed check line for those who had special stickers on their cars. You don’t have to believe in conspiracy theories to figure out that it wouldn’t be hard to steal a car with a sticker on it in Canada, and drive it across the border.

While we must weigh the balances between convenience and security we must question whether we are weighing them all wrong. Does taking an extra 30 seconds and asking to see a driver’s license or a passport really inconvenience someone that much? While the southern border between us and Mexico is tightly patrolled and the security personal takes a much more serious attempt to stop illegal drugs and illegal immigration along that border, the question I have to ask is simply this: Is Canada the backdoor through which the next major attack against our country is going to come?
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A Chat with Professor Carter

By Christa Schneider
Carter

Those fortunate enough to be familiar with Valparaiso University School of Law know it to be an institution occupied with instructors of remarkable magnitudes. They unquestionably have a passion and commitment to embrace the law and the students to whom they teach the law. But more notably, they have a fervent clutch of life itself and the many splendid things that come with it.

Often seen roving the halls of VU School of Law with his favorite twelve-year-old comrade, Brandon, is Criminal Law Professor Derrick Carter. A simple peek into Professor Carter's office reveals an exquisite relationship between a father and his son, tellingly displayed in Brandon's artwork and pictures subtly exhibited throughout.

Having known since childhood that law would be his life's work, Carter is exceptionally keen to his son's interests. "He likes to build, and create," says Carter with wonderment in his voice; and a gleam in his eyes. A pencil sketch of a young man, hanging above his desk, displays the incipient talent Carter is actively watching grow in his son.

Carter's musings of the past twelve years are invariably facilitated by the dynamic relationship with his son, as well as his time served at VU as a professor of law. He began teaching at VU in 1991, after having spent an adventurous eighteen years as a State Appellate Defender for the state of Michigan. Under the umbrella of the Michigan Supreme Court, Carter often found himself roaming the halls of the federal appellate court to argue such criminal cases on appeal. Writing criminal appellate briefs and taking them to court, Carter was able to realize his childhood vision of correcting injustices. In practice, he was a self-proclaimed "swash-buckler" of justice.

While this "swash-buckler's" winged voyages across the nation in government jets may have halted with the end of his 18 year stint as an Appellate Defender, he has not yet reigned in his passions. Derrick Carter teaches First Year Criminal Law classes, as well as the two upper-level Criminal Procedure classes offered in the fall and spring semesters. Accordingly, as the law is fluid, so too are the topics discussed in his Crim. Pro. classes, as Carter tries to incorporate recent events into his curriculum. For example, he has incorporated impeachment laws into his class agenda during the Clinton Administration. Recently, he has turned class discussions to the Homeland Security Act, and how its scope has extended beyond terrorism, and into the realm of mainstream America.

Aside from teaching, Carter occasionally takes a few criminal appellate cases from appellants who have exhausted all other means. He is currently working on a first degree murder case that is on appeal. Although Carter enjoys the appellate work, he is trying to veer away from it, so that he can concentrate primarily on his various writings.

With many works in progress, his main project of late is a law review article concerning the social and political results of Supreme Court decisions in our daily lives. Such discussion focuses on everything from physician assisted suicide to intoxication to murder.

Appropriately, Professor Carter is not binding his love of writing exclusively to law review articles, but plans to let his inventive-ness run unhindered into speeches, fiction, and plays. When asked why he had such ambitious goals in terms of his writing and scope, I believe Professor Carter put it best when he said, with a big grin across his face, "I just have a lot to say!" Coming from such a passionate, spirited, and life-loving mind, it may just do us some good to listen to the many splendid things he has to say.

TWO MINUTE DRILL

BY BARRY WORMSER & JILL ARNOLD

J: Talking in class is great.
B: Two more words: Office hours
J: But we should get used to asserting our opinions in front of others.
B: An opinion can be stated in study groups rather than in front 100 other students, most of whom do not care.
J: Study groups can get off-track – and since the group is all first-year students we don't know if the answers are correct – professors add guidance.
B: Class time is limited – if desired, one can debate the majority of the meaningless questions/opinions asked in class all evening long in a study group – and answers can be found in a subsequent office hour visit.
Bowie's earlier album, Let's Dance, would be enough to send most musicians careers spiraling down to the depths of the seventh circle. Luckily, David Bowie remembered the eleventh commandment, "thou shall not create music that blows," and repented for his traitorous actions. It was slow moving, but with his newest album, Reality, Bowie has cast aside his demon otherwise known as the eighties. Reality, released September 16th, is Bowie's 30th studio LP, not to mention a host of singles and compilations. Although half the album hovers around mediocrity, the other half attains the genius we've come to expect from Bowie.

For starters, somehow Bowie got the idea that doing covers would be cool. For example, he covers Jonathan Richman's (the guy sitting in the tree in There's Something About Mary) song "Pablo Picasso," and George Harrison's (from some band I can't remember) "Try Some, Buy Some." Both are quality songs, but Bowie doesn't really do anything new with them. The same can be said for a handful of other songs on the album that just sound like they were spit out of a David Bowie song machine. Although this album is not going to be a career milestone, it definitely has some stuff worth mentioning.

The first song, "New Killer Star," has a great, straight-rock guitar driven sound. "The Loneliest Guy" is another killer tune typical of Bowie's new sound--interesting compositions with vocals that are now limited to the lower registers of his range (as with most old-fogies). However, all pale in comparison to the last song "Bring Me the people, this song rules. Running over seven minutes long, the song relays Bowie's melancholy reminiscing about the disco era. The track consists only of piano and a sexy-sweet rhythm on the drums. The album is worth buying just to check out this song, if Elvis is alive. But I bet he thinks this song is neat-o.

Even though the album is not up to the standards I'd expect from Bowie, it still is better than his dance period. Besides, a much younger and somewhat wiser child once told me that Bowie is better than most of the crust on the radio. The album gets one out of two balls on the two ball scale.
Movie Review
By Rachel Russell

Halloween is a great time to see those scary and bizarre films you may have missed the first time they were in the theatre (or in some cases you weren’t born yet). Hopefully these film suggestions will help you discover some great treasures, while protecting you from making awful selections. All films are listed chronologically within their categories and were selected based solely on my opinion.

Must see scary films:

Nosferatu (1922): German filmmaker Murnau’s vision of the vampire is altogether fascinating and ultra modern. Although the film is silent, the horrific images and profound cinematography of this film will mesmerize you. The lead is superb, and if you’re thinking about renting Shadow of the Vampire (2000), which was a story about Murnau and the making of Nosferatu, rent this film first. This film is complex and scary, perfect for any late night, particularly Halloween.

Black Cat (1934): Boris Karloff and Bella Lugosi (best known for Dracula in 1931) team together, which they did on several occasions, in this mind-bending horror covering every topic from sex to Satanism. The film is loosely based on Poe’s classic tale, taking place in a dark and desolate post-war Europe. Creepy characters and art deco scenery make this film extremely artistic. Unsettling and disturbing, you won’t be able to help yourself in developing sick sympathy for characters that don’t deserve it.

Psycho (1963): I couldn’t leave this off of the list! Hitchcock is probably one of the most noted horror filmmaker ever. No one can resist Anthony Perkins’ portrayal of Norman Bates, a psychotic and meticulous killer. Further, everyone loves a shower scene and a perfectly executed score.

The Exorcist (1973): One of the most loved horror films since it surfaced in 1973, this film almost speaks for itself. When it was re-released on the big screen in 2000 it was even more terrifying with grotesque scenes that somehow were not in the original release! Vile possession of an innocent young girl and questions about faith make this film captivating. The original was made without any special effects, which makes this film’s popularity today even more important than thirty years ago.

The Shining (1980): One of the few Stephen King films that actually made good on screen, this Stanley Kubrick film is probably one of the most suspenseful films in the history of cinema. Jack Nicholson is superb as a writer with cabin fever gone awry. His dementia increases as the film develops, and his desire to reign terror over his family is a great premise for a horror film.

Silence of the Lambs (1991): More of a thriller than a horror film, but nonetheless a great Halloween pick. Since it won best picture and stars Oscar winning actors Anthony Hopkins and Jodie Foster, this film should be part of everyone’s home film collection. The story line features FBI Agent, played by Foster, who is following the trail of a serial killer. In the interim her psyche is deconstructed by psychopath Hannibal Lecter, played by Hopkins. This is a brilliant film, very suspenseful and artistically executed.

Honorable Mentions:

Dracula (1931)
Les Diaboliqures (1956)
Invasion of the Body Snatchers (1956)
Rosemary’s Baby (1968)
The Haunting (1968)
Jaws (1975)
Alien (1979)
Friday the 13th (1980)
Ringu (1998)

Must see bizarre, not-so-scary films:

Metropolis (1927): Like Murnau, Fritz Lang was quite an influence on filmmakers today. Much like Nosferatu this film is German, silent and artistic, but much more cerebral. The scenes are extremely outlandish, and you’ll wonder how Lang ever came up with such a bizarre universe. The film is science fiction, but merits display under the category of bizarre.

Edward Scissorhands (1990): One of my favorite bizarre films to date. Johnny Depp is fluid and believable as Edward Scissorhands, who is given scissors for hands by Vincent Price, who later dies and leaves him alone to fend for himself. Although Edward is out of place in every aspect when Peg Boggs discovers him, she welcomes him into her home and family. The film demonstrates acceptance of Edward into the community, without conformity. Director Tim Burton does an excellent job in portraying Edward as the only truly unique individual in the film who brings much needed kindness and art to liven up the town. A touching film, even though the idea is clearly absurd.

Pi (1998): This black and white film is a disturbing look into a math aficionado’s overly complex psyche. The lead character’s knowledge is desired by a couple of groups for his ability to crack codes, which in the end leads him down a path of self-destruction and mutilation. Religious overtones and inner struggle, proving that being a genius can be taxing, encapsulate the film.

Honorable Mentions:

A Clockwork Orange (1971)
Apocalypse Now (1979)
Something Wicked this Way Comes (1983)
Dead Again (1991)
Ed Wood (1994)
Sleepy Hollow (1999)
Memento (2000)
Mulholland Drive (2001)

For your protection, don’t rent these films:

Diabolique (1996)
Thinner (1996)
Lake Placid (1999)
The Blair Witch Project (1999)
The Haunting (1999)
Valentine (2001)
Red Dragon (2002)
Resident Evil (2002)

Lastly, don’t forget about humorous Halloween picks:

Abbott and Costello Meet Frankenstein (1948)
Bettlejuice (1989)
The Addams Family (1991)
The Nightmare Before Christmas (1993)
So I Married an Axe Murderer (1993)
The Frighteners (1996)
Fashion Review
By Courtney E. Schipp

Last week I had the enlightening opportunity to attend the VUSL's annual fashion show put on by Brooks Brothers of Michigan City. For 185 years, Brooks Brothers has specialized in conservative, high quality clothing for those who wish to adorn a more classic look at the office. Before viewing the preferred "uniform," the models made an appearance in clothing and accessories labeled as "inappropriate attire" for the initial interview.

Let's begin with the women—ladies, control the cleavage and the leg. Letting a little skin show for a night out on the town may be acceptable, but consider the fact that you are trying to get a job based on your brains, not your body. Although it is argued that skirts should be below the knee, the realistic approach is that a measurement of one inch above the knee is acceptable. The addition of lycra adds a little stretch to the material making it more comfortable to wear throughout the grueling interview. Underneath the jacket, men are encouraged to wear either plain white or blue pressed and collared shirts. An additional style that is very fashionable right now is a white pressed shirt with a white collar. This look is very flatter, and adds a little character to the traditional office attire. Although it is harder for men to make a character statement in their wardrobe due to the lack of selection in acceptable attire, it is possible to put together an outfit that defines you at your best. As long as you look great and feel comfortable and confident, an interviewer is going to see you as a well-put-together individual.

One aspect of the men's wardrobe that may change the overall image of the suit is the tie. Although it is discouraged to wear the Spongebob Squarepants tie that your niece or nephew got you for Christmas last year, you may liven up your outfit with such bold colors as yellow, red, or blue. After the initial interview, workplace attire is a bit more lax, and it is acceptable to accent a bland suit with fun and fashionable ties. However, you might want to keep that old red standby handy for the day you get called into court unexpectedly while wearing Spongebob around your neck.

All in all, use common sense. If you think that something looks out of place or silly, chuck it. Stay away from sandals and stillettos, and consider what the interviewer will think upon first impression. If you are prepared to redeem yourself from a bad first impression, then go ahead and wear that plaid polyester leisure suit your football coach left you in his will. Otherwise, be realistic, and focus on being who you are inside, and not what you look like outside.

Restaurant Review
By Mahrya Fuller

As a newcomer to Valparaiso, and to Indiana I assumed all the restaurants would be in three categories; the mom and pop type restaurants which slathers most anything with a hearty helping of gravy, the chain type Applebee's, Chili's, insert your favorite here cookie cutter type of restaurant, and bar type restaurants where anything that doesn't move for too long is deep-fried. The décor and atmosphere is modern with hanging dishes (hence the name) and a very posh lounge where you can wait for your table to open. Reservations are a necessity as seating is limited. However, this small atmosphere and non-portioned off seating gave the feeling of a quaint restaurant that only a select few knew.

If you are looking for a decent martini, this bar has a great selection of vodka. The chocolate martini was the best I've had outside of Chicago. The Dish also has a wide variety of wines, which can be purchased by the bottle or by the glass.

One of the most unique aspects of the restaurant is that they do not give you a breadbasket. A man, whose sole purpose at the restaurant is wandering and giving you another piece of warm rosemary basil bread when you have finished yours, weaves in and out of the tables poised and ready.

The Dish's specialty appetizer is thinly sliced potato chips affair covered with bleu cheese dressing and crumbled pieces of bleu cheese and then baked. Although terrible for the diets, this appetizer totally makes those three days you spend waiting in line at the ARC. Other appetizers include a 4 cheese tart, interesting salad combinations, such as spinach and pear, and a variety of soups such as the butternut squash soup, which our waitress raved about.

Sporting such nightly specials as fall-off-the-bone ribs, grilled lamb, or different chicken combinations, the Dish pulls off a menu that is a mixture of cultures resulting in a truly American selection. Prices for entrees range from 11-25. Other entrees include grilled duck, chicken and penne pasta, braised veal, and soba noodles with Asian sauce and vegetables. If you prefer fish, there was also a large collection of seafood such as Ahi Tuna, halibut, and salmon. The amount of food was enough that my partner barely finished his meal and I took half mine home in a box to feed to my very picky Siamese kitten, who enjoyed my lamb thoroughly.

As much as I loved the food, if you are living on a small budget skip everything besides the dessert. Although the waitress highly recommended the trio of crème brulee, I had to go with my gut instinct and order the individual cheesecake.

Altogether, the meal was lovely and the drinks well poured. Although slightly expensive for a 1L, the Dish's atmosphere and quality food made dressing up and putting on make-up well worth my while.

the dish
3907 N. Calumet Ave.
Ph: 219-485-9221

Hours:
Lunch
M-Th 11am-2 p.m.
Dinner
M-Th 5-9 p.m.
Dinner
F-Sa. 5-10 p.m.
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5% Discount for VU Students
(Valid with Student ID)
Kelsie Moore, 1L

Hometown: Indianapolis, IN
Family: My mom and dad are in Indy and my little brother is a junior at IU in Bloomington.
Undergraduate University: Indiana University, Bloomington
Major: Management, with a minor in English

Why Law School?
I wanted a career where I could work with people, hopefully help them, and still make some money.

Why Valpo Law?
The people at Valpo seemed really genuine and friendly and it was close to home.

What type of law do you want to practice?
It's way too soon to know!

What is your opinion of the California recall election—are you an advocate of the recall process/system? Why or why not?
I am in favor of the recall system because it works as a check on our system and our public representatives. I think it helps to keep things honest.

If you were registered to vote in California and had the opportunity to vote in the California recall election, would you vote for Arnold Schwarzenegger? Why or why not?
I'm not sure if I would vote for Arnold or not. I think that I would want him to disclose more information about his past track record and his ideas before I would feel comfortable voting for him. I would definitely want to know more about his treatment of women. I also think that it is ignorant and absurd that anyone would admire Hitler.

Ghislaine Storr, 2L

Hometown: Kalamazoo, Michigan
Family: Mom, Dad, two brothers - Joe and Jon, and another brother or sister on the way
Undergraduate University: Kalamazoo College - not the University across the street that takes just about anyone
Major: Psychology and Political Science

Why Law School?
Partially because I had a political science major and you can do very little with that. But also because I want to help people. Anyone who goes to law school just to make money, in my opinion, is doing it for the wrong reasons.

Why Valpo Law?
But there were several reasons: it is close to my family; when I first came here, unlike other, higher ranked Indiana Schools, they didn't ask if I could find my own way out after my tour; and I didn't have to change school colors.

What type of law do you want to practice?
I want to be a criminal prosecutor.

What advice do you have for the 1Ls?
Pray regularly. Get involved. Be nice to each other. Introduce yourself to people you don't know. Realize your actions outside of the school reflect upon the school and your peers, so behave appropriately.

What is your opinion of the California recall election—are you an advocate of the recall process/system?
My general opinion of the California recall election is that it can be equated to a circus side-show attraction with all the people with no experience or fundamental knowledge that could qualify them for an elected position assuming that they could run the most populous state in the union. As far as being an advocate for the system, I suppose I am in the sense that this was written into their state constitution, by legislators that the people elected. As most of you know, I'm a fan of state's rights and separation of powers, so if this is what the people of that state wanted, then let them do it. If they don't like it, then I think next year there will probably be a lot of new state congressmen elected.

Chris Baker, 3L

Hometown: Kalamazoo, Michigan
Family: My parents and four siblings. My older sister is two years older, my brother is two years younger, and my younger sister is fifteen years younger.
Undergraduate University: Western Michigan University. Go Broncos!
Major: Political Science

Why Law School?
My parole officer was extremely supportive in this endeavor, really I have wanted to be a lawyer since I was six after I saw my first episode of L.A. Law

Why did you choose Valpo Law?
Well, if you would have asked me last year, I would have said because of the scholarship offer

What type of law do you want to practice?
I want to work with Chris "Karl Marx is my Hero" Baker at the ACLU

Where will you be working this time next year?
Well after receiving five rejection letters in one day, you can find me at Applebee's behind the bar

What advice do you have for the 1Ls?
Look for openings in the truck driving business after taking your finals.

What is your opinion of the California recall election—are you an advocate of the recall process/system?
My general opinion of the California recall election is that it can be equated to a circus side-show attraction with all the people with no experience or fundamental knowledge that could qualify them for an elected position assuming that they could run the most populous state in the union. As far as being an advocate for the system, I suppose I am in the sense that this was written into their state constitution, by legislators that the people elected. As most of you know, I'm a fan of state's rights and separation of powers, so if this is what the people of that state wanted, then let them do it. If they don't like it, then I think next year there will probably be a lot of new state congressmen elected.
Chicago Area Law Schools Present:
Practice Tracks 2003

Thursday, November 6th
4:30 pm to 6:30 pm
Chicago Bar Association
321 S. Plymouth Court

1Ls encouraged to attend!

Open the Door to
a Multitude of
practice areas

We are delighted to welcome to our Career Planning Center two new professionals:

Laurie Hartman, Director of Employer Relations
Laurie received her B.A. in economics magna cum laude from Boston University in 1990 and her J.D. from William and Mary in 1994. Prior to joining Valpo, she practiced in Washington D.C. for the international law firm of White & Case, Laurie worked as an associate for the law firms McGuire Woods in D.C. and Vaira and Riley in Philadelphia and as an associate consultant for Bain & Company, an international management consulting firm. She is the primary counselor for students interested in working for large law firms and organizations located in major urban markets.

Jane Scarpillino, Public Interest Counselor
Jane has extensive experience in student counseling and academic administration. Before joining Valpo Law, she served as the Director of International Programs for five years and LLM Career Counselor for 1 year at Northwestern University School of Law. Prior to her services at Northwestern, she was an Assistant Attorney General for the State of Connecticut and a litigator at a small firm in Hartford, CT. Jane received her J.D. from the University of Connecticut School of Law and her B.A. from Fairfield University. Jane is the primary counselor for students interested in the public interest sector and will coordinate summer public service scholarships and the law school’s Pro Bono Program.

Take a moment and stop by the office and introduce yourself. You will find a highly talented Career Planning Center that is anxious to help you in your employment search process.
NFL Sellout

By Sean Campbell
Sports Editor

Okay, here’s a little word puzzle — which one of these does not belong: Britney Spears, Mary J. Blige, Aerosmith, Football. If you guessed “Football,” then you win. No, wait, actually you lose. The new NFL, in their attempt to market the game to a wider audience, continues to evolve into a product entirely dissimilar from the sport that replaced baseball as America’s favorite. What does Britney Spears have to do with football? Aerosmith? Football? The NFL kicked off the 2003 season with a concert featuring Britney Spears, Mary J. Blige, Aerosmith, Aretha Franklin and Good Charlotte. Not exactly a lineup to do with football? Aerosmith? Football?

It is, however, worth mentioning — the NFL, over the past ten years, has done an extraordinary job in creating new sources of revenue. Ten years ago, Candlestick Park was Candlestick Park, not PacBell Stadium, or whatever it’s called now. Teams like the Bears were not “brought to you by” some corporation. And the only dish anyone had was the size of a swimming pool...

Britney Spears?

The point is the game has changed. For the worse. The NFL has sold-out. And while selling-out is not necessarily a bad thing, in this case it is. The new instant replay is a perfect example. A coach must “challenge” a ruling on the field. If the challenge is overturned by the refs, then the team making the challenge benefits from the “right call” being made. If not, they lose a time-out. Fair enough, right?

Well, it sounds good on paper. There just seems to be a lot of confusion anytime a challenge is made. The commentators on television never really seem to know when a challenge can be legitimately used, and sometimes the refs don’t, either. And the game still is not being decided the right way, see last year’s playoff game between the Giants and 49ers, and last week’s Colts/Bucs game.

Instant replay simply isn’t working. In last week’s Monday Night Football game between the Colts and the Buccaneers, there were a number of poor calls toward the end of the game, and one terrible call in overtime that essentially gave the Colts the game. If instant replay was created to solve the problem of bad calls deciding games, then why is the NFL handcuffing the power of technology?

The NFL can eliminate a number of officials on the field, put them in the booth with access to every camera angle during the game, and give the officials in the booth the ultimate authority to make decisions. By leaving some officials on the field, routine calls such as holding and false starts, the two most commonly called penalties, will still be monitored by the officials on the field. Other penalties, such as the terrible call made against Simeon Rice on Monday during the Colts/Bucs game in overtime, would be overruled by the booth officials and the game will be decided on the field instead of by referees.

Valpo IM Football

By Sean Campbell
Sports Editor

Last week, the two top football teams in the Valpo Intramural Football played in the final game of the regular season. The teams, Disbarred (the 2L IM football team) and IIED (a primarily 2L and 3L football team) were undefeated prior to the contest. The game was promoted as a battle of the undefeateds, a dream match-up for the networks. But there was no dream, and there was little match-up — IIED destroyed Disbarred 26-6 in a grudge match.

The IM football playoffs also began last week. IIED had a bye week, and Disbarred defeated Glory Days (a group of 1L, 2L, and 3Ls) 34-14. Jeremy Willet, Nick Dandarand, and Phil Wille all scored touchdowns as coach Jason Mullis changed the offensive scheme following the loss to IIED. “We’re running more of a wishbone/option type attack to get the defenses off balance, and then we hit them through the air. It’s sort of a 1980s Oklahoma Sooners offense combined with the run-and-shoot,” Mullis also made some changes defensively. “We’ll be blitzing a lot during the playoffs,” said Mike Sheehan, the all-time Disbarred sack leader.

If Disbarred and IIED continue their winning ways, the two teams will likely play each other in the IM championship game on Monday, October 20 at 5 p.m.
The $650,000 Question

By Joe Blackburn
Sports Columnist

Recently, the University of Michigan, in their infinite wisdom, decided to file a petition in Federal Court to obtain $650,000 from former basketball player Chris Webber. The basis of the lawsuit is that Webber was selling tens of millions of dollars worth of Fab Five apparel. They were in the same place they are right now: multi-million dollar athletic facilities and offices in Ann Arbor, Michigan, taking in money hand over fist off of kids that they don’t have to pay a penny. But the problem of greed is not limited to the University of Michigan. It is everywhere in college sports and every year a couple of kids have to pay so that college sports can maintain the appearance of amateur athletics.

It can be seen in never-ending saga of Maurice Clarrett. Another jersey-selling machine who got a free loaner car and now sits on the sidelines while Ohio State plays football games. The NCAA and the rest of the sharks in the water surrounding college sports couldn’t get enough human interest stories about Clarrett last year. But, the kid had the nerve to hint of challenging the fact that from high school graduation until three years subsequent any kid who has a dream of playing in the NFL must become an NCAA cash cow. So Clarrett got a loaner car and Ohio State suspends him before the NCAA can get on the soapbox, but we all know they will have more to say about it.

With all of the competing interests of the NCAA, it was inevitable that eventually hypocrisy would become so think it can choke you. Enter Jeremy Bloom. Jeremy is a wide receiver/kick returner for the University of Colorado. He is also a world-class skier. His skiing has given him the opportunity to do endorsements, but the NCAA won’t have any of that. The NCAA considers endorsements to be a job and the NCAA doesn’t allow athletes to have jobs while they are still competing. They say they want to avoid the appearance of impropriety in college sports. So Jeremy Bloom now has to pick between playing football for Colorado or earning a living. But wait, doesn’t Colorado play in the Big Twelve?

So, in December, Jeremy Bloom can play in the Dr. Pepper Big Twelve Championship game. He will be introduced during the Chili’s starting line-up. He can catch a touchdown pass that will become the Nextel Play of the Game. This reception will be a key play in an Outback Steakhouse Scoring Drive. The play will be reshown four times on the Cingular Wireless Halftime Show. And Jeremy can become the Chevrolet Player of the Game. But that isn’t all. If Colorado wins the game, they will get to play in either the Nokia Sugar Bowl, the FedEx Orange Bowl, the Tostito’s Fiesta Bowl, or the Rose Bowl presented by AT&T. We call this the Bowl Championship Series and the NCAA makes a mint off of it, recently adding ADT Security and Russell Athletics as sponsors. And as long as Jeremy doesn’t pose for a picture in skis, he can play in the bowl.

I’m not saying that what Webber and Clarrett did was right. I’m just saying that every time the NCAA blasts one of these kids because they can’t live off of the nothing the NCAA pays him, I lose respect for it. But people still buy hats, jerseys, tickets, $5 hot dogs, and $6 bottled waters at games, so possibly Michigan, Ohio State, and the NCAA know what they are doing after all. Free labor makes for large profits. But maybe Michigan and Webber can call it even on the lawyer bills.

ESPN dropped the ball with Limbaugh

By Sean Campbell
Sports Editor

Okay, so the official statement released by Limbaugh was that he resigned from ESPN’s NFL Countdown show following his controversial statements regarding Philadelphia Eagles quarterback Donovan McNabb. But we all know he was forced out, fired. My question is why? Had ESPN executives ever listened to Rush’s radio show?

If they had, then they would have known that Rush is a bigot. The following quotes represent statements made by Rush Limbaugh on his daily radio show, and are taken from transcripts:

* When Mexican runner Salvador Garcia won the New York City marathon, Rush said “an immigration agent chased him the last ten miles.”

* Whenever Rush comments on Carole Mosley-Braun, he plays the theme for the television show The Jeffersons.

* Rush said “the NAACP should have riot rehearsal. They should get a liquor store and practice robberies.”

* Rush once told a listener to “take that bone out of your nose and call me back.”

* Rush also said “have you ever noticed how all composite pictures of criminals resemble Jesse Jackson?”

Keep in mind, this is “talent on loan from God...” (In Rush’s own words, not mine)

If Rush had said the same thing on his daily radio show regarding Donovan McNabb, then he would still be working for ESPN. No one would have even noticed, especially the drones of dittoheads who are really convinced that Rush’s talent is on loan from God. The question is, what the hell was ESPN thinking when they hired Rush Limbaugh? Furthermore, what did they expect?

ESPN hires one of the most controversial right wing radio blowhards in the United States. ESPN decides to name Rush’s segment the Rush Challenge, or something equally as dumb. ESPN segregates Rush from the rest of the cast by setting him up in a neat little corner of the stage, away from the remaining cast members. And ESPN gives Rush the opportunity to openly debate current issues in the NFL.

And then, four weeks into the program, their prized right wing racist puts his foot into his mouth, and suddenly the members of the ESPN staff are “uncomfortable” working with Rush Limbaugh, shocked by his statements on McNabb.

ESPN dropped the ball. Forget about the fact that they hired this guy; which was a mistake to begin with. Giving Rush Limbaugh a forum was a mistake. Putting Rush on television was a mistake.

How ironic that Chris Berman, Tom Jackson, and Michael Irvin had the responsibility to challenge Rush’s comments on television; and ESPN had the responsibility to fire Limbaugh the next day. None of which happened. Next time, ESPN, be careful for what you wish for.
Crossword/Clips

October 3, 2003

ACROSS

1. Sifting utensil
6. Type
9. TV or tour
14. Ill. zip 61411
15. Nothing
16. Decided
17. Sensitive subject
18. Dairymaid
19. Actor Martin
20. Lustful
22. People
23. Time to Live
24. Russian ruler
26. Bratty kids' complaint
30. Most brown
34. Helped
35. Frog noise
36. By way of
37. Booger
38. Cut of meat
39. Closely confined
40. Distance
41. Pray over
42. 1/12 pound
43. People who write essays
45. Forcing out
46. Metallic ore residue
47. Ultimate, for short
48. Indian sage
51. Three foot ruler
57. King or grass
58. Root beer brand
59. Bert's friend
60. Focus on intently
61. Already eaten
62. Singer Kravitz
63. Colloidal solution
64. Head shake
65. Lysis (plural)

DOWN

1. African Bushman
2. Thought
3. Duke of ___
4. Live!
5. Built
6. C8H7N
7. Place
8. Electron tube
9. Large hawk
10. Upset
11. Couple

12. God
13. Eve's home
21. It is (con't)
25. Get really wet
26. Garbage
27. Fatha
28. False gods
29. Nothin' but
30. Copper, zinc alloy
31. Occurrence
32. Between then and now
33. tot
35. Priest
38. Dog's nuisance
39. Hindu tenth month
41. Carry writer's name
42. Sell more
44. On land
45. Not new
47. Impelled
48. Rachel's baby's daddy
49. Opposite of "out of"
50. Upper layer of earth's crust
52. Car
53. Three pips
54. Hotels
55. Cinematograph
56. Door openers

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