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Chemerinsky engages crowd
Duke Law professor headlines panel at Law Review Symposium

BY MATTHEW DOHERTY & JONATHAN PASKY
Law Review symposium editor & Editor in chief

Renowned constitutional scholar Erwin Chemerinsky challenged a filled Tabor Auditorium Monday afternoon to examine the role federal courts play in ruling against civil liberties in America’s new War on Terrorism since 9/11.

Chemerinsky dazzled those in attendance with his argument as part of a panel of three distinguished scholars at the annual Law Review Symposium. This year’s topic was on “Shifting Powers in the Federal Courts.”

Baylor Law professor Mark William Osler tailored his presentation around the federal courts’ changing role in the Federal Sentencing Guidelines, in light of the recent Booker v. U.S. decision, 125 S.Ct. 738 (2005); U.S. Magistrate Judge Tim Baker, VUSL ’89, discussed the expanding power of magistrate judges in the federal system.

Chemerinsky, the Alston & Bird Professor of Law at Duke, asked the audience to engage in the question, “How many people is the government now holding or has held in the War on Terrorism?”

Although acknowledging he believes there are times when precious liberties need to be compromised, Chemerinsky presented his thesis that recent decisions in the federal courts of appeals have begun to erode essential civil liberties.

He reasoned that district

“Anything Goes” at Law Clinic benefit

BY ERIN GUY & MELISSA DURHAM
Staff writer & Copy editor

Can you tell if someone sings bass or tenor just by looking at them?
The task is impossible, so if you are curious what vocal part your favorite professor or faculty member sings, check out the Law Clinic’s production of “Anything Goes” this week, being performed in the University Theatre in VU’s Center for the Arts.

The Law Clinic has been fundraising through the annual musicals since 1997. They began as a means of funding the renovation of Heritage Hall. Since achieving that goal, the proceeds from the musical go into the Clinic’s budget.

Directing for the third year is JoBeth Cruz, who has had experience directing community theater in Valparaiso. Cruz is now a 1L at Valparaiso University School of Law and has her Masters in Theater and Communications. Co-directing and choreographing is Piper Bakrevski.

“All Anything Goes” is one of
BY MARINA RICCI
Copy editor

Most law students sign up for some kind of prep course to ready themselves for taking the all-inclusive bar exam. It is not surprising considering that the bar exam consists of specific state subject matter that most students have not even seen; not even on a general basis since their first year of law school.

However, with the amount of programs out there, it may be hard for students to decide which exam prep course is really the best one for them.

Tarek Fadel of AdaptiBar says, “It is important for each person to investigate what’s out there and pick a program that they think will work best with their lifestyle.”

That lifestyle includes the type of learning that is most comfortable. For example, some people learn best alone with a book or computer program to help them along. However, for others the only way to keep up the motivation is in a classroom setting with others. For those who do best with one-on-one help, there are programs offering personal tutoring.

It is also important to understand that review programs do have some major differences. The duration, style, coverage and depth of different programs need to be considered.

Eureka Bar Review and Study Group provide strictly online services covering different portions of the bar exam. On the other hand, BarBri covers the MPRE in addition to all aspects of the Bar Exam and provides both study aids and group classroom reviews.

AdaptiBar prides itself on customizing their learning program to individual students’ needs via computer software for the MBE.

BeatTheBar.com is also an MBE supplement that provides a strictly online course while PMBR uses a group classroom setting.

For a more personal tutoring approach, MicroMash offers an attorney mentor for six weeks during the program to grade essays and answer questions.

Both Reed and AmeriBar Bar Review offer one-on-one personalized tutoring in addition to videos and software as well as other learning supplements.

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With all these options, cost is also a factor for some students, although not passing the bar exam may end up costing more than any review program.

On average, self-study programs such as those that are provided via software and paper aids such as AdaptiBar and Study Group are the least costly starting in the hundreds while classroom based programs such as BarBri and PMBR can go into the upper hundreds and thousands.

Personal tutoring programs such as Reed Multistate Bar Review and Eureka Bar Review are the most expensive and can cost multiple thousands of dollars. However, most students do end up dishing out the dollars and signing up.

Some programs such as BarBri and MicroMash even have incentives for signing up early, locking in a lower rate the earlier students sign up.

Even more of an incentive from programs like MicroMash, Study Group, AdaptiBar and Eureka is a refund in case the student doesn’t pass the bar after completion of the program.

These companies will either permit the student to receive a full or partial refund or retake the review. In addition, almost all review programs also have representative positions available to students in order to earn free courses and program discounts which can help students finance the review. Information about such opportunities is available on most review web sites.

The bottom line is there are plenty of bar review programs to pick from that offer a mix of services that are bound to be right for any person.

Of course, self-study is also an option. The best place to go to find out about a variety of programs is to visit them online and ask school representatives or inquire to the programs themselves if the representatives are not available.

At www.palidan.com/bar2.htm, information is provided on some major review programs as well as on less known specific state Bar review courses and topical courses for such subjects as patents.

For more information, visit the sites of some of the other bar review courses out there:
AdaptiBar: www.adaptibar.com,
AmeriBar: www.thebarexam.com,
Reed Multistate: www.passyourbar.com,
Eureka Bar Review: www.jurisprepp.com,
NEWS IN BRIEF

Professors Telman, Bruch to lead conversations aiming to bridge political divides

A series of conversations exploring some of the country’s most divisive issues will be sponsored by Valparaiso University this spring.

Valpo is launching the Conversations Project, which will tackle national security, civil liberties, Social Security and the balance between church and state; issues that have been hotly debated across the country. The goal of the project is to better educate parties on both sides of the debates and work toward understanding, rather than partisan position taking.

The first conversation, “Balancing National Security and Civil Liberties,” will take place at 7 p.m. Feb. 22, in the VU Center for the Arts.

Two additional conversations will be held this semester, “The Future of Social Security” at 7 p.m. March 21 in the Christopher Center’s Community Room, and “The Divide Between Church and State” at 7 p.m. April 20 in Wesemann Hall’s Tabor Auditorium.

All discussions are free and open to the public. For more information, contact Jeremy Telman, assistant professor of law, at (219) 465-7911 or Elizabeth Bruch, associate professor of law, at (219) 465-7842.

Students offer tax assistance

Elderly, lower-income and non-English speaking taxpayers can receive assistance from Valparaiso University law and business students in filing their tax returns this year.

VUSL students are participating in the Internal Revenue Service’s Volunteers in Tax Assistance (VITA) community service program and will offer free tax preparation to eligible taxpayers beginning immediately.

Taxpayers with annual income of less than $50,000 are eligible for the free tax preparation help if they have not received additional income from the sale of stocks, mutual funds or homes. Students will help prepare taxpayers’ federal and state income tax returns.

Appointments must be arranged in advance by calling the VU School of Law VITA Information Line at (219) 465-7900. An appointment may be arranged during evening hours on Tuesday, Thursday, and Friday and between 9 a.m. and 4 p.m. on Saturdays at the VU School of Law Legal Clinic, 651 S. College St.

Those receiving help should bring photo identification and their Social Security card, along with those of their spouse and dependents, in addition to W-2s and other forms documenting income.

Building name honors former faculty member, donors

The new home of Valparaiso University’s Department of Geography and Meteorology is being named in honor of major donors and a former chair of the department.

The building, which opened for the start of spring classes, is named Kallay-Christopher Hall. The naming honors the late Dr. Ferencz Kallay, former professor of geography, and the Christopher family, which provided the principal gift that led to construction of the 16,830-square-foot building.

Dr. Kallay joined the VU faculty in 1957 and was named professor emeritus of geography following his retirement in 1990. He served as chair of the Department of Geography from 1967 to 1976 and served 11 years as Indiana coordinator for the National Council for Geographic Education. Dr. Kallay also served terms as director of VU’s student centers in Cambridge, England, and Reutlingen, Germany.

The new building, which will be dedicated during ceremonies on campus April 30, includes a laboratory/map file classroom, a 20-station Weather Center for meteorology students, two additional classrooms, faculty offices and a conference area. There is also an observation deck and a balloon launch area for use in gathering data from the atmosphere.

A “sky imaging” system on the building roof will enable Weather Center computers to create digital images of the sky above the building stretching to the horizon in each direction. Plans are being finalized for installation of Doppler radar on campus that also will furnish images to Weather Center computers.

Brauer gallery focuses on tribal art, sculpture

A gallery talk Feb. 16 at Valparaiso University’s Brauer Museum of Art focused on exhibitions of ceremonial objects from New Guinea tribes and contemporary sculptures currently on display.

Gregg Hertzel, director of Brauer Museum, discussed “Art and the Spirit World of New Guinea,” an exhibition of approximately 150 artifacts on loan from two local private collections, and a collection of sculptures created by Northwest Indiana artist David DeCesares.

The New Guinea exhibition is the Brauer Museum’s first major display of ethnographic objects and included masks, shields, drums, figurines and a canoe, as well as a display of photographs from New Guinea.

The DeCesares exhibit features more than a dozen life-sized sculptures of people in surrealist form.

Both exhibitions will be shown in the museum through March 20.

Community invited to join Beethoven choir

Members of the community are invited to join Valparaiso University student musicians in performing Beethoven’s 9th Symphony.

Community members are needed to sing in the chorus for the April 30 performance. Rehearsals will be held from 7 to 9 p.m. March 14, 21 and 28, from 5 to 7 p.m. April 1 and from 6 to 8 p.m. April 4. Scores will be provided at no charge.

The April 30 performance will take place at 7:30 p.m. in the Chapel. Tickets are $15 for adults and $10 for senior citizens and students. Call the VU Box Office at (219) 464-5162 to order tickets.

Intellectual Property Law Association elects new executive board


Installed as president was Carter McWilliams, IL. JaMel Nelson, IL, was elected Vice President; Zach Butler, IL, was elected Treasurer, and Shabbir Khan, IL, was named Secretary.

— Bill Smith

The FORUM Monthly Photo Contest

Ah...the big city

The first person to correctly identify the picture above will win a $10 gift certificate to Jimmy John's. E-mail your responses to forum@valpo.edu

January answer: A scene at “Valplayso” playground in Valpo.

January winner: Kathy Rowberg (VUSL alumna)
Settlement reached in lawsuits over shooting rampage at Virginia law school

ROANOKE, Va. (AP) - A law school agreed to pay $1 million to settle four lawsuits over a deadly shooting rampage by a struggling student.

The lawsuits accused the Appalachian School of Law in Grundy of ignoring repeated warnings that Peter Odighizuwa was a threat before he opened fire in 2002, killing the dean, a professor and a student and wounding three other students.

Odighizuwa pleaded guilty earlier this year and is serving six life sentences.

Law school President Lu Ellsworth said the school settled to avoid a long and expensive legal battle. "I do not believe there was any basis to predict this kind of occurrence or any violence would occur on campus," Ellsworth said.

The money will go to the three wounded students and the 10-year-old daughter of the slain student.

The plaintiffs had argued that the school should have foreseen the violence because the 46-year-old Odighizuwa - who has been diagnosed with paranoid schizophrenia - had a history of outbursts, threats and other disruptive behavior.

The Nigerian-born Odighizuwa told The Associated Press in an interview earlier this year that the students should not get any money from the school.

"The law school isn't a psychiatrist. It doesn't know what's in my head," he said.

Odighizuwa, who had flunked out but was later readmitted before the shooting, said he opened fire out of frustration and anger as he struggled to become a lawyer.

Former Ohio State star Maurice Clarrett turns to Supreme Court for help

WASHINGTON (AP) - Former Ohio State running back Maurice Clarrett asked the Supreme Court to reconsider his lawsuit challenging the NFL's draft eligibility rule.

"He believes that he should have been allowed to play in the league when he was ready and when the league was ready to have him," Milstein said Tuesday.

A lower court judge ruled last year that Clarrett was eligible for the draft, saying the NFL violated federal antitrust laws with its rule barring eligibility until a player was three years out of high school.

But a three-judge appeals panel blocked him from entering the 2004 draft, saying federal labor policy allows NFL teams to set rules for when players can enter the league.

Then, on the eve of the draft, Clarrett filed an emergency appeal with the Supreme Court, but two justices turned him down.

"The Supreme Court already has declined to intervene in this case," NFL spokesman Greg Aiello said Tuesday.

"We do not expect the court to view the current petition any differently."

Clarrett was only two years out of high school when he originally took the NFL to court.

He will be eligible for this April's draft no matter what happens in court.

"He believes that other young people deserve that right and privilege," Milstein said.

Clarrett rushed for 1,237 yards and 16 touchdowns as a freshman in 2002, leading Ohio State to the national championship.

He was suspended before the 2003 season for accepting money from a family friend and lying about it to NCAA and Ohio State investigators.

In early 2004, Clarrett had asked the Supreme Court to change the NFL rule requiring players to be three years out of high school.

After the emergency appeals were filed separately with two justices, Ruth Bader Ginsburg and John Paul Stevens, the justices refused to consider the case, leaving Clarrett out of the 2004 NFL draft.

Ginsburg said Clarrett could still get to the NFL since the league had expressed a willingness to promptly hold a supplemental draft if Clarrett prevails in his lawsuit.

Clarrett hasn't played since the 2002 season at Ohio State, showed up out of shape at the NFL scouting combine, and had what most scouts considered a mediocre workout in Columbus, Ohio, in April 2004.
Judge awards plaintiffs $672,000 in legal fees and costs in U. of Michigan admissions case

DETROIT (AP) - A federal judge recently ordered the University of Michigan to pay $672,000 in legal fees and costs to attorneys for students who sued the school over its use of affirmative action in undergraduate admissions policies.

The university had maintained it wasn't responsible for the legal bills. U.S. District Judge Patrick J. Duggan disagreed, but ruled that the $2.1 million originally sought by the attorneys was excessive.

In June 2003, the Supreme Court upheld a general affirmative action policy at the University of Michigan law school but struck down the university's undergraduate formula as too rigid because it awarded admission points based on race.

In response, the university adopted a new application that still considers race, but does not award points, and includes new short-answer questions and an optional essay.

"We're pleased that the judge agreed we prevailed in this case," said Terence Pell, president of the Center For Individual Rights, which represented the students.

University officials expressed satisfaction with the reduced amount.

Still to be decided is whether the two students who sued the university over its undergraduate policies will receive any money.

Pell said his group also is hoping to secure damage awards "for the many people denied admission over the nine years covered by the lawsuit."

Marvin Krislov, the university's vice president and general counsel, said such damages are unwarranted.

Commencement Week activities announced

BY TARA WOZNIAK
3L Steering Committee

Bar applications, bar loans, finishing up pro bono, finding a job, seminar papers, moot court/mock trial competitions, clinic, law review notes, externships, and on top of all that—trying to stay on top of class work. Just think, 3Ls—in a few months, we will join the ranks of seasoned lawyers and reminisce about the good ol’ days of law school.

Until then, the 3L Steering Committee is working hard to help make your last few months of law school memorable. In case you didn’t know, the 3L Steering Committee is appointed each year by the SBA President and works within a limited budget to organize commencement activities for all 3Ls. These activities include arranging the composite picture, taking cap and gown measurements, securing a speaker for the commencement ceremony, and holding events that will let you enjoy the camaraderie of your fellow classmates and the last days of your law school education.

Here's the line up for this year's commencement activities, so 3Ls—mark your calendars with the following dates:

Thursday, March 31, 2005: 3L 50 Days to Commencement Partaaaay!
Buddy and Pals, 9:00 p.m.
Cover, beer, and food provided for 3Ls

Commencement Week Activities

Wednesday, May 18, 2005:
Pre-game Patio Party / White Sox Game
Transportation, food and beer for 1 1/2 hour before the game and 1 1/2 hour into game

Thursday, May 19, 2005:
3L Commencement Party, Aberdeen Manor Ballroom
Hors d’ Oeuvres, open bar, desserts, dancing
7:00 p.m.-12:00 a.m.
RSVPs required. Invitations to 3Ls will be sent in early April.
Guests of 3Ls, $20.00

Attention 3Ls:

3Ls, we want your photo for the 3L class video! Please remember to place photos that depict your law school experience in the Steering Committee mailbox in the SBA office or e-mail digital pictures to tara.wozniak@valpo.edu before spring break.
New projects abound at the School of Law

Among the very best features of the Valparaiso University School of Law community are the spirit of innovation and the constant striving for improvement.

In the past several years we have seen many important innovations and improvements—new programs and initiatives, new people, and new and improved resources for our students.

Among the new or enhanced programs and initiatives are the Low Income Taxpayer Clinic, the greatly expanded externship program (120 students are enrolled in externships this semester), the Career Planning Center's extensive Mock Interview Program, the 125th Anniversary celebrations and the many new courses we have added to the curriculum to meet student interest and need.

The new people or positions at the law school include the four new faculty members who joined us this year (Professors Bruch, Kohlhoff, Loebl, and Telman), the new position of Externship Director (filled by Lisa Cannon), the new Public Interest Counselor in Career Planning (Jane Scarpellino) and a new Reference Librarian (Steve Probst, one of our own graduates).

Our new or expanded resources include new audiovisual and computer equipment in classrooms and throughout the building, new lunch service facilities in the student lounge, new furnishings in the library and other public spaces and new student service software in Career Planning and the Registrar's office.

But as much as we have improved in recent years, we cannot stand still. There is always more to do.

The faculty and administration have looked forward, and we have identified a number of areas calling for improvements and the investment of time and resources. To plan systematically for these improvements, I have appointed three task forces to examine needs and opportunities, and to make recommendations about priorities.

One area in which we wish the law school to become stronger is that of student life and services. As an institution, we should strive to provide our students with the best services and support possible.

This includes academic counseling, personal counseling, support for student government and student organizations, and all the tangible and intangible aspects of law school life that create an excellent environment in which to learn and live.

The task force charged with examining student services has as its members: Debbie Gleason, Registrar (Chair); Professor Laura Dooley; Paul Mullin, SBA President; Zahra Nwabara, Director of Admissions—Operations; Ann Weitgenant, Assistant Director of Admissions for Financial Aid; Lisa Todd, Senior Executive Administrator, Office of the Dean; Jane Scarpellino, Public Interest Counselor; Tony Credit, Executive Director of Career Planning Center.

As much as we have improved in recent years, we cannot stand still. There is always more to do. As an institution, we should strive to provide our students with the best services and support possible.

Admissions
They are to consider what additional programs and educational services we might offer to existing constituencies and to potential new ones. Should we offer additional degree-granting programs? More CLE and CLE-type programs? Online courses?

To answer these questions will require a careful consideration of our strengths, our existing constituencies and their needs and possible new constituencies we can serve compatibly with our resources and our abilities. I have asked the taskforce to make its report by the beginning of the next academic year.

I hope that you will share your knowledge, experience and ideas with these groups as they work to strengthen the law school, its physical environment and the many services we provide to students and other members of the law school community.
Defining “Moot Court”

As an adjective, “moot” can be defined as “open to question; disputed” or “having no practical significance.”

The valuable experience a Moot Court competition offers its participants suggests that the latter definition is inapplicable here. The word “moot” in Moot Court refers to the difficult and open questions of law posed in the appellate court cases given to students as part of a school competition. Moot Court members are given an opportunity to act like lawyers without some of the risks involved when dealing with actual clients.

The primary benefits come from the nature of a moot court problem. Students research, write, and present a brief to a legal audience as opposed to an academic or lay audience. Panelists in early rounds of competitions are typically lawyers with appellate experience in the relevant field. Competitors who make it to the final round of a competition often present their brief to federal and state court appellate judges. These lawyers and judges ask difficult questions about the law, case interpretation and policy considerations.

Students also research and prepare briefs using the same resources and follow the same technical requirements as practicing lawyers. Some competitions offer students feedback on the technical and substantive aspects of their brief. The panel of judges almost always offer practical suggestions for improvement after each round.

If you enjoyed any part of your legal writing class or if you just want some hands-on experience, Moot Court has something to offer. Recently, our Society has sent VUSL students to competitions in fun places like San Diego, Washington, D.C. and New York City.

The problems our members have argued range from product liability, trademark infringement, criminal law and procedure, business law, civil rights, first amendment and environmental law. Society members will be practicing for their competitions over the next month. Times and rooms are posted on the board outside our office.

We invite you to stop by and watch, ask questions and consider participating next year.

Rod Phares is a 3L at VUSL. He is Associate Justice of Finance for the Moot Court Honor Society.

SBA elections draw near

Law Week has come and gone for the 2004-2005 academic year. In its wake, Law Week left behind a trail of memories for all of us.

Some memories were good, like the Class of 2005 team “Coaches” sweeping Bar-a-Thon for the third straight year. Other memories should drift into that ocean of oblivion, like America’s worst DJ who was put on display at the Barrister’s Ball.

I’m convinced the DJ was part of a secret society committed to keeping the “Electric Slide” alive.

Thank you to the elected and appointed members of SBA who donated their talents to making those events great. Law Week certainly doesn’t run itself or pay for itself.

All Student Bar Association events cost a significant amount of money that is derived from our annual budget, funded by your student activity fees.

Late February through March is SBA election season for next year’s executives and 2L and 3L representatives. Manny Perez, 1L, is running unopposed for Treasurer. With increasing participation in SBA-sponsored events, I strongly suggest you acquaint yourself with Manny. He is a graduate of Cornell University and was elected Representative for the Class of 2007 last fall. Remember, the SBA Treasurer sets the budget for the student groups each academic year.

There are currently two SBA committees in the spotlight. Please keep watch for advertisements for the Honor Code Forum. It will be held on Wednesday, Feb. 23, 2005, during Chapel Break in the Ulbricht classroom.

Tyler Starkey, 2L, is the student appointee to the Honor Code Commission and he is currently planning a forum to discuss what actually constitutes an Honor Code violation. According to Tyler, the Forum will provide an opportunity to “clear up honor code violation questions.” Dean Bruce Berner will be on hand at the Forum to answer questions.

Second, the 3L Steering Committee has been working all school year planning graduation activities. Tara Wozniak, Avaneesh Marwaha, Elian Cavendish and Amy Vroom, all 3Ls, have coordinated events, composite pictures, caps and gowns, gifts and speakers for our May 21, 2005, graduation ceremonies.

Currently, Avaneesh is planning the annual 3L White Sox game in Chicago for the spring. Tickets to the event will be limited. Moreover, Avaneesh commented, “it’s gonna be a flippin’ good time with tos for everybody.”

Details on other upcoming 3L graduation activities will be announced on the SBA bulletin board, in the Wesemann Weekly, and through e-mail.

Paul Mullin is a 3L and President of the Student Bar Association. He can be reached at paul.mullin@valpo.edu.
VIEWPOINTS

Why can’t all news be the BBC?

It is an unfortunate thing that most Americans remain ignorant to so many important global issues. Who is really to blame? I would pin part of the responsibility on our news services. How well informed can anyone really get watching our daily news? If you don’t watch the news, I’ll tell you what you can expect if you do: 74% crap, 25% commercials. The other 1% remains the chance of vital local information being accidentally talked about. It is not just local news, it extends to all of our news services. CNN does actually show some real news sometimes, so maybe they are only 50% crap.

Let me give you some examples of the crap content and why I am so disillusioned with our system. Last year I was living in central New Jersey, and there was a blackout in New York City. It just so happens that at the same time as the blackout, there was a massive genocide being committed in the “Democratic” Republic of Congo. People were being wholesale slaughtered. If you turned on the television anywhere, any channel, all programming was canceled to bring LIVE news coverage of the blackout. All those poor New Yorkers and New Jerseyans without power for a few hours! EVEN CNN CANCELED ALL NEWS TO SHOW BLACKOUT FOOTAGE! That was not the worst of it, there was NO OTHER NEWS shown for almost a week - all the post blackout coverage was worse than the actual coverage itself. In all of this time, I was desperate for information on what was happening with the new genocide outbreak in Africa, and the humanitarian crises developing, and there was NOT ONE mention.

Well, there was one station that did talk about what was happening, BBC World News. BBC does something new and different, they REPORT the news. I turned on BBC, and there was someone on the ground in the Congo reporting on the horrific incidents that we could care less about.

While we were wrapped up for weeks about those poor people in New York that had to go several hours without internet and television, thousands of people were being hacked to death and we could not even give it a mention. It partially answers why Americans are so disliked in so many parts of the world.

This is just one example - I challenge you to check out any BBC channel (BBC Europe, BBC World, even BBC America) and I bet you find real news a novel concept worth watching. It doesn’t stop there, if you want great weekly publications, I highly recommend picking up The Economist. Despite its name, it is not strictly economics; it is all political, national and international news with a wonderful financial section in the middle. You can read many of the articles for free at www.economist.com. You can also get BBC World News online at http://news.bbc.co.uk.

We owe it to the world to be more informed global citizens, so please take a minute and do just that.

Steve Sutow is a 1L at VUSL and can be reached at steven.sutow@valpo.edu.

Fear the man who fears the truth

Fear the man who fears the truth. This is a short quip that I came up with many moons ago while helping a friend regarding some long-forgotten event. Since then I’ve always kept it in the back of my mind. As it turns out I seem to have had wisdom beyond my years when I uttered those words, for the wisdom they contain could have spared me a lot of grief.

Before I continue, let me expound on what I mean. If a man fears the truth, he fears the world around him. He is either unwilling or unable to accept reality. Either avoiding every possible observation or the most mundane of details, he is willing to go to affirmative lengths to prevent his understanding of the truth. Okay, so what? Why fear him?

Fear him because he is dangerous. This is a man who wants to embrace a truth of his own construction. His actions are based on his purposely disabled perception of what is really going on in the world. While his motives may lack malice, he has blinded himself to the totality of his surroundings, permitting ignorance to guide his decisions. Be ever so afraid of this man.

I’d always thought that this type of individual was only a threat to the people with whom he was intimately acquainted. This is far from accurate. There is a man that I’ve had very little contact with whose refusal to face the truth has left me devastated. His deliberate unwillingness to face the truth ended up buying him a capital stock of guilt to lie upon others. The result has destroyed one of the greatest things that I’ve ever realized.

While this is an otherwise decent man, this is also a coward. He consciously blinded himself in order to hold onto his delusional status quo. By running from the potential for pain that’s found in everyday life, he shirked his duty as a man. Here the result was his netting an unmerited and incalculable windfall.

Offering any further detail is moot to my motives. I am rife with frustration as I type this piece, but I write them so that its readers may purge themselves of this seemingly benign evil that can destroy what is good. While you might not reap a bitter harvest for your sins of turning a blind eye, I swear upon the altar of God that somebody else will.

I hope that I’ve learned my lesson and will maintain a diligence to spare my soul from the transgressions of another. I pray that those of you who heed this warning do it not just for yourselves, but also for the sake of others. Don’t subject third parties to your cowardice. Embrace what is true, what is honest, what is just, what is pure, what is lovely, what has virtue and what is worthy of praise. But just as important, you must be wise to what is false, what is deceptive, what is unjust, what is impure, what is ugly, what is ignoble and what is worthy of scorn.

Our world is full of all of these things, and sticking your head into the sand to any of it is intolerable. If you ever encounter a person who seeks anything short of the whole truth, know this: he is an enemy to all that is right with the world, and you must be diligent to spare yourself from their wages of ignorance.

Ryan Adler is a 3L at VUSL and can be reached at ryan.adler@valpo.edu.

LETTERS POLICY:

The FORUM reserves the right to edit any contributions and/or reject them without notification. Letters must be limited to 400 words and columns to either 400 or 800 words.

Written contributions must be typed and include the author’s contact information; law students must include their year in school.

Unsigned letters will not be printed. When referring to specific articles, please include the date and title.

Contributions can be sent to: The FORUM, 651 S. College Ave., Valparaiso, IN 46383; via e-mail at forum@valpo.edu; or in hard copy to The FORUM’s mailbox located in the SBA office.
Excessive tutelage: the ban on gay marriage

Gay marriage has moved to center stage in national politics in the last year. After the elections in November, eleven states constitutionally abolished state-sanctioned gay marriage. Several states have promulgated similar constitutional amendments in their legislatures as a result.

Many analysts regarded the proposed amendment to our national Constitution as little more than a call to arms for Christian conservatives. While the mantic right may have used the proposed amendment to circle the wagons and insure the presidency, the masses also took it upon themselves to promulgate an injustice.

After the Goodridge decision in 2003, conservative state politicians began proposing constitutional amendments to prevent what they considered would cause the debasement of family values. The redoubtable Massachusetts Supreme Court decision sent reverberations through the state court system.

Some states embraced and accepted the new era in civil rights, others attempted to find a legal remedy that would prevent liberal legislators from causing similar depravity in their state. That fear is, for the most part, unfounded.

During the Clinton administration, Congress, under the Presidential pen, passed the Defense of Marriage Act. This act amended the full faith and credit clause, and defined marriage as between a man and a woman. In theory, this means that states do not have to recognize gay marriages that occur in other states.

Why, then, do states bother amending their constitutions when the Defense of Marriage Act protects the state’s ability to deny the benefits of homosexual couples married in another state? It all comes back to how the American common law interprets the conflict of law problem with full faith and credit.

Full faith and credit requires states to have an interest in a situation for their law to apply. The Full Faith and Credit Clause in the Constitution also requires states give credit to the judgments of courts in other states. U.S. Const. Article IV § 1.

States who want to apply their own policy have to find some way around the judgment rendered in Goodridge and have to show they have an interest as sovereigns. Altering their constitutions gives them that interest.

This alone should cause problems with federalism. In their attempt to obviate whatever social harm follows homosexual marriage, the federal and state governments have broken down the layers of equal protection of state laws in other states.

These fusty amendments to state constitutions threaten to break down the relations of rights between states. It is like getting your driver’s license in Massachusetts, and driving into Connecticut. The state of Connecticut must honor that driver’s license.

Marriage licenses operate in a similar manner. If you get married in Las Vegas, Nevada and return to Indiana, Indiana is obligated to honor your Nevada marriage.

If you are a homosexual, and want to get married, you first have to find a state where the marriage is legal. Even if you get married legally, when you return to your home state, Indiana for example, that marriage is not honored as it would be for a heterosexual couple.

Another purpose for altering state constitutions is to keep state Supreme Courts from rendering decisions like Goodridge, and prevent those courts from relying on decisions adopting the reasoning of the Massachusetts Supreme Court.

The reasoning in Goodridge relied on a number of United States Supreme Court decisions, Lawrence v. Texas, Loving v. Virginia, Romer v. Evans, and a plethora of the privacy/contraception cases. Not only does this look like states trying to control their courts, but it looks like an attempt to escape the basic precepts of the Constitution and a grab for sovereignty.

Taking the argument to its logical end reductio ad absurdum, this could allow states to alter their constitutions to avoid applying laws they do not agree with.

The direct conflict arises because Article IV of the Constitution was designed to prevent just this sort of unpredictable application of rights between states.

While this will not lead to the destruction of the federal system, one glaring issue that remains is how the Constitution, or at least its application, will fair under its fractured remissness.

Equality is a broader concept than what pious convictions dictate. Tolerance may have become a euphemism, but we should not equate true equality and privacy with such a short-cited reading of the Constitution.

If anything, we should learn from our historical blunders with civil rights, and avoid what will no doubt be an arduous journey for equality.

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The Court holds a continuous annual Term commencing on the first Monday in October and ending on the day before the first Monday in October of the following year. See 28 U.S.C. § 2. At the end of each Term, all cases pending on the docket are continued to the next Term.

Unless the Court or the Chief Justice orders otherwise, the Clerk's office is open from 9 a.m. to 5 p.m., Monday through Friday, except on federal legal holidays listed in 5 U.S.C. § 6103.

Open sessions of the Court are held beginning at 10 a.m. on the first Monday in October of each year, and thereafter as announced by the Court. Unless it orders otherwise, the Court sits to hear arguments from 10 a.m. until noon and from 1 p.m. until 3 p.m.

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Recent Cases Denied Certiorari

Family Law
• High Court Sidesteps Gay Adoption


Summary: The Supreme Court rejected an appeal on Jan. 10, 2005, by four men who challenged Florida's ban on adoption by gay couples. This is another contentious fight over gay rights that has been avoided by the Court. Therefore, the Florida Supreme Court ruling that the prevention of gay adoption by the state is constitutional will stand.

Florida is currently the only state that has a blanket law prohibiting homosexuals from adopting children. Florida allows gays to be foster parents, but not permanent parents.

Supporters of the ban contend that the state has the power to promote traditional mother-father families. Opponents of the ban argue that the law is irrational because it excludes potential parents from thousands of abandoned children in need of adoption. Additionally, they contend that the law singles out gays and lesbians based on discrimination.

The Court also announced it was denying certiorari in more than 450 other cases.

Recent Cases Granted Certiorari

CRIMINAL PROCEDURE
• High Court to Review Arthur Andersen Case


Summary: The Court agreed on Jan. 7, 2005, to consider overturning the conviction of the Arthur Andersen accounting firm for destroying Enron Corp.-related documents before the company's energy collapse. The 5th Circuit upheld the June 2002 conviction. At issue is whether the jury instructions at trial were too vague and broad for jurors to determine correctly whether Andersen obstructed justice.

Subsequent to Enron's crash in December 2001 Andersen put in practice a document retention policy that called for destroying unneeded documentation as the Securities and Exchange Commission (SEC) began looking into Enron's finances.

During trial, Andersen contend that employees were following policies and that there was no intention to interfere with the SEC investigation of Enron. Andersen's attorney and friend-of-the-court filings argue that the jury instructions used could unfairly punish criminal attorneys who advise their clients to withhold evidence in legal ways

Recent Oral Arguments

Property Law
• Court to Determine Ownership of Marine Submerged Lands & Historic Inland Waters


Summary: The Supreme Court heard on Jan. 10, 2005, disputes over who controls the submerged islands in the nearby marine waters of Glacier Bay National Park: the State of Alaska or the federal government. The state refutes the federal government's argument that the traditional activity poses any environmental risk.

Alaska made its claim to the submerged islands under the Equal Footing Doctrine and the Submerged Lands Act of 1953. Together they give a state title to submerged lands beneath inland navigable and marine waters up to three nautical miles from the state's coastline, except in situations where the federal government explicitly retained the title upon granting statehood.

Alaska says when the United States granted statehood in 1959, the federal government did not explicitly state its intention to retain the submerged lands located within the boundaries of the Glacier Bay National Monument, an area that has since expanded and is now known as Glacier Bay National Park and Glacier Bay National Preserve. The United States disagrees, asserting that Congress had retained federal ownership.

In order to lay claim to the land under the Submerged Lands Act, the disputed land must meet the three-mile legal requirement, which the federal government argued the state has not satisfied. Alaska claims that the waters in question should be considered "inland waters" since they have been historically treated as such and also because they fall within several juridical bays defined by the Alexander Archipelago's geographic features.

The United States argues that the waters lying within three miles of the shores of the mainland long have been recognized as territorial seas rather than inland waters.

Upcoming Oral Arguments

The Supreme Court has a break in oral arguments from January 19, 2005, until it resumes on February 22, 2005.
7th Circuit Court of Appeals

INSURANCE LAW & RETAIL

* Coverage Forfeited When Items Left Unattended

A.M.I. Diamonds, Co. v. Hanover Ins. Co., 2005 WL 287978 (7th Cir. 2005); (Feb. 8, 2005).

Opinion by Circuit Judge Posner

Summary: Wholesale jewelry salesman, Maged Soliman, after a sales visit to a retail jewelry store in a Chicago suburb, stopped at a gas station to phone his office. He was careful to park his car just steps away from the station’s pay phone because in a briefcase wedged between two seats were more than $100,000 worth of finished diamonds. After finishing his phone call, Soliman opened the door of the car on the driver’s side to get back in; however, he was distracted by a young woman in a minivan a few feet away who asked him for help with directions.

He walked over to her, keeping his car with its precious cargo in sight. But when he reached her, she dropped the map she was holding in her hand and he stooped to pick it up. At that moment he lost sight of the car and an accomplice of the woman stole the diamonds, which were never recovered.

It is presumed the thieves had probably kept watch on the retail jewelry store, identified Soliman as a wholesale jewelry salesman, and followed him from the store to the gas station. Hanover refused to pay A.M.I.’s claim and A.M.I. brought this diversity suit, governed by Illinois law.

The district judge granted summary judgment for the insurer and the insured appealed. The court held that the salesman for the insured was not “in or upon” the vehicle under Illinois law when the theft occurred, and thus the loss was not covered by reason of language of exclusionary clause in jeweler’s block policy which was standard insurance policy that protected the jeweler against a broad range of risks or damage.

Judge Posner articulated that the “moral hazard” refers to the effect of insurance in causing the insured to relax the care he takes to safeguard his property because the loss will be borne in whole or part by the insurance company. Hanover Insurance Company had issued to Soliman’s employer, A.M.I. Diamonds, what is called a “Jewelers’ Block Policy,” a standard insurance policy that protects jewelers against a broad range of risks of loss or damage.

The court determined that if the diamonds are lost “while in or upon any vehicle,” coverage is forfeited unless “at the time the loss occurs, there is actually in or upon such vehicle... a permanent employee of the Insured” and “the property insured is in the close personal custody and under the direct control of [the employee].” Id. at 287982.

A.M.I. argued that Soliman, even when he was bending over to pick up the map, was “in or upon” his car because he had not abandoned it, and Hanover contended that he had temporarily abandoned it. Id.

Hanover contended that the terms “in or upon” must be interpreted literally, but it inconsistently conceded that had Soliman merely been filling his gas tank when the diamonds were stolen he would have been “in or upon” his car.

Hanover further represented that if, while driving, Soliman had left the diamonds in full view on the passenger seat beside him and had picked up a hitchhiker who proceeded to steal the diamonds, the loss would be covered by the policy; however, if the diamonds were stolen from his locked trunk or even from the kind of secret compartment in which drug couriers conceal illegal drugs, the loss would not have been covered because the diamonds would then not have been in his “direct custody.”

The court articulated that the purpose of the exclusions is twofold: to curb what is called “moral hazard” and to limit coverage in high-risk settings even when there is no moral hazard. Judge Posner referred to moral hazard as the “effect of insurance in causing the insured to relax the care he takes to safeguard his property because the loss will be borne in whole or part by the insurance company.” Id. at 287983.

It was determined that Soliman was careless in failing to lock his door when he left his car and relied on his ability to keep it in sight and rush to the rescue of the diamonds if he saw someone trying to purloin them.

The court said that his employer’s failure to equip him with a cell phone was also careless, but probably did not contribute to the theft, which did not occur while he was at the pay phone. Judge Posner also concluded that even if there was no moral hazard, an insurer might want to exclude coverage in especially risky situations; more precisely, the insured might agree to accept less coverage in exchange for a reduced premium. Id. at 287983.

The facts show that Soliman left the car unattended for an optional reason, without clutching the briefcase or locking it in the trunk—without even locking the car. By leaving the car as he did, he was no longer “actually in” the vehicle even in an extended sense and he no longer had personal custody of the diamonds. “His carelessness, and the risky situation that it created, are just the reasons why the policy contains the exclusions that it does, although, presumably for the sake of precision, the policy does not contain a general exclusion for carelessness by the insurer or the insured’s agents.” Id. at 287984.

Judge Posner concluded that “allowing ‘to read upon’ to mean ‘near’ would open a large loophole of uncertain limits, and something this Court has refused to do.” Id.

The court opined that the phrase “in or upon” is used twice in the policy exclusion: once with the diamonds as a subject (the diamonds must be “in or upon” the vehicle) and once with the salesman as the subject and should be given the same meaning in both places. Therefore, the exclusion is inapplicable if the diamonds are merely near the vehicle, and not in it.

The Docket is a regular feature of The FORUM. If you know of any recent, interesting cases and would like to have them appear in this space, e-mail your ideas to forum@valpo.edu.
FROM PAGE ONE

SYMPOSIUM
continued from page 1

court judges, selected less on a basis of ideology than their appellate counterparts, evaluate the credibility of witnesses and the facts before them. This results, he showed in a series of cases, in the federal district courts upholding civil liberties far more than the federal appellate courts have since 9/11.

Chemerinsky is perhaps best known for his writings on Constitutional Law (including the textbook adopted by VUSL) and arguing numerous cases in front of the Supreme Court, including the upcoming Ten Commandments cases known as Van Orden, with oral arguments scheduled before the Supreme Court for Mar. 3, 2005.

Professor Mark Osler was next to speak, discussing the recent Booker decision, making the Federal Sentencing Guidelines advisory, rather than mandatory in federal courts.

Comparing the discretion federal prosecutors have to fencing in stolen property, he argued for a “key man” approach to exercising that discretion—taking down the fencing operations, not the actual thieves, led to a 70% reduction in vehicle break-ins in southeast Michigan.

Osler is a Professor of Law at Baylor Law School and is considered an expert in criminal sentencing. A graduate from Yale Law School and former Assistant United States Attorney, one of his articles was cited in Footnote 15 of Justice Stevens’ dissent in Booker.

United States Magistrate Judge Tim Baker was the final panelist, arguing that the Article I judiciary of federal magistrate judges are taking a more vital role in the federal district courts.

Indispensability was the theme of Judge Baker’s view on expanding the federal district courts. Judges Baker was appointed to the U.S. District Court for the Southern District of Indiana in Indianapolis in Oct. 2001. Graduating from VUSL in 1989, Judge Baker went on to work for the law firm of Barnes and Thornburg and as an Assistant U.S. Attorney prior to his appointment to the bench.

Judge Baker was appointed to the U.S. District Court of a combined Article I judiciary of federal magistrate judges to take a more vital role in the federal district courts.

Indispensability was the theme of Judge Baker’s view on expanding the federal district courts. Baker went on to work for the law firm of Barnes and Thornburg and as an Assistant U.S. Attorney prior to his appointment to the bench.

Professor Rosalie Levinson, Richard and Phyllis Duesenberg Chair, served as moderator for the discussion.

Besides the Symposium itself, there were numerous events planned throughout the day. At 8:00 a.m., as part of a combined Constitutional Law class, Professor Chemerinsky lectured to the 1Ls from his own textbook.

During Chapel Break in the Chicago-Hessler classroom, Career Services and the three panelists provided an informational meeting on judicial clerkships for 1Ls and 2Ls interested in pursuing that career option.

BENEFIT
continued from page 1

Dean Conson’s favorite musicals,” said Cruz when asked how the show was chosen. The show was written in the 1930s by Cole Porter. It is a historical piece, satirizing the people of the time.

“It is important for people to remember that this is a period piece,” says Cruz. The clinic performance will be of the original production, not the revival.

The show features VUSL faculty, staff and students in both starring and supporting roles. The orchestra is also comprised mainly of students, including Valparaiso University undergraduates.

For your viewing enjoyment, this year there will be three shows, instead of two. Shows on Wed., Feb. 23, and Thurs., Feb. 24, begin at 7:30 p.m. These pre-benefit performances are free to the public. However, on Wednesday night, priority will be given to cast members’ family and friends.

Tickets are required for the Thursday night performance and can be picked up at Heritage Hall, Room 21 between the hours of 2:00-4:00 p.m.

Friday night kicks off at 6:00 p.m. with a champagne reception, followed by dinner and the performance. Benefit tickets can be purchased from Heritage Hall, Room 21 for $100.00, of which $70.00 is tax deductible.

Come to the show... because anything goes!

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Marshall McConkie as “Billy Crocker”
Julia Riecken as “Hope Harcourt”
Ann Weitgenant as “Mrs. Wadsworth T. Harcourt”
Tainted Numbers: Athletes, Achievements, and Attorneys

2005 Conference on Sports Law & Ethics: An interview with broadcaster Bob Costas

by Chad Montgomery  >> Continued on page 14
Spotlight

Athletes, sports and the law:
Broadcaster Bob Costas and sports law attorney Bill Bock share their insights on the field

BY CHAD MONTGOMERY
Production editor

Lawyering is often analogized to competing in athletics. Most likely, it is the adversarial system and the competitive stakes which lead to the comparison.

While some dismiss this analogy as ill viewed or improperly understood as I sat down with Bob Costas and Bill Bock it became remarkably clear that certain ethical dilemmas faced by today’s athletes are the same problems lawyers face dressed in different clothing. Let me first remark on Bob Costas before launching into his interview.

Bob Costas is one of the most honored and respected broadcasters of his era. He has won sixteen Emmy Awards and been named Sportscaster-of-the-Year eight times.

For nearly a quarter century he has been on the frontline of NBC Sports. He currently moonlights as host of HBO’s “On the Record.” Few individuals possess the knowledge and passion he has for sports, particularly baseball.

His name is repeatedly mentioned when discussions involve speculation about who will be the next Commissioner of Major League Baseball. It was both a thrill and an honor to interview him.

Forum: Jose Canseco, a former Major League Baseball Player, is releasing a book in which he accuses several accomplished current and former major leaguers of using steroids, including Mark McGuire. He also implies President Bush, while holding an ownership post of the Texas Rangers, was well aware that players on his club were using steroids. Is Canseco telling the truth?

Bob Costas: Well, Canseco is hardly the most credible source and that is going to provide deniability. Not having read the book, but just based on what I have heard, he doesn’t have documented evidence for his assertions. In the past he has made statements that turned out to be untrue, but the general point that he is making—steroid use was rampant in baseball for a decade or more—is obviously correct and you don’t need Jose Canseco to tell you that.

F: Athletes testing positive for performance enhancing substances have sometimes denied knowing they were ingesting the drugs. How do you feel the question of culpability should be addressed?

BC: Modern elite athletes know every vitamin they take; they know every cell they eat. Individuals at that level of sophistication do not confuse steroidal like substances with flax seed oil.

F: The sport of baseball has a long history of players attempting to gain an advantage by way of spit balls and corked bats among other things. How are steroids distinguishable?

BC: I think spit balls and corked bats fall under the category of gamesmanship. But when people are altering their bodies to the extent that they have been throughout sports and it so clearly provides a competitive advantage for some then I think you have a more significant issue. The fear of exposure is always present. A ten game suspension may be laughable, but the key is the suspension is accompanied by public scrutiny. Of course some athletes will be willing to role the dice to have a competitive edge.

F: In instances of fines and suspensions, do arbitrators more often help athletes avoid unduly harsh penalties or escape rightful consequences?

BC: A lot of times, and I’m not a lawyer, but what happens is human nature steps in. If I’m the arbitrator, I can’t just ratify whatever has been decided; I don’t make my own presence known and justify my own role if I don’t step in and change it somehow. So, when the Commissioner suspends a player for twenty games, the arbitrator reviews it, reduces it to fifteen games, his presence is felt. Plus what legal minds do, understandably, is rely on precedent. Sometimes the Commissioner is reacting to the specific situation, including the public’s reaction to it and his own feelings about the past history of the player. The arbitrator relates it to the penalty another player received five years ago and examines its proportionality. He looks at it from a strictly legalistic sense; whereas the Commissioner is trying to take into account all the public relations and not coming from the same prospective.

Sports Law as a profession

I next turned to Bill Bock for a legal perspective on Sports and Ethics. Bill Bock is a partner at the Indianapolis law firm Kroger, Gardis & Regas, LLP, where he practices sports law, election law and complex litigation. He also serves as Outside Counsel for the United States Anti-Doping Agency (USADA). His impressive career includes involvement in USADA’s handling of matters associated with the doping conspiracy arising from the Bay Area Laboratory Co-Operative (BALCO) and representing the United States Olympic Committee (USOC) as co-counsel in a recent 2004 case. It was also my privilege to interview Bill Bock.

Forum: Do you think Congress should be afforded the opportunity to pass legislation regulating drug use in professional sports?

BB: I consider it a public health issue in addition to a sports issue. I think people are beginning to realize the extent of the problem starting in junior high school and running through the elite sports level. And
so if, after a reasonable period of time, the 
governing bodies that are already in place 
aren’t taking action, then it is appropriate 
for Congress to consider guidelines or 
financial incentives for organizations to 
address the issue.

F: What role do you think lawyers can 
play in sports and ethics?

BB: They can play a great educational role. 
Nearly every lawyer who represents an 
athlete typically has an increased access to 
information about steroids and other drugs, 
sometimes even more than the athletes 
themselves, particularly if the lawyer has 
worked in that area for an extended period 
of time. The danger is when lawyers repre- 
senting athletes analogize their role to a 
defense lawyer’s role. They shouldn’t. The 
penalties are different; the ultimate harm to 
an athlete may be a health issue, or possibly 
a suspension from competition if they 
continue to use. So I think in additional 
to the role of educator the lawyer should 
play the role of watchdog and monitor his 
athlete to prevent doping.

F: What about lawyers managing fringe 
athletes who have presumably short-lived 
careers and are seeking to maximize their 
careers by doping?

BB: I don’t think there is an ethical dilem­ 
ma. The lawyer’s obligation is serving the 
best interest of their client. It is never, 
in my opinion, a client’s best interest to 
dope. Doping presents health issues and 
it is morally wrong. Advising an athlete to 
dope can send them down a path having 
rampifications going beyond sports. If you 
are really working in the best interest of an 
athlete then you are going to be concerned 
about them not doping.

F: Do you think doping is on the rise or 
has the media just now caught on to an 
issue that has been present for some time?

BB: It is hard for me to judge and I can’t 
honestly say I know. I do know that there 
are more incentives, more incidents of 
athletes being caught, and, until recently, 
more access to performance enhancing 
substances. The Steroid Precursor Act just 
passed by Congress makes steroid precur­ 
sors illegal; before, they were available 
over the counter. Unfortunately, my senses 
as well as a number of indicators tell me 
doping is becoming more prevalent.
The new face in financial planning

BY HEATHER MONTEI
Copy editor

Take a love of numbers, knowledge of the law, and a desire to help, and what do you get... Valparaiso University School of Law’s new Director of Financial Planning. Tammi Jackson arrived in Indiana just a few short months ago, and already she’s making changes to the school’s financial front.

Some of her duties consist of crunching the law school budget numbers, and working as a liaison between the law school and the main campus.

According to VUSL’s Dean Jay Conison, “Tammi meets every month with the operational managers of the main campus. She shares with them what the law school is doing, and brings us information on what they are doing. Twice a month, I have the chance to meet with the heads of the other educational departments. Now, Tammi is meeting with those who handle the day-to-day operations of the University once a month as well.”

Ms. Jackson is the new Director of Financial Planning for Valparaiso University School of Law. She says the newly created position allows her to work with her first love, running the budget numbers, while allowing her to work with staff members as well.

The first project on her plate is making sure next year’s budget is in order.

Dean Conison says he hopes Ms. Jackson’s experience can help the students as well. “Right now, she’s working with the staff, but I hope that in the near future she can help the S.B.A. and other student organizations with their budgets as well.”

Ms. Jackson’s most recent position was Director of the Administrative Services Budget for the Meteorology Department of the University of Maryland. However, Ms. Jackson also has eight years experience working in the corporate world. She says she’s not done. The next thing she wants to accomplish is taking the C.P.A. exam.

She’s only been here a few short months, but Ms. Jackson says she already feels like she’s a part of the community. “People have been bending over backwards to make me feel welcome, stopping in to say ‘hi’, just going out of their way.”

Dean Conison says he hopes Ms. Jackson’s experience can help the students as well. “Right now, she’s working with the staff, but I hope that in the near future she can help the S.B.A. and other student organizations with their budgets as well.”

Ms. Jackson’s advice for the law students is to take advantage of experience whether it is law review, moot court, or the softball team. Make sure to interact with the professors and students, because that is what law school is really about. Most importantly, have fun, and don’t take everything so seriously.”
Diversity: is it really the answer?

The word diversity is being used more and more often these days. Big firms need it to succeed. Only because some political lobby somewhere created the idea that diversity in the workplace is needed. Even President Bush's cabinet has it.

The purpose of diversity was to unite those who are diverse. To tolerate those who are diverse. And to promote equality. However, as it stands now, I'm not quite sure that it is doing just that.

Nowadays, more and more firms are employing people who are diverse to increase diversity in their workplace. Big firms are making a conscious effort to increase minority employment in order to score higher in the rankings, and to impress other firms who contract only with other diverse firms. Who's losing? There's not one, not two, not three, but four big losers.

The first loser is obviously the white male. 'Why?' you may ask. Aren't there enough of them out there already? Yes certainly, but how would you like it if I told you that yes, you're qualified but there's a Pakistani guy who's nearly as good as you but since we're trying to improve our diversity, tough luck. Exactly, the white male is making room for those who aren't white, or who aren't male.

But to some, this logic might be justified. After all, improving diversity does improve tolerance and some say people with diverse backgrounds have unique ideas. Yes, I hear you guys whining. The new word now isn't globalizazation. It's generalization.

The second loser is the firm. Questionable to many, certain for me. What's more important, a Pakistani male from Valpo Law or a white male from University of Chicago? This brings about the discussion of what's more important. Race, gender, sexual orientation or just plain intellect. I would hope intellect. If the firm's goal is to hire the best employees, I wouldn't care if the person was Pakistani, Kenyan or even American. I wouldn't even care if the person was a hermaphrodite, a woman or even male.

But unfortunately, firms these days just don't get it. It's not their fault. They're trying to please those judges so that their network develops.

The third loser is the person of diverse background. Surprised? I'm not. My first reaction. Yaaaahoooooo, I got the job. However, Day One at work and I hear people behind me ask where my turban's at? You idiot, Pakistanis don't wear turbans.

This whole concept of diversity was meant to create tolerance for diverse people. But actually, it makes them notice the differences more closely. People at work most probably think I didn't really deserve the job. In the back of my mind, even I know I'm only here because I'm brown. And because I was hired to maintain that quota for diversity, I can say goodbye to promotions for a while.

The fourth loser is America. Where's all that talk about justice? It's not fair. Just because someone was born a white male shouldn't hold him back. And just because I'm brown shouldn't give me an edge. The Civil Rights movement of the sixties tried to unite people of different races. The goal was to become color blind. Yet, forty years later, we're far from it.

However, the main goal is to benefit society. We're all human and we're all equal. Who wants to live in an America that believes in White Supremacy? Affirmative Action was and is a good thing. And so is diversity employment.

But are the steps that these firms are taking the right way to do that? Maybe, maybe not. What's important is that the society eventually benefits. As long as it doesn't create stereotypes and racial or gender wars, I say let that Pakistani boy get that job. But not ONLY because he's Pakistani.

Shabbi Khan is a 1L at VUSL and can be reached at shabbi.khan@valpo.edu.
The U.S., Iran and the democratic farce

BY AZRA ZAIDI
Staff columnist

The more I listen to the current Bush administration harp about bringing democracy to the Middle East, the more I laugh. Their hypocrisy isn’t just funny anymore it’s downright hysterical. The notion of spreading freedom, liberty, and justice ... what a joke!

The truth is the United States is the biggest oppressor of democracy in the Middle East. We play a good game of rhetoric about spreading freedom but our actions are quite the contrary. Who supported Saddam’s Baath Party when it took over from the monarchy in Baghdad? Who was behind the Egyptian generals when they ousted King Farouk? Who created the corrupt system of government in Saudia Arabia? And the best of all, who took down the democratically elected leader of Iran fifty years ago?

In his recent State of the Union speech, Bush singled out Iran and Syria as countries in need of major political reform. Why? Well, because they aren’t democracies like us. However, President Bush needs a brush-up on his history.

Fifty years ago, Iran had a democracy. Its democratically elected leader, Mohammed Mossadegh, wanted to bring much needed changes to revive Iran’s economy. He became fed up with the Anglo-Iranian Oil Company, now BP, pumping Iran’s oil and shipping the profits back home to the United Kingdom. He nationalized the company just as many other countries were nationalizing their own country’s resources. His reasoning: well it’s our oil; we should be able to keep it. (How selfish of him! The last thing we need in this world are people who care only for the well-being of their own people without looking out for the interests of other countries.) Of course, Mossadegh had to go.

Operation Ajax, the CIA plot to overthrow democratically elected Mossadegh went into effect in the 1950’s. The US-led coup was successfully planned by Secretary of State John Foster Dulles and his brother, the CIA director, Allen Dulles (Dulles Airport is named after these great heroes!). CIA agent, Kermit Roosevelt (President Theodore Roosevelt’s grandson) traveled to Iran to help pull the coup off. After ousting Mossadegh, the US put in a ruthless dictator, the Shah of Iran, to rule over the country. Under the Shah, dissenters were tortured and murdered and the freedom that Iran once enjoyed was crushed.

Fed-up with the dictatorship of the Shah, Iranians revolted and Iran went through an Islamic Revolution. The public cheered in Ayatollah Khomeini and his theocratic rule after the overthrow of the Shah. Today, Iran is a theocracy because they choose to be. They choose to have a system of government based on Islamic law.

However, that is not to say that they are not a democratic society. A theocracy and democracy are not incompatible; it is possible to have both at the same time, and that is what the Iranian people choose to have.

But President Bush wants to bring “true democracy” to Iran, not this fake “theocratic-democratic” garble. Well President Bush, let me relay to you a message from an Iranian friend of mine: “Dear President Bush: We had a democracy once; the U.S. didn’t like it and forced us to live under a dictatorship. We don’t need any more of your so-called help, so just f*** off.”

Please pardon his French, and God Bless America.

Azra Zaidi is a IL at VUSL and she may be reached at azra.zaidi@valpo.edu.

The U.S., Iran and the democratic farce
**Student Profiles**  
*By Beth Adams, Photo Editor*

### 3L

**Kevin McCormick**

**Hometown:** Lake Zurich, IL

**Undergraduate School:** Carroll College (WI)

**Undergraduate Major:** Political Science & History

**Family?** Diane (mom) Montessori teacher, Archie (dad) superintendent, Kristen (sister) physical therapy grad school, Ken (brother) Northwestern undergrad, Fiona Salerno (long time heart-throb, Valpo 3L), Spot (cat) Valpo Pet of the Year, Lady (dog)  

Best mutt ever.

**Why law school?** Revenge. And because my pol. sci/history degree had great financial potential, especially as the economy went in the crapper.

**Why Valpo law school?** The townies, Super WalMart, and the odd smell at Goodfellas/ Martinis.

**What were your plans for Valentine's Day?** Romantically enough, I was babysitting and playing in a volleyball tournament. So I'm gonna have to make it up somewhere/somewhere.

**What are your thoughts on treating Valentine's Day like we do MLK Day - taking a day off and celebrating love?** Decorum prevents me from answering this question.

**Did the Superbowl live up to its hype?** If hype is code for a reason to gorge myself and have thrilling conversations about how vanilla Sir Paul was, then yes, it lived up to the hype. If hype is code for 30-second spots of crap for $2 million, except for the commercial about censorship with the girl whose top was falling off that was ironically censored, then yes, it lived up to the hype. If by hype you mean a good game, then no.

**Do you think Bush will be able to balance the budget by the end of his term?**  

I don't know smack about the budget.

**What kind of law do you want to practice?**  

I've had aspirations to practice trademark, copyright and unfair competition law, however I've lately been leaning towards practicing whatever-is-going-to-offer-me-a-job law.

**Any advice to give to 1L students?**  

Never do a dance for your friends that they will somehow think is your trademark and thus harass you to perform it at every event for the next two years.

**What is the most interesting class you're taking this semester?**  

Decorum prevents me from answering this question.

### 2L

**Lindsay Molnar**

**Hometown:** Manwah, NJ

**Undergraduate School:** Elon University (NC)

**Undergraduate Major:** Corporate Communications

**Family?**  

My parents, obviously, and a younger brother.

**Why law school?**  

I wanted a challenge after college and wasn't ready to grow up.

**Why Valpo law school?**  

Looked like a good school.

**What were your plans for Valentine's Day?**  

It just was a normal day for me!

**What are your thoughts on treating Valentine's Day like we do MLK Day - taking a day off and celebrating love?**  

Who wouldn't want a day off, but I would probably just sleep in and do work all day...  

**Did the Superbowl live up to its hype?**  

Considering the wrong team won, not really.

**Do you think Bush will be able to balance the budget by the end of his term?**  

Nope.

**What kind of law do you want to practice?**  

I am studying music law.

**Any advice to give to 1L students?**  

Kiss up to 2 Ls and 3 Ls, believe it or not they have the keys to success...

**What is the most interesting class you're taking this semester?**  

Intellectual Property Drafting

### 1L

**Jessica McClure**

**Hometown:** Wolcott, IN

**Undergraduate School:** Ball State University

**Undergraduate Major:** Accounting

**Family?**  

Mother – Deb, Father – Richard, Older sister – Jennifer

**Why law school?**  

I want to be able to make a positive influence in this world and be proud of what I do for a living. I hope to accomplish this by being a lawyer and hopefully a judge someday.

**Why Valpo law school?**  

I knew that I wanted to stay in Indiana and in my opinion Valpo is the best law school in Indiana.

**What were your plans for Valentine's Day?**  

Going to school of course. My boyfriend and I celebrated this week by spending quality time together, since there is not much free time since I started law school.

**What are your thoughts on treating Valentine’s Day like we do MLK Day - taking a day off and celebrating love?**  

I don’t believe we should. However, I think we should have President's Day off just like we do for MLK Day.

**Did the Superbowl live up to its hype?**  

Yes. It was a close game and Owens performed well, despite the fact that his doctor did not release him. Also, Brady had a good game given the loss of his grandmother.

**Do you think Bush will be able to balance the budget by the end of his term?**  

I believe it is a difficult task, but I think that Bush can accomplish it.

**What kind of law do you want to practice?**  

I am not definite, but probably business law. I am also interested in animal law.

**Any advice to give to 1L students?**  

Always make time for your family and friends because they are the most important things in life.

**What is the most interesting class you're taking this semester?**  

I would probably say Property.
'Tis the season to be gambling

I don’t know if the cold and gray of the winter makes people want to gamble, but there has been a recent increase in betting activity. Here are a few examples that I would love to partake in myself...that is, if I were a betting man.

Since Oklahoma has banned cockfighting in 2002, boredom has set in. That is why Oklahoma State Senator Frank Shurden found a compromise: fit the roosters with boxing gloves! Mike Tyson has been in talks with networks about his own boxing reality show; if this law gets passed, they should make a cockfighting reality show instead.

“Who’s going to object to chickens fighting like humans do,” Shurden asked (one can only pray it was rhetorical). “Everybody wins,” he continued... surprisingly (it wasn’t).

Not to be outdone, the chickens would also wear vests configured with electronic sensors to record hits and keep score of the cockfight. “It’s like the fencing you see in the Olympics, you know, where they have little balls on the end of their swords and the fencers wear vests,” continued Shurden... who is actually talking... still (seriously, who voted this guy into office).

Now that someone found a “humane” way to allow roosters to pulverize one another and keep score at the same time, it seems that there could be a lot of money made in betting on these fights. After all, Shurden wants to legalize it because the state has lost over $100 million since the ban was implemented. I would set up a scouting system and monitor these chickens fighting and make informed bets on these fights. That way, I would become rich...that is, if I were a betting man.

Looking to keep children out of trouble? Why not poker?

A once oxymoronic statement, the poker craze is everywhere, and even kids as young as ten are putting up their ante.

“Gambling is an issue for some people, but I think the risk is far greater having him roam around out there,” said Deborah Rodman, concerning her son Josh. “Sometimes, I beg him to play poker,” she continued... surprisingly (are we seeing a pattern). Rodman, who is in the running for the Deadbeat Mother of the Year Award, does not understand the consequences her children are running into. The National Council on Problem Gambling has found that kids who gamble are 50% likely to binge-drink and 75% likely to smoke marijuana (on a related note, I am 90% likely to sing a duet with David Hasselhoff).

I like those odds, both poker and my own, so I say “shuffle up and deal...” that is, if I were a betting man.

March is around the corner, which is a time for spring-cleaning, spring-breaking, and spring-bailing. The NCAA basketball tournament is fast approaching, which is a time for everyone to fill out their bracket predictions and enter a pool. And by everyone, I mean everyone.

The trend can be found throughout offices, colleges, and elementary schools. Even senior centers have their NCAA Bracket Challenges.

My grandmother, who always shoves canned peaches down my throat when I visit her, fills out a bracket every year. Being from upstate New York, she participates in one and always selects Syracuse as her national champion. She was elated when they won in 2003. After the win, the following conversation ensued:

“You’ve always doubted my predictions, Joey,” she gloated. “You see, I told you I know sports.”

“But grandma, you always pick Syracuse,” I reasoned. “It was only a matter of time before you guessed right.”

“You be quiet and eat your peaches,” she chided back.

“Yes ma’am.” I got served.

Healing after abortion

Having personally experienced the trauma of abortion in 1976, Elizabeth became involved with Victims of Choice during post-abortion counseling. With her dry sense of humor and direct manner, drawing from her repertory of stories, she will make you both laugh and cry, and hopefully touch your heart in a way that will cause you to understand that abortion and its aftermath is a cross that we all share.

Did you know...

After-abortion healing is one of the best-kept secrets both in the Church and in pro-life circles? It is a ministry that brings hope and healing to those wounded by the lie “my body - my choice”.

You need to hear this.

Bring your family and friends to share in this unforgettable event.

For more information or to request child care
Call Mary Kane Mauer at (219) 464-4831. There is no charge. Refreshments provided. Saint Paul Respect Life Committee: www.catholicsrespectlife.org

This announcement sponsored by Jus Vitae

While you’re filling out your brackets, don’t forget about our Crusader team. Despite many key injuries throughout the year, Valpo has set themselves up to make another post-season run; they won the Mid-Continent Championship last season and received an automatic bid to the NCAA tournament before losing to Gonzaga in the first round.

Junior forward Dan Oppland leads this year’s team; he averages close to 19 points a game despite tight double-team defenses. A bright spot has come from the sophomore forward Moussa Mbaye. A native of Senegal, Mbaye played soccer until coming to America. His 4 points and 4 rebounds don’t appear to be beneficial on the scorecard, but he has been the spirit of the team all season.

In addition to the frontcourt, the Crusader’s have been one of the most prolific three-point shooting teams in the nation. They’re among the best in the nation for three-point shooting percentage.

These factors make Valpo a good sleeper in the tournament this year. Should they receive a bid, I’ll be putting my money down for them to advance... that is, if I were a betting man.

Joey is a 3L and can be reached at joefavata@valpo.edu. You can also listen to Joey every Thursday night on Valparaiso University’s radio station, The Source 95.1 FM.
Super Bowl MVP Deion Branch taxed a Cadillac for performance

On Sunday, Feb. 6, 2005, Deion Branch won the Most Valuable Player award for Super Bowl XXXIX. During the game, Branch caught 11 passes for 133 yards receiving. His longest reception was a 27-yard catch. Although these stats may not sound like much, they were enough to tie the Super Bowl record for receptions, an achievement Branch now holds with Jerry Rice. As a result of Branch's performance, he was awarded a new 2005 Cadillac.

So now what is Branch going to do? Perhaps he will take the traditional trip to Disney World and make the requisite stop by the White House. More importantly, he should write a note to remind himself to include as income his newly awarded Cadillac on his 2005 federal tax return.

Under § 61 of the federal IRS Tax Code, gross income is defined as all income from whatever source derived. Commissioner v. Glenshaw Glass Co. establishes that income is an accession to wealth and is taxable as gross income only if it results from a realization event. (It gets better, I promise.)

Prizes and awards fall within the definition of gross income. Specifically, §74 states gross income includes amounts received as an award. The recipient is to include as gross income the fair market value of the award.

An exception exists, however, when the recipient wants to transfer or give the award to charity. Where the award is received in recognition of religious, charitable, scientific, educational, artistic, literary, or civic achievement, if the recipient was selected without any action on his part to enter the contest and he is not required to render future services, the amount of the Cadillac would not be excluded as gross income even if he donated it to charity. The amount must be included as gross income because football does not fall within the enumerated list of exceptions for prizes and awards.

A similar situation occurred in Hornung v. Commissioner, in which 1961 football star Paul Hornung was awarded a new Corvette for his outstanding play in the National Football League championship game between the Green Bay Packers and the New York Giants.

Hornung failed to include the value of the Corvette on his federal tax return. In giving plain and ordinary meaning to the achievements listed in § 74, the court determined professional football was not a type of activity that fell within the enumerated list.

The court held that the Corvette should have been included in his gross income. In applying Hornung to Branch's circumstance, because football is not an activity that is educational, artistic, scientific or civic in the ordinary and plain sense of these words, Branch is stuck including the amount of the Cadillac as gross income.

But, Branch may deduct the amount of the Cadillac pursuant to § 170, which states a charitable contribution shall be allowed to the extent that the amount of the contribution does not exceed 50 percent of the taxpayer's contribution base for the taxable year.

Thus, presupposing Branch itemizes his deductions he does not have to pay the taxes on the car if the amount of the deductions including the fair market value of the car exceeds the government's standard deduction set for the year.

If however, Branch's itemized deductions do not exceed the standard deduction amount or Branch decides not to itemize, Branch's taxable income increased for the year by merely receiving the car as an award.

What about a gift you say? (You must be thinking how can this get more exciting than prize analysis?) Certainly Branch could argue that the car was a gift. In fact the code explicitly excludes gifts from gross income.

Pursuant to § 102(a), gross income does not include the value of property acquired by gift. Furthermore, Commissioner v. Dueberstein establishes that a gift proceeds from a "detached and disinterested generosity." There the Court explained a gift is given out of "affection, respect, admiration, charity or like impulses." The donor's intent is the key. However, the donor's intent is not analogous to common law "donative intent."

Thus, the government (i.e. the taxman) would need to objectively inquire into what was the donor's subjective rationale for giving the gift. Ultimately the trier of fact would determine what the donor's intent was by assessing the type of gift given under the circumstances.

Here, the donor's intent shows no detached and disinterested generosity. Certainly the Cadillac was given for Branch's outstanding performance in the Super Bowl. It was also given to promote the Cadillac name.

The motivation clearly shows self-interest by virtue of promoting the Cadillac name and business in anticipation for a future benefit.

Further, Cadillac has a pecuniary interest involved by associating a familiar and recognizable football player with the Cadillac automobile. Because the Cadillac does not constitute a gift under § 102, Branch should include its fair market value as gross income on his federal tax return.

Now that wasn't so boring, was it?

Bob Marrs is a 2L at VUSL.
Love or hate mail may be sent to Bob at robert.marrsiii@valpo.edu.
### Course Honors/Awards

#### Fall 2004 Course Honors

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#### Summer 2004 Course Honors

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#### Cambridge 2004 Course Honors

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<td>Christi</td>
<td>Klein</td>
<td>Shakespeare &amp; Legal Traditions</td>
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THE FORUM

FEBRUARY 2005

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VUSL SPRING 2005 AWARDS

DEAN W. KOHLHOFF MEMORIAL AWARD FOR EXCELLENCE IN ENVIRONMENTAL LAW
Presented by Mr. Paul M. Kohlhoff and Mrs. Nancy Kohlhoff
Joshua Van Gorkom

TEN COMMANDMENTS FOR LAWYERS AWARD
All received Honors in Legal Profession
Jason Keer  Amy Levin
Brian Larson  Joshua Van Gorkom

CHARLES L. VAUGHAN AWARD
Presented by Prof. JoEllen Lind on behalf of Charles R. Vaughan and Charles V. Vaughan
Christopher Boudi (Trial Practice II - Spring 2004) (May 2004 graduate)
Kristina Jacobucci (Trial Practice II - Spring 2004) (May 2004 graduate)
Heidi Keenan (Trial Practice II - Spring 2004) (May 2004 graduate)

PROFESSOR CHARLES GROMLEY MEMORIAL SCHOLARSHIP
Carla Morgan (2L)
Carrie Hammer (3L)

ILLINOIS STATE BAR FOUNDATION SCHOLARSHIP
Fiona Salerno

CORPUS JURIS SECUNDUM AWARD for overall contributions to the School of Law
(selected from the third year class by faculty)
Lindy Arwood  Stephanie Bolen  Joel Vander Kooi
Jonathan Pasky  Ghislaine Storr

FIRST YEAR LEGAL RESEARCH HONORS
Presented by Mary Persyn, LEXIS representative Sofia Foltushanski and WESTLAW student representative Lindsay Berlin
Marc Waite  Sarah Duffy

HIGHEST SCHOLASTIC AVERAGES - SPRING 2004
Jeremy Cannon (1L)
Julie VanGroningen (2L)

HIGHEST SCHOLASTIC AVERAGES - FALL 2004
Shannon Hartzler (1L)
Jeremy Cannon (2L)
Julie VanGroningen (3L)

Crossword

Across
1 Sheen’s co-star
5 Type of attack
10 Dublin pub offering
14 Once follower
15 Some Pennsylvanians
16 Airline used by 12 Down
17 Hairless
18 Santa ___
19 Part of RNA
20 North Pole worker
21 Nicholson’s pet
23 Precedes Dab
25 Bridal followers
26 Electric current unit
28 Virtuous
30 Theater parts
31 Dwarf’s sum
32 QB’s stats
35 Foot part
36 Greek underworld
37 Whine
38 Inquire
39 Printer’s need
40 Poppa’s mate
41 Warsaw reel
42 Deutschland resident
43 Tourist activity in Africa
46 Baseball’s Baker
47 Bradshaw’s linen
50 Saratoga feature
53 Clapton of rock
54 Soil
55 Freud’s concern
56 Make excited
57 Lacking sense
58 Ivory source
59 Jodie Foster film
60 Gave a hoot
61 Hill dwellers

1 Oil
2 Gem
3 Blitz’s knapsack
4 Means to an ___

By Ed Canty

Solution – page 15

Quotable Quote

Here’s something to think about: How come you never see a headline like ‘Psychic Wins Lottery’?

... Jay Leno

By GFR Associates  •  Visit our web site at www.gfrpuzzles.com
"Dee Plane, Dee Plane!"

"Throwing strikes is easy when I visualize my professors on the pins."

"Dee Plane, Dee Plane!"

"Now listen, both of you girls are really pretty, and each of you has a fantastic personality. But this is the part of the show when I have to eliminate one of you. So..."

"I can't dance, I can't talk. Only thing about me is the way I walk. I can't dance, I can't sing. I'm just standing here [teaching] everything."

FROM THE FILES OF ELIMIDATE—VUSL

Legal Trivia
Entertainment Edition

1) This University of Mississippi School of Law graduate wrote A Time to Kill.

2) 'Anatomy of A Murder' had an interesting cast which included Lee Remick, Ben Gazzara and George C Scott. What actor had the lead role as a defense attorney?

3) What Hollywood legend starred in '...And Justice for All?'

4) From 'The West Wing', what is the name of President Jed Bartlett's oldest daughter?

5) What actor starred in 'The Practice' and currently stars in 'Boston Legal'?

6) Who wrote 'I Fought The Law (And The Law Won)'?

7) 'Law & Order' has numerous spin-offs. List them.

8) Name the lawyer and the voice for tv's 'The Simpsons'

9) Who was the original Judge of 'The People's Court'?

10) Richard Mull played Nostradamus 'Bull' Shannon in this television series.

ANSWERS:
1) John Grisham
2) James Spader
3) Elizabeth Hurley
4) Ed Asner
5) James Stewart
6) Al Pacino
7) Special Victims Unit, Criminal Intent, and Trial By Jury
8) Sonny Curtisi
9) Joseph A. Wapner
10) Night Court