Conversations Project a big success

BY STEVE EHRMAN
Staff Reporter

The first Conversations Project event of the 2006-2007 academic year was a big success! The Christopher Center Community Room was mostly filled to capacity on Monday evening, September 11, 2006. With over 100 people in attendance from the university, law school and local community, the Conversation Project met its objective of providing a forum to unite all the colleges of Valparaiso University and the local community.

The event began with a piano solo, then a reading by a former VU undergraduate student of Charles Martin's poem, "After 9/11." Both the reader and Charles Martin were in New York on 9/11 and witnessed the events of that day. The poem reading was followed with a moment of silence.

Associate Dean Bruce Berner from the law school moderated the event. The program began with round table discussions allowing for individual remembrance and commemoration of the five year anniversary of 9/11. Comments from those at the table revealed a variety of perspectives.

Governor Daniels visits VUSL

BY MELISSA DURHAM
Editor in Chief

On Tuesday, September 19, the Valparaiso University School of Law Student Bar Association hosted Indiana Governor Mitch Daniels. The Governor wore no suit jacket and left his top shirt button undone and his tie loosened. Never once stepping behind the podium, Governor Daniels spent over an hour and a half having what can be described as a conversation with students and community members. Speaking to a standing-room-only crowd in the Ulbricht classroom of Wesemann Hall, the Governor answered the questions of law students and community members until there were no raised hands left in the room.

All those who asked the Governor questions received what appeared to be satisfactory answers. Notable was the Governor's use of each questioner's name at least once during his response. While answering other questions, the Governor often referred back to previous questions and discussions, referencing the asker by name.

Governor Daniels' law school experience was different from many of the law students at VUSL. He began as a part-time student at Indiana University School of Law and worked during the day. After being asked to move to Washington, D.C., for work reasons, he transferred to Georgetown Law School and became a full time student. Although Governor Daniels has accomplished much since graduating from law school he says that students should not model their legal study after his own.
NEWS

WLSA’s Night with the Professors

BY KRISTEN THOMPSON
Managing Editor

The Women’s Law Student Association (WLSA) hosted its annual Night with the Professors on September 19th at the Linwood House on the main campus. Approximately 50 female law students attended, as well as six professors and the Director of Student Services. The night included dinner and a question and answer portion, where students got a chance to talk to professors about their experiences as women in the legal profession outside of the law school.

President of WLSA, 3L Stephanie Sabo, said, “Our main goal of this night is to let female students know that they aren’t alone. We are half the law school, so we should be doing more.”

Each of the professors took time to tell the group about their lives as women in a legal profession. Professor Susan Stuart started the night off by stressing how important it is to keep your humanity in law school as well as your womanhood.

“Finding something you have a passion for outside of law school and getting involved with the community are great ways to stay grounded while in school,” said Stuart.

Echoing Stuart’s advice, Professors Rosalie Levinson and Linda Whitton also pointed out the importance of being connected to the community and taking care of yourself.

“A lot of being successful is figuring out how to keep normalcy in your life. Start forming lifelong professional habits that are good survival skills. Remember that it’s okay to take breaks, you have to learn to be kind to yourself,” explained Whitton.

Some students expressed their concern about having a career and a family. Professor Laura Dooley discussed how to balance both. All of the professors said that in order to do so, women need to set aside time for their families. Married students also provided some advice; 2L Maya Warrier said, “It’s hard being married while in school, but if you organize your life and make an effort to set aside time, you can get more accomplished.”

The focus of the night was to help female law students figure out how to cope with the stresses of school and planning a future. “It is important to understand the intensity of school and to have a covenant with people who care about you,” said Whitton. Director of Student Services, Marilyn Otis, was also on hand to provide details about the University’s counseling service for non-academic issues.

IL Victoria Reid said, “This was an excellent chance to meet other women in the school. All of the advice was relevant and interesting, and it was great to hear about the professors’ personal backgrounds.”

During the night, Sabo and the rest of the WLSA executive board discussed October being Breast Cancer Awareness month and encouraged the group to get involved with the Race for the Cure. This year WLSA is trying to do more; not only are they having a Night with the Professionals in March, but they are putting on trivia and movie nights throughout the year. Also, WLSA has set up a pro bono option at The Caring Place, here in Valparaiso, for both 2Ls and 3Ls.

Kristen is a 2L and can be reached at kristen.thompson@valpo.edu.
Law Commencement Speaker announced

Dr. Pat Choate will be the 2007 Valparaiso University School of Law Commencement Speaker. Dr. Choate is a political economist, think tank strategist, policy analyst, and author who studies U.S. competitiveness and public policy. He directs a Washington-based policy institute, the Manufacturing Policy Project, and teaches Advanced Issues Management at George Washington University’s Graduate School of Political Management.

Dr. Choate also co-hosts the nationally syndicated weekly radio program "The Week Ahead." He is the author of more than 200 articles, monographs, professional papers, and reports on U.S. competitiveness, trade, education, training, technology, politics and public policy. His best-selling book, Agents of Influence, brought international attention to the role of politics in global economic competitiveness.

Dr. Choate holds a Ph.D. in economics from the University of Oklahoma. In 1994, Dr. Choate was named Arthur Barto Adams Alumnus Fellow of the University of Oklahoma in recognition of his continuing scholarship and work.

VU enrollment second highest in 15 years

Total enrollment at Valparaiso University for the fall semester is 3,871 students, the second highest in 15 years.

Included in the total is the largest new freshman class in three years and the second largest since 1988. Among the new students are 760 first-time, full-time freshmen, the largest group since 793 enrolled in 2003.

Enrollment of 385 graduate students is the highest total since the graduate division was established in 1963. Other enrollment totals are 2,963 students enrolled in undergraduate programs and 523 students in the School of Law.

The combined enrollment total is the second highest since 1991, topped only by the enrollment of 3,970 students in fall 2004. The students represent 47 states, the District of Columbia and 48 countries in addition to the United States.

Women continue to outnumber men on campus as 52 percent of the students are female and 48 percent are male.

Among the new students, nearly one-third ranked in the top 10 percent of their high school class, including six percent who ranked first or second in their class.

The typical freshman had a 3.43 grade point average in high school on a 4.0 scale and a score of 1148 on the SAT, taking the test last year. Average ACT scores for new students also were significantly higher than the national average.

New students come from 35 states and 14 countries in addition to the United States. The Midwest is the most highly represented region of the country with 40 percent of new students coming from Indiana and 25 percent from Illinois.

Despite its international appeal, VU has a strong Northwest Indiana presence as 21 percent of the new students come from the South Shore region. The high schools providing the largest number of students to the freshman class are Valparaiso, Crown Point, Chesterton and Lake Central.

Archaeology lectures explore ancient Greece, Egypt

The annual lecture series of Valparaiso University’s chapter of the Archaeological Institute of America will include talks on ancient Greece, Mesopotamia and Egypt during the coming academic year.

Programs presented during the lecture series are:

Oct. 25 - "The Workings of a Mycenaean State," presented by Dr. Cynthia W. Shelmerdine, professor of classics and the University of Texas, will focus on the workings of Mycenaean economy and society and her current archaeological work on ancient Greece.

Feb. 27 - "City of the Grim Reaper: Rediscovery and Demise at Mashkan-shapir, Iraq," presented by Dr. Paul Zimansky, professor of archaeology at Boston University, will discuss the nearly 4,000-year-old ruins at Tell Abu Duwari, a stronghold of Hammurabi’s greatest rival.

May 2 - "The University Museum Tombs at Dira Abu El-Naga, Thebes," presented by Dr. Lanny Bell, a former field director at the University of Chicago’s Oriental Institute, will explore the excavation of the Ramesside tombs in Egypt.

The Oct. 25 lecture will take place in the VU Center for the Arts while the Feb. 27 and May 2 lectures will take place in the Valparaiso Union on campus. Each talk will begin at 8 p.m.

Prior to each lecture, a dinner with the presenting scholar will take place at 6:30 p.m. Those interested in attending the dinner should contact Dr. Mark Farmer, assistant professor of foreign languages and literatures, by e-mail to Mark.Farmer@valpo.edu or call (219) 464-5097 to purchase tickets. Tickets are $10 for each dinner.

For information about becoming a member of the AIA’s Valparaiso chapter, contact Dr. Farmer.

VU’s academics cited in college guide

Valparaiso University has been cited for academic excellence and its supportive campus atmosphere by a second national publication, following recognition by U.S. News and World Report magazine as one of the nation’s most outstanding universities.

VU is among the institutions of higher education featured in the new edition of "The Best 361 Colleges," published by the Princeton Review. Only 15 percent of four-year colleges in the United States are listed in the guide.

In "The Best 361 Colleges" guide, Valparaiso was recognized for its academics, quality of life, financial aid for students and having professors who build strong relationships to support their students. In its profile of Valparaiso, Princeton Review writes “Valparaiso’s brand-new Christopher Center stands as a shiny monument to the university’s dedication to academics.”

Among the other features cited in Valparaiso’s profile as attractive to students are the popular fair trade coffee shop in the Christopher Center, cultural programming sponsored by VU’s Office of Multicultural Programs and the student honor code.

Earlier in August, the University was ranked highly in academic quality and named a "best value" among master's level universities in the Midwest by U.S. News & World Report. For the third successive year, Valparaiso was the only Midwestern institution to be ranked among the top three in both categories; it also is the seventh consecutive year VU has been ranked among the top three institutions in both categories.

-Compiled by the Forum
useful in a variety of ways; it provides insight into decision making needed in other jobs." The Governor further explained how the decision making skills he acquired in law school have helped him in his job as Governor.

Daniels spoke about his experiences traveling Indiana. In his travels around the State he has seen people from all backgrounds. While campaigning for the governorship he even stayed in people's homes to save the money that would have been spent on hotel accommodations.

Questions asked of the Governor ranged from alternative energy sources, to medical malpractice, to homeland security. Regarding the formation of the Department of Homeland Security after the events of 9/11, the Governor explained that he was in the White House at the time of the attacks, and afterward there were serious discussions about what needed to be done to protect the nation.

In response to a question regarding protection of manufacturing and processing plants in Northwest Indiana, Daniels explained that after 9/11 each state was asked to come up with a list of possible terrorist targets in their state. "These were meant to be a starting point from which to really prioritize," he explained. Working off the list the government was able to decide which areas needed to be protected, and the Governor explained that not all places could be protected all of the time.

A VUSL student from Connecticut, IL Jose Vega, asked the Governor about his strategies for getting the name of Indiana out around the nation. Vega commented that all he knew about Indiana before coming to VUSL was that it had corn and basketball. Governor Daniels explained that although corn and basketball are important to the State, getting the name of Indiana to surrounding states for other reasons had already begun.

The Governor explained that getting the name of Indiana out around the world would help revitalize the state's economy. He reasoned that as other nations develop and have more disposable income, one of the first luxuries they will spend money on is protein, meaning meat, which Indiana can provide.

While answering a question about his leadership style, Governor Daniels explained that he does not live each moment for his job, and that whether he is in office for four years or eight, the most important thing is to "make sure that we leave footprints and that they are the right kind."

One of those footprints may be on education. There were several questions and quite extensive discussion about the schools of Gary, Indiana. The Governor discussed the education problems in that area of the State, including the recent teacher's strike.

On a lighter note, the Governor was asked about the origin of his catchy campaign slogan "My Man Mitch." President Bush had called Governor Daniels "My Man Mitch" on several occasions, so when the time came to pick a campaign slogan, that was chosen.

In closing, the Governor addressed public service. He explained the importance of public service and suggested the Indiana state government as a starting point for VUSL students looking for work in public service. "It need not be life long or full time," said the Governor.

After the event was over, the Governor put on a Valpo baseball cap which he had received on a previous visit and stood at the front of the room, speaking with students and members of the community. After speaking to all those who had waited to speak to him, the Governor spoke with the CNN reporters waiting in the VUSL atrium. As quickly as he had arrived, the Governor departed, but not before leaving the students of VUSL with thoughts about the future of the State and themselves.

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PROJECT

continued from page 1

experienced an inexplicable individual fear of "what next, and when?" as a common concern. However, one individual who was living in the UK at the time of the attacks noted that he "only knew something big had happened, because all channels were carrying coverage, but didn't understand what had happened immediately." The immediate fear of safety did not affect this individual because of the remoteness of the event being in the USA. Also, the time element seemed to provide a buffer. Because of the time change, by the time the news was broadcast in the UK, it was late in the day, and day pressures of preparing for the next day seemed to take precedent. Additionally, they knew that they would learn more by watching the morning news.

After individual discussion, the panelists spoke for 15-20 minutes each. The first panelist, James Nuechterlein, spoke of his remembrance of the day's events. On 9/11, Professor Nuechterlein was working only a few blocks away from the World Trade Center. At the time of the 9/11 attacks, he was the editor of First Things, a journal published by The Institute on Religion and Public Life. He shared his amazement and disbelief of the day. Professor Nuechterlein shared that although New York may seem cold and divided to outsiders, but in fact many lives are intertwined in micro-communities. Thus, 9/11 impacted many on an individual basis. At first the pictures of lost ones were a functional method of identifying wounded people. Once it was realized that not many people survived, these turned into a memorial, and then, as it wasn't maintained, slowly faded away from effects of the weather.

Next, Petty Officer (PO) Marc Evans of the United States Coast Guard spoke. PO Evans was assigned as the Operations Officer aboard the 87 Foot Coast Guard Cutter Dorado out of San Francisco, Calif., on September 11, 2000. The Cutter Dorado was instrumental in the securing of San Francisco Bay both immediately after and for the months following the 9/11 attacks. PO Evans said that after 9/11 he has a new sense of pride in what the Coast Guard does. The Coast Guard is now a unit of the Department of Homeland Security. PO Evans reminded us that we must all be on the lookout for suspicious activity and report this to any local authority. One of the positive outcomes of the events has been the seamless communication between law enforcement agencies, not previously shared.

Finally, Professor Maria Luisa Garcia-Verdugo spoke. Garcia-Verdugo is a professor at Purdue University-Calumet's Department of Foreign Languages and Literatures. Professor Garcia-Verdugo is an immigrant from Spain and read her immigration letter of welcome from President Bush which reminded us that a strong America means always looking out for your neighbor. When Garcia-Verdugo was later asked how differently terrorism is viewed in her county Spain, she acknowledged that you become numb to the events, and learn to go on with your life. Otherwise, she reminded the crowd, the terrorists have scored a victory.

The objective of the Conversation Project was realized at this event. This event brought even those who did not attend in contact with the University through local media coverage of the event. Also, a recent graduate of Valparaiso University School of Law, Eric McNamer, saw the 9/11 Commemoration announcement in The Forum which he still receives and reads as an alumni. Eric e-mailed me inquiring how the event unfolded. Eric now lives and works in Manhattan, practicing aviation law, specifically with the litigation surrounding the events of 9/11. The Conversation Project truly does help facilitate conversation, and makes the world seem a little smaller! Join us at the next Conversation Project!

Steve is a 2L and can be reached at stephen.ehrman@valpo.edu. For information or suggestions on this or future Conversations Projects, please contact Professors Bruch and Telman at the Law School.
A symposium on global warming and renewable energy solutions

BY VIRAJ PARMAR
Guest Reporter

"Global warming is no longer a controversial, unknown phenomenon, instead there is clear and factual evidence supporting its existence and harmful effects. Some of the most obvious signs are visible in the Arctic, where rising temperatures and melting ice are dramatically changing the region's unique landscapes and wildlife—as well as people's lives and livelihoods. Across the globe, other early warning signs include melting glaciers, shifting ranges of plants and animals, and the earlier onset of spring."

- From the Union of Concerned Scientists.

On October 12, the Valparaiso Environmental Law Society, along with the Valpo Law Republicans, Democrats and other student and community groups, will present a symposium on climate change and renewable energy policy in Indiana. The symposium, “Turning a Crisis into an Economic Opportunity for Indiana,” will begin at 5:30 p.m. in the Law School's Tabor Auditorium. Our State Senator, Karen Talian, will present three distinguished speakers who will address the issues, consequences and solutions to the climate change crisis.

First, author and journalist Chad Kister, will discuss the startling evidence of climate change he witnessed first-hand during his extensive travels in Alaska. Specifically, in 1993, 2004 and 2005, Kister backpacked and rafted 700 miles through the Alaskan Arctic National Wildlife Refuge and has published several books and a documentary film about his experience. Also noteworthy is Kister's involvement in lobbying Congress to take action on climate change and his experience as a delegate to the United Nations Convention on Climate Change.

Next, Jesse Kharbanda a policy advocate with the Environmental Law and Policy Center, will talk about his work promoting the Indiana Farm Bill and renewable energy policy. A former Rhodes Scholar in development economics, Mr. Kharbanda will illustrate how this proposed legislation will reduce Indiana's contribution to global warming pollution and provide a significant economic growth opportunity for the State.

Finally, from our own campus, Dr. Bob Palumbo, Professor and Chair of Mechanical Engineering at Valparaiso University, will educate the audience about his work in sustainable energy technology development through research in solar thermal chemistry.

Guest presentations will be followed by Q&A and an opportunity to meet people from around the city, county and region. Elected officials, economic development groups, professionals and a wide array of students from the fields of law, to engineering and business are expected to attend. Our local actions have global consequences. The positive changes we initiate here in Indiana will have positive, global effects. We invite you to attend.


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EMployment LAW and Religion


The Third Circuit Court of Appeals ultimately agreed with the District Court, but on different grounds (see “Secondary Authority” on page 7). According to the opinion by Circuit Judge D. Brooks Smith, rather than affirming the District Court’s reasoning, the Third Circuit held that the ministerial exception is applicable under Rule 12(b)(6) because it “does not act as a jurisdictional bar, but rather, is best viewed as a challenge to the sufficiency of Petruska’s claim.” Elaborating, Brooks wrote that the “exception may serve as a barrier to the success of a plaintiff’s claims, but it does not affect the court’s authority to consider them” as Rule 12(b)(1)’s jurisdictional bar suggests.

The court then considered the substantive claim concerning the ministerial exception on which Petruska’s claims were dismissed. The court formulated the precise issues as “whether applying Title VII to Gannon’s decision to restructure would infringe upon its free exercise rights and whether adjudication of Petruska’s Title VII claims would result in unconstitutional entanglement under the Free Establishment Clause” of the First Amendment. In its reasoning, the court was mindful of the interrelation of a religion’s message and that religion’s method of selecting the message’s deliverer. “A minister is not merely an employee of the church; she is the embodiment of its message,” Smith wrote. “A minister serves as the church’s public representative, its ambassador, and its voice to the faithful. Accordingly, the process of selecting a minister is per se a religious exercise.” A restriction on this exercise by an adverse decision, the Court concluded, was necessarily an infringement of the Catholic Church’s free exercise. The Third Circuit held likewise regarding the procedure of how the church selected its representatives in ministerial functions.

The Third Circuit applied the same analysis to eliminate a number of her state law claims as well. Judge Smith said that since the church’s procedures were protected by the Free Exercise Clause, dismissal of her claims of civil conspiracy, negligent supervision and retention, and fraudulent misrepresentation was required. The only claim that survived 12(b)(6) scrutiny under both the Free Exercise and the Establishment Clause was one state law breach of contract claim.

PRODUCTS LIABILITY; DAMAGES


The order in this case dealt with posttrial motions in the case of Barnett v. Merck & Co., 438 F. Supp. 2d 664 (E.D. La. 2006). In that sister case, a jury held the pharmaceutical company Merck liable for injuries caused by the drug Vioxx to Gerald Barnett, a former FBI agent. Barnett took the drug beginning in 1999 to relieve neck and back pain. In 2002 at the age of fifty-eight, Barnett had a heart attack that, he alleged, was caused by his Vioxx prescription. Barnett sued Merck under three theories: strict-liability failure to warn; negligent failure to warn; and deception by concealment. The jury returned favorable liability verdicts on the last two of these counts. In addition, the jury returned an award of $50 million in compensatory damages. Upon considering the issue of punitive damages, Barnett’s counsel presented Merck’s national sales figures for Vioxx, and the jury subsequently awarded Barnett an additional $1 million.

Judge Eldon E. Fallon, writing for the Eastern District of Louisiana, upheld the findings of liability as reasonable. However, Fallon took issue with the jury’s findings on damages. Looking to “state law standards of excessiveness,” Fallon specifically held that the compensatory damages award was “excessive under any conceivable substantive standard of excessiveness.” The Court cited to evidence that tended to show that the effect of Vioxx on Barnett’s lifespan was inconclusive, that he was retired and could not recover lost wages, and that he had already returned to a number of his daily activities. Thus, the Court characterized the compensatory damages award as “grossly excessive” and violating the standard that such an award should not “appear to be the result of passion, caprice, prejudice, or some other influence outside the evidence.” The Court ordered a new trial on the issue of damages.

U.S. SUPREME COURT OCTOBER 2006 TERM PREVIEW

ENVIRONMENTAL LAW

Massachusetts v. EPA, 05-1120.

Certiorari granted to the D.C. Circuit to determine whether or not the EPA can and should regulate greenhouse gas emissions from cars, trucks and SUV’s.

Fearful of the progression of global warming and unsatisfied with the executive branch’s response to such fears, a number of environmental groups and state governments sued the Environmental Protection Agency. The suit came after the EPA denied a petition for rule making that would have resulted in the EPA’s regulation of “greenhouse gases” from “mobile sources” such as cars and sport-utility vehicles. The thrust of the plaintiffs’ argument is that these gases, particularly carbon dioxide, are pollutants within the meaning of the Clean Air Act, and that therefore the EPA should regulate their emissions from mobile sources. The EPA ultimately determined that the Clean Air Act does not give the agency the ability to regulate emissions for the purpose of addressing climate change concerns. The Court will rule on three questions: 1) the standing of the petitioning states and organizations; 2) whether the EPA acted within its discretion in denying the petition for rule making, and; 3) whether the EPA has the authority to regulate the subject emissions under the Clean Air Act.

CRIMINAL PROCEDURE


Certiorari granted to the Eleventh Circuit to determine whether attempted burglary, as opposed to burglary actually completed, suffices as a “violent felony” for purposes of a federal sentence enhancement.

Alphonso James was convicted of attempted burglary in 1997, and convicted of both trafficking in illegal drugs and trafficking in cocaine by possession of
Secondary Authority
When religion and discrimination collide

BY NICK GAEKE
Staff Reporter

The facts leading to the Third Circuit’s recent decision in *Petruska v. Gannon University* demonstrate an unfortunate principle of our legal system: sometimes necessary decisions must be made from horrible, horrible facts.

In that case, the university’s provost-turned-president told Lynette Petruska that the overarching reason her job was being “restructured” was because she was a woman, and the bishop didn’t like working with women in this capacity. In any other context, this case probably would have settled long before any legal questions were being argued before appellate panels.

Mindful of these facts, it appeared that the Third Circuit was originally going to hold in favor of Petruska. According to The Legal Intelligencer, Judge Edward Becker, in one of his last written opinions before his death, was prepared to narrow the ministerial exception to Title VII, which prevents workplace discrimination claims against religious institutions from proceeding if the decision in question involves the organization’s ministerial function. Judge Becker was to opine, over Judge D. Brooks Smith’s dissent, that “[w]here a church discriminates for reasons unrelated to religion, we hold that the Constitution does not foreclose Title VII suits.”

However, Judge Becker has moved on (presumably to a better place), and Judge Smith has now commanded a unanimous panel to hold for the university. In the final analysis, the true issue is what the government should do when faced with discrimination suits against churches and religious organizations, the substance of which may very well involve the church’s normal process in selecting the speaker of its message.

Here, as in many other circuits, the court chose to take the right, albeit bumpy, road with regard to religion in this issue.

A number of religions, and very notably the Catholic Church, pursue an undeniably patriarchal structure with very definite ideas about the place of those men and women who choose to engage in ministry. This has come into conflict with the equally amenable American ideals of equality and fairness.

But in the end, with the already feeble nature of the First Amendment’s Free Exercise Clause, all that has to happen for an un-American degradation of religious freedom is for a court to make inroads into a church’s processes for picking those who speak its word. With the prioritization of religious integrity by the Constitution’s writers, we can be assured that a church can choose who speaks for it, and that the government has no similar say.

What *Petruska* demonstrates is that the true venue for arguably unacceptable discriminatory practices in church life is not a court, but the church itself.

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The library and librarians

The law school is a large and busy educational enterprise. About 75 people work here full-time and a similar number work part-time. Classes run from 8 a.m. until as late as 8 or 9 p.m. We have a busy library that is open 11 1/2 hours a week (more during exam periods). Our faculty members speak and lecture around the world, and influence the development of law both locally and nationally. We have six (and soon seven) popular and successful clinics. We have frequent lectures and special programs; dozens of active student organizations; and a plethora of counseling and career programs through the Career Planning Center. Prospective students continually course through the building. It is a lively and energetic place.

An educational enterprise this complex requires a great many people and large financial resources to ensure that the school fulfills its mission and delivers excellent services. In terms of both people and resources, the two largest parts of our operation are the faculty and the library. This is not surprising, since those two are the two parts of the law school most central to our mission of teaching students and supporting and advancing the system of law and justice.

Libraries are expensive and they become more expensive every year. Contrary to popular belief, we can’t simply “go digital”—there are far too many legal materials that are not in digital form or that can’t be relied on solely in digital form. Thus we must continue to buy books and serials. Yet, the rate of inflation in legal publishing is unbelievable. In addition, more space is always needed—not just for more books and serials, but also to make room for more services. There is always more to do, more to buy, more to provide.

It is a basic rule of life that a person rarely can do everything he or she wants. Goals tend to be unlimited but capacity is always finite. This rule applies to libraries. As a practical matter, in building or improving a library, one can emphasize: (a) collection; (b) space; or (c) services. But one can’t emphasize them all. Our choice has long been to give priority to services, because the main purpose of a library—at least a law school library—is to educate and serve students. Books and space are important, but only as tools to fulfill the library’s educational and service mission.

One way that we invest in service is by encouraging librarians to channel much of their time and effort into direct contact with students. Thus, our librarians teach the first-year legal research course—a large demand on their time, but in our experience a highly worthwhile one. We continually receive praise from employers for the research skills of our students and graduates, and hear stories from students about how they taught basic legal research to fellow summer clerks from other schools. And Advanced Legal Research has given many a student a competitive edge in employment.

Another way we invest in service is by facilitating the work of librarians and library staff members outside the law school, to benefit students and the school. Sally Holterhoff, the Government Information and Reference Librarian, is currently President of the American Association of Law Libraries, and in that capacity is in a powerful position to help others in law and legal education (here and abroad) learn about the law school, programs, its faculty, and its students. Naomi Good- man has been President of the Chicago Association of Law Libraries and has also been able to make valuable contacts for the school. Gail Hartzell is editor of the Chicago Association’s magazine. The list of librarian service of this kind can go on and on.

In still other ways the librarians...

The Dean’s Corner

JAY CONISON

The ringing of cell phones in class shows a complete lack of respect for those around you and for the professor. If there is something so important that you need to receive a phone call during class, then you have two options. First, perhaps you should not be in class. Alternatively, if you need to receive calls during class, put your cell phone on vibrate. Although this can still be heard by those around you, it is not nearly as loud or distracting as a ringing cell phone.

Much like a dancing hot dog or a singing bear, these words will likely be completely ignored and may cause several people to smile or laugh.
Your Law School community

The semester is nearly half over and so far it has been a success. Most of my emails and articles have been of a cautious nature instructing students how to act and giving advice on school, but this article is a congratulatory one. At the time I write this article, there have been good times had by all with few mishaps, and it seems like most students respect their peers.

Governor Mitch Daniels was extremely impressed by how professional everyone looked on his recent visit. First impressions can mean the world and so far it has been of a cautious nature instructing students how to act and giving advice on school, but this article is a congratulatory one. At the time I write this article, there have been good times had by all with few mishaps, and it seems like most students respect their peers.

As the SBA President, I get to meet most of you throughout the year and know you on a personal level. However, sometimes I see students go through law school without knowing that one person’s name that they always say hello to in the hall. This time of year is a great time to meet new people. 1Ls, this is a great way to meet your classmates and build a bond that will last for the next three years. 2Ls and 3Ls, this is the time to meet the incoming class as well as those interesting people that you see in class, but have yet to meet. Regardless of your class level, I’m sure you have realized we are one big community. Enjoy the atmosphere and take an active role to better the community. If you have an idea that will better the law school community, stop by the SBA office and let us know. If I am not in the office, please just leave a note on my desk. I can sincerely say that SBA takes every student concern seriously. In fact, if you want to discuss your student concern with the SBA, let me know and I’ll put you on our next week’s agenda. If it concerns something that is outside the scope of the SBA, I meet with Dean Conison, Dean Berner, Dean Cichowski and other faculty members almost daily and would be happy to pass the message on to the “powers that be.”

There are many different ways to meet people at the law school, one of which is through SBA events. Most students think that SBA only sponsors social events that include alcohol, but this is not the case. SBA has new events that will promote camaraderie at the law school without alcohol. SBA is looking to sponsor a law school tailgate at one of the Valpo football games this fall. This is not only an opportunity for students to meet other law students, but it is also an event that provides students with an opportunity to get acquainted with all Valparaiso University has to offer. Also, check the calendar outside the SBA office. All organizations are funded by SBA, which means all organizational events are funded by your student fees. This is beneficial to all students because nearly every event, at least those held here in Valparaiso, is open to the entire law school student body.

Ultimately, take advantage of more than just the education at VUSL. Ten years down the road you will remember the people you met almost as much as the Federal Rules of Civil Procedure and the Rule Against Perpetuities.

Aaron is a 3L and can be reached at aaron.beck@valpo.edu.

Mock Trial prepares for fall season

BY NICK GAEKE
Mock Trial Chairperson

For the Valparaiso University Mock Trial Team, this fall semester has already been marked with growth and greater recognition in the law school community. From the new Student Advocacy Center, to the team’s stellar membership, to this year’s lineup of competitions, the Mock Trial Team is sure to continue on the path to success.

For the first time, the Mock Trial Team has access to administrative space in the law school building. With the meaningful support of Brad Shively and the rest of the Moot Court Honor Society, our two teams have moved into the brand new Student Advocacy Center. Equipped with new computers, printers, and other amenities, this space will allow our organizations to conduct effective research, produce winning work product, and perform administrative duties necessary for success on our level of competition.

This year, the Mock Trial Team is blessed with effective leadership and an unprecedented crop of effective trial advocates. This year’s Executive Board and returning membership represents some of this law school’s best in the courtroom. The Board is composed of Michelle Spezia, Erin Brady, Jillian Keating, Christine Parry and myself. Together with 3Ls Vanessa Samano, Bill George, and John Angelo the team’s retention is the highest it has ever been.

The team has also enlisted the participation of twelve new members whose talent, already demonstrated in two-round tryouts, bodes well for the future of the team. New members include Mike Abel, Shalonda Crump, Kevin Gilmartin, Jenn Kolk, Megan Krol, Andrew Martin, Becca Meyer, E.B. Newberry, Anthony Nwaneri, Andrew Palmison, John Peluso, Matt Snyder and Sherwin Tsai.

This fall, the Team is scheduled to participate in two competitions that allow our members to prepare for the two major national competitions held each spring. First, some members of the team will represent VUSL at the Seventh Annual National Trial Advocacy Competition, hosted by Michigan State University College of Law. The fact pattern for this competition concerns the murder of a hockey player by a member of a rival team.

Second, the rest of the team will participate in VUSL’s Third Annual Intrascholastic Trial Advocacy Competition (ITAC). Originally developed as a teaching tool, ITAC has developed into a full-fledged competition where competitors can win a number of awards for excellence in the various aspects of trial advocacy. The competition is composed of four teams made of Mock Trial Team members whose skills are evaluated by real judges and local attorneys.

Stay tuned for more information about the team or ITAC. In the meantime, if you have any questions about the team, feel free to email any of us, or just stop by the new Student Advocacy Center.

Nick is a 3L and can be reached at nicholas.gaeke@valpo.edu.

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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, 656 S. Greenwich Street, Valparaiso, IN 46383; via e-mail at forum@valpo.edu; or in hard copy to The FORUM's mailbox located in the SBA office.

forum@valpo.edu

Letter to the Editor

Melissa Durham wrote a very informative article regarding Plan B in the August edition of The Forum. This might seem to be a great option for family planning, assuming it is medically safe. But neither Plan A nor Plan B is emotionally safe. I want to tell you why you should avoid both plan A and plan B if you want a better likelihood of a happy and long-lasting family.

I graduated from VUSL in 1987, got married in 1993 and was divorced in 2003. This is what Plan A did for me. It helped me to have pre-marital sex with several women before I met my wife. I was lucky enough to avoid disease and any pregnancies despite a mistake with Plan A. I did not avoid hurting each of those women. Plan B helped me have pre-marital sex with my future wife as well, and I fell in love. I really thought it was love or I wouldn't have married. It was after my wife left me that I had to figure out why we could not solve our problems.

In a nutshell, the premarital relations created a false sense of intimacy, and we were never deeply intimate with our thoughts, feelings and emotions. We didn't know each other well enough to have complete trust and thus open and honest communication on difficult man/woman issues. We did not become one. We consummated a relationship between friends, and it didn't really get much farther.

I really hope others are able to do better if they make plans with A or B in mind. But consider this. Neither plan is natural. They are both artificial changes to human nature and creation. They affect the great miracle of life. What people formerly reserved for their single mate for life (perhaps out of practical necessity) can now be freely given on the spur of the moment to the temporary excitement of Tom, Dick and Jane. No one can doubt the power of sexual desires. In a sex-sold media we are reminded every day of that excitement. Guess what? Lust doesn't last long in marriage. You singles may conceptually agree with that. But if you don't think you have enough of a relationship to get married without premarital sex, you probably don't. Granted, there are a hundred other reasons why marriages fail, but this one is your greatest gift that you can give to another. Are we always hurt when these relationships end? Not if they don't mean much. Now tell me how much your spouse will mean to you after 5 or 10 others.

I facilitate a divorce recovery class in Albuquerque, New Mexico. I've been involved for just 3 years now, but the sadness of divorce hits hard enough for me to write this for you. Please do well.

Michael Hoeferkamp
Co-Facilitator of Divorce Care program at Hoffmantown Church, Albuquerque, NM
www.divorcecarenm.com
Valpo middle school of law

Looking back on my time at Valpo Law, I find it very interesting that an institution of higher education has such an immature and regressive culture. I mean everyone hears the proverbial Valpo as a student, and saw the cliques has such an immature and regressive culture I was honestly disappointed. When I stepped into Valpo as a student, and saw the cliques hanging out by the lockers and started to hear the 'who hooked up with who' rumors I was honestly disappointed. Why is alcoholism such a problem among legal professionals? I bet that can be answered at many law school parties.

What is most upsetting to me and why I am writing this column, is that this culture alienates and snubs non-traditional students in many ways. The SBA certainly collects a lion's share of student activities money from us, but spends it on the beer fests which typically the average 30 year old isn't going to enjoy. Non-traditional students are a large minority at Valpo Law, and I am speaking for many of us in expressing my disappointment in how our money is spent to keep the same group of students in booze. I have spoken with SBA President Aaron Beck about this, and opened up communications with SBA members of your drinking club. The response I received was alcohol is supposed to be for all of us is something 13-year old Junior High School Students are suppose to do... not twenty-something law students.

Steve is a 3L and can be reached at steve.sutow@valpo.edu.
Many moons ago a man sat alone in the woods with nothing but some peyote and a knife. The knife was for protection, but the same cannot be said about the peyote as it was for eating. After taking the peyote the man experienced what is known in the Native American culture as a “vision quest” (which is also a great movie starring Matthew Modine). During his vision quest the man realized that the world could be vastly improved if everybody in it was a borderline stalker, and that he must do everything within his power to make this realization come to fruition. After killing a grizzly bear with the above-mentioned knife, the man left the woods and pitched his idea to a group of business-savvy internet entrepreneurs. Soon thereafter the Facebook was born and the world (mainly the slacker undergraduates and post-graduate student portion of the world) has never been the same.

For those not in the know, the Facebook is a website on the internet where Student A can post various pictures or information about himself so that Student B from across the country can learn all about Student A. If Student B decides that Student A is a pretty cool dude then Student B can request to be friends with Student A. Student A will then either accept this complete stranger as a friend, or deny him. If accepted, a picture of Student B will show up on Student A’s Facebook page, and a picture of Student A will show up on Student B’s page. The long and short of it is that spending time on the Facebook is infinitely more enjoyable than all of the “reading,” “attending social functions” or “interacting with actual live people” that our parents used to do when they were students.

It is because of the Facebook that I know: (1) Tim Suha enjoys listening to the The Ying Yang Twins; (2) Shijo Mullappallil loves sculpting his guns and watching “One Tree Hill”; and (3) that the favorite television show of every damn girl in law school is “Grey’s Anatomy.” Back in the day it would take a person days of good, hard stalking to find out that information. Thanks to the miracle that is the Facebook, though, this information is just a mouse click away. Menial information such as a friend’s favorite TV shows or best-loved inspirational quotations should satiate the stalker-lust within most people. At some point over the last month, though, the Facebook decided to take it to another level.

It seems that the man who created the Facebook had another peyote-induced vision. He realized that merely knowing something akin to the fact that Lindsay Huusko’s favorite music, “depends on wherever her mood takes her,” does not amount to true stalking. A true stalker must know what his friends are doing every minute of every day. The man again told his vision to that group of business-savvy internet entrepreneurs (this time with even more grizzly bear blood on his hands) and four weeks ago two major breakthroughs in the field of stalking came to the Facebook.

The first is what is known as the “News Feed.” Once you sign onto the Facebook the “News Feed” page comes up. On this page everything any of your “friends” have done while being logged onto the Facebook over the past day or two is posted for you to see. So, without even tailing them or breaking into their homes and stealing things, I can find out that: (1) former VUSL student Jim Lynch was tagged in a photo album entitled “Just Another Saturday Night” at 12:54 AM on September 19th; (2) Leslie Adams was “bein awesome” at 4:45 PM on September 18th; and (3) at 2:29 PM on September 20th, Sherwin Tsai posted on Leslie Adams’s wall, “Hey Thanks! Anyone who is bringin’ sexy back is ok in my book!” (Note: Sorry to pick on you twice Leslie, and are you really bringin’ sexy back or are you just saying that?)

The second Facebook change is even more geared to stalkers than the first. The second change is known as the “Mini Feed” and it comes up whenever you click on your friend’s page. The Mini Feed displays the last ten things your friend did while logged onto the Facebook. Because of the mini-page you can find out what your friends have been up to for the past month without having to pay some sleazy shamus to follow them around. For instance did you know that on September 10th, at 11:56 PM, Jon Berbari for some reason dropped out of a group named “I Laugh At Dorky Ppl At Valpo” (I can understand as I usually throw rocks at dorky ppl in Valpo, and it is NO laughing matter), that on the five year anniversary of September 11th Aaron Beck and Aaron Richter became Facebook friends (USA! USA! USA!), or that on September 17th Joe Lesner got his fifth friend in Valparaiso (Way to go roomie! Locust Court Apartments represent!)?

Personally, I find all of these changes on the Facebook to be quite disturbing. You see, I am what is known as a “sleazebag” and have never really been interested in being a stalker. As a “sleazebag” I find the anonymity of the internet to be quite appealing. If the Facebook can tell everybody what I have been up to on its web page, then who is to say that the web pages I look at while crying alone in the dark in my bedroom at 3 AM on a Wednesday couldn’t do the same? And what’s to stop some asshole from publishing this information in some sort of a monthly newspaper? So Facebook, if you are reading this, please stop taking directions from that peyote-crazed mountain man and take the “News Feed” and the “Mini Feed” off of your website! The private lives of individuals are at stake!

As a side note, would any of you readers mind being my Facebook friend? I promise not to stalk you or send your pictures to my friends for ranking purposes. Plus I really want to get into the triple digits.

Ryan is a 3L and can be reached at william.abresch@valpo.edu.

Attention Writers

The FORUM wants you!
e-mail: forum@valpo.edu
Lunch lady land

BY TOM HILLERS
Columnist

Meet Sparkle and Domino: AKA the greatest lunch ladies on the face of the earth.

Last weekend, when I ran into the two of you at Duffy’s, you were going by the names Sparkle and Domino. What’s with these name tags, Nancy and Betty?

DOMINO: (Name Tag: Betty): Our name tags are a part of our reality tv show.
SPARKLE (Name Tag: Nancy): Right

Now, for the past two semesters I’ve been keeping my eye out for the two of you at the bar, tell me, where do the two of you go to party?

DOMINO: The ARC. Doesn’t everybody go there to party?

SPARKLE: Right

So, if I, or any law student for that matter, happen to run into you this Thursday night at Bin Willy’s around oh say 1:00 a.m. would you be willing to let me, or say, Aaron Beck, get your number?

DOMINO: It will already be on our T-Shirts

SPARKLE: He already has my number. Call me Aaron.

Let’s change gears for a second. I know the two of you hear more gossip than a priest, so give me the juicy details about the secret life of the ladies man Derrick Carter?

DOMINO: Whatever happens in the lunch room stays in the lunch room.

SPARKLE: Oooo Derrick Carter.

Earlier, you all agreed that Fridays should be martini and jungle juice day: is it true that to sell alcohol in Indiana an establishment has to apply and be approved for a liquor license?

DOMINO: Only if you want to do it legally.

How about your favorite musician? What do you listen to to pump yourselves up for a long day in the lunch line?

DOMINO: Korn

SPARKLE: Ha Ha Ha. Yeah, Korn.

SPARKLE: Laws. Fooey!

I want to try to get to know the women behind the blue aprons: if you were stranded on a desert island, would either of you want to be stranded with, oh say, Steven Probst? He could fill your days with twisted tales of his encounters with the Posse Comitatus Act...any takers?

DOMINO: Who’s Steven Probst?

Who’s that blond guy over there in the corner selling coffee? Is that your older brother Sparkle?

DOMINO: That’s our man servant.

SPARKLE: [Winks and waives]

Please complete the following sentence, so that I know you really are lunch ladies: “Sloppy Joe, Slop, ah Sloppy ___ _ __

SPARKLE: Ah...I’m not sure.

DOMINO: JOE

Sparkle, I knew you were an imposter.

DOMINO: She’s still in training.

The moral of this story is that there are two (usually three) incredibly interesting women working right here in our very own cafeteria. So take the time to get to know them—they’ll make it worth your while.

Tom is a 3L and can be reached at tomyhillers@hotmail.com.

SPARKLE: Good one.
Anna and Alicia’s Appetite Advice

Restaurant: Don Pablo’s
Cuisine: Mexican
Location: Highway 30 in Merrillville

The colorful, energetic atmosphere of Don Pablo’s sets the mood from the moment you arrive. Surrounded by festive Mexican décor, the patron gets a taste of Mexican culture along with his meal. If you happen to be celebrating a birthday, you can look forward to a serenade from the staff while wearing a decorative sombrero. A must to start off the evening is one of the top shelf margaritas. Our personal favorite is the raspberry margarita. This tasty and sweet concoction goes very well with the Don Pablo’s queso dip accompanied by warm tortillas and chips. It’ll be hard not to fill up on this cheesy delight. For those of you who do not have a sweet tooth, you will enjoy the wide variety of American and Mexican beers.

While most of the menu caters to Mexican dishes, the burger-lover will find several choices. However, the menu offers a wide variety of combinations of all your Mexican favorites. We particularly recommend the Club Quesadillas which are technically an appetizer, but work just as well as a meal. Small or large portions are available, depending on how much queso you ate. Another favorite are the fajitas which are served sizzling hot with peppers, onions, cheese, lettuce and pico de gallo. You can choose from steak, chicken or a combination. For those of you who have a bigger appetite and are a little more adventurous, there are the combination plates. There are several combinations to choose from and you can also make your own. Choices include enchiladas, flautas, tacos and burritos. At this point in the meal, don’t forget to order that second or third margarita!

If you still have room afterwards, share one of the authentic Mexican desserts, such as the fried ice cream. This sweet, crunchy, cinnamony blend is the perfect way to end the evening. The service you will receive goes along with the quality of the food: not over the top, but enjoyable. The waiters are friendly, but not always extremely attentive. This is perhaps due to the large size of the restaurant and large volume of customers. Overall, Don Pablo’s is a great place for a casual date or an evening out with friends.

Alicia and Anna are 2Ls. Alicia can be reached at alicia.meyerhoff@valpo.edu. Anna can be reached at anna.cios@valpo.edu.

That’s Entertainment!
(Quality study breaks for the busy law student)
Crises and consequences in The Last Kiss

Tony Goldwyn’s drama The Last Kiss deals with growing up and fear of the potential for failure in adult relationships. Michael (Zach Braff), quickly approaching 30, has the job, the hybird, the home he shares with his gorgeous girlfriend Jenna (Jacinda Barrett) and is living the life he has always pictured. After Jenna informs him that she is expecting, Michael experiences a premature mid-life crisis and frets that his life has “no more surprises.” Alas, along comes 20-year-old temptress Kim (Rachel Bilson) to spice it all up for Michael and possibly cause him to lose the love of his life.

Michael’s worries are inspired and offset by the relationship crises going on all around him. Jenna’s parents, Anna and Stephen, seem to have the perfect 30-year marriage. However, Anna is miserable and feels invisible to her analytical husband. Michael’s friend, Chris (Casey Affleck), is a new father in a marriage that has already turned loveless and cold. Another friend, Izzy (Michael Weston), basically cries in every scene he is in because of a recent break-up. Finally, Kenny (Eric Christian Olsen) refuses to enter a committed relationship, even though he is obsessed with his current fling. Some of these storylines were left hanging and underdeveloped, like those of Kenny and Izzy, though it hardly matters, as they were mostly superfluous anyway. But maybe that was the point, that change is continuous and the events of life do not always resolve themselves.

The performances were Last Kiss’s strongest feature, helping to partially make up for what was lacking in plot. There were a few melodramatic episodes, and a poorly executed fight scene between Michael and Jenna that hit a plateau before it had a chance to develop. However, Zach Braff was excellent and carried the film with ease. Bilson truly shined as Kim, and proves that she has more to offer than Summer from The O.C. The most noteworthy performance comes by Blythe Danner as Anna, Jenna’s mother. Her portrayal as a soon-to-be grandmother who yearns to feel love and passion is compelling and worth remembering.

The Last Kiss is not the new Garden State I was hoping for because it lacks the satisfaction of the characters jumping headlong into the “infinite abyss.” Comparisons to Garden State may not be applicable here, as Braff didn’t direct this film. Braff’s influence, however, seems to be felt throughout the film, as in his flawless shifts from cynical comedy to drama and the image of him lying on a stark white background, depressed but determined (there’s also what may or may not be a quick homage to the famous “bathroom camouflage” shot from Garden State). The film also boasts a soundtrack of his hand-selected songs. In fact, the film’s posters copy the fonts and colors of the very hip Ultra album label, probably to attract those listeners. The soundtrack includes my friend Amos Lee, along with Snow Patrol, Coldplay and Imogen Heap to name a few. The Last Kiss expresses the fear of change, as well as the fear of no change. Because, lets be honest, it is scary to be able to name your last kiss. Movie: B-

I neglected to rate the film last month, but Little Miss Sunshine deserves an A.

Michelle is a 3L and can be reached at michelle.spezia@valpo.edu.
When someone asks me what I think about Valparaiso, the first thought that comes to my mind is the people. For those of us from more urban areas, this is probably one of the most unique characteristics of this town.

My mailman knows my name and waves to me when I’m walking to school. People call out to me using my name while I pass them in the street and start having actual conversations with me. Back at home, I could have passed the same person every day for years and I wouldn’t know her name, much less share more than two words with her. And here, store employees talk to me as if they have known me for years and are catching up on daily news. Even the staff at the post office is nice.

The law school is also somewhat different from a lot of other law schools in the country. VUSL gives new meaning to “open door policy.” Professors not only have open doors for their students, but they approach students and make themselves more than available for any questions or general discussions on almost any topic.

Professors also invite students for class dinner parties and socialize with students at school events on a regular basis. Certain professors will even go out of their way in order to accommodate students in whatever they set out to accomplish. At VUSL, a professor’s desire to help a student takes on a new meaning. And last but not least there are the students who make VUSL the community that it has become. We all have our good days and our bad days, and on those bad days there is always another student with a smiling face and friendly wave passing by. These are the people who know most about the everyday experiences we’re all going through, making a face movement and a hand motion worth much more than its face value.

Even though small gestures to most, in law school, the people of the city of Valparaiso and the students and educators of VUSL make all the difference.

Marina is a 3L and can be reached at marina.ricci@valpo.edu.

Q: I recently was the subject of, du du du, Valpo gossip. The story was totally fabricated, but I am worried that my rep may be in jeopardy. Any advice? Debbie, 1L, Dallas, TX

A: Poor Debbie. As seniors here at Valpo High, we have had the good fortune NEVER to have been under the buzz saw at the rumor mill. That does not mean, however, that we are unqualified to toss in our two cents. First of all, as the freshman you are, the law of averages indicates there will be 2.333 repeating more rumors that circulate about you before your time here is done. The mature thing might be to simply ignore the hoopla and move on. But, come on, who are we kidding? We, instead, suggest the following four-pronged scheme to conquer the nasty rumor-monster: 1) You must first identify the source. This may take some underhanded sneakiness, but hey, you’re in law school, figure it out. 2) Once the source is identified, find out everything you can about that person (i.e. grades, relationship status, likelihood for law review, etc.). This is an essential step. Research like you did for secondary sources (research by committee) if necessary. 3) Thirdly, after developing a laundry list of vulnerabilities, pick one that you feel will strike hardest. We suggest a weeks time for this decision. Do not rush into this decision, for it may be most important. We offer Britney Spears and K-Fed as a shining example of what not to do here. 4) Wait. Wait for the moment when the fireworks are going off, the alarm is blaring, and the light bulb flips. This is what is known as an epiphany, a moment of pure clarity. It is what the Spanish refer to as enlightenment. It is only until that point that you may disclose your enemy’s weakness. When your opponent is lying weak and feeble, embarrassed and ashamed, do not fret. After all, the truth hurts.

Once again, taking any of the fore mentioned advice may prove detrimental to friend-building, secret-keeping-believability, networking, scholastic aptitude and overall quality of life. Anything we say cannot and will not be used against us in a court of law. Please.

This message was approved by Ben and Eric and was brought to you by Legally Brunette and Brunetter. Feel free to e-mail more questions to either Ben or Eric at ben.barfell@gmail.com or eric.stoegbauer@valpo.edu.

FROM THE LAW LIBRARY

BY MARY PERSYN
Associate Dean for Library Services

INCat: What’s in the library close to your Indiana home?

Going home for the weekend, but think you might need to stop by your local library to find an item you need for your seminar paper? Want to find out if your local library has the latest Robin Cook novel? The Indiana State Library through Indiana’s library network, INCOLSA, provides an easy way to find out what’s available in your local Indiana library.

INCat, or the Indiana Catalog, at http://www.indianacatalog.net provides access to the holdings of Indiana libraries. (Holdings is a library term that means the books, videos, magazines, etc. that a library owns). Rather than having to search the online catalog for each of the libraries in your area, you can access INCat and see in a glance what is available in a location convenient to you. According to INCat’s web site, Indiana holdings in INCat range from before the year 1000 BCE to the present.

INCat is a sub-set of WorldCat, the database that contains information on over a billion items from over 55,000 libraries in 110 countries around the world. WorldCat is available either by clicking on the WorldCat icon in the computer lab or by going to http://www.inspire.net and clicking on WorldCat. But sometimes you just want to find out what’s available locally, rather than finding out what is in libraries from New York to Nairobi. That’s when INCat comes in handy.

All the items that have been added to the WorldCat database by Indiana’s libraries can be found by going to INCat. That is the one limit to INCat. Not every Indiana library adds the records for the items it purchases to WorldCat, so not all the items owned by all the libraries in Indiana are in INCat. However, all the academic libraries in Indiana will have their records in INCat as well as the large public libraries and many of the smaller public libraries in the state.

You can search INCat by author, title, keywords, ISBN or a combination thereof. If you want to do some recreational reading over Thanksgiving for example, and love Anna Quindlen’s novels, you can check INCat to see if your library has her latest, Rise and Shine.

So, if you need to find out if your local library...
The Best Bang for Your Buck

Women's Hair Salons
The Hot Bang:
Vanis Salon and Day Spa (1620 Country Club Road)- High class salon, but worth every penny. Salon uses Beta hair products.

Bella Capelli (902 Calumet Ave)- Trendy salon, up to date with the latest hair trends. Somewhat pricey, but worth the extra money. Salon uses Bumble and Bumble hair products.

Men's Hair Salon
The Better Bang
Anthony's Incorporated (2500 Calumet Ave)- For the GQ guys, this is the place to go.

Unisex
The Bad Bang
Shari's Mane Attraction (3514 Calumet Ave)- Not worth your time or your money. You will most likely be disappointed with the hair cut.

Bargain
The Cheap Bang
Hair Cuttery (2620 Laporte Ave)- Similar to Supercuts, this is a chain hair salon. You will most likely get a rushed hair cut.

Recommended Nail Salon
The Polished Bang
Spa 3 Nail Salon- (2310 Laporte Ave)- Supplies each new customer with their own nail files, very clean. Provides general nail salon services.

Fitness Clubs
The Better Bang
Southlake Nautilus (3522 Calumet Ave)- Not very crowded, state of the art fitness equipment. Gym membership includes with signing a Chandana Pointe Apartment lease.

The Convenient Bang
Cardinal Fitness (Lincoln Way)- Usually crowded, many law students use this facility. Basic gym equipment. Near law school, so it is convenient to fit in a quick work out during the busy day.

Andrea is a 2L and can be reached at andrea.greene@valpo.edu. E.B. Newberry is also a 2L and can be reached at ellen.newberry@valpo.edu.

Book Review:
Anonymous Lawyer by Jeremy Blachman

BY KRISTIN SENSMEIER
Columnist

Right off the bat, I'd like to reveal myself as a shameless outside reader. There, I've said it. I read books outside of law school, for fun. Whether there is a 12-step program out there to help me is a topic for another day. However, the latest book on my reading list should be given a chance by anyone and everyone in law school.

For those of you who are fans of the blog (anonymouslawyer.blogspot.com), yes, this is the one-and-the-same Anonymous Lawyer and he is better than ever. The rest of you may ask, what blog? Here is a little background for those of you in the dark.

In March of 2004, Anonymous Lawyer entered the blog scene. For some time, readers of the blog truly believed that Anonymous Lawyer was a real, living, breathing hiring partner at some big law firm in Los Angeles. After several months of blogging as Anonymous Lawyer, the true author was revealed in December of 2004 to be Jeremy Blachman, a 25-year-old student at Harvard Law School. The blog is still up and running and new posts go up periodically. Blachman even created a companion website for the fictional firm his Anonymous Lawyer character works for: anonymouslawfirm.com.

Blachman never thought the blog would be taken seriously, especially because of how he created the Anonymous Lawyer character. Anonymous Lawyer, and the related blog, were written based on Blachman's experiences at interviews and as a summer associate at a firm in New York. The rest of the humor and sarcasm that came through in every blog entry was a product of Blachman's talent as a writer. Due to the popularity of the blog, Blachman was offered a book deal, and Anonymous Lawyer was born.

At the beginning of the book, Anonymous Lawyer is kicking off yet another summer associate program. The book is written in blog/email entry form and reads both quickly and easily. Right away, the reader gets a taste of what Anonymous Lawyer is really like. In the first entry, Anonymous Lawyer rants about how all the associates at the firm steal his secretary's candy and his stapler. Soon to follow are accounts of how he plans to torture the new associates at the firm and how he wants to lose the summer associate he lovingly calls "The Suck-Up" who keeps following him around.

Unlike the blog, the book has interaction between Anonymous Lawyer and Anonymous Niece, his niece who will soon be attending Yale Law School. The two characters are as different as night and day. For much of the book, Anonymous Lawyer tries to convince his niece to work at his firm after her first year. Anonymous Niece's response, much to her uncle's chagrin, is that she would like to do public interest work. Also, interaction between Anonymous Lawyer and his readers appears in the book in the form of email entries. These interactions provide a more complete picture of the Anonymous Lawyer character than the blog.

I cannot deny that the Anonymous Lawyer character was, at various intervals, so offensive, sarcastic and just plain rude that I had to remind myself that he is, in fact, a fictional character. If you are easily offended and do not enjoy sarcasm or satire, this book is probably not for you. However, keep in mind that Anonymous Lawyer is meant to be a fictional, humorous and satirical book about lawyers. And if we can't laugh at ourselves, who will? Well, everyone else will, but that's not the point. If you have never heard of Anonymous Lawyer, sample the entries on the blog to get a feel for the character before buying the book. For those of you who faithfully read the blog already, I highly recommend Anonymous Lawyer. The book not only provides great laughs and quotes that you will be posting on your instant messenger profile, but reassurance that no matter how bad the law firm you end up at turns out to be, it will never be as bad as Anonymous Lawyer's.

Kristin is a 2L and can be reached at kristin.sensmeier@valpo.edu.
Student Profiles

By Heather Montei, Executive Editor

3L
Michelle Spezia

Hometown:
Saint Louis, MO

Undergraduate School:
Holy Cross (Worcester, MA - Home of the Original Crusaders)

Undergraduate Major: Theater

Family: Mike; Joyce; Silly Brother Nick - 19; Look-a-Like Becky - 13

Why'd you decide to go to law school?
Help out my artistic friends while working alongside my brother's future recording studio.

What do you see yourself doing after graduation?
Hanging out with hooligans and traveling to exotic places with negative funds.

Did the Pope cross the line?
No- Leave him alone!

What do you think of the FDA's recommendation that everyone under the age of 64 get an HIV test?
I'm surprised they didn't mandate this earlier! But what's to say those over 64 aren't a high risk in nursing homes?

Who do you think is going all the way in the World Series?
The winner of the World Series will be the New York Metropolitans!

What's the TV show you don't want to admit you are watching?
Date My Mom

What is your wildest dream?
To become the first black President of the United States... and not get shot.

What words of wisdom do you have for the 1Ls?
Remember, it's a marathon, not a sprint.

2L
Anthony Nwaneri

Hometown:
Aba, Nigeria; London and Liverpool, UK; Rotterdam, The Netherlands; New York City, NY

Undergraduate School:
Rutgers

Undergraduate Major: Computer Science & Genetics

Family: Tony; Tereșa; Brother Michael - 24; Sister Ogechi - 16

Why'd you decide to go to law school?
I was sick of people making more money than me.

What do you see yourself doing after graduation?
Working in Intellectual Property in the U.S. or Europe.

Did the Pope cross the line?
Absolutely, I'm Catholic and generally agree with the Papacy, but what was he thinking? He definitely screwed up!

What do you think of the FDA's recommendation that everyone under the age of 64 get an HIV test?
I'm surprised they didn't mandate this earlier! But what's to say those over 64 aren't a high risk in nursing homes?

Who do you think is going all the way in the World Series?
Very easy. The answer was evident way back in April when they took over 1st place for the East for good. The winner of the World Series will be the New York Metropolitans!

What's the TV show you don't want to admit you are watching?
Date My Mom

What is your wildest dream?
To become the first black President of the United States... and not get shot.

What words of wisdom do you have for the 1Ls?
Don't get behind. Don't listen to what others are saying. Don't worry if it doesn't make sense now, it will all come together during Thanksgiving Break.

1L
Nathaniel Hubley

Hometown:
Huntington, IN

Undergraduate School:
Purdue

Undergraduate Major: Philosophy

Family: Two sisters & three brothers

Why'd you decide to go to law school?
I felt it was a calling and that I could really make a positive impact in our community and government.

What do you see yourself doing after graduation?
Working for the government – Administration Regulation, then running for a political office.

Did the Pope cross the line?
Tiptoed a bit.

What do you think of the FDA's recommendation that everyone under the age of 64 get an HIV test?
Should be considered...

Who do you think is going all the way in the World Series?
White Sox.

What's the TV show you don't want to admit you are watching?
Grey's Anatomy

What is your wildest dream?
Get my J.D., a Ph.D. and become state senator.

What words of wisdom do you have for the 1Ls?
Remember, it's a marathon, not a sprint.
MVP stands for Most Valuable Player, not Most Valuable Hitter. David Ortiz, the designated hitter for the Boston Red Sox, argues that the MVP should be "the guy who hits 40 home runs and knocks in 100, that's the guy you know helped your team win games." I agree with Ortiz completely. A guy that hits 40 home runs and drives in 100 runs definitely helps his team win games, but it does not necessarily make him the league's MVP.

P stands for player, not hitter. Derek Jeter is, in my opinion, the more valuable player of the two. So what if he is not hitting 40 home runs. Instead, Jeter is second in the league in batting average, has over 100 runs, over 30 stolen bases, and will probably exceed 100 RBIs before the season ends. Not only that, he may very well win a second consecutive Gold Glove at the end of the season. Even with all of the injuries that the Yankees suffered, they still had five-time Cy Young Award winner Randy Johnson, former MVP Jason Giambi, two-time MVP Alex Rodriguez, 200+ game winner Mike Mussina, arguably the best closer in baseball history Mariano Rivera, and not-to-mention a payroll near $200 million. Regardless of injuries, Jeter still had a lot of support on that team.

Santana has carried the Twins. On July 9, the Twins were 11 games behind the first-place Tigers, and nine games behind the White Sox. July 9 also happens to be the last time that Santana has lost a decision. Since then, the 11 game deficit has shrunk to .5 a game (at least at the time I wrote this article) and they have surpassed the White Sox and now lead them by 4.5 games for the AL Wild Card.

On a team full of streaky hitters, Santana remains constant. He goes to the mound on every fifth day always giving the Twins a chance to win. He has also had to lead an injury-depleted rotation which has lost rookie phenom Francisco Liriano and veteran Brad Radke and had to replace them with rookies Boof Bonser and Matt Garza. The Twins do not have a $200 million payroll to help get them through the hard times.

Since the turnaround on July 9, Santana is 9-0 with a 2.51 ERA and 99 strikeouts. He has been absolutely dominant. However, he has not just dominated since then, he has dominated all season. For the season, he leads the league in ERA (2.77), wins (18), innings pitched (220.2), and strikeouts (237). Despite his 18-5 record, the Minnesota Twins are 26-7 when he pitches. Without Santana, the Twins would be a .500 baseball team at best and would be out of the playoff picture.

So who should win the American League MVP Award? You probably think that I am going to say Jermaine Dye, but I'm not. The AL MVP Award should go to Johan Santana, starting pitcher for the Minnesota Twins.

No one has carried their team like
LIBRARY
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has a book or a video that you are desperate to find, try INCat. Again, that's http://www.indianactalog.net.

You don't live in Indiana? Then check WorldCat from the icon in the computer lab or through Inspire at www.inspire.net to check holdings in libraries around the world.

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and library staff have used their time and talent to make the school a better place. Jerry Boyd, the Technical Services Assistant, has been deeply involved in advancing our diversity initiatives. Michael Bushbaum represents the Law School in the University's Faculty Senate. Sally Holterhoff and Naomi Goodman for many years have been principal organizers of our Martin Luther King Day programs. Debbie Blennerhassett is single-mindedly devoted to ensuring that the library circulation desk—the spot at the very entrance to the law school—is a welcoming and helpful place to students and visitors.

In the spring, we will celebrate National Library Week and, as part of it, thank our librarians and library staff for their many contributions. But the beginning of the academic year is an even better time. When you use the library, remember that it is not so much a place or collection of physical things as a way of teaching and fulfilling our mission. And remember that the librarians and library staff are continually at work making this a better school for you and others.

ASAP

Solution to August's crossword

Quotable Quote

To a quick question, give a slow answer.

• • • Italian Proverb

Look for the answer to this puzzle in October's issue of the Forum.
The 3L team poses for pictures after winning the 2006 Cardozo Cup.

3Ls watching Cardozo Cup from the stands were happy to see their classmates win.

Students, faculty and staff enjoyed the games, despite the rain.