Law students present arguments to Supreme Court Justice

Valparaiso University School of Law students—Alissa Wetzel, 3L; Jeffrey Speights, 2L; Andrew Lucas, 3L; Tamara Carnahan, 2L—will present arguments to a panel of judges that will include United States Supreme Court Justice Antonin Scalia during an annual test of their legal skills. Justice Scalia is one of three federal judges presiding over the final round of Valparaiso’s 19th annual Luther M. Swygert Memorial Moot Court Competition, held Oct. 18th at the Neil Science Center on campus.

Joining Justice Scalia are the Hon. Rebecca R. Pallmeyer, a Valparaiso graduate who serves on the U.S. District Court for the Northern District of Illinois, and the Hon. Daniel A. Manion, who serves on the Seventh Circuit Court of Appeals.

In this year’s competition, law students are addressing First Amendment issues relating to time, place and manner restrictions on protesters at the funerals of soldiers killed in war, as well as the power of a school to regulate the off-campus activities of a student involved in such a protest.

During the Swygert Competition, in which students address a contemporary constitutional issue, four preliminary rounds of judging are held prior to the final round, in which distinguished jurists serving courts throughout the country read the students’ briefs and hear their arguments. Prizes are awarded for best team, best brief and best oralist.

Justice Scalia was appointed to the nation’s highest court in 1986 and has become known as a staunch originalist during his service on the bench. He previously taught Valparaiso law students participating in a summer study program in England, as have fellow Supreme Court Justices Ruth Bader Ginsburg, Clarence Thomas and former Chief Justice William Rehnquist.

The late Luther M. Swygert served as assistant U.S. attorney for the Northern District of Indiana, chief district judge for the Northern District of Indiana and as chief judge for the U.S. Court of Appeals for the Seventh Circuit.

Judge Swygert was awarded an honorary doctor of laws degree from the VU School of Law in 1963. He was a jurist-in-residence and taught at the School of Law.

-Courtesy of VU News

The Conversations Project, Living Out Loud (LOL): The Eroding Division of Public and Private Lives

BY HEATHER LOOBY
Guest Writer

"Have you ever Googled yourself?" This was the first question presented to audience members at this year’s opening presentation of The Conversations Project, Living Out Loud (LOL): The Eroding Division of Public and Private Lives. The question was posed by Reverend James Wetzstein (Pastor Jim) of the Valparaiso University (VU) Campus Ministry, who moderated the kickoff event held on Tuesday, October 2, 2007, in the Christopher Center Community Room at VU from 7-9 p.m. The resounding answer from the audience was “Yes, who hasn’t?” VU and the Project on Civic Reflection's Conversations Project is intended to give audience members insight into major political and social issues from the past and present that affect our daily lives and the potential future societal implications of these issues. This particular event featured a panel discussion and involved the various perspectives of Pastor Jim, Professor Aaron Preston (VU Department of Philosophy), Assistant Professor Jennifer Hora (VU Department of Political Science), and Professor Jeremy Telman (VU Law School) on the issue of privacy in today's increasingly digital world.

Pastor Jim then followed up with two additional questions: "Would you ever want an employer to Google you?" and "Have you ever thought about the privacy issues related to what is published about you on the internet?" Posing these questions, members of the audience engaged in discussion at their tables sharing past experiences on these topics. While nearly everyone in attendance had experience using Google or one of the various social networking websites (such as Facebook or Myspace), the general consensus seemed to be that even these seemingly harmless sites presented users with noteworthy concerns about personal privacy.

For example, what happens when someone other than yourself publishes information about you on the internet through one of these sites? What happens when an employer uses one of these sites and finds out information about an employee that, although non work-related, could pose sig-
Letter to the Editor

President Harre and all those concerned,

While I represent no group, only myself as a student who pays his tuition, I feel compelled to respond to the University's recent email detailing Valparaiso University's smoking 'policy' attached below.

Valparaiso University's no-smoking policy is based on the arguable idea that second hand smoke presents enough of a "health risk" to allow its absolute banning. As there is no attached documentation for this assertion (save to say that it is "well documented"), I will forgo citing contrary studies; however, it has been suggested that there is an even more significant health risk posed by cars and trucks, such as that this University uses for maintenance, in terms of reduction of air quality and their detrimental effects on health.

Whatever the degree of risk, I do not pay my tuition to be instructed on what legal activities I can choose to partake in. I pay my tuition for the same reason all students do: to be educated. Understand that I have the utmost respect for the law and feel that the city ordinance that is in place is totally sufficient to meet the University's goal of eliminating the perceived health risks of second hand smoke. However, an absolute ban on tobacco far exceeds the necessary steps to meet this goal.

Fellow students, faculty and administrators, I ask you to consider this question: if this University can ban smoking because of the 'health concerns' associated with a legal activity, how long will it be until soda machines, sugary snacks, or coffee in the cafeteria are similarly banned? The University's position is that it cares about the health of its students. The University makes no suggestion that organized sports, which produces obvious risk of injury, nor school sanctioned activities that allow the use of alcohol, which carries substantial risks to both those who drink and those who could conceivably be injured by a drunk driver, should be banned. Yet.

I acknowledge that smoking may be distasteful to you as an individual. So, too, might be body odor, music, or noise from football games. I only ask that you consider what personal activity you participate in that could one day be removed from the University's definition of acceptable behavior and think about how tolerating this ban will be an open invitation for further control on the things YOU will be allowed to do in the interest of "health" and "safety." I am reminded of the words of Martin Niemoller:

"In Germany, they came first for the Communists, and I didn't speak up because I wasn't a Communist; And then they came for the trade unionists, and I didn't speak up because I wasn't a trade unionist; And then they came for the Jews, and I didn't speak up because I wasn't a Jew; And then, they came for me, and by that time there was no one left to speak up."

This might be approaching hyperbole, but I think the point is relevant.

I recognize that I am but one student, armed with no greater knowledge than what is readily available to anyone with access to a computer and a library. I do not anticipate that any plea for reason or compromise will be heard. I can only respond with what is within my power.

To this end, I hereby assert that, should this ban go into effect, I will not be pledging any of my alumni dollars to Valparaiso University and encourage those of you who share my sentiments to do the same. It is my hope that this action will convey the message that if this University chooses not to support our individual rights while we are here, there is no reason to support the University after we have gone.

Thank you all very much for your time.

With the utmost respect,

Joshua S. Malher
Valparaiso School of Law
J.D. Candidate, Class of 2009

Quote:

Valparaiso University is committed to providing a healthy environment for members of the campus community and their guests. In addition to providing facilities to enhance a healthy lifestyle, the University provides services and formulates policies to support this commitment.

Effective this fall, changes were made in the current policy related to smoking on campus. The revised policy moves designated smoking areas farther from building entrances than previously allowed. In addition to reducing the health risks created by second-hand smoke, the changes also assure that the University is in compliance with a city ordinance adopted last spring regarding smoking in public places.

Smoking is permitted at more than 20 outdoor campus locations that are identified by stone-like receptacles. The locations also are identified on a map found on the Internet at http://www.intra.valpo.edu/smokingpolicy/SMOKING-MAP.gif. Smoking also is permitted in personal vehicles and in fraternity houses where fraternity rules permit.

The smoking receptacles, which replace some that were much smaller and more easily tipped over by wind, were a donation to us from Purdue University Calumet following that institution's decision to become a smoke-free campus.

The health risks of smoking, including the effects of second-hand smoke, are well documented. The revisions to the smoking policy reflect a concern about these risks, which will be addressed further when we become a tobacco-free campus July 1, 2008. At that time, use of tobacco products on University property will be prohibited.

Information about smoking cessation programs will be made available to members of the campus community who wish to quit smoking.

Alan F. Harre
President
The first person to correctly identify the mystery photo above will win a $10 gift certificate to Jimmy John's.
E-mail your responses to forum@valpo.edu
NEWS

INTERVIEWING TIPS – Part 2
The Cocktail Party & Second Interview

BY NATALIE KIJURNA
Career Services

In this segment, I’ll discuss the second interview and a corollary to that, the cocktail party. Usually, the second interview is a ½ day interview which includes lunch and meeting with several partners, associates or attorneys at the firm or organization. However, more and more firms are electing to throw a cocktail party the night before the interview in order to check out your social skills see how you handle yourself in social situations. Don’t let them down!

Here are some rules to follow:

1. Most people at the party will come up and introduce themselves to you since you’re the reason they are there. However, if there are some attorneys who haven’t made contact, make sure you approach them and introduce yourself. This is not the time to be a wallflower.

2. If no one mentions dress code, err on the side of formality. It’s always easier to discard a blazer or sport coat, but you don’t want to be the only one in the room not wearing one. Generally, men should wear suit and ties and women should wear dresses or suits.

3. Mingling with prospective employers is much different than chatting with classmates, says Elisabeth Preis, who wrote an article on “Cracking the Cocktail Party,” for The American Lawyer, Student Edition. It’s okay to ask about life at the firm, but be sure to avoid questions that are designed to elicit a pat answer or something you could have figured out on your own. Similar to the initial interview, research and KNOW THE FIRM and THE ATTORNEYS!

4. Make sure to have answers to questions about your interests, yourself and your career ambitions. Try to have open ended questions ready for the person you’re speaking with, because, according to Deborah Schneider, coauthor of Should You Really Be a Lawyer? A Guide to Smart Career Choices Before, During, and After Law School, if you ask interesting questions, the person you are speaking with is likely to think you’re fascinating.

5. While at the party, it’s best to start with small talk first. Get personal, but not too personal. Steer clear of hot button topics such as politics and religion but do ask about hobbies, interests, vacation destinations, etc.

6. Always remember to thank the host or even send a gracious thank-you to the recruitment coordinator who probably put the event together.

7. Finally, holding a glass and appetizers while trying to shake hands can be difficult. If you can hold your glass and a small plate in your left hand and leave your right free, do so. However, if not, finish your drink first and then get appetizers.

8. It’s recommended that you don’t drink alcohol. Always remember that this is a prospective employer that is sizing you up. Don’t give them any reason to not give you an offer.

For the actual interview:

1. Most of the questions you’ll be asked will be similar to what you were asked in the initial interview. So, just like the first interview….BE PREPARED!

2. Never forget that you’re on the interview. The student coordinator who invited you to the party, will have given you the name of the interviewer and the position. They will be interviewing you for the position you apply for. You’re the reason they are there. However, if the interviewer is not the reason you’re there, if you can hold your glass and appe-

3. When having lunch, do not order the most expensive thing on the menu.

4. DON’T have a drink while at lunch, even if others do or offer to buy you a drink. You want to make the best impression you can and drinks, at this stage, are off limits.

5. After lunch, your body tends to slow down and you may get sleepy. NEVER let the employer know that you’re tired. Attorneys constantly work long days…so, if you can’t hack a ½ day interview, the employer will know you’re not the associate for them.

Here are some rules to follow:

Finally, in my last column I discussed the initial interview. After that column was published, a current Valpo law student came in to see me. This student had interviewed with a firm here on campus and was not selected for a second interview. The student contacted the firm to get feedback on why he was not selected. The interviewer told the student (a male) that if he wants to work for a large firm, he should not wear a colored shirt and instead “...go with the blue-suit-white-shirt uniform.” The interviewer went on to say, “I have to make snap judgments and I really have missed the mark….I suspect that you would ultimately be happier in a different environment.”

The moral of the story…don’t give the interviewer a reason to pass you over! Follow the advice I’ve given in last month’s column, and this one, to give yourself the best chance at landing that summer or permanent position at whatever organization you choose!

If you have any questions about interviewing or the job search process, please feel free to make an appointment with either Natalie or Kim in the CPC. We are more than happy to help!
# BAR INFORMATION

## Information on State Registration Requirements

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<thead>
<tr>
<th>State</th>
<th>Student Registration</th>
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<tr>
<td>Alabama</td>
<td>YES</td>
<td>Within 60 days of starting law school</td>
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<td>Dist. Columbia</td>
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<td>Within 180 days of starting law school</td>
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<td>Illinois</td>
<td>YES</td>
<td>By March 1st following commencement of law school</td>
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<td>Indiana</td>
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<td>Iowa</td>
<td>YES</td>
<td>By November 1st following commencement of law school</td>
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<td>Minnesota</td>
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<td>Mississippi</td>
<td>YES</td>
<td>By October 1 of second year of law school</td>
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<td>Missouri</td>
<td>YES</td>
<td>Seek an early character and fitness determination and may file an application upon beginning law school</td>
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<td>Montana</td>
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<td>Nebraska</td>
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<td>North Carolina</td>
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<td>North Dakota</td>
<td>YES</td>
<td>Students must file a registration application by October 1st of their second year of law school or 14 months after the first day of the first year of law school</td>
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<tr>
<td>Ohio</td>
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<td>By November 15th in the second year of law school</td>
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<td>Tennessee</td>
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<td>Texas</td>
<td>YES</td>
<td>Within 60 days after entry into a Texas law school. Does not apply to approved law schools in other states.</td>
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<td>Utah</td>
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We are now in the middle of the Fall Semester here at Valparaiso University School of Law. Our first year law students are now fully engulfed in writing and research assignments and some are fortunate enough to have Professor Carter’s midterm soon. Even though reading and class preparation seems to be too much right now, do not fret and keep working as everything will be alright. Also, take advantage of the upper-classmen here at Our School as we have been in your situation and can help. We want you to succeed so that Our School will improve.

The Student Bar Association and our student organizations have been quite busy within our walls and in our community. Several students took part in the United Way’s Day of Caring within Valparaiso. It was an enormous success as they were recognized by the local media for their community service. Next, The SBA is sponsoring a Book Drive. Through this endeavor, our students are “Giving Back to the Community One Book at a Time” as these donated books will be used to support the Valparaiso Area Elementary Schools. If you have new or gently used books, you can drop off these books at the Law School, the Christopher Center, at Cardinal Fitness in Valparaiso, or at the YMCA. Further, if you have aluminum tops from cans, please send them to the Law School as they will be donated to the Ronald McDonald House to help young children with serious health concerns.

Also, as October is Breast Cancer Awareness Month, our students are encouraged to wear pink. On October 20th, the SBA will host the first annual powder puff woman’s football tournament. Everyone is encouraged to attend this event at 3pm. For more information on the powder puff, please contact Bailey Cunningham at bailey.cunningham@valpo.edu. Gentlemen, come cheer for your class’s women! Lastly, on October 30th, the SBA will welcome the Red Cross for a Blood Drive. Last spring we broke major donating records for Our School and I hope to continue this trend. Please give blood.

Additionally, the Valparaiso University School of Law is honored and privileged to welcome Supreme Court Justice, Antonin Scalia. Justice Scalia will be here to judge our 19th Annual Moot Court Swygart Competition on October 18, 2007. While tickets are limited for the actual competition, there is the possibility for students to interact with the Justice at the Law School or on Campus earlier in the day. We are flattered to have this world-renowned Justice come to Our School.

Lastly, Valparaiso University was honored last week with a visit by Indiana’s Governor, Mitch Daniels. The Governor bypassed the podium and microphone to address the audience in a more informal setting and this marked the second time in less than a year that the Governor provided our students with his time in an open forum to answer their concerns. Many law and undergraduate students attended this open forum and provided the Governor with some compelling questions.

As you can see, many exciting things are occurring within and outside of our walls. Please continue to provide us with your questions and concerns. We are working to address your troubles, whether it involves our parking lot, our bookstore, the bike racks, or the lack of lockers. We work for and with you to improve Our School.

As always, if you ever have any questions or concerns, please contact your Student Bar Association Representatives or J. Sebastian Smelko, President, Student Bar Association jsebastiansmelko@gmail.com.

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**ORGANIZATIONS**

**Giving Back to Our Community, Distinguished Guests & Major Speakers**

BY J. SEBASTIAN SMELKO
SBA President

W

Your SBA Members:

J. Sebastian Smelko, 3L—President
Laura Wishart, 2L—Vice-President
Ian Lucas, 3L—Treasurer
E.B. Newberry, 3L—Secretary
Bailey Cunningham, 3L—ABA Rep
Gaby Guzman, 3L
Jordan Gwiazdon, 3L
Anthony Nwaneri, 3L
Sherwn Tsai, 3L
Megan Krol, 3L
Paul Kulwinski, 2L
Justin Staublin, 2L
Kelly Kruger, 2L
Erica Harder, 2L

SBA Minutes:

Date: 9/9/07
Executive Reports:

President- Met with the chief of police regarding student concerns. There are 12 full time police officers. Spoke to him about Public Intoxication issues. The city is the problem with regards to these issues. Concerns with alcohol are city based. Trying to prevent drinking. Sebastian would like to meet with Chief of City PD. Parking lot issues were also discussed. The law school parking lot has not been repaired because of environmental concerns and re-paving would be in violation of state statutes. They are looking into a parking garage for the future. New lights and more call boxes will be installed in our local parking lot. Last week there was a concern regarding 1Ls trying to supply their own alcohol for Cardozo. This is prohibited. Internet will be strengthened. The parking passes are not the VUPD’s responsibility.

Vice President- For law week would like a 1L to help. The Portage movie theater should be our new event for the Monday of law week. This would cost about $450-550 to get a room and an old movie. ABA Rep- Powder puff tournament on October 20 at 3:00pm. Currently need a 1L to manage the team. T-shirts will be sold and all proceeds will go to the book drive.

Running Club - Sarah McNally came to try to get more money. Discussed the Ambulance Chase and how they need more planners and members. They are upset because they have no way to recruit without pizza. Should possibly discuss with Ian ways to reallocate. Can’t reallocate money from the ambulance chase because they need the funds for the ambulance chase.

Student Driving - As SBA, we should have a point person responsible for coordinating with the student drivers their approval with the VUPD. There is an issue with the online test.

Halloween event - have location and have DJ. We are going to test the DJ out at Halloween and possibly use him for Barristers.

Philanthropy - Kelly discussed the book drive. Kelly is sending letters to local businesses in attempt to get money for the library. Needs to get drop off boxes spray painted. Blood drive October 30 - 1Ls please sign up.

Old business - Student faculty receptions dates, any input as to the dates? The dates are October 24 - 3L reception, November 14 - 1L reception, January 23, 2008 - 2L reception. April 9, 2008 - all student reception.

Need to speak with students regarding what can be done to replace the food service. Want to know what students want to do. Think that possibly a survey would be the best way to inquire.

Student concerns - Issues with health center - need appointments. Went to the health center and student was concerned with costs of health insurance costs. The supplemental insurance is not sufficient. Different schools have better insurance and we should as well. Megan discussed the option of talking to the financial assistance department in the law school and that the ABA has insurance students can buy in. Student brought up the law school possibly implementing a ride board similar to the board in the student union.

September 16, 2007
Executive Report:

President- Pressure student leaders to send info to Melissa or Sebastian. Sebastian is meeting with police officer about parking and PFs. Meeting with Dean Conison on Monday Morning.
ORGANIZATIONS

Treasurer-
Budget:
-Followed all the laws, tried to make fairest allocations possible
-Tried to give similar groups same money
-Ex - Valpo democrats, Valpo republicans
-Target 46,000
-Estimated given = 46,006
-Increase over what was given last year
-We have three new organizations
-Most organizations are down slightly, only a couple went up
-Laura - we need to address giving Jessup more money
-Ian - can't because they are an administrative organization like law review and technically upstairs should be paying all their expenses
-Sebastian is taking care of this tomorrow in his meeting
-Bailey moves to approve the budget, Jordan seconds

Laura - Halloween party is on the 26th. Got the contract just have to pay. Have 2 DJs interested - working on which one. Need SBA pumpkin carving. Laura will contact the animal people about prizes

Kelly - Powder puff game - all parks are closed for the 20th. Best bet is just to go to Kirchoff and just use it. Bathrooms won’t be open. Blood Drive - need volunteers

Old Business-
-Supplement swap - tabled
-Blood drive interviews will be in judges chambers
-Received confirmation - not a dime of our money goes to undergrad construction
-Ian - bookstore won’t come to law school to talk about their policy, but we can go over there.

New Business-
-Proposed dates for student/faculty receptions at Aberdeen. Hoped in the future that these are standardized dates
-All student Thursday Oct. 4th in conjunction w/ prof. day
  □ 3L date Wed. Oct 24th 2007
  □ 1L date Wed. November 13 2007
  □ All School Wed. April 9, 2008

Student Concerns
Paul - Library and faculty need to close their doors
Sebastian - dining services. Real good chance they will pull out of coming here at all. Fridays they are no longer here. They don’t really want to be here at all. Please think about possibilities

LETTERS POLICY:
The FORUM reserves the right to edit any contributions and/or reject them without notification. Letters must be limited to 400 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 email at forum@valpo.edu; or in hard copy located in the SBA office.

forum@valpo.edu

EDITORIAL

A forum is defined, at least by dictionary.com, as being: 1. the marketplace or public square of an ancient Roman city, the center of judicial and business affairs and a place of assembly for the people; 2. a court or tribunal: the forum of public opinion; 3. an assembly, meeting place, television program, etc., for the discussion of questions of public interest.

At VUSL, our Forum tries but often falls short of our goal of providing something of substance to live up to the name. It has come to the editorial board’s attention that there are issues that you would like to see the Forum cover, and we would like to make it known that we appreciate all the suggestions we receive. However, the Forum is made up of a very small number of dedicated individuals whose responsibilities with the Forum frequently outweigh the discretionary time allowed to any law student.

The Forum is completely student run, and everything you see in the Forum is the result of an individual’s effort, whether it is the advertising (which we frequently design), the formatting, design and placement of the articles in the paper, or the articles themselves. Our editorial staff works very hard to give the student body a voice and to put out a well-put-together final product.

Unfortunately, our four-member editorial board cannot be everywhere. We do not have a set staff of reporters to cover important events and we can only hope that someone will be able to find the time to cover one of the myriad of events that take place in or around our school. The Forum is the product of a lot of hard work from a very small amount of people, so if there is something you would like to see in the paper, please write about it.

We would like to take this opportunity to implore you to write for the Forum on any issue or topic you feel strongly about. While I personally would like to write about a variety of issues, I am limited as are the other editors in what we can cover. Please think of our newspaper literally as a Forum where you can give a voice to that story you always wanted to read, or that issue that never gets any attention.

Here at the Forum, the editors are hardly beat reporters casing the hallways and hiding in shadows waiting for the next big story to unfold. We are law students like any other, gathering a few times a month to attempt to produce something of value for the student body and alumni of the university. This distinguishes the Forum a great deal from a newspaper, or even an undergraduate publication, whose time and resources far exceed what is available to us. Again, consider writing for the Forum, even if just once.

Thank you for reading.
E.W. Gettemy
Law Review: Back in Gear

BY MARK ALSON
Executive Editor of Student Writing, Law Review

Welcome to another year of law school! The summer proved to be a very busy one for the members of the Valparaiso University Law Review.

Under the leadership of Editor-in-Chief Rickey Glover, the Law Review’s group of editors worked tirelessly over the past several months to admit a new class of Notewriters into the Law Review. We are very excited to announce the Notewriters for Volume 42 of the Valparaiso University Law Review.

Individuals participated in the annual case comment competition following their May final exams. The Notewriters had only three weeks to thoroughly research and write a twelve-page comment on a recent Supreme Court decision. The editors of the Law Review evaluated each submission and, through a combination of their writing scores and grades, selected the top submissions to participate in the review. Additionally, congratulations to Carrie Flores who received the highest score on her case comment, which will be published in Issue Two of the review.

The Notewriters, after deciding upon topics, are in the process of writing their Notes. Because the new members will write on their chosen topics for the next seven months, the selection of their specific areas of law was an intimidating one. However, these individuals have dedicated themselves to the Law Review and we congratulate them on their success and commitment to the school.

The Law Review is publishing four issues this year, and we are currently in the process of preparing Issues One and Two for publication. In addition to articles submitted by outside authors and professionals, the Volume 42 issues will include Notes by the following Law Review members: Anne Abrell, Mark Alson, Julie Arnold, Kara Beil, Kelly Brewer, Shelbie Byers, Lyndsay Carothers, Ellen Erhardt, Rickey Glover, Reid Hooper, Heather James, Ashley Kutz, Daniel Oldenkamp, Chad Wade, Alissa Wetzel, and Amanda Wishin. Congratulations to these diligent writers for achieving the publishable standard!

Volume 42 Law Review Notewriters:

Krista Blaisdell, Matthew Chandler, Kimberly Cuccia, Justin Curtis, Christin Eberst, Cheryl Erdmann, Carrie Flores, J. Taylor Fox, J. Lian Gruzes, Gabriel Gutierrez, Pamela Hart, Allison Horton, Nathaniel Hubley, Paul Kulwinski, Jesse Lanshe, Jesse Lorenz, Michael Meyer, Christopher Rados, Amy Riederer, Kimberly Rossini, Brianna Schroeder, Bradford Shively, Andrew Smith, Jeffrey Speights, Melina Villalobos

If you have any questions about the Law Review or if you want to learn more about the organization, feel free to stop by the Law Review office or contact Mark Alson at mark.alson@valpo.edu.

Jessup International Moot Court
VUSL Mock Trial Team Prepares for National & Intraschool Competitions

BY ANDREW PALMISON
Chairperson, Mock Trial Team

The VUSL Mock Trial Team is preparing for its two Fall competitions. First, 3Ls Andrew Palmison, Jennifer Kolker, Kevin Gilmartin, Michael Abel, and Megan Krol are preparing for the National Trial Advocacy Competition hosted by Michigan State University. Coached by Trista Hudson from the Porter County Prosecutor’s office, the team is practicing several times per week in anticipation of a highly competitive trial. Twenty-five teams from across the country including well-known trial advocacy programs from South Texas College of Law, Brooklyn University, California Western University, John Marshall University, the University of Michigan, and the University of North Carolina are participating in this year’s competition. The Competition will be held in East Lansing, Michigan from October 25th through October 27th. While Valpo has never won the Michigan State University competition, the national team is aiming for a repeat performance of last Spring’s regional victory in Indianapolis which placed the VUSL Mock Trial Team among the top sixteen in the nation.

Second, the Team is preparing for its annual Intraschool Competition. The Intraschool Competition is the first opportunity for the newly recruited members to compete. Sixteen members, divided into four teams of four, will compete against one another in two preliminary rounds. The highest-scoring prosecution team will face off against the highest-scoring defense team in a final round. The final round will be judged by Magistrate Judge Christopher Nuechterlein from the Northern District of Indiana. The final round will be held on November 8th in Stride Courtroom and will be open to the law school public. Information on how to obtain a ticket will be available shortly.

The fact pattern for both competitions is a first degree murder case. The State’s theory is that the defendant, the deceased’s sibling, poisoned the deceased with a lethal combination of Florphine, a fictitious painkiller, and Phedra, a fictitious diet pill. The case is replete with plot twists, ambiguous evidence, and evidentiary problems. Competitors will have ample opportunity not only to display their knowledge of the rules of evidence and court procedure but also to exhibit their skills in eliciting convincing testimony and providing persuasive arguments. In short, this year’s fact pattern is both entertaining and challenging.

Finally, the Mock Trial Team would like to formally congratulate and welcome four new members. Aaron Giorgi, Ehiman Uwidia, Emily Orsinger, and Jennifer Morris impressed the Team with spectacular tryouts in early September and have joined the Team. We look forward to a successful Intraschool Competition this Fall.

Andy is a 3L and can be reached at andy.palmison@valpo.edu.

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Phi Alpha Delta Rocks the Boat at the 6th Annual Boat Cruise

BY SHERWIN TSAI
Clerk, Phi Alpha Delta

On September 29, 2007, roughly 250 students and their guests boarded the Spirit of Chicago at Navy Pier for a two-hour cruise. They were treated to breathtaking views of the Chicago skyline, appetizers, and unlimited drinks at the bar. However, what made the night memorable was the outrageous dancing that took place on the dance floor, perhaps a product of the unlimited drinks.

The price for the extravagant night out on the town was a measly thirty-five dollars, a small price to pay for a night out in Chicago. The ticket fee covered a ride to and from Chicago, food, drinks, and music spun by a DJ. With 250 students and guests in attendance, four buses were booked to make the trek. Upon arriving back at the law school from the event, the J. Reuben Clark Society provided designated drivers from the school to students' homes in rented vans.

This year marks the 6th year Phi Alpha Delta's Halleck Chapter has organized the boat cruise. In collaboration with the Student Bar Association, the event has always been very successful and something students look forward to in the fall. It gives students an opportunity to take a break from studying, get dressed up, and enjoy a fun evening with their classmates.

With the exception of some minor setbacks, including an emergency pit stop on Lake Shore Drive, attendants generally had a great time and the executive board of Phi Alpha Delta has been bombarded with compliments. The Board has also been graced with helpful suggestions, such as extending the cruise, holding it earlier in the evening, and requesting more modern music from the boat's DJ. We are already looking into these suggestions to make for an even better Boat Cruise in 2008!

With a record breaking 90 rush class this year, the event has also helped draw interest in the fraternity, which is the largest voluntary student organization at the law school. If anyone would like to join Phi Alpha Delta, but missed out this fall, please email us at valpopad@yahoo.com for more information!

Sherwin is a 3L and can be reached at sherwin.tsai@valpo.edu.

Supreme Court Should Overturn Indiana’s Voter ID Law

The U.S. Supreme Court recently granted review to hear Indiana Democratic Party v. Todd Rokita, the case which tests the constitutionality of the Indiana law requiring all citizens show a state or federal voter ID in order to vote. The law was enacted by the Republican-led legislature in the guise of reducing voter fraud. However, the law's true aim is reducing voting in segments of the Hoosier population.

This law discriminates against minorities, the poor, disabled, and the elderly. In order to obtain a driver's license or state ID card, the Bureau of Motor Vehicles (BMV) requires at least three types of documentation—a birth certificate is the most important among them. Some people simply don't have copies of their birth certificate and a copy of an Indiana birth certificate costs $10 from the state and up to $10 from the county of birth. Imagine the time and cost it could take to get a birth certificate from another state. Some people will give up rather then endure the cost and headaches of getting an ID. Consequently, without the ID, these people can't vote. Voting is a fundamental right of U.S. citizens so the state should err on the side of fewer restrictions, which would give more citizens greater access to representation in their government.

I saw the law's problems first hand while working in Indiana politics during the last election. One volunteer spent hours helping an elderly woman search for her birth certificate and other documents she needed, took her to the BMV for the ID, and then to vote. I counseled people who were turned away because of an unacceptable government photo ID, incredibly even an ID for a government agency like the U.S. Veteran's Administration is not sufficient! When I reminded voters of the new law, many said they didn't have an ID and didn't have the time or interest to get one. Voter turnout was only around 40% in the 2006 Elections. We should be working to get more people to vote, not less.

Voter fraud by a person voting under a different name, despite what the current legislature thinks, is not an overwhelming problem that requires a drastic measure that keeps millions of eligible voters from voting. The state cannot give an example of the problem, is a fundamental right granted by the Constitution.

We must stop making minorities, the poor, disabled, and the elderly feel like second class citizens by restricting who is allowed to vote. All Hoosiers deserve the right to vote in the easiest manner possible. Overturning this law would allow Hoosiers to exercise a fundamental right granted by the Constitution.

--Christy Commers, 1L, christen.commers@valpo.edu

Freedom of Choice? Not at Valpo!

For those of you who are fans of the “gangsta” rap group N.W.A., or rap in general for that matter, you are probably familiar with their 1988 hit “F*** tha Police.” Those were my exact sentiments when I realized that the Valparaiso University Police Department (VUPD) was forcing me to pay for a $90 parking permit as an additional punishment to the $10 parking ticket I received.

As a 3L currently enrolled in the Criminal Legal Clinic, I make daily stops to check for messages, serve office hours, and correspond with clients over the telephone. These tasks could take anywhere from a quick minute to a full hour. Seeing as I would not be longer than an hour, I foolishly decided to park in a permit-only parking spot. After all, the VUPD only tickets the undergraduate parking lots, right? We’re big, grown-up law students and they leave us alone, right? Wrong.

I do not dispute that it was my fault for having parked in a spot that was clearly marked “permit only.” In fact, after finding the ticket on my windshield, I immediately made the trek to Kreztsmann Hall to pay the fine. However, much to my dismay, the office clerk told me that she would be needing a check for $90 - $10 for the parking ticket and $90 for the parking permit. I told her I did not want a parking permit, to which she replied “unregistered vehicles which receive parking tickets must buy a parking permit.” I was flabbergasted by her comment.

“Well, what if I wasn’t a student, would I have to buy a permit then?”

“No”

“Then fine, I’m not a student.”

“Too late, we ran your plates and found your name in our student directory.”

Reluctantly, I wrote her a check as I mumbled profanities under my breath. I thought to myself, should I not have the right to choose to park on a public street? Should I not have a right to choose to walk to school? Yet, by forcing me to buy their $90 bright orange sticker with the picture of the little fighting Irishmen... err, I mean Crusader, they deprive me of this choice. As I gathered my dignity to leave the building with $90 stolen from my pocket, the lady called out to me “don’t forget to pick up your permit from VUPD within 14 days or we will charge you an extra $50!”

Was she kidding me? Am I on “Candid Camera”? You are going to charge me money for failing to pick up something that I already paid for? It appears that it is irrelevant to VUPD whether or not you want a parking permit, you will take it..... or else! Why is Valparaiso University so money hungry all of the sudden? During our 1L year, parking permits were only $65, this year they are $90. That’s roughly a 40% increase in price. Apparently, they need the money to pay for the recently completed undergraduate parking garage, which holds approximately 400 cars. But how many of those 400 cars are law students’ cars? Why am I, my anonymous 3L friend, and an unknown number of other law students being forced to buy a $90 parking permit to pay for a parking garage we never get to use? Parking ticket? $10. Parking Permit? $90. My freedom of choice? Priceless. Give it back, VUPD.

Sherwin is a 3L and can be reached at sherwin.tsai@valpo.edu.
FINALLY, Valparaiso has a bus system! Here is all the information you need to know.

The V-Line bus system started running on October 1st and services the VU Union turnaround, the City of Valparaiso, and the South Shore NICTD station.

**The V-Line is free to VU students; your student ID will serve as your ticket to ride on an unlimited basis.**

The Student Senate and the Transit Committee have been working hard to ensure that students are able to access this transportation system at no cost.

Take advantage of this free service. The school is able to subsidize this cost for only one year, and your ridership will create a compelling case for continued support from Valparaiso University.

Routes, maps, and timetables for the V-Line are available at www.valpo.us/v-line.

The V-Line will operate out of the Union turnaround, running at 15-minute intervals during the day and 30-minute intervals at night. This provides access to a variety of areas throughout the Valparaiso community. On Fridays through Sundays, the V-Line will offer service to the Dune Station, for access to the NICTD “South Shore” line to Chicago. This line will operate from the Union at 2-hour intervals, returning as late as 1:00 am on weekends.

If you have any questions about this V-Line service, please contact a Student Senator by visiting www.valpo.edu/student/senate.

-Courtesy of VU News
MORE INFORMATION:

Transfers
Transfers allow you to make connections to all parts of the community. Ask for a transfer as you pay your fare. Transfers are FREE and are good for two hours to continue your trip. You cannot use a transfer to back track along a route you’ve already traveled. For example, if you are going north on Calumet, you cannot use the transfer for the next bus going south on Calumet.

Routes
To meet the varied demands of our community, the City of Valparaiso has developed three specific services of the V-Line transit:

City Routes
(Green and Yellow on Map)
Monday through Saturday,
6:30 a.m. to 6:30 p.m.

Brown Route
(Brown on Map)
Sunday through Thursday
2:00 p.m. to 10:00 p.m.
Friday and Saturday,
2:00 p.m. to Midnight
August through May

Orange Line Route
(Orange on Map)
Operates to and from the South Shore Line Station at Dune Park. It conveniently connects with scheduled NICTD train service.
Friday,
2:20 p.m. to 1:00 a.m.
Saturday,
8:47 a.m. to 1:00 a.m.
Sunday,
8:47 a.m. to 10:00 p.m.

HOLIDAY SERVICE
Service will not be provided on the following days:

New Year’s Day
Memorial Day
July 4th
Labor Day
Thanksgiving Day
Christmas Day

CONTACT THE V-LINE
For more information, questions, or comments, please call the V-Line office at (219) 476-9393.
I think abolishing the minimum wage is a great idea... if the country wants to go back to 1910. In the early 1900’s, the middle class was really just starting to emerge. The country was still very much made of the “haves” and the “have-nots” (and some would argue the country is again moving in that direction). The implementation of minimum wage requirements on employers was a major driving force for the emergence of the middle class. Abolishing it would turn the country back a century to a time when some had fur but most had burlap.

The argument for abolishing the minimum wage is based on market economics. It goes something like this: If there was no minimum wage, employers would be paying a wage commensurate to the lowest amount for which people are willing to work. Because employers are paying a lower wage, their cost of production decreases, and, in turn, the cost of the final product decreases. The problem with this hypothetical is that it only works in a vacuum. We do not live in a country where everyone has equal footing. Some people have more cultural capital and therefore a greater likelihood for earning a higher wage. The people with less cultural capital, excluding a few fortunate exceptions, are locked into a lower status and, accordingly, a lower wage.

Even more importantly, the fiction that prices for goods would decrease is just that: a fiction. It is the very middle class the minimum wage helped to create (along with a booming economy after World War I and World War II) that would undermine the employer’s incentive to lower prices. The result would be that prices for goods would remain the same because enough people who are in the middle to upper class bracket could still afford to buy products at the post-minimum wage price due to their skilled and salaried employment. The unskilled or semi-skilled laborer, on the other hand, would be earning less, and thus less able to afford these products. The basic needs of life—toilet paper, bread, clothes, shelter, etc.—which are necessarily man-made would not decrease in price.

Given enough time, the middle class would be splintered and eventually disintegrate completely. Those that are close to “blue collar,” already living more or less hand to mouth, would not be able to keep up with the standard rate of inflation because their wages would not increase proportionately. Those that are “white collar” would continue to afford their lifestyle and, being able to afford the luxuries others could not, would be pushed into the upper class bracket. In short, our country would revert to one of “haves” and “have-nots,” one of only poverty and affluence.

A free market of pure supply and demand economics is not feasible in a country with a complex class structure (and tax system) such as our own. One can imagine the reemergence of sweatshops and ghettos that many argue lead to disease and famine and maybe even eventual depression.

Our country should take notice of history because this story has played out before. Abolishing the minimum wage would slowly lead to the demise of our most valuable and instrumental people: the middle class. Without a middle class, the possibility of socioeconomic advancement would be an illusion at best.

Amy is a 2L and can be reached at amy. riederer@valpo.edu

We are all interested in earning great sums of money in order to satisfy our needs and wants. Because law school is expensive, the little money that we do have is frequently saved for alcohol on Friday and Saturday (and Sunday, Monday, Tuesday, Wednesday, and Thursday), buying food, and paying utilities. Regardless of the purchase, everybody needs money and therefore requires some sort of employment to maintain an income. However, because some jobs are not as valuable as much as others, Congress (or insert applicable state legislature here) had the great idea to implement the minimum wage.

The minimum wage is a way to circumvent the invisible hand of the market, and require merchants to pay their employees a minimum salary. While the employer has complete discretion to increase the salary, he is only under a legal obligation not to reduce it below the minimum amount. However, what those in favor of a minimum wage fail to realize is that the policy actually costs people their jobs.

Suppose, for example, that you are an employee at a fast-food establishment making $5.50 per hour. Also suppose that you are only able to make six hamburgers per hour, each selling at one dollar. So according to management, you are earning him $6 per hour in output, while costing him $5.50 per hour (for those of you lacking in math skills, this means that the employer profits by fifty cents for each hour that you work). Now suppose that the brilliant members of Congress, in their illustrative wisdom (added to the fact that an election is approaching) decide to increase the minimum wage to $6.50 per hour. While touting this as a positive, the new legislation will have drastic consequences to you.

Going back to the example, you are still making $6 worth of hamburgers per hour, but now with the higher wage, your employer is required to pay you $6.50 per hour. As a result, he is now losing fifty cents for each hour that you work. And what do you think that this employer is going to do? Eat the deficit? Pass it onto the consumers (maybe, but not if it is a franchise and the employer has no control over the prices)? No, he is going to fire you because his profit margin is higher without you in his employ. Therefore, because Congress increased your salary, you are now unemployed.

To rationalize this, Congress discusses the “living wage” and declares that working at a fast-food establishment is not enough of a salary to feed a family of four, and therefore they are trying to help. For once, they are right, but not in the way you think. Working at a fast-food establishment is insufficient to feed a family of four because the job is unskilled. It is designed to be for teenagers who want to earn extra money (most likely for alcohol or food or the new video game system, or whatever the kids with their damn rap music want nowadays) or old people who want to feel useful (think Grampa Simpson or Kevin Spacey’s character in American Beauty).

But don’t fret, you still have two ways to increase your wage: 1) work hard to be more productive so the manager recognizes your contribution and gives you a raise to keep your services in the competitive marketplace; or 2) get a higher education (which you all have done for the simple fact that you are reading this article) which qualifies you for a better paying job.

As future attorneys, most of us will not likely subject ourselves to this kind of work anymore (I can say this because I have worked at three supermarkets, a gas station, and a food establishment). However, there are some of you who may become a legislator one day (either state or federal), and I hope that you heed my words. Otherwise, you may find yourself upsetting your constituency to a point where the only job you will find is at a fast-food establishment.

Jeff is a 2L and can be reached at jeffrey. marden@valpo.edu
LOOKING FOR MR. OCTOBER

BY ERIC GETTEMY
Executive Editor

Baseball traditionalists may have some explaining to do after this year’s post-season. Everything was in place to have one of the more interesting playoffs in recent memory. The Cubs actually picked up pace towards the end instead of choking and caught up to the Milwaukee Brewers, who have been the darlings of the national media for most of the year. I suppose many greater Milwaukee dry cleaners have expressed a sigh of relief along with their sigh of disappointment, as the dedicated folks at peeyourpantsforthebrewers.com have to wait another year. As for the league championships, there are no teams from New York, no teams from Chicago, no teams from California, and the only usual suspect in the playoffs this year is Boston. The other three teams are Colorado, Arizona and Cleveland. Not that I am complaining. These teams are great and have been playing great recently.

But, then again, what does this mean for the game at large? There were reports that game one Arizona and Colorado hadn’t even sold out. I have to assume that MLB will take a fairly big hit advertising and TV ratings, at least in comparison to what they could have been making with a Chicago or New York team involved. On one hand, this may be seen as the success of the revenue sharing and luxury tax policies that MLB set in place ten years ago. On the other, it may be seen as a disaster for the average baseball fan (which probably constitutes most baseball fans), and just another reason not to watch baseball. (For a great article on revenue sharing and luxury tax, see “Can Money Still Buy the Postseason: A 10-Year Retrospective on Revenue Sharing and the Luxury Tax”, by Kristi Dosh from U. of Florida College of Law. It is available at http://www.law.du.edu/sportsjournal/docs/spring2007.pdf).

It is difficult to root for the Cinderella team this year when most of the teams involved are Cinderellas. Thus, it has become clear that baseball needs a playoff system which continues to reward the success of its revenue sharing by allowing every team an equal opportunity to make the playoffs, but which doesn’t come at the expense of eliminating nearly all of the most popular teams in the game. It doesn’t make sense that after a grueling 162-game season only four teams from each league make the playoffs. Both the NHL and NBA play half as many games, yet both have twice as many teams making the playoffs each year. What is the result of this policy? The leagues get to make more money, the fans get to watch their team longer, and, arguably, the championship is a lot less arbitrary due to the more competitive and extensive playoff system.

Baseball is undisputedly the most traditional American sport. Change is not something that is looked at favorably, as change would bring all future statistics and records into question as compared with the old. However, there are times when all things must change to survive. The catalyst is usually the moment when what was once seen as tradition is seen as antiquated. I think this year’s playoffs may show MLB brass that the system isn’t as sacrosanct as it appears to be. There is promise in the fact that a change wouldn’t even require any drastic action, but a return to yesteryear. It wouldn’t be that unreasonable for MLB to be divided as it is with the American League and the National League, but then simply have four divisions as they existed pre-1994. So, that would leave MLB with an American League East and West, and a National League East and West. Then, simply take the top four teams in each division and eliminate the “wildcard”. To avoid having playoffs that last into the middle of November, have the initial divisional games be a one-game playoff, with the winners of those playing in a three-game series for the division title. After that, the playoffs would proceed as they do now.

This would create an atmosphere of excitement about baseball in the fall that hasn’t existed in quite some time. Additionally, during the season, traditional baseball rivalries which have suffered due to the largely illogical and arbitrary divisions would be rekindled, and even those traditionalist baseball naysayers would have something to cheer about.

Eric is a 2L and can be reached at Eric.Gettemy@valpo.edu.

3L’s win Cardozo

BY SARI CROUCH
Copy Editor

On a crisp fall night, Valpo Law students, faculty and alumni assembled at Kirchoff Park for Cardozo Cup, the annual interclass softball tournament. The 1Ls played the 2Ls in the first game and lost by an astonishing 10 – 2. (The author has been unable to confirm this score as the 1Ls questioned have made the loss less bad and the 2Ls questioned increase the margin of victory.) Following the 1L/2L game, the faculty played a game against students from each class. The winner of that game is still undetermined because the lights went out on the field prior to finishing the game. Once the lights were back on, the 2Ls and 3Ls played each other for the cup. It was a close game, and, going into the ninth inning, the score was 6 – 4, with the 2Ls in the lead. The 2Ls went without a run during the top of the 9th inning and it came down to the 3Ls to win or lose the game. After putting a runner on base, 3L, Jim Tully, hit a homerun and tied up the game. The next runner hit the ball, bouncing off the plate, and eventually was tagged. Both teams challenged this play, and the runner was eventually allowed to hit again, which set up 3L, Nick Otis, for a big hit into left field and brought in the winning run. The final score was 8 – 6.

Congratulations to the 3Ls on their victory.

Photo courtesy of Jennifer Sheets
The Faculty and the Work of this Law School

Law faculty have two main professional roles. One is as educators—in-class teachers, counselors, and master craftsmen who provide examples of legal thinking, legal work, and professional culture. This is the faculty role you are most familiar with. The other role is as contributors to the advancement of knowledge in the broad field of law, to justice and effectiveness in our legal systems, and to the broad range of service that lawyers and the law-trained provide. This is a role you are less familiar with, yet it is equally important, if for no other reason than that deep involvement in this kind of work makes faculty members better educators. You can pick up bits of information about what the faculty do from watching the video monitors or listening to news from me of others deans. But that tends to be piece-meal, so I would like to give you a sense of the quantity, variety and quality of the work our faculty do by describing some ongoing or recently completed projects. Even this is far from complete, but it will give a flavor of the energy that marks this school.


Articles abound. For example, Professor Dooley is publishing “National Juries for National Cases: Preserving Citizen Participation in Large-Scale Litigation,” in the New York University Law Review; Professor Bodensteiner is publishing “An Expressive Theory of the Establishment Clause,” in the Penn State Law Review; and Professor Levinson is publishing “A Guide to Using Substantive Due Process to Rein in Abuses of Executive Power” in the Florida Law Review. There are far too many other articles to list here, but I will note that our faculty are also publishing articles and papers on-line in our journal on Social Science Research Network.

Lecturing and participating in conferences are a major part of our faculty’s activities. This fall, Professor Whitton—who spearheaded the work to develop a new Uniform Power of Attorney Act—is speaking widely on powers of attorney in the United States and Canada. This summer, Dean Lind delivered a paper in Oxford, United Kingdom, at the Oxford Round Table session on Church and State, on the ideal of government neutrality toward religion. Professor Andrews this past summer attended the Law and Society Association Annual Meeting in Berlin, where she organized and moderated two panels, one that examined the increasing use of foreign law by national courts and another that examined issues regarding racial minorities in democratic societies. She also served on a panel where she spoke about South Africa’s Truth and Reconciliation Commission. Professor White also attended that conference, participating in a panel on New Issues in the Law of Consumer Credit, where he spoke on the normative implications for consumer contract law of new insights from behavioral economics. Professor Adams, while in Argentina to direct and teach in our new summer program, also lectured on employment discrimination law at the Universidad Austral, in Buenos Aires.

Governmental positions are part of our faculty’s work. Dean Berner is President of the Valparaiso Planning Commission and led the work to develop a smoking ordinance for the City. Professor Nuechterlein is Chair of the Indiana State Ethics Commission. Dean Lind is a member of the Indiana Board of Bar Examiners, and has been Vice Chair. Leadership positions in bar and legal-education organizations are also an important part of faculty work. Professor Dooley and Professor White are members of the American Law Institute; Professor Dooley is working in the Consultative Group for the Project on Aggregate Litigation. Professor Whitton is a Commissioner of the ABA Commission on Law and Aging. And I am a member of the ABA Section of Legal Education Accreditation Committee and have recently been appointed to a Special Committee on Transparency in the Accreditation Process.

And, finally (at least for today), public service, pro bono, and volunteer work are major commitments of the faculty. Many of you traveled to New Orleans with Professor Carter and Professor Brietzke in the spring or summer to provide pro bono representation. Professor Vandercoy recently concluded pro bono representation in a federal death penalty case. Professor Gaffney has filed briefs amicus curiae in important cases dealing with rights to art looted in World War II. And the list could go on.

This work makes our faculty members better educators, makes us a better school, and builds our reputation in ways that can only help you, your classmates, and our graduates. The liveliness of this school is palpable. Stay tuned for more exciting developments in the days, weeks and months ahead.

FROM THE LAW LIBRARY

BY MARY PERSYN
Associate Dean for Library Services

New Database for finding Law Reviews (and Also Non-Legal Materials)

The Law Library has subscribed to a new database from a company, Serials Solutions, which provides electronic access to journal locations. The new Law Library Journal Locator (LLJL) will allow you to check by law review or journal title to see if the Law Library subscribes to the publication, either in paper or electronically. For example, if you check Journal Locator for the Journal of Legislation you will see that the Law Library has a print subscription to the Journal of Legislation. In addition, it is available to Law Library patrons through Hein Online, Lexis and Westlaw.

Checking for the Harvard Law Review shows that, in addition to being available in print, and through Hein Online, Lexis and Westlaw, the Harvard Law Review is also available through Academic Search Premier and Business Source Premier. Clicking on the hotlinks in Journal Locator will take you to any of these sources.

If you are looking for non-legal material, for example, the American Historical Review, you can also check the Law Library Journal Locator. For the AHR, you will see that it is available in Westlaw, JSTOR, Professional Development Collection, Masterfile Premier, and MAS-Ultra.

If your non-legal publication is not listed in the LLJL, you can check an equivalent database that is available through the Christopher Center website. It lists all of the journals to which the Christopher Center subscribes, whether they are in paper or electronic form.

The Law Library Journal Locator will be available soon through icons on all of the computers in the law school. (The Law School IT Department will be putting the icons on the computers.) In addition, it will be available through the Law Library website at www.valpo.edu/law/library. In the meantime you can reach the LLJL at http://wm9nf2hz8a.search.serialssolutions.com/.

The Journal Locator at the Christopher Center can be reached either through the Christopher Center website www.valpo.edu/library, then click on find articles by journal or magazine title, or by going directly to http://b56vx4ge6d.search.serialssolutions.com/.

Thanks to Gail Hartzell, Acquisitions and Serials Librarian, and Marcus Walker, Acquisitions Assistant, for getting the Law Library Journal Locator up and running.
LEGALLY BRUNETTE & BRUNETTER

Advice for Law School & Life

By JORDAN GWIAZDON and BRANDON SANCHEZ

Dear Legally Brunette and Brunetter,
I have heard a lot about the upcoming SBA Halloween party, but I am skeptical that it can compete with a party hosted by my friend Nathan Tomelwite. Surely it can’t be as good as the upper classmen say it is?
- Sally Jemtu, II.

Oh, it is definitely that good, Sally. And don’t call us Shirley. Does your friend Nate have the world-renowned DJ, “The Sultan”? Does your friend Nate have an open bar?

Does your friend Nate have people show up with some of the most outrageous costumes ever seen, as well as prizes to reward those with the most creativity? We think not. It goes without saying that if you attend the SBA Halloween party, there is an incredible likelihood that you will have the most fun in your entire life (assuming you’ve never experienced a Bin Willy’s Day [please see last month’s issue for further clarification]). In years past, prizes have been doled out for various costume categories.

As a matter of fact, your very own Brunette took home the award for “Most Scandalous” a couple years back for his baby costume, much to the chagrin of Brunette and his hula girl outfit. Brunette redeemed himself the following year with a “Best Costume” prize for his widely received Borat costume (It’s a nice! High five!). Let me tell you, Sally, if the fates ever smile upon you and grant the splendor of seeing Legally Brunette in a grass skirt and coconut bra and Legally Brunetter in nothing more than an adult diaper, you can pretty much call your life complete. No, really.

Did we mention there’s an open bar? Couple provocatively dressed party-goers with an open bar, throw digital cameras into the mix, and it’s a virtual guarantee that Facebook and MySpace will be shut down the next day as hung-over law students frantically try to salvage their online reputations before a curious potential employer or bar examiner stumbles across a compromising photo. So, Sally, if you’re hoping to have a ridiculous amount of fun, make a fool out of yourself, and potentially sink your future legal career, then the SBA Halloween party is for you. If not, I hear Becky Butros Butros is having a sleepover in the library. Legwarmer and alarm clock optional.

Dear Legally Brunette and Brunetter.
There is a rumor circulating that a Supreme Court Justice will be visiting FUSL, any truth to the rumor? And how should we act if we bump into him in the hallway?
- Adolfo Mitchell Waldrop-Strigle VIII, II.

Actually, Adolfo, this is not a rumor but the straight up truth. Justice Antonin Scalia is coming to Valparaiso! (we had to lie and tell him he was coming to Vanderbilt II). If you do happen to “bump” into him in the hallways, we recommend that you show no fear- don’t let him think that you’re intimidated. Be sure to crash the Moot Court’s Swygert competition to show him that you’re a devoted legal acolyte. And make sure to pull out all the stops: we’re talking full on Brown and Gold body paint and clever signs so you can make it onto TV networks. Our suggestions: JUSTICE + SCALIA= PENNOYER v. NEFF or ANTONIN BEATS CLARENCE T.. Dress up like a judge, wear a white wig, and roll with a crew of your buddies all equipped with air horns and cowbells, and we’ll definitely be putting Valparaiso School of Law on the MAP!

Questions? Comments? You can contact Jordan and Brandon at: jordan.gwiazdon@valpo.edu
adolfo.sanchez@valpo.edu

Editor’s note: The views and actions expressed in this article are meant in jest, please do not take this seriously and do not show up at the Swygert competition in body paint or with signs. However, feel free to do so at the Halloween party.

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**Law in the Fab Lane**

By Andrea Greene and E.B. Newberry

You Need Therapy!

That’s right. We said those 3 scary words. Unfortunately in modern society, we take therapy to mean something negative. We simply mean that you need to do something therapeutic for yourself! Law school can really take it out of you… as we’re sure you 1Ls are now realizing!

Follow the steps and see what we recommend you do to treat yourself for all your hard work (1Ls and over-achievers) or diligent procrastinating (the rest of us).

Are you male? (Go to number 2) Female (Go to number 1):

1. Are you single? Yes, go to 3. No, go to 4.
2. Are you more of a football gamer ( go to 11) or a video gamer (go to 12)?

3. Do you enjoy being single? Yes, go to 5. No, go to 6.
4. Are you in a happy healthy relationship? Yes, go to 7. No, go to 5.
5. Do you have local single girl friends? Yes, go to 8. No, go to 9.
6. Are you currently interested in someone? Yes, go to 10. No, go to 5.
7. Do you currently see your boyfriend at least once a week?
8. We highly suggest you go out for a night on the town with your gal-pals! Forget whatever drama may be in your life and do your homework tomorrow. We all need time away and out with our friends!
9. Sometimes the best thing we can do for ourselves is reconnect with someone we’ve grown distant to. We suggest you clear your weekend and visit an old friend you haven’t seen for a while! Whether it’s your mom or your sorority sister, it’s refreshing to be around someone who knew you before you entered into the defunct world of law school – people like that keep us grounded!
10. Sweetest day is on its way! No better time (at least not this time of year) to make some kind of romantic gesture. If he doesn’t respond well, re-coup with some girls over mani/pedi’s! Nothing like dishing the dirt while getting a bit of royal treatment!
11. Is your team close or playing an away game close? Yes, go to 13. No, go to 14.
12. Have you recently purchased Halo 3 or Madden ’07? Yes, go to 15. No, go to 16.
13. GO to a GAME! Even if you can’t get tickets, go to Chicago or Indy (or wherever) and watch the game with local fans! Getting out of Valpo is clutch at times! It will be fun to be around other big fans and be obnoxious in a different town.
14. Do you have an appropriate venue to support a small male gathering? Yes, go to 17. No, go to 18.
15. Block out an evening and turn off your phone. Have friends over, drink beer, grunt, do manly things and go nuts.
16. Rent a game and play with the guys! It always seems like guys could use more guy time – cash in on your need. Have a night of gaming and then sleep in the next morning. Hopefully it will provide a nice break in your routine and you will feel refreshed and ready to nerd it out.
17. Have some friends over and watch your game of choice. Get some meat, some beer and chill out. There’s no better way to spend a Sunday!
18. Go to the bar! Go to BW3s or some other bar with TVs and enjoy yourself. Not only will it get you out of your house, but it will provide you with some rest and relaxation!

Andrea and E.B. are both 3Ls and can be reached at andrea.green@valpo.edu and ellen.newberry@valpo.edu.
Porch's Brewhouse

BY ALEICIA PEHR & SARI CROUCH
Managing Editor & Copy Editor

Law school is not only a change in the way and amount that you study, it is a total change of lifestyle for most of us. It is likely that you went to a high school or undergrad with a class far larger than the one that you are in now. A smaller environment creates a whole new set of rules for existing peaceably in this building, so here are the things we wish we would have known about social life in law school:

1. If you don’t want the whole school to know about it, don’t mention it in the building. The very walls have ears around here. A good rule of thumb for speaking within the building: only tell someone within these walls if your grandmother would be ok with this knowledge.

2. In case you haven’t noticed, the rumor mill in law school is vicious. From what we understand, this does not change in actual practice. The best way not to become a victim of the rumor mill is not to give the rumor mill something to talk about. Try to fly under the radar as much as possible, while still being social. This may not seem to go hand-in-hand, but it can be done and will make your life much easier.

3. Go to law school events. This a good way to meet your classmates and make friends.

You should probably have noticed this.

4. That being said, if you do go to law school events, do not get drunk and stupid in front of the entire law school. These are your future colleagues and they very likely have a long memory. Acting like a drunken fool is not in your best interests.

5. Be careful dating within the law school. Conduct this relationship the same way that you would conduct a relationship within a workplace. Keep this relationship discrete, otherwise you may feel like your romantic status is being monitored like the monkeys in a lab.

While the law school social setting may slightly resemble “The Hills” on some days, it is easy to stay out of trouble and out of the rumor mill. Just lay low, try not to gossip (at least not until in the privacy of your own home) and maybe carry around a bludgeon of some sort and you should be ok. Until next time, we recommend a very large coffee cup as a bludgeon, it scalds and leaves a bruise.

Ally and Sari can be reached at forum@valpo.edu

Our specimen this month can be traced back as the original attempt at the style in 1913 by Spatén Brewing Company in Munich. It is readily available throughout the world, including most locations in Valparaiso where beer is sold. Spatén recently began producing Märzen year round. As I pulled the bottle out of its six pack holder, I noticed a very disappointing detail; this well-established beer was bottled in green glass. This may sound overly meticulous to many readers, but I assure you that it leaves the beer with an especially unpleasant character. This is because the green hue of the bottle fosters the penetration of ultraviolet light through the beer which creates a chemical reaction in the hop flower, resulting in the exact compound skunks use to ward off enemies, hence the term, “skunked.” Many regular import drinkers often note this common effect as a trademark of imported beer, but in fact it is highly undesirable, and nearly ruined this experience for me.

The appearance of this Märzen was marked by its light copper tone and its perfect carbonation, denoted by the classic champagne bubble pattern. After a somewhat vigorous pour, its head showed promise but dissipated quickly, leaving a minimal lace around the rim of the glass. Its nose began very sweet and nutty, perhaps that of roasted almonds, absolutely clean and with no yeast signature whatsoever, evident of the style. Its mouthfeel was relatively light and smooth, and the perfect carbonation complimented it quite well. Carefully rolling through my entire palette, its very complex nature led me to think of its color as deceivingly light. This beer has a very clean character, especially in its finish. The almonds noted in its aroma were very evident in the body of the beer, although perhaps less sweet, with no significant hop presence. It finished very strong, with an almost dominating cleanliness. Unfortunately, this hinted at a near-metallic quality, suggestive of the side effects of its green bottle. This beer is so well made, however, that I found it could overcome such a distraction from its overall true quality. My only regret is not finding this one on tap.

Chris is a 2L and can be reached christopher.buckley@valpo.edu

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The cost of music continues to rise. From the days of purchasing a compact disc for $14.99 simply for the purposes of listening to one song, to today where we download the one track we want and pay $1, the cost of music pinches most of our wallets. Technically we aren’t even purchasing the music, we simply get a right of use and enjoyment out of the whole deal.

For those of you who are like me, you look forward to new-release Tuesdays and find the obscure hole-in-the-wall record store. More likely than not, a good chunk of your money is spent on this “use and enjoyment.” Quite recently, artists are recognizing this dilemma of music fans. Better yet, some artists are responding proactively.

This month Radiohead made available its new release, “In Rainbows,” online for download. From the band’s website, you can purchase the downloadable version of the album. When you are ready to check out, the price appears blank (in pounds rather than dollars—just a mere technicality). The catch to purchasing this album is that you, as the listener and customer, get to pick the price. Yep, I said it—you pick the price. If you want to pay the average $11 for a full album, go right ahead. If you are broke and need a music fix, then you can pay $1. If you are a super-fan, then you could pay $52.97 or $500. (However, if you are going to pay $500 for an album, I kindly request that you send the money to me and have your head checked.)

Matt Pond PA - Last Light
Released September 25, 2007; Altitude Records

Matt Pond PA is generally known for his mellow, emotionally charged, and lengthy albums which contain an extensive use of the cello. “Last Light,” however, highlights Matt Pond’s ability to expand outside of the band’s notched-out hole it created in past albums. It is comprised of twenty-one tracks, half of which stick to the band’s established format and the other half which treads on the edge of punk-pop. These relatively upbeat songs are comparable to Doug Gillard’s solo album, “Salamander” (for those of you unfamiliar with Indie rock, Doug Gillard was the guitarist for one of the most influential bands in underground music “Guided By Voices”). “Last Light” is an artfully crafted album, apparent from the intelligent lyrics and the order and flow of each song. Even the length of the album is aptly enjoyable. Taylor Locke of Rooney and Neko Case are just a few of the artists that make guest-appearances on this album. In typical Matt Pond style, the album made its release just in time for fall—maybe an effective method, since this album works well with the changing leaves and damp days of the season.

If you become a fan of Matt Pond PA, then you might become a fan of: Rilo Kiley, Iron & Wine

Across the Universe (Music from the Motion Picture) [Deluxe Edition]
Released September 14, 2007; Interscope Records

Beatles’ songs. Various artists. The Beatles’ fan’s argument: any other artist’s rendition of The Beatles is the equivalent of the caricature guy in the park creating his own version of a Salvador Dali artwork. It takes talent to copy such a coveted work, but when comes down to it, it’s still a copy. This album is no different: any Beatles fan will argue that this is simply an album of covers. The important thing to consider is the bigger picture—this album is a soundtrack, a compilation of songs which were used as the backdrop to a movie. Simply put, the movie, like any musical, is the body to which the music becomes accessories. It blends among the storyline and the dialogue. Set in the 1960s, the same era in which these songs were written by the Beatles, the story follows a young couple living amongst the shifting times, encompassing the emergence of psychedelia to the protests of Vietnam and the struggles each of them must face. With this in mind, the music then is not just a set of covers. It facilitates the story, creating a denser picture for the audience. Taking all of this into consideration, along with an open mind, this soundtrack isn’t all the bad. I must say Bono does a pretty fair rendition of “I am a Walrus.” I would recommend seeing the movie before you debate on whether to purchase this album.

Okkervil River - The Stage Names
Released August 7, 2007; Jagajuwar

You could probably argue that this album is a little rough around the edges, but upon closer look, it is probably the most evolved product Okkervil River has put forth. Accompanying the intelligent and emotional story-line lyrics, the band incorporates mandolin and organ to their already established sound of distorted guitar riffs and strings. The best part of the album is the track “John Allyn Smith Sails.” If you aren’t paying attention, you won’t be ready for what you hear. The band incorporates The Beach Boys’ “Sloop John B” right into the track and turns it into a sound that is completely its own. Completely unexpected, yet completely creative. Overall, this album staggers somewhere between mellow and upbeat, never really becoming stagnant.

If Okkervil River gets you jumping, then jump on: Spoon, Animal Collective, Andrew Bird

Megan is a 3L and can be reached at megan.krol@valpo.edu.
**Student Profiles**

*By Alecia Pehr and Sari Crouch*

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<th>3L</th>
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<td><strong>Bailey Cunningham</strong></td>
<td><strong>Jeff Cartwright</strong></td>
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**Family:** Dad (Jack), Mom (THE Tracy), big brother Erik, little sister Maddy, little brother Zac

*After 7 weeks of fall semester, do you still want to be a law student? Has it only been seven weeks? Feels like I've been here 2 years.*

*What are your thoughts on Valpo's new roundabout? I avoid it at all costs because apparently operating a roundabout is harder than brain surgery for some people. I also don't quite get why there is a sidewalk in the middle but I intend to walk on it.*

*Any guesses on what exactly that smell outside of the law school is? Success, get used to it.*

*If someone tapped their foot in the stall next to you... what would you do? In the bathroom? Probably scream and run, regardless of if my business was finished.*

*What is your opinion on Ron Paul? I have no idea who this is. I know Ru Paul.*

*What do you think of the Big Ten Network? I don't know anything about it. As long as it doesn't interfere with me getting to watch 30 Rock I'm fine.*

*If you could switch places with anyone who would it be, and why? Rebecca Bostrum. She's yacking it up at Tulane but when she comes back to Valpo she'll be the most popular person in the school. She's like a celebrity.*

*What are your thoughts on Valpo's new roundabout? Causes more traffic than it solves. A total mess right now.*

*Any guesses on what exactly that smell outside of the law school is? The leftover booze from last year's SBA exec board?*  
*If someone tapped their foot in the stall next to you... what would you do? What is bathroom code for "not in a million years"?*

*What is your opinion on Ron Paul? He is the best candidate out there. Probably the most intellectually honest and decent person; which is why he'll lose.*

*What do you think of the Big Ten Network? The Big 10 is lame, why can't we get the MTN?*  
*If you could switch places with anyone who would it be, and why? The punter for the Colts, that guy doesn't do squat and gets paid a couple hundred grand for it.*

*What are you going to be for Halloween? The scariest thing you can imagine... a personal injury attorney.*

*Are you going trick-or-treating? It's a Wednesday night, I'll be watching American Gladiators on ESPN Classic.*

*How would you react to arguing in front of Justice Scalia? I'd probably need to bring an extra pair of clean slacks.*

*As Parker v. District of Columbia comes before the U.S. Supreme Court this term, what do you think lies ahead for DC's Handgun Ban? The decision by the Court of Appeals will likely be upheld, although it will probably be another 5-4 decision with the usual suspects on both sides.*

**Family:** 3 sisters, 2 brothers, 1 niece

*After 7 weeks of fall semester, do you still want to be a law student? I've been toying with the idea of becoming a carpenter.*

*What are your thoughts on Valpo's new roundabout? Causes more traffic than it solves. A total mess right now.*

*Any guesses on what exactly that smell outside of the law school is? The leftover booze from last year's SBA exec board?*  
*If someone tapped their foot in the stall next to you... what would you do? What is bathroom code for "not in a million years"?*

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*Family: Single*

*After 7 weeks of fall semester, do you still want to be a law student? After 7 weeks, Law School has tested my thinking, writing, and intellectual abilities. However, I am enthralled with constant change, progression and challenges. Thus being a Law student although frustrating and trying has transformed into an exciting journey to complete.*

*What are your thoughts on Valpo's new roundabout? I don't believe a roundabout was necessary in Valpo. Although it could be useful in determining whose drivers license should be suspended. Yielding shouldn't be that difficult.*

*Any guesses on what exactly that smell outside of the law school is? I have wondered what that smell is for weeks, and it can only be ascribed to all the burning brains inside the Law School.*

*If someone tapped their foot in the stall next to you... what would you do? First off, if someone tapped their foot in the stall next to me it would be absolutely gross. Second, I would ignore it and pretend I didn't hear it.*

*What is your opinion on Ron Paul? Ron Paul's extreme conservative voting record causes me to disagree with many of his political views. (This question had to be edited for space, if you would like to hear Hugo's views on Ron Paul, please contact him personally. Sorry Hugo.)*

*What do you think of the Big Ten Network? As a television addict, if I have to pay for my television shows then capitalism has truly over-stepped its boundaries.*

*If you could switch places with anyone who would it be, and why? Given that I have been a law student for 7 weeks now, if I could trade places with anyone it would be with my 3 year old niece. I love that her life consists of playing all day and sleeping all night. I wouldn't mind having some of both at this point in my life.*

*What are you going to be for Halloween? I do not believe in dressing up for Halloween, the last*  

Continued next page
Crossword 101

Can You Do It?

Across
1 Easy two-pointer
5 Homer's son
9 Appropriate
14 Slender reed
15 To ___ (perfectly)
16 ___ Grows in Brooklyn
17 In a minute
18 It's sold in bars
19 River to the Rhone
20 Can you do it?
22 Cut wood
23 Great buy
24 "M*A*S*H" extra
26 "Take ___"
29 Liqueur flavorers
33 Lincoln and Madison
38 Set aflame
39 Game ender, perhaps
40 Fresh from the shower
42 Family group
43 Charm
45 Deduct taxes from pay
47 Enter again
48 Food additive
49 Ms. Anthony
52 Bring up
57 Beach souvenir
60 Can you do it?
63 Blender setting
64 Peter, Paul & Mary, e.g.
65 Hodgepodge
66 Foreign
67 Standard Oil name
68 Monthly budget item
69 Got some shuteye
70 Baseball feature
71 Hammock holder

Down
1 Doctors orders
2 W.W. II menace
3 Lasso loop
4 Nairobi's land
5 Largest fiddle

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