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DEAN CONISON SIGNS LETTER IN SUPPORT OF THE RULE OF LAW IN GEORGIA

BY EDWARD FARMER
Staff Writer

Recently, Valparaiso University School of Law’s Dean Jay Conison attended a conference on Judicial Independent and Legal Education organized by the American Bar Association (ABA) in Tbilisi, Georgia. Conison is vice chair of the ABA committee and is responsible for the accreditation of law schools in the United States. He was invited to the region in an effort to help establish an accreditation system for Georgia’s newly forming legal education system. Currently, Georgia’s legal system is rapidly transitioning toward a western style legal system. Conison commented that, “Georgia is a country committed to strengthening its legal and judicial institutions. There is wide recognition that building a strong system of legal education, supported by a system of accreditation, is vital for ensuring a high quality legal system and an independent judiciary.”

Soon after Conison left Tbilisi, fighting broke out between Russia and Georgia. Conison stated that the fighting partly occurred because, “Russia feels threatened by the westernization of Georgia and wishes to stop the movement of Georgia toward a western legal system.” To support the Georgians, Conison and 69 other deans of law schools in the United States joined together and signed a letter stating their support of international norms of conduct and the rule of law in the region. In their letter the deans stated, “The actions of Russia threaten...the people of Georgia and the Georgians’ commitment to values we hold fundamental and daily teach to our students.” The letter was sent to the U.S. Department of State, numerous Congressional delegations, Condonezza Rice, and political and academic figures in Tbilisi.

Dean Conison asks the students of VUSL to similarly support the Georgians. “See the Georgians as friends who share our values and goals and wish to write, particularly because I have had such a difficult time writing this article.”

Your right to light goes up in smoke

BY JON MORRIS
Staff Writer

Another year of school, another new regulation to obey. The restriction of the day is a complete ban on the use of any and all tobacco products on University property. The rule seems easy enough to understand. However, if this rule is to be enforced, it would be nice to know exactly what the administration expects from students, faculty and staff who normally partake in some form of tobacco product.

The University website has an outdated smoking policy buried in the depths of their intranet page, which I was unable to find without help. After reading the policy, which outlines designated smoking areas on a map then briefly mentions, in the last sentence, that Valparaiso University will be a tobacco-free environment as of July 1st, 2008; it seems that there is no clear and concise official non-smoking policy. The official policy statement on the university marketing website is simply “Valparaiso University is a tobacco-free environment.”

Adding fuel to the fire of confusion are signs posted on the exterior doors of the law school informing students, faculty, and staff that there will be no smoking allowed on campus property, but you may enjoy tobacco products in your car.

This is a difficult article to write particularly because I am unable to find a real non-smoking policy with a clear statement of expectations and consequences anywhere in the Valparaiso University Community.

With no hope of informing you about the realities or uncertainties of this new policy, I have turned to law students, undergraduate students, faculty, and staff of Valparaiso University for their opinions on the matter. The majority of the people interviewed agreed that smoking is bad, second hand smoke is worse, and that this new policy is a bit unnecessary. Approximately four people were strongly in favor of the policy, mostly because they dislike the smell of smoke. Many more than four people were indifferent. I was shocked.

It seems that the university administration disagrees with the results of my interviews and believes smoking is something seen GEORGIA page 6

Law school welcomes new professors

BY AMBER WAGGONER
Staff writer

When a professor begins his or her career here, similar to when a new student starts at the Valparaiso University School of Law, they become a part of the VUSL family. New teachers bring new ideas and fresh teaching methods to an already very unique group. VUSL has recently welcomed four new teachers into the family including: Professor Blum, Professor Murray, Professor Andrews and Professor Ching. You may have already noticed that when a new school year begins, and students are scrambling to get all of their work and meetings done, it may be hard to find time to get to know your fellow students, let alone all of your professors. Not to mention, with all their professional experience and their neatly pressed suits, students are easily intimidated by professors. But like you and me, professors are regular people with regular lives who just happen to be attorneys as well.

As I previously said, each new professor brings something unique and different to our school. Professor Blum, for instance comes to our school after teaching at the renowned Howard University School of Law. He also practiced law for 10 years in New York City. He has done many criminal appeals, including numerous murder cases and dozens of oral arguments. (No, LIs this does not mean you can camp out around his office for help during the appellate briefs, so leave your sleeping bags at home.) As one of the highest points in his career, he was the Union Vice president for the New York City Labor Against the War; he worked under the president of the union shortly after Conison left.

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Cambridge Summer Abroad 2008

BY HEATHER LOoby
Executive Editor

The first week of our summer abroad began with the Cambridge trip rite of passage known as Legal London. This whirlwind week included studying the process of law-making in Parliamentary Government and the adjudication of civil and criminal cases in England. Ten students who attended were led by Professor Ed Gaffney of Valpo Law.

For our first night together in London, Professor Gaffney arranged for the entire class to attend a production of Shakespeare’s “King Lear” at the internationally known, Globe Theatre. Viewing “King Lear” was meant to show students what happens in a lawless society and introduce us to the concepts which we would be covering in Gaffney’s week-long class.

The first day of our course was aimed at studying comparative constitutional law between the United Kingdom and the United States. This included a trip to the Houses of Parliament to view judicial committee hearings and an informational meeting with Leslie Tsou, a diplomat on the staff of the United States Embassy. Later that evening at Ramsay Hall, our residence for the week, Professor Gaffney introduced us to international and transnational law in order to prepare us for the rest of the week’s agenda. This agenda included having tea at the Houses of Parliament with Lord Woolf, Former Chief Justice of England and Wales, a meeting with two international corporate lawyers at the London office of Bird & Bird and a visit to the Royal Courts of Justice.

Professor Gaffney focused much of the week enlightening students of the issues associated with the ongoing Israeli - Palestinian conflict, which stems from a dispute over national identities and land claims of both groups.

To further our understanding of this conflict, Professor Gaffney arranged for us to meet with foreign dignitaries such as Egyptian Ambassador Gehad Madi and the Palestinian General Delegate to the U.K. Manuel Hassassin. Students also spoke with Donatella Rovera of Amnesty International about possible solutions which could be utilized in resolving the conflict between the Israelis and Palestinians. For the final day in London, many students opted to attend the Changing of the Guard at the Forecourt of Buckingham Palace, and visit major tourist attractions such as Tower Bridge and Harrods’ Department Store. Following their visits, students boarded a train to what would become their new home in Gaffney’s week-long class.

The class received an exclusive tour of the Peace Palace which houses the ICJ and serves as the principal judicial body of the United Nations. The group then met Professor Penelope Andrews at the International Criminal Court and attended the arraignment of former rebel leader and Vice-President of the Democratic Republic of the Congo, Jean-Pierre Bemba-Gombe. Back in Cambridge, classes resumed their Monday through Thursday schedule at the Valparaiso University (VU) Center. Classes were held in the same location where students were staying, making it convenient to walk across the hall to attend class lectures. The early morning classes allowed students the rest of the day to study and explore the Cambridge area.

After making friends with local bar-tenders, some students found entertainment as regulars at Sir Isaac Newton Pub and The Pickering Inn. Both conveniently located within walking distance of the VU Center. Students took advantage of the long weekends by traveling to places such as Germany, Ireland, Portugal, France, Scotland and Israel.

The weeks in Cambridge flew by as students jet-setted across Europe and “studied” late into the evenings. For the final night in Cambridge, students took it upon themselves to organize their very own pub crawl as a final send-off to a great summer. While some students greatly anticipated their return home to the United States, where they could once again enjoy the luxuries of showering without flip-flops, driving to the grocery store, and not needing to find exactly twenty pence to use the clothes dryer, Cambridge was a great learning experience and is strongly recommended to any interested student.

Summer 2008 Cambridge Attendees:

Heather is a 2L and can be reached at Heather.Plank@valpo.edu.
Dean Adams, the new Associate Dean of Students, has diligently worked for the last six years to arrange a study abroad program in Chile and Argentina. The first group of students who attended the program in Chile and Argentina last summer spent their time studying Human Rights. During the second year of the program 13 students partook in studies relating to human rights and family law.

The South America program is designed for students to explore legal, historical and cultural approaches to human rights in Chile and Argentina. Both countries have been victimized by military regimes, genocide, and disappearances of individuals deemed subversive because of their political views. The program challenges students to think about the social issues and policies that affect human rights in these countries and helps students to think outside of the box about methods for effective reparations for victims of torture.

The program also exposes students to the legal and judicial systems in Chile and Argentina. As a participant in the program, I had the opportunity to hear oral arguments at the Constitutional Court, Supreme Court and Appellate Court which as a future lawyer was an valuable experience. The students attending the program gained a better understanding of how foreign courts are administered allowing them to gain a better comparative perspective to the U.S. court systems.

Study abroad also has a cultural element which is difficult to fully describe. During our experience, we had the chance to see and experience a lot of new things. We had the opportunity to cook a gourmet meal in a restaurant overlooking the Pacific Ocean. We also soaked up the culture by living with local families. We attended a few asados (cookouts), and even watched the finals of a local soccer club match.

An eye opening experience for us was our tour of a maximum security prison. We even got to speak with some inmates. Another experience was a tour of a concentration camp – where political dissidents were tortured and killed.

The highlight though, was our trip to the home of Chilean writer and politician Pablo Neruda.

Additionally, we had the opportunity to travel to Uruguay to further enrich the cultural experience.

As a participant in the 2008 summer abroad program, I would highly recommend the program. It was academically, socially and spiritually rewarding. Furthermore, spending four weeks with professors and other law students allowed us the opportunity to meet new people and create friendships that will last beyond our law school years. If ever presented with the opportunity to study abroad again my answer would be: “Absolutamente!”

Hugo is a 2L and can be reached at Hugo.
The Docket

Wine and elections?: Seventh Circuit uses voter ID law in wine shipping case

BY CHRISTY COMMERS
Staff Writer

On August 7, 2008 the Seventh Circuit decided Baude v. Heath, Nos. 07-3323 and 07-3338, found constitutional a law requiring consumers to visit a winery in person to verify age and other information before that winery could ship wine to the consumer directly.

The Court used Indiana’s voter ID law, which requires voters to have a state or federal-issued ID in order to vote in person as the basis for its decision.

The Plaintiffs filed suit claiming the state law violated the Commerce Clause by placing higher costs on out-of-state wine because it is more expensive to travel to wineries outside of Indiana. They, along with others filing amici curiae briefs, also argued that verifying a recipient’s age when the wine delivery is sufficient to prevent minors from accessing alcohol.

The Defendant, Chairman of the Indiana Alcohol and Tobacco Commission, defended the law as a way to prevent minors from gaining access to wine. The Plaintiffs countered the Defendant’s argument, stating minors will still find ways to get wine regardless of the law.

Indiana Code §§ 7-1-3-26(6)(A) and 7-1-3-26-9(1)(A) have requirements for both the consumers and the winery. The consumer must go to a winery, provide their name, address, age, phone number and sign a statement that the purchase is for personal use. Only after the requirements are fulfilled can wine be shipped directly to the consumer.

The consumer also cannot receive more than 24 cases per winery per year. Wineries have to obtain a license and pay Indiana taxes. The law applies to all wineries inside and outside Indiana.

In its analysis, the Seventh Circuit stated the law was constitutional because the traveling costs in visiting wineries outside of Indiana are negligible when consumers visit multiple wineries during a trip; yet the Court admitted Indiana’s 41 wineries are spread out across the state, as opposed to other state’s wine regions, where multiple wineries are in a condensed area. The court also dismissed the Plaintiffs’ claim that verifying the age of a consumer when the shipment was delivered was sufficient. It cited the Supreme Court’s recent decision in Rowe v. New Hampshire Motor Transportation Association, 128 S.Ct.989 (2008), which held states cannot require delivery carriers to verify the age of the recipient.

Along with the Rowe ruling, the court provided possible scenarios where a wineries’ age verification process was significantly more stringent than that of a delivery company. The court also dismissed the Plaintiff’s argument that there should not be a law since it will not prevent every minor from accessing wine. It found that while a law will not be effective 100 percent of the time, reducing underage drinking by any degree is a sufficient reason for implementing the law.

My thoughts: Allowing direct wine shipments is a step in the right direction for Indiana. Before this law no wine could be shipped into Indiana. I wonder if wineries outside Indiana will go through all of the law’s requirements in order to ship wine to a small segment of the Hoosier population. Hoosier wine drinkers could become unable to get their favorite wines because the wineries simply do not want to deal with the law’s requirements.

Christy is a 2L and can be reached at christen.commers@valpo.edu.

FROM THE LAW LIBRARY

BY MARY PERSYN
Assoc. Dean of Library Services

You may have seen the July issue of the Law Library newsletter, The Reporter, which described all of the changes that were taking place in the Law Library over the summer. These included converting that space into a Reading Room for quiet study. The library staff thinks that the new carpeting on the lower level and the newly painted walls are a vast improvement over the old décor. With the removal of the book stacks and the law reviews the area is much lighter and brighter. When the new furniture finally arrives, complete with electrical outlets and lamps on the tables, the lower level should be a comfortable and attractive place to study.

As part of the remodeling we decided to officially make the lower level of the Library the “Quiet Study” area. That way you will know where to go if you don’t mind a little noise while you study (first or second floor), or if you would prefer quiet (lower level). We will be doing some policing of the lower level and ask people who are talking to move to another floor. The group study rooms on the lower level continue to be available for groups of students who want to study together and talk.

Returning students might have noticed, if you are here after sundown, that we finally have lights on the library stairway. That “dark hole” in the center of the Library is now brighter thanks to another part of the summer remodeling project.

Finally, we have added some new online sources to help you with your research. I will only mention one new source today – Subject Compilation of State Laws, a digital version of a source that we have had since 1960 in paper in the Reference Collection (KF 240.S795). The database and its predecessor in paper format index documents that contain 50 state surveys of all sorts of laws. It is a shortcut to be used when you need to find all the state laws on a particular topic such as “blue sky” laws, or RICO laws, or laws on franchising, or DNA evidence, or on any other topics that might arise in your research. The Subject Compilation is a part of Hein Online and can be found at www.heinonline.org. Click on “Subscribers Click Here to Enter” and then look for Subject Compilation of State Laws in the left hand column.

Have a good month.

Dean Persyn, mary.persyn@valpo.edu

Attention Writers!
The FORUM wants you!

e-mail: forum@valpo.edu

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Over the summer, five students participated in externships overseas. Amnaa Downton served with Bridges Across Borders Southeast Asia, in Cambodia, Rakesh Ghaani with the Human Rights Commission of Pakistan; Elizabeth Plank with Pottery, Shelly & Co. in Hunt- ingdon, UK; Katie Stephen with Irish Refugee Service, in Cork, Ireland, and Elizabeth Grohse as a judicial clerk in Melbourne, Australia. We expect more students to serve in these, and other, placements, in summers to come.

We now have two summer abroad programs. Thirteen students participated in the program in Buenos Aires, Argentina and Santiago and Valparaiso, Chile, and ten students participated in the program in Cambridge and London, UK. A new component of the UK summer program was a trip to The Hague to observe hearings in the International Criminal Court. We are exploring a summer abroad program in Buenos Aires, that might commence as early as the summer of 2010.

We now have exchange agreements with three law schools in South America (Universidad de los Andes, in Santiago, and Universidad Austral and Universidad Católica Argentina, in Buenos Aires), through which our students can enroll in law courses for a semester at one of those schools and receive credit toward graduation. The agreements similarly provide that students at those universities can attend law school here for a semester and receive credit toward graduation at their home schools. The exchange agreements also provide that faculty at the South American schools will teach and lecture here, and that our faculty will teach and lecture at the schools in South America. One example of this faculty exchange is the course on Comparative Constitutional Law taught the week of August 18 by Professor Julio Rivera. Fifteen students enrolled in Professor Rivera’s course.

Professor Andrews has established an Advocates and Scholars in Residence Program that brings distinguished visitors to campus, mainly from other countries. Visiting Advocates and Scholars this year include Professor Owen Mcintyre, of the Faculty of Law, University College, Cork, Ireland; T. Nogbalsee Warin, the head of the Liberia Extractive Industry Transparency Initiative; Steve Kahano-vitz, of the Legal Resource Centre in Cape Town, South Africa; and Justice Marcia Neave of the Court of Appeal in Melbourne, Australia. Our first visitor, Professor McIntyre, will be here from September 10 to October 10.

In July, I was in Tbilisi, Georgia, working with USAID and the American Bar Association’s Rule of Law Initiative on a project to develop a more western (mainly European) system of legal education in Georgia and create a system of accreditation for law schools. In early September, Professor Andrews see INTERNATIONAL p6
Amber. Waggoner@valpo.edu

Professor Ching came to VUSL to teach legal writing. His experiences vary widely and are unique. He has traveled all over the country and even taught in China. He has been to Michigan, Kentucky, Oregon, and Missouri.

When asked about unique experiences from all his travel, he spoke about a moment he had in a class in China. A student asked him if passengers are allowed to move to the cities in South Africa. Professor Ching responded that it is not allowed and raised in South Africa. Professor Ching is born in South Africa.

Professor Murray, also just began teaching legal writing here at VUSL. Like Professor Ching, he too has done lots of traveling including teaching in China. He also taught in Illinois, California, Missouri and New York. He has published numerous articles and presented at the 2008 Legal Writing Institute Conference. His experience makes him a valuable part of the VUSL community.

Professor Andrews, is starting her second year at VUSL. She was born and raised in Georgia. Professor Andrews has a great deal of experience and brings teaching international law to a whole new level. She has taught all over the world including: Canada, Germany, New York, Amsterdam, Australia, Maryland and Scotland. She specializes in economic inequality, civil liberties and human rights. Her hands-on experience is greatly effective and has convinced several students and even professors to join in the cause. Professor Brown has decided to join her on her trip to South Africa.

that must be eliminated from our school grounds. Personally, I really could not agree more. It is certainly not fair to be forced to smell unpleasant odors in your workplace or school. Especially if you are one of many people suffering from allergies or asthma from cigarette smoke or secondhand smoke. I hope you will take advantage of the opportunity to help.

The university also claims that the power to control smoking on campus is not in their hands and that they have no choice but to comply with the new city non-smoking ordinance. That is why for all indoor facilities. Below is the relevant section from the Valparaiso City Code of Ordinances:

SMOKING PROHIBITED IN PUBLIC PLACES
(A) Smoking shall be prohibited in all enclosed public places within the city.

This new city ordinance only applies to the indoor facilities of the University. There is nothing that I could find in the Valparaiso City Code of Ordinances that would suggest the University must ban smoking outdoors on any of its property.

I am not a smoker. Personally, I don’t like cigarettes, and I never have. I don’t like it when people smoke near me, it makes my clothes smell bad and I don’t like it when people smoke near me. I don’t like it near my workplace. I am not a smoker, and I never have.

The University Administration most likely made the decision to ban smoking on campus property to prove that they are “committed to providing a healthy environment for members of the campus community.” If the university were serious about a healthy environment, they should focus on fixing our parking lots, making sure we have proper lighting and emergency boxes, or maybe even, pavement. These shortcomings pose a far greater threat than being exposed to second hand smoke in passing, especially when you’re outside!

Everyone has a right to a healthy school environment, but smokers have a right to a designated area, outside, away from the building, where they can fill their lungs with tar and other carcinogens as often as they like without abusing any sensitive noses and without burning holes in the upholstery of their cars. If they breach the perimeter, fine them $100 per violation. Then use the money collected from offenders to host a pizza and Febreze party for non-smokers every year!

Maybe the University wants to govern the way that undergraduate students abuse their lungs, but many of us at the and Professor Brown will be in South Africa at the request of the Minister of Justice to hold workshops for women as part of a project to help further the development of the legal system. In prior years, Professor Bretzke has worked on projects to help develop the legal system in Indonesia and Jordan.

This summer, four of our professors: Professors Andrews, Brown, Telman, and Huss—attended the annual Law and Society Association meeting in Montreal, presenting papers, chairing sessions, and serving on panels. This fall, Professor Straubel will participate in the 14th International Congress on Sports Law, sponsored by the International Association of Sports Law, in Athens.

Many other international lectures and conferences by our faculty are scheduled for 2008-09. We currently have 21 international students enrolled in our LL.M. program, which provides an intensive education in U.S. law for foreign-trained lawyers. We have also just received acquiescence from the ABA for our new S.J.D. program. This is a dissertation-based doctoral program for foreign-trained lawyers who have completed an LL.M. at Valparaiso or another United States law school. And this fall, in our new 1L class of J.D. candidates, we have students from Saudi Arabia, Bulgaria, Argentina, Bosnia, Russia, Jamaica, Scotland, Zimbabwe, Cameron, Taiwan, and Poland.

What all this, and more, reflect, is a cultural change and a change in the way we see ourselves as a law school. Not only are we not simply an Indiana law school (or simply a Great Lakes law school). We are a law school that prepares students for a globally connected practice; we are a law school that serves students worldwide, and a law school of whose faculty have an impact on law, legal education, and political and economic development worldwide. And this is the way it should be, because those schools that fail to look internationally will be left behind.

If you are interested in international opportunities for study of extraterritorial endeavors, I hope you will come to study with Professor Andrews or Professor Brown. We are interested in making global connections, I hope you will take advantage of opportunities presented by our many international visitors. And I hope you will contribute to the continued development of our international programs with us and others, and to fostering opportunities for the students and faculty of our law school.

Dean Contison may be reached at Jon is a 2L and can be reached at Jonathans.Morris@valpo.edu

them success in building their legal system”, Conison said.

STATEMENT BY UNITED STATES LAW SCHOOL DEANS IN SUPPORT OF THE RULE OF LAW IN THE CAUCASUS REGIONS.

We are deans of law schools in the United States and we make this statement in support of international norms of conduct and of the Rule of Law in the Caucasus region. We make this statement in opposition to the efforts of Russia to undermine the governmental structure of the Republic of Georgia and to undermine Georgia’s commitment to the Rule of Law in its political, legal, judicial and legal education systems.

There are longstanding and complex conflicts in and around Georgia, and between Georgia and Russia. We do not seek to assign blame or propose solutions regarding those conflicts. Rather, in this statement we respond to the recent violations of international norms of conduct by Russia in its military actions directed at Georgia and its citizens; and we respond to military actions that would undermine the progress of Georgia toward a political, legal, and judicial system that is neutral, independent, and progressive, and that is committed to the values of the Rule of Law.

The actions of Russia threaten not only the people of Georgia. And it threatens not only the Georgians’ commitment to the values we hold fundamental and daily teach to our students. By its violence and its geopolitical aims, it threatens the freedom and ability of emerging democracies throughout Eurasia to build political, legal, and judicial systems without fear of external threat and domination. The conflict is local but its potential harm is global.

The Georgians have labored for more than fifteen years to create a stable and representative political system, an effective and transparent legal system, an effective and transparent legal system and a legal education system that supports all of these. They have made substantial progress and have demonstrated a commitment to continuing that progress, not alone but in partnership with lawyers, judges, and educators from the United States and Europe. The military attacks on Georgia, and the attacks on Georgia’s political and legal system, are an attack on the Rule of Law values, and they must cease and the Georgians must remain free to shape their juridical destiny.

We call on the leaders of Russia to halt the attacks on Georgia and its citizens, and call on the leaders of the United States, the European Union, and the United Nations, and on all who hold Rule of Law values dear, to bring about a halt to Russian attacks on Georgia, Georgia’s people, and its institutions political, legal, and judicial systems.

Edward is a 2L who can be contacted at Edward.Farmer@valpo.edu

Amber Waggoner@valpo.edu
EDITORIAL

Apathy. It seems to run rampant through the corridors of Wes­
eman Hall. Mention anything school or class related to an upperclass­
man, and you will be met with a blank stare and a neon sign above his or her head that reads "Why are you telling me? Does it look like I care?"

It doesn't matter how interesting the new tid bit of information could be, you will continually be met with the same stare of complete apathy. It begs one to ask if this kind of attitude is exclusive to Valpo Law? Or does this kind of attitude permeate all second and third year law students regardless of the school?

When you talk to law students at other schools, you will almost certainly find the same attitude. But here at Val­po Law the apathy goes above and beyond. This law school and its various student organizations work tirelessly to bring an interesting and diverse group of speakers to campus every year. However, only a handful of students ever show up to listen to the wisdom the speakers seek to impart upon us.

Is it that hardly any stu­dents seek to take advantage of these speakers? Are we actually bringing so many speakers to campus that ev­eryone blows them off as "just another speaker"? Perhaps. The problem may even be a lack of advertising or infor­mation about the speakers. The more likely answer is that students are just apathetic.

It goes farther than on campus events, the apathy seeps into academic life as well. After the first year, class stand­ings are nearly solidified, the ba­sics of the law are understood, and stu­dents feel ready to get out there and do real work.

It's tragic that second and third year students fail to care about their classes and school in general. After these two years, most of us will never again have the luxury of learning an obscure area of law that we may never work in. Sure you may not end up working in Enter­tainment or Media Law, but when else are you going to get the chance to learn about these different areas of law.

It's been said that boredom and apathy in the third year of law schools signifies that students are ready to go out into the real world and become pros­fessionals. This happens because by the third year, you have accomplished what you set out to do: become a suc­cessful law student. You no longer feel how to do it on your own, and there my head that reads

The speakers seek to em­part upon us.

What's Your Issue?

Offshore Drilling

BY SARI CROUCH
Managing Editor

Offshore drilling. It sounds like a big, daunting, scary phrase for political types to throw around, but what the heck is offshore drilling? Like most students in need of information I went to the obvious source for all knowledge, Wikipedia. According to Wikipedia's "Offshore Drilling" article offshore drilling is the extraction of underground minerals from the shoreline. This is a difficult process and it tends to be more costly than land­based ex­traction operations for a few rea­sons.

"Manned" off­shore drilling plat­forms must be above water and they are held in place by "feet," that are embedded in the sea floor below or held in place by an anchor. Those with anchors require extra security and safety measures to prevent heave caused by waves, that can offset the cost savings of not using "feet." In ad­dition, workers have to be flown in by helicopter for two week shifts and the drilling platforms have self­sustaining communities that can increase costs for oil producers. The trend in the market is moving towards subsea facilities, but it is the extraction of underground minerals that we may never work in. Sure you may not end up working

Energy Information Administration estimates that even if the mora­torium on offshore drilling gets lifted now, it would be 2030 before there is a "significant impact on domestic crude oil and natural gas production prices". Meanwhile, alternative energy sources are not moving forward enough to pro­vide immediate relief either and the Energy Information Administration has cautioned against waiting until the problem is too overwhelming to deal with.

So what is the solution? Both McC­ain and Obama tout energy solutions but this author can't wade through them...so I think I am voting for Paris Hilton.

Sari Crouch is a 3L and can be con­tacted at sarih.crouch@valpo.edu.

spills. They can happen by accidents on the platform, leaky or broken pipelines and accidents involving tankers transporting oil to the shore. Produced water is excess water from well drilling that has been polluted with oil and other chemicals that are used in drilling. Offshore drilling stations are allotted a certain amount of production water that can be dumped, included metal scrapings and this dumping can cause serious problems for the eco­system surrounding the platform.

But let's get down to brass tacks. McCain and Obama may be fighting over the envi­ronmental facts, and I'm sure that many of you care about that. But, I would wager that more of you are con­cerned about whether or not offshore drill­ing will actu­ally reduce the price of gas.

The Energy Information Administra­tion estimates that even if the mora­torium on offshore drilling gets lifted now, it would be 2030 before there is a "significant impact on domestic crude oil and natural gas production prices". Meanwhile, alternative energy sources are not moving forward enough to pro­vide immediate relief either and the Energy Information Administration has cautioned against waiting until the problem is too overwhelming to deal with.

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Sari Crouch is a 3L and can be con­tacted at sarih.crouch@valpo.edu.
BY AMY REIDERER
Managing Editor

How to Succeed in Contracts by Watching Daytime Television

Most 1Ls enter school looking to be extraordinary. They are ready to take the school by storm and outperform their peers. They plan not only to be legal scholars, but legal rock stars. By the end of the first semester, however, some will have fallen and some will be barely hanging on. No doubt some will be rock stars, but some will just want to crawl under a rock.

First semester for 1Ls means time spent on Civil Procedure, Criminal Law and Contracts. In particular, every major concept covered in class was covered on The People's Court. I can't speak for Judge Judy, Judge Mathis, or Divorce Court, but The People's Court was my golden outline.

I happened to have a break the first semester of my 1L year during which I went home, had lunch and watched T.V. At that time of day, the programming pickings are slim, and one day I picked The People's Court for that precious hour of sanity, probably because there was some crazy plaintiff that caught my attention. "Bill claims that Sue sold him a chinchilla and told him to call if he had any problems, but when Bill called Sue to say "Put a fork in me, I am so done!" or "Do I look like I need your help? Do you look like you're losing?" at least once. Amongst the yelling, silencing, gavel banging and quippy remarks, though, she really never gets it wrong. And if you don't get it the first time, after every case Harvey Levin, my personal hero, summarizes the law and explains it, but with a bit of showmanship of course. You can expect her to say "It's a fork in me, I am so done!" or "Do I look like I need your help? Do you look like you're losing?"

The funny thing is, about five weeks into the semester, I started hearing things that sounded uncan­table, un­odd, but I was hooked.

The awesome power of daytime small claims court, and in particular, The People's Court.

I bought the E&E for Contracts. I even looked at it is actually the illegitimate child and second cousin to legal rock stars. But legal rock stars.

I didn't get the honors and may be purchased by check paid to The Hon. Roland Herrmann, "05 Valparaiso, IN

The Hon. Robert Selund, '78 Ogden Dunes, IN

Daniel J. Bulka, '93 Highland, IN

Sue, '06 Bloomington, IN

The Hon. Darlene Wanda Mears-Ockerman, '71 Redondo Beach, CA

Gold Level

Silver Level

Bronze Level

If you would like to become a patron, please contact The Forum at: The Forum, VUSL, 656 S. Greenwich Street, Valparaiso, IN 46383.
Dear Faculty, Staff and of course Students,

Welcome back for another year within the halls of Valparaiso University School of Law. To begin, I would like to welcome our new faculty and staff who have joined us this summer. I am confident that they, as all of our faculty and staff do, will contribute greatly to strengthening our education and experience, along with promoting the open door policy.

Most importantly on behalf of your student representatives, I want to welcome all of our new incoming first-year students along with those who have transferred in as well. We hope that the Student Mentor Program has made your transition easier.

One of the SEA's many missions this year is building and strengthening relationships. Whether it is working closely with the administration to get needed improvements or assisting each other to ensure that we all succeed both academically and within our careers once we graduate.

With that said, one important change to take note of is our meeting times. This year we have decided to move our meeting time to Sundays at 5:30 pm in the Chicago / Hessler Rooms. We hope that this will allow more students to attend and listen in and / or voice their concerns during the student concerns portion. However, if you cannot make it, please let one of your student representatives know your concerns so that he or she may address it as well. Our pictures and names are listed on the board outside of our office, and email addresses will be listed on our website once the new school website goes live.

One thing that we encouraged and witnessed in the beginning of last year was greater participation by students and the student organizations. This year, we want to build upon that engagement to create greater success and efficient use of limited resources. Thus, our new first-year students who want to make a difference and help further that cause can get involved in your SBA. Campaigning takes place this September 8th – 11th, with voting to take place during Chapel Break (10:50 – 11:40 am) on September 12th.

Some other important information to note is Cardozo Cup. Cardozo Cup is our annual student inter-class softball game along with a match-up against the faculty-staff team. This will take place on Friday, October 3, 2008, starting at approximately 4:30 pm. The new location this year is Bicentennial Park. More information will follow via email. If you want to participate in the game, your class captains will soon be sending out information to announce practices, t-shirts, etc. Another great event is VU Day of Car ing sponsored by the United Way, which is Saturday, September 20th, more information to follow as well.

Ultimately, this is your SBA and we strongly encourage your active engagement to make it a success. We cannot work to implement changes if we do not know about the issues facing you. So please feel free to stop in our office and we encourage everyone to get involved in one of the student groups or start one of your own. In the end, this is a new year with new challenges, hopes, and dreams. We wish everyone great successes.

Working towards a great year,
Laura Wishart
SBA President, Class of 2009.

SBA Executive Board 2008-2009

Laura Wishart, President
Paul Kulwinski, Vice-President
Erica Harder, Secretary
Andrew Freiheit, Treasurer
Kelly Kruger, ABA Representative

BY LAURA WISHART
SBA President
Student Bar Association
Faculty Representatives

Robert Prince, 3L
Nicole Knowlton, 2L

3L Class Representatives

JoAnna Rentschler
Rachel Sharron
Justin Staublin

2L Class Representatives

Josh Faucette
Adam Pope
Rob Woodward
### Enrollment

- **Full Time Enrollment**: 185
- **Part Time Enrollment**: 30
  - Female = 39%
  - Male = 61%
  - Average Age = 25
  - Age Range = 21 - 55

### Countries of Citizenship

- Argentina
- Bosnia
- Bulgaria
- Cameroon
- Pakistan
- Poland
- Russia
- Scotland
- Taiwan (ROC/Formosa)
- Zimbabwe

### Ethnicity

- American Indian/Alaskan Native
- Asian/Pacific Islander
- Black/African American
- Caucasian/White
- Chicano/Mexican American
- Hispanic/Latino

### Masters Degrees

- MA (7)
- MBA (3)
- MS (4)
- Other Graduate
- PHD

### Dual Degrees

- JD/MA/CS
- JD/MA/MALS (3)
- JD/MA/PSY (2)
- JD/MBA (3)
- JD/MSICP (2)
- JD/MSSA (7)

### Majors

- ACCOUNTING
- AFRICAN AMERICAN STUDIES
- ANTHROPOLOGY
- ANY AREA NOT LISTED - OTHER
- ART/DESIGN
- BIOCHEMISTRY
- BIOLOGY, GENERAL
- BUSINESS ADMINISTRATION
- BUSINESS AND COMMERCE, GENERAL
- BUSINESS MANAGEMENT
- BUSINESS MANAGEMENT/ADMINISTRATION
- BUSINESS/COMMERCE - OTHER
- CHEMISTRY, GENERAL
- CHEMISTRY, SPECIALIZATION
- CLASSICS
- COMMUNICATIONS
- COMPUTER SCIENCE, GENERAL
- CRIMINAL JUSTICE
- CRIMINOLOGY
- ECONOMICS
- ELEMENTARY EDUCATION
- ENGLISH
- FAMILY RELATIONS/CHILD DEVELOPMENT
- FINANCE
- FINE ARTS
- FOREIGN LANGUAGES
- FRENCH

### Religious Denominations

- African Methodist Episcopal
- Agnostic
- Baptist
- Buddhist
- Christian
- Christian Orthodox
- Christian Reformed
- Church of Latter Day Saints (LDS)
- Deist
- Episcopal
- Greek Orthodox
- Islam (Muslim)
- Judaism
- Lutheran - Missouri Synod
- Lutheran - Others/ Unknown
- Lutheran - ELCA
- Methodist

### Represented States
CLASS OF 2011 Statistics

EARLHAM COLLEGE
EDGWO0D COLLEGE
ELIZABETH TOWN COLLEGE
ELMHURST COLLEGE
EUROKA COLLEGE
EVERGREEN STATE COLLEGE
FERRIS STATE UNIVERSITY
GEORGIA STATE UNIVERSITY
GUSTAVUS ADOLPHUS COLLEGE
HANOVER COLLEGE
HILLSDALE COLLEGE
HUNTINGDON COLLEGE
ILLINOIS STATE UNIVERSITY
INDIANA STATE UNIVERSITY-TERRE HAUTE
INDIANA UNIVERSITY, NORTHWEST
INDIANA UNIVERSITY-BLOOMINGTON
INDIANA UNIV-PURDUE UNIV AT FORT WAYNE
INDIANA UNIV-PURDUE UNIV, INDIANAPOLIS
INDIANA WESLEYAN UNIVERSITY
IOWA STATE UNIVERSITY
JOHNSON AND WALES UNIVERSITY
LAKE FOREST COLLEGE
Loras College
LOYOLA UNIVERSITY-CHICAGO
MANCHESTER COLLEGE
MARQUETTE UNIVERSITY
MARYVILLE UNIVERSITY OF SAINT LOUIS
MIAMI UNIVERSITY OXFORD
MICHIGAN STATE UNIVERSITY
MISSISSIPPI STATE UNIVERSITY
MISSOURI VALLEY COLLEGE
MUSKINGUM COLLEGE
NEW COLLEGE OF CALIFORNIA
NEW MEXICO STATE UNIV., UNIVERSITY PARK
NORTH CAROLINA STATE UNIVERSITY-RALEIGH
NORTH DAKOTA STATE UNIVERSITY-FARGO
NORTHERN ILLINOIS UNIVERSITY
OHIO STATE UNIVERSITY-COLUMBUS
PURDUE UNIVERSITY-CALUMET-HAMMOND
PURDUE UNIVERSITY-WEST LAFAYETTE
PURDUE UNIV-NORTH CENTRAL-WESTVILLE
QUEENS COLLEGE - CUNY
ROGERS STATE UNIVERSITY
SAINT JOSEPH'S COLLEGE-INDIANA
SAINT NORBERT COLLEGE
STANFORD UNIVERSITY
TEXAS TECH UNIVERSITY
THE COLLEGE OF NEW JERSEY

TRINITY CHRISTIAN COLLEGE, PALOS HEIGHTS
UNIV OF ILLINOIS AT SPRINGFIELD
UNIVERSITY OF ALASKA-ANCHORAGE
UNIVERSITY OF CALIFORNIA-DAVIS
UNIVERSITY OF CALIFORNIA-LOS ANGELES
UNIVERSITY OF CALIFORNIA-SANTA CRUZ
UNIVERSITY OF EVANSVILLE
UNIVERSITY OF HOUSTON
UNIVERSITY OF ILLINOIS AT CHICAGO
UNIVERSITY OF ILLINOIS-URBANA
UNIVERSITY OF INDIANAPOLIS
UNIVERSITY OF IOWA
UNIVERSITY OF KANSAS
UNIVERSITY OF KENTUCKY
UNIVERSITY OF LOUISVILLE
UNIVERSITY OF MICHIGAN
UNIVERSITY OF MINNESOTA
UNIVERSITY OF MISSOURI-COLUMBIA
UNIVERSITY OF MISSOURI-SAIN'T LOUIS
UNIVERSITY OF NEBRASKA-LINCOLN
UNIVERSITY OF NEBRASKA-OMAHA
UNIVERSITY OF NEW HAMPSHIRE
UNIVERSITY OF NORTH CAROLINA-CHAPEL HILL
UNIVERSITY OF NOTRE DAME
UNIVERSITY OF SOUTHERN IOWA
UNIVERSITY OF SOUTHERN MISSISSIPPI
UNIVERSITY OF TENNESSEE
UNIVERSITY OF WASHINGTON
UNIVERSITY OF WISCONSIN - LA CROSSE
UNIVERSITY OF WISCONSIN - MADISON
UNIVERSITY OF WISCONSIN - MILWAUKEE
UNIVERSITY OF WISCONSIN - OSHKOSH
UNIVERSITY OF WISCONSIN - WHITESTAIR
VALPARAISO UNIVERSITY
VILLANOVA UNIVERSITY
VIRGINIA MILITARY INSTITUTE
VIRGINIA WESLEYAN COLLEGE
WABASH COLLEGE
WAYNE STATE UNIVERSITY
WEBSTER UNIVERSITY
WEST VIRGINIA UNIVERSITY - MORGANTOWN
WESTMINSTER COLLEGE
XAVIER UNIVERSITY
YALE UNIVERSITY

Undergraduate

SCHOOLS

ALCORN STATE UNIVERSITY
ALMA COLLEGE
AMERICAN UNIVERSITY
ANDERSON UNIVERSITY
ARIZONA STATE UNIVERSITY
AUGUSTANA COLLEGE-SD
AURORA UNIVERSITY
BALL STATE UNIVERSITY
BAYLOR UNIVERSITY
BELoit COLLEGE
BENEDICTINE UNIVERSITY
BOSTON UNIVERSITY
BRIGHTMOUTH UNIVERSITY IDAHO
BUTLER UNIVERSITY
CALIFORNIA STATE UNIVERSITY-CHICO
CALUMET COLLEGE OF SAINT JOSEPH
CARDINAL STRITCH UNIVERSITY
COE COLLEGE
DAVID LIPSCOMB UNIVERSITY
DE PAUL UNIVERSITY
DEPAUW UNIVERSITY
DICKINSON COLLEGE
DOMINICAN UNIVERSITY
DREXEL UNIVERSITY
Organizations

Mock Trial preps for busy fall

BY MATT SKILLING
Secretary & Alumnus Relations

More than ten new members joined the Mock Trial team for the 2008-2009 season. Tamara Bershok, chairperson, is excited about the team’s prospect. “This is a really strong team and I think we can get back to national competitions,” said Bershok. Joining the 9 returning 3Ls were 10 new 2Ls.

Tryouts were held on September 1, to fill the few remaining spots. Bershok feels the hours of tryouts were well worth it, “Tryouts are a lot of work for the executive board but it is great to see the talent Valpo students have.”

Law Review back in gear

BY BRIANNA SCHROEDER
Executive Editor of Student Writing

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 Carrie Flores, 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 43 of the Valparaiso University Law Review.

Each individual 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 executive board was elected last spring. Along with Bershok, Tracey Steele-Schafer is the Membership and Intraschool Competitions Chairperson, Mitch Gillilan is the National Competitions Chairperson, Aaron Georgi is the Finance Chairperson and Matthew Skilling is the Secretary and Alumni Relations Chairperson.

The executive board will travel to Michigan State University for a competition at the end of October.

Once the final roster is set, the team will begin preparing for the Intraschool Competition. The fact pattern will be available mid-September and allows two months for the teams to prepare.

The competition has two days of preliminary trials and a final round that is open to the public. The final round will be held on November 12. A sign-up sheet for tickets will be located outside the Student Advocacy Center in November. Bershok encourages everyone to attend, “finals are exciting because you get to see your friends and classmates put on their suits and be lawyers.”

Matthew is a 3L and can be reached at matthew.skilling@valpo.edu.

Getting the donkey in gear

BY JEN SHEETZ
President of VU Democrats

The Valpo Law Democrats (VLD) welcome in the class of 2011! Welcome to law school in what proves to be a very exciting political season. I hope everyone had a chance to watch the Democratic National Convention in Denver. The messages of hope, courage and promise resonated in our leaders as we look to this historic election. The VLD are here to help you hit the pavement, and work for the party of change. In Indiana that means we’ll be supporting the full Democratic slate of candidates including among others Obama & Biden for President and Vice-President, Jill Long Thompson for Governor, and Peter Visclosky for U.S. House of Representatives.

Now is the time to make sure you have your information to vote in November, whether that be changing your registration to Indiana, or obtaining your absentee ballot.

We look forward to our welcome back to school picnic on September 19th. The VLD is again sponsoring Valparaiso University’s Day of Caring, with the Porter County United Way on September 20th. We need volunteers! Breakfast and a souvenir t-shirt will be provided compliments of the United Way.

To join the Valpo Law Democrats, come to our meeting, stop by the activities fair booth, or email Jennifer Sheetz at jsheetz@valpo.edu.

Let’s get our donkey in gear!
BARELY LEGAL
Advice for Law School & Life

By JON BERBARI and KELLY KRUGER

Students, Faculty and Staff welcome back! We genuinely hope your summers were enjoyable and productive, we only ask you to spare us the details in passing. Barely Legal is a self-explanatory column that delves into the lifestyle issues that confront VUSL.

Jon and Kelly would like to make a disclaimer to any concerned 2L:s: We understand that this is your softball team name, but not to worry, we received the appropriate clearance from Todd Schafer (the primary authority on all issues involving the class of 2010) to use your name. By the way, he sold you guys out for free without any hesitation, while reflecting on his golf game in the beer garden at Duffy’s. We also assume full proprietary interest in the name Barely Legal, which to our knowledge has never been used elsewhere. We decided to put Legally Brunette and Brunetter in a better place which was long overdue. Now back to questions from concerned students.

Dear Barely Legal,
As a 1L, out of town, I’ve come to realize there’s not a lot to do around Valpo. My mentor is a total weirdo, and I’m just wondering who I should meet in the upper classes and who I should stay away from. Any suggestions?

Thanks,
Sarah Social-Climber

Dear Sarah Social-Climber,
You are correct. There’s not a lot to do around Valpo. This means that your social life will rely heavily on events thrown by the Student Bar Association. Ergo, the first person you should get to know is your SBA President, Laura Wishart. Wishart is the prepubescent-looking blonde in the ponytail running the halls like your own personal cheerleader. If Wishart isn’t busy tending to the needs of first dude, Jeff Wishart, she will likely heed any concerns you may have.

Also, sorry to hear your mentor is a “weirdo.” “Policy Paul” Kulwinski worked very hard to make the best pairings possible based on the biographical info given. Kudos to Paul. Your mentor is not intended to be your best friend but rather a voice of someone who has experienced what you are going through. The mentors also signed up in droves for the free polo shirt provided. Regardless of your mentor’s intentions, their insight is better than none, and there are plenty of other people to get to know. As for who not to meet, that is debatable and not for this column. Just beware of those who are overly eager to provide you with outlines for classes. Chances are their intentions are not aimed at your academic improvement. Good luck.

Dear Barely Legal,
I am sitting in Professor Lind’s Civil Procedure class and I’m very nervous because I just read that she has a strict attendance policy and I’m prone to be late. What should I do?

-Justin Barkley

Dear Justin,
Please adhere to generic coach advice. To be early, is to be on time. To be on time, is to be late. And to be late is to not even bother showing up. This is especially true in your case because Professor Lind enjoys dismissing any late arrivals.

Also, don’t worry about surpassing the absence limits set forth by any syllabus. The simple fact is this is a completely empty threat. Trust us, we know based on personal experience that the professors are not going to administratively withdraw you for not showing up to your classes. There are several living legends around here that have shown up for a handful of classes and in steadfast order for Professor Glannon’s intense review session only to receive the Honors A.

Dear Barely Legal,
As a competitive-natured 2L, I’m concerned that the Cardozo Cup softball tournament will give way again to the farce that is the perpetually winning 3L class. Please tell me that the officiating will finally be enforced this year.

-Tooly Mc 2L

Dear Tool,
The good news is that this year’s 3L class may be cool enough to integrate their kegs with the rest of the student body. This is mostly due to the fact that the SBA keeps providing less beer. Please do not confuse this as an attempt at some kind of inter-class camaraderie, but rather a pragmatic solution to the SBA’s lack of political fortitude at standing up to pressure from the administration to take away our student-fee funded beer.

The tough news is that there has always been stellar officiating provided by the VU baseball team and they continue to do a great job. There is no causal connection between the 3L class winning every year and some implicit form of cheating. Please relax and remember that you too will eventually be a 3L.

Regards,
Jon & Kelly

Jon Berbari and Kelly Kruger are both 3Ls and can be reached at jon.berbari@gmail.com and kelly.kruger@valpo.edu

Tha’t’s Entertainment!

BY SEAN HATFIELD
Columnist

The Incredible Hulk

The star is simply too generous. First, the Kansas Jayhawks are once again a National Championship basketball team. Second, go and see The Dark Knight if you have not done so already — it’s @#$% awesome. But what can be said about The Dark Knight that has not been said already? Exactly, it’s @#$% awesome and we will leave it at that.

Now let us take it down a notch (or ten) and address the senseless tragedy that was The Incredible Hulk. Not to be confused with the other senseless tragedy, The Hulk. Confused? Me, too. Why would anyone think it was a good idea to remake a movie that bombed so badly it made Species II look good — a remake, mind you, of a movie that came out only 5 years ago! Honestly, it’s enough to make you want to type out more keyboard symbols in utter frustration and anger. @#$% Hollywood.

This film was a little bit like Barack Obama’s candidacy. It looked good in the previews, but when you sit down to watch it, it’s nothing but bad acting and cheesy antics. Mind you, the movie did have some potential. How can you go wrong with two stars like Ed Norton and Tim Roth? And the story itself wasn’t too bad — a crazy doctor (Ed Norton) gains powers by accident and must use them to stop some crazy soldier named Abomination, who has similar powers. Frankly, Abomination was aptly named, as his final demise — the end of the movie — was exactly that.

What then shall we do to alleviate the sour taste this movie leaves? We should go rent Ed Norton and Tim Roth movies that are good and have no ridiculous CGI graphics. Let’s start with Tim. For those of you who dig a little Shakespeare and enjoy witty banter without the aid of ridiculous CGI graphics, try Rosencrantz and Guildenstern Are Dead. Circa 1991, this movie takes two minor characters from Hamlet and follows their inevitable and largely unassuming march towards fate. After that, move your attention to Ed Norton. Norton is arguably one of the most versatile character actors in Hollywood today. Everyone likes Fight Club. Everyone likes Red Dragon. You like Primal Fear because you are in law school. But in my humble and often correct opinion, nothing beats Rounders. It’s a simple, tightly made movie about two average guys (one of whom is in law school) trying to pay off their debts by playing cards. Grab a couple of friends and a case of beer and I promise those two movies will give you one great night of cinema.

Sean is a 3L and can be reached at sean.hatfield@valpo.edu
The Hold Steady - Stay Positive

There is something about The Hold Steady's newest release that immediately sucks you in. The first song, "Constructive Summer," blares out of the speakers with scorching guitars and just a dash of keyboard that makes you want to stop what you are doing and sing along. Another standout track, "Sequestered in Memphis," is the kind of track you might expect to hear at any halfway decent bar located anywhere in the Midwest. This effort sees the band making a concerted effort at telling a story from start to finish and for the most part they achieve their goal in convincing fashion.

The Hold Steady have always been a very capable band and on each of their first three albums they teased listeners with good songs that were sometimes a bit short of their full potential. The musical diversity displayed on "Stay Positive" belies the band's look, which vary between rabbinical students and grizzled bums they teased with good songs that were ordinary. The album isn't without its mistakes, but the band has previously made his presence felt by enlisting up and coming stars and veteran rappers on his album with ease instead of always being the one appearing on their albums. Even casual rap fans are certain to like a lot of what they hear, their previous releases, "Almost Killed Me," "Separation Sunday," and "Boys and Girls in America" will likely not disappoint.

Lil Wayne - Tha Carter III

The title track gets my vote for the year's best album. As a band that has made its living writing piano-laden ballads, this album stands out as a step forward. It is fresh material, as he routinely puts out a ton of free songs, going straight from memory. He croons above bass laden beats, and along with guest vocalist Jay-Z on "Mr. Carter," displays all of the qualities that make him the preeminent artist on the scene.

One thing that fans of Lil Wayne are not lacking is fresh material, as he routinely puts out a ton of free music via mix tapes. His songs never seem to get old, nor do his releases fail to raise the bar over previous efforts. On "Tha Carter III," Wayne gets intensely personal with many of the lyrics and patient listeners are invited into a world that most can only imagine. Though he has been in the news recently for legal reasons, there is no doubt that most other rappers are trying to catch up to Mr. Carter. Even though he has seemingly been on the scene forever, Lil Wayne won't turn 26 until the end of September and he has already started work on "Tha Carter IV," which could be released as early as 2009.

Fueled by the first single "Lollipop," Lil Wayne became the first rapper to sell a million copies of an album in its first week of release since 2005 and it went double platinum just nine weeks after being released. Now, Mr. Carter is able to enlist up and coming stars and veteran rappers on his album with ease instead of always being the one appearing on their albums. Even casual rap fans can find tracks to enjoy on this album, which achieves a rare 10 out of 10.

Coldplay - Viva La Vida or Death and All His Friends

Perhaps no mainstream band takes more flack today from fans and non-fans for failing to be one thing (they are not U2) while simultaneously being another (a remarkably solid band). It is clear that the band will not duplicate the success of their first two albums, but "Viva La Vida or Death and All His Friends" is certainly a huge improvement from the disappointing "X&Y," which lacked fire, direction and cohesiveness. This effort starts with the instrumental "Life in Technical Color," which builds slowly into a crescendo and lets the listener know that they are in store for something more than ordinary. The album isn't without its missteps, however, and one track that seems out of place is "Violet Hill." The band appears to take a page out of U2's book, trying to produce a political anthem and the end result is decidedly mixed. Standout tracks include "Cemeteries of London," "Lost!" and the second radio single, "Viva La Vida." As Chris Martin sings on the title track, "the old king is dead, long live the king." As a band that has made its living writing piano-laden ballads, this album stands out as a step in the direction of a band looking to broaden its horizons with soaring guitars and dashing melodies.

This clearly is not the old Coldplay and die hard fans may have trouble truly loving this album but casual and new fans are certain to like a lot of what they hear on this record. It is usually tricky when a band tries to reinvent itself but Chris Martin and company should be applauded for taking the criticism of their previous release to heart and not being content to pump out new material clothed in the safety of sounding like "Parachutes" or "A Rush of Blood to the Head." 7 out of 10, so it's worth a listen but it's not an instant classic.

Brett Stein is a 3L and can be reached at brettstein@valpo.edu.
By Rachel Sharron  

Now that the 2008 Summer Olympics have concluded, and NBC was left with no choice but to stop plugging 8-8-08 as if it wasn’t desperate for ratings. Could we be any more obvious here guys?

For those of you living so far under a rock you might as well be digging a tunnel to China or those actually living on the dark side of the moon, I’ll do a quick recap. The US won a grand total of 110 medals: 36 gold, 38 silver and 36 bronze. The US won the most overall medals by 10, but trailed first-place China by 15 in the race for the most Golds.

In swimming, Michael Phelps won 8 gold medals, one literally by about 1.051 points for his performance on parallel bars. Had Tae-Young been scored correctly he would have lead Hammi by 0.051 points. Last summer Tae-Young won the Bronze at the Games, and the results were appealed to the Court of Arbitration for Sport (CAS). But because the South Koreans didn’t officially protest until after the Games, the results were allowed to stand. The international gymnastics federation (FIG) did not want a similar incident to happen again in Beijing.

Even if Tae-Young had been correctly scored for his parallel bars routine, there is no guarantee that he would have won Gold and the All-Around title because the scoring error occurred with one more rotation left in the competition at the Athens’ Games. During the team competition, Team USA also found success in Women’s Beach Volleyball as Kerri Walsh and Misty May-Treanor won their second consecutive gold medal. The Men’s Volleyball team also took home gold by going 8-0 and defeating Brazil in the final match up.

While there were some disappointments for Team USA, a silver medal in Softball and struggles in both Track and Field and Boxing against the competition. Perhaps nowhere, though, were accomplishments more evident than in Women’s Artistic Gymnastics.

Shawn Johnson, the 2007 All-Around World Champion, had been touted as both the next Mary Lou Retton and Kim Zmeskal, and was expected to emerge as the All-Around Champion. Nastia Liukin, on the other hand, was expected to put up high scores, especially on the uneven bars and balance beam, and medal more than once. Both girls were also supported by a talented team, which included Alicia Sacramone, Chellsie Memmel, Bridget Sloan and Samantha Peszek.

The main downfall of the Women’s team seemed to be the new and “improved” scoring system for gymnastics, which allowed some falls and minor bobbles during preliminary competitions did not help either. Both Men’s and Women’s Artistic Gymnastics unveiled new scoring methods in 2006 for two main reasons: (1) to combat the growing difficulty performing his or her routine and each competition at the Athens’ Games; during the team competition, there is no guarantee that he would have won Gold and the All-Around title because the scoring error occurred with one more rotation left in the competition at the Athens’ Games.

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Family: My dad, Jim, owns a small insurance defense law firm in Chicago. My mom, Sandy, works as a pediatric nurse. My younger sister, Stephanie, recently graduated from college and is seeking a job. My youngest sister, Nicole, just began her first year as an undergraduate at Boston College.

What did you do this summer? I held a summer associate position at a mid-sized litigation firm in Chicago working primarily on medical malpractice and premises liability matters. I hope to receive an offer to return to the firm next fall in a permanent capacity.

What is your favorite class so far this semester? I am pleased that Valpo Law decided to offer a litigation drafting class this year. I enjoy "practical" classes and hope to expand upon my knowledge in this area. I am also looking forward to the medical malpractice class.

Any advice for the 1Ls? Any 2L or 3L student will inform you that the walls of Valpo Law are very thin. You should realize early on that everyone will know about your personal matters no matter what you do. At this point in time, even the nice ladies in the lunchroom apparently know who I am dating. My next point of advice probably comes too late for most of you, but I would recommend saving the $100 you were planning to put towards a parking pass. Only after purchasing the pass will you realize that there is adequate parking on the street around the school and that you are paying to park on gravel. Furthermore, there have been several reported accidents within the last two years in which cars parked in the lot were hit by other moving vehicles. Considered yourself forewarned.

Do you plan to get involved in any organizations this year? Yes, I do. I think law school and this law school particularly truly opens up doors for students. My undergrad institution had 30,000 students and a seeming lack of extra-curricular activities. I have been impressed with everything here at Valpo.

What was your favorite blockbuster of the summer? I heard a rumor in the Atrium that I'm a remake of Citizen Kane that I was expecting, but it was still pretty funny. Rounding out the top 3 were Step Brothers and Dark Knight.

What do you think about Biden as the Democratic VP nominee? I think it's good that he picked someone with some experience.

Now after California, which do you think will be the next state to legalize gay marriage? Don't care. It's a state's rights issue. I just hope that it remains a state's right and the federal gov't does not come in and encroach upon our great Republic.

What can we do to get Justice Scalia back for the Swygert competition this fall? Write a lot of really nice letters politely saying, "pretty please with sugar on top come back to Valpo." We should also throw in a lot of coupons for free ice cream at Valpo Velvet.

How do you feel about all of the construction going on in Valpo right now? I love it. The construction guys are totally my BFFs now.

How do you feel about all of the construction going on in Valpo right now? I was amazed that upon my return to Valpo, I could actually drive on Route 30 without any risk of getting a flat tire and being left stranded on the side of the road. Furthermore, I could not help but notice the beautiful new façade of the Lincolnway Laundry/Bahama Tan facility as well as the fact that the City wisely chose to keep eastbound Lincolnway as a one-way street amidst recent storm damage and has now taken steps to improve its exterior appearance by placing some type of large, unpainted wooden structure on the roof of its building.
LEGAL MOVIE TRIVIA

1. In this 1994 film, Susan Sarandon starred as a lawyer who represented a young boy who had witnessed a Mafia hit.
2. Spencer Tracy and Katharine Hepburn starred as married lawyers who opposed each other in court in this 1949 film.
3. In this 1997 film, a hotshot lawyer gets more than he bargained for when he learns his new boss is Lucifer himself.
4. This 1992 movie starred Jack Nicholson as Colonel Nathan R. Jessep, who told Tom Cruise, “You can’t handle the truth!”
5. Woody Harrelson starred in this 1996 film portrayal of the trial of a renowned porn publisher and how he became a defender of free speech for all people.
6. Reese Witherspoon became one of the most sought-after actresses in Hollywood after ridiculing the elitism of Harvard Law in this 2001 film.
7. In this 1996 film, starring Alec Baldwin and Whoopi Goldberg, the widow of murdered civil rights leader Medgar Evers and a district attorney struggle to finally bring the murderer to justice.
8. This 2007 movie stars George Clooney, as an attorney known as “The Fixer” in his law firm, who comes across the biggest case of his career that could produce disastrous results for those involved.
9. In this 1993 film, Tom Cruise is recruited by a prestigious law firm that he gradually learns has a very sinister background.
10. This 1992 movie starred Jack Nicholson as Colonel Nathan R. Jessep, who told Tom Cruise, “You can’t handle the truth!”
11. In this 1991 film starring Kevin Costner, a New Orleans DA discovers there’s more to the Kennedy assassination than the official story.
12. This 1996 film stars Matthew McConaughey as a young lawyer defends a black man accused of murdering two men who raped his 10-year-old daughter, sparking a rebirth of the KKK.
13. In this 1997 film, Jim Carrey plays a lawyer who finds he is physically incapable of telling a lie.
14. When AIDS-stricken Tom Hanks is fired by a conservative law firm because of his condition; a homophobic small-time lawyer is the only willing advocate for his wrongful dismissal suit in this 1993 film.
15. In this 2007 film, Ryan Gosling stars as an attorney intent on climbing the career ladder toward success and finds an unlikely opponent in a manipulative criminal he is trying to prosecute.

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From the Editors to our Loyal Readers

Dear Alumnus,

The Forum is a publication of the Valparaiso University School of Law. The newspaper you hold in your hand was written and produced by VUSL students. The purpose of The Forum is to provide a place for thoughts and ideas, and also a source of information on happenings at the Law School and beyond.

The Forum is an independent publication of the Law School. This independent status affords us the freedom to publish articles we may otherwise be unable to. However, this independent status also requires us to obtain most of our funding from outside the Law School. We rely on advertising and the occasional donation to publish the newspaper each month.

The newspaper is read by students, faculty and alumni. It is published for the students, and sent to alumni as a service. Although The Forum is targeted at students, we enjoy getting feedback from any and all of our readers—you were law students once too, and you may know better than us what we should be reading.

If you have any suggestions or comments for improving The Forum, we would like to hear them, both the good and the bad. If you enjoy reading The Forum, we would like to know why. We want to open the lines of communication between The Forum and alumni. We take pride in the work we do here and enjoy the opportunity to send The Forum to you.

During the coming school year The Forum will be sent to as many alumni as possible, as often as possible. Unfortunately, The Forum cannot be sent to everyone every month. This means that not everyone who is reading this month's edition will receive next month's. Yet, we want all alumni of the Law School to have the opportunity to read and enjoy The Forum. Nevertheless, it takes approximately $5 a year to send The Forum to an alumnus. The Forum has no intention of instituting a subscription fee. Instead, we are asking you to consider becoming a patron of The Forum.

Last year, 25 alumni became patrons of The Forum. Their support helped us send copies of the Forum to all of VUSL's alumni for several months. This year, our goal is to increase that number. As with last year, we will be recognizing this year's patrons in every issue, with special recognition in the December issue.

As long as you continue reading and enjoying The Forum, we will do everything in our power to continue sending it.

Sincerely,

The Forum Editorial Board

Alecia Pehr,
Editor in Chief

Sari Crouch,
Managing Editor

Heather Looby,
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