GOING...GOING...GONE!!!

THE RAZING OF HERITAGE HALL

By: Rich Mitchell • Guest Writer

No doubt you have seen and heard the construction work going on related to the razing of Heritage Hall, the former site of the Valparaiso University School of Law Clinic. The old building has now been razed, and the site is being prepared for the construction to begin. In the meantime, the law clinic has been relocated to the trailer adjacent to the faculty parking lot on Locust Street. This is the temporary home of the Clinic during the construction of its new home—the new Heritage Hall building.

I spoke with Dean Curtis Cichowski about this project. As a 2L, who is hoping to work in the clinic next year, I was interested when the project would be completed. With all the rain we've been having in Valparaiso, I assumed construction might have been delayed. According to Dean Cichowski, the rain has not hampered the construction, the project completion date has actually been moved up from October 10, 2010 to September 20, 2010.

Dean Cichowski informed me that the destruction of the original building is complete, and the required construction permits have now been issued.

For many of us, watching the razing of the building was interesting in and of itself. However, watching the construction take place will be just as interesting. I asked Dean Cichowski to share some of the exciting features of the project with me. Many of us have looked in passing at all the renderings in the atrium of the law school. The design of the new clinic should provide students, faculty and their clients some wonderfully designed spaces in which to address pending legal concerns. The offices, the client interview spaces, the lighting—it has all been designed with serving the Clinic and its clients in the best-designed space possible. Dean Cichowski commented, "...what excites me the most is finally giving our Clinic a deserving home. The Clinic is an outstanding operation that provides both a valuable public service and a truly meaningful educational experience. In many ways, the Clinic is where the mission of our law school—that law is a calling-- is most richly expressed. Seeing the look on the face of another human being whose life you made better is when you come to understand what this lawyering thing is all about."

While Heritage Hall is temporarily "gone," it will rise again. Dean Cichowski indicated that the new Heritage Hall will be an amazing reconstruction which will maintain much of the integrity of the original 1875 building, while including the best of modern and green designs into the 2010 structure. This represents the first time that VUSL has had the opportunity to begin a project from scratch and specifically design a space for its purpose. In this case, the new clinic is designed specifically to accommodate the needs of a legal skills training center. Rather than having to jerry-rig old space into something usable, this new space has been designed with its purpose squarely in mind—serving clients, law students, and their advisors.

The project is not completely without a few problems. With the installation of a temporary sidewalk for the clinic, and the fall rains we experienced in mid-October, a not-so-small flow of water was directed into the Ulbricht classroom on October 22 during Professor Vance's Advanced Dispute Resolution (ADR) class. The water was able to be redirected and the problem averted. This is, indeed, a small price to pay for what looks to be a truly awesome structure for which future classes of students can look forward to a great space in which to learn while putting their legal skills to practical use.

Rich is a 2L and can be reached at Richard.Mitchell@valpo.edu.
Dear Editor,

In response to last month’s letters-to-the-editor:

First, even when the language surrounding the portion of Justice Ginsburg’s comments that I excerpted in my article are scrutinized, the fact that Justice Ginsburg was or is among those who believe that Roe v. Wade would reduce the size of undesirable populations does not change. Notice her pronoun use and tense choice: “there was concern about population growth and particularly growth in populations we don’t want to have too many of” (emphasis added). She includes herself among those who, based on the present tense of “don’t want,” presently believe that there are populations of Americans of whom there are too many. Furthermore, when Justice Ginsburg says that her “perception of it had been altogether wrong,” the “it” she’s referring to is not her belief that Roe would reduce the size of undesirable populations, but her belief that Roe would provide Medicaid funding for abortions. At no point in her comments does Justice Ginsburg distance herself from the notion that Roe was intended to, or should have been used to, reduce undesirable populations.

Second, to suggest that Margaret Sanger was merely a passive figure like, a parrot, echoed certain ideas or catch-phrases unique to the time in which she lived is to stretch reality past its breaking point. Sanger was on the forefront of the eugenics movement and one of its loudest voices. While the condition of sinister is implicated.

I find it mildly amusing that at least some, if not all, of those who submitted last month’s letters-to-the-editor were not present at the screening of Maafa 21 that Jus Vitae co-sponsored on September 30, 2009. I hope that those critiquing the film had an opportunity to view it in its entirety before demolishing it. I have a copy of the film should anyone want to view it and then have the authority to evaluate it.

Mike Duffy, President, Jus Vitae

Mike is a 3L and can be reached at forum@valpo.edu.

THE DOCKET

THE BBQ CHICKEN JUDGE

By: Christy Commers • Columnist

For the last issue of 2009, I want to discuss how community service should be used to punish lesser crimes. This has become a significant issue in one Chicago suburb, as a judge faces potential ethics violations based on how he allowed one criminal to fulfill his community service requirement.

According to an October 29, 2009 Chicago Tribune article, Darius Logan, 24, plead guilty to misdemeanor battery and criminal trespass charges stemming from a 2008 incident in Joliet, Illinois, and was given 100 hours of community service as punishment. He returned to the court in August 2009 and told Will County Associate Judge Robert Livas that he completed his community services by working unpaid at Joe’s Jerk Chicken, a popular eatery on Chicago’s South Side. According to court transcripts, Judge Livas told Logan to either return to court in two months with proof that he did the community service somewhere else or with enough chicken to feed everyone in the courtroom.

Two months later, on October 6, 2009, Logan came to Judge Livas’ court with a tray of barbeque chicken, bread, and two sides of hot sauce, which cost him $30. Because Logan did as was asked during the previous hearing, Judge Livas accepted the chicken as Logan completing the community service over Assistant State’s Attorney, Sondra Denmark’s objection. It is unclear whether the judge actually ate any chicken. One account said the judge did take chicken from the courtroom, but did not eat it. A state’s attorney’s office spokesman stated that the judge did eat the chicken, and he encouraged Denmark to eat some too.

Judge Livas, a former prosecutor and police officer, said his comments were a joke. The article quoted him as saying, “A defendant took something I said as a joke, literally. It forced me to eat my words and accept his original (community service) letter. I give him credit—he made me eat my words.”

However, this joke has backfired on Judge Livas. After the hearing, Denmark told her bosses about the incident, and they contacted 12th Judicial Circuit Chief Judge Gerald Kinney. Kinney did not find the situation humorous and referred the incident to the proper agency for review. The Illinois Judicial Review Board, who investigates allegations of judicial misconduct, did not comment on the case. Legal experts have called Judge Livas’ actions “flagrant” and one believes his actions were a minor violation of the Judicial Code of Conduct.

And now for the opinion of the Commers Court...I utterly disagree with Judge Livas’ handling of this case. First, it is unacceptable to allow a criminal to serve community service with a private entity, such as a restaurant. Many governmental or non-profit agencies could significantly benefit by having an individual provide free work. Community service is to be a punishment and deterrent against further criminal action. Logan treated this punishment as a joke, and it was further trivialized by Judge Livas accepting Logan’s work at Uncle Joe’s. Judge Livas should have told Logan that working at Uncle Joe’s was an unacceptable community service location in August 2009 and told him must find a new community service project, complete the 100 hours of service, and produce the proper paperwork by the October 6, 2009 court hearing.

Second, the courtroom is no place for joking comments like those made by Judge Livas. The judge should not be surprised a defendant took his comments seriously, as judges often punish defendants during court proceedings for not following court orders and directives. Furthermore, Judge Livas is a former police officer and should have a much keener sense of knowing better than to make jokes in the courtroom. Judge Livas, better than anyone, should realize that officers of the court and police officers are typically held in high esteem by the general public and their words are trusted.

While Judge Livas should not be removed from the bench for his comments, he should be issued some sort of reprimand. This incident makes a mockery out of the criminal community service punishment system, the mission of which is to provide sweat from hard work as a punishment for lesser offenses. Maybe Judge Livas and Darius Logan should both do 100 hours of community service together as punishment for Logan’s criminal activity, Judge Livas’ actions in making the joking comments, and the laughable acceptance of Logan’s original community service.

Christy is a 3L and can be reached at forum@valpo.edu.
Valparaiso University School of Law second year law student Karrah A. Miller has been awarded a 2009 Diversity in Practice Award by Indiana Lawyer magazine. The award goes to attorneys, law firms, judiciary, corporations, law students and others for "extraordinary efforts in pursuing and creating a culture of diversity and inclusion within their institutions."

Ms. Miller, President of the Black Law Students Association (BLSA) at Valparaiso Law, was recognized for her leadership in numerous events both on-campus and off. "This is truly an honor I will always cherish," she said. "It means so much to have my efforts and the support from my law school recognized. The awards breakfast and the networking and mentoring which took place there were phenomenal. I look forward to continuing to create a culture of inclusiveness at Valparaiso Law and in the community of Valparaiso."

Under the leadership of Karrah Miller, BLSA again presented the annual Valparaiso Law Welcome Dinner, which this year was hosted in collaboration with the Hispanic Law Students Association. In October, BLSA assembled a diverse panel which discussed race relations on the campus of Valparaiso University. Ms. Miller has also been instrumental in BLSA's co-hosting an on-campus screening and discussion of the film Maafa 21: Black Genocide in 21st Century America.

A resident of South Bend, IN, where she graduated from Clay High School, Ms. Miller is a 2005 graduate of Purdue University-Main Campus. Indiana Lawyer is a sister publication of Indiana Business Journal. Diversity in Practice Award nominees were submitted by Indiana's four law schools: Valparaiso University School of Law, University of Notre Dame Law School, Indiana University Maurer School of Law-Bloomington and Indiana University-Indianapolis. Ms. Miller was among three finalists for the Student award, all of whom won awards after the judges found each equally deserving. The panel of judges was assembled from the legal community in Indiana.

For more information, please contact: Tom Shaer, Media, Inc, 224-305-12551, shaermedia@aol.com.

The Fort Hood Tragedy

Those of us not serving in the military often take for granted our security at home. Having one of the largest and best trained militaries in the world is enough to make us feel comfortable and safe. However, amid the November 5, 2009, Fort Hood tragedy, in which Major Nidal Malik Hassan, a U.S. Army psychiatrist, opened fire in a military processing center killing 13 people and wounding 30, it is scary to realize our vulnerability to surprise. No matter how many precautions are taken to avoid disaster, there are still wildcards.

In a recent conversation with my grandfather, a retired Master Gunny Sergeant in the Marine Corps, we spoke about the unusualness of the Fort Hood attack. To his knowledge, there were not any military base attacks similar to Fort Hood. Additionally, the only other recent military base attack that I came across was in 1993, when a gunman at Fort Knox killed 3 civilian co-workers, wounded 2, and then killed himself.

Obviously, the Fort Hood incident is not common. But, it is a grave reminder to us that ordinary events do not always occur like uninterrupted clockwork. Rather, no matter how much we prepare for the unthinkable, there is always something that we can't account for.

In light of our seemingly difficult predicament, we may sit back and cease preparation for disaster altogether, or we can remain composed, and instill our support into the mechanisms in place for our safety. Although fearing the unknown is not far-fetched, why be fearful when time and time again fellow Americans show us their courage and bravery. In sum, I would just like to give a heartfelt thank you to every serviceman/servicewoman and veteran who has stood up and fought for this country when others would not. Thank you.

Michael is a 1L and can be reached at Michael.Folga@valpo.edu.
I am pleased to write a few words of farewell to the December 2009 graduates of Valparaiso University School of Law. During the weeks, months, and several years we have spent together, all of our lives have been enriched in a multitude of ways by your presence among us.

You are the recipients of an outstanding education in the time-honored profession of the law. You have worked hard, produced impressively, and contributed to the life of this school. The rigorous and fast-paced academic life has produced fine young lawyers, skilled at critical thinking. Yet, just as importantly, at Valpo Law you have been educated as professionals in service to others.

Each of you is now prepared for the dynamic, exciting, and challenging professional life that awaits the lawyer you have now become. May your life be one of service to your communities and dedication to your professional and personal calling.

Before you leave, I would like to take a moment to thank each of you for what you have brought to this special place. Thank you for your enthusiasm, insights, work ethic, and willingness to learn and grow. Thank you for your help to one another and your service to those in need in our community.

The great English playwright William Shakespeare captured the tone of a time such as graduation when he wrote, “welcome ever smiles, and farewell goes out sighing.” Troilus and Cressida, Act III, Scene 3. Most of us met in late August 2007, as the excitement and challenge of law studies began to unfold. Smiles and welcomes abounded. Over the ensuing years, friendships have been forged through classroom assignments, social gatherings, service projects, and chance encounters.

And “farewell goes out sighing.” That sighing includes a sigh of relief, no doubt, as the seemingly endless assignments, exams, and deadlines wind to close. But that sighing is also one of fond farewell, as classmates disperse geographically to pursue various professional opportunities.

I join my colleagues in wishing each of you life’s richest blessings. We are proud of you, and we look forward to learning of your professional and personal achievements. It has been our privilege to teach and mentor you. We now send you on your way with our respect and gratitude. Onward and upward you go!

Professor Nuechterlein can be reached at Clare.Nuechterlein@valpo.edu.

CONGRATS!!! YOU DID IT!!!
SCROOG: LIFE IS A HUMBUG!

BY: MIKE DUFFY • COLUMNIST

Ebenezer Scrooge is my kind of guy. In fact, if you’ve been consistently reading my columns in the past few months, you’ve probably already likened me to Scrooge (or worse). But look, the guy is a fiscal conservative (“I don’t make merry myself at Christmas and I can’t afford to make idle people merry.”) “A poor excuse for picking a man’s pocket every twenty-fifth of December!” (in regarding to giving Bob Cratchit the whole day off!) “What’s Christmas time to you but a time for paying bills without money; a time for finding yourself a year older, but not an hour richer, a time for balancing your books and having every item in them through a round dozen of months presented dead against you?” and he has the gall to be warm and kindheartedness often attributed to social conservatives by our mainstream media (“he was a tight-fisted hand at the grindstone, Scrooge. A squeezing, wrenching, grasping, scraping, clutching, covetous old sinner!”)

“every idiot who goes about with ‘Merry Christmas’ on his lips, should be boiled with his own pudding, and buried with a stake of holly through his heart.” (“Humbug!”)

All joking aside, Charles Dickens’ A Christmas Carol is the quintessential holiday tale and has unsurprisingly been immortalized in film innumerable times, not to mention its regard to the race, creed, color, age, kindheartedness often others, or their choice not to practice religious or secular traditions at all.

I also wish you a fiscally successful, personally fulfilling and medically uncomplicated recognition of the onset of the generally accepted calendar year 2010, but not without due respect for the calendars of choice of other cultures whose contributions to society have helped make America great. Not to imply that America is necessarily greater than any other country nor the only America in the Western Hemisphere.

Also, this wish is made without regard to the race, creed, color, age, physical ability, religious faith or sexual preference of the wishee. By accepting these greetings, you are accepting the aforementioned terms as stated. This greeting is not subject to clarification or withdrawal. It is freely transferable with no alteration to the original greeting. It implies no promise by the wisher to actually implement any of the wishes for herself/himself/others, and is void where prohibited by law and is revocable at the sole discretion of the wisher.

This wish is warranted to perform as expected within the usual application of good tidings for a period of one year or until the issuance of a subsequent holiday greeting, whichever comes first, and warranty is limited to replacement of this wish or issuance of a new wish at the sole discretion of the wishee.

To my conservative friends: “Merry Christmas and a Happy New Year!”

Mike is a 3L and can be reached at forum@valpo.edu.

GRINCH: STOLE CHRISTMAS?

BY: DAVID BAUM • COLUMNIST

Sure everyone knows the story of how the Grinch tried to steal Christmas with the help of his best friend, Max. But do we all really appreciate just what that mean old Grinch was trying to do? Do we understand just what was he was looking for, or maybe trying to get away from? He may not have picked the best way to handle the situation, but remember, his shoes were too tight and his heart was two sizes too small.

Dr. Seuss didn’t give us much of a back story on how the Grinch made his living. However, the word on the street is he worked for Dell as tech support for home users, who only purchase a computer every few years, and therefore are only entitled to Grinch-like tech support. I digress, the point is, the Grinch had things to do and work to get done and all the Whos that lived all the way down in Whoville were constantly making noise, noise, noise.

The Whos would spend their nights singing and playing with jinglingers tied to their heels, they would spend all night shooting squeaks and squeals, while racing around on their wheels. Then, when the Grinch would go on the swing shift for the holidays, it would just get worse. The Whos would feast, feast, feast, they would feast on Who-pudding, that for some reason looks a lot like Jell-O, and rare Who-roast beast, which we all know the Grinch couldn’t stand in the least!

Now, I know what you are going to say, these pleasant little Whos were just celebrating Christmas and they were not trying to antagonize or do me the Grinch. Well my friend, to that I say, have you ever experienced ear splitting noise of an electro-Who-cardio-flux? These Whos may not have been antagonizing the Grinch on purpose, but they sure were not exercising any professional courtesy. So, what is a Grinch to do? Gather some black thread to tie a ridiculous thread to their shoes and therefore are only entitled to Grinch-like tech support. I digress, the point is, the Grinch had things to do and work to get done and all the Whos that lived all the way down in Whoville were constantly making noise, noise, noise!

In an effort to squelch their noise, the Grinch had things to do and work to get done and all the Whos that lived all the way down in Whoville were constantly making noise, noise, noise!

So in the Grinch’s haste for a quick and peaceful night of fielding phone calls from consumers with Windows Vista problems, he sneaks down to the office to squeeze the noise. However, unknown to the Grinch, the noise would have little to no effect on the Whos. As the dark became light, and the Grinch put a hand to his ear the sound started to grow, the Whos both tall and small were singing without presents at all!

At this point the perspective is changed to reflect the Whos’ account of the story. The Whos contend, the Grinch’s heart grew 3 sizes that day. Now, you might think that this is a true tale to be read, but I think its time to be seen. I am thinking that the Grinch realized that these Whos were never going to stop making all this noise and just figured he would give them back all their stuff to avoid any possible charges of theft or burglary. So, the Grinch figures, while he is at why not get a free meal out of it! Who doesn’t enjoy a free meal?

Regardless of the actual accounts of that day there are some lessons that we can all learn from the struggle between the Grinch and the Whos right here at home. With the Christmas season approaching, it means that law school finals are approaching as well. With finals come deadlines, late nights of studying and reading, stress and overcaffeinated students trying to plow through complex material while juggling commitments at home.

This means that we should all take into account the lessons we have learned from the Grinch and the Whos. No one is saying that you shouldn’t talk or eat while you are studying, just that you should do it in an appropriate manner place and time. For example, having an ongoing conversation in the library for five hours with ten minute breaks in between to read is considered inappropriate by most library standards. There is however a lounge available just for this type of studying. Cell phones in a library, one would think that this would go without saying, but it clearly needs to be said. You should not use your cell phone in the library. Now, just about everyone likes to snack while studying and the library staff is pretty gracious on letting us do this within reason, but if you are bringing in food for your entire table and you are going to spend the next fifteen minutes wrestling with the bag and wrappers, maybe it would be a good idea to do that in the lounge as well. I think I can speak for most, that short exchanges of information while in the library are appropriate, but if you are going to recount last night, last summer, or plan a party for this weekend, have just a bit of professional courtesy and take it out of the library. Nobody wants to be a babysitter in the library, we have other things to do. If the Grinch taught us anything, it should be the importance of respect for one another. Happy Holidays and Best of Luck on Finals!

David is a 3L and can be reached at forum@valpo.edu.
Holidays? What Holidays? It's December and what better indicator that the year is coming to an end than the incessant holiday displays and New Year's Eve stressing. For the law student, however, these things tend to come in a distant third place behind final exams and preparation for the next semester. In college, I remember this time of year as a time when my focus was on the holidays and all the fun things I planned to do during break. Finals were squeezed in there somewhere, but I couldn't even tell you where. Sure, I studied and did well on my exams, but they were never at the forefront of my mind as the huge priority during the month of December. Then again, in college, I don't remember having any classes that had an entire semester's worth of information riding on one final exam. I'm sure law students aren't the only ones who feel as if the holidays are being pushed aside - everyone's got their own personal pressures at this time of year. But, I do know that as law students we can probably relate to each other more than to anyone else we know.

Maybe you can relate... Before law school, if a holiday party was being thrown, I was there. Now, if I'm invited to a holiday party, it had better be after December. Before law school, I'd be at that Bears' Packers game on December 13th (for which I had tickets, devastatingly enough). Now, I will be studying at home on that Sunday because I have a final exam on Monday. Before law school, I'd be planning shopping trips, snowboarding weekends, and lazy days during my 3-week break. Now, I'll be working full-time all 3 weeks, while fitting in next semester's homework and book-ordering (which will not be pleasant without that January refund check).

Before law school, my New Year's Eve plans were set before Thanksgiving. Now, I refuse to even talk about New Year's until after finals. Yep, things change around this time of year when you're in law school. I guess it's not the same for everyone, but it's surely a change whether you came here from undergrad, the workforce, or any place else.

Law school definitely brings a new set of priorities to your life at this time of year, but as with everything, getting through it can be easy if you make it that way. Small adjustments count and can help you from going crazy. If December is normally a chaotic month for you with friends and family commitments, be sure to remind those people that finals have become a huge priority for you. Start holiday shopping early to avoid the rush right after finals to buy and wrap hoards of presents. Most importantly, spend your 3-week break however works best for you. If time off helps you recharge for a new semester, then veg out, my friend. If time off makes you crazy, then look for a short-term job, volunteer, or spend more time with friends, family, or unfinished projects. December will pass quickly and a new year will begin, as we all get a fresh start come January 11, 2010. This month may be hard, but always remember that if you're feeling overwhelmed, rest assured, another one of us probably is too.

Jolene is a 2L and can be reached at forum@valpo.edu.

WHAT'S GRINDING MIKE'S GEARS???

HERITAGE HALL...

BY: MIKE WILD • SPORTS EDITOR

So, my senior year at Sweet Valpo High is rolling along. Unfortunately, I can't ignore two major parallels between my actual senior year of high school and my senior year of law school. Construction projects and parking are really grinding my gears.

I'll start with the construction situation first. Did you know that Heritage Hall is on the National Register of Historic Places? Well, I looked it up. In case you cared, the National Register of Historic Places is a list of old buildings, with a lot of history. In case you were unaware, the National Park Service protects these historic buildings from getting knocked down in the name of progress.

In case you haven't been paying attention, or you don't use the back door of the building in the Atrium, Heritage Hall is currently a hole in the ground. So, correct me if I'm wrong, but it appears to a casual observer (me) that a whole bunch of money went to knocking down a building that is supposed to stay upright. Although, it could conceivably explain why some contractor peeled one layer of bricks off the building façade before the wrecking ball started to swing.

Well, I want answers. How much advance planning went into the Heritage Hall project? More importantly, how much did it cost and where did the money come from? Is there any connection between my annual tuition increases and the beginning of construction? These are important questions, and I'm concerned that there is a direct correlation between my skyrocketing tuition and the deconstruction of Heritage Hall.

Unfortunately, it seems that the Heritage Hall project, much like almost everything else that happens around this building, happened without much advance planning. So, until proven otherwise, I must assume that the planning phases of the Heritage Hall project are as follows: (1) Raise my tuition; (2) Make a bunch of convoluted plans that need to be revised several times, at great expense; (3) Remember that the building is on the National Register; (4) Raise my tuition again; (5) Revise those plans again, at great expense; (6) Scrape off one layer of bricks; (7) Knock the building to the ground; (8) Ensure that I get no opportunity to use the renovated historic building; and (9) Solicit donations from me via donation card stapled to my diploma. I'd love to be proven wrong, so if anybody in the Sweet Valpo High community can give me a more accurate breakdown of the costs and advance planning that went into Heritage Hall, please tell me.

Oh, and speaking of poorly planned projects, how about that new parking lot? Sure, it's great for people like me who refused to fork over more than $100 for a parking permit, but people with parking permits use it anyways. But for those with short memories, there used to be a building on that parcel of land. It got knocked down (presumably at great expense) over the summer, and the parcel got graded and covered with sod. Then, abruptly, one month into the semester, bulldozers clear the new sod (presumably procured at great expense) to dump down truckloads of new gravel (presumably also procured at great expense), to make an auxiliary lot designed to compensate for parking lost to the Heritage Hall project.

Does this mean that nobody thought that tearing down a historic building and fencing off a square mile of land would have no impact on parking? I can only assume that it does. If there was a plan, the new gravel parking lot would have been cleared, graded and covered with gravel immediately after the old fraternity house got knocked over. There was an opportunity to save costs and clear the new gravel parking lot at the same time the old fraternity house came down, and it got squandered. How much of my tuition money went to that project? Unfortunately, just like anything else around here, there is no plan, and tuition keeps going up.

Editor's note: Please prove me wrong. In the interests of full disclosure, I would love to get more details about the costs of the Heritage Hall project. If anyone with better information wants to come forward, I'd be more than happy to take back some of my statements. I have one caveat though: The information has to be detailed. I want to see itemized costs and I want to know how those costs got paid. I can look at University press releases and the National Register on my own time. I want to know where my tuition is going.

Mike is a 3L and can be reached at forum@valpo.edu.
Igitis alight to kill? On the evening of November 10, student group Jus Vitae sponsored a panel event entitled, "Is it Always Wrong to Take a Human Life? A Discussion about Abortion, War, Capital Punishment, Assisted Suicide and what it Means to be Pro-Life." Participating in the well-attended event at Harre Student Union were Professors Derrick Carter, Geneva Brown, and Ed Gaffney (who served as moderator) and special guest Dr. Rachel MacNair, a noted psychologist, ethicist, and board member of Consistent Life.

Professor Gaffney opened the event by reflecting on his work with Vietnam Veterans returning from service and the difficulties they encountered in transitioning back to civilian life while grappling with the stress and trauma stemming from combat. He suggested that time and time again, the wars America has fought resulted from a failure to use peaceful means to avert crisis.

Dr. MacNair was the first of the panelists to speak and indicated that while psychology cannot tell us whether killing is ever morally acceptable, it can tell us what people think about the issue and what the consequences of killing can be. MacNair recounted the history and science behind Post Traumatic Stress Disorder (PTSD), noting that although the term was coined in 1989, PTSD's symptoms were recognized as early as World War I when it was believed to be a physical problem.

By World War II, experts recognized the disorder as psychological. A comprehensive government research study on the issue has revealed, according to MacNair, that if a person has killed in war, there is a resulting heightened trauma and consequently more intense PTSD. MacNair suggested that similar to combat soldiers, those involved in performing abortions have also exhibited PTSD, the point being that killing has substantial, measurable psychological and physical effects on those doing the killing. Finally, MacNair stated that capital punishment serves as a poor deterrent to violence because killers tend to identify more with the executioner (the State) than with those being executed, equating the "scum" being executed with the "scum" they themselves plan to kill. Thus, the State functions more as a role model for killers than a source of fear.

Professor Carter spoke next, concentrating on an award-winning article he authored on the subject of physician-assisted suicide. Carter observed that we live often determines how we die. He proceeded to discuss the Oregon assisted-suicide law, which provides that those who can utilize the law must be long-time Oregon residents, must be informed about alternatives, must be referred to counseling, are subject to a waiting period, and must self-administer the lethal cocktail. The obvious cons to assisted suicide, said Carter, are the potential for abuse, exploitation of the elderly (who might feel compelled to kill themselves to preserve an estate for their descendants), harm to the medical community (which has been traditionally understood as a life-saving entity), and, of course, perversion of the principle that all life (even debilitated life) should be preserved.

On the other hand, proposed Carter, assisted suicide has potential benefits, such as the preservation of self-autonomy and dignity and the opportunity to escape a "miserable death" (not simply a miserable life). Carter also distinguished between affirmative acts of killing in the medical context (euthanasia) and acts of omission by healthcare workers resulting in death, the latter being permitted by law. Such acts of omission include "double effect," the administering of large doses of morphine genuinely intended for pain relief but that indirectly cause a patient's death.

Professor Brown, the last panelist to speak, was quite emphatic in stating that while she understands why the State executes people, "we have not done the death penalty well." As a member of the Innocence Project and the National Coalition to Abolish the Death Penalty, Brown expressed strong reservations about the State being the arbiter of life and death and that the miscarriage of justice committed through most of the lynchings performed in racially explosive nineteenth- and twentieth-century America demonstrates that entrusting the government with the responsibility of deciding who lives and who dies can have catastrophic consequences. A poignant example is what may have been the wrongful conviction and execution of Cameron Todd Willingham in 2004. Willingham was convicted and executed for allegedly committing an arson that took the lives of his children. A review of the scientific data used to convict him revealed that this evidence may have been faulty. Brown pointed out the irony that on the night of the panel discussion, John Allen Muhammad, the "D.C. Sniper," was set to be executed. Brown acknowledged that while most death row inmates are indeed guilty of horrible crimes, there is a percentage of death row inmates who are innocent; since 1989, 17 death sentences have been commuted upon the discovery of exculpatory evidence. Even when the innocence of a death row inmate is established, asked Brown, how can we compensate someone who has been in prison for 25 years? Brown also remarked that the generational divide between the time of conviction and the time of execution evocates any deterrent effect capital punishment might have.

Following these individual presentations, audience members were encouraged to talk among themselves about the ideas presented and pose questions to the panel. Several questions were raised about capital punishment and abortion, the most thought-provoking being a story recounted to the audience by Rev. Joseph Cunningham of the VU Chapel. He explained that in the early 1990s, he was the foreman on a jury that voted to sentence a man to death, an execution set to be performed this December. Since that time, Cunningham has had a complete change of heart about capital punishment, but he still struggles with guilt and remorse over his decision as a juror and inquired about whether research has been done to study PTSD among jurors involved in capital cases. He asked the audience for advice on ways he can reverse our society's acceptance of capital punishment.

While there may never be a single, uniform answer to the question of whether killing can ever be morally acceptable, this panel discussion may have generated ideas helpful in contemplating this challenging issue. In his closing remarks, Professor Gaffney indicated that there are philosophical threads connecting those who oppose abortion, capital punishment, assisted suicide, and war. Perhaps by starting with a respect for human life we can all find common ground on the perplexing problem of killing.

Mike is a 3L and can be reached at forum@valpo.edu.

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SUDOKU!

David Johnson makes a sudoku puzzle each month for The Forum.

**Answers from November**

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The event included a wide range of entertainment and a way to network with fellow Greeks in the legal society. Approximately, thirty five students attended the event and were invited to partake in the amazingly huge spread of food cooked up by the members of HLA. The attendees were able to enjoy a taste of Greece that included, but was not limited to, bourani, a Greek salad, humus, kourabiedes and melomakarona.

As the festivities continued throughout the evening, HLA provided a wonderful background of Greek music and conversation to ensure that all the participants received a full immersion and feeling of Greek Night. John Bayard arrived a little later, and brought with him a wonderful blend of coffee that went well with the baklava and various other delectable desserts that were offered.

The students were very fortunate to have Nina Mariano present during the evening. Miss Mariano is a graduate of the 2008 class and associate of Boudreau & Nisivaco in Chicago, Illinois. She was available for students to discuss many of the aspects of life after law school and the challenges that she faced.

Towards the end of the evening, the students and HLA were awarded with a surprise, when Nicholas Poteres graced the atrium with an amazing Greek dance. After the dance, Nick gave lessons on how to perform the dance, and invited Miss Mariano and the students to join him.

Come out to the next HLA event, as you will never know what to expect to learn about Greek culture and heritage that you might like.
THE MILITARY VETERANS' LAW SOCIETY

By: Korrie Shivers • Guest Writer

E

h...At ease people. Listen up! There's a new group on campus called the Military Veterans' Law Society. The Military Veterans' Law Society (MVLS), organized this year with the assistance of President Edward Farmer, Vice President Blake Dahl, and Secretary Korrie Shivers, aims to have a place where vets and non-vets can go to share common experiences (war stories!) and gain an insight on what it's really like to serve. The group aims to accomplish its mission by sponsoring and participating in activities which heighten the awareness of veterans' issues. We have recently co-sponsored several events this semester, including the care packages for National Guard soldiers with the Valpo Law Democrats, the Veterans' Day picture board, and the Run for the Fallen with Allison Martinson. Another project the MVLS is proud to announce is the formation of a new Clinic.

In keeping with the spirit of service fostered here at Valparaiso University,

School of Law, the MVLS is in the midst of creating a Veterans' Law Clinic. Vice President Blake Dahl recently attended the Veterans Law Conference: Roadblocks and Obstacles, an event held at the John Marshall Law School. Blake gained valuable tools during this two day conference to help with getting our clinic off the ground. We are now working in conjunction with advisors and students at John Marshall to get our clinic off the ground and running.

The clinic will focus on assisting Veterans' who have been denied their Veteran Administrative benefits and those who just need help navigating the system.

The Military Veterans Law Society would like to invite those who have served, Soldiers, Sailors, Airmen and Marines, and those who have not, to be a part of this new and wonderful organization.

Korrie is a 3L and can be reached at Korrie.Shivers@valpo.edu.

THE BARTONVILLE STATE HOSPITAL

By: David Johnson • Managing Editor

Bartonville, “State” Hospital, located close to Peoria, Illinois, was a mental health hospital opened at the start of the 20th Century. Ultimately, it was abandoned in 1973. The hospital still stands as a feature of Bartonville skyline, but the building is clearly a ghost of its former self.

The history of the hospital is interesting. Opened in 1902, the hospital offered some of the most progressive treatment available at the time to the mentally ill. Most accounts say that the staff and doctors were quite kind to the patients. But kindness doesn’t make for a good ghost story. Hence, rumors of deaths, abuse, and unorthodox experimentation are abound. Whether or not they are true is unlikely, but it has been over a century since the clinic first opened its doors. As an interesting side note, the site still has four cemeteries on the premises. However, like the building itself, these cemeteries have fallen into disrepair; victims to both time and vandals. It is not surprising, then, that the adventurous have reported ghosts all over the hospital property. The hospital’s history for the hospital tell of “Old Book.” Book was a patient who dug graves for the institution until his own death. One legend says his spirit is still seen wandering the graveyards, from time to time. However, another tale says that, upon Book’s death, he took on the physical form of an Elm tree located in one of the cemeteries. For years the tree has stood on the hospital property, and for years ominous feelings of dread and despair have emanated from it. These ghosts are not limited to only patients, although many ghost hunters speculate the vast majority of the paranormal activity present at the hospital comes from these spirits. Perhaps the only way to know for sure is to go investigate. You had better hurry though, the hospital is bound to be demolished any time now.

David Johnson is a 2L and can be reached at forum@valpo.edu.

PHI DELTA PHI VISITS LOCAL HOMELESS SHELTER

By: Nicole Cudiamat • Guest Writer

Carving kits, gooey pumpkin insides and tasty pumpkin seeds are quintessential signs that fall is here. On October 29, 2009, the members of Valparaiso University School of Law’s Phi Delta Phi brought a little piece of fall to several families at the Spring Valley Homeless Shelter on Calumet Avenue. The Spring Valley Homeless Shelter was started in 1991 and is run by the Christian Community Action of Porter County. The shelter houses individuals and families and helps them build solid foundations through education, counseling and support to empower them to become economic and community contributors.

Parents and their children came down to the common room where three dozen pumpkins, carving kits, treat bags and “Monster Mash” on repeat greeted them. The pumpkins were donated by Johnson’s Farm Produce in Valparaiso and the carving kits passed down from previous PDP generations. The children and members of PDP had a great time getting down and dirty hollowing out the pumpkins while some parents sorted out pumpkin seeds for baking. Creativity ran amuck as children dreamed up their pumpkin creations to include everything from a fairy princess to a sideways carved Jack. Kimberly Kendall, a new PDP 1L initiate, was happy to take time out of her hectic schedule to go to the shelter and was able to share the experience with children and their families who may or may not otherwise have been able to do it.

PDP is the oldest legal organization in continuous existence in the United States, and its mission is to promote the highest legal ethics and academic distinction in the law schools and the profession at large. It has more chapters internationally than any other legal fraternity in the world and is the only legal fraternity with a presence in Europe. The Norris Inn at Valparaiso holds its annual pumpkin carving as a means to go beyond the commitment to ethics and academic distinction PDP promotes and to continue to serve the Valparaiso community at large. By now, the pumpkins may have reached the end of their porch-deck-window-life, but the experience will live on and the children can count on their PDP friends to come back next year to do it all over again.

Nicoles is a 1L and can be reached at nicole@cudiamat.net.

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DOWNTOWN VALPARAISO
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219-462-7178
BY: Mecca Anderson • Guest Writer

Last November, Californians made history by helping to elect the nation’s first Black president and by passing Proposition 8: a ballot initiative banning marriage between same-sex couples. This was a fascinating time in California politics and the nation took notice.

Proposition 8 passed by a slim margin but was a hotly contested issue with many groups weighing in. Most religions supported the ban on gay marriage, particularly the LDS church that actively campaigned and donated money in support of the Proposition. African Americans turned out in record numbers to elect President Obama, though initial reporting stated that this group too favored a ban on same-sex marriage, further fueling the debate over whether gay rights are civil rights. Opponents of Proposition 8 were visible too, arguing that they were being denied a basic civil right.

On November 6th, as part of Valparaiso University’s annual Peace and Justice Symposium, the law school hosted a panel discussion on the law and politics of California’s Proposition 8. Ensuring that all these points of view were heard, organizer Professor Jo Ellen Lind tapped several of the law school student organizations to serve on the panel. Professor Bruce Berner provided the legal framework for marriage, complete with his signature handout. Marcus Flinders, 3L, moderated the lively discussion and fielded questions from the audience. Samuel Richardson, 3L, of the J. Reuben Clark Society, explained his faith’s interest in keeping marriage between a man and a woman.

Samuel spoke about his faith, the structure of his religion and why his church organized in support of Proposition 8. Mecca Anderson, 2L, represented BLSA and deconstructed the Black vote. She explained the various cultural reasons why some Blacks supported the ban on gay marriage and proposed ways for the ‘No on 8’ community to reach out to Black voters. Finally, Moses Suarez, 3L, spoke on behalf of LAMBDA. Moses explained why marriage is a civil right. He provided his personal perspective on how his spirituality guides him and why the fight for equal rights is necessary and timely.

The audience weighed in with intelligent, thoughtful questions proving that though gay marriage is a hot button issue, our campus community is the perfect place to engage in exciting, yet respectful debate.

Mecca is a 2L and can be reached at Mecca.Anderson@valpo.edu.

TRIAL ADVOCACY’S FIFTH ANNUAL INTRASCHOOL COMPETITION

BY: Nick Poteres and Vanessa Sheehan • Guest Writers

On November 11, 2009, the curtain fell on the Valparaiso University School of Law Trial Advocacy’s Fifth Annual Intraschool competition, with the Porter County Courthouse playing host. That night, Paul Malin, a playboy of sorts, stood accused of the Second-Degree Murder of Brianna Lane, a once famous movie star, resigned to serving drinks at the Blue Light Lounge. The setting: Malin’s house, 3:00 am, where the pair entered the house. Shortly thereafter a gunshot rang out and Lane was dead.

The players in this tragedy were the prosecution, Maru De Martini and Christina Talamonti, and the defense, Sameer Aleem and Megan Ham. Witnesses included Malin’s French-Canadian chauffeur, Loren Deville; Sheriff Jesse Carrington, Lane’s best friend, Kris Michaels; and private criminologist Jordan Tracy. Witnesses were played by Lizet Rivera, Adam Miller, Chris Nunley, and Nicole Knowlton. Their mastery of theatre is only surpassed by their dedication to trial advocacy.

Magistrate Judge Paul R. Cherry presided, while Magistrate Judge Christopher A. Nuechterlein, Attorney Derrick A. Carter, Attorney David E. Vanderscoy, and Attorney David Welter acted as jury for the famed event. Act One began with opening statements. Each side delivered the story of their client, pulling the audience into the worlds of Malin and Lane. Direct and cross followed with Deville and Carrington testifying. Miller took his preparation very seriously. “I am Jesse Carrington,” he stated before the trial. Rivera took a more academic approach. “Playing a witness is great practice for dealing with clients in future practice.” Intermission came, and it was still unclear which side would prevail.

The defense began Act Two. Michaels took the stand, followed by Tracy. After closing arguments, the jury retired to deliberate. Deliberation was long, but their judgment was concise and Malin was found not guilty.

The team prepared the case over five weeks of practice, six rounds of trial competition, and countless hours of preparation. “We practiced four hours a day at least,” said Sameer Aleem. The advocates also used powerpoint to enhance their statements. Judge Cherry noted that juries learn visually, and powerpoints leave a better impression.

Awards were presented to the best advocates in the following categories:

Best Opening: Steve McClure; Best Direct Examination: Chris Nunley; Best Cross Examination: Adam Miller; Best Closing: Sameer Aleem; Most Outstanding Advocate: Eric Loggin; The Winning Team: Megan Ham, Sameer Aleem.

Judges Cherry and Nuechterlein were thoroughly impressed with the caliber of advocates the VUSL Trial Advocacy team is producing. Judge Cherry commented that if the team continues to build their skills, “The bar is in good hands.”

Nick & Vanessa are 3Ls and can be reached at Nicholas.Poteres@valpo.edu and Vanessa.Sheehan@valpo.edu.
The crowning of World Series champs tends to mark the end of autumn and the beginning of winter, and with winter comes a new NHL hockey season. There’s nothing like leaving the cold outdoors to enter chilled once again as soon as you take your seats at the stadium, and Fenway Park (this winter). Either way, the NHL has been growing in popularity over the past 5 years and with many of the league’s most recognizable players (Crosby, Toews, Kane) under the age of 25, we can expect a future filled with cutthroat competition.

So, what can we expect this season? The Penguins could repeat as Stanley Cup Champions. Pittsburgh routinely gets compared to the Edmonton Oilers dynasty of the 1980s and for good reason. The Penguins have two of the best players in the NHL, Sidney Crosby and Evgeni Malkin. They’re also one of the league’s youngest teams who are expected to only get better.

Another young team is the local favorite, the Chicago Blackhawks. Until last season, the Hawks were the forgotten team in the Windy City due to poor performance and bad ownership. Many credit the death of former owner Bill Wirtz and subsequent takeover by his son Rocky as the miracle that saved the team. Unlike Bill, Rocky believes “you gotta spend money to make money” and immediately implemented new club changes, most notably, televising all home games. The Hawks soon acquired young, sharp players and despite falling to the Red Wings last season in the Western Conference Finals, most of these young players are still here for this new season. As the youngest team behind the Penguins, the Hawks have a pretty good shot at bringing that Stanley Cup trophy back to Chicago after 49 years.

The Red Wings are also very strong contenders, having made it to the Stanley Cup Finals last year, only to lose to Pittsburgh. The Red Wings are consistently an elite team, with the franchise having a winning percentage higher than any other professional league sport in the U.S. They’ve also retained many of their star players from last season, so another trip to the playoffs is expected. Elsewhere in the NHL, superstars such as Chris Pronger, Marian Gaborik, Mike Cammalleri, and Dany Heatley changed teams over the season and will drastically affect the balance of power league-wide.

It’s too early to tell who will end up in the playoffs in 2010, but if history repeats itself, fans in the Midwest may be celebrating long into June.

Jolene is a 2L and can be reached at forum@valpo.edu.

**NFL SEASON IS DRAWING TO A CLOSE**

I can’t believe it. Back in September, I could barely contain my excitement because football season was right around the corner. Now, it’s almost finals and I’m running out of regular season football.

I think the biggest surprise in the entire league this year is the shakeup in the AFC West. Denver jumped out to a commanding lead in the division when it started 6-0. Now, they’re in second place behind San Diego. The Broncos started off strong under new head coach Josh McDaniels, but then hit a rough patch. I’m interested to see if the Orange Crush bounces back, or if San Diego goes on to the playoffs.

The AFC North has the most interesting playoff implications of any other conference in the league. The Bengals are playing well and the Wide Receiver formerly known as Chad Johnson is playing great football on the field and playing great pranks between snaps. Even though it cost him $20,000 in fines, Ochocinco reminded the world that football can be fun when he pretended to bribe an official with a dollar bill. Elsewhere in the division, the Ravens continue to be a fearsome opponent. The Ravens were a few soft calls away from beating the Patriots in week 4, and they came incredibly close to beating Minnesota in week 6. Outside of a few aberrant plays, the Ravens could be at the top of the division. They Ravens look like a major player in the AFC wildcard race.

The AFC East is home to the season’s first coaching change. The Bills parted ways with Dick Jauron after three and a half seasons. Bills team owner, Ralph Wilson, named defensive coordinator, Perry Fewell, interim head coach. The Bills seem rejuvenated under Fewell, who brings more emotion to the Buffalo sideline. Elsewhere in the division, it appears that Mark Sanchez is not the anointed second coming of Joe Namath that Jets fans hoped to see. Sanchez is struggling, and is prone to forcing passes into double and triple coverage. The Patriots look like they’re on pace to make the playoffs in the NFC North is possibly the least interesting division to watch at this point in the season. Sure, it’s too early to tell who will end up in the playoffs in 2010, but if history repeats itself, fans in the Midwest may be celebrating long into June.

Joelene is a 2L and can be reached at forum@valpo.edu.

By: Jolene Cieniawski • Executive Editor
ENTERTAINMENT BLENDER:
SHOWS TO WATCH OVER THE HOLIDAYS

BY: JOHN STURGEON • COLUMNIST

Over the holidays, we will all have some extra free time. Here are some shows well worth watching if you get bored.

Jericho
If you ever wondered how life would go on after nuclear bombs were unleashed on the United States, Jericho is the show for you. On one fateful day, nuclear bombs are dropped on 23 US cities. The story of this show focuses on the small town of Jericho, Kansas, where Sheriff Johnston Green must protect his people and find a way to get life back to normal. Coming into town on the day of the explosions are his son Jake (Skeet Ulrich) and a mysterious black man named Robert Hawkins (Lennie James). Jake immediately assumes a leadership role by helping the citizens of the town and trying to get to the bottom of who dropped the bombs. Robert Hawkins moves his children and wife into a home in the town of Jericho and asserts himself with the leadership of the city. Jake immediately becomes suspicious of Hawkins believing it to be a bit convenient that he just happened to show up in Jericho on the day of the explosions. Hawkins, however, is a smart asset and resource for the town and the constant dilemma on whether he was involved in the bomb conspiracy provide a suspenseful arc for the series.

With great characters, stories, and action, Jericho is an adrenaline rush that any fan of good drama will appreciate. It was sad that the show was cancelled after two seasons, but everything is wrapped up nicely in the series finale. The unique concept and one of the greatest television characters, Robert Hawkins, make Jericho an engaging ride well worth taking.

Arrested Development
As one of the most creative and intelligent comedy series ever created, Arrested Development remains a staple at DVD stores across the globe due to the several unforgettable moments produced over its 3 season run. Set in California, Michael Bluth (Jason Bateman) is forced to take over the family business after his father gets incarcerated for faulty accounting practices. Highlights of the cast include Jeffery Tambor as the jailed father George Bluth, Will Arnett as Michael’s loser magician brother Gob, and David Cross as Michael’s wannabe actor brother-in-law Tobias Funke. This series was one of the first to not have a laugh track and the style with which it was made set the foundation for comedy gems like The Office and 30 Rock today. An example of a hilarious line from the series is when Tobias compliments Michael by stating, “Michael, you are quite the cupid. You can stick an arrow in my buttocks any time.” If you enjoy laughing or are a Will Arnett fan, Arrested Development will be well worth your time. A movie is set to release in 2010.

Six Feet Under
It all began with the shocking death of undertaker Nathaniel Fisher in tragic fashion in the pilot episode. This brings journeyman son Nate (Peter Krause) home to take over his half of the family funeral business and run it with his gay brother David (Michael C. Hall). Francis Conroy is the grieving widow Ruth and Lauren Ambrose portrays her teenage daughter Claire. Over the course of five seasons, we watch as these characters struggle and grow with the various problems that arise when you run a funeral business. Filled with comedy, sex, high-octane drama, and great dialogue, Alan Ball’s Six Feet Under is an awesome series to add to any collection. Each episode begins with a death that somehow ties into the episode’s plot. Nate faces brain tumor issues, a tumultuous romance with the disturbed Brenda Chenowith (the fantastic Rachel Griffiths). David struggles with coming out to his family and handling his brother’s sudden reappearance in his life. Claire does not know who she wants to be and constantly develops relationships with bad men while Ruth seeks out to start a new life. If you want to be captivated and deeply entertained, Six Feet Under will provide you a truly memorable viewing experience throughout its six seasons.

Californication
For a hilariously satisfying emotional ride, check out the incredible first season of the most risqué show on television. The show is a perfect dramedy that will touch your heart and make you laugh out loud on a continuous basis. Golden Globe winner David Duchovny plays Hank Moody, a novelist who has recently split with his longtime girlfriend after infidelities committed after their move to California. Due to the stress of not being able to see his daughter or live with the love of his life, Hank turns to alcohol and sex to ease the pain. Early in the show, Hank sleeps with a girl named Mia who turns out to be the 16-year old daughter of his ex-wife’s new fiancé, Bill. Duchovny is awesome as the cocky and confident lady’s man with a heart and it is fun to watch his journey to regain the love of his ex and rebuild his family. The chemistry between Hank and his ex Karen (Natascha McElhone) is electric while the innovative writing and unpredictability will keep you hooked until the outstanding season finale. The DVD is in stores now.

John Sturgeon is a 1L and can be reached at forum@valpo.edu.

INTERNATIONAL LAW WEEKEND: NEW YORK CITY

BY: DZENANA DELIC AND MASHA BJEDIC • GUEST WRITERS

The International Law Weekend in New York City kicked off on Thursday, October 22, 2009, and lasted until Saturday, October 24, 2009. The conference, entitled “Challenges to Transnational Governance,” was hosted by Fordham University School of Law and sponsored by the American Branch of the International Law Association.

Valparaiso University School of Law was represented by the school’s International Law Society executive board, made up of Nicole Camier, Masa Bijnic, Dzenna Delic, and Peter Kirby. Due to our early arrival to New York City, we used the free time available before the start of the conference to explore the United Nations (UN) Headquarters. We were given a private, behind-the-scenes tour of the UN by the Bosnian Deputy Permanent Representative (DPR), Mirsada Colakovic. The tour included meeting other DPRs from countries such as the Netherlands, Serbia, and Pakistan. We had the privilege of visiting the General Assembly Hall, as well as the Security Council Chamber. It was a great honor to be present and seated in rooms of such great importance to international law and to receive all the procedural and historical knowledge of how the UN functions.

On Thursday evening, the conference began at the New York City Bar Association with a panel discussing the current need for reform of the Security Council. The three themes that arose from the panel were that reform is imperative, reform is actually possible, and that reform is already happening. This set the theme for the rest of the conference.

Friday was a full day of lectures and panel discussions. We attended a panel discussion on the U.S. Territories and Extraterritorial Authority in the Caribbean and the Pacific which discussed the issues of individual rights, judicial review, national security, and foreign relations. The following panel discussion on the New Hague Convention on Choice of Court Agreements and Challenges, became more of a battle of egos amongst the panelists than a peaceful discussion of practical issues. The afternoon session included a panel discussion of Victim Participation in the International Criminal Courts. The conference on Friday ended with a gala reception at the residence of the DPR of the United Kingdom to the UN, Phillip Parham.

Saturday included lectures on Challenging Territorial Sovereignty, Secession, Autonomy and Status Quo; New Developments in International Human Rights Law; and the Law of the Sea and the Russian Arctic-Economic and Security Perspectives. It was a whirlwind weekend filled with the hospitality of New Yorkers with international flavor.

For further info or questions about ILS, please contact ILS Secretary. Peter Kirby at Peter.Kirby@valpo.edu.
I am officially on Team Edward... well, maybe Team Jacob... I guess I am still deciding. Perhaps I am undecided because, I must admit to the theatre, I still have no

Despite an attempted Twilight crash course by my girlfriend, on the way

the only kind thing I can say about

played by Kristen Stewart, is in love with the tall-and-handsome vampire, Saga:

not on-screen for very much of the

movie because he and his family are

ofT

preparing themselves for winter the winter survival tips learned

Valpo winter. law schools of all

up. That's a good joke. Trust us. the Mesopotamian time era and

pump you up? We meant plump you the most successful bears since

taken from lessons learned from in a Battle Royale of survival that

Bear(s) can incorporate these bear behaviors

to stop running

means one

months. While this bear may not win

of

to leave town. The bulk of

existed amongst the Russian winter

unicycles. We’ve analyzed

across all cultures. We’ve analyzed

attitude and gluttonous diet, his

that maybe Australia could have a

• PSI

to stop running

it's important to study the bear behavior of Russian bears since many say that the Russian winters rival those of Valpo. It’s common knowledge that every Russian family trains their bears in the arts of unicycle riding, small hat and vest wearing, and the sweet science of boxing. However, their staunch adherence to socialism (aka laziness) leaves it unprepared for winter, often making them depend more heavily on a liquid rich diet. Rocky may have existed amongst the Russian winter elements, but this bear has neither

the heart of balloon or fear of facing a man with a 10,000 PSI punch.

European Bear

Now, since the Valparaiso University School of Law is one of the most diverse law schools of all time in the history of Northwest Indiana, it’s only proper to relay the winter survival tips learned from studying winter “bearbehavior” across all cultures. We’ve analyzed the most successful bears since the Mesopotamian time era and have pitted them against each other in a Battle Royale of survival that would make even Bear Grylls shed a tear of jealousy. We hope that you can incorporate these bearbehaviors into your own Valpo winter survival scheme. But, that’s too much responsibility for you to handle then simply do what the European bear does and call in the American bear for relief.

Unlike more self-sufficient bears, European bears generally depend on the kindness of other stronger, more well-prepared bears. Most European bears store their food in purse-like shoulder bags instead of caves or dens. As the most fashionable of all bears, the European Bear has set the standard for everything sassy, fashionable and fun during the winter months. While this bear may not win any war without the help of others, Therein, lays the love triangle set up for part 3 of The Twilight Saga: Eclipse.

Anyways, back to New Moon. Throughout the movie, Bella is so sad about Edward leaving that she starts doing reckless things; in fact, Jacob enters the story as the friend Bella seeks to help her rebuild a motorcycle. A vision of Edward reappears in Bella’s thoughts whenever she is in mortal danger, so Bella becomes willing to pursue that danger to see Edward. However, due to a mistake, Edward mistakenly believes that Bella has actually died. As a result, he seeks permission from the powerful vampire leaders, the Volturi coven of Italy, to kill himself. Why the Volturi deny his request, Edward decides to anger the vampire leaders into killing him. It is a bit of a stretch, and gets even more out there when Bella flies to Rome to prove to Edward that she is alive (apparently they do not have e-mail). Based on the gasps in the theatre, the movie concludes with two juicy bombsheells that, at least to me, appeared more concerned with setting up the next film than adding to the film’s plot. All things considered, New Moon was not really my kind of movie. That does not mean that you will not love it. In fact, I am sure that some of us here at the VUSL are diehard Twilight fans AKAS “Twi-hards.” As far as how New Moon compares to the book, I cannot comment on that because I have not read it. Also, I cannot say how the third installment, as shaped in New Moon, will stack up the third book. What I can tell you is that New Moon is full of cheesy, middle-school love lines, shirtless teenage boys, and sexual tension. If that is your kind of movie, enjoy.

Ross is a 2L and can be reached at forum@valpo.edu.
The lightweights dominate the 107 card and this one should be good. This is essentially the losers bracket fight from the later title fight as Florian is coming off his title loss to Champion B.J. Penn and Guida is coming off a loss to #1 contender Diego Sanchez. This fight could very well decide who gets another shot at the title or at the very least will help narrow the field. Guida’s good and has great all around skills, but don’t let Florian’s loss to Penn fool you; he is still the second best lightweight in the division right now. Florian wins by cut or submission.

1. Champion B.J. Penn (14-5-1) v. Diego Sanchez (21-2), UFC 107, 12/12/09

Finally B.J. is defending his title consistently and fighting against people his own size. The top pound for pound jiu-jitsu master looks to take on the versatile Diego Sanchez. B.J. has only lost to UFC champions, only one of which was a lightweight. Sanchez has the better striking pedigree, but B.J. can throw bombs if he wants, and if he doesn’t then there isn’t anybody outside of Georges St. Pierre better than him on the ground. B.J. wins by some kind of submission.

Dan is a II and can be reached at forum@valpo.edu.

PROFESSOR PROFILE: ROBERT F. BLOMQUIST

Professor Robert Blomquist has much advice to give to law students. “Studying the law gives students a great comparative advantage,” Professor Blomquist said. “People are always in demand of a good lawyer.” However, he noted that anyone deciding upon a career in law should be realistic in the concept that they might be changing jobs as they proceed in their career.

Professor Blomquist has taught as a full-time professor at Valparaiso University School of Law for 23 years. He teaches Torts, Environment Law, and National Security Law. Before teaching, he spent a decade in law practice in Cherry Hill, New Jersey. Professor Blomquist noted that he had always intended to become a lawyer and a law professor. His grandfather was a lawyer for Prudential Insurance Company. “The great thing about the law is that the law covers everything,” Professor Blomquist noted, when talking about his interest in law.

One of the areas Professor Blomquist teaches is National Security Law. National Security Law deals with a variety of topics, including international issues, warfare, international organizations, search and seizure, civil liberties, confessions and post-9-11 issues. Professor Blomquist has written articles on National Security law, including a 2008 article entitled American National Security Presupposition, which critiqued the national security approach of George W. Bush with Abraham Lincoln.

Professor Blomquist has also written a book for law students and lawyers called Lawyerly Virtues (Vandeplas Publishing). The ten virtues stated in the book are balance, integrity, idealism, compassion, courage, creativity, energy, justice, discipline, and perseverance. Professor Blomquist discusses these virtues with his students in his Torts class. In total, Professor Blomquist has published (or has forthcoming) 4 books, over 80 law review articles, and book reviews in law reviews and book chapters. He has also taught overseas in China and published articles on Chinese Environment Law.

Besides these ten virtues, he also gave some advice to current first-year students. “They should focus on studying their courses and try not to get distracted with searching for a job or extra-curricular activities.” He said, “Students should give every waking hour to learning the law.” For the students in general, his advice was to keep the big picture in mind whether dealing with law school or life.

In our meeting, Professor Blomquist also talked about his family and his newly adopted daughter, Sitiota. He said that his wife, Tirsha, wanted to adopt a child and they decided to adopt a child from Ethiopia. Sitiota is 6 years old, and is learning English language and going to kindergarten. Professor Blomquist also has a son, Drew, and a daughter, Courtney.

During his free time, Professor Blomquist enjoys reading just about everything. He also likes to write creatively. His creative writing has included poems and short stories. Professor Blomquist has received numerous awards including the Sagamore of the Wasbash, which is the highest civilian honor awarded by the governor in Indiana. He has also received a “Law Teacher of the Year” award from VUSL.

John is a II, and can be reached at forum@valpo.edu.
HOLIDAY TRIVIA

By: John Bayard • Staff Writer

1. This Ancient Roman holiday, which many of our traditions of Christmas come from, was celebrated in winter and included festivities such as gift-giving and merrymaking.

2. Many of our holiday traditions also come from this Ancient Germanic festival.

3. These two famous medieval monarchs were both crowned on Christmas day in 1066 respectively.

4. Hanukkah celebrates the re-dedication of the Temple of Jerusalem following the victory of the Maccabees over what Empire?

5. Joel Roberts Poinsett, the first Minister to Mexico, introduced this plant, which is commonly displayed during Christmas, to the United States in 1828.

6. The Christmas tree at Rockefeller Square, one of the most famous Christmas trees in the world, is usually this type of tree.

7. The name Kwanzaa derives from the Swahili phrase “matunda ya kwanza” which means what?

8. The tallest Snowman ever was built in Bethel, Maine in 2008. In fact it was a Snow-woman named after Maine Senator, Olympia Snowe. How tall was it?


10. Saint Nicholas, one of the inspirations for Santa Claus, is said to have place gold coins in the stockings of three poor girls in order to pay for their dowries. Today, this fruit is generally used to represent those gold coins.

Happy Holidays everyone! Best luck on your finals and enjoy the break.

John is a 2L and can be reached at forum@valpo.edu.

See answers on Page 19!

FINCH: TAKING A GANDER AT LAW SCHOOL OPINIONS

The Bears/Packers game is right in the middle of finals week!!!

It sure was a great idea to have the cut-off date for registering examsoft software before the session to troubleshoot the installation of that software. Although the website guides you to contact your institution to register your new software our institution is too stubborn to do so for those of us who had install problems. Thanks again for the detailed email explaining the process!!

So glad I bought a parking pass. That’s another $100 I can’t get back from Valpo.

Why won’t anybody be my Facebook friend? I’m a duck. Who doesn’t like ducks?

Why is the women’s bathroom decorated all of the sudden?
We welcome any questions that anyone would like to submit!!

1. I have had my eye on this hottie for a while now. We have been talking more and more the past month. I don't know what the heck happened, but all of the sudden, I feel losing interest. Nothing has changed and I do not know what he did to make me not interested anymore.

Fr0m Needing a New Chase...

There is a rumor going around that men only talk to females until they get their attention and then they just cut things off and move on to the next. There is something innate in people that makes them excited and attracted to a forbidden love or a fun chase. Unfortunately, that chase is often the extent of the relationship for some people. Well guess what ladies, that initial attraction also exists in women. Guys don't like to admit that a female could just be into getting their attention and then have no intention of wanting to date them. The rumor about all women getting attached after the first date is completely false. The truth is some guys are not worth any more than the chase. Keep up the hunt and hopefully you will find the right prey soon!

2. I have been dating my girlfriend for a while now and things are either really good between us or they are really rocky. But there is one small problem ... there is another girl that has caught my eye lately. We are just friends and I keep things at an appropriate level but I am starting to want to get to know her better. I don't want to hurt my girlfriend but I find myself thinking about this other girl quite a bit. What do I do and how do I do it? From Wondering if the Grass is Greener...

There are many layers to your problem. The first rule is to follow your heart. If you find yourself thinking about this other person often enough then that should tell you something. No matter how much you want to deny your feelings or act like they mean nothing, your heart will always keep your mind in the place it wants to be. As for the grass being greener on the other side, there is no denying that every relationship has its bumps. Most importantly, never settle in a relationship. If you feel you need to end things, just make sure you do it sooner rather than later. Dragging things out will just be worse for both of you in the long run.

3. Having quickly blown my reputation with the 2L and 3L guys, I've opportunistically pounced on the first JL that landed in my bed. I really don't date around that much but the new guy I'm seeing seems to be pretty popular with many girls at school. My friends have commented on how this young man is not the right guy for me even though we were becoming so close that we couldn't keep the hours straight. Now I've got myself in a sticky situation. I feel like I'm under an immense amount of pressure. Fearing repercussions from both him and my friends, I've become increasingly numb to many of life's pleasures. What do you recommend for a lonely law student stuck in between what her friends say and what her heart tells her? From Just Another Number...

Well, first and foremost let's tackle the friend issue. The only thing that matters at the end of the day in a relationship is how you feel about your significant other. We will always encourage people to follow their hearts. With that being said, your friends can often see things that you are blind to when you are caught up in the moment of "lust." All too often people in new relationships will choose to ignore the fact that their new squeeze is "well known" with others in the same school. Ignore it all you want but if it is true, you must decide if you are okay with that or if you should end things now to avoid a bad situation in the future. Odds are if you are just staying in this fishy relationship because you are in law school and you have a lack of options and just want the camaraderie, then you will probably save yourself time and pain by just ending things now. If you could actually see yourself seeing things through with this dude then tell your friends to go fly a kite and make yourself happy.

XOXO,

Aphrodite & Ares

Danyel and Megan are 2Ls and can be reached at forum@valpo.edu.

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The first person to correctly identify the mystery photo above will win a $15 gift certificate to Pikk's Tavern.

E-mail your responses to forum@valpo.edu
DECEMBER GRADUATE PROFILES

ANTHONY BERNARDI
(1) What was your Undergraduate School?
The University of Kansas School of Business
(2) What’s your hometown?
Highwood, Illinois
(3) What State are you taking the bar in? Illinois
(4) If you could do this all over again, would you? Probably
(5) Favorite memory from Valpo? Not sure
(6) What class do you think has been the most valuable? Civil Procedure
(7) What do you see yourself doing in five years? Not sure
(8) What one thing do your classmates not know about you? Not sure

ELIZABETH DORIS
GROSELLE
(1) What was your Undergraduate School? Hiram College
(2) What’s your hometown? Hiram, Ohio
(3) What State are you taking the bar in? Ohio
(4) If you could do this all over again, would you? Sure.
(5) Favorite memory from Valpo? Surprisingly useful!
(6) What class do you think has been the most valuable? Drafting Skills
(7) What do you see yourself doing in five years? Working for a non-profit international organization, probably part-time so I can be home with the kids that likely run for Congress and push for tort reform.
(8) What one thing do your classmates not know about you? I love Pottery Barn!

JAMIE LEE
SALOME
Cedar Lake, Indiana
(2) What State are you taking the bar in? Indiana
(4) If you could do this all over again, would you? Yes.
(5) Favorite memory from Valpo? The University of Iowa
(6) What class do you think has been the most valuable? Practice—valuable practical experience
(7) What do you see yourself doing in five years? Working as an attorney in Fort Wayne.
(8) What one thing do your classmates not know about you? I have the cutest kitten in the world.

JAMIE LEE VESLEY
(JENKINS)
(1) What was your Undergraduate School?
Tarleton State University
(2) What’s your hometown?
Cedar Lake, Indiana
(3) What State are you taking the bar in? Indiana
(4) If you could do this all over again, would you? Probably. (....if I got paid enough.....)
(5) Favorite memory from Valpo? Meeting my future husband in the law library.
(6) What class do you think has been the most valuable? Pre-Trial Skills
(7) What do you see yourself doing in five years? Working as an attorney in Civil Pro. It was fate. I found a life-long friend.

CHRISTINA R.
HUBLEY (ECKER)
(1) What was your Undergraduate School? Saint Mary-of-the-Woods College
(2) What’s your hometown? Plymouth, Indiana
(3) What State are you taking the bar in? Indiana
(4) If you could do this all over again, would you? Yes.
(5) Favorite memory from Valpo? Meeting my future husband in the law library.
(6) What class do you think has been the most valuable? Pre-Trial Skills
(7) What do you see yourself doing in five years? Working as an attorney in Fort Wayne.

BRANDON C. HALL
(1) What was your Undergraduate School? The Citadel
(2) What’s your hometown? Greenville, SC
(3) What State are you taking the bar in? South Carolina
(4) If you could do this all over again, would you? Yes, but I would chill out a little more.
(5) Favorite memory from Valpo? Seriously?
(6) What class do you think has been the most valuable? Advanced Legal Research
(7) What do you see yourself doing in five years? Working as an attorney in Civil Pro. It was fate. I found a life-long friend.

NATHAN LEWIS THAUWALD
(1) What was your Undergraduate School? Baylor University
(2) What’s your hometown? Waco, TX
(3) What State are you taking the bar in? Texas (the best state in the union)
(4) If you could do this all over again, would you? Probably
(5) Favorite memory from Valpo? Scholastically - Trail Advocacy National Competitions; Personally - any time at Mike and Adam’s.
(6) What class do you think has been the most valuable? Advanced Legal Research
(7) What do you see yourself doing in five years? Being a husband, father, and hopefully a lawyer

TRIVIA ANSWERS

(1) Saturnalia (2) Yuletide (3) Charlemagne and William the Conqueror (4) Seleucid Empire (5) Poinsettia
(6) Norway Spruce (7) First Fruits (8) 122 feet 1 inch (9) Rugby (10) Orange
ALLISON MCKINLEY

Hometown: Dodgeville, Wisconsin
Undergraduate School: THE University of Wisconsin
Undergraduate Major: Consumer Science
Family: Yes

So, any big plans for the holidays? My sissy just had a baby, so spending a lot of time with the family.

How many pictures, in your rough estimation, hang on the second floor of the law library? I saw a W.E.B. DuBois poster up there. I think it would be epic if they had a depiction of Justice Brennan battling Justice Scalia of Salvador Dali.

Would you rather be chased by a swarm of bees or a pack of wolves? Wolves, I would have a better chance of defending myself. I'm allergic to bees.

Your favorite Chicagoland sports team of any type is? Chicago Sky, Candice Dupree = MVP!

WILL FAGERSTROM

Hometown: Andalusia, Alabama
Undergraduate School: Huntingdon College
Undergraduate Major: Biology and History
Family: Proud son of Leonard and Kay and disappointed brother to Miriam.

So, any big plans for the holidays? I will be traveling back to the South which happens to be the greatest place in the world.

How many pictures, in your rough estimation, hang on the second floor of the law library? I wouldnt know but I will guess 7. I generally linger down in the library basement where I set up my own mini-buffet and basically host dinner parties without the library staff yelling at me.

How's studying for finals going? Pretty good actually. I have read all the required texts and even parts I wasn't assigned and I wrote practice tests for every exam and took them also. Of course I aced them all.

Have you read a book that wasn't related to Law School at any point this semester? Yeah I finished all the Twilight novels this semester. The prose wasn't what I was expecting but Stephanie Meyer makes up for it in sheer passion. Go Team Jacob!!

What was the last CD you purchased (not pirated)? Fearless by Taylor Swift. I feel that it is a wonderful soundtrack to my life and that is how I approach everything in life, "Fearless".

Do you have a favorite brand of gas station (BP/Shell/Speedway)? Giddy Up N Go, greatest gas station in Alabama

Do you carry a Bluebook or ALWD with you at all times when you're at school? Of course. I have actually combined both ALWD with Bluebook to form the perfect PocketPart of research and citation. I call it the Bushbaum Bible.

Would you rather go to a Dave Matthew's concert or a Metallica concert? Dave Matthew's Band is terrible and if you are offended by this comment then you are ruining this world. I could go to a Metallica concert but I would much rather see Bette Midler with Celine Dion (they are poets).

Your favorite Chicagoland sports team of any type is... Gary Ballads!

ANTHONY AZCONA

Hometown: Merrillville, IN
Undergraduate School: University of Wisconsin-Madison
Undergraduate Major: History
Family: Mom, Dad, brother, cat.

So, any big plans for the holidays? Possibly returning to Japan to visit friends, get some Hayama Kuruma-ya ramen and visit my favorite break at Hebara. Otherwise, no plans other than to forget about law school, toss around kettlebells and surf on the lake (meaning I'm hoping for lots of bad weather during those three weeks).

How many pictures, in your rough estimation, hang on the second floor of the law library? I saw a W.E.B. DuBois poster up there. I think it would be epic if they had a depiction of Justice Brennan battling Justice Scalia to the bitter end over the Burnham decision in the style of Salvador Dali.


Would you rather be chased by a swarm of bees or a pack of wolves? What kind of question is that? Well, my only caveat is that the non-diegetic music is "Yakety Sax" and the backpack is sped up when chased. It's been scientifically proven that speeding up the playback and using "Yakety Sax" as the non-diegetic soundtrack makes anything funny.

Your favorite Chicagoland sports team of any type is? The city of Chicago for decriminalizing surfing on the lakefront, opening up miles of beaches for waveriders.

LAW LIBRARY

Continued from Page 4

history. A tidbit from the article that may help put things in perspective for today's law student who feels tired at this time of year: classes at VUSL during the early 1900's were held fifty weeks per year, with the only holiday during the winter term being Christmas Day! A particular highlight of the article for me was the inclusion of several rare photographs from the University archives of early facilities of the Northern Indiana Normal School and the School of Law. If you are interested in checking this article out, you can find it in Law Reserve, at LDS565.V22 C73 1979. Or, come by my office and I'd be glad to make a copy for you. Maybe we can talk a little history - or legal research - anything but math.

Professor Probst can be reached at Steven.Probst@valpo.edu.