2-2012

The Forum (Volume 41, Number 5)

Valparaiso University School of Law

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On January 18, 2012, first-year students from the Black Law Student Association (BLSA) at Valparaiso University School of Law participated in the Annual Martin Luther King, Jr., Mock Congressional Debate. The topic for this year’s debate concerned ‘The Impact of Standardized Testing Under the No Child Left Behind Act of 2001.’

The No Child Left Behind Act (NCLB) of 2001 was signed into law by President Bush on January 8, 2002, and functioned as a reauthorization of the Elementary and Secondary Education Act (ELSA). ELSA, first enacted in 1965, and previously reauthorized in 1994, serves as the central federal law in pre-collegiate education while encompassing Title I of the federal government’s flagship aid program for disadvantaged students.

As David String stated, “NCLB received overwhelming support in both houses of government” when implemented in 2001 as it provided a means to “improve education with state control,... and close the standardized test score gap.” Each state is able to adapt such tests to their specific goals, as there is no national standardized test provided given to all students studying in the United States. Due to increasing concerns pertaining to state education, “NCLB represented significant changes to the education landscape.” (U.S. Department of Education, 2001).

In addition, Adrienne Thompson argued that NCLB “would grant accountability of school personnel” due to test results. NCLB debate participants were broken down to ‘pro NCLB’ and ‘con NCLB’ sides and were required to work together as a team to present a compelling argument for why members in the audience were to side with their viewpoint at the end of the debate. Each side had a total of twenty-five minutes to deliver their persuasive arguments.

This year’s 1L debate participants were: Diesha Williams, Adrienne Thompson, Valerie Johnson, Whitney Kenner, Olivia Robinson, Sharron Buari, Aquila Robertson, Judene Hylton, David String, Olivia Robinson, Sharron Buari, Aquila Robertson, Judene Hylton, David String, Jason Jointer, Kayla Griffin and Dominko Rumph. Their arguments were targeted to address five main categories: students who have special needs, English language learners, teachers, minority and underprivileged students, and the effect(s) of standardized testing.

The debate on NCLB, can best be described as a “polarizing law” as Dominko Rumph described. Since “the tests are not identical and measures absolute academic achievement rather than growth” as argued by Olivia Robinson, NCLB is “not an appropriate means of judging the achievements of students...as it places a priority on test-based achievements...and oversimplifies the quality of education,” she said. The other viewpoint, as Whitney Kenner emphasized is “the mission of NCLB to change the phenomenon of low test scores regardless of race or socio-economic status, and gains have specifically been seen in minority students in areas such as math and reading.” Providing an adequate playing field is important. Particularly when “half of our minority youth will not obtain a college degree...and standardized testing is biased towards European-Americans,” Judene Hylton argued.

While students are feeling the effects of NCLB, so are teachers. Valerie Johnson argued that “the law focuses on student performance rather than teacher development.” Aquila Robertson pointed out NCLB is intended to provide a “higher standard for teachers [as] not all students are born into opportunistic circumstances.” However, there was strong opinion from the con NCLB debaters that “teachers should be given additional resources so that no teacher shall be left behind,” said Valerie Johnson. Overall, “Parents, students, and teacher should excel outside of the test,” said Shanon Brufi. Since NCLB, makes “schools accountable for test results...the nation’s belief that students with disabilities [for example], may shift from low expectations to anticipating higher expectations...as standardized testing measures knowledge, not disability,” Kyla Griffin argued.

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THE DEAN’S CORNER

LONG AGO, BUT NOT SO FAR AWAY

BY: MARY PERSYN • ASSOCIATE DEAN

As some of you may know, I will be retiring in the summer of 2012. After 28 years at the Valparaiso University Law Library and, gulp, 43 years in librarianship, I am going to hang up my ALWD and move on to other things.

Although I am not the longest-serving member of the faculty and staff (Am I Professors Berner, Bodenstein, Breetzke, Cichowski, Gienapp, Holterhoff, Levinson, Moskowitz, Myers, or Stith?), I have been here longer than most. As a result I have developed an interest in the history of the law school, possibly because I have lived through a significant piece of it. This interest leads me to the rest of this column.

Did you know that this Wesemann Hall is the fourth building in which the law school has been located? When the law school opened in 1879 it was located in a building at 355 Greenwich, about three blocks north of the current building. Most of the University was in this general location on what has been called West Campus, the Heritage Park Campus, or Old Campus.

In 1926, a year after the University was purchased by the Lutheran University Association, the law school moved to the Domestic Science Building (renamed DeMotte Hall in 1959 in honor of the first dean of the law school). DeMotte Hall still existed when I came to Valparaiso in 1984. It stood just north of Heritage Hall in what is now grass and a parking lot.

Although most of the University had moved “up the hill” to its current location after World War II, a number of buildings remained down here on the West Campus well into the 1990s. The legal clinic was located in Lembke Hall which stood just north of the law school where students now play soccer. Heimlich and Baldwin Halls were behind the law school to the south of Heritage. One of them was the art building and the other was used for storage. DeMotte Hall housed a number of different departments. They were all torn down, except for Baldwin, which burned.

The first Wesemann Hall (fondly referred to as Wesemann I) was named for Adolph and Janette Wesemann whose generosity led to the construction of the building. It was dedicated in 1962 and it served as the law school until 1986. (Have you noticed the pictures of the Wesemanns and the plaque from Wesemann I inside the west entrance to the law school?). Wesemann I is now the University’s administration building, Kretzmann Hall.

If you go to the University’s Business Office, you are in the old law library.

As the law school grew during the baby boom years, it outgrew Wesemann I. For example, the two stall women’s rest room was entirely inadequate for the number of female students. The building had a courtroom and two small classrooms. For the most part, faculty offices were in cubbyholes on the outer walls of the Library. To put it mildly, we were cramped. So, the University decided to build a new law school building on the original VU campus location. Due to the generosity of the Wesemanns the name of the law school building moved with the law school.

The new building site was not without controversy. The University used to hold its graduation ceremonies outside in a grove of ginkgo trees that basically stood where Wesemann II now stands. There were people who regretted seeing the ginkgo trees cut down for the construction of the new law building. The two trees directly in front of Wesemann between the building and Greenwich Street are ginkgo trees in memory of the ginkgo grove.

We moved into Wesemann II in the summer of 1986, and we wondered what we were going to do with all that space. I remember listening to returning students talk about the new building that fall—the male students commenting on the building in general, the female students commenting on the new building, but particularly on the huge size of the new women’s restroom. (In 1986 we never would have believed that Wesemann II could ever become too small).

How times have changed.

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CPC CORNER

SPEED NETWORKING (NOT SOCIAL NETWORKING) COULD HELP YOU LAND A JOB!

BY: LISA CANNON • DIRECTOR OF EXPERIENTIAL EDUCATION, CAREER PLANNING CENTER

It’s not what you know, it’s WHO you know – an old adage, but networking is as important to the legal world today as it ever was. Speed networking may be a modern phenomenon, considering most law students rely on social networking in today’s world, but the legal market still relies on good old face-to-face contact and trying to make a good impression.

The Career Planning Center will offer students a number of opportunities in the spring semester for Speed Networking! Take advantage of one or all of the following events at which you are able to meet informally with Valparaiso alumni, practicing attorneys, and other employers who are ready, willing and able to share tips about their practice areas and types of legal careers available to you.

Event: Midwest Public Interest Law Career Conference
Date: February 4, 2012

Location: Northwestern University School of Law, Chicago, IL
Time: 9:30 -11:45 am (Table Talk)
Classes: All students
Attire: Professional interview attire
Why: The Midwest Public Interest Law Career Conference (MPLICC) enables employers from public interest and government organizations and law students to gather for a day of interviews and informal networking. If you are interested in Public Interest, this is one of the largest career fairs in the country and happens in the Midwest only one hour away. If you did not receive interviews, you may still attend the Table Talk portion.

Event: Practice Tracks
Date: February 16, 2012
Location: Chicago Bar Association, Chicago, IL
Time: 5:00-6:30 pm

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The Forum is published monthly, September through May, while school is in session. The opinions expressed in The FORUM are those of the authors and do not necessarily represent the views of The FORUM staff or Valparaiso University School of Law, its faculty, students, or administration. The FORUM was established in 1971 as a student organization. The Editors reserve the right to edit articles for punctuation, grammar, accuracy, obscenity, and libel.

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February 12, 2012, is the 203rd anniversary of the birth of our 16th president, Abraham Lincoln. Lincoln is known for his accomplishments as president; however, details of his career as a practicing attorney in central Illinois before he entered public life are less well known. The law library has a number of resources related to his legal practice. The point of view of the authors varies—some seeing Lincoln through rose colored glasses and others showing him more realistically with flaws as well as strengths. Some of this information seems contradictory to the Lincoln we think we know.

The following are print resources:


This book, featuring chapters by leading scholars of the practice of law, demonstrates the conflicting forces both personal and societal that played a role in the situation, and the possible effect of the case on Lincoln's role in the slavery issue in the future.


This book, featuring chapters by leading scholars on the professional career of Abraham Lincoln, is divided into three parts. The first part evaluates his legal career, the second explores overlooked aspects of his practice in Illinois, and the third takes a fresh look at the Washington years as he used his legal background during the Civil War. The editors disagree with the common thinking that his legal career ended when he became president. They argue it is more accurate to say the most important part of his career as a lawyer was his presidency where he put to use all that he had learned since his admission to the bar in 1837.


According to the author, Lincoln did his most influential legal work in the Supreme Court of Illinois. He contributed to the development of common law with cases that cover a broad spectrum of subjects, many of them deciding issues for the first time in Illinois. Bannister provides brief summaries of 333 cases in chronological order. Alphabetical and topical indexes are also provided.


Frank's premise is that we cannot truly understand Lincoln the public figure (20% of his life) without understanding the other 80% of his life—his professional law practice. Frank first discusses the technical and intellectual aspects of Lincoln's practice, and then focuses on the relationships between Lincoln's practice and his pre-presidential public life and between his practice and his presidency.


This reprint of a book originally published in 1932 explores the possible sources of Lincoln's interpretation of the Constitution, with an emphasis on slavery and civil liberties during times of national emergency. Two introductory chapters offer an appreciation of Lincoln's prose style and courtroom technique.


This reprint of a book originally published in 1925 is about cases in which Lincoln was either a defendant or plaintiff. Direct quotations from cases provide an interesting narrative and a window into the character of Lincoln.

Frederick Trevor Hill, Lincoln the Lawyer, Century Co., 1906. (Located in the law library stacks at E457.2.H64)

Written in 1906, this book (although somewhat dated in writing style and approach) provides interesting facsimile copies of some of Lincoln's legal documents. Several of these facsimiles demonstrate Lincoln's practice of underlining the words which he intended to emphasize in his oral arguments. This following observation by the author gives the tenor of this book: "He was direct, simple, and unaffectionately frank, and the conclusion is irresistible that he was endowed with psychic qualities of extraordinary power.

The following is an online resource included in the law library's HeinOnline subscription:


"This volume ... is intended only as a presentation of the results of an investigation into the record of Abraham Lincoln as a lawyer ... and his attitude toward the judiciary, upon which there has been considerable misunderstanding in recent years. To these has been added a chapter devoted to some consideration of his standing as an orator."—Preface.

The following is a DVD collection:


This is the first publication of the Lincoln Legal Papers, documenting the law practice of Abraham Lincoln from 1836 to 1861. Included are documents for more than 5,600 cases and legal matters in which Lincoln participated. Users may search for cases by case name, participant, date, court, legal action, subject; or documents by document type, date, author or signer.

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TWITTER ISN'T A SAINT, BUT IT'S NOT A TYRANT EITHER

BY: JON KOHLSCHEEN • STAFF WRITER

Twitter, the now infamous micro-blogging site that facilitated revolutions and is featured in our presidential debates, has come under heavy fire for a new policy change that would allow it to block tweets from being seen in countries where the content of the message might violate that country's speech laws. Many are quick to denounce Twitter, but the move is the least restrictive option Twitter has if it wants to continue to expand its services around the world and protect itself from liability and legal conflict.

Twitter, which currently has around 100 million users, has set an ambitious goal of 1 billion users in the not-so-distant future in an effort to become an online advertising behemoth on par with Google. Realistically, this means that Twitter has to keep expanding internationally, reaching new users in new countries that have so far avoided the Twitter bug. The San Francisco-based social networking site, formed in 2006, has over 700 employees in the United States, with only a handful abroad in England and Japan. In order to facilitate their international expansion, they will likely begin creating larger offices around the world, staffed with programmers, advertising executives, lawyers, and the like.

The problem lies in the speech laws of other countries that Twitter would like to expand into. Personal jurisdiction law varies from country to country, especially in terms of the Internet. But as Twitter begins actively targeting new users in countries around the world, let alone establishing new bases of operation, it will expose Twitter to potential liability when its users run afoul of their own country's speech laws. For example, were Twitter to aggressively expand its operation in France and Germany, sympathetic tweets that denied the Holocaust would violate those countries' laws.

Up until now, Twitter had the choice between removing the tweet globally or putting itself in legal hot water. This new policy change allows Twitter to remove the Tweet only in countries where it clashes with the law, leaving it available for the rest of the world to see. Twitter has not yet used this capability and if it does, it has promised transparency by disclosing when it removes tweets and for what reason. While this might not be the best case scenario for Internet free speech activists, it is a measured response to a real problem faced by Twitter that still preserves much of the free speech Twitter is known for.

No one has a right to absolute free speech on Twitter. At the end of the day, Twitter is a company that exists to provide a service that people want, pay good salaries to its employees, and make a profit for its investors. Twitter has done its best to preserve the free speech rights of its users while at the same time expand its business and protect itself from liability. Let's not be so quick to condemn Twitter. And if you do, keep it to 140 characters or less.

Jon is a 2L and can be reached at vuslforum@gmail.com

TWITTER: NOW #DICTATORFRIENDLY

BY: EMILY PATTISON • STAFF WRITER

A bright 2L's and 3L's, bust out those Con Law books and flip to the First Amendment section. Twitter may need some help in the freedom of speech department soon. See, the site recently unveiled a new censorship policy that allows it to censor tweets in countries with more stringent speech laws. But there's more. The censorship will make the content of tweets "selectively available" in certain countries, but not others. So an anti-government tweet might be removed from the site in Turkey, but viewable in the U.S. or Great Britain. The website issued a formal announcement last week saying, "Starting today, we give ourselves the ability to reactively withhold content from users in a specific country - while keeping it available in the rest of the world." As one might imagine, this development sparked considerable outrage across the Internet world, resulting in the pledges of many Twitter users to end their patronage of the site. Seems to ring a bell. Netflix, anyone?

Speaking from a practical standpoint, who can possibly monitor all these offensive tweets? If a foreign government asks Twitter to censor one tweet, there will likely be 10 more just like it that slip through the cracks. The Internet functions like a black hole of information - even with the most vigilant of watchdogs policing, it's nearly impossible to control the spread of information.

And Twitter, be honest. Would this have anything to do with wanting to expand into China where the website is currently banned? People have now begun referring to Twitter as "dictator friendly," which stands in stark contrast to how it was originally used - as a tool to topple dictatorships. It helped spread the message of protestors in Moldova, Egypt and the Middle East while simultaneously functioning as a vehicle to promote aid and assistance to Haiti. Even the Occupy movement in the U.S. made use of Twitter to spread its message. This censorship business coming from such an original bastion of free speech, quite frankly, has folks' heads spinning.

With SOPA (Stop Online Piracy Act), PIPA (Protect IP Act) and other Internet censorship debates flying around cyberspace lately, this comes at a very inopportune time, especially because Google just announced a change in its privacy policies as well. Internet users worry that a trend is developing where governments pay closer attention to the Internet with an intent to regulate its use. The changes on these major websites now have users asking "How far is too far?"

If citizens of other countries want to exercise their right to speak, Twitter should not try to silence them. Even if it succeeds in censoring tweets, countless other outlets exist to help spread their message. There will always be other mediums and alternatives to using Twitter to spark an uprising or to organize a protest. And with the way the Internet censorship debates are going lately, it looks like the elements for another protest are in the making.

Emily is a 2L and can be reached at vuslforum@gmail.com
RED'S RESTATEMENT ON RELATIONSHIPS

VALENTINES DAY: IF ONLY LIFE WAS AN EIGHTIES MOVIE

BY: ASHLEY MURRAY • STAFF WRITER

I'm going to be honest: I love-hate Valentine's Day. My apartment looks like cupid himself vomited pink hearts on just about every surface in the joint. It simultaneously makes me sort of cheery and sort of nauseous. God bless my roommate who happily tolerates my addiction to holiday decorations of any kind. For me the love portion of my love-hate relationship with Valentine's Day stems from my love of the color pink, hearts, and honestly the beautiful story of St. Valentine, after who the holiday is named. That said, Valentine's Day is one of those holidays that was created by Hallmark to keep card sales up in an otherwise quiet month of the year. Valentine's Day could easily be named Single's Awareness Day. As if the, "my boyfriend/girlfriend is so amazing....." statues aren't sickeningly toxic enough normally, we actually have an entire day, a "holiday," dedicated specifically to that kind of mushy, lovey-dovey nonsense.

Valentine's Day generally splits all of us into two camps. For our purposes why don't we call them "The Relationship Hippies" and "The Singles" --- the haves and the have nots, if you will.

The Relationship Hippies:

This camp is the half of the earthly population that finds themselves in a partnership on the 14th of February. Of this group of people I would venture an educated guess that only about half of them actually like Valentine's Day --- the women. For most men, even those in a relationship, Valentine's Day is just an unexpected (not sure why -- it's the same day each year fellas) expense on their wallets and a very good opportunity for them to royally screw the whole ordeal up. I sort of understand where they're coming from. Valentine's Day reminds me of a lot of high school dances like Homecoming or Prom. There was always an immense amount of pressure on the guys to ask a girl to the dance in some sort of over-the-top way. I seem to remember a lot of flowers given to girls in front of an entire class, lockers decorated, or things spelled out in solo cups on the fence of the football field. Frankly, it came to be that it was more about how you were asked to the dance than it was about who asked you. The more extravagant the public display of affection the more the guy liked you. Not unlike Facebook now, the more the public the relationship roughly equates to a more "successful" relationship. For Relationship Hippies, Valentine's Day is basically, "show me publicly how much you like me" day. It would appear, that not much has changed since high school.

We women have unrealistically high expectations when it comes to Valentine's Day -- thank you romantic comedy genre. We get this bizarre notion into our heads that on holidays like Valentine's Day and New Year's Eve that our lives should suddenly become a great 80's movie with the guy we're dating being as charming and suave as Patrick Swayze in Dirty Dancing. It's no wonder we're disappointed. So the moral of the story? How do you gentlemen not mess it up?? Here's 5 tips that I hope help:

1.) Flowers... Flower rule of thumb: Carnations are for carnies. Just don't do it man.
2.) Dinner. Pretty self-explanatory, if you're on a budget, break out those pans your mom bought you years ago and get cooking. Can't cook? Have someone else cook it for you. She doesn't care how it got there, just get it there.
3.) Don't, don't, don't, just pretend you forgot, or don't like Valentine's day or any other exceptionally lame excuse.
4.) Absolutely under no circumstances ever are you allowed to break up with a girl on Valentine's Day. I don't care if she's one big top short of the circus. The day before, the day after, just not the day of. That's just mean and you don't need that kind of karma.
5.) No teddy bears. No one over the age of ten has any practical use for a teddy bear, just put the furry animal back on the shelf and walk away.

Singles:

This camp is where the rest of the population resides. These people are again split, first by gender. The typical male response when it comes to Valentine's Day generally falls somewhere between, "Oh is that today?" and "I planned this -- I wasn't gonna waste my hard earned cash (read: loan money for law students) on some chick."

However, we ladies typically respond in one of two, drastically different ways as well. First there are those women that "hate" Valentine's Day on principle because it's a stupid holiday (they might be onto something) and try to avoid any sort of association with anything pink or heart-shaped on this day. Or there are the women who's hopeless romanticism gives them the unfailing optimism that this is the year that they will meet "Mr. Right" (cue the 80's music, "Love is a battlefield...").

In my opinion there's no point in letting a silly thing like a hallmark holiday ruin a perfectly good day otherwise.

My recipe for success for single ladies (since you men are none too bothered about the holiday if you're single):

1.) Flowers are really quite a pain, all that changing the water and making sure you feed them. You don't have to feed shoes and shoes don't die, enough said.
2.) Dinner with the girlfriends is always a blast. Four words: Mexican food and margaritas.
3.) Take just a little of your hard earned loan money and buy yourself something fabulous. You're worth it.
4.) Dancing or Karaoke. Dance or sing your heart out, no pun intended.
5.) Laughter, and lots of it.

This Valentine's Day, whichever camp you fall into, I hope your life is just a little bit like an 80's movie...they really were the best after all. Happy Valentine's Day!

Ashley is a 2L and can be reached at vuslforum@gmail.com

CPC from Page 2...

Classes: All students
Attire: Business casual
Why: Join the Chicago Area Law School Consortium (CALSC) students and meet attorneys representing more than 40 different practice areas ranging from A-Z. Valpo Law alumni will be present and join alumni from all the law schools represented by CALSC. Car-pool lists may be available.

Event: Professional Development Day
Date: February 23, 2012
Location: Valparaiso University School of Law, Hallway and Atrium
Time: 10:30 am to Noon
Classes: All students
Attire: Professional Business attire
Why: Six of the most popular CPC programs offered each year! Interact with more than 30 Valpo Law alumni as they provide information about their practice area to students along with advice and expertise. Participation will introduce law students to the wide variety of practice areas available, ranging from Air and Space Law to Zoning-Municipal Law.

Externship Expo -- 2nd Annual
Event: March 30, 2012
Location: Valparaiso University School of Law, Hallway and Atrium
Time: 10:30 am to Noon
Classes: 1L, 2L
Attire: Professional attire
Why: Join employers at our 2nd annual EXPO to showcase externship opportunities for the upcoming summer and fall positions. CPC will target extern employers, many from Chicago and outside Northwest Indiana, who don't typically visit campus for interviews. First- and second-year students are highly encouraged to attend this event to discover opportunities in which to gain legal experience for Summer 2012 and during the 2012-13 academic year.

If you have questions about any of these programs, please contact Lisa at Lisa.Cannon@valpo.edu. Now, get off your Facebook, Twitter or LinkedIn page and GO NETWORK!

Lisa Cannon can be reached at lisa.cannon@valpo.edu

THE FORUM
For the audience, it was apparent that both sides provided compelling and thought-provoking arguments. Well-researched and wonderfully articulated key points made it easy for the audience to engage in social commentary during the question & answer portion of the event. Individuals asking why is there no national standard for testing, and the curiosity of parent/teacher accountability for academic student achievement, highlighted the tensions relating to whether NCLB is adequate to address the gaps in socio-economic differences, or whether it further deepens the waters between students from rich and poor communities or students of different ethnicities, or even goes to the extent of pushing out students with disabilities further from the school system.

Although there was no clear answer relating to the impact of standardized testing under the No Child Left Behind Act of 2001, as democratically voted by the members of the audience, the winners of the 2012 Martin Luther King Jr., Mock Congressional Debate were...the Con Team! Congratulations to: Olivia Robinson, Shanon Brufi, Jason Joiner, Judene Hylton, Diesha Williams and Valerie Johnson.

The Black Law Student Association (BLSA), was the recipient of the 2012 Martin Luther King Jr., Award for their community involvement and advocacy. Congratulations BLSA!

Michelle is a JL and can be reached at vuslforum@valpo.edu

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I want to be very clear about something from the get go. There is nothing wrong with Giggle's Pizza. Next to Shoe's Pizzeria, it is my second favorite place to get a pie in Valpo, and there isn't a better breadstick to be found in town. They make a great pizza, have a $9.00 large, one-topping pizza special on Wednesday, and are a friendly group of people to order food from. They just have a problem with their décor.

I don't know how you feel about clowns. I've never been a big fan. I used to watch the Bozo Super Sunday Show when I was a kid, but other than that I've mostly found clowns to be simultaneously annoying and terrifying. It's amazing that they're still around to be honest. How many discussions in pop culture settings are there about how people hate clowns? It seems every TV show has a character on the cast that is scared of them, or haunted by them, or just honestly angry about them. Clowning is just not looked upon as a great facet of performance art.

Now Giggle's, as you may have guessed by its title has a clown for a mascot. That's fine. I have no beef with that. It's not like McDonald's is hurting because of their clown mascot. Really, it's not that big a deal. Or at least that is what I thought at first.

The apartment I had when I was a 1L happened to be within walking distance of Giggle's, so I would often get their carryout special on Wednesdays. Their pizza is great. It's the perfect example of what a Chicago-style thin crust should be. A Chicago-style thin crust isn't really a thin crust; it's a hand tossed, which is thin by comparison to a deep-dish, but not to other pizza places thin crust. They also have a spicier sauce, and a nice thick layer of cheese. Also, they'll put crumbled sausage on it, which is pretty awesome, because you get sausage in every bite. My only complaint is that they default to the party-cut, which I've already expressed loathing for, so you have to ask for a pie cut.

This arrangement worked great for a long time, until my fiancé moved to town and we decided to actually dine in at Giggle's. Giggle's is located across the street from Northside's and is clearly a converted house. That's cool, lots of restaurants do that and it gives off a fun vibe. So we ordered our pizza at the counter and went go sit down in the dining room, which up until that moment, I had never stepped foot in. It doesn't look like they get a lot of dining in customers. The tables are old and mismatched, as are the chairs, and the table cloths are that stereotypical red and white checkered pattern you'd expect in a diner. That's fine, I wasn't expecting to be blown away by atmosphere; I just wanted pizza.

Then, to my horror, I started to take in my surroundings. There was not one section of wall that does not have a piece of clown "art" or memorabilia on it. There is clown junk out the wazoo in there, and after a while of sitting there laughing and staring at you. It is just not what I was expecting when I sat down in Giggle's for the first time. The servers were very nice, fast, and friendly; and everything that should go right in a restaurant went right; but the clowns just made the whole experience eerie.

So, as a final word on Giggle's, it's a great pizza, one of the best in town. Their actual location leaves a bit to be desired though. I recommend that you eat in once just to take in the atmosphere. It's just something you should experience. After that, just order carryout. You'll have less nightmares that way.

Dan is a 3L and can be reached at vuslforum@gmail.com

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**VALPO LAW WORD SEARCH!**

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WESEMANN
WEST
go in your pocket pull out your wallet, put it in the air and sing, I wanna be a billionaire..." McCoy hits the American dream right on the money (literally, and figuratively in these lyrics). Our dreams cost money, money that some of us have to spend on them, and money that most of us do not have to spend trying to make these dreams come true. People at the top of the ladder and at the bottom similarly can understand how unfair life may same at times because things out of our control may interfere. But it is just that, life.

RULE: Individuals should be responsible for making their dreams come true without reliance of the government to “even out” the playing field of potential interferences.

Life has its ups and downs. Our economy will go from prospering one moment to hitting a deficit the next. What I believe President Obama should have empowered into his speech is more about the responsibility we each owe to ourselves and to our country. The republican response speech given by Indiana Governor Mitch Daniels focused on how “2012 needs to be the year we prove the doubters wrong”. Staying true to his Republican party beliefs, Daniels spoke on the need to serve our American nation as opposed to supervising the people within it. Obama seemed to me to be delivering the opposite message.

For example, Obama consistently harped on education and how the system as a whole needs to be reformed by both the States providing funds for the schools and by the schools themselves to lower the costs. Costs have risen dramatically over the years in education and particularly in higher education. Law students know just as well how difficult it has become to strive for the goal to become a lawyer with a possible aspiration to “be on the cover of Forbes magazine” or “see [your] name in shining lights”. While I agree with Obama that “higher education is a luxury” these days, it is not solely because of the cost. Higher education has become a luxury because of the people who choose to make it part of their life’s goals. These life goals of certain individuals may involve sacrifice in other areas. In order to accomplish the goal of graduating from any graduate degree, costs will be made. I, thankful for the support of my family, have decided to aspire to be a lawyer. This aspiration has been made by me even though I recognize I may end up with $150,000 worth of debt and with no job prospect when I graduate. Life is about taking risks with the hope that there will be a reward on the other side of the return of your sacrifice. At times it is difficult to see through the pain and sacrifice of spending exorbitant costs on higher education, but I believe with the goals I personally have that it is one worthwhile making. Attending law school was not a “fair opportunity” for me as Obama harped upon. If it was, then I would be at an Ivy League University rather than at Valparaiso School of Law. I enjoy Valparaiso’s law school very much, but in no way did I expect to be given the “same opportunity” for the American dream when I applied to different schools. Obama stated that everyone deserves the “same”. I disagree completely. If you work hard, earn those grades, and make it to the top, then you deserve to be there and I will step down and congratulate you. But I will not congratulate you for taking what is not rightfully earned as yours. As Governor Daniels said, we must be a nation of “has and soon to have” because we all need to again continue to believe in the American dream. Regardless of what your life’s aspirations are in 2012, it should be your responsibility to achieve them. The government should remain focused on their own goals rather than trying to interfere with the focus of an application of a “fair opportunity” to every American. Life is not fair as I already stated and it is unfairness that truly makes each of us as individuals work harder to accomplish our dreams. For now, keep your aspirations high and continue to sing with McCoy, “I wanna be a billionaire so [stinking] bad”.

Jessica is a 2L and can be reached at vuslforum@gmail.com

By: Jessica Fariszek • Staff Writer

January 24th, this year’s annual State of the Union address, where President Obama spoke with one theme in mind, “leave no one behind”. Well I am sorry Mr. President, although I respect you because you are our current President, I do not have to agree with you. The speech involved topics ranging from business policy, tax codes, education, immigration, our armed forces, energy, and D.C. reform. Somehow, in every different topic Obama covered, he maintained that America needs to be focused on this “fair opportunity” for our country. I am sorry to tell you this, Mr. President, but there is no such thing as a “fair opportunity”. For me, I strongly believe the phrase “fair opportunity” is an oxymoron. As a good friend of mine stated better than I, a fair opportunity does not mean entitlement to an equal opportunity. Life is not about giving everyone a fair shot. Rather, life is about a responsibility we each have to recognize our own individual dreams and strive toward accomplishing them.

On my drive home just before I sat down to watch President Obama give the State of the Union address, I heard Travie McCoy’s song “I wanna be a billionaire”. The lyrics contrasted quite well with what I was about to hear from Obama’s speech. McCoy sings, “I know we all have a similar dream, but still, I want an expensive home to show the world that I didn’t work for it. I wanna be a billionaire...” A song that summed up our current economy just as well as Obama’s speech.

My fiance complains that I get obsessive about following one interest or eat a lot of one kind of food to completely accomplish them. These life goals of certain individuals has less apps. They still had the apps I needed, and it is a cool device. Blackberry has been on a decline lately after seeing that there was considerably more RAM and processor speed when compared to both tablets. The problem came when I realized how early I’d have to upgrade. After looking at a lot of different phones, I had pretty much decided I would get an Android device of some kind. But still, I had to wait. Then I started looking at Black Friday sales and saw a deal on a 7-inch, Android tablet. I figured this would be a good way to get my high tech fix until I was ready to upgrade.

The problem came when I realized how early I’d have to be at Best Buy to get the tablet I wanted. I really didn’t want to spend most of the holiday outside in the cold away from my family. I started looking at the Kindle Fire as an option, but there are some major drawbacks to that tablet. It is cool, but it doesn’t have the versatility of other Android tablets.

Then Research in Motion decided to drop the price on their BlackBerry Playbook tablet, and after seeing that there was considerably more RAM and processor speed when compared to both the tablet I was looking at and the Kindle Fire, I decided to go with the Playbook even though I knew that Blackberry has been on a decline lately and I knew they had less apps. They still had the apps I needed, and it is a cool device.

The first thing that struck me by the tablet was just how well built it was. It’s a hefty, solid feeling tablet. I’ve played with Kindle Fires and you can tell by the light plastic feel that they cut corners on design in order to lower the price. Not so with the Playbook.

The operating system also surprised me with just how cool and fluid it is. There isn’t a physical home button like on the iPad or on one of the many Android tablets; you move between apps by swiping from the sides. Not to mention, it plays a lot more video formats than iOS or Android devices can, so I save time by not having to convert video files to load them on my tablet.

So now my phone is finally due for my upgrade, and I’ve gone from not even considering getting a BlackBerry device, to having absolutely no doubt about getting a BlackBerry Bold 9930. Not an iPhone, not a Droid, a BlackBerry. I’ve spent a while now playing with phones at Sprint Stores and Best Buys and anywhere else that has phones and nothing feels as solid, comfortable, or useful as the flagship of the BlackBerry brand.

The problem is that when I tell people I’m getting...continued on Page 9
Here are my ten favorite scripted shows of 2011 with a few thoughts on each. It was a great year filled with a lot of quality stuff. Some other shows that deserve mention for being good but didn’t make the cut are Modern Family, The Good Wife, New Girl, True Blood, Wilfred, Curb Your Enthusiasm, Treme, Falling Skies, Parenthood and Cougar Town.

9. COMMUNITY
When this comedy is on its game, there is nothing more original on television. I loved the paintball sequel, the Glee spoof, Donald Glover screaming at Lavar Burton, and the seven timeline episodes especially. I hope NBC gets this show back on the air ASAP this Spring.

8. BOARDWALK EMPIRE
The Jimmy/Nucky Season 2 conflict delivered in spades as all the maneuvering, scheming, and killings led to a fateful climax for one of the main characters of the first two seasons. With a distinct look, terrific acting, and ballsy writing brought Kyle Chandler a richly-deserved Emmy for his work as Coach Taylor. With returns from the past and compelling plots with the current inhabitants of Dillon, FNL season 5 gave all fans the closure they were looking for with great moments at every turn.

5. GAME OF THRONES
HBO’s new fantasy epic burst onto the scene in grand form. Featuring a tremendous battle over power in the Kingdom of Westeros, the show delivered twists, deception, sex, snarky dialogue, and action in unique and incredible ways. No one was prepared for the shocking death; the climax of the season would bring but with dragons now in the picture and no one appearing to be safe, Season 2 should up the ante this coming Spring as the answer for who really is the king comes to fruition. Peter Dinklage as Tyrion was the standout earning an Emmy for his work as the imp, Tyrion Lannister.

4. JUSTIFIED
Season 2 was incredible featuring the three-way feud between Raylan Givens, Boyd Crowder, and the vicious Mags Bennett. Margo Martindale earned an Emmy for her portrayal of Mags while Timothy Olyphant and Walton Goggins got to continue showing off some of the greatest chemistry on the small screen as Raylan struggled to believe Boyd was a changed man of faith after all the damage he had caused. With great banter due to the novel-like writing, tremendous action, and well-defined three-dimensional characters, Justified is one of the finest shows on television at the moment.

3. PARKS AND RECREATION
Parks delivered the perfect season in Season 3 as the colorful cast sought about creating a great Harvest Festival while the romance between Leslie and her boss Ben heated up. Combining the stupid innocence of Andy and April, the stand-up type A personalities in Leslie and Ben, the Hollywood Dreams of Tom Haverford, and the funniest character on television, Ron Swanson, Parks and Rec has something for everyone. The combination of sharp humor and characters with heart continues to impress in ways no other comedy comes that close to matching. Here’s to hoping there are many more episodes ahead.

2. HOMELAND
Bursting onto the scene this fall, Showtime’s epic new series showed that when you combine great actors with a great concept, a winning show emerges. Claire Danes played bipolar CIA agent Carrie Matheson, a woman convinced that recently returned marine Nicholas Brody (Damian Lewis) has been turned into a terrorist. Throughout the season, we are never quite sure what to make of Brody and the ways Carrie stays right on his tail are shocking and fun to watch. Both leads deserve Emmys as this series delivered week after week with stakes continually raising to a thrilling climax in the finale. Luckily for us, the show will be back for Season 2 next year.

1. BREAKING BAD
“I am the one who knocks.” This Walter White quote sums up Season 4 of one of the best dramas ever created. From the tremendous breakdown of the Jesse/Walt alliance to the riveting Walter/Gus conflict, Season 4 of Breaking Bad delivered everything a fan could have hoped for. It answered once and for all whether Walt would be Scarface or a pawn in the drug game and showed the depths he’d stoop to in order to get there. Bryan Cranston, Aaron Paul, and Giancarlo Esposito all deserve acting awards. Vince Gilligan continues to craft brilliant scripts while also putting to film what is the most beautiful-lookong show on television. I can’t wait for the sixteen-episode final season.

John is a 3L and can be reached at vsuśforum@gmail.com
2012-2013 LAW CLINIC OPEN HOUSE!

Wednesday, February 22, 2012: 11:00 A.M. to 2:00 P.M. Heritage Hall

It's that time of year again. The Valparaiso University School of Law Legal Clinic will be holding an informational open house for anyone that wants to stop by and see what the Clinic is all about.

To become a Clinic member you have to complete half of the credits needed to graduate from law school and need to have taken or be enrolled in legal profession.

The open house is an opportunity for you to talk to current Clinic students and professors so that you can see which Clinic is right for you. The Clinics are a great way to get real world experience and to help out real clients with their legal problems.

Students wishing to enroll in Clinic must complete a pre-registration application by 5:00 P.M. on Friday, February 24, and have interviewed with the instructor(s), if required, by Noon on Thursday, March 1.

Please stop by to get your questions answered, fill out a Clinic Application, schedule an interview, and sample the refreshments.

But in the mean time, here is a little quick description of what the Clinic has to offer:

**Civil Clinic**
*Professor Marcia Gienapp*

Students work on civil matters such as landlord-tenant, small claims, consumer, and debt collection defense. In addition, students represent clients in areas of family law including adoption, guardianship, divorce, and child support. For effective representation of clients, students who are away from campus two days per week should not enroll.

**Juvenile Clinic**
*Professor Elizabeth G. Tegarden*

Training and practice in representing children as Guardians ad Litem in paternity, adoption, guardianship, and child in need of services cases. Will also represent children as public defenders in delinquency cases. Students will practice in Lake Superior Court, Juvenile Division. Students must interview with the instructor prior to enrollment.

**Civil Mediation Clinic**
*Professor Barbara Schmidt*

Students engage in mediation training for six weeks prior to mediating cases in small claims courts. In addition, students assist pro se clients in domestic relations cases in Lake County Circuit Court. Students must have a flexible schedule. Students must meet with the instructor prior to enrolling.

**Criminal Clinic**
*Professor Dave Weller*

Students represent individuals involved in the criminal justice system. The nature of the caseload varies but may include trial level cases. Students must interview with the instructor prior to enrolling.

**Sports Law Clinic**
*Professor Mike Strawbel*

Students will provide representation to athletes who are unable to afford legal assistance in cases matters involving eligibility to compete, doping, or such other issues as may arise. Students will also collect and analyze decisions made by various dispute resolution tribunals or entities and make this information available to others. The demands of some cases may require students to work over vacation periods. Students must interview with instructor prior to enrolling. Enrollment limited to ten students who have completed at least one-half of their law school education.

**Tax Clinic**
*Professor Paul Kohlhoff*

The Tax Clinic represents low-income taxpayers involved in controversies with the Internal Revenue Service. Students enrolled in the Tax Clinic have the opportunity to represent clients before the Examination, Collection, Appeals, and/or District Counsel levels of the IRS. Cases that are not resolved with the IRS may be litigated before the United States Tax Court. Students are responsible for interviewing clients and witnesses, researching substantive and procedural tax law issues, assembling documents, preparing memoranda, correspondence, forms and pleadings, and negotiating settlements. Class time is split between discussing substantive and procedural areas of tax law and reviewing the status of active cases being handled by students. Students must interview with the instructor prior to enrolling. Enrollment limited to ten students. Preference will be given to students who enroll for Fall and Spring semesters.

**Domestic Violence Clinic**
*Professor Geneva Brown*

The Domestic Violence Clinic will be a year long program that combines seminar and clinic components. Students will have a classroom component of domestic violence law and practice that will explore several types of domestic violence such as homicide and stalking. The class will discuss the domestic violence victims in multidimensional aspects that include ethnicity, sexual orientation and socioeconomic status. An examination of practice will prepare the students for the practicum component of the course. The Student Attorneys will assist victims of domestic violence who are seeking temporary or permanent restraining orders. Student Attorneys will provide advice and represent the victims in court. Students will also provide legal assistance to residents of domestic violence shelters. Students must interview with the instructor prior to enrolling.

**Post Conviction Clinic**
*Professor Brown / Professor Vandercoy*

Students will investigate and litigate claims of wrongful conviction and unjust sentences. The Clinic will represent clients asserting miscarriages of justice and innocence claims. Students will assist clients with post-conviction litigation which will include investigating new evidence claims, filing and litigating post-conviction petitions, habeas petitions, and motions for sentence modification. Students will spend the majority of their time doing research, writing and investigation. Open to second and third year students. Students must interview prior to enrolling.

**Immigration Clinic**
*Professor Bernard Trujillo*

This is a brand new clinic offered for the very first time next year! Stop on by to find out all you can about this new and exciting opportunity offered by the Clinic!
**NEW SEMESTER - TIME FOR NEW SAYINGS**

*BY: JOEL MCCLELLAN • LAYOUT EDITOR*

"*If at first you don't succeed, lower your standards.*" — Tommy Boy.

If you are like me, you have already waived the white flag at your New Year's resolution. Let’s focus on a more realistic goal for this semester: abolishing unnecessary sayings in the classroom.

Everyone knows that law school is not cheap. The tuition for the 2011-2012 year is $38,086 or $19,043 a semester. This breaks down to $1,360 per week of instruction (14 weeks). The typical law student takes 15 hours a week, which equals $91 per hour that the student is in class. Every minute in class comes out to be about $1.51 or $0.03 a second. Yikes!

Now that I have monetized law school, here are some ways that we can save a little coin. Let’s try to avoid these sayings.

5.) “To be honest with you” — Why wouldn’t you be honest?

4.) “Not gonna lie” — Were you going to lie if you didn’t state this?

3.) “You know what I am saying” — Most of us probably don’t know.

2.) “I don’t mean to throw a wrench” — Why bother, you’re going to do it anyway.

1.) “I have a question” — Oh! That is why your hand was up.

I am not saying that you shouldn’t talk in class. I am merely trying to highlight ways one can get to his or her point a little faster. Classes are meant to be interactive with the professor, but let’s think a little before we talk. On a side note, why is it that when the parking lot is covered in snow, everyone forgets how to park?

Joel is a 2L and can be reached at vuslforum@gmail.com
Ryan Sturgill - 3L

Hometown: Carmel, Indiana
Undergrad: Indiana University
Major: Marketing and Management
Family: Mother, Father, Brother

Any spring break plans?
Pro Bono work at the exotic Indianapolis Beach Resort. Procrastination wins again.

Valentines Day is this month. What holiday do you hate the most?
I'm not going to tell you about my embarrassing Valentine's Day stories. Instead, I will use this coveted spotlight space to find my 2012 Valentine. The successful candidate will possess the following traits: 5'3", brunette, nicely tanned, brown eyes (so I can serenade you with Van Morrison's "Brown Eyed Girl"), great sense of humor, and the financial ability to pay off my student loans. Send cover letters and resumes to ryan.sturgill@valpo.edu. Mila Kunis, will you marry me?

What is the best part of winter in Northwest Indiana?
It's a four-way tie between scraping my car windshield at 8:00 am, $300 NIPSCO bills, shoveling snow, and slipping and falling on ice.

Which Valpo law professor dresses the most stylishly?
I'm pretty sure GQ Magazine would endorse both Professor Cichowski's bow tie collection and Professor Morrison's suspenders collection.

Favorite restaurant in Valpo?
Ask John Sturgeon. He won't let you down, I promise.

You have just been awarded a free flight anywhere in the continental US. Where would you go and why?
Las Vegas...no explanation needed.

Tajanae Mallett - 2L

Hometown: Naperville, Illinois
Undergrad: Eastern Illinois University
Major: Business Management with a concentration in Human Resources
Family: I am an only child. I hope to have my own family one-day, not anytime soon though.

Any spring break plans?
NBLSA Conference in Washington, D.C.

Valentines Day is this month. What holiday do you hate the most?
I don't really hate any holidays, but my least favorite is Thanksgiving. The winter season is dominated by Christmas where there are decorations, caroling, presents, white snow, and such a part of all my childhood memories. Thanksgiving just doesn’t have the same effect.

What is the best part of winter in Northwest Indiana?
Winter Fashion. There are so many different styles of shoes, sweaters, and coats that a person can wear during the winter months to stay warm.

Which Valpo law professor dresses the most stylishly?
Professor Lind for women and Professor Kutty for men

Favorite restaurant in Valpo?
Le Peep...the breakfast is amazing and it is such a cozy environment.

David String - 1L

Hometown: Feasterville, PA (30 Seconds NE of Philly)
Undergrad: Temple University
Major: Business Administration
Family: 2 older sisters, and 2 shelties that never stop barking when I'm sleeping

Any spring break plans?
I'm looking forward to visiting my family in South Carolina

Valentines Day is this month. What holiday do you hate the most?
I don't hate any holidays; I make them all enjoyable. Valentine's Day can still be fun when you're single because you can make fun of annoying couples

What is the best part of winter in Northwest Indiana?
All the wind, snow and cold... Oh the best part? Nothing, so far...

Which Valpo law professor dresses the most stylishly?
Prof. Cichowski. He can really pull off the bow tie

Favorite restaurant in Valpo?
Culvers; They don't have them back east and their ice cream is awesome and inexpensive

You have just been awarded a free flight anywhere in the continental US. Where would you go and why?
Pittsburgh: my girlfriend goes to school there.