

The Justinian

Volume 2002
Issue 3 *October*

Article 1

2002

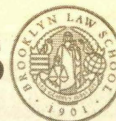
The Justinian

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BLS set to begin construction on twenty-story residence hall

by Ian J. Gaynor, '03

Brooklyn Law School is about to embark on an ambitious project to construct a \$70 million, 371-room, 20-story residence hall. The residence hall will rise on a BLS-owned parking lot at the corner of State Street and Boerum Place and it will take two years to complete.

The project will mark an epic turning point in BLS'

storied 101-year history. Long considered a prestigious 'regional' school, BLS is quickly catapulting into the upper echelon of the nation's top law schools.

The residence hall will give BLS a competitive edge in attracting the nation's top students by providing affordable housing within blocks of the main building.

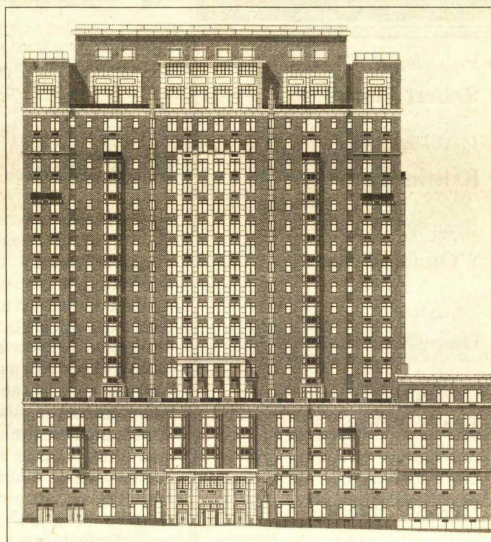
According to Dean Joan Wexler, "The Admissions

Office finds that one of the first questions students or their parents ask is: "Where will the student live [when the student attends Brooklyn Law School]?"

BLS presently owns several residential buildings scattered throughout Brooklyn Heights. Those buildings combined, however, only meet the needs of less than ten percent of all students. This amounts to housing for 140 of the 1,500 students attending the law school.

According to Dean Wexler, requests for affordable housing come mainly from first year students. Many upper class students do not bother requesting housing because they know it will be extremely difficult to obtain. As of mid-June, 340 of the 515 entering class students had requested housing. Surprisingly, thirty-five percent of the incoming evening students - students generally thought to have permanent residences - indicated that they would be interested in on-campus housing.

Students who are unable to receive affordable housing from the school are usually left to the mercy of the Brooklyn Heights' exorbitantly priced rental market. BLS has not yet set rental prices for the apartments, but Dean Wexler and



Courtesy of Robert A.M. Stern Architects

The law school's new residence hall will rise high above the Brooklyn skyline.

Associate Dean Michael Gerber assure students that those prices will be considerably lower than comparable neighborhood apartments.

While the residence hall's primary function will be that of providing much needed housing for students, Deans Wexler and Gerber view the building's mission as that of "fostering a sense of community at BLS."

"A number of students have said how important they feel it is for students to live together and be able to walk to school together," said Dean Wexler.

Dean Gerber added, "The

friends that students make see DORM, page 2

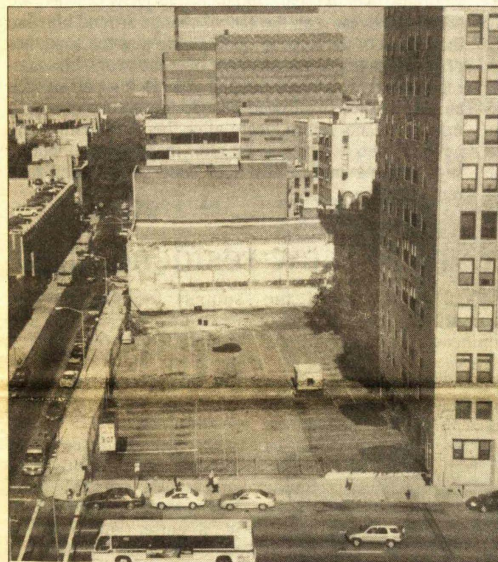
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Ian Gaynor/ BLS News

This old lot will soon be a memory.

NYS Court of Appeals pays a visit to Borough Hall

by Rupa Banik, '04

Regardless of whether you're a big fan of the movie *Dirty Dancing*, you're likely to be familiar with the song "Be My Baby" by the Ronettes on the movie's soundtrack. If you have absolutely no idea what song I'm referring to, I'll give a quick refresher: "So come on and please (be my, be my baby) Be my little baby, (my one and only baby) Say you'll be my darlin', (be my, be my baby) Be my baby now, (my one and only baby) Wha-oh-oh-oh-oh."

The reason why I'm bringing up such a random song is because it has been the subject of a fifteen year royalty dispute between the Ronettes and rock and roll producer Phil Spector. Recently, the Court of Appeals, New York's highest court, heard arguments from this case, *Greenfield v. Philles Records, Inc.* at Borough Hall.

It's hard to imagine that the seven-judge panel would ever come all the way from Albany to Brooklyn to sit at the courthouse in Borough Hall, a name which the majority of the public associate

with the subway stop on the 2/3 or 4/5 line. However, they arrived and listened to arguments this past September 4th, 5th, and 6th. This

move to Brooklyn is historic because it is the first time in about one hundred years that the Court of Appeals has listened to arguments outside of Albany. The reason for

this change in venue is due to the renovations being done to the courthouse in Albany that the seven-judge panel calls home. The changes to the palatial Albany courthouse are expected to reach \$37 million and include the installation of fiber optics and the replacement of a 1950's- vintage air-conditioning and heating system.

When asked about their move to Brooklyn, the seven-judge panel said they are excited to come and to share the court proceedings to a new audience. Chief Judge Judith Kaye, as the *New York Times* noted, even exclaimed, "I'm delighted to go. There's the excitement of sitting in a new place, and I love Borough Hall."

As expected, the protocol for arguing before the Court of Appeals was formal. The lawyers that were to argue were permitted to do so for about twenty minutes and they had to adhere to a two minute rebuttal period if they chose to rebut their adversary's argument. The members of the seven-judge panel include Chief Judge Judith S.



Robert Vidoni/ BLS News

Rebekah Rollo, 2L, Aaron Leonard, 2L, Nick Minella, 3L, and Mary Anne Buckley, 3L, discuss Borough Hall arguments at the reception for Judges of the New York State Court of Appeals on September 3.

see APPEALS, page 5

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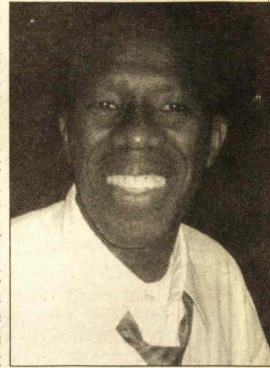
Many of us attend law school in order to open doors to new opportunities. But what is the benefit of attending a law school in a big city if students are constantly concerned for their safety? Our BLS October Familiar Face, Claude Callendar, is one member of the security staff who brings us peace of mind by guarding our doors.

Claude Callendar is more than a mere security guard attentively guarding our school's entrances – though that alone would be more than enough to be worthy of our praise. There is more to Claude than we might notice while hurrying by every day to classes. In fact, the humble Claude we've all grown to know as a staple of the BLS community – he's been with us for 22 years – has lived a life so full and rich he can be considered another New York story embodying the American Dream.

Moving here from his home country of Guiana at the age of 20, Claude was able to find a job as a maintenance worker. Without any training but plenty of ingenuity, he was determined to succeed – and he did. He later found a job maintaining our glorious building, and climbed his way up the BLS ladder so that he now maintains our safety rather than our classrooms. Claude achieved professional success while also raising a family with his beautiful wife Hazel. They have four children: Lakisha, Denise, Claude, Jr., and Stacey. A pro-am cyclist, Claude competed with the likes of Greg Lamont in the early 80's. He is currently training for the Cycling World Championship in

Manchester, England later this year.

What Claude would really like to pass on to everyone is how wonderful the BLS community has been to him over the past 22 years. He boasts with a smile how there has never been a security incident in all his years working here – a tribute both to the nature of the man and all those around him. It is that very attribute, the good nature of the BLS community, that has allowed things to run so smoothly over the years and helped us grow to where we are now. He has seen the school change around him like the leaves of the season, maintaining that the trunk has only grown larger and stronger over the years, blossoming brighter with every passing year. Being part of such an institution has allowed Claude the luxury of seeing many students return years after their graduation. He never forgets a face – even after many years – but he says nothing makes him feel better than when they remember him.



A. D. Kramer/ BLS News

– A.D. Kramer, '05

Amidst some controversy, BLS obtains approval for new residence hall

DORM
continued from page 1
in law school are important, ten, twenty years after school...[the residence hall] will pay off in professional dividends down the road."

The building, which will have the address of 205 State Street, will contain studios, one, two, three, and four bedroom apartments and will be wired for computer service. Many apartments will have large bay windows, making the rooms seem larger than they actually are and providing scenic views of many Brooklyn neighborhoods. The building will also have a student lounge area with a coffee bar for both resident and non-resident BLS students.

Dean Wexler explained how important students' input was in the residence hall's design. "We considered students' needs in designing [the apartments]...We surveyed first year students and found that most wish to live in multi-room apartments," said Wexler.

The building will also have a conference center on the top floor to complement the frequently used Subotnick Center and Student Lounge in the main building. Though the conference room will have different configurations than Subotnick, it will provide similar space for events and symposiums.

"We bring in speakers and guests from all over the world. It is important for the law school to have another conference

facility to accommodate them]," Gerber explained.

The building's Boerum Street side will have an entrance for a 215-space underground parking garage that will be leased to a private company. The existing lot has parking space for less than half that amount.

BLS went through a long and arduous process to commence the residence hall project. "We had been looking for property to build on for 20 years," Dean Wexler maintains.

A decade ago, BLS sought to purchase property on Court Street, where the Barnes & Noble/movie complex now stands, but was unable to reach an agreement with the sellers.

In June 2000, the school purchased the parking lot on Boerum and State Streets, leasing it to a private parking company until BLS was ready to begin construction.

BLS had purchased an adjoining parking garage – a run down, blue painted brick building – in the fall of 2000 and demolished it in June 2001 to make more room for the residence hall.

After BLS announced its residence hall construction plan in April 2002, the plan went through a number of community and city hearings for zoning approval during the late spring and mid-summer months.

"Every time a proponent presents a proposal, [the New York City Planning Commission] has to be

Dean Gerber.

In what was arguably BLS' finest hour, scores of students and alumni came forward to testify before the New York City Planning Commission on the need for zoning amendments to allow the 239-foot residence hall to rise on an area originally zoned for 120 feet. Distinguished alumni, like former New York City Mayor David Dinkins ('56), spoke on the school's behalf, but it was the current students' poised and articulate colloquy before the Commission that particularly moved Dean Gerber.

BLS student Sharon Yoo ('03) mentioned the need to pay her tuition combined with the high costs of renting apartments in the area as the reason for her having to seek residence very far from the school. "Living in school housing would have made it easier and safer to study late at the school's library...Subsidized school housing would have lessened the burden from my loans as I pursue a career in public interest," she told the committee.

James Bentley ('02) testified that, "having a building close to the law school, that is affordable, will be an enticement to attract better students who do not wish to travel, and cannot afford the high rents in Brooklyn Heights. Had I had the opportunity for student housing, I would have taken advantage of it."

Students who were fortunate enough to receive

school housing told the committee how it added immeasurably to their law school experience.

Andrew Lipton, a recent graduate, claimed, "Living near the school allowed me to take full advantage of being a Brooklyn Law School Student. As a law school student, there were many days where I was at the library from early morning till midnight. Without student housing, both my time and ability to study and my safety would have been compromised."

BLS News Editor and SBA President Robert Vidoni ('03) said that living close to the school "greatly reduces my transportation costs and time which allows me to participate extensively in the school-based extracurricular activities... and to easily participate in the school's clinical program and thus actively contribute to the local community."

On June 26, the New York City Planning Commission unanimously approved BLS' zoning change request for the residence hall citing Brooklyn Law School as "an essential component of the Downtown Brooklyn Civic Center for over 100 years." The Commission further noted that "the proposed dormitory would have a beneficial impact on Downtown Brooklyn and the surrounding neighborhoods."

In July, the proposal made its way to the City Council. On July 22, the Zoning and Franchises Subcommittee heard the issue and recommended to

support the project. The next day the Land Use Committee also approved the plan. On July 24, the full City Council voted to allow the residence hall's construction.

The BLS residence hall is just one of numerous projects slated for the area. What has been, until recently, a barren and desolate zone of parking lots, is quickly being transformed into a vibrant neighborhood.

On the corner of Boerum and State Streets, directly across the street from the BLS construction site and behind the Criminal Court House, work crews are laying the foundation for an 11-story condominium complex due to be completed next year.

On State and Court Streets, an eye-sore parking garage is marked for demolition and will be replaced by a 12-story, 250-unit apartment building.

Two blocks down the corner of Schermerhorn, Hoyt and Jay Streets, two adjoining parking lots will be removed for future development.

Many of the buildings are expected to contain retail space on the ground floors and underground parking garages for hundreds of automobiles.

Part of the Brooklyn Heights community for over 100 years, Brooklyn Law School sees its new residence hall as a significant contribution to the revitalization of downtown Brooklyn.

Up-close look at Professor Dana Brakman-Reiser

by Nayila Miller, '04

Professor Brakman-Reiser joined the Brooklyn Law School faculty last year as a teacher of Property, Non-Profit Law, and Corporations. Already a well-liked and respected teacher, she feels privileged to be a part of the BLS community.

Professor Brakman-Reiser grew up in the suburbs of New Jersey, Hazlet to be specific. She attended the University of Pennsylvania where she received her Bachelor's Degree in Political Science. While attending UPenn, she discovered that she had a passion for teaching law and followed her mentor's suggestion that she consider it as a possible career. Professor Brakman-Reiser pursued her dream at Harvard University Law School where she was also a note editor for Law Review. After earning her *Juris Doctor*, she clerked for Judge Bruce Seyla of the First Circuit Court of Appeals and worked as a Legal Fellow in the Office of the General Counsel of Partners Health

Faculty Profile

Care System, Inc. The combination of her experiences make her a valuable asset to the BLS faculty.

In her spare time one may find Professor Brakman-Reiser pursuing her hobbies, which include hiking, writing, reading literary fiction, traveling and gardening. She is also fluent in Spanish. You may even spot her at New York Sports Club, but don't take it personally if she doesn't smile at you. She's probably just as excited as you are to be there...not very.

Although Professor Brakman-Reiser has not lived in New York for very long, she already considers it her home, in part because of the warm reception she received as a new faculty member. "The faculty here has been very supportive and welcoming," she said with a smile and she considers them to be a support system to which she may turn for suggestions.

For someone dedicated to the field of education, Professor

Brooklyn Law School News has begun a series that profiles one faculty member each month. Professor Dana Brakman-Reiser, as a new member of the Brooklyn Law School faculty, is the first to participate in this series and give us a glimpse of her professional and personal life.

Brakman-Reiser says the best part of BLS is to doing what she loves: teaching. She truly enjoys helping students understand the material and likes it when students in her classroom are straightforward and come from a variety of backgrounds. "Most BLS students are open to sharing their views and have a lot of knowledge to bring to the table," she said. "Other students can learn from their experience."

As part of her motto of open communication, Professor Brakman-Reiser expects her students to prepare for class, listen to one another, agree to disagree, and to be willing



Nayila Miller/ BLS News

Dana Brakman-Reiser

to share their views. These last two are major concerns for her because she believes that the most valuable aspect of education is engaging in discussion. This is not possible when students are not willing to

see BRAKMAN-REISER, page 10

Guest Rabbi lecturer offers perspective for Holidays

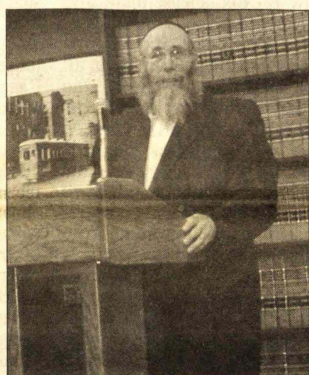
by Erez Davy, '05

On September 10th, BLS students and faculty were treated to a refreshing view of both the recently passed and upcoming Jewish holidays. Rabbi Eziel Tauber, in a discussion titled "The Value of Life As We Approach Yom Kippur," broke form by not casting the Jewish "Day of Atonement" in its usual penitential motifs. Rather than harping on themes of repentance and the purging of sin, Tauber described the Jewish high holidays as opportunities to celebrate and appreciate life.

Rabbi Tauber, a renowned lecturer and author of the widely published book, *Choose Life*, explained that the ultimate goal of Judaism is the pursuit of life, but not mere physical life. Human beings, created in the image of God, are accordingly believed to embody God's outstanding attributes. And God, infinite in space and time, represents life eternal.

So then what is life? If it is not defined by physical parameters, how do we know if we're truly "living?"

Ultimately, Rabbi Tauber says, it is a matter of perspective. In order to develop his point, the Rabbi interjected a colorful legal discussion from the Talmud, the ancient Jewish treatise of civil and canonical law. Suppose, the Talmud proposes, someone is thrown from a very tall building—say, 20 floors high. As this person is plunging to his death, screaming and flailing



Erez Davy/ BLS News

Rabbi Eziel Tauber

ern adaptation) and kills him as he passes. Who is guilty of murder? The one who threw the victim from the top of the building, or

the one who killed him on his way down?

The answer is not surprising. Although the tenth floor assailant hastened the victim's death, the one who threw him off the building already condemned him to such a fate. Legally speaking, if death is one's ultimate destination, the Talmud concludes that that person is already considered to be dying.

The same rationale applies to our existence. If the grave is the final descent, life is usually no more than an 80-year free-fall. "The world is one

big lie," explains Rabbi Tauber, "and if one is solely devoted to reaping its material benefits, there will be a grim harvest in the end."

True life, on the other hand, is everlasting. In Judaism, Rosh Hashanah and Yom Kippur are designed to remind the observer not only of the importance of life, but also how to attain it. Weaved throughout the holidays' prayers are the combined images of a "living God," and of a God who is truthful and just. This dual association reflects the concept that one can attain life by emulating God's ethereal qualities—namely, that of justice. By conducting oneself honestly, despite mate-

rial concerns, one can rise above the physical world and "choose life" by walking alongside God's celestial path.

At the beginning of the Jewish year, this message is particularly poignant, as every year is a symbolic rebirth. It is an opportunity to cleanse the mind and reflect, to appreciate life as if it were bestowed anew. In so doing, in pursuing and appreciating life by pursuing justice, Rabbi Tauber insists that happiness will follow. "If you know what life is," he pauses, "you will automatically be happy." The journey may be painful at times, but life is an endless destination, ultimately rewarding.

In planning our first issue of the year, we at BLS News want to share with you student summer work experiences. Our hope in presenting this series, which will be presented in monthly segments, is to highlight the wide variety of opportunities available to law students and graduates. Many of you may have known what field of law you wanted to practice when you arrived at BLS. Others may have been unsure. These testimonials are the opinions and feelings of students who spent the summer working in different areas of law. We hope you learn from and enjoy this column. The following segment illustrates what you can expect clerking for a judge, as well as some surprises the author encountered along the way.

-Miri Frankel

Summer experience worth ditching the beach

by Eóin P. Beirne, '05

During my summer internship in Judge Reena Raggi's chambers in the Eastern District of New York, there was rarely a shortage of excitement. Judge Raggi presided over the retrial of Charles Schwarz, one of the former police officers who had been convicted of participating in the 1997 brutal assault on Abner Louima. Schwarz was granted the retrial after the Second Circuit determined that there had been serious problems with the previous trial. The retrial was to be Schwarz's third trial relating to the Louima attack.

For the last few weeks of the spring semester, preparing for finals

activity during the waking hours. But while trying to nail down a workable rule for the assumption of risk defense in Torts and figuring out what was so important about *Lawrence v. Fox*, that Professor Habl would actually stand and use the blackboard, I did take a few minutes each day to read news stories about the upcoming trial. I was really looking forward to a break from an academic environment and especially to being able to go home every night and forget about the day's concerns. As a first year law student, there was always the feeling that I could be staying a little longer at the library and that tinge of guilt as I went home most evenings. The summer would be different, nine-to-five, and then

not a care in the world until the next day. As I was to find out, I could not have been more wrong.

I started my internship in early June. The first day, I arrived to chambers nice and early, around 8:30 a.m., and found that the judge's two permanent clerks had already been there for an hour. I had first choice of the desks in the clerks' office, but decided I would wait until my co-intern showed up and then we could arm-wrestle for it. When she arrived there a little later, I decided that challenging her may be a little "over-the-top" and might not be the best way to make a good first impression. I opted to take the bad desk with the better

see SUMMER, page 4

Superb student summer E.D.N.Y experience exceeds expectations

SUMMER
continued from page 3

computer. A few minutes later, Judge Raggi glided into the clerks' office and gave us our first sample of what was to become the best part of our internship, a thoughtful and meticulous explanation of what was to occur. Scheduled for that first morning was the beginning of the painstaking process of jury selection for the Schwarz trial. Because of the notoriety of the case, close to seven hundred people had been summoned to form the panel from which sixteen people would be picked to serve as jurors and alternates. We left chambers, led by the judge to the ceremonial courtroom, the first step of every Brooklyn student during orientation. Sitting behind Judge Raggi on the bench provided me with an opportunity to see things in a courtroom from her perspective. Judge Raggi delivered a speech to the members of the panel about the workings of the judicial system and the importance of jury service. Her statement that, other than serving in the armed forces, jury service was perhaps the most important service a citizen could do for his or her country, was especially poignant given the number of men and women currently on active duty abroad.

During the speech, I saw the players in the trial for the first time. The Judge instructed Mr. Schwarz to rise before the assembled panel so the people could see if they recognized him. I recognized him from the news stories I had seen five years before, when the city was consumed with rage and fear in the wake of the Amadou Diallo shooting and the Louima attack. Things had quieted down in the years since Schwarz and other police officers had been convicted. After the settlement of his lawsuits with the city and the police union, Abner Louima had moved to Florida to try to start a new life.

At lunch on one of the first days, Judge Raggi explained her expectations of us and what she hoped we would gain from our experience over the summer. She said that she had over four hundred cases on her docket and any help that we could provide in keeping those cases moving along during the trial would be much appreciated. We were each to start with a *habeas corpus* petition – a last ditch effort by a defendant to get a new trial.

Judge Raggi explained that we could sit in the courtroom whenever we wanted and it was our decision how much time to spend in court and back in chambers, working on our draft *habeas* opinions. Over the next two weeks, I spent a lot of time in court watching the jury selection process, but also watching many other types of proceedings in other matters on the docket – and I started researching my *habeas*.

When I first read the petition, it seemed like there were three, maybe four issues and they all seemed pretty straightforward. Within about two weeks, I had read all the big cases and had a first draft – twelve pages long – of which I was quite proud. I gave it to the clerk to look over, but when it was returned the next morning my ego was quickly deflated. On the marked-up copy of that first draft there were probably more pencil

By mid-July, I was on my sixth draft and my *habeas* was dominating my life.

marks than printed text. Swallowing my pride, I knuckled down for round two, determined to get it right.

By mid-July, I was on my sixth draft and my *habeas* was dominating my life. My expectation that the summer would be worry-free and far different from the responsibilities of law school had been dashed. I was dealing with the fate of a petitioner, whom I would likely never meet, but whose life, I might drastically affect. I stayed late most evenings and when I left each day, I wasn't able to leave the day's concerns behind as I had hoped. I dreamt about the petitioner and about the facts of the case. I didn't want to make a mistake. I had been told before the internship that at the District Court level most issues had previously been decided and the idea was simply to find the case with the same set of facts and just follow the decision. My case was different – the issues from the set of facts really hadn't been decided before and there was nothing definitive one way or the other. I read case after case, trying to find analo-

gous situations, searching for guidance. I slowly pieced it together, one stone on top of the other, bit by bit. Close to the end of the summer, after twelve drafts and having read well over a hundred and fifty cases, I turned in fifty-two pages to the judge.

When I was not working on my *habeas*, I was watching the Schwarz trial. From my perspective as a law student considering a future in litigation, the trial was brilliant. Schwarz's team featured some well-known members of the defense bar, Ron Fischetti and Diarmuid White. The government side was led by then U.S. Attorney for the Eastern District, Alan Vinegrad, an intense prosecutor, and aided by two Assistant U.S. Attorneys and an FBI agent. The opportunity to watch these attorneys at work in the courtroom was invaluable instruction.

The day the trial started, it felt like the circus had come to town. That morning, at eight o'clock, there were already about fifty people waiting for a seat in the gallery. The park across the street from the entrance was filled with television crews milling around and waiting for Schwarz, his defense team and the prosecutors to make their entrances. From then on the courthouse was buzzing. Even with all the drama of the trial itself, the gallery never failed to provide its own excitement. From Mr. Posr A. Posr, of public access channel fame, having to be forcibly dragged from the courtroom by marshals to a better-known columnist from *The Post* chasing a young woman from the courtroom and trying to squeeze himself into a tiny telephone booth for an interview to one BLS student failing to escape the judge's eagle eyes while trying to sneak a sip of contraband water in the courtroom, the action never stopped.

As the Schwarz trial progressed, I heard the testimonies of the people I had read about for years. In my seat at the clerks' table in the courtroom, I was the closest person to Charles Schwarz, other than his attorneys. I spent a lot of time watching him, including when Ron Fischetti walked over to Schwarz and whispered in his ear that he had been found guilty of one count of perjury. I could not tell from Schwarz's reaction what had happened, but realized after I heard it from the jury that his reaction had

simply been that of frustration. Schwarz had realized that after the rollercoaster of emotions during the trial, he was going to do it all again. On September 21, the eve of his fourth trial, however, Charles Schwarz and the prosecutors made a deal. Schwarz will serve the maximum penalty for his perjury conviction, but will be spared a fourth trial on the more serious charges. As part of the deal, both sides are restricted from discussing the merits of the case in public. It is unfortunate that the criminal justice system has been unable to uncover the truth. We may never know whether justice has actually been served.

Amidst all the excitement and drama, I could not have asked for a better summer experience. I only realized how much I learned in the last week of my internship when I worked on one other, much less complicated *habeas* opinion. It involved much simpler issues and I had little trouble quickly drafting an opinion. I still think about the petitioner in my first *habeas* all the time and whether or not I was right. I was very glad that the final decision would be Judge Raggi's.

One of the final highlights of my summer was a trip to Washington D.C. where my co-intern and I along with the clerks and the judge's family attended Judge Raggi's hearing before the Senate Judiciary Committee concerning her nomination to the Second Circuit Court of Appeals. It was an honor to be there to hear her answer the senators' questions and to hear Senators Schumer and Clinton say wonderful things about her. In early September, the Committee, after a bitter fight and a party-line vote, rejected Judge Priscilla Owen from Texas, but unanimously approved Judge Raggi's nomination.

Judge Raggi always made time to ensure that we had as meaningful an experience as possible. If we were having a conversation about an issue in chambers during a recess, everything else was placed on hold. Judge Raggi never cut a conversation short and sometimes kept an entire packed courtroom and press room waiting while she explained a point to the interns. This level of commitment added to my summer experience and will be of great value to those she works with on the Second Circuit. I look forward to reading what will surely be superb opinions coming from Judge Raggi in the years to come.

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New Moot Court members prepare for competitions

by Alyson Mathews, '04

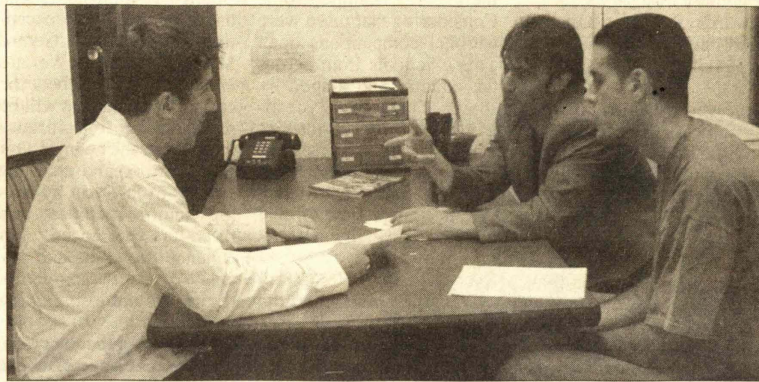
The decision to study law is one that is personal to each student. Few, however, can say that they were not inspired or at least affected by what has always been the backbone of the field, oral advocacy. We watched Tom Cruise cleverly fire questions at Jack Nicholson and force him to admit "the truth." We cheered for Joe Pesci as he struggled with his Brooklyn accent in the middle of Alabama and saved the lives of two "yutes." Recently, we even found ourselves sympathizing with Reese Witherspoon, who seemed to have no place being in law school, as she proved to the world that even knowledge of hair care may yield victory in court. It is hard to resist the excitement that surrounds a trial.

Although we may not choose to pursue our legal careers in the courtroom, the skills required to effectively litigate also happen to be the cornerstones of successful lawyering. Whether in front of a judge or jury or across the conference table from an adversary, lawyers who have mastered the art of persuasive speech almost always win their case.

Whether in front of a judge or jury or across the conference table from an adversary, lawyers who have mastered the art of persuasive speech almost always win their case... Organizations like the Moot Court Honor Society may help you find the voice of the oral advocate you never knew you had.

takes to argue and persuade. The First Year Competition stands in a paradoxical position as one of the most nerve-racking and reward-

Understanding the importance of oral advocacy skills, Brooklyn Law School requires all first year students to participate in the First Year Moot Court Competition. An invaluable learning experience, the competition also serves as the selection procedure for membership to the Moot Court Honor Society, the only organization at Brooklyn Law School dedicated to the perfection of writing and oral advocacy skills. Most law schools do not require participation in the Moot Court selection process and leave it up to the student to pursue classes that develop and refine this skill. For those who are not interested in these courses, the First Year Competition provides them with a small taste of what it



Alyson Mathews/ BLS News

Health Law team members Joe Anci, Doug Brooks and Peter Herald meet to discuss the main issues presented by their case. They are one of four teams to compete this semester in competitions.

ing aspects of the Legal Writing program. Most 1Ls may not be exactly thrilled when they learn that they will be arguing for twelve minutes in front of a three-judge panel, which usually includes one professor. While some look forward to it and others dread it, everyone agrees that they learned a lot from the experience.

In preparation for the competition, first year students spend the first half of the spring semester researching and writing an appellate brief. Upon completion of the brief, the

competition begins providing each student with the opportunity to play appellate lawyer and convince three judges of the merits of his or her case.

"For many students, the competition serves as an introduction to oral advocacy. It is a practical exercise which gives students the opportunity to augment classroom learning with a simulated courtroom experience," First Year Competition Coordinator Heather Grossman said.

After the first round of oral argument, scores are calculated and the top 25% of each writing class are invited to compete again. Scores are based on a combination of brief grade (60%) and performance

during oral argument (40%). For the second round, scores are set back to zero and competitors once again argue their case before a panel. At the conclusion of the second round scores are again calculated, with oral argument counting for 60%. For students who earn the top scores, approximately 10% of the 1L class, an invitation to join the Moot Court Honor Society is their reward.

This year the Society will send fifty members, mainly second year students, to competitions held at law schools across the country. The members have been divided into teams and will participate in one of seventeen competitions including, Privacy, Entertainment, Corporations, Securities, Health Law, Criminal Procedure, Civil Rights, First Amendment, Tax, Bankruptcy, Labor Law, Products Liability, Constitutional Law, Sports Law, Family Law, and International Law.

Similar to the First Year Competition, each team will research, write, and submit an appellate brief and travel to the hosting school for oral argument. The Society also sends three of its senior members to participate in the National Moot Court Competition, which begins with the regional competition in November. If the National Team advances at regionals, they will compete against the top finalists from each region.

Although most new Moot Court members will be competing in appellate competitions, this type of advocacy can only occur after the initial trial. Trial Advocacy, another branch of Moot Court, sends its new members to participate in mock trial competitions. Last year two of the Trial Advocacy teams placed first in their respective regional competitions and two members brought home

Court of Appeals makes Borough Hall its temporary home

APPEALS
continued from page 1

Kaye, Hon. George Bundy Smith, Hon. Howard A. Levine, Hon. Carmen B. Ciparick, Hon. Richard C. Wesley, Hon. Albert M. Rosenblatt, and Hon. Victoria A. Graffeo. Observers noted that these judges often asked probing and pointed questions which revealed the extensive preparation and talent that is necessary to argue before them.

The surroundings of the Borough Hall courtroom, where one of New York state's four Appellate Division courts once presided, has detailed carvings on faux wood-grain Ionic columns and a dome with egg-and-dart gilding. Brooklyn Law School

students marvel over the beautiful architecture of Borough Hall. With the impressive and awe inspiring quality of the Borough Hall courtroom it is no surprise that the Court of Appeals chose it as its temporary home away from home.

It was in these palatial and ornate surroundings where arguments in *Greenfield v. Philles Records, Inc.* were heard. In 1963 the Ronettes signed a contract with Philles Records Inc. and recorded 28 songs for the company from 1963 to 1967. When the group stopped recording, fellow group members Greenfield and Spector married in 1968. The couple divorced in 1974. Under the 1963 contract the Ronettes received a one-time payment of \$14,482.30 and have not received any additional royalty payments.

In 1988 the Ronettes brought suit for breach of contract against Spector and his company arguing that under the 1963 contract Spector only had the right to make and sell phonograph records and that his selling of master recordings and other uses of their music violated the contract. On the other hand, Spector claimed the contract gave him right to use the Ronettes' music for any purpose free of

any claim for royalties by The Ronettes. Spector primarily relies on the contract provision that states, "All recordings made hereunder...shall be entirely our property, free of any claims whatsoever by you [The Ronettes] or any person deriving any rights of interest from you."

The lower courts have ruled in favor of the Ronettes holding that the scope of the 1963 contract was ambiguous and that it did not give the right to Spector to exploit the master recordings without paying royalties to the Ronettes. The Ronettes were awarded \$2.6 million.

When the attorneys in this case argued before the Court of Appeals, a number of observers were impressed by their poise and articulateness. One courtroom observer was particularly impressed by the Ronettes' attorney, Ira G. Greenberg, commending his thorough preparation and the eloquence in which he presented his argument.

Overall, the turnout at Borough Hall was exceptionally high with some people waiting over two hours to hear arguments. The Court definitely met its objective of appealing to a new and vast audience when they conceived of bringing their operation to Brooklyn. Due to the tremendous popularity of the Court of Appeal's visit, it is quite possible that the Court could visit Brooklyn or even other locales in New York sometime in the future.



Robert Vidoni/ BLS News

Professor Daniel Medwed (center) speaks with Hon. Michael Gage, wife of Professor William Hellerstein.

Confidence under pressure, poise are keys to moot court success

MOOT COURT
continued from page 5

awards for Best Opening and Closing Arguments. As a result of last year's success, Trial Advocacy received a number of invitations to participate in competitions. This year the program will expand to include three new competitions.

Brooklyn Law School has a history of placing well in Moot Court competitions. Last year the Bankruptcy

and Securities teams won their competitions. Considering that these were national competitions open to law schools from across the country and judged by some of the most prestigious judges, these victories were especially sweet. Several other teams were semi-finalists and two members won Best Oralist for their respective competitions.

Every year the Society strives to do better than the

last and the Executive Board has high hopes that this year will be no exception. President Gerard Monusky, said, "We are extremely excited about the caliber of teams that will be representing our school throughout the country. Our goal is to expand upon the success of last year by having senior members use their experiences to enhance the skills and talents of our competing teams. We are also looking

forward to hosting the Eighteenth Annual Dean Jerome Prince Memorial Evidence Competition in April, which has gained national recognition as one of the premier appellate advocacy competitions." Judging from the Society's first meeting, new Moot Court members seem excited about their competitions. All are looking forward to being a part of this longstanding tradition and hope to make a significant contri-

bution to the Society.

Whether or not we realize it, there is a trial or appellate lawyer in each and every one of us. Organizations like the Moot Court Honor Society may help you find the voice of the oral advocate you never knew you had.

To see a Moot Court competition first-hand, look for posters announcing next semester's Prince Competition. It will be held on April 3, 4, and 5.

FALL 2002 DATES

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IF YOU HAVE ALREADY ENROLLED, STOP BY TO PICK
UP YOUR NEW MEMBERSHIP CARD, UPPER LEVEL
REVIEW VOLUME, MUG, PENS AND HIGHLIGHTERS!**

Law and Television

Summer recap & more

by Sally Woo, '02

Welcome, first-year students. Welcome back, returning upperclass students. I know you are all busy, and looking forward to a new television season (well, if you actually have time for television). But, first, let's have a summer recap.

Now, of course I don't expect everyone to agree with my opinions about how bad summer television had been, but I still think that the broadcast networks could do better in terms of summer programming. I felt NBC's game show *Dog Eat Dog* left much to be desired and CBS' *Big Brother 3* was painful to watch. ABC's *The Mole: The Next Betrayal* was notable for being more fun this time than its first run and for having so many lawyers as contestants. Regarding the lawyers on *The Mole*, I still query whether there was any conflict of interest with their appearance on the show. There has to be at least some appearance of impropriety for the way the portrayal perpetuated all those preconceived, negative stereotypes of lawyers as backstabbing schemers.

Most memorable of the summer was FOX's *American Idol*. A program that's a combination of *Star Search*, *Survivor*, and *The Gong Show*, *American Idol* reminded me a little bit of the Moot Court experience (well, okay, so *American Idol* had three judges just like Moot Court, and maybe that's where the resemblance simultaneously starts and ends). I admired that the judges, especially the notorious Simon, were very good about skewering the crummy singers; there were plenty of laughs with the barbs.

Another notable summer show was USA network's *Monk*. For most of the summer, I couldn't escape the ads, on the subways and on-line, promoting the "Obsessive Compulsive Detective" named Monk. ABC, in an attempt to stop its profuse bleeding in the ratings, rebroadcasted *Monk* episodes during the last part of the summer. I finally watched, if only to see what the hype was all about on a show broadcast on two networks.

Adrian Monk is a San Francisco detective on leave from the police force because the traumatic death of his wife rendered him with a debilitating obsessive-compulsive mental condition. Monk cannot resist removing the slightest stain or tapping parking meters as he passes by. He is angst-ridden, determined to solve his wife's murder, even after four years. He is reminiscent of Columbo, a clever detective who fools people with his apparent innocence. His deduction skills would make Sherlock Holmes jealous - like Holmes, he's the kind of guy who could figure out where a person works by looking at her shoes. But, Monk is a tragic clown, who would like his police job back, but cannot return because he's still not ready for normalcy. So, Monk has to be content with being a mere consultant, called in to solve grisly murders whenever the police stumble. Meanwhile, he is looked after by his abrasive nurse/assistant, Sharona. She's not exactly a kindly Watson with the way she often gripes that Monk should have more money to pay her. Together, Monk and Sharona make an unorthodox detecting duo.

Monk is played by Tony Shalhoub, formerly of NBC's *Wings* (where he was the eternally frustrated cab driver). Shalhoub's acting is great, making one feel both empathy for Monk's problems and admiration for his talent.

Everything else about *Monk* seems to be the usual stock in trade. There are a lot of the typical mystery devices, such as the inclusion of the reluctant police who resent non-police interference (which is somewhat odd, because Monk used to be one of them) or the way the mystery is solved at the end with a roomful of suspects. The suspects are not terribly original either, consisting of the usual adulterous wives and conniving presumed heirs. The mysteries are also not great because I have seen and read better ones. It would be easy to finger the murderer, but fortunately it was a little harder to say why or how the murder was committed.

The series lacks the daring and grittiness of *NYPD Blue* (Monk would never bring himself to beat a confession out of a suspect, (a) because he's polite and (b) because he's too terrified of germs to even touch the suspect)) and it is also less reliant on technology like *CSI* (Monk and Sharona rely on good old fashioned gumshoe work). But, *Monk*'s devotion to the traditions of a good mystery is a strength that makes it different from most shows on television.

The series also has interesting little details. For instance, one can tell that it's a post-9/11/01 world in *Monk*, because

Published by Brooklyn Works, 2002
see TV, page 11

Award-winning journalist discusses espionage, life in autobiography

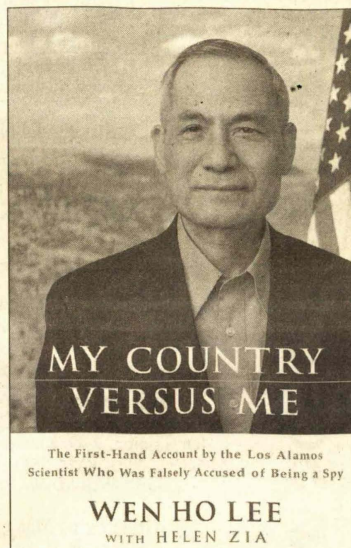
by Karen Chang, '04

Those who were avid New York Times readers in '99-'00, or at least kept up with some of the media hype surrounding the Wen Ho Lee "spy case," probably know something about Lee's experiences being accused by the government of espionage worse than that of the Rosenbergs, and all that the trial-that-never-was entailed. However, the missing half of Lee's story is contained in his autobiography, *My Country Versus Me* (2001), co-authored with award-winning journalist and scholar Helen Zia. The book is Lee's opportunity to personally tell of how he, a loyal albeit politically inactive, American citizen working at the Los Alamos National Laboratory in New Mexico, became the government's scapegoat during a period of high tension between the PRC and the U.S. Lee recounts his nine months spent in prison under extremely harsh conditions before being released on a single plea count for a technical matter. In addition to the details of the investigation, the book is filled with vignettes from Lee's life showing a more personal side of his history, family, and fishing.

At a book reading at NYU in February 2002, Lee stated his hope that by sharing his story, everyone would "know that if these incredible things happened to me, they can happen again, to any American." "[A]ny American" was surely an overbroad statement, considering that his story reveals that the injustice he faced primarily stemmed from the fact that he was an overseas Chinese American. Selective prosecution was one of the major legal issues his lawyers developed to show that he was the only scientist criminally prosecuted for downloading classified documents, despite numerous other non-Chinese scientists having done the same without receiving such charges.

Lee's account unravels an ugly executive branch and FBI - ones that changed his lie detector test results from passing with flying colors to a failing grade; changed the status of his downloaded documents from "Protect As Restricted Data" to the higher classified "Secret" after he was fired; accused him of stealing secrets for the People's Republic of China, ignoring the fact that he was born and raised in Taiwan, a country largely at odds with the Mainland; and did not even attempt to understand the information he mishandled before labeling them the "crown jewels" of our nuclear national defense with potential to change the global strategic balance. Then again, perhaps these things don't really surprise us - it is the FBI, after all.

At the book reading, Lee re-characterized the information he downloaded not as the "crown jewels," but as the "crown junk." He describes in his book how the national lab's refusal to overhaul much of its archaic software made the information a far less valuable resource than the government claimed. He also explains why the "nuclear secrets" he downloaded were not secrets at all, but were actually available in



the open literature.

Lee makes a point to explain in detail his reason for downloading the data (his one official crime): converting the software code from legacy systems caused him - and numerous other scientists - to lose years' worth of unrecoverable data during past transfers. Not wanting to make the same mistake twice, he decided to download backup copies. While the technical details of his defense are excruciatingly longwinded at times, it is difficult to imagine him not wanting to clarify all the media misnomers half leaked by the government itself.

The government's lawyers, in their ignorant uncertainty of the implications of the downloading, concocted numerous nefarious ways to describe Lee's actions (e.g., describing the amount of data downloaded as equal to a stack of paper 134 feet high,

see BOOK, page 11

Law Review With summer days long behind us and the onset of a new school year filled with countless hours of reading, you might start to feel a bit imprisoned. In the spirit of crime and punishment, here are some laws from around the country that govern even the strangest behavior.

In New Jersey it is illegal to wear a bulletproof vest while committing murder. On the lighter side, in Mt. Laurel, NJ it is illegal to get drunk and annoy others in your house. Everyone could have used a law like this in college!

In Blythe, California no one may wear cowboy boots unless he/she owns at least two cows. And you thought cowboys boots were just a fashion statement. In Chico, California detonating a nuclear device within the city limits results in a \$500 fine. This last law may be just a tad difficult to administer.

Anyone caught stealing soap in Mohave County, Arizona must wash himself until it is all used up. To keep residents extra clean (in more ways than one), Little Rock, Arkansas may send men and women who flirt on the street to jail for 30 days.

For those of us whose shoulders are already aching from the weight of books, pay special attention while in Minnetonka, Minnesota. Any person who persuades another person to enter a massage therapist business after 11 p.m. is guilty of a misdemeanor.

If taking a break from school and listening to a public speaker in Kentucky, try not to throw eggs at him/her. You may end up in prison for a year.

On a final note, in Fort Thomas, KY dogs may not molest cars. It is especially important to always keep in mind that the long arm of the law reaches beyond us mere humans!

— Alyson Mathews



BROOKLYN LAW SCHOOL NEWS

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Brooklyn Law School News

250 Joralemon Street
Brooklyn, NY 11201

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Welcome Back!

The BLS News staff is excited about this year and upcoming issues. In this issue we have included a spotlight on both a relatively new member of the faculty and a familiar face of the Brooklyn Law School community. We plan to continue these two columns in each issue. Aside from being a great opportunity for new professors to highlight their legal careers and BLS staff to introduce themselves to our readers, the column allows student writers to interact with professors outside the classroom and others they might not already know. Additionally, we are starting our first series piece on law students' summer experiences to emphasize the multitude of career options open to our community. These are just a couple of ways we are reaching out to different constituencies at the law school.

The BLS News staff has also grown considerably since our last issue. Specifically, Miri Frankel and Alyson Mathews have come on board as Executive Editors. Also, many first year students have started on layout, writing, and editing teams. These staff additions will ensure that the BLS News survives long after we leave and becomes an institution of its own. You can count on seeing future issues in November and December as well as the Spring semester. We hope you enjoy the first issue of the year. Happy reading!

-Robert Vidoni and Kristin Harrison, Editors-In-Chief



The Staff of the Brooklyn Law School News (below) hope you enjoy the first issue of this school year.



Students gather at the first Brooklyn Law School News meeting. Those who were interested chose to become a permanent part of the staff.

Know how your grade was made?

Believe it or not, your professor may not either

by Alex Ryley, '04

It's mid-September as I write this, and next week will mark the three-month anniversary of my first in a series of attempts to contact my Torts professor to arrange to review the exam he administered last May. I sent him my first e-mail on June 24, explaining that I was disappointed with my grade and that I hoped reviewing the exam with him would help me perform better on future tests. A follow-up e-mail a couple of weeks later finally elicited this response: "Call me to arrange an appointment." Recalling his pointed instruction to our Torts class to always return a client's call within 24 hours, I promptly set to work. I first located my professor's phone number on the BLS website, and then, over the next few days, I left him two voice-mail messages and sent yet another e-mail — only to learn from his secretary, two weeks later, that he had just left for vacation.

Undaunted, I began in July to negotiate with one of my professor's colleagues, who promised to obtain the exam and review it with me. After about two months of trying, she at last prevailed.

But when, last week, I finally reviewed the test, I found, first of all, that my professor had not provided his colleague a copy of the short-answer questions (which he of course "never" does, I learned), so I was simply unable to review that part of the exam. As for my blue-books, not only were many of my professor's marks therein unintelligible — even after we consulted the special decoder key he had provided his colleague — but there was not the slightest indication as to how he had computed the point-total he awarded my essay. His sympathetic colleague thus left a voice-mail message for my professor explaining the situation in detail and asking that he phone me to arrange an appointment. That was 10 days ago, and counting.

"If I had a (half a) million dollars . . ."

Strictly as a proportion of our tuition, our spring Torts class cost my classmates and me more than a half-million dollars. That is an extraordinary sum, one that ought to buy some amount of cooperation from our professor. With this in mind, I set out to determine from Dean Ziegler, Associate Dean for Student Affairs, the extent of students' rights and professors' obliga-

tions with respect to the review of exams. Here, unfortunately, is what I learned.

Let's say you want to review your exam in a class in which you received a B-. You are permitted to *see* the test because the school retains all your exams until you graduate. Some faculty keep the exams themselves until the next semester, whereas others send them immediately to the Registrar for storage. Incidentally, you cannot —

God forbid! — make or retain a copy of your exam without the permission of both your professor and the Registrar. (Contrast this policy with that of Columbia Law School, for example, where students are returned their exams as a matter of routine.) But what if you want to review your test with your professor? The Student Handbook provides that only a student with a grade of C or lower is "entitled" to an individual review with her or his professor. Faculty thus are not required to meet with a B-student who asks to review an exam. However, Dean Ziegler explained to me that a "rule of reason approach" generally assures that students will receive a review if they have "genuine questions," though not if they are "trying to negotiate a grade." I, for one, can imagine a scenario wherein those motivations are not mutually exclusive.

Now, let's suppose you're in your professor's office, irreproachably bona fide questions in hand, when you find that you don't understand how your professor computed your gross blue-book score. Two questions come to mind. First, is the professor required to demonstrate to you precisely how he or she calculated the credit you received? And second, if the professor now believes he or she has made an error in this calculation, can he or she change the grade? The answer to both questions is a resounding "No."

There is no requirement, Dean Ziegler told me, that professors use any particular "scoring device" in awarding grades on exams. I agree with Dean Ziegler that the faculty must have a

degree of autonomy and academic freedom, which this policy (generously) provides. It is unclear to me, however, why professors' need for freedom and autonomy must trump students' need to understand their grades. Under BLS rules, a professor is not even required to use a scoring device that allows the professor to explain to the student with some precision why the student received the grade he or she did. This I find truly astonishing.

But imagine, if you will, that such a rule were enacted, and that in the middle of explaining your grade to you, your professor realizes she made an error: some part of your essay clearly deserved more points than she awarded it. No matter. Another BLS rule prohibits the professor from changing such an inaccurate grade upon, as Dean Ziegler put it, a "second look."

Neither horseshoes nor hand-grenades

Judges, we learn, regard with suspicion statutes that effectively permit a penalty to be imposed arbitrarily or unpredictably, especially when that penalty is severe and irremediable. It's odd, then, that some of these judges are a product of the very education system I've been describing. This is a system where, despite the potential profundity of a low grade's effect, a professor is under virtually no obligation to discuss an exam with students after administering it, a professor may create and use a unique grading device the accuracy of whose resulting calculations can be evaluated only by that professor, and, should a professor find a mistake, no change can be made.

My high school calculus teacher used to quip upon hearing an imprecise answer, "Close counts only in horseshoes and hand-grenades." Unlike mathematics, ours is an inherently imprecise field and yet, "men's [and women's] lives may depend upon a comma . . ." Lawyers, therefore, seek to minimize the equally inherent possibility of arbitrary or unpredictable penalties through the use of rules, standards, and review. Where review discloses that the rules were not followed or the standards not met, consequences ensue. Should law school be any different?

¹ BRYAN A. GARNER, THE ELEMENTS OF LEGAL STYLE 15 (2d ed. 2002) (quoting *United States v. Palmer*, 16 U.S. (3 Wheat.) 610, 636 (1818) (Johnson, J., dissenting)).

Strictly as a proportion of our tuition, our spring Torts class cost my classmates and me more than a half-million dollars.

Organizations take to the courtyard to welcome 1Ls

by Kristin Harrison, '03

If you have an interest, there is probably an organization at Brooklyn Law School that appeals to you. If not, you can start one. That was the sentiment at this year's annual Student Organizations Fair which was held on September 5th. Representatives from over 20 organizations set up displays to solicit new members and revive their returning ones.

The purpose of the fair was to introduce new students to the organizations at Brooklyn Law School and to give them a sense of what

goes on between classes.

In addition to those organizations with whom the BLS community is familiar, several new organizations arrived to extend invitations to students and solidify their status on campus. New organizations include a chapter of the American Civil Liberties Union, Brooklyn Law School Student Animal Legal Defense Fund, and the Brooklyn Law Students Death Penalty Project. Alex Lesman, a first year student who is a founding member of the BLS Death Penalty Project, said that about 20 people signed up to be part

of the organization at the Fair. He stated that the Organizations Fair was "the first time that his group went public, which is crucial because the group never existed before."

Older organizations such as AALSA, BLSA, Phi Alpha Delta, IALSA, and BLSPI also made appearances. Brian Fitzgerald of Phi Alpha Delta stated that about 70 students signed up to join the national fraternity.

The Organizations Fair coincided this year with the annual budget process in which all organizations must participate to receive funding from the Student

Bar Association. Organizations submit budget proposals to the Treasurer of the SBA, Diane Yang. Decisions are then made as to how much money each organization will receive. Before new organizations are fully funded, they must prove that there is genuine interest in the subject of the organization. This is done through successful registration at the Organizations Fair, as well as attendance at organization-sponsored events. Each new organization receives an automatic sum of \$300 in the first year of its existence and may apply

for full funding in its second year.

"The SBA's motto is that if there is interest, there is money," says Diane Yang, who will oversee the SBA's annual budget this year. "Anyone who is interested in starting an organization at Brooklyn Law School needs only to write a mission statement and show that there is a general interest of the student body in that organization, and we are happy to fund them."

If you are interested in starting an organization on campus, please contact sba@brooklaw.edu for more information.



New Prof: Be prepared, have an opinion and don't eat smelly food in class

BRAKMAN-REISER

continued from page 3

share their viewpoints or do not realize that "reasonable minds can differ." In keeping with the smooth running of her classroom, Professor Brakman-Reiser has a few pet peeves, such as ill-prepared students, students without opinions, and students who eat odorous and messy food in class. She even requests her students to refrain from doing these things on the first day of every class.

Brakman-Reiser wants students to feel comfortable

taking her classes even while she is still building her track record. She encourages students to talk to one another about their experiences in her classes and to register for them if they are "willing to be a part of [their] own learning process."

Professor Brakman-Reiser uses a lot of hypotheticals and problems as a way of conveying the material and admits that these tend to be the types of questions that appear on her finals. She also tries to keep herself as accessible to students as possible in case

they need extra help.

Every strong educator knows that recognizing per-

sonal

strengths

and weak-

nesses

only

improves

teaching

skills.

Professor

Brakman-

Reiser,

like a true lawyer, believes

that her greatest strength is

also her greatest weakness.

"I try really hard as a pro-

fessor and as a person. I

don't take things on unless I

am willing to spend a lot of

time and energy on it. I am

respect-

ful of

people

and a

good

listener.

Also, as

a scholar,

I am

able to

think

critically." Because she will

only work on projects for

which she has sufficient

time, Professor Brakman-

Reiser admits that she

sometimes dismisses things

when she feels she cannot

dedicate enough time to

them. She also believes she

could be more adventurous

and creative.

As she continues to make

a name for herself at

Brooklyn Law School,

Professor Brakman-Reiser

hopes that she will be

viewed as a progressive

corporate scholar with lib-

eral views. Judging from

the reputation she has

already earned, she will

likely achieve all of her

goals without much diffi-

culty.

She encourages students to talk to one another...and to be willing to be a part of their own learning process.

The Brazen Head



**Welcomes Back
Brooklyn Law Students**

With Student I.D.

Your 2nd Drink is On Us

Every Day & Every Nite In October
(Includes Happy Hour)

228 Atlantic Avenue (Between Court St. and Boerum Pl.)

Lee's sadness is from his family's pain

BOOK
continued from page 7
though it included code manuals, and could all fit on a single CD-ROM disk), and managed to put him under extremely harsh pretrial detention conditions, including nine months in solitary confinement with inadequate food or blankets, and only an hour of outdoor exercise each day.

Judge Parker, chief judge of the United States District Court for the District of New Mexico, while sentencing him to one minor count of downloading classified information, apologized, in a memorable

speech, for the "demeaning, unnecessarily punitive conditions" he underwent.

Yet for Lee, his greatest sadness is not for himself, but for the difficulties his family was put through, and the reverberations his case left upon the Chinese American community. The number of Chinese American scientists willing to apply for government lab positions dropped to an all-time low during the ordeal. A survey released in 2001 shortly after Lee's release showed that 68 percent of Americans had negative feelings toward Chinese Americans, and 32 percent believed

Americans are more loyal to China than to the U.S.

Lee's story should incite any American who believes that our government actually tries to uphold democratic principles of due process in its legal actions because his story shows us that it is often not true. Among the many lessons Lee personally learned in the aftermath was that it is not enough for him to simply do his research well, but also important to be politically aware so such injustices can be avoided in the future.

'My Country Versus Me' is available in the school library.

First-years: You can still watch some TV

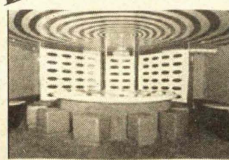
TV
continued from page 7

the police detectives are wearing small U.S. flag pins on their lapels. Despite that reminder of our real circumstances, Monk's universe is still a whimsical place, as indicated by its snappy theme music and the happily-solved cases. But, the fact that Monk still can't catch the one who took away his wife reminds us that some things aren't resolved that easily, just like in real life. *Monk* may not be "must-see tv," but it's good television for those in the mood

for something light and different.

On a closing note, the autumn promises interesting law-related television. We will see more cops on the air, most notably a *CSI*-spinoff. There's even a new David E. Kelley-made show (so long *Ally McBeal*; hello *Girls Club*) to see how today's women deal with the corporate law firm environment - without the neurotic ambience of dear old *Ally*. We'll see how it goes. I can predict that the law and television won't sever their relationship anytime soon.

Bar Review



Are you in the mood for one of New York City's hottest dance clubs? Check out Centro-Fly! Since its opening, Centro-Fly has repeatedly ranked high on the list of places to be. Citysearch.com rates it as one of the best singles scenes and #4 among the best dance clubs.

If you love clubs where you can dance and also have a place to rest those weary dancing feet, Centro-Fly just may be for you. The top floor is fully equipped with strobe lights, disco balls, and blasts of smoke, all the accessories a club should have. Although this can be a bit overwhelming, there is an abundance of seating if you would rather sit back and watch the scene.

Downstairs has a bit of a different vibe if you find that upstairs is not to your liking. With the easy rhythm of hip-hop and retro-feel of the red lighting, you cannot help feeling cool on this quaint dance floor.

The overall scene at Centro-Fly is a nice mix of dance club and lounge. The crowd appeared to be mostly younger singles, ranging from about 22-30. Whether you love to dance or people watch, Centro-Fly is definitely the place to be.

One word of warning...downstairs in the ladies room, there is a woman who dispenses soap and paper towels. We did not leave a tip, but after standing there talking for a few minutes, she walked over to us and demanded one. My friend gathered all her change together and gave it to her. Not five minutes after we exited the bathroom, the woman found my friend and returned the change. The whole scenario kind of left a bad taste in our mouths. Other than that, Centro-Fly is a blast! To partake in all that it has to offer, venture to W 21st Street between 5th and 6th avenues.

-Alyson Mathews

What's Happening...

Tuesday, October 1

Beyond OCI: What do I do now?

A program for second and third year students

Room 602, 1-2 p.m.

Asian American Law Students Association Mentor/Mentee meeting

Student Lounge, 6-8 p.m.

Thursday, October 3

Public Service Programs Office Brown Bag Presentation: Public Service Cover Letters

PSP Programs Director Elizabeth Kane will lead a workshop in writing effective public service cover letters

Dining Hall Mezzanine, 1-2 p.m.

Clinical Trials Litigation: A conversation on legal & ethical issues in human subjects research

Sponsored by the Center for Health Law and Policy

Subotnick Center, 11th Floor, 4-6 p.m.

Friday, October 4

Performance Skills for Lawyers

Lola Cohen, a Senior Acting Instructor at the Lee Strasberg Theatre Institute, will present a series of four 2-hour workshops

Room 402, 502, 1-3 p.m.

Monday, October 7

First Monday

A film and discussion examining civil liberties and terrorism with Prof. Susan Herman

Student Lounge, 1-2 p.m.

Thursday, October 10

Sparer Program Informational Program: Day

Sparer faculty will describe this public interest fellowship program and application process; fellows will describe their internships

Student Lounge, 1-2 p.m.

Sparer Program Informational Program: Evening

Student Lounge, 5-6 p.m.

Tuesday, October 15

Public Service Programs Office Brown Bag: PSLaw Net Training Session

Room 504, 1-2 p.m.

Opportunities with Corp. Counsel, DA Offices, and NYS Attorney General

Panel of reps will describe student and graduate opportunities with these offices; Associate Director Adrienne Connolly will moderate

Student Lounge, 5-7 p.m.

Wednesday, October 16

Alumni Mentor Program Reception

Subotnick Center, 6-8 p.m.

Post-grad Federal Judicial Clerkship Update

An update on the federal judicial clerkship moratorium for 2Ls, 3Ls and 4Ls

Room 402, 1-2 p.m.

Thursday, October 17

Opportunities with the FBI

Special Agent Marsha Parrish will present information about both the Summer Honors Internship in Washington, D.C., and Special Agency positions for graduates

Room 502, 1-2 p.m.

Friday, October 18

Symposium: "Responsibility and Blame: Psychological and Legal Perspectives:"

Sponsored by the Center for the Study of Law, Language and Cognition

Subotnick Center, 10th Floor, 9 a.m.-5 p.m.

Tuesday, October 22

Alternative Legal Careers: Securities Compliance

Scott Noah, Senior VP and General Counsel of UBS Int'l., will present

Student Lounge, 5-7 p.m.

Wednesday, October 24

Distinguished Speaker Series Program & Dinner: Trial Lawyering
Distinguished BLS alumni will talk to you about becoming a trial lawyer

Subotnick Center, 10th Floor, 5-7:30 p.m.

State Judicial Clerkship Information Program

Director Joan King will describe opportunities available with state trial and appellate courts

Room 502, 1-2 p.m.

Tuesday, October 29

City Bar Minority Summer Fellowship Program Info Session: Day
For class of 2005 only

Room 502, 1-2 p.m.

Do your part for the environment: Please recycle this paper



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NATIONAL ENROLLMENT GUIDE

ALL discounts expire October 31st

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Multistate Professional Responsibility Exam Review

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- Graduating students who are billing the bar review tuition to a law firm with an established account, must have paid the refundable book deposit in full.