

The Justinian

Volume 2003

Issue 3 *May*

Article 1

2003

The Justinian

Follow this and additional works at: <https://brooklynworks.brooklaw.edu/justinian>

Recommended Citation

(2003) "The Justinian," *The Justinian*: Vol. 2003 : Iss. 3 , Article 1.

Available at: <https://brooklynworks.brooklaw.edu/justinian/vol2003/iss3/1>

This Article is brought to you for free and open access by the Special Collections at BrooklynWorks. It has been accepted for inclusion in The Justinian by an authorized editor of BrooklynWorks.

Voter Turnout Increases as SBA Election Cycle Closes

by Kristin Harrison, '03

Students at Brooklyn Law School turned out in greater numbers this year to vote for their upper class delegates and Executive Board than they have in previous years. Approximately 300 first and second year students voted (third years are not permitted to vote for incoming SBA officers). However, third years did vote Professor Daniel Medwed as Professor of the Year.

In an effort to increase student participation in the elections this year, the SBA Executive Board made several changes to election procedures.

First, every candidate was required to submit a campaign platform which was compiled into a document that students could use to assess the qualifications and ideas of the candidates.

Second, all Executive Board candidates participated in the first annual SBA Speech and Debate Night (see article by Robert Vidoni in this issue).

Finally, the election booth was moved to the first floor lobby instead of its usual home in the fourth floor cafeteria entrance. The hope was that elections would be more visible and that the candidates would be forced to win on the issues rather than for their popularity. Most students seemed satisfied with the changes that were made and all who voted seemed to do so armed with more information about the candidates.

All in all, the changes proved to be effective. Voter turnout was up more than 15% from last year. First year students voted in large numbers with almost two thirds of the votes coming from their class. Also, several first year students staged write-in campaigns and three in particular received wide support from their class.

Joe Anci, who ran uncontested for SBA President, was happy with the election process this year. "The voter turnout was higher than usual in part because of the new location of the voting booth. Hopefully this signifies a renewed interest in student governance."

As the outgoing President, Robert Vidoni only wished he would be around to work with next year's SBA. "I am so excited for the E-Board and delegates who will be working together next year. It's a great group of highly motivated students who care about the school and the progress it makes," Vidoni said.

There were two contested elections, both well run by all candidates. For Vice President, Heather Baker edged out Aaron Leonard, and for Treasurer, Tim Oberweiger came out ahead of Don Blydenburgh. All four candidates posted inventive and funny advertisements and the debates between them at the speech night were lively and interesting.

For the first time, 2L and 3L delegates have been merged into an upper level delegate class.



New SBA president, Joe Anci and VP Heather Baker (at right), join Dean Wexler and the outgoing president and VP for a picture. Photo, BLS Staff

When first year delegates are elected next year, there will be 26 elected delegates—the most delegates the SBA has ever had representing students at one time.

Next year, delegates will have an expanded role in the Student Bar Association. For example, the new SBA constitution mandates that delegates meet twice per month so that they can accomplish the business allocated to them by the constitution and the SBA Executive Board. This will allow them to

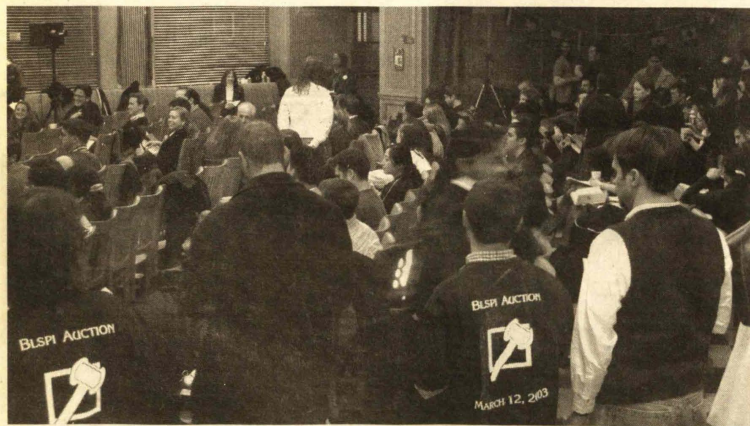
feel more a part of the Student Bar Association and allow them to make more of an impact on the community at BLS.

This year's election process is indicative of the larger role the SBA wants to take in the BLS community. The hope is that all students, whether they are involved with the SBA or not, will have a louder voice and an outlet for their concerns and gripes. With more people voting this year, it means that more students will know who their

elected representatives are and that they will be more likely to use them in the capacity they were intended.

**Congratulations to
Next Year's
Student Bar
Association
Executive Board
and Delegates!**

BLSPI Auction Brings in \$32,000



Crowds packed the BLS Cafeteria to attend the BLSPi Auction. Photo, Robert Vidoni, '03

by Jesse Strauss, '03

The Thirteenth annual Brooklyn Law Students for the Public Interest Auction, held on March 12, was a complete success. Proceeds from the Auction totaled over \$32,000, which will benefit Brooklyn Law School students who work in public interest jobs over the summer. BLSPi officials estimate that the Auction will fund 12 fellowships for the summer of 2004.

In addition to being a good cause, the Auction was also a great time. The nearly 300 students, staff, professors and alumni who participated enjoyed fantastic middle eastern food donated by Waterfalls Café on Atlantic Avenue, sandwiches

beer donated by the Brazen Head Bar on Atlantic Avenue and O'Keefe's on Court Street. Students reported that while the food and drink were a great draw, the evening's bargains were the main event. Auctioned items were donated from corporations, local business, alumni, and professors. Topping the list of Auction items, as usual, were the 11 discounted Bar-Bri Bar Review courses. Students bid between \$700 and \$800 for the ability to purchase a bar review course at a substantial discount. Said one student "I got a bill for \$2300 from Bar-Bri the other day. The savings I received by bidding \$750 on a Bar Review course at the BLSPi Auction paid for my Spring Break!" Other popular items included lunches, dinners and wine tasting with

wine connoisseurs paid \$290 to participate in wine tasting with Professors Sebok and Solan. Likewise, one lucky student purchased dinner with Professor Herman and a performance at Carnegie Hall starring Professor Herman for \$300. Obviously, these items are exclusive to the BLSPi Auction. One student commented "where else would I have the opportunity to both donate to a great cause and have the ability to arrange a social engagement with some of my favorite professors? Only at the BLSPi Auction." Auction co-chair Keith Schmidt agreed and noted that "the BLSPi Auction truly is a unique event. I think everyone who helped put it together recognized its value."

BLSPi AUCTION
continued on p. 4

Prince Competition

by Alyson Mathews, '04

On April 3-5 the Moot Court Honor Society hosted the Eighteenth Annual Dean Jerome Prince Memorial Evidence Competition. Thirty-three schools from California to Virginia and from Wisconsin to Louisiana competed for the top award.

While the impressive advocacy skills of all the teams made the competition memorable, it may not have been quite as 'phine' without the skills and creativity of the Prince Writing Committee. The problem for the 2003 Prince Competition centered on the criminal activities of one Sophina Ray.

Sophina Ray ("Ray") is a small town girl turned business icon. After winning *Teen Fashion* magazine's "American Model" search in 1983, Ray quickly rose to supermodel status. She took a brief hiatus from the fashion industry to earn her Bachelor's degree with honors from Harvard University. With her connections to the fashion world, a major in economics, and brains to boot Ray established Sophina, Incorporated in 1988. In addition to becoming a cover girl, Ray began hosting her own daily television show in 1990, launched a cosmetic line in 1991, and opened the first "Sophina" retail store in 1993. By the time Sophina, Inc. began to sell shares to the public in 1996, Ray was a multi-millionaire. *Tempo* magazine even named her the most-admired American woman two years in a row.

It would seem that Ray's success would have no end. However, in early 1997 the value

of Sophina stock, which has been on a steady rise, began to decline. This decrease in value resulted in part from an incident on the set of "Sophina's American Beauty Makeover" that left one guest blinded and permanently disfigured. A subsequent filing of a lawsuit and negative publicity left Sophina, Inc. in a precarious financial position.

To keep her precious company afloat, Ray and her Chief Financial Officer, Evan White, devised an elaborate accounting scheme to disguise the poor financial status of Sophina. Throughout the summer of 1998, they cooked the books to make Sophina appear stable to the public and market regulators. By April 1999 the government had initiated an investigation. In response, Ray and White, with the assistance of White's executive secretary, Madalyn Smithers, undertook a massive cover up of their accounting fraud, which included the destruction of paper and electronic records.

Later that year, the SEC concluded its investigation and instituted civil proceedings against Sophina. A settlement could not be reached. However, statements made by Ray in settlement negotiations were later admitted at trial as party admissions. This evidence as well as incriminating information provided by Madalyn Smithers, who received immunity in exchange for her testimony, caused the grand jury to indict both Ray and White on counts of conspiracy to commit securities fraud, making false and misleading statements,

PRINCE
continued on p. 4



Staff

Editors-in-Chief

Kristin Harrison
Robert Vidoni

Executive Editors

Miri Frankel
Alyson Mathews

Copy Editors

Alyson Mathews
Bethany Mattone

Production and Layout Editor

Greg Brown

Production

Carolyn Leder

Contributors:

Joseph Anci, Jason Buskin, Miri Frankel, Ian Gaynor, Danielle Gordon, Theodore Harris, Kristin Harrison, Joana Kirby, Carolyn Leder, Alyson Mathews, James Meaney, Yael Utt, Robert Vidoni, Adam Wiener

Copyright 2003
Brooklyn Law School News

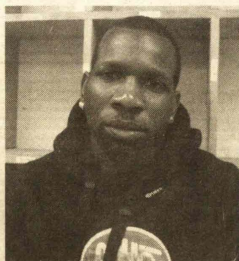
250 Joralemon Street
Brooklyn, NY 11201

The Brooklyn Law School News is a monthly publication written and produced by the students of Brooklyn Law School. The opinions herein represent the opinions of the individual article authors and do not represent the views of the student body as a whole or the administration. All students and faculty are encouraged to write. To submit articles, bring them to the SBA Office in room 509 or email them to blsnews@hotmail.com. All articles are subject to editing and approval by the editorial board.

Faces From the Mysterious Mailroom

Familiar Faces

by Yael Utt, '05



Tuwon "Don Tuwon" Fischer
29 Years Old

Tell me about yourself.

I grew up in every part of Brooklyn. We moved so much I think I've lived in every zip code. I had a big family and we moved for a better life each time. I grew up in Coney Island, moved to Flatbush, and moved to Bedford-Stuyvesant. My favorite of all the places I lived growing up was Flatbush because we had a big house. After living in the projects, moving to a house is like heaven. I had a backyard, a basketball rim on the garage, dogs, grass, a basement, and my own room. I was a tailback and free safety for the football team in high school. I was so competitive that I wasn't even worrying about girls then. I was so focused on the game; girls would have to be in pigskin. If I had to run ten more miles, that's what I would do. But my senior year, I broke a bone in my spine, transverse, and missed three weeks of school. I missed all the scouts coming to the games and it discouraged me from going to college.

So after high school I got a job and moved into an apartment in East New York with my girlfriend - the biggest mistake of my life! I was working as a dispatcher at a carrier service because I knew Manhattan so well. But after my girlfriend and I broke up, I moved to Durham,

NC to work at the airport, just to get over stress from the relationship. My cousin told me about the job opening and I wanted to make a change. But I left after seven months because North Carolina was too slow. I didn't have a car and you need a car there! I was always just waiting around for my cousin to drive me places. The one thing I did like about that experience though was the Duke parties. I got to chill with basketball players like Shane Battier. By the way, I have to say it was pretty clear that those guys were taking endorsements. Before working in the BLS mailroom, I got a job when I moved back at the Morgan post office in Manhattan. There is so much high pressure to get the mail out. I understand why people go postal. Now I also work security full-time at night at South Street Seaport. I work so much because there's a lot I want to accomplish in my life and money really helps.

I have a hip hop group with Al and three other friends, "The Day After." We have three CD's and even after my worst day, the studio helps me. Rap now is about how much jewelry you have and how big your car is. The labels want to promote drugs and Bentleys. Our songs are about loving the music and the labels don't want to promote that. Besides my music, my two-year old daughter Jada is my world. When things are rough and I want to give up, she gives me reason not to. A lot of people judge me by my cover, but I have so many emotions. Females say I had my daughter for being a womanizer, but I know that God blessed me with a daughter to show me that one woman will love me for the rest of my life, no matter if I'm broke or have one leg.

Favorite thing about BLS?

The secretaries, they're cool, I'm feeling them.

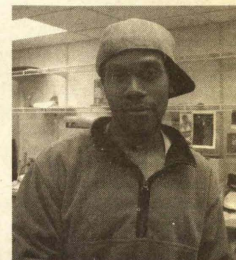
Least favorite thing about

BLS?

No parking for employees.

If you were a dog, what kind would you be and why?

The little dogs that all the models have, 'cause ladies love them.



Alan "Big Al" Volney
26 Years Old

Tell me about yourself.

I was born in Parkside/Flatbush and I called it the 'Dark Side' because there are gunshots every single night and girls there become pregnant so early, at ages 13 and 14. Now the drug deals...forget it. My aunt still lives in the same building and that's the only reason I go back. I went to public high school in Brooklyn and it was so much fun, I wish I could do it all over. At the end of 12 grade, I realized how fast it went by. My friends there were characters: geeks, the cool guys, gangsters - I fit in with all of them. I liked my electrical shop class the best so after school I went to City Technical College in Brooklyn for four years. I first trained in electrical technology, then mechanical technology, and then draft and design. Even in high school, I was wiring up houses.

FAMILIAR FACES

continued on p. 6

A Letter About the Future From the Incoming SBA President

My fellow students,

Please allow me to introduce myself. My name is Joe Anci and I have recently been elected by you, the students of BLS, as President of the Student Bar Association. I have been a member of the SBA and have worked with the administration and deans throughout my two years at BLS. These experiences have enabled me to formulate a vision to enhance both the experience of the law student at BLS and the success of the SBA.

This past year has been a period of growth and re-discovery for the Student Bar Association. At the end of the 2001-2002 school year the SBA existed as a shell of an organization, only doing out money to BLS organizations. Throughout the 2002-2003 school year, the outgoing Executive Board has worked to create a more active and identifiable student government through increased events, parties, and the commission of a new SBA constitution. This constitution will be ratified and enacted before the beginning of the Fall semester, thereby allowing the BLS community to better understand the process and structure of the SBA.

In furtherance of the goals of the constitution, the recent SBA election has resulted in the students of BLS electing a full complement of delegates for the

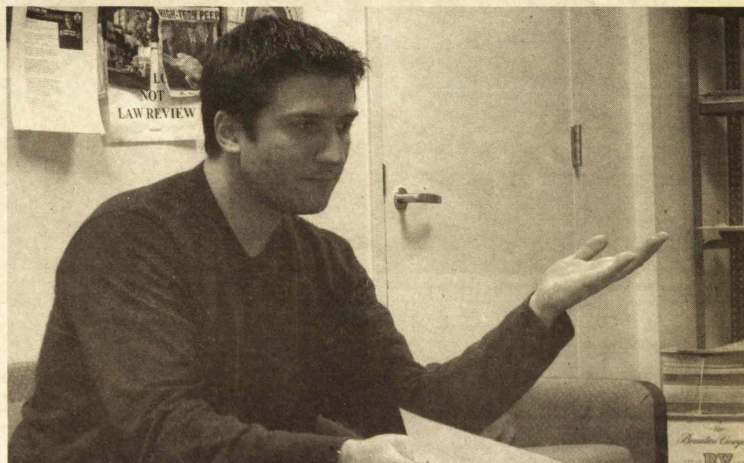
allow the SBA to operate in true democratic fashion. The delegates will have a larger role in the expansion and administration of student government while carrying on their traditional function of interacting with the student body. One of these roles will be to approve Executive Board policies and budget recommendations. In addition, delegates will be able to create policies and committees to serve "need areas" that arise throughout the year.

Committees represent an example of the SBA providing more students the opportunity to become involved in the governmental process. The membership on these committees created by the Executive Board and/or delegates will be open to members of the BLS student body & BLS organizations as well as SBA members. Students will also be able to observe the Executive Board and delegates during open meetings and Q&A sessions.

As we enter the summer, I have goals for the upcoming school year. These include:

- * Exploring the feasibility of a cost-effective health insurance plan for BLS students that would be a superior option to the current ABA plan

- * Continuing the development of a SBA website and providing



Joe Anci, new SBA President ponders a budget issue and employs a balancing test
Photo, Robert Vidoni

to create their own home pages

- * Attempting to obtain an additional credit for Legal Writing II and Moot Court

- * Working with Admissions to assist 1Ls while they assimilate to the BLS community. Of paramount importance to the growth of an organization is to recruit people early in their academic career at BLS.

- * The SBA will embark on an aggressive orientation initiative to disseminate information to incoming 1Ls about the SBA and BLS organizations

- * Encouraging BLS organizations to co-sponsor events

- * A return of intramural sports leagues and tournaments to BLS

During the next school year, as I work to serve the student

interest, my door will always be open, my inbox never too full. Stop by the SBA office or email me at sba@brooklaw.edu with any questions, suggestions or criticism.

I believe that the 2003-2004 school year will be very exciting and eventful for the students and organizations of BLS.

Sincerely,
Joseph Anci,
SBA President

Professor Allan: A True Renaissance Man in our Midst

Professor Profile

by Alexandra Silverberg, '05

Defying every tendency to lose my concentration and marvel at the various mementos occupying Professor Richard Allan's office, I embark on the enviable task of learning about his life prior to becoming a professor at Brooklyn Law School. Anyone who has been a student in Allan's Civil Procedure, Family Law, or Entertainment Law classes are privy to fascinating anecdotes about his early career at CBS punctuating the legal coursework. Sharing this information with the class not only functions as a type of initiation ritual which turns the students into Allan's peers, but also as a way to foster open discussion among the students and Allan. Because for Allan, walking into the classroom is an incredible high. As to be expected, "facing a class that's awake is better than anything else." But most importantly, students should be "totally prepared, and even if not engaging in active interaction, students should at least be involved in a passive manner. This means a student answers the question in their brain and then compares this answer with the student who volunteers the answer." Ultimately, Allan feels it is vital to teach students how to "think independently because lawyers are the conscience of society."

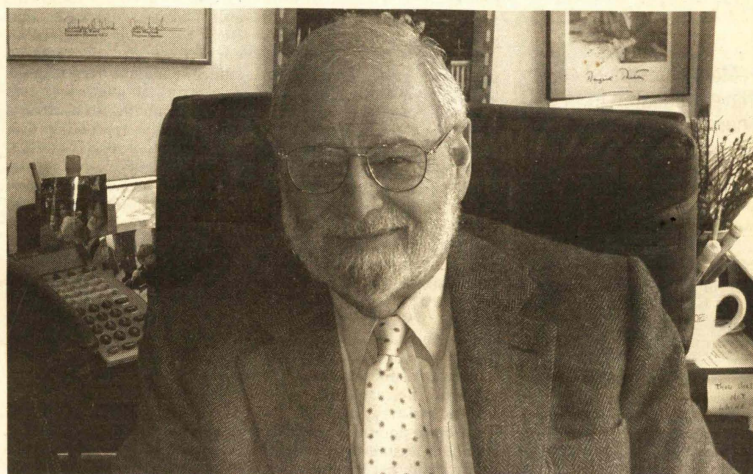
For Allan though, teaching is not strictly a one-sided affair. Rather, it is the students' young spirits which satisfies him the most. Hearing our thoughts broadens his intellectual horizons. One of the fondest memories Allan embraces occurred after a serious operation. While recuperating, his evening division sent him an incessant amount of e-mails, preventing him from becoming

stir-crazy and kept him smiling. He credits those students as an integral part of his recovery.

But his pride is irrepressible even out of the classroom upon recounting the path he tackled to become part of the Brooklyn Law School community. He always feels incredibly lucky walking the halls of Brooklyn Law School. Back in 1954, he tells me, "I was thinking of leaving WNBTV-channel 30 in New Britain Connecticut. I had hoped to get a job with a larger station in Waterbury, but I didn't get the job." As it turns out, Allan was hired at CBS three months later. Allan credits the job rejection at Waterbury for altering the path of his life where he ended up as a professor at Brooklyn and always "wonders how I would be if I got that job in Connecticut."

Perhaps enrolling at New York University Law school at twenty-eight years of age provided Allan with a little more perspective about how to contribute back to the community. Before becoming a student at NYU, however, Allan served as an Associate Director, Freelance Director, and Assistant Producer at CBS. Originally, Allan never even intended on ever practicing law, but hoped it would provide him with a background to go into executive producing. But after fighting with CBS over programming decisions and receiving his grades over his first summer of law school, Allan made the fortuitous decision to turn law into a life-long career.

Allan's first job after law school was as an Assistant District Attorney in New York County under Frank Hogan, aka. "Mr. District Attorney," working in the Fraud's Bureau. While there, his most notorious/celebrated case was uncovering and prosecuting the payola scandal, eventually



Professor Allan
Photo, BLS Staff

indicting legendary '50s DJ Allen Freed. Subsequently, Allan became a litigator at Kelley, Drye, and Warren on Park Avenue. There, he litigated on behalf of Chrysler, Union Carbide, and Chase Bank, in addition to First Amendment cases. His favorite case he litigated was the *Eisen* case, addressed every year in his Civil Procedure class. Upon reflection, Allan asserts that relaxation and feeling comfortable about your intellectual abilities are the keys to a successful interview, providing you with the ability to "shine." When he cites his favorite legal film as *Judgment at Nuremberg*, the challenge to maintain a balance of ethics, morality, and your obligation as an attorney, always weighs at the forefront of his mind when practicing law.

But the death of Allan's father shifted the priorities in his life. After his father died in Paris, Allan realized that his life was dictated by the rigors of his

law practice and there was more to life than earning a lot of money. After deliberating about how to contribute back to society, his best friend, who, at the time, was America's leading exponent on James Joyce, came to visit and steered Allan toward a life in teaching. Allan realized that teaching was in fact what he most desired. When he announced to his firm was leaving to become a professor, they did not reassign his office because it was assumed Allan would return after becoming bored with teaching.

A major lesson Allan imparts onto his students is the desire to expand one's boundaries and become a pro-active member of society, not only in the capacity as a lawyer, but also in every dimension of life. Allan indulges in photography, and reading cookbooks, claiming he subscribes to around "9,000 food magazines." He takes an interest in learning about French, not California wines, and lives on

the computer. In addition, he loves to travel, having journeyed as far east as Budapest and as far west as the French Polynesian Islands, Bangkok, and Rangoon. Even now, after having accomplished so much in life, Allan continues to engage in intellectual pursuits. The next ten years of his life will involve becoming increasingly active in his intellectual growth, which does not mean merely "sitting in a corner and reading." Furthermore, Allan intends to continue contributing in a positive way to Brooklyn Law School, his neighborhood, and society in general.

Allan empathizes with us because he realizes professors and students alike possess the same fears and aspirations. Thank goodness he decided to become a lawyer. If he were not a lawyer, Allan would either have remained at CBS or become an architect. That would have been very unfortunate for us at Brooklyn Law school.

Are You Prepared for Democracy? A Look at SBA Speech Night

by Robert Vidoni, '03

If neo-conservatives are right, April 9 will go down as a truly historic day. That Wednesday morning the world watched live as Iraqis, aided by US marines, pulled down Saddam Hussein's statue in Firdaus Square, Baghdad. To many, the collapse of Saddam's regime foreshadows what they believe is a coming regional democratization of the Arab Middle East.

Irrespective of what happens overseas, it was apropos that only a few hours earlier, on the night of April 8, the Student Bar Association pushed forward towards its goal of democratizing student government at Brooklyn Law School with the first Annual SBA Candidate Speech and Debate Night.

During the last year, the outgoing Executive Board has laid the foundation for a more open, visible, and responsive student government. Exemplified by Speech and Debate Night, this program has involved opening the SBA to outside scrutiny, criticism and input in order to increase visibility and give more people a stake in the student government at Brooklyn Law School.

Kristin Harrison, the outgoing Vice-President, and myself believe that creating a student government model based on representative democracy is a necessary precursor to stimulating the growth of a robust

no secret that one of the school's greatest weakness' is the widespread perception that it is socially fragmented and commuter oriented. However, as the outgoing Executive Board parts, I am confident that we have made real progress building a more open and democratic student government and further, that such progress is already paying dividends in terms of student morale. This article will highlight one aspect of the SBA democratization program; specifically, pre-election activities culminating in the first annual SBA Candidate Speech and Debate Night.

The First Annual SBA Candidate Speech and Debate Night

For two hours on Tuesday, April 8, nine candidates for various SBA offices gave speeches, debated each other, and responded to rapid-fire questions about their plans, issue positions and conceptions of student government. This year, before the speeches and in an attempt to encourage deliberative, rather than popularity driven voting, the SBA distributed *Candidate Information Packets*. Those who examined the packets before voting were treated to concise candidate platforms, grainy head shots and the entertaining knowledge that some enterprising candidates were advocating "caffeine subsidies." The coffee bean and Red Bull lobbies would be proud.

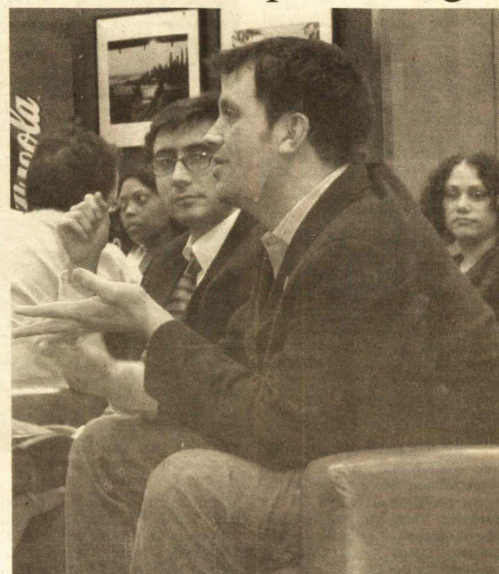
During my time working the

more than 15 students pick up the packets prior to voting; some even took them into the library lounge and sat down to read it before deciding on a candidate. Such displays of civic-minded inquisitiveness, though unfortunately not representative of the average BLS student, are at least encouraging.

The Speeches and Democracy

While the speeches were lightly attended, they were a great exercise in accountable student government. Furthermore, the speeches sent a clear message that future SBA officers better be prepared to deal publicly with constituent gripes. Speech night was about more than the candidates. Just as importantly, the event highlighted the changing relationship between the SBA and the student body. As this relationship continues to evolve, it is clear the SBA is attempting to craft a system where more students have an actual stake in decision-making and deliberation.

Only minutes into the speeches, it was obvious, that while audience members welcomed the opportunity to question the candidates, some still believed the SBA had a long way to go on the road towards democracy. One student leader, Jesse Strauss '03, President of Brooklyn Law Students for the Public Interest (BLSPI), commented "The debate was not only a 'constructive exercise' but also a necessary display of the



John Knapp and Jesse Strauss question one of the candidates
Photo, Robert Vidoni

SBA's connection to the student body. The SBA draws its legitimacy from the democratic elections of its officers. The election, and by extension the SBA, is a sham unless students have the ability to evaluate the candidates, and tonight's event was a good start. However, we have a long way to go before BLS students are engaged with the SBA."

Michelle Stern, '05, Vice-President of the BLS American Civil Liberties Union and Co-Chair of BLISPI said "The SBA debate is a step in the right direction. The students should have the ability to ask the candidates questions, and to pin them down on issues they care about, before voting. SPEECH NIGHT continued on p. 13

BLS Minority Recruitment Fair

The Justinian, Vol. 2003/2004, Iss. 2, Art. 1

BLSPI Charity Auction

More students of color have graduated from BLS than any other law school in the area.

by Gillian Morgan, '04

The annual Minority Recruitment Fair commenced with an introduction from Professor Beryl Jones, who then introduced the speaker for the morning, the Honorable Judge Thompson, class of '52. Judge Thompson addressed the many changes that have taken place since the time he was a law student here. In particular Judge Thompson highlighted and commended the school's commitment to diversity, pointing out that more students of color have graduated from BLS than any other law school in the area.

Professor Riggato followed Judge Thompson's address to the students with a clip from "Legally Blonde." The clip depicted the main character on her first day of law school, sitting in a Civil Procedure class and not being prepared for class. Professor Riggato used this clip as an eye opener to point out to the prospective students that it is imperative for every law student to be physically as well as mentally prepared for law school.

Next, four BLS students,

two 2L's and 2 1L's took center stage on a panel and gave prospective students pointers on briefing, outlining, exam preparation and the availability of BLS's academic success program for first year students. Many students had questions for the panelists, who in turn were more than willing to offer sound advice and guidance. After the panel discussion, the students formed groups and were taken on a tour of BLS facilities.

When interviewed, Isis Mattei '05, stated that her reason for deciding to attend BLS was due to how impressed she was with the opportunities that are afforded to every student. She went on to point out that BLS strives to ensure that students know about opportunities, while at the same time encouraging students to grasp them. In particular she noted that Vernadette Horne and Joan King, both of whom work in the Career Center, are effective in informing students of color about opportunities that arise. Isis was concerned, however, communities of color are still under-represented at BLS, especially in the faculty. On the other hand, she noted that programs such as the Minority Recruitment Fair are a positive step.

One perspective student, a former JP Morgan finance employee, Karlene Deidrick found the Minority Recruitment Fair to be a positive experience because the dissemination of informa-

tion she received was invaluable. She was impressed that BLS has been maintaining contact with prospective students and has been responsive to their inquiries. Isis Mattei responded to Karlene's comments by revealing that from her perspective, BLS has done a good job of selling the school because many law schools she applied to did not make any effort to keep their prospective students informed.

One phase of the Fair took place in the Subotnick Center and featured the Presidents and representatives of various BLS organizations, including the Black Law Students Association (BALSA), the Latin American Law Students Association (LALSA), and the Asian American Law Students Association (AALSA). Each representative highlighted the approach that their organization takes to assure success in law school. They also highlighted the community-based programs they are affiliated with, in an effort to generate the interests of young minds towards the legal profession.

Overall, this year's Minority Recruitment Fair was a success and judging from the comments and impressive looks on the faces of prospective students, Brooklyn Law School may more than likely have an overflow of students accepting the invitation to attend in the Fall of 2004.

BLSPI AUCTION
continued from p. 1

One of the most interesting events of the evening was the silent Auction. During this part of the Auction, participants were able to place silent bids on a range of donated items, including tickets to comedy clubs, gym memberships, and ski tickets. For example, a lucky student secured a three month membership at Golds Gym, valued at \$270, for only \$140 dollars. Noted the student "I've procrastinated joining a gym for so long, but I could not pass up the value at the BLSPI Auction!" The silent Auction was so popular that, upon notice, the time for bidding was extended one half hour. Officials estimate the additional half hour of bidding generated over \$2000 in proceeds for the Auction. The raffle, where students can win great prizes by purchasing fixed price tickets, an annual fixture of the Auction, was also extremely successful and raised approximately \$500.

This year's Auction was innovative in several ways. For one, new donors were secured. SouthWest Airlines, who had never previously participated in the Auction, donated two round trip tickets good anywhere in the continental US. The tickets raised \$600 for the Auction. Likewise, this year's theme was "Bring the Olympics to New York." In keeping with

the theme, Olympic paraphernalia was prominently displayed throughout the cafeteria. Likewise, professors performed a mock torch lighting ceremony which was met with excitement and surprise by members of the audience. Anne Knight, Auction Committee Decorations Chair, said "we wanted to show civic engagement and have fun. We also realized that many members of the Brooklyn Law School Community have connections to the Olympic movement. 'Bring the Olympic to New York' was a perfect fit and really fun to put together."

The Auction was also enhanced by a skit featuring Professors Rosato and Pitler. In the skit, Professor Rosato sang a rendition of "God Bless America." Professor Pitler, imitating Simon from the popular series American Idol gave a scathing critique of Professor Rosato's performance. The skit was met with laughter from the audience.

In acknowledgment of the success of this year's Auction, BLSPI officials said that 2003 Auction Co-Chairs Gina Waggoner and Keith Schmidt will organize next year's Auction as well. Noted Gina Waggoner, "I had a great experience putting this event together, and I'm looking forward to next year's Auction. I predict it will be the most successful ever!"

George Mason Proves It Is 'So Phine' at Prince Competition

PRINCE
continued from p. 1

false filings with the SEC, and obstruction of justice. White later agreed to a plea bargain in which his guilty plea was exchanged for a reduced sentence and a testimony against Ray. This testimony cast Ray as the mastermind behind the accounting scheme.

Things were not looking good for Ray. In a final appeal to the United States Supreme Court, Ray raised three issues. She asked the court to preclude the grand jury testimony of Madalyn Smithers who now suffers from complete and genuine amnesia and cannot recall what she said. Ray also asked that the court not admit into evidence the statements she made to the SEC during negotiation settlements. Finally, Ray asked that the court admit into evidence statements made by the United States Attorney at a cocktail party, which suggested that his case against Ray had no merit.

Hearing Ray's appeal during the final round of the Prince Competition, were some of the most prestigious judges in the country. These judges included the Honorable Carlos F. Lucero of the United States Court of Appeals for the Tenth Circuit, the Honorable Julia Smith Gibbons of the United States Court of Appeals for the Sixth Circuit, and the Honorable Randall T. Shepard, Chief Justice of the Supreme Court of Indiana.

The final round was a close competition between the University of Georgia School of Law and the George Mason University School of Law. Coached by Chase Barsman, Erin Karsman, and Hope



The George Mason team shows off their awards and trophies
Photo, BLS PR Department

Hamilton from George Mason edged out Amanda K. Eaton, Susannah D. Rogers, and Alan J. Hamilton from Georgia to receive the coveted prize for Best Overall Performance.

In the Prince Competition, oral advocacy is only half the battle on the way to winning first prize. The briefs submitted by each team comprised 40% of their overall scores in every round, including the final round. In this category, the results flipped. University of Georgia won Best Brief while George Mason won Second Best Brief. However, Hope Hamilton also

won Best Oralist in both the preliminary and finalist rounds.

The competition to win Best Overall Performance and, for this year, to be 'so phine' was probably the best Brooklyn Law School has seen. This was greatly due to the dedication of Jaime Jackson, Prince Coordinator. Jackson and three other third year students - Chelsea Chaffee, Chris Marlborough, and Adam Skaggs - with the guidance of Professors Pitler, Berger, and Falk, created a problem that breathed energy and excitement into the laws of evidence. Every competing team received a Sophina newsletter, a

'So Phine' t-shirt, and samples from Ray's cosmetic line. In the fictional world of Moot Court competitions, Jackson certainly made the problem as real as possible.

During the competition, the Prince Committee comprised of Moot Court members ensured that the competition ran smoothly. "It was a tremendous amount of work, but also a lot of fun," said Jackson. "The writing team and the Committee were great. The competition would never be successful without their hard work as well as the help of all the members of the Moot

Court Honor Society."

While the fate of Sophina Ray remains uncertain, this year's competition proves that Prince will always be one of the top moot court competitions in the country. As the focus now turns to the nineteenth Prince Competition, Moot Court hopes that it will be as phenomenal as the eighteenth. We should all hope to be as 'so phine' as Prince this year. Congratulations to Jaime Jackson, the Moot Court Honor Society, all participating schools, and, of course, the winners.

Securing the Future of Feminists at Brooklyn Law School

BLSADV has traditionally been a feminist organization committed to organizing law students in the fight against domestic violence.

by Yael Utt, '05

As admission into BLS becomes increasingly more competitive with each year, it remains to be seen how the caliber of the incoming classes will affect on-campus student organizations. One student group that has continued to make its mark at BLS and create ties with the local community is the Brooklyn Law Students Against Domestic Violence (BLSADV). It is hard to imagine BLSADV increasing its voice and impact more than it already has, but its present and future members hope that it will.

BLSADV has traditionally been a feminist organization committed to organizing law students in the fight against domestic violence. One of the unique ways in which they accomplish this is the rare opportunity for law students to actually advocate

for domestic violence victims inside the courtroom. Through the Courtroom Advocate's Program, students can go into Family Court in the different NYC boroughs and provide direct legal advocacy services for victims of domestic violence seeking orders of protection against their batterers, and advocate for a victim's best interests before a judge. Students can also assist women in the evenings through the Family Court Evening Session Project. There is a Battered Women's Helpline that students run, which provides callers seeking legal information related to domestic violence with referrals to appropriate organizations. Students also screen callers for possible representation by affiliated volunteer attorneys. Finally, BLSADV runs a project assisting women who obtain uncontested divorces from their batterers.

The on-going need for the legal community to be engaged in the realm of domestic violence goes without saying. The American Medical Association estimates that over 4 million women are victims of severe assaults by boyfriends and husbands each year. About 1 in 4 women is likely to be abused by a partner in her lifetime. BLSADV has increased its connection to the Brooklyn community by raising money for several local organizations that assist victims of domestic violence

though a charity walk in lower Manhattan, a holiday toy drive, a clothing drive, and yearly productions of *The Vagina Monologues*. In its second annual benefit performance for V-Day in 2002, BLSADV raised over \$3,000 for local shelters and legal services.

The organizer for this year's *Vagina Monologues* production, first-year Nikki Dryden, represents emerging leadership for the future of BLSADV. Nikki grew up as a competitive swimmer in British Columbia, Canada and swam for the Canadian Olympic Team in the '92 Barcelona Olympics and the '96 Atlanta Olympics. She attended college in the States on a swimming scholarship and did not become interested in law until a serendipitous occurrence in 2001. "I wanted to live in New York so I applied to a job at the Manhattan D.A.'s office. I absolutely loved it and that cemented my decision to go to law school. I wanted to become a prosecutor and I was devastated when I found out that you have to be a U.S. citizen to be a D.A.!" What inspired Nikki during that experience was how much everyone loved their jobs. Also working in the D.A.'s office was a fellow future BLS 1L, Jen Kob, who encouraged Nikki to attend one of the first BLSADV meetings this past fall.

It is a common sentiment that until one feels the

personal effects of discrimination, there is no burning incentive to become an activist. This might explain why roughly twenty women at Brooklyn Law School actively participate in BLSADV projects, out of over 500 females attending the school. But as Cherie Kramarae and Paula Treichler so famously stated once: "Feminism is the radical notion that women are people." Nikki, too, initially felt apathetic about women's issues, because as an athlete she had never personally been harmed because of her gender. But as soon as she attended that first meeting of BLSADV, she immediately felt that her passion and her voice was needed, which led to her taking on the huge commitment of producing *The Vagina Monologues*. Despite juggling the logistics of the show and the very strict program requirements set by v-day.org, the experience surpassed all expectations. BLSADV is an antidote to the struggle many law students experience: making what is learned in the classroom relevant and connected to personal beliefs and passions for certain causes.

It is the future of BLSADV that is already being written by the influence of strong outgoing co-chairs, Eileen Conneely and Danielle Gordon, and its emerging 1L and 2L leaders. One question remains as to whether the focus will broaden past

domestic violence and into other areas such as violence against women internationally, reproductive freedom and legislation in the U.S. that affects health care for women. Including all the opportunities for BLS students to get involved in the legal side of women's issues, BLSADV will hopefully increase its role on the policy side. There are countless pieces of legislation that affect women, from funding for women in Afghanistan to presidential appointments on federal agencies and in the judiciary. Some of the projects also being considered for next year are: the Clothesline Project with Take Back the Night, escorting female patients safely to abortion clinics, and speaker and fundraising events promoting Women's History Month in conjunction with other student organizations. High on the list of priorities is the possibility of creating a fellowship fund for students who work in summer internships at local domestic violence organizations, an issue especially timely given the unfortunate dearth of summer work-study money available at BLS.

No matter where the future of BLSADV lies, precedent has established that we can all expect amazing things. As the student body at BLS grows in talent and potential, so grows the dedication in law to social justice as well.

Moot Court Success in Color

Beginning in mid-February, bright colors unseen in other parts of the city decorated the halls of BLS.

by Alyson Mathews, '04

In his famous poem *The Wasteland* T.S. Eliot wrote "April is the cruellest month." With all due respect to T.S. Eliot, most New Yorkers would have disagreed with his immortal words. Record snowfalls this past winter proved that February beat April on the cruelty scale. Shades of gray and white painted the worlds of most New Yorkers, but not the world of Brooklyn Law School students. Beginning in mid-February, bright colors unseen in other parts of the city decorated the halls of BLS. In addition to bringing a bit of pizzazz to an otherwise dreary winter, these bright colors celebrated the unprecedented success of the Moot Court Honor Society.

For any Moot Court members, advancing beyond the preliminary round of any competition never ceases to be a difficult task. For some teams, advancing beyond the preliminary rounds was extremely difficult because the first cut eliminated all but

round in which sixteen teams compete. Whether the competition eliminated all but eight teams or all but sixteen (approximately half of the total number of teams), advancing beyond preliminary rounds is a huge accomplishment. Every competing team comes extremely prepared and wants to win.

Over the past year, Brooklyn Law School Moot Court won four competitions: Constitutional Law, Tax Law, Family Law, and Corporations Law. The Securities Law Team brought back Second Place and the Civil Rights Team brought back Third Place. Both the International and First Amendment Teams received Semi-Finalist awards which placing them among the top four teams. The Sports Law and Labor Law Teams both advanced to the Octo-Final round which placed them among the top sixteen teams. The National Team also placed second in the Regional Competition and narrowly missed winning at the National Competition. Individual awards were won by Peter Herold, Best Oralist in the Health Law Competition, and the Tax Law Team who won Second Best Brief.

Trial Advocacy also had an amazing year. Semi-Finalist awards were won at the Northeastern Regional Trial Competition at Quinnipiac University School of Law and at the Texas Young Lawyers Association at St. John's Law School by

were won by Margaret Powers for Best Closing Statement, Steve Maffei for Best Advocate, and Jennifer Plotkin for Best Advocate.

With the year rapidly coming to a close, Moot Court begins to prepare for next year with the hopes that it will bring even more success. President Gerard Monusky said, "We are extremely proud of all our teams this year. Their hard work and devotion has made this one of the most successful years for the Society. It has furthered Brooklyn Law School's reputation as having one of the premiere Moot Court programs in the country."

With an eye on the future, Moot Court anticipates once again decorating the halls of Brooklyn Law School with colorful flyers. Winter may be dull, but Moot Court makes it brighter. Congratulations to all those students who competed this year and good luck to those who will compete next year.

View the Moot Court Results Chart on Page 15.

National Security Jobs

Publishing articles about the topic is a good way to make a name for oneself

by Erez Davy, '05

In a presentation entitled "Law and National Security," attorney Josh Levy outlined the opportunities currently available for legal jobs in the expanding field of national security. The presentation was sponsored by the Career Center on April 3.

Due to the spawn of legislation in this field since 9/11, many governmental sectors are seeking legal advice regarding the drafting of new legislation or to disentangle some of the complex regulatory webs spun around certain industries.

Companies exporting munitions, for instance, have considerable legal hurdles to jump through prior to obtaining the necessary licenses. Similarly, the airline industry has to navigate the course of safety regulations while trying to secure government funds to ward off operational paralysis. Furthermore, interests such as those of pharmaceutical companies are representative of industries seeking governmental contracts, especially in regards to advancing anti-

terrorist measures.

Of course, this is not to forget the pressing need for intelligence and law enforcement. Computer skills are especially treasured in the emerging field of cyber security. More traditionally, though, the CIA, the National Security Agency, as well as city and state-wide offices of Homeland Security maintain a healthy need for qualified attorneys.

Mr. Levy made it clear, as well, that jobs in national security and civil liberties are not mutually exclusive. Rather, expertise in the field of national security can champion the cause of individual liberties where governmental regulation clash with constitutional rights, especially in regards to information gathering techniques and privacy interests. Similarly, immigration law affords an opportunity to protect those illegally detained, as well as counseling federal agencies in avoiding practices that may be constitutionally suspect.

For those interested in national security, Mr. Levy suggested that, besides getting good grades and gaining significant employment experience, publishing articles about the topic is a good way to make a name for oneself. For all the opportunities available, many of the positions are quite competitive - as with most fields, hard work and dedication are a prerequisite.

BLS Students Serve as Legal Observers *The Justician*, Vol. 2003, Iss. 3, Art. 1

Whether or not a Legal Observer sees much action is usually a matter of being in the right place with the right protesters

by Jason Cade, '05

Furiously scribbling on small pads of paper, snapping shots of protesters and police with disposable cameras, and wearing neon green badges and hats, Legal Observers have become a common sight at protests in New York City.

Typically comprised of law students and lawyers, the Legal Observer program is part of the National Lawyers Guild's comprehensive legal effort to enable people to express their political views as fully as possible without unconstitutional disruption. BLS' own chapter of the NLG began training and organizing Legal Observers in the Fall; now there are typically more Legal Observers from BLS in protest than from any other law school.

Sixteen Legal Observers from BLS endured a bitterly cold day to volunteer at the February 15 rally near the UN building. Because the city did not grant a permit for a march, arrests were expected to be especially high. But whether or not a Legal Observer sees much action is usually a matter of being in

the right place with the right protesters at the right time. For the most part, those who get arrested do so intentionally. Sometimes protesters become frustrated by the feeling that their voices aren't being heard and they commit civil disobedience, usually by refusing to leave a public area after being asked to by the police or by marching where they have no permit. The Legal Observer is there to document the manner of the arrest or incident and to try to discover the demonstrator's contact information.

Laurie Dick, '03, pointed out that another function of Legal Observer's is "to deter police misconduct because they cannot rest as comfortably on the belief that they will be able to 'testify' their way out of any misconduct." Laurie saw no arrests at the February 15 rally (evidence of her strong deterring presence?) but others like Dave Baron, '03, found themselves in the midst of "a police state," witnessing many arrests and intimidating displays of force against protesters who were frustrated and confused about being denied access to the rally.

Most of the individual police officers that BLS Legal Observers have come into contact with have been communicative and tolerant. Faced with a large, potentially adversarial crowd, the cops usually do their best not to have to arrest anyone or have physical confrontations. Some even express approval for the protesters' cause. An

officer was even overheard asking an organizer for an anti-war button (though he said he couldn't put it on until he changed out of uniform).

But sometimes crowds of legal, peaceful demonstrators suddenly get driven out of an area by cops on horseback or in riot gear. Sometimes there are arrests that are unprovoked, and sometimes there is excessive force used in arrests. In all cases the Legal Observers simply tries to take accurate notes and then turns them over to the NLG lawyers to evaluate the constitutionality of the conduct.

Like many Observers who agree with those in the rallies, Adrienne Chapman, '04, has found it frustrating to maintain distance from the protesters and their own beliefs. Legal Observers learn, though, that this professionalism is necessary at all times, both to maintain credibility and in order to be a reassuring presence at protests. And many at BLS feel as Aparajita Janardhanan does, who said she "would consider observing protests that do not reflect my beliefs because I believe the right to free speech is of paramount importance."

Getting some experience as the investigative branch of a legal team is also a great reason to Legal Observe. Your notes say "work product," you get to wear a fancy badge and a hat and there are debriefing parties. If you are interested in Legal Observing, contact Eliezer Silver at eliezersilver@mac.com.

FAMILIAR FACES
continued from p. 2

After college, my first job was working in my father's union, Local 144. I was a doorman for them, did maintenance, and answered phones. My father was second-in-charge and had come from scrubbing pots and pans. After that I worked at the Mercantile Exchange, at World Trade Center building No. 7. I had to catch the big cards being thrown around when the stockbrokers were buying and selling and stamp them and send them in. I came to work at BLS in December '99 after my brother told me about an opening in the mailroom. Besides sorting and distributing mail, I'm also a supply inventory clerk - making sure professors have the supplies they need. Because UPS doesn't always drop as many packages as are on the delivery report, we get nervous after we sign for them - sometimes we have to look for "ghost" packages.

I'm an MC. I write music and I'm a real good poet. And I'm a preacher's son. It reflects in my music. People say I'm deep, dark and a very good person to talk to. I say I'm a "psychological lawyer" - I can talk to people and make great points. I usually win an argument. For being young, I am also really dedicated and faithful to my girl. But before my girl, basketball was my "first love." I feel like I'm the best basketball player to ever play the game. I'm waiting to play some of these law students!

Favorite thing about BLS?

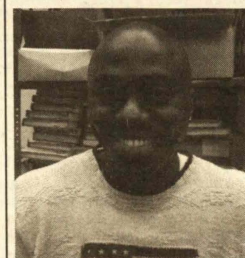
The students and most of the secretaries - they make it worthwhile. I'm a people person.

Least favorite thing about BLS?

Working.

What's the best the thing you cook?

I boil water pretty well. Peanut butter and jelly sandwich too. I'm not much of a cook.



Sean "Flex it" Damon
30 Years Old

Tell me about yourself.

I grew up in Guyana in South America and then immigrated to the United States when I was 17. I came here to further my studies and for a better life because there wasn't much of an opportunity in Guyana to go to college or get a better job. They speak English in Guyana because it used to be governed by the UK, but they

also sometimes speak Patois.

When I first moved here I was so excited, even though it is not what I expected. In Guyana, you hear so many good things about the US that when I came here I was expecting it would be like a bed of roses - everything perfectly clean and wonderful. Most people in Guyana want to come here unless they have money, then they just come to visit. My dad was a police officer in town when I was growing up but then he immigrated here first and my grandparents and aunts soon followed. Just last year I petitioned for and sponsored my mother to come. I have four siblings who still live in Guyana.

I've been a naturalized US citizen since 1993. You have to be in the country for at least five years and in good standing and then take a test. To sponsor someone in my family to come to the US, I can file a petition with Immigration and have to get it approved at the Embassy. I went to high school here and then City College in Manhattan. I started in electrical engineering, but finished with a degree in Psychology. I want to get back to school and eventually get a Masters in Exercise Physiology.

I started running track in high school and that led to lifting weights and becoming a body builder. At my high school in Brooklyn, I would compete for the body-building titles each year. Currently I'm a personal trainer, that's what I do in the evening. I train at the Flatbush YMCA and sometimes at Bally's. I like working with people and helping people, especially those who have a goal fitness-wise and need help to achieve it. Because I like training, I don't get tired of all the hours. I eventually want to open my own gym and get really into it. Right now I'm waiting to get back into working out myself. I was in a car accident four months ago and haven't been able to work out, I've been shrinking!

I started working at BLS in 1993 in maintenance and then applied for an opening in the mailroom. I do want to move to Florida some day, though. I came from a hot climate and I don't really like cold. People say I'm a private individual, but really I'm just simple. I guess shy.

Favorite thing about BLS?

The people - very friendly, family oriented.

Least favorite thing about BLS?

No gym. It's a law school; there should be some kind of recreation center.

What do you think about the war in Iraq?

If it's necessary then it's good but if it's not necessary it shouldn't be happening. If you live here and this is where you're going to be living your whole life, you should support the country, even if you don't like the President.

Bar exam.

One of a lawyer's most important obligations is to safeguard client money and property. ■ New York court rules and statutes impose special banking and recordkeeping requirements for lawyers entrusted with client money. ■ Escrow funds must be deposited in special bank accounts. ■ Clients must be provided with written receipts and complete accountings. ■ Escrow money must be disbursed promptly when due. ■ Remember, a lawyer entrusted with an escrow is a fiduciary. ■ Knowing and observing the fiduciary rules will help and protect you, your clients, and our profession.



The Lawyers' Fund for Client Protection
of the State of New York

119 Washington Avenue, Albany, New York 12210
518-434-1935 or 800-442-FUND

www.nylawfund.org

<https://brooklynworks.brooklaw.edu/justician/vol2003/iss3/1>

New York City Anti-Smoking Laws Bring Changes to BLS

New city anti-smoking law requires fuming smokers to remove their butts from BLS buildings

by Ian J. Gaynor, '03

Brooklyn Law School imposed a 'no smoking' edict throughout the school in compliance with NYC anti-smoking laws, sending smokers into a nicotine fit. Nonsmokers, though, expressed universal approval over the new school policy and delight over having uninhibited access to the former smoking room.

New York City's new anti-smoking law prohibits smoking in restaurants, bars, and other public places. It also eliminates separate smoking facilities that were allowed under the old law. Much stricter state laws will go into effect 120 days after the city law commences and will preempt some of the city law's less restrictive provisions.

The law went into effect on March 30, and provides a 30-day grace period so that eating establishments have time to conform to the law's strict standards. Brooklyn Law School, however, implemented the new rule immediately following spring break, a week before the city-legislated commencement date.

"We felt spring break would give us time to clean out the room and make sure it was prepared," said Tom Parker, director of the Office

of Student Affairs and the school's designated liaison for the new policy. Parker also maintains that implementing the new law early has allowed Brooklyn Law School to identify policy problems and address them before the law takes effect.

The school posted a February 25, 2003 memorandum from the dean, addressed to students, faculty, staff, and administration, stating that "as of Monday, March 24, no smoking will be allowed ANYWHERE inside Brooklyn Law School." The memorandum warned that "violation of this rule may result in citation and a fine by the City of New York, as well as possible disciplinary action by the law school," and that any fines imposed on BLS caused by violators would be "charged to the individual(s) who violated the no smoking rule."

The new rule is literally a breath of fresh air to nonsmoking students who routinely trek inside the smoking room to access vending machines that offer a far greater selection of treats than those located in the adjoining room and student lounge. Nonsmokers have considered entering the room an endurance test, forcing them to either hold their breath or pass out from the smoke, and leaving them with clothing reeking of cigarette smoke.

More importantly, the new rule opens up much needed space for a great majority of the more than 1,500 students attending the school. Brooklyn Law School is bustling at the seams, a fact clearly evident during lunch hour when it is often impossible to get seating in the

cafeteria and student lounge. The smoking room's opening gives all students another dining option.

"It always irritated me to go into the cafeteria, find all the seats and tables occupied, and then walk past the smoking room and see only four people in there," said Robert Leonard ('03), a nonsmoker. "It's about time the school opened up the other room to nonsmokers."

Student smokers, though, claim that the law is a pain in the ash. They circulated flyers asking students whether they were "upset about the closing of the smoking lounge," and questioned why the smoking room was closing in light of the law's wording.

However, the law that smoking advocates cited in their flyer was actually the old law, a mistake easily understood by Parker who explained that the way the law is published online - using brackets around old sections that were actually deleted from the text - could lead one to think the law allows smoking in the school, when in fact it doesn't.

The old Section 17-503(a)(15) of Local Law 256-1 stated in pertinent part, "...this section shall not prohibit smoking in separate smoking rooms in student dining areas or lounges the aggregate of which shall constitute not more than 25 % of the seating capacity or floor space of such student dining area or lounges, provided that prior written approval is received from the fire commissioner and that such rooms do not contain the sole source of (i) vending machines, (ii) beverage or food service, or (iii) place of

payment for services."

The new law says, "Smoking is prohibited in all enclosed areas within public places...such public places include, but are not limited to, the following...all schools other than public and private pre-primary, primary, and secondary schools providing instruction for students at or below the twelfth-grade level, including, but not limited to, community colleges, technical training establishments, specialty schools, colleges and universities," and deletes all the separate smoking facility provisions.

Though the new rule alleviates suffering to nonsmokers' overburdened nasal passages when they are in the smoking room, it also has had the effect of causing smokers to flock to the cafeteria's terrace, turning it into a virtual 'emphysema alley.' Nonsmokers hoping to go to the terrace to inhale a breath of fresh air are instantaneously greeted by billowing cigarette smoke.

"[The smoking situation on the terrace] is something we are aware of, and we are going to be talking about that and other issues, including concerns raised about smoking right outside the building's entrance," said Parker.

Smokers, however, complain that the inconvenience to them is far greater, especially during inclement weather days, when frigid temperatures or torrential downpours prove extremely discomforting. On one unseasonably cold April evening, smokers were seen on the terrace huddled together and shivering, as their quivering lips and shaky hands tried in vain to steady the cigarettes

dangling from their mouths.

When asked to respond to complaints made by smokers inconvenienced by the new rule, Parker said, "I certainly understand their concerns, but we didn't have any option. The laws came down from the City Council and we are implementing them so that we are in compliance. We are fortunate that the laws are going into effect at a time when the weather is pretty good outside."

The room's sudden availability has sparked interest over how the room should be utilized and has ignited a flurry of ideas and suggestions.

Some would prefer another student lounge with sofas and another television. When the main floor lounge is commandeered for a school activity, students aren't left completely dispossessed.

Others recommend installing computers in the room to give students who want to use a computer another option after they go to the library and find all the computers in use - a common problem, particularly during the day and during the first year brief writing period.

"Clearly, we have valuable space there. The room is an enclosed area with pretty good capacity for luncheons. An idea that has been floated has been to [turn the room] into a quiet study area for people who are eating lunch and want to read or study for classes," said Parker. "We are looking at how people use that space and we will look at our options over the summer to have a better idea as to what the most effective use will be in the fall."

A Taste of Purim at Brooklyn Law

by Erez Davy, '05

Wickedness. Conspiracy. Royal Corruption. It's all there in the story of Purim.

On Monday, March 10, students were offered a taste (hamantaschen aplenty) of the holiday. Professor Twerski, holding up the traditional *Megilah* scroll, first outlined the tale's historical contours—a "Persian Gulf Story."

The story began, explained Professor Twerski, as the Jews of ancient Persia indecently engaged in a royal festival. Their inquiry, in turn, gave rise to one of the greatest threats ever posed to the Jewish people.

It was at this time that Haman, one of the king's officers, maneuvered to political heights in the Persian government, securing from the empire's impressionable king (not exactly an ideal candidate for the "Einstein school of medicine") almost unlimited discretion in making and pursuing policy. Portraying himself as a minor deity, Haman one day came across the Jew Mordechai, who refused to bow down before Haman as decreed. Enraged, Haman convinced the king to send an edict across the empire calling for the destruction of Mordechai's subversive nation, the Jewish people.

As Haman's plans were

materializing, Mordechai's niece, Esther, was crowned queen of the empire with impeccable timing. The former queen had capitulated her post (literally) and Esther had won the beauty contest that was held to fill the vacancy. Upon hearing of Haman's nefarious plot, Esther, in tandem with Mordechai, devised to turn the king against Haman and overturn the decree. With the nation fasting and praying for her success, Esther proactively addressed the king (a potentially capital offense at the time) and invited him along with Haman to a wine party at the royal palace.

It was there that Esther revealed to the king the plot to kill her people and petitioned him to save them. In dramatic fashion, the king promised to grant Esther's wishes and, in fury, asked who among his staff would make such a decree. Naturally, the accusatory finger pointed to "the enemy—this wicked Haman," who was shortly thereafter hung on the very tree prepared for Mordechai's execution.

Among the several themes of Purim, Professor Twerski emphasized the pervasive motif of God's hidden orchestration of seemingly mundane affairs. Although there is no explicit reference to God in the *Megilah*, it was through divine arrangement that,

among other fortuitous events, Esther was in the position as queen to thwart Haman's plot. This theme, as well, is embodied in the tradition of donning disguises and costumes during the holiday—a symbolic masquerade of reality hidden behind our social fictions.

On Purim celebrants revel in the memory of their triumph over evil. The day is marked with carnival like celebration where Haman's name is drowned out with boos and hisses in the retelling of this story, and hamantaschen (lit. Haman's pockets), three-sided cookies symbolizing the hat worn by their namesake are eaten. Alongside these celebrations, it is also traditional to give charity and gifts of food to each other, highlighting the importance of community.

It was in this spirit that Dean Ziegler, with a fanciful *spiel* following Professor Twerski's presentation, transported the audience to a magical law school Shangri-La: With poetic rhythm and imaginative zeal, legal writing, the LSAT, and final exams did Dean Ziegler repeal. What remained, though, remained in force—the assurance of good employment, as a matter of course. Naturally, these suggestions were met with applause and great cheer; a sweet glimpse of Purim's vision, were it to last the whole year.

L.A.L.S.A IS BACK WITH A PASSION

The Latin American Law Students Association is under new management. Our recent participation in the Annual Cultural Fair marked the beginning of a new era in the LALSA legacy. Performances by the 'El Ritmo' dance company awed spectators as their Latin moves captivated the audience. And there's more to come. LALSA presents Crunch Time Munch on the last day of classes between 4 and 6 PM in the student lounge. Take a break. Stop by and enjoy Latin music, food and refreshments before you settle back into studying. Look for details on our end of school celebration, reward yourself for all your hard work and experience some Latin flavor.

Brought to you by the NEW LALSA e-board:

Ann M. Cherry, President
Sandra Glaraza, Vice-President
Monique Gallien, Secretary
Joana Otaiza, Treasurer
Marisa Pizarro, Public Relations Chair

Exploring the 2003 Cultural Fair at Brooklyn Law School

Cultural Networking at the Third Annual Cultural Fair

by Rupa Banik, '04

The U.S.-Iraqi war has ushered forth much stress and heated division amongst New Yorkers. Recently, I was looking for a way to take my mind off these troubling times and I was able to do so by attending the Third Annual Cultural Fair that was held on Wednesday, March 26 in the student cafeteria. Several student organizations came together to give BLS a literal taste of cultural diversity by serving a variety of savory ethnic dishes. The participating groups included AALSA (Asian American Law Student Association), BLSA (Black Law Students Association), Celtic Law Society, Hellenic Society, ILSA (Italian Law Students Association), JLSA (Jewish Law Students Association), LALSA (Latino American Law Students Association), MLA (Muslim Students Association) and the SBA.

One would think that with so many organizations in attendance, it would be a logistical nightmare putting this event together. However, Hyung Suk Kim, '04, who spearheaded this event, noted that it was not at all difficult for the groups to organize this event: "I know the organization leaders pretty well so we just e-mailed each other and delegated responsibilities amongst ourselves."

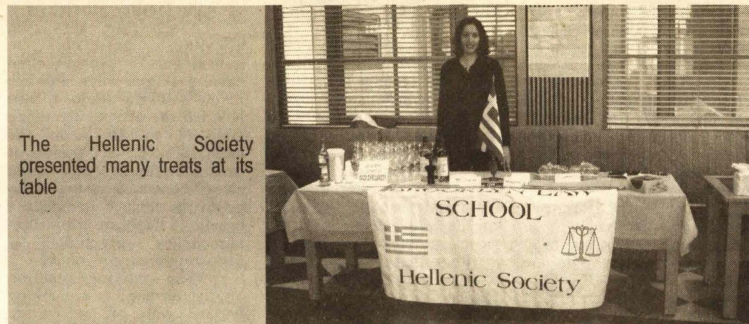
Those organizational responsibilities included not just serving scrumptious food, but providing entertainment as well. Performances ranged from singing to dancing and were largely performed by BLS students. The food and entertainment created an atmosphere both culturally rich and exciting, and the students themselves helped further the spirit of multiculturalism that these student organizations sought to promote. Several students that attended the fair wore fashions representing their cultural heritage, including Chinese and Middle Eastern.

Students who attended the Fair expressed much praise for the event. Sejal Amlani, '04, said, "This is so much fun. This is such a wonderful way to relax." Leena Raut, '04, added, "It was obvious that all these organizations here put a lot of time, effort, and pride in launching this event." I also overheard another student exclaim, "All the food is so good, I can't pick a favorite!"

As the Fair progressed, a sense of community amongst the student body blossomed before my eyes. I was actually witnessing a moving and breathing cohesive mosaic of cultural diversity. Because of this Fair, I was able to see beyond the generic law student facade



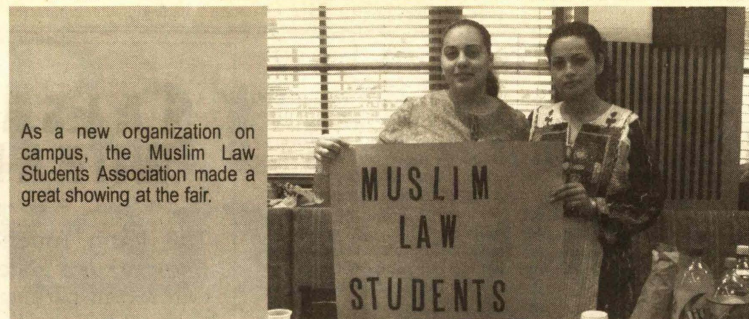
Dean Joel Gora, Tom Parker and Hui Cao, '03, enjoy a meal and a conversation



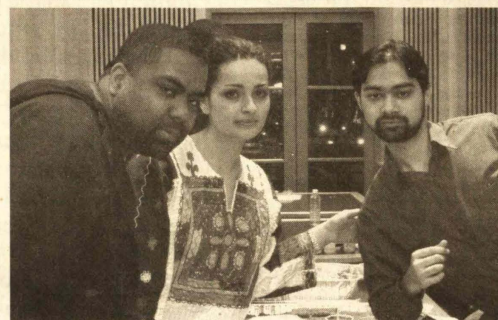
The Hellenic Society presented many treats at its table



JLSA members, April Simon, '03, and Galette Levin, '03, show who has the best moves



As a new organization on campus, the Muslim Law Students Association made a great showing at the fair.



Theodore Harris, '04, Lamis Deek, '03, and Syed Qamer, '04, lean in for a photo op.



Dean Joan Wexler poses with representatives from the Asian American Law Students Association.

and appreciate the rich, cultural heritage that the BLS student body possesses. We were no longer just one-dimensional, disconnected law students seen in class every day. We became a collective that was unified by the spirit of multiculturalism. And in this time of global strife and uncertainty, this Fair was a perfect means of escapism.

Events like the Cultural Fair should take place more often. They not only promote cohesion but they also add dimension and vigor to the student body. I greatly appreciated seeing the unity of the BLS student body, especially during these times where the world remains divided over the Iraqi war. The Cultural Fair was truly cultural networking at its finest!

Eating Your Way Through a World Tour of BLS

by Brian Pleban, '05

Staying at school after 6 p.m. doesn't always have to mean that you're finishing up some last minute property reading or that you're waiting around to add your own two-cents into a civil rights discussion with a visiting distinguished speaker.

More often than not these days, staying late can have its rewards - proving to be more about enjoying yourself than stressing and studying.

A prime example of this was the Brooklyn Law School Cultural Fair, held on Wednesday, March 26 from 5 to 8 p.m. in the cafeteria. Promoted as an opportunity to join fellow students for free ethnic food and entertainment, the third annual Fair did not disappoint.

Eight Brooklyn Law School student organizations participated in the evening's events. Presenting their ethnic cuisine and showing off their culture were the Asian American Law Students Association, Muslim Law Students Association, Black Law Students Association, Jewish Law Students Association, Italian-American Law Students Association, Hellenic Society, Christian Legal Society, and the Latin-American Law Students Association.

Irene Kaptzis from the Hellenic Society, summed up the feeling of the event during a break from serving the Greek pre-dinner drink Ouzo to some of the more brave students. She said "I'm proud that all the cultures of BLS can come together and enjoy each other's uniqueness. Especially in this time of war, it is important to come together and learn about each other and our individual cultures."

The Hellenic Society was a popular table with many students. This group won

students over with their delectable fare, including Tiropitakia (cheese wrapped in phyllo-dough), Taramosalata (a caviar spread for bread and crackers), and free wine tasting to boot.

The Italian-American Law Students kept everyone full and happy with pasta specialties, Italian meatballs, and Italian Flag cookies for dessert, as did the Asian American Law Students Association, with various noodle dishes, egg rolls, and sake from their Korean, Japanese, and Malaysian members.

Chipping in with tasty dishes including shawarma, falafel and hummus was the Jewish Law Students Association. And for those with a sweet-tooth, they brought along candies and macaroons.

Cultural Jeopardy was all the rage over at the Black Law Students Association table, where you could show off your knowledge of African-American history and culture and win some prizes depending on how well you scored. Some walked away with coffee mugs while others took home keychains or stickers. No one had time to complain if they lost at Jeopardy though, because the group was also offering delicious food — chicken with yellow rice and baked plantains.

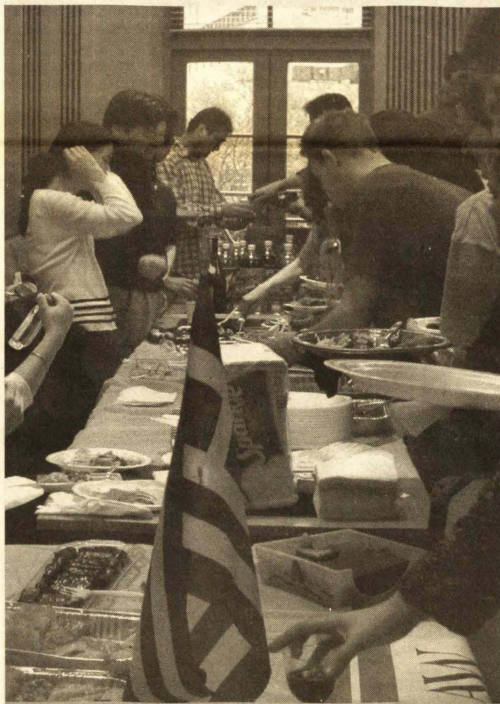
The Muslim Law Students Association contributed to the fun with a cultural dance featuring some of its female members. High kicks and clapping was all the rage while the group put on its spirited dance. The group's food contribution was possibly the most varied of all, with kabob sausage, rice, hummus, beef on fresh baked bread patties, and much more.

Brooklyn Law School Dean Joan Wexler, who seemed full just like everyone else from sampling the food that was offered at the Fair, noted that the Cultural Fair is "a great event that gives us all a chance to get together and share different cultures" and that "it is no surprise that Brooklyn Law School students want to share food."

This year's organizer Hyung Suk Kim, to the backdrop of an inspiring acapella song performed by members of the Christian Legal Society, proudly looked on at the smiling attendees of the Fair and declared the evening a success. "As long as everyone has a good time and learns a little about other cultures, we've done our job." Job well done.



Ajanclair Lynch, '04 poses with her son who took part in the festivities

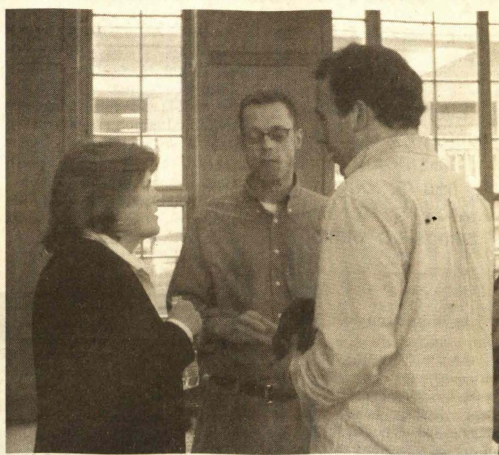


Students marvel at the wide range of options they had to choose from.

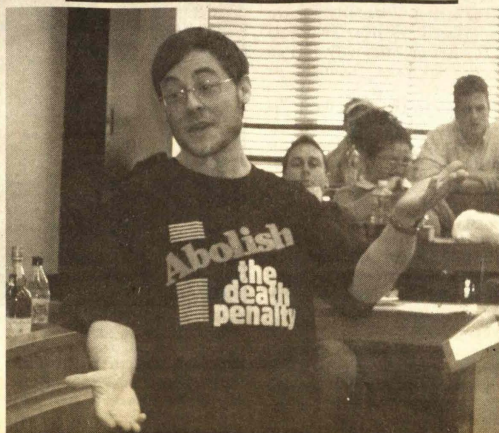


Members of the Italian American Law Students Association serve food and smiles.

Recent Events at BLS



NYC Public Advocate Betsy Gotbaum take a moment with Clark Whitsett, '04 and Timothy Overweger, '05 on April 23rd.
Photo, Kristin Harrison



Dave Barron, '03, makes his point at the ACLU Debate on April 15th.
Photo, BLS Staff

Congratulations to the new Student Bar Association Executive Board And Delegates

for the 2003-2004 Academic Year

President
Joe Anci

Day Vice President
Heather Baker

Evening Vice President
Danette Slevinski

Treasurer
Timothy Oberweger

Co-Secretary
Paul Reinitz

Co-Secretary
Clark Whitsett

Upper Class Delegates
Robert Anderson, Bradley Chan, Denis Dozis, Tim Kelly, Adam Kramer, Odelia Levy, Amber Long, Joe Pontrello, Sascha Puritz, Charles Stark, Leonardo Trivigno, Yael Utt, Bryan Zetlin

ABA Representative
Douglas Atkins

NYSBA Representative
Debra Farber

Op-Ed: BLS Students offer Obituaries for a Stinky Room

Even though the doors to § are glass, non-smokers still had no way of knowing the true goings-on within §

by Doug Ornstein, '04

As every smoker knows, and most non-smokers know as well, Brooklyn Law School went smoke-free starting March 24. Nowhere is this more noticeable than on a walk to the cafeteria where you pass the doors to the smoker's lounge (which, like "The Artist Formerly Known as Prince," is now known as "The Room Formerly Known as the Smokers' Lounge," or "§").

Prior to the ban, the doors of § were always closed. This created an air of mystery for non-smokers. To members of that group, § was like the room that photocopies our final exams—a room of intrigue and suspicion. (Haven't you at least once walked out of an exam and suspected that someone in the copy room tampered with your exam? Like when a professor spends all semester covering the Erie doctrine then doesn't test on it—surely it was those pranksters in the copy room who removed that question and added one of their own). Even though the doors to § are glass, non-smokers still had no way of knowing the true goings-on within § because the thick smoke obscured any view that would otherwise be possible. The rumors of what existed behind those doors is now well known: cable TV with premium channels, free BARBRI mints on every table, and the most coveted of all—one ice cream and one candy machine, unavailable anywhere else in the school. It was an exciting moment, therefore, when non-smokers read the notice from Dean Wexler that the room of mystery would be open to all starting March 24th.

The week leading up to March 24 (Spring Break) was an interesting one for BLS students. While some students headed off to Miami, BLS student smokers awoke early each day, ran to the smoker's lounge and, unfettered by classes, smoked until the school closed. Lamentations in the form of pro-smoker-lounge poetry could be heard throughout the late night hours.

Those who don't smoke took a different approach. Like the eager beavers who arrive several hours early to the first class of each semester in order to claim the perfect seat, the non-smokers plotted where they would sit once the doors flew open on March 24. And, since they didn't know whether the candy or ice-cream machines would take bills or even how much they would cost, many put together various totals of coins and bills so as to be prepared with whatever confronted them.

One non-smoker, a bright-eyed 1L who had given up trying to make it onto Moot Court, lined up early on March 24, achieving the well-respected place of first in line. The line rapidly grew behind him, abuzz with chatter centering on whether it would be better to sit by the newly cleaned windows, or perhaps better to sit by the legendary ice cream

hard metal chairs and tables on the cafeteria patio do not lend themselves to the same lounging experience as § once did. Most agreed that "Smoker's patio" or "smoker's entry-way" didn't carry the same cache as "Smoker's Lounge." Several responded with nervous laughter about dealing with nic-fits during winter finals. Surprisingly, non-

ference from any smoke whatsoever—the library.

I should be free to make up my own mind about which bad habits to give up this week



Who knew there were so many vending machines? Smokers, that's who. Photo, BLS News Staff

machine...and then the doors to § opened.

It was a mixed feeling in the crowd. Some were obviously disappointed by the lack of premium cable and free Barbri mints. Some, losing their balance in the rush to enter, dropped their carefully counted sacks of change onto the floor before they could even reach the

smokers were also complaining. Now that the weather is warm, many non-smokers, trying to eat their newly discovered ice-cream and candy treats outside, were confronted with smokers who were stationed at every outside venue. Non-smokers then started noticing that smoke was wafting into the cafeteria as a result of the

by Matt Keller, '05

For the majority of Brooklyn Law School students, the closing of the smoking room over spring break will mean absolutely nothing. Amidst the frantic search for summer employ-



Marie Artus '05, purchases some food without having to hold her breath. Photo, BLS News Staff

candy and ice-cream machines. Others took pictures of themselves euphorically gulping down candy and ice-cream, all the while taking in deep breaths of clean air while still others staked their well-fought-for seats by placing a couple open books and notepads on the table, and then mysteriously walked away, leaving the table impossible for anybody else to sit at.

vast quantities of smoke on the outside patio and from the entry-way below. Unfortunately, while non-smokers were finally able to enter §, most all of the seats within § were perennially occupied by squatters who left their opened books and notepads early each morning, yet never seemed to return. Somewhat defeated, many non-smokers have been forced to retreat to one of the last places at BLS where a person can eat without inter-

ment, the approaching thunderstorm of finals, an impending war in Iraq, and the plain old pain-in-the-ass of brief rewrites for the first years, the total abolition of indoor smoking at our beloved law school will pass without notice. But for me, and for at least a few others I know of, BLS will not be the same place when we return from our much needed vacation. So, before it's gone for good, I wanted to say goodbye to the smoking room with a few final thoughts.

I know the rationale behind the new City law banning indoor smoking in commercial establishments. The health risk to non-smokers is not justified, smokers are a shrinking minority, and, for God sakes, we are KILLING OURSELVES after all, aren't we? So I won't try to make a strong argument for why the law is an unnecessary abridgment of personal liberty, and I'll let you ponder for yourself, if you wish, the plethora of reasons why the room in our school does not exactly fall within at least the spirit of the law. In a completely sane and rational world, there is no need to keep the room open so that a small group of stressed-out law students can stink it up while indulging in their dysfunctional stress-relief techniques. But, I gotta tell you, the place did have a certain austerity to it, despite the foul odor. When it was mostly empty, in the mornings and after classes before the night students showed up, there was a quiet, comfortable calm to the place that you couldn't find anywhere else in the building. Maybe there would be one or two other people in there studying, or just hanging out, and you were guaranteed a smile or a glance from whoever was there, a welcome instant of intimacy before you left to worry about whatever class or assignment you had to tackle next. In between classes, when it was more crowded, the place looked more like a European café than a law school. Little knobs of people would be hanging out, talking animatedly, maybe bashing an annoying professor, secure in the fact that that professor would never enter the room to overhear what was being said about them.

I guess what I'm most bummed out about is that it was MY place, my place to be myself and to do something society frowns upon which, for whatever reason, I choose to do. Yeah, I know smoking is bad for me, I know I should quit, but we're all adults here, and even more so, we're law students. Even though Brooklyn Law is not known as one of the more academically-oriented law schools, we are all thinking more than the average citizen about what individual liberty and freedom means. This week, what it means to me is that I should be free to make up my own mind about which bad habits to give up this week, and that, since no one seemed to be complaining about the room before this law, there's no good reason to close it down now. It also means to me that I shouldn't have to hear Dean Wexler come into the room at around 10:00 this morning, look around at the few of us who were sitting in there, and say, "Pretty soon, we're gonna force you guys to be healthy..." or something like that, before spinning around and stalking out like she was the Darth Vader of Public Health. That's all the whining I'm gonna do. I guess I can still go out front for a smoke. With the nice weather coming, it will probably be better to get outside during the day anyway. But I'm gonna miss the place, and the freedom it represented.

Op-Ed: Nothing Vindicated

The happiness of the Iraqi people to be rid of a dictator is no measure of the legitimacy of our unilateral action

by John Knapp, '04

In recent days we have all seen the images of joyous liberated Iraqis celebrating their freedom. And already, the Bush administration and Right-wing commentators have seized upon this as vindicating their position. "You see," they say, "the smiles on these poor people's faces? The enthusiasm with which they pull down statues and tear up posters of their former dictator? This shows beyond dispute that we were right, that our actions were just." Hogwash. We must put an end to this terrible retroactive conflation of disciplined and reasoned opposition to unilateral action with the less tenable "no-war-no-matter-what" position.

It is clear that Saddam was not going to disarm — much less relinquish his barbaric control over the Iraqi people — without the use of armed force, or at least the real and credible threat thereof. In this respect war was probably necessary. The question for me always was why the undeniable menace of Saddam Hussein should be dealt with by anyone other than the international community. The administration's botched diplomacy is why he *won't* be, but he certainly *could* have been. Earnest diplomatic efforts could have gotten a Security Council Resolution authorizing Chapter VII force.

Perhaps it would have taken more time (or maybe not if we had started off right), but without compelling proof of an imminent threat, a delay should not have been an issue.

But now, despite all the past talk of WMDs and Al Qaeda connections, it appears that the 'real' *casus belli* (though it never came up before) was humanitarian intervention. "How dare the Left and the French stand in the way of the liberation of the suffering and tortured Iraqis?" Please. We never heard this argument before, and for obvious reasons—why invade Iraq for human rights violations and not, say, Pakistan, Saudi Arabia, Indonesia, North Korea, or China, to start a long list? Of course we want to stop human rights violations anywhere we can, but if we are going to start doing so by unilateral force, well maybe reestablishing the draft is a good idea after all.

So whatever we do, we cannot let the Right cast the discussion in these terms. The fact is, the liberated Baghdadis would be chanting "UN! UN!" or "France! France!" if that is who liberated them. The happiness of the Iraqi people to be rid of a dictator is no measure of the legitimacy of our unilateral action, and no vindication of this administration's inept diplomacy and arrogant bellicosity.

Finally, if you are one of the no-war-no-matter-what people, I'm sorry, but it is a self-contradictory position. Isn't systematic torture and rape 'war'? Why not protest it too? War is needed sometimes to stop other wars. But history shows that states acting alone are no good at deciding when that is. That is what the UN is for. Or at least it was.

Op-Ed: Re-Thinking our Perspectives

Imagine living in a world where you have no hope, no dreams, and you are robbed of any dignity.

by Sinan Khatib, '03

If we are to be fruitful in our discussions then we all must be sincere. I remind myself of this first and foremost, as there is nothing easier than being wrapped up in the dogma one may have been raised in, or to be blinded by nationalism or to get carried away with youthful enthusiasm for a particular ideology. What is far more difficult is to disarm one's hostility and really decide to address the difficult issues from a clear perspective and with a creative wisdom of sorts.

If history has proven anything, it is that blaming the other side and attacking what is different than us frequently leads to more lives lost, more anger, and more frustration. What I would suggest to all those that are genuinely interested in discussing the issues of Palestine, Israel, and Iraq is to set aside any personal agenda and look at the facts with some objectivity. Several of the articles posted in the previous editions of the school's newspaper are riddled with selective accounts of history and narrations that lack any context of the situations they address. If our goal is to be good lawyers who zealously and blindly advocate for one side, then I applaud the authors for doing a phenomenal job. But if our pursuit is really of a philo-

sophical sort, one that reflects a genuine interest in truth, then I cannot say we have even made a superficial attempt to discover the reality.

I appreciate Mr. Mark's rendition of how he sees the Palestinian/Israeli conflict. I also appreciate Mr. Wiener's intense concern for the well being of Iraqi citizens. But I suggest to both gentlemen the question of sincerity. I must admit that I, as I would imagine the two of them, despise Saddam Hussein and the leaders of the Palestinian people. I would be the first one to suggest that members of these dictatorial regimes ought to be tarred and feathered and then publicly hung. But could anyone really tell me that the Arab people are less interested than any other people in living safely in the comfort of their homes? Do you think they are a people any less hopeful and eager to make an honest living and have a pleasant community? Can you tell me that the history of the United States is not saturated with imperialistic and dominating tendencies? Can you tell me that the history of American foreign policy has been one of honest pursuit for what is in the best interest of the American people and the international community? I have not forgotten the arrogance and disorganization of the Arab leaders; I suggest we not so conveniently forget the blood and deception at the hands of the Israeli and American leaderships.

I am not a big fan of making excuses or justifying harsh realities, but I would like to pose a thought. When I look to the Arab people I hesitate to so easily judge them on the basis of their actions, as I think they are subject to undue influence and a mild form of temporary insanity. I

doubt many members of our law school have ventured across the Middle East but I would ask you to imagine living in a world where everyone walks around with a muzzle on their mouths. Imagine living in a world where you have no hope, no dreams, and you are robbed of any dignity. Imagine a world where you wake up and one day you may be jailed and one day you may not, one day your brother may be killed if he speaks or he may not. This is not a world of New Jersey beach homes and BMWs. This is a world of anguish, a world where a man's soul is held down with a deep and painful anchor. This is a world suffocated by the rule of tyrants, many of whom are funded by the United States (like Egypt and Jordan and, of course, it is interesting to see how the United States selectively chooses to support some of these sick dictators and to obliterate others). Until the Arab people can remove the shackles tied around their freedom, until they have dreams to look forward to as you and I do, I think we have no right to judge them with the lenses of our privileged Armani glasses. I am all for a war that will liberate the Arab people from their corrupt leaders, but not one waged by an insincere party. I am all for the Palestinians reforming themselves, but not for the comfort of an insincere party.

The solution to all this has always escaped me. I wait for the Hegelian cycles of thesis and antithesis to take their course in the hopes that we will recreate the synthesis of a more pleasant history. But in the mean time gentlemen, I ask of myself first, and then of you, never check your sincerity at the door.

Op-Ed: SBA Democracy Needs Support from Deans & Profs

by Robert Vidoni, '03

With the production of a new constitution, the SBA has built a framework for a more representative and democratic student government. Now, a key question is how should deans, professors and other authority figures act to support that system? The answer: authority figures should use their positional leverage to push a new set of cultural norms at BLS. These norms should encourage students and professors alike to display more respect for non-vocational community involvement (student activity that enhances the school community but lacks a direct career payoff). In a more abstract sense, I am referring to the concept of civic virtue. Students must be encouraged to pay attention to and participate in the resolution of student government issues. They will never realize their ability to impact the system unless they first try, or at least watch others do the same.

Why should authority figures take the time to support a system that the students, at least in an ideal world, are fully responsible for? If students are apathetic and don't care about student government, why should deans and professors get involved? The answer: because they have the power to make a difference with a minimal amount of effort and time. Moreover, the long term benefits of a functional SBA are necessary because the student involvement and

attention, justify the effort.

Student participation in SBA deliberations is connected to student morale. Students need to perceive they are empowered for the institutional benefits of the new SBA democratic model to accrue and to raise student morale. Students will feel empowered if they believe that the institution and its representatives care about their concerns and ideas and will act on behalf of students. Ideally, students' ideas and concerns should flow from students to elected SBA delegates to the SBA Executive Board and finally to the administration.

Perceived empowerment includes the belief that the institution cares about you irrespective of your class rank or participation on the journals or Moot Court. Deans and professors, of course, should pay serious attention to the academic elite. Placement of this elite in prestigious NYC firms and clerkships provides the school with a vital method to build its reputation. Attention paid to such individuals by authority figures now benefits BLS in the future.

Synonymous with the concept of an elite is that most people fall outside of the group. Most BLS students are neither asked to join Moot Court or the journals nor are they at the top of their class. These people often graduate feeling like unwanted orphans, an unnecessary result that is destructive to the students and the school. It is necessary because the school has a low time-cost

alternative to convince non-elite students that they really care about them. Disenchanted alumni donate less of their money and time to the school, which hurts rankings prestige and future students.

Rather than inadvertently facilitating this unnecessary result, the school has an opportunity to convince these students that they really care about them. School authorities should use the SBA as a proxy. Students generally associate the SBA as being part of the administration. However, students do not feel like they have access to that system. To create a more democratic and responsive system, the administration should proactively focus student attention on the SBA and simultaneously encourage the SBA to be more sensitive to students' needs. The perception of a more active administration directly linked to the student through the SBA lays the foundation for a cohesive community of shared interests. Elite and non-elite students alike would feel a sense of empowerment from being part of this community.

A necessary precursor to the growth of perceived empowerment is actual empowerment. This is the job of the SBA. As the official student government of BLS, students view the SBA as both an extension of the student body and the school administration. Elected delegates perform the duty of soliciting opinions and complaints about community issues from fellow students.

The Executive Board must communicate with the delegates and act upon the student input they gathered. "Act upon" means serving as an advocate for the student body and relaying their ideas and concerns to the Administrators and other key decision makers.

The cornerstone of actual empowerment is an administration committed to regularly and publicly addressing student body concerns. Depending on the importance of the concern, the administration could address it in person or through letters to the *Brooklyn Law School News*.

Students will only realize they have Irrespective of whether students can impact the system, they will not perceive the reality of as such, unless they first become aware that they can impact the system with their criticism and ideas. This is another area where the deans, professors and other authority figures come into the mix.

The existence of a student government that responds to an individual student's concerns makes student aware of their potential power. That government can most effectively respond when students avail themselves of opportunities to provide input, attend open meetings and write op-eds for the newspaper. Whether directly as an SBA officer or indirectly by attending open SBA meetings, those students who participate will realize their power in the community.

Motivating students to participate will always be

difficult because it takes time, effort, and often lacks a career or material payoff. From the moment new students walk through the door, deans and professors tell them to turn their attention, almost completely, to academics. Academic success and community involvement need not be presented as mutually exclusive. While academics should be the primary focus, deans and professors have the opportunity to promote student participation in non-academic, community oriented activities.

Encouraging more active participation would build a community in which deans professors and students are united. The deans should take the lead role. With their leverage they should motivate professors to pay attention to the student government and maintain awareness of important issues. Both these goals can be accomplished by reading the school newspaper, the *Brooklyn Law School News*, and encouraging impressionable first-year students to do the same. Deans should also remind professors to treat the SBA officers running in-class delegate elections with visible respect. Moreover, professors should pay attention to the candidate speeches.

The time has come for everybody, students, deans, professors and administrators, to pay more attention. The foundation for a strong community already exists, but only together can we build it.

Across the Pond – A View of the Law from a Student Abroad

by Miri Frankel, '04
Foreign Correspondent

Sadly, this is my final column from London. I hope you have enjoyed reading about my experiences as much as I have enjoyed sharing them! The past month has been filled with final exams, excitement, travel and fun. I especially enjoyed having three visitors from BLS (thanks Alyson, Jeffrey and Carolyn!).

Thursday, March 20

Last week, several anti-war protests were held in Hyde Park and Kensington Gardens (Kensington Gardens is the west side of Hyde Park). Hyde Park is the traditional location for protests because the southeast corner is the location of Speakers' Corner – a soapbox that is open for anyone to voice his opinion as long as the message is not meant to incite violence or hatred.

Since Tuesday's vote in Parliament to support the war, the remaining protesters were gathered mainly in front of Parliament. Fierce debate led up to the final vote and a potentially large Labour party revolt against Blair threatened the Prime Minister's ability to continue leading Britain. Ultimately, 134 Labour Members of Parliament (MPs) voted against the war (and several cabinet ministers resigned from their cabinet positions), but Blair retained enough support to continue with the impending war plans. After the vote, even the MPs who opposed war threw their full support behind Blair and publicly stated that the most

important concern is the safety of the troops stationed in Iraq.

Last night, British bombers were deployed from southern England. Today, while my phone was ringing off the hook with concerned friends and relatives worried about my being abroad when the war started, the environment in London remains relatively unchanged. If you weren't in front of a TV, you would hardly know that Britain and the US had begun fighting in Iraq. In fact, the weather this week, and especially today, is warmer than usual (mid-60s) and most Londoners are outside on the streets and in the parks enjoying the city in spring. In Kensington Gardens, last week's protesters are replaced by people enjoying the sun by lounging by the lake or by playing football (soccer) on the lawn.

Even the Queen took advantage of today's sun. On my way into Kensington Gardens, I watched the Queen's helicopter fly into the private garden of Kensington Palace, 100 feet away from where I was standing. Police lined the fence separating the palace grounds from the public garden and several Town Cars drove out from the palace to the garden to transport the entourage to the Palace.

Thursday, March 27 – Meeting at Parliament

The second half of the Pace London Law Program (PLLP) is a 2-credit internship with a barrister, solicitor or MP. Most PLLP students are interning "in chambers" with barristers (barristers belong to chambers – essentially small firms of barristers specializing in particular

areas of law). I am interning with Labour MP Paul Boateng, a barrister by training who now holds the MP seat from Brent South, the most diverse area of London (another PLLP student is interning in the office of Ian Duncan Smith, leader of the Conservative party). Having won more than 70% of the vote in the last election, Boateng's seat is considered the safest in the House of Commons. He is also the Chief Secretary of the Treasury and the first black MP to be appointed to the Cabinet.

Today I have a meeting at Parliament to meet Boateng's staff. Most of their time and resources this month are spent responding to constituents' questions and comments about the war, as well as discussing war plans and finances with other MPs and the rest of the Cabinet. The annual budget is generally announced in early April, but this year it will be delayed because of the focus on war. In fact, my meeting falls during the weekly Treasury questions – an opportunity for all MPs to pose questions to the Treasury Department. Generally, Gordon Brown addresses the questions, but other top Treasury personnel, including Boateng, are present for follow-ups and support.

The Treasury dates back to the Norman Conquest in 1066, and the term Exchequer is a reference to the chequered table used from 1110 to calculate expenditure and receipts. Money received by the Treasury was counted on the chequerboard and recorded by using tallies, sticks on which notches were made of different sizes according to the amount of



Alyson Mathews, '04, and Miri Frankel, '04, atop the Wye River
Photo, BLS Staff

money involved. The stick was then cut in 2 and one half given to the Sheriff who had collected the money on behalf of the Crown as a receipt for the money.

Tallies remained in use until 1834 when a fire destroyed the Palace of Westminster. By 1667, the Crown's debt was so high that King Charles II reorganized the Treasury and created a system that is still in use today. He appointed George Downing, as Commissioner of a new treasury commission (he also built Downing Street, the traditional address of the Prime Minister), and began the principle that all expenditure, even after Parliament approval, must be approved officially by

Parliament.

The End of the Semester

What I hope to have portrayed to Brooklyn Law School News readers is the great advantage study abroad provides to students interested in international law. It is one thing to study governmental, political and cultural differences from a textbook and quite another to live among people from different cultures, to read foreign newspapers, and to gain a firsthand perspective of various legal systems.

If you have any questions or comments, e-mail me at AMMTS@aol.com.

Spring Law Review

by Alyson Mathews, '04

As warm weather continues to tease us with its brief presence and with the end of the semester right around the corner, many of us may dream of warmer weather or make plans for a vacation to a more summery state. California may be one of the few states where one can bask in the sun and take a relaxing vacation. Before you hop on cheaptickets.com and search for the best price on airline tickets, check out these laws that govern Californians and the people who visit the state.

Warm weather goes hand-in-hand with several things, including many outdoor activities. If you chose to participate in an outdoor activity, please be aware that in Chico, CA you may not bowl on the sidewalk. Perhaps bowling is not your game. Maybe you need something a little more intense, but not too intense. Miniature golf may be just the game for you. Try not to take it too seriously in Long Beach, CA where it is illegal to curse on a miniature golf course. Adding one more stroke to your score with your teeny tiny pencil really is not worth breaking the law.

If sports are not for you, but you still enjoy being outdoors when the weather warms up, keep one thing in mind. Warm weather does inspire one to wear less clothing. However, keeping essential, especially in

Hermosa, CA where it is illegal to show your buttocks on a playground. Some things, including body parts, are just not for kids.

Warm weather means more than just playing outside; it also means just doing more things outdoors. Be careful in your choice of activities. In Chico, CA, it is illegal to plant a garden on any public street. In other words, if you find yourself without a square plot of land to spare, don't use your green thumb on public property.

Perhaps you just want to use the extra hours of sunlight to do some chores...that may even include washing your car. Be careful about how you dry your vehicle in San Francisco where it is illegal to dry one's car with used underwear.

Although the warm weather encourages many people to venture out of doors, some times the heat can be too much to bear. To enjoy the warm weather, many of us just chose to open our windows and let in the fresh air. If you happen to have a window in your bathroom, be sure to close it at certain times in Dana Point, CA. It is illegal there to use your bathroom while the window is open.

With the promise of warm weather and a break from classes, summer brings many things. Enjoy your summer, but always remember that the law seems to find a place in almost every activity.

BAR EXAM EXCELLENCE

High Pass Rates and
Reasonable Fees



JEAN OSNOS, ESQ.

201-659-4941

PASSINGTHEBAR@AOL.COM

SUPPLEMENT YOUR PRIMARY
BAR REVIEW COURSE
**WITH A PERSONAL EXAM
COACH AND A TRAINER**
FOR THE GUIDANCE AND STUDY
TECHNIQUES YOU NEED TO SUCCEED

Are You Prepared for Democracy? A Look at SBA Speech Night



A member of the audience at SBA Speech Night asks a question.
Photo, Robert Vidoni

SPEECH NIGHT
continued from p. 3

The debate is the beginning of a new more democratic, more friendly to student-input SBA. This will help create an SBA that is more effective at addressing the needs of the students and representing the student's ideas as well as problems to the dean."

Light Attendance.
Despite SBA efforts to

attract students to the event, attendance was lackluster, 35 to 40 people at most. In the week before the speeches, the SBA made several attempts to advertise the event. Delegates and other SBA officers made class announcements, used chalkboard advertising, posted flyers and sent out BLS-announce e-mails. The SBA did acknowledge that holding the speeches during the day, with some pizza, would have boosted attendance, at least temporarily. However, we had hoped, somewhat naively, that non-material inducements, such as the opportunity to have one's opinion heard by SBA decision-makers with budget allocation authority, would have sufficed to draw a crowd.

Fifteen minutes into the event, the size of the crowd was less than encouraging. At that point, most people in the room, totaling no more than 15, were either candidates or outgoing

SBA Executive Board members. Worried outgoing Executive Board members implored people to stick around, hoping audience reinforcements would be en route from another event. In no time, the second wave of arrivals, some of them constructively belligerent and carrying glasses of wine, built the audience numbers up to an unimpressive 35, maybe 40, people. What they lacked in numbers, the new audience members made up in verve and zeal. It was no coincidence that many of the most vocal audience members were involved in exemplary activist student organizations, like the ACLU, the American Constitution Society (ACS) and BLSPI. One can only hope these groups will spread their civic virtue infused norms throughout the school like a raging virus.

John Knapp, incoming Editor-in-Chief of the Brooklyn International Law Journal and Former President and founder of the American Constitution Society (ACS), commented after the event, "I think the speeches and debates were extremely useful, and could have been more so if better attended. It is unfortunate that the SBA is sometimes criticized for its lack of communication with the student body, but it is the student body that tends not to make the effort." After being asked whether it was a good idea to institutionalize the speeches for next year and the future, Jesse Strauss commented in a similar vein "No doubt, I [also] hope that students institutionalize their attendance."

As to the actual speeches, the candidates gave well-prepared, planned remarks. However, more impressive was their performance responding to a steady stream of difficult, trap-laden questions from skeptical audience members. Some particularly aggressive ones peppered the candidates with rapid-fire questions throughout the night. No one will soon forget the ACLU inspired "chalkboard advertising litmus test," which some candidates tried to evade to no avail. (see *Chalkboard Appeal*).

Low Attendance Indicative of A Cultural Problem?

The disturbingly low attendance at speech night appears to be a manifestation of a chronic institutional-level cultural problem. Whether or not they are justified, BLS students love to complain about every aspect of their experience here: the food, the Deans, the Career Center and student government. Yet, they consistently appear unwilling to exert even the smallest effort to solve, or to even learn about, the alleged problems.

For example, during my three years here, all of which I was involved in the SBA, I have been approached repeatedly by legions of student complaining about this or that alleged problem. Usually these students seemed genuinely angry at, or at least let down, by the school. After listening to the complaint, my standard response was to provide an e-mail address and ask the complainer to put the issue into a writing and send it to the SBA to be dealt with during an E-Board meeting. Usually these angry and victimized students failed to follow through, even with a few sentences.

One wonders which problem comes first: allegedly unresponsive SBA officers and school administrators or a student body so apathetic that it cannot even take the time, when given the opportunity, to actually make demands of the people it

constantly complains about. Since we have abolished the semester-long legal process course, the Deans should think about instituting a mandatory course in social psychology focusing on "learned helplessness," and "group level self-fulfilling prophecies."

Conclusion.

Irrespective of the low attendance, it was great that those who did show up asked substantive questions and were rewarded with equally substantive answers from the candidates. Though, at no time did any professors or deans show up. This fact might be explained by the SBA's failure to specifically target these groups with event advertisements.

Hopefully next year, more community-wide interest in SBA issues combined with better planning, will result in elevated attendance. Though, the real test will come next year, when the SBA, pursuant to a new constitution, will begin holding open meetings on a monthly basis in addition to posting minutes from Executive Board and delegate meetings. As to the new, though yet to be ratified, constitution, the outgoing Executive Board, working closely with elected delegates on the Constitution Committee, spent many hours arguing over and drafting the document. It codifies radical changes in the way the SBA conducts business and makes decisions. In sum, the new constitution places more responsibility on elected delegates to make and implement decisions from budget allocation to committee appointments.

My hope is that some day, a majority of students at this school will come to believe that if they show up to a student government meeting and make their voices heard, they can influence the deliberations in a tangible and constructive way.

The results of more student participation in SBA affairs could be far reaching and powerful. Specifically, if students start participating and if they perceive that the SBA and school officials are listening, it could foster a sense of empowerment that would surely impact morale. Eventually, these positive morale effects would stimulate alumni donation flows. Thus, for the sake of long term institutional advancement the Deans should take note. Student apathy goes hand-in-hand with lack of commitment to one's peers and eventually to one's alma mater. They should pay more attention to crafting cultural norms that put a premium on civic virtue and extracurricular community involvement. This is in contrast to the prevailing ethos of maximizing grades and getting out of Brooklyn. Too many students have internalized a harmful false dichotomy between academic success and non-vocational community involvement (i.e. non-journal, non-Moot Court activities).

In the end, the first Speech and Debate Night will be remembered as a noble attempt to foster a culture of democracy in a population some think is largely unprepared or unwilling to take part in such a system. Hopefully, with a new year and a new constitution the situation will improve. While, I am supremely confident the new SBA leaders Joe Anci and Heather Baker will continue pushing the SBA towards democracy, I sincerely hope the students are up to the challenge of their new found responsibility.

Good Writing Gets Good Grades

Let a seasoned editor and writer make certain that your essay, term paper, college entrance essay or thesis has perfect grammar, sentence structure, spelling and organization. Put it in the hands of one who has:

- > Worked 30 years as a writer and editor on McGraw-Hill publications.
- > Sold free lance articles to Avenue, Sports Illustrated, Smithsonian, Reader's Digest, Popular Science, Architectural Record, National Enquirer, American Legion, Family Circle, Parents and other magazines.
- > B.A. in journalism and B.S. in engineering.

Rates are by the hour. I'm fast and honest.

Go to jfwilk@aol.com

Published by BrooklynWorks, 2003

BLS News Updates

BLS TIES FOR 59TH PLACE IN U.S. NEWS RANKINGS

U.S. News and World Report just published its 2004 law school rankings and Brooklyn Law School tied with four other schools for 59th place in the 177 school survey. This year, the magazine numerically ranked second tier schools, the first time this was done for schools beyond the first tier—the tier encompassing schools ranked in the top 50. Usually, schools in the second, third, and fourth tiers are listed alphabetically.

Though many school administrators will be the first to say that the rankings do not accurately convey a school's value or effectiveness (yes, the very same administrators whose numbers obsessed schools primarily accept students based on their numerical qualifications like undergraduate GPA and LSAT scores, and then once they accept them, rank them according to their law school GPAs), few can deny the rankings' influence on a school's prestige or their attractiveness to prospective students and employers.

The rankings are based on a weighted average consisting of a number of categories, including: reputation, median LSAT and GPA scores, placement success, faculty resources, overall rank, and specialty rankings. With an overall score of 51 (out of a possible 100), Brooklyn Law School fell short of the first tier by 5 points. Yale University placed first with a score of 100. Other New York schools that

ranked within the top 100 include: Columbia (rank: 4th, score: 90), NYU (5th, 88), Cornell (tied 10th, 81), Fordham (tied 31st, 63), Cardozo (tied 57th, 53), St. John's (tied 69th, 49), Buffalo (tied 86th, 46), and Syracuse (tied 97th, 43).

BLS INSTALLING CARBON MONOXIDE DETECTORS IN DORMS

Brooklyn Law School has begun the process of installing carbon monoxide detectors in their dorms more than five months after high carbon monoxide levels forced students to evacuate 148 Clinton Street [See December 2002 issue of *BLS News*].

Tom Parker, BLS' director of the Office of Student Affairs, had spoken to George Alway, BLS operation's manager and, as of April 14, was told that work had been completed on 148 and 150 Clinton Street, 20 Atkins Street, 18 Sidney Place, and 184 Joralemon Street.

"They're currently working on 38 Monroe. The remaining buildings (27 Monroe, 100 Pierrepont, 2 Pierrepont, and 144 Wall) will be completed within the next few weeks," said Parker.

The work appears to be proceeding very quickly. Only days earlier, Bill Stropkay, Brooklyn Law School's facilities manager, confirmed that 148 and 150 had been completed and that electricians were working on 184 Joralemon Street, but they still had to wire 18 Sidney Place's basement.

— Ian J. Gaynor, '03

The Justinian, Vol. 2003 [2003], Iss. 3, Art. 1

ACLU Launches Chalkboard Appeal

On March 24, at an SBA appeals hearing the BLS ACLU led a coalition of student organizations against an SBA chalk board advertising ban. On February 5, at a meeting with all student organizations, Robert Vidoni, then SBA President, announced the prohibition. The executive board was concerned about problems such as advertising might cause in affected classrooms. Almost immediately, the ACLU announced it would appeal the decision and initiated a vocal campaign against the ban. The ACLU crusade would eventually culminate in a successful appeals hearing before the SBA executive board. After

getting notice of the appeal, the SBA refrained from enforcing the ban pending the outcome of the appeals process.

The ACLU's multi-pronged strategy involved requesting a formal appeals hearing, personal lobbying of executive board members, and most importantly the mobilization of a vocal coalition of organizations opposed to the prohibition.

On the day of the appeal, the SBA executive board and coalition members engaged in dialogue as to the rationale and likely effects of the ban. One week later, after reconsidering the arguments, along with some

new information from the administration, the SBA decided to table the advertising ban.

While some might argue that the time spent on the chalkboard appeal would be better spent on more pressing matters, the importance of the appeal was the process. The appeal illustrated a more open and democratic SBA. It also showed exemplary student leaders taking their civic responsibility to advocate for their groups. The chalkboard appeal saga may be over for the time being, but the benefits will be apparent when groups use the ACLU's model for appeals in the future.



Members of the ACLU present their appeal to the Student Bar Association. Photo, Robert Vidoni

Letter From the Editors

This is the final issue of the year, as well as the final issue of our tenure as Editors-In-Chief. We have enjoyed bringing you the *Brooklyn Law School News* since its inception in March of 2002. Although we are saddened to be leaving, we know the paper is in good hands.

We believe that a free and critical media is necessary for promoting good student governance. It is crucial that the *BLS News* continue to encourage the SBA to be fully accountable and responsive to the students. As the paper grows in staff and as its advertising revenue increases, we are confident that the paper will be an independent organization as soon as next year.

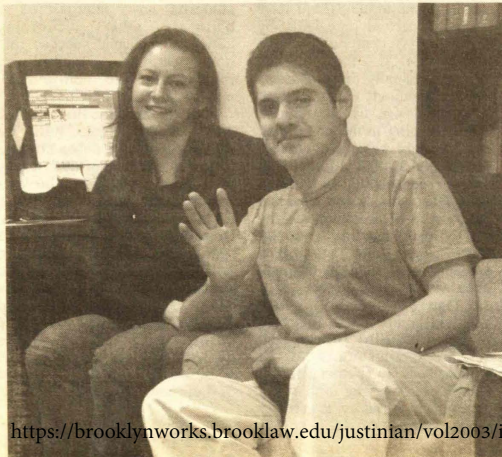
We are so proud of our staff of writers, editors and layout designers and applaud the work they have done this year to make the *BLS News* a successful publication. We want to give special thanks to Greg Brown who's vital

role in the paper has far exceeded his position as Layout and Production editor. The serious time commitment Greg contributed the paper is greatly appreciated; especially considering his status as a first-year student.

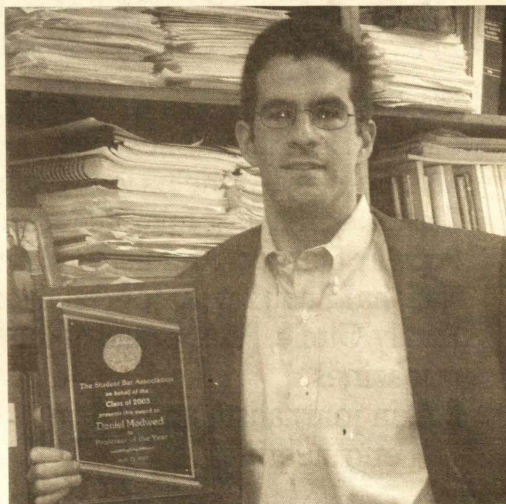
In addition, we want to thank Ian Gaynor, our aggressive investigative reporter and faithful content contributor. We sincerely hope future students follow his lead in chasing down deans, administrators and SBA officers for hardball interviews.

In order to ensure that the *BLS News* continues to be published in the coming years, students must continue to contribute their ideas, criticisms, and newsworthy stories.

Thank you to the students and the entire Brooklyn Law School community for your support and enthusiasm. Good luck with exams and congratulations to the class of 2003!



The Student Bar Association and the class of 2003 Congratulate Professor Daniel Medwed as Professor of the year



This award, presented at the 2003 SBA Transition dinner on the night of April 21, 2003, recognizes professor Medwed for his outstanding dedication to the school community and especially to the academic and personal well-being of its students.

Law and Television: A Two For One - Review & Wrap-Up

et al.: The Justinian

by Sally Woo, '02

In this last issue of the year, this edition of the column has two parts: Part 1 is the television review of the month and Part 2 is the academic year wrap-up.

Part 1: Legal Topicality on TV - Check out "JAG," Tuesday, 8 p.m., CBS.

In each branch of the United States military, military lawyers (called JAG's, for being judge advocates of the Judge Advocate General) advise officers of the legality of strategies, develop rules of engagement, investigate allegations, ensure compliance with wartime standards, as well as negotiate and litigate. With the current war in Iraq, it is intriguing to notice where our profession fits in these times. Thus, consider network television's fictional offering.

For more than seven seasons, "JAG" has explored the caseload of the protagonist, Commander Harmon "Harm" Rabb (played by David James Elliott), an ex-hot shot naval pilot grounded from flying due to his night vision problems. The "JAG" producers kept trying to pair him with a strong female character; the one with longevity is the current one, Colonel Sarah ("Mac") MacKenzie (played by Catherine Bell), a Marine JAG. Mac and Harm have a certain chemistry, and have spent years on the will-they/won't-they question. The supporting cast includes Admiral A.J. Chegwidden, their commanding officer, and Lieutenant Bud Roberts, a subordinate/junior

lawyer.

"JAG" has portrayed its versions, with gusto, of the military's heroes, sexual harassers, and various scandals, of whom and in which Harm, Mac, and the crew investigated and prosecuted or defended. Since September 11, 2001, "JAG" has become even more timely with themes of terrorism and national security. For example, Harm, Mac, and Bud went to Afghanistan early this season. In a recent episode I sampled, a civilian widow accused a sailor, who was a survivor of the World Trade Center, of evading her questions of what happened to her husband, who did not survive.

Since the series' premiere and continuing to date, I often doubted about how "JAG" balanced its naval and legal aspects. It often emphasized the action hero conduct, but how often do real military lawyers have that? When it had its legal moments, it seemed as if Harm (or any of the others) would be too zealous about a client (ex., defending a rogue officer who meant well; yeah, really). Yes, they're lawyers doing their jobs, but they tend to be too smug, which is either a fault of the writers or the actors. I could never tell which.

"JAG" aims to entertain, not to win Emmies, even if it tries to imitate the flavor of the fine film, "A Few Good Men." It fortunately doesn't take itself too seriously, unlike its commercials and its previews. The actors maintain a campy ambience, as if they know they're being a bit over the top with the courtroom

or military aggression. "JAG" also parodies our real world, more often than not: our CNN is ZNN in "JAG" world; actor Dean Stockwell plays a Donald Rumsfeld-esque Secretary of Defense (glasses and blunt talk included). "JAG" can be very patriotic, but heavy-handed about its characters' righteousness. But, I liked the characters' chemistry while at work. Putting aside the annoying dramatic device of matchmaking, Harm and Mac work well together. Their JAG even has its own petty office politics, such as the interesting way Chegwidden recently outplayed the disgruntled Commander Lindsay (imagine similar activity in a private law firm, where there's partner vs. partner for power; when lawyers attack each other... watch out). So, if you seek topicality in your dramas and like to see a little uniform in the courtroom, "JAG" is all right for viewing.

Part 2: The Academic Year in Review

The 2002-2003 television season has been a mixed bag for portraying law and law-related stuff. ABC's "Push" had too much kookiness in the IRS and got cancelled. "Girls Club" on FOX didn't have a chance - not that it deserved it, considering its annoying and unappealing first episode.

Courtroom drama did not do well, continuing a trend from previous years, when Supreme Court dramas were canned. I had thought "Queens Supreme" looked promising, but it had poor ratings and CBS couldn't keep it. "Judging Amy" persists though,

so at least one judge-led show continues.

Rob Lowe left his role on "West Wing," and so went his alter ego, Sam Seaborn, a charismatic lawyer-turned-chief speech writer. Sam exited to be a congressman. Next season, Lowe may have a new show on NBC, "Lyon's Den," as a congressman too (but not as Congressman Sam Seaborn; go figure). So long, Sam.

Say bye to Buffy, as "Buffy the Vampire Slayer" faces its series finale (for real this time, they swear). From its inception on the WB to its end on UPN, the show took us through great adventures, as Buffy and her Scooby gang defeated injustice in the supernatural realm. Buffy may not be a traditional law enforcer, but she appeals to what's good to defeat evil. The series will be missed for its emotional power and gripping storylines.

Cops still do well on television, as seen in the nice efforts of NBC's "Booztown," ABC's "Dragnet," and CBS' "CSI Miami" and "Without a Trace." CBS' original "CSI" is still strong, as is NBC's "Law and Order" franchise.

The fates of NBC's "Ed" and "Mr. Sterling" are unclear as of the date of this writing. Stay tuned for the outcomes.

As a fun activity that's related to law school, try issue-spotting when watching reality shows. In "American Idol," there was the man in his 50's filing an age discrimination claim against the series' producers and FOX because their requirement, that contestants be between the ages

of 16 to 24, denied him the opportunity to compete for his dream to be the next "American Idol." While the plaintiff may have stated a claim, it remains to be seen if his case is strong. By becoming the subject of litigation, no doubt "American Idol" has gripped our imaginations. Oh, and don't forget those criminal law matters (contestant Treynice gets to stay on because she had disclosed her juvenile crime past; Frenchie and Corey got booted because they didn't disclose their respective crimes soon enough; the moral: please disclose, folks - didn't Enron teach us anything?!).

Final Thoughts

Congratulations and best of luck to the Class of 2003. I look forward to welcoming you as colleagues in the profession. To the returning students: good luck with final exams and have a great and productive summer. In the end, enjoy non-war programming, so that you can avoid becoming overwhelmed by the war coverage, which has nonetheless been informative, interesting, and unavoidable. When possible, have pleasant viewing.

William C. Smith, *Lawyers at War*, ABA Journal, February 2003, at 14. "JAG" is the rare show that jumped from one major network (NBC) in its first season to another (CBS). I think Mac's a better lawyer than Harm, because she is actually seen writing and reading, and even Bud looked like he was performing legal research more often than Harm, master litigator.

Bar Review

by Alyson Mathews, '04

With summer vacation quickly approaching and most of us either still searching for a job or making pennies, it's nice to find a bar that won't break your bank account, especially when it's running on empty. Off the Wagon is one place you should definitely try.

Off the Wagon seems like your typical college bar. With two floors, great happy hour prices, a kickin' selection of music, and a low-key atmosphere, Off the Wagon aims to please. Located on MacDougal Street right off of West 4th, Off the Wagon is the perfect bar to enjoy an excellent Happy Hour. Most of the people that frequent this establishment are around ages 21-35 and are just looking for a laid back, fun evening. There's absolutely no pressure at this bar to conform to some snooty, New York professional persona, but those who fit that image enjoy themselves nonetheless. Everyone fits in from the guy in the suit just coming from a rough day on Wall Street to the guy just coming from his job at a funky store in the Village.

The best things at Off the Wagon are the excellent Happy Hour prices and the music. If you happen to make Happy Hours, expect to pay around \$1 for beers and \$2-\$3 for mixed drinks. As you find that you are saving money by choosing Off the Wagon over some more expensive bar, sit back and enjoy the music which will take you back to your high school or college days.

When it comes to summertime Happy Hour locations, Off the Wagon should be at the top of your list. It never fails to be a hot spot for an extremely fun crowd who enjoy having a good time. What more could you want during your summer vacation!

2003 BLS Moot Court Competition Results

Moot Court Competitions

Competition	Date	Location	Awards
Privacy Law	October 17-19	John Marshall School of Law	
Criminal Procedure	October 24-26	University of San Diego Law School	
Entertainment Law	November 7-9	Pepperdine Law School	
Health Law	November 8-9	Southern Illinois University School of Law	Best Oralist: Peter Herold
National Team	November 20-21	Ass'n of the Bar of the City of New York	Second Place (Regional)
Constitutional Law	February 6-9	University of North Carolina School of Law	First Place
Tax Law	February 20-22	University of Buffalo Law School	First Place, Second Best Brief
Sports Law	February 26-28	Tulane Law School	Octo-Finalists
Civil Rights	February 26-March 1	University of Minnesota School of Law	Third Place
First Amendment	February 26-28	Vanderbilt University School of Law	Semi-Finalists
Family Law	February 27-March 1	Albany Law School	First Place
International Law	February 28-March 2	Fletcher School of Law and Diplomacy	Semi-Finalists
Securities Law	March 6-10	Fordham School of Law	Second Place
Labor Law	March 6-9	New York Law School	Octo-Finalists
Corporations	March 27-30	Widener University School of Law	First Place
Bankruptcy	March 29-31	St. John's University School of Law	
Products Liability	April 3-5	University of Cincinnati, College of Law	

Trial Advocacy

Northeast Regional Criminal Justice Trial Advocacy Competition	October 19-20	Quinnipiac University School of Law	Semi-Finalists
National Trial Advocacy Competition	November 7-9	Michigan State University at Detroit College	Best Summation: Margaret Powers
National White Collar Crime Mock Trial Invitational	November 14-16	Georgetown University Law Center Barristers' Council	Best Advocate: Steve Maffei
National Trial Competition Texas Young Lawyers Association	February 6-9	Albany, New York	Semi-Finalists (Team A) & Preliminary Round Best Oralist: Jennifer Plotkin
National Trial Competition Texas Young Lawyers Association	February 6-9	New York, NY	
American Trial Lawyers Association Competition	February 28	New York, NY	

Summer 2002 Bar Exam Pass Rate (First-Time Takers)

Brooklyn
Overall Pass Rate: **80%**

Brooklyn Students
Supplementing With PMBR:
(233 of 252 Passed) **92%**

*Increase Your MBE Score...
Increase Your Odds Of Passing!*



pmb
MULTISTATE SPECIALIST

A Membership benefit of the



*We Simply Have
The Best Multistate Questions!*

NATIONWIDE TOLL FREE: (800) 523-0777 • www.pmbr.com