

The Justinian

Volume 2005
Issue 1 *March*

Article 1

2005

The Justinian

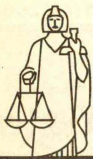
Follow this and additional works at: <https://brooklynworks.brooklaw.edu/justinian>

Recommended Citation

(2005) "The Justinian," *The Justinian*: Vol. 2005 : Iss. 1 , Article 1.

Available at: <https://brooklynworks.brooklaw.edu/justinian/vol2005/iss1/1>

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.



Elderlaw Clinic

By David Shargel, '05

After almost three decades of providing free legal assistance to elderly New Yorkers, the law school administration has decided to close the elderlaw clinic. The decision, which will see the clinic shut its doors in June, is viewed by the administration as mostly financial, while those involved with the clinic see the closure as an attempt by Brooklyn Law School to deemphasize public service.

The clinic, formally known as BLS Legal Services Corp. Senior Citizens Law Office, is unique in its financial composition because it receives two thirds of its funding from the New York City Department for the Aging. The remaining third is paid for by Brooklyn Law School, which contracts through a competitive bidding process every six years to operate the program.

"The cost of the program keeps increasing, and we're getting nothing from the city," said Stacy Caplow, professor of law and director of the law school's clinical education programs. "Faced with another six years of the same, we made a fiscal decision that we regret." Specifically, Professor Caplow said that the Department for the Aging has not increased its share of funding in recent years, while the overhead for the clinic – for which the school is responsible – has been steadily rising. Importantly, Professor Caplow said, the school cannot afford to pay regular salary increases of the clinic's staff attorneys for which the city does not provide.

Olga Perez, the director of the elderlaw clinic since 1997, sees the decision to shutter the clinic differently. "The school is not going in the direction of supporting public interest, and specifically not a program that provides direct legal services to the poor," she said. "A practice in public interest is seen as less valued."

Professor Caplow disagreed. "I think every clinic we have are public interest programs in a sense," she said. "I don't think our commitment to public interest rises and falls on any one program."

Furthermore, Professor Caplow said that the decision to close the elderlaw clinic is not a historical anomaly, and that clinics have been closed and been replaced in the past. "We've had many clinics discontinued," she said. "This isn't that unusual."

Since 1977, the elderlaw clinic has been staffed by full time attorneys, who supervise the work of clinical students who are required to devote two semesters to the program. The clinic's founder was Professor Emeritus Gary Schultze, who still teaches at the law school.

Currently, there are three full-time attorneys, including Ms. Perez, and one

See ELDER LAW
Continued on p. 6

Tsunami Relief Efforts at BLS Were a Success

By Yael Friedman, '08

It is now over a month since an earthquake caused a tsunami that devastated entire regions encircling the Indian Ocean. While the death toll has finally abated, and those most directly affected are being provided for, the region must now begin to deal with the long term effects of this tragedy while continuing to mourn what has befallen it.

Foreign governments have provided a large percentage of the much needed aid, but charities and NGO's, through donations from private citizens (as exemplified by the efforts to raise money in the Brooklyn Law community) have become a fundamental part of the relief effort.

At Brooklyn Law, the South Asian Students Association (SALSA) has spearheaded the relief effort. SALSA has already hosted several fund-raising events that have collected close to \$1,500, which they have in turn given to CARE, an organization devoted to working on issues of sustainability and equity in developing countries, and one of the leading groups, along with Oxfam and Doctors without Borders, working to mitigate the tragic consequences of the tsunami.

Through an event at Bar Below and a samosa sale in January, SALSA has begun in its effort to draw aid and attention toward the devastated regions in South Asia. While no members of SALSA had any immediate family affected by the tsunami, some have had



Sirimal Mukerjee and Siddhya Mishra helped raise money for Tsunami victims.

Photo by Stephen Harris, '07

indirect contact with its consequences.

Sirimal Mukerjee, a 3L at BLS, originally from Sri Lanka, has family from Galle, which was ravaged by the tsunami. Sirimal's cousin, who lives in Colombo, traveled to Galle, an impoverished city of over 90,000 on the southwestern coast of Sri Lanka, to volunteer her help in the immediate aftermath. She reported to Sirimal and his family of the destruction she witnessed in the region, and the literal stench of death due to the heat and hundreds of strewn, decomposing corpses that had yet to be claimed or cleared.

In addition to South Asian diaspora groups such as SALSA, thousands of individuals who have no ties to the region have worked hard for the relief effort as well.

When asked about general relief efforts in reaction to the tsunami, members of SALSA consistently expressed their wonder at the unprecedented outpouring of good will and financial aid by the world community. Indeed, in the UK the government has had to increase

See TSUNAMI
Continued on p. 6

A Better, More Friendly Cafeteria at BLS



More than the water is changing in the BLS Cafeteria.
Photo by Steven Harris, '07

By Reeta Prakash, '06

Since January, students have been quenching their thirst with less Poland Spring and more BLS bottled water. BLS water provides a price break for

students, priced at .75 cents per bottle as opposed to the \$1.20 per bottle of Poland Spring.

Other changes in the cafeteria include the new Douwe Egberts coffee bar, daily demo cooking, pastry bar, soy potato chips, and Boar's Head cold cuts.

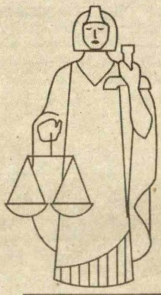
In addition, the cafeteria now accepts credit cards as well as cash.

"Daily sales have gone up 25%," chef manager Matthew Leshar said. "Students have responded positively to the greater variety."

"They're earning the price they charge," 3L student Juan Carlos Restrepo-Rodriguez said. "I generally don't eat there, but I would now." Still, not all students are satisfied with the changes. "The coffee is overpriced. It's more than Starbucks," said 2L student Akane Fujiwara. "So many students drink Red Bull. I don't know why they don't sell it," she added.

The recent changes originated from student feedback, the Student Bar Association, and Dean Wexler. Dean Wexler acquired the idea for BLS water while visiting another law school with its own brand of bottled water. SBA had been working on the idea of revamping the cafeteria for the last two semesters, and the changes were finally implemented over Winter Break.

Should we expect more changes? "BLS is planning to add something new to the cafeteria every semester," Leshar said. A suggestion box has been placed outside the cafeteria... so Red Bull fans should know where to go.



**BLS
NEWS**

Editor - in - Chief

Greg Brown

General Editor

Brian Pleban

Staff Editor

Yael Utt

Story Editor

Viviana Beltrametti Walker

Layout

Aleah Borghard

Contributors

Ben Battles
Aleah Borghard
Greg Brown
Yael Friedman
Stephen Harris
Brian Pleban
David Shargel
Yael Utt

© Copyright 2005

Brooklyn Law School News

visit us online at
<http://blsnews.blssba.org>

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@brooklaw.edu. All articles are subject to editing and approval by the editorial board.

[Professor Profile]

Ten Questions for Joseph Crea Dean Joan G. Wexler

Greg Brown, '05, sat down with Dean Wexler and asked her ten questions about Brooklyn Law School. The following is what she had to say about BLS past, present and future.

What is your greatest accomplishment as Dean?

There are a number of accomplishments of which I'm proud. They include expanding the faculty, improving the quality of the student body, broadening the curriculum, including increasing the number of clinics, and renovating the campus buildings to create a better environment for students.

Where do you see BLS in 5 years?

It is the people that make the institution what it is. I hope to build on the strength of our faculty and students. A larger faculty will enable us to teach more courses and expand our expertise in emerging areas of the law. It will also reduce the size of some of our bigger courses. Of course we will continue to recruit the best students and make sure that we find jobs for them when it comes time for graduation.

BLS is tied for 67 in the U.S. News and World Reports. We used to be tied with Cardozo, who is now tied with other schools for 53. I'm curious if you can offer any insight as to why we are going down in the rankings.

We have a lot of difficulty with the entire approach of the U.S. News and World Reports rankings and in particular the way that it asks its questions. The survey omits questions that are fundamental to judging an institution. For example, wouldn't you be interested, if you were judging a law school, about the quality of the teaching? Or wouldn't you be interested in the quality of faculty scholarship? These two core issues are not addressed in the survey. In addition, we cannot control what Cardozo or any other school says about itself. I think that it is unfair to say that we're falling down in the rankings. On many levels we think we are certainly better than Cardozo, and on many levels even better than we were several years ago. The fact that this may not be reflected in those rankings is unfortunate.

If you could teach any course, which would it be?

Since my main teaching areas before I became dean were Family Law and Trusts and Estates, and I loved teaching both, I would have to say I would choose either one or both of those, rather than picking a course that I haven't taught before.

I conducted an informal survey. Would you be surprised to learn that most of the students surveyed



Dean Wexler offers some advice to the graduating class.
Photo by Greg Brown, '05

approaching you in the elevator about a problem at BLS?

Well the elevator is perhaps not the ideal place to discuss a problem, particularly if it is a private one, but I do hope that they would otherwise be comfortable enough to approach me. I talk to an awful lot of students and one of the joys of being dean is spending time with them.

How about in general though? I think people might be intimidated to come to your office, to knock on your door. But what about in the cafeteria, for example?

Sure, as I said, I always enjoy talking to our students. While I might not always be the best person at the law school to resolve the problem, I can certainly direct them to the right person who hopefully can help them solve their problem.

What do you think are some important things that students get out of law school?

Students learn to think clearly and concisely, and they learn to write. They have to learn how to analyze a problem because most of the problems that you face in law school in your courses are not going to be identical to those that you are going to confront in your job. But law school will teach you how to deal with facts, how to make the facts work for you, how to apply the law that you've learned, and how to figure out what can be a solution to a problem.

Learning to see a problem and ask: "How do I approach this? What do I do? How can I make my answer clear and concise? Easy to understand?" These are fundamental skills that will help students in their careers.

No learning institution is perfect. What area at BLS do you think needs the most improvement - that you would really like to see improved?

I would like to see more of our students obtain the position upon graduation that they legitimately feel they should be able to get. I want to help make sure that the reputation of the law school, and obviously our students, matches the reality of how good our students really are. And that is something that I am always chipping away at. Just this morning I was visiting with a law firm, one of the many that I have been meeting with regularly, and I have been making the case for how good our students are. By showing the recruiting partners the facts, that is, explaining the depth of talent in our class, is one way of helping our students with job placement. I really think that we need to do even better in this area to help our students. Not that they don't get jobs, but I want to help more of them get the jobs that they really want.

Do you have any advice for the graduating class?

Work hard, have fun. Success usually comes from hard work.

See WEXLER
Continued on p. 5

IT'S AN OPEN AND SHUT CASE!

NEW YORK BAR EXAM JULY 2004 PASS RATE

(First time takers)

Brooklyn Law School

83%
(329/397)

barbri
BAR REVIEW

85%

(299/354)

NON-BAR/BRI

70%

(30/43)



CASE CLOSED!

March, 2004

Dear Brooklyn Classmate:

As we approach the end of law school, we thought now would be a good time to take a look at what is in store for us this coming summer. You are probably as anxious as we are about studying for the bar exam. We have taken the liberty of speaking directly to BAR/BRI (we are the head representatives this year) and they addressed our major concerns about the bar. We wanted to pass some of this information along because you probably have many of the same concerns. At our request, BAR/BRI has agreed to email our letter to you.

BAR EXAM:

First of all, the New York Bar Exam itself. The exam consists of two days.

- + The first day is the New York day, comprised of: five essays, 50 multiple choice questions, focusing on New York law and one Multistate Performance Test (MPT) question.
- + The second day is the Multistate Bar Exam (MBE), consisting of 200 multiple choice questions, testing majority principles. All bar candidates across the nation take the MBE on the same day.

START DATE & LOCATIONS:

The BAR/BRI course begins May 19 (if you are taking it LIVE in Manhattan). The video course begins

May 25 at all tape locations (including Brooklyn). All video locations operate on the same schedule so you can switch from location to location on a space available basis. (Note: last summer several locations filled up. Your course location is reserved once you are paid in full.) Last summer, BAR/BRI had more than 49 locations with 74 different sessions including 13 evening sessions and was the only bar review course to have a morning, afternoon and evening session at Brooklyn Law School, thus offering students the greatest flexibility.

BAR COURSE:

The BAR/BRI course meets five days a week, 3½ to 4 hours each day, thereby allowing you to review after class and on the weekends. **BAR/BRI does not have any weekend substantive classes!** Each student is provided with a detailed daily study schedule (Paced Program™). This schedule explains the amount of time to devote after class each day, which essays to write, which to submit for grading and which multiple choice practice questions to do. Also, it will tell you what to study and prepare for the next class. Recent alumni have said that this schedule is a tremendous benefit because the last thing we need to worry about is what to do each day.

During each lecture, we take notes, on our own or from a handout, just like law school and the final review lectures. The BAR/BRI faculty members are bar review specialists from New York and around the country. They are experts in their field, most of them being full time law school professors. Each one of these lecturers reviews past New York Bar Exams to determine, on both the New York day and Multistate day, areas that are regularly tested and ripe for testing.

This summer, BAR/BRI will once again rent out the Javits Center for a practice MBE. Alumni who took the bar last year told us that this was one of the most worthwhile components of their bar studies. Taking a simulated exam with 3,500 people in the same site where we will be taking the real thing is a huge benefit that only the BAR/BRI course provides.

SUBSTANTIVE QUESTIONS:

We also learned that BAR/BRI has a staff of 50 attorneys to answer substantive questions during the course. This substantive Q&A Clinic™ runs on selected days. Attorneys are also available everyday (including weekends) to answer study related questions. In addition to access to attorneys in the office, the BAR/BRI Regional Director gives out his home phone number to students.

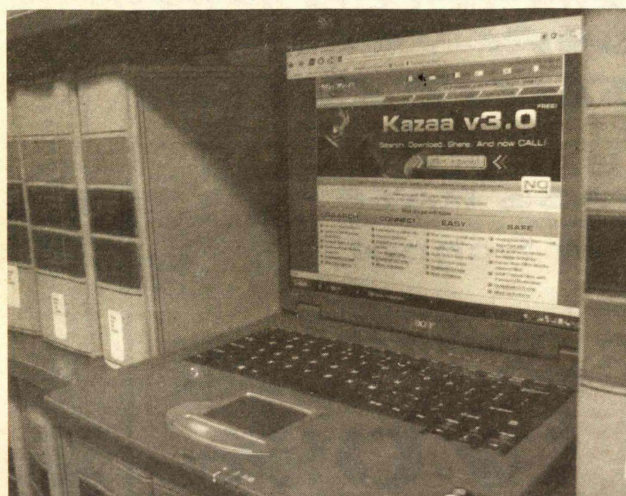
ALL AREAS OF BAR EXAM COVERED:

In addition to all of this, at no extra charge, BAR/BRI provides both essay and multistate workshops. While many of us still might be planning on supplementing our studies with additional workshops, it's nice to know that we don't have to because BAR/BRI offers a comprehensive package. BAR/BRI teaches BOTH the New York Law and multistate law.

We hope that this information is as helpful to you as it was to us. If you should have any further questions, please do not hesitate to contact us. We may not be able to answer all of your questions, but we would be happy to get the answers for you from BAR/BRI.

Sincerely,
Published by Brooklyn Works, 2005

P2P Software: What the Public Wants, the Public Gets



Downloading has been seen everywhere, even in the library
Photo by Stephen Harris, '07

By Aleah Borghard, '07

Through widespread participation, the public has made it clear that downloading software, music, movies, and TV shows is acceptable. The fact that it is illegal is, for the most part, acknowledged but ignored. People will also admit that they think it is wrong or unfair, yet they continue to download. Those who wouldn't dare steal an actual CD from a store have no problem doing it behind the veil their personal computer's screen. Is it only the threat of imprisonment that prevents people from stealing? Can we say that the law helps define our ethical values while still

maintaining that breaking the law is only as bad as the stance the public takes on it?

For the most part, we are downloading because we feel entitled to the music, movie, or software. The act seems victimless because the industry appears financially unaffected.

But we forget that the affected bands are the ones on smaller labels who are unable or refuse to compromise and mainstream their music. They are injured because their support comes from having a true fan base that sustains CD sales.

Major labels are able to maintain revenue through selling music videos, merchandise, and tickets to concerts in

large venues. Even if downloading affects their CD sales, they are not as severely impacted. Despite many studios' refusal to divulge all of their numbers, studies have shown that actual losses are not as damaging as predicted. The method of calculation fails to exclude the portion of the downloading population who would not purchase the item if it were not free, and the numbers also omit overseas sales that are consistently profitable.

But we always forget the smaller labels in order to feel satisfied that the larger labels will get what they deserve, and to guarantee that we get what we deserve.

The musicians who are worthy of support need to be distinguished from those who are sustained without direct assistance from CD sales. We need to find new music from artists who are creating because they want to and love to, and we need to actually purchase their music and album art. We also need to seek out the albums and songs that are no longer available in stores and download them to keep them alive. As for the bands who have compromised their musical integrity – as far as this author is concerned one should download the hell out of them. And I leave it up to you to decide which bands you feel are worthy.

We also need to recognize this as an issue that is independent of the legal system. The courts are just a vessel used by the industry to fight downloading. But only the wealthy studios are able to maintain lawsuits, leaving the small labels unable to prevent the pirating that is ruining their businesses. This past

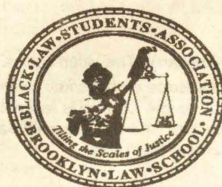
year, the industry got a boost when two San Antonio residents were convicted for piracy and are facing up to five years in prison and \$250,000 in fines. But this is only two out of the more than 7,000 individuals who have been sued. It is a monetary waste of time and the downloading has only increased since.

But the fight is not over. On March 29th the Supreme Court will hear the oral arguments in the case *MGM v. Grokster*. This case provides the music company a chance to convince the court that the peer to peer companies should be held responsible if customers use the software to violate copyrights. But the studios are facing the precedent set in the landmark case of 1984, *Sony v. Universal Studios*, where the Supreme Court determined that Sony was not liable for copyright infringement when its Betamax video tape recorder was used by people engaged in infringing activities.

The content industry has been dying to knock down the decision ever since. It had the chance in the district court and in the Ninth Circuit Court of Appeals, but both were a vast disappointment to the industry. In fact, the court's opinion in the ninth circuit displayed the reluctance to create quick fix solutions to the problem of downloading despite its enormous impact and the inability to punish those who violate the law. The court is well aware that a broad ruling may prevent future technology from being created.

See P2P
Continued on p. 5

BLACK LAW STUDENTS ASSOCIATION BLACK HISTORY MONTH CELEBRATION



Please join us at the following events:

Opening Ceremony

AVOIDING THE PITFALLS: Becoming an Advocate, Ally and Leader in the Workplace Despite the Politics of Race, Religion and Sexual Orientation

February 9, 2005 @6pm
Subotnick Center

Open Mic Night

EXPRESSIONS: The Minds, The Hearts, The Souls of Our People

February 23, 2005 @ 5pm
Student Lounge

Cultural Fair

BLACK AND LATINO GREEK LETTER ORGANIZATIONS: Our Purpose, Our Commitment, Our Tradition

February 28, 2005 @4pm
Cafeteria

Symposium

"DEMOCRATIC IMPRISONMENT: Felony Offenders and Franchise Laws in the United States"

March 1, 2005 @ 6:30pm

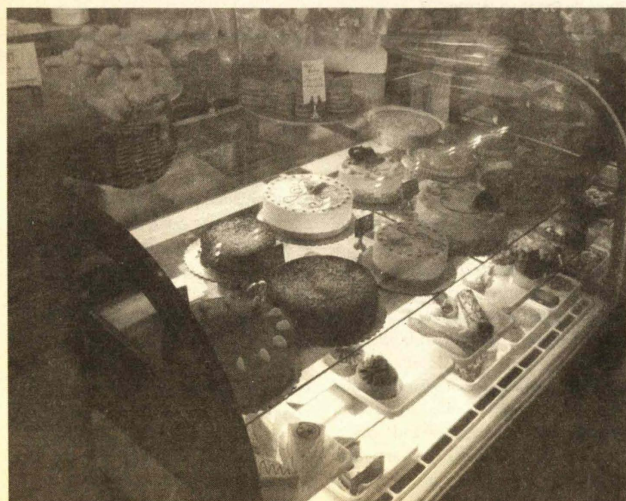
Sweet Rewards: Sampling a Slice of Cobble Hill Patisseries

By Brian Pleban, '05

Long morning walk to school from Cobble Hill? Grab a croissant. Anniversary of that infamous first kiss? Walk down and pick up a little treat for Ms. Right. Roommate's birthday? Get her a little cake to celebrate. Whatever the reason, these three cake and cookie bakeries in Cobble Hill will be sure to satisfy your sweet tooth.

Marquet Patisserie
221 Court Street
(718) 855-1289

Marquet Patisserie, just like its Greenwich Village branch, is a smaller treat shop specializing in French pastries and sweet cookies and cakes. The Marquet has a very French, leisurely atmosphere. Little bistro tables fill the back of the space, while the front is filled with mouthwatering pastries. Their cakes are in the \$20 dollar range, depending on the size, and they also serve soups, salads and quiches for the leisurely diner. To top this all off, they serve an assortment of fresh coffee drinks to go along with fruit tarts, ganache-covered confections, a full array of flaky croissants and breakfast pastries.

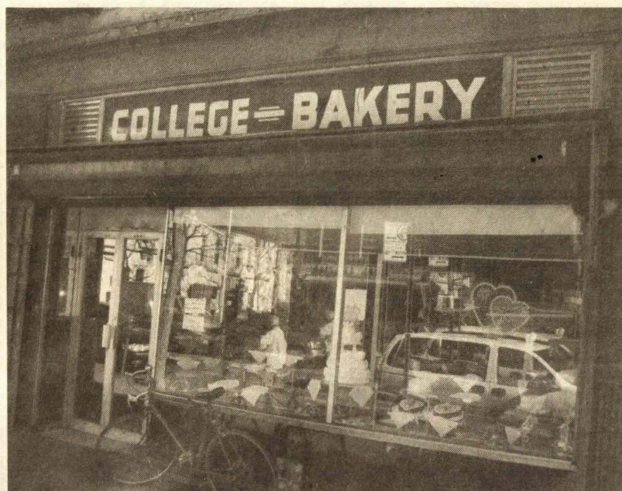


Some sweets offered at the Marquet Patisserie.
Photo by Stephen Harris, '07

Sweet Melissa's Patisserie
276 Court St. at Butler Street
(718) 855-3410

Melissa's really has it all. Besides some killer cakes and mousses, Sweet Melissa's also serves super-fresh and delicious light entrees. Warm up with your choice of a full assortment of coffee drinks and then take a seat in its extremely comfortable and cozy seating area that makes you feel like you're sitting in a Vermont B&B. Great big cookies tempt the eye, along with small

cheesecakes that could be eaten in one delicious bite. Melissa's specialty cakes made from scratch are the real star of the show though - with mouth watering varieties like "Vanilla Cake with Passion Fruit Curd Filling and Passion Butter Cream Frosting" and "Pecan Cake with Orange and Cream Filling and Chocolate Ganache Frosting." Don't forget the full breakfast and lunch/dinner menu though - featuring stews, chicken pot pie, and quiches. On your way out, grab a package of assorted truffles to nibble on during the walk home.

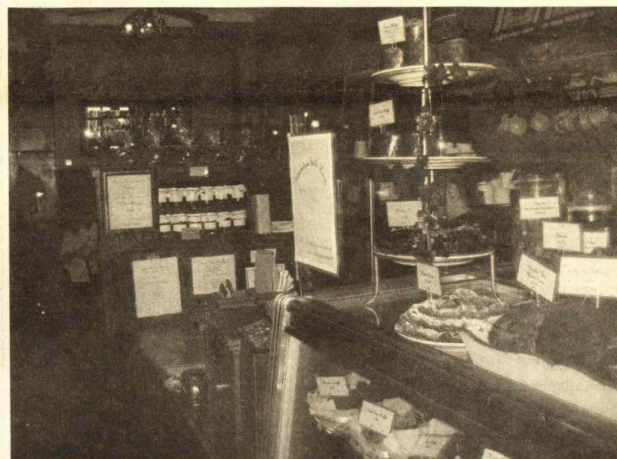


It's tough to walk - or bike - by College Bakery without being tempted inside.
Photo by Stephen Harris, '07

College Bakery
239 Court Street
(718) 624-5534

College Bakery is more of your traditional bakery, in that they also offer more conventional rolls and breads. Don't be fooled though, they still have a ton of sugary treats. If you're looking for a cake that needs to feed more than just a

few, then College Bakery is your place. Think huge cake that you used to stuff our face with during your childhood birthdays - absolute piles of frosty goodness. College Bakery also offers all different kinds of cookies (including the ever-present gingerbread man) as well classic cakes such as the pineapple upside-down cake.



Sweet Melissa's has space where you can enjoy some coffee with your cake.
Photo by Stephen Harris, '07

Peer to Peer File Networks

P2P

Continued from p. 4

For example, most of the songs that ran on the early MP3 players came from illegal music downloads. If technology that thrived because of illegal activity had been banned in the late 1990s, the MP3 player industry would not exist today.

And despite the legal fight in the courts, there is proof that downloading can work to support deserving musicians. In July 2004, the band Wilco streamed the entire album, *A Ghost is Born*, from their website for three months before the album was released. It debuted at number eight, selling 81,000 copies. It proves that people will support what they feel is a legitimate cause.

reaction will be a rise in sales for the first bands who participate, but what happens as more bands provide their music in the hopes of inducing sales? Will public feeling still maintain the strength necessary to sustain the bands, or will it seem like a marketing ploy? It will be up to the consumer to maintain conviction and decide which bands still merit supporting.

The bottom line is downloading should only be done with the strict intention of eventually purchasing the music made by artists we like and never letting the download replace the actual item. I know that it is hard to be ethical when we can be cheap, but our actions cannot be guided by what we think can get away with. We must act with conviction and thought.

10 Questions with Dean Wexler

WEXLER

Continued from p. 2

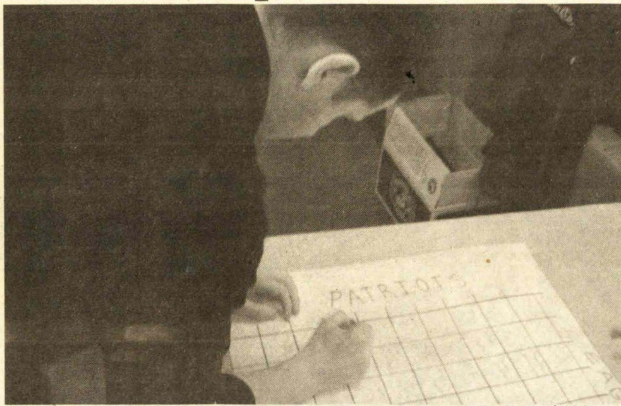
Let serendipity help you. You never know whom you will meet or how one job is going to lead to another job. Have an open mind. You should really learn about the field that interests you. At a recent alumni lunch, I was speaking with a graduate from the class of 2003 about where he was working and how he happened to come upon this position. He told me that he was at a benefit party with his wife, who is also a lawyer, for the Urban Justice Center, and met a guy who was a partner at the law firm where the graduate is now working. They began talking about a number of things and the BLS grad told him what he was doing, and one thing led to another and eventually he

ended up getting a job at this person's law firm. The point is — you never know who you are going to meet. That's what I mean by serendipity.

So you're saying not to be afraid of change?

Your first job out of law school is very unlikely to be your last job. While it could be, it usually is not. Be open to the possibilities out in the workplace. And it bears repeating that there is no substitute for hard work. All good lawyers work hard and I know that our students have the capability to be successful. They have a good education and they put in the hard work they will do well.

Students Help Tsunami Victims



A student takes a square in the SBA's Super Bowl pool which raised over \$400. Photo by Stephen Harris, '07

TSUNAMI

Continued from p. 1

its contributions towards aid to the region to keep pace with donations of private British citizens.

Japan has pledged up to \$500 million in grants to tsunami-affected countries and international organizations - the biggest Asian donor so far, and probably the single greatest pledged contribution by a nation so far.

In the United States, after an initial donation of \$35 million, the declaration of which made many critics wince, the government has pledged further aid (a more respectable \$350 million). However, private groups and individuals have added over \$163 million to the American package, an extraordinary amount raised in an extraordinarily short period of time. This kind of effort is being exerted in many other countries in the developed world as well, with private funding from Australians, Germans and the French especially strong.

When asked to hypothesize as to the reasons for this overwhelming outpouring of aid and sympathy from the world community, members of SALSA had several explanations.

Siddhya Mishra, also a 3L at BLS, originally from Nepal, mused that this is probably, "...in part, because so many people perished from so many different countries. Also, it was unexpected and it was quick, demolishing everything in its path. This is as opposed to say, the AIDS epidemic in Africa which is a horribly slow and insidious problem and the solution lies more in curing societal ills. This tsunami offered people a chance to help, help quickly, and see the benefits of their generosity right away." Sirimal Mukerjee added that, "...there may be another element too. By focusing on such a tragedy, America - and thus Europe and the rest of the world - was able to take its attention off a failing war and a depressing election result for at least a couple of weeks."

Despite widespread relief effort, many people remain skeptical about the chance of aid continuing to be provided to the region, especially as the long term damage is assessed and is certain to demand funding for years to come. As exemplified by past of aid sometimes only last as long as

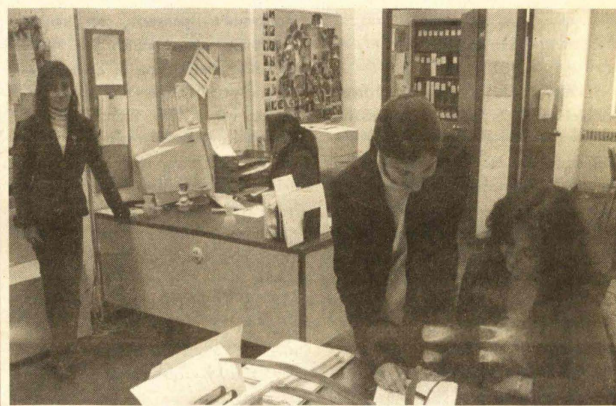
media attention to the affected region does. Once the focus shifts, public consciousness of the problem tends to as well. In Honduras, after the large sums of aid pledged and donated after hurricane Mitch, many projects lay frozen in mid-construction and aid organizations and foreign governments have left many of the citizens of Honduras feeling abandoned. In Iran there is a similar perception of the international aid and attention that arrived but soon left after the earthquake in Bam.

Such recent history of thwarted reconstruction efforts fuel much of the skepticism about future aid that will be necessary in areas devastated by the tsunami. Indeed, Neil Kenkre, in his first year at BLS and a SALSA member whose family is originally from Goa, expressed the apprehension that, "...people's memories are short...and it will be interesting to see how many people really comprehend the untold millions of lives who have been affected - those permanently injured, the survivors - both family and friends - entire towns lost, not to mention how many truly poor people, with an already severely limited scope for social betterment, no longer exist on paper because every possession or documentation of their existence has been swept away by the floods."

Nonetheless, SALSA members feel optimistic about aid to the region and were even turned away from Doctors without Borders and Oxfam for donations, as those organizations had satisfied their funding requirements. And SALSA, along with the SBA, will continue to raise money in the months to come. SALSA plans on holding a fund-raising event each month and Tim Oberweger, the SBA president, has expressed his commitment to help in the fund-raising. He will, along with other SBA reps, have worked with SALSA to come up with ideas and implementing them. One such event has been the beer & pizza Super Bowl pool fund-raiser in early February, which raised over \$400, and there are several others on the agenda.

While it is clear that not everyone will or is able to help, this early outpouring of aid is encouraging and should serve as a reminder to persist another Bam.

BLS to Shutter Elderlaw Clinic



Students are working hard in the elderlaw clinic during its last few months at BLS. Photo by Stephen Harris, '07

ELDER LAW

Continued from p. 1

part-time attorney. The number of students enrolled varies, but averages between five and ten per semester.

The clinic only handles cases for poor, elderly clients who live in Manhattan that involve housing issues, government benefits, health care, and will preparation and execution. Landlord-tenant disputes, however, represent the majority of cases handled by the clinic, and a high volume of cases are settled or tried within the framework of the New York City Housing Court. Like many clinics, students handle a case from beginning to end: their work includes client interviews and intake, motion practice, trials, and appellate practice.

"After 27 years, I am disappointed to hear that the clinic is closing," said Carolyn Leder '05, who participated in the clinic for two semesters last year. "I think it was an invaluable experience."

Though based within the confines of the law school, at One Boerum Place, the clinic only serves clients who live in Manhattan. Historically, this made sense because the clinic was initially housed in Manhattan before moving to Brooklyn - but Professor Caplow said that this anomaly contributed to the school's ultimate decision. "If we are going to be doing something, maybe we ought to be doing something in our own back yard," she said.

Ms. Perez, however, took issue with that justification. "It makes no sense," she said. "Elderly is elderly, no matter where they are. It has never been a stan-

dard to say that the school has a presence in Brooklyn."

As for the clinic's staff, Ms. Perez remained optimistic for the future. "I feel very responsible for the staff," she said. "But we're all going to find jobs at some point, and we're not in the most disadvantaged part of society."

Professor Caplow said that the clinic will be replaced with another, but the ultimate decision as to the specific type of program will be left to the curriculum committee. "We'll try to find a way to enhance opportunities for the students," she said. "Some people want to keep the service mission, so we might continue that legacy."

However, bolstering her argument that the decision to close the clinic was not necessarily financial, Ms. Perez said that the cost of creating and maintaining a new clinic would be less than what the school is currently contributing to the elderlaw program. "The Brooklyn Law School outlay is not enough to substitute for the creation of a new clinic," she said. In fact, though neither Professor Caplow nor Ms. Perez would disclose the actual dollar amount of the school's contribution, Ms. Perez said that it was not even enough to fund a professorship.

"Legal services was sexy at the end of the 1970s," Ms. Perez said. "They just don't view it as such anymore."

For now, Ms. Perez said that the clinic is only accepting cases that are likely to be concluded by June. As for cases which might remain, "the expectation is that they will be transferred to someone or a group with the necessary expertise," she said.

The Barrister's Ball

March 31, 2005

at the Brooklyn Botanic Garden's Palm House
from 7 PM - 12 PM

5 hour open bar, hour's devours, dancing,
SBA Awards for Student Organization,
Student Leader and Faculty/Staff/
Administrator of the Year.

Did we say 5 hour open bar?!?!? Yes!!!!
Tickets will be on sale starting February 23rd.
Get them early as space is limited!

Visit www.palmhouse.com to see the venue
of the Barrister's Ball.

[Opinions & Editorials]

First An Iron Gate Falls, Now An Iron Fist is Raised?

By Ben Battles, '07

The facade of our beloved law school has undergone some significant changes in the past few months, some clearly for the worse and others ostensibly for the better.

Upon approaching 250 Joralemon Street, I can't help but notice that the once towering iron gates which served to fence in our little haven of legal academia from the reaches of the outside world no longer offer the sense of strength, prestige, and authority that they once did.

At the right of the entranceway, where not long ago impressive spires of forged iron towered above students entering the grounds, now stand several small barricades haphazardly wrapped together with bright orange construction fencing.

While some might question the purpose that is being served by this jury-rigged replacement fence, apart from its obvious aesthetic value, be assured that the importance of keeping students from straying too far off the beaten path should never be underestimated.

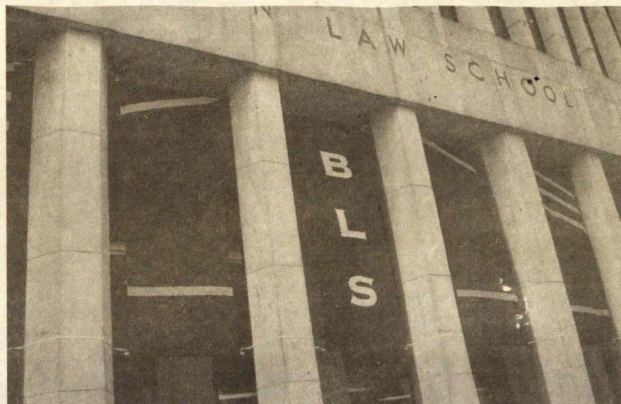
As many in the Brooklyn Law community are aware, the damage that was done to the fence was a result of a car accident that occurred last semester. An elderly gentleman employee of one of the local courts lost control of his car

causing it to swerve off the street, onto the sidewalk, and into the law school's fence. Thankfully, no pedestrians or students were injured in the incident. The driver of the car was unable to be reached, but I know I speak for all of us here at the law school in hoping that he has fully recovered from the incident and that in the future he will drive with grater care.

The gate that was damaged has been fully repaired, but before it can be re-installed the granite on which the gate was mounted must be replaced, as it was also damaged in the accident. Acquiring this granite has been the chief cause of delay in restoring the fence to its former glory.

The piece that was cracked was of an uncommon thickness and a replacement piece has not been easy to locate. Once this elusive piece of granite arrives, the installation of the repaired fence will begin.

However, other logistical problems will still remain. A primary concern, as with all the construction and maintenance that goes on at the law school, is to try and schedule the work at a time that is convenient to both the students and faculty who are engaged in the process of legal education as well as the workers who are responsible for the upkeep of the venue in which that education takes place. Another, more practical concern, is the fact that the law school courtyard sits above the library



The new colors of Brooklyn Law School.
Photo by Stephen Harris, '07

basement. With this fact in mind, the utmost care must be exercised to ensure that any heavy machinery that is needed to repair the gate can be supported by the courtyard and does not violently collapse into the bowels of the library. This would run the risk of destroying all the computers, students, books, and microfiche housed within. While these concerns must and will be accounted for, the fence's resurrection should be expected in the upcoming weeks.

The other new cosmetic development affecting the law school building was, unlike the accident, consciously planned and initiated. Like other students returning from winter break, I was greeted by a bold, powerful, and striking new banner decorating the front of 250 Joralemon.

Scarlet, gold, and black now billow down between the pillars in the front of the building replacing the tired old blue and red banner that had previously adorned that space. Upon seeing it, I felt that the banner was trying to send a message to the student body that 2005 was going to mark the dawn of a new era at Brooklyn Law. I wasn't exactly sure what this new era would hold, but the feeling that significant changes were ahead was undeniable. I spoke to some fellow classmates about their thoughts regarding the banner and it turns out that I am not alone in the significance that I attached to the banner.

Some, like 1L Hassan Bassiri, have interpreted the banner as signaling an onslaught of a new breed of Communism: "I definitely think the banner marks the beginning of a new era. An era of blood, steel, and revolution. An era of sacrifice and industry in which, through the collective toil of the student body, the law school's lofty aspirations to dominate the New York legal arena will finally be realized."

Another 1L, Harry Stone, interpreted the banner in a different, yet equally unsettling way. He saw the banner as harkening back to Italian Fascism: "When I walked up to the school and saw the new banner for the first time, I was shocked. I instinctively knew that it was some sort of not-so-subtle tribute to Benito Mussolini and I was not pleased."

While conspiracy theories abound, the truth remains shrouded in mystery (at least to the extent that these theories have not been officially denounced). We may never know whether the banner announces the administration's allegiance to a troubling ideology, or whether the administration just thought it looked "nice." But it seems as though the banner is here to stay, and until the political winds blow differently, we as students must accept the administration's choice of decoration, and have faith that it is indeed just decoration and nothing more.



A makeshift barrier stands where part of the gate once did.
Photo by Stephen Harris, '07

Professor Comerford is Doing Well after Open-Heart Surgery

By Yael Utt, '05

Professor Brian Comerford is resting comfortably at home on Long Island these days, after open-heart surgery at the beginning of the semester. Professor Comerford, who specializes in estate planning and taxation, has been on the Brooklyn Law School faculty since 1971. He received his B.A. from Fordham University and his J.D. and LL.M. from New York University School of Law. New York-educated through and through, it is no surprise that he is so accomplished. He has authored and co-authored many widely used books on taxation and has served

and advisory capacity to committees and journals specializing in trust, estate, and tax law.

In January, on the Wednesday just before the start of the spring semester, Professor Comerford went to his doctor for a thallium stress test after experiencing some symptoms meriting concern. The test measures how well blood is flowing to the heart muscle and is often done in conjunction with an exercise stress test. In Professor Comerford's words, he definitively "flunked" the test. So Thursday he went in for an angioplasty test, which he says he also flunked. By Friday morning, he was in open heart surgery, performed successfully by Dr. Fernandez of St. Francis Hospital, a renowned New York special-

ty cardiac center on Long Island, just minutes from Professor Comerford's home. He stayed in the hospital for 10 days, slightly longer than usual because of problems with his voice.

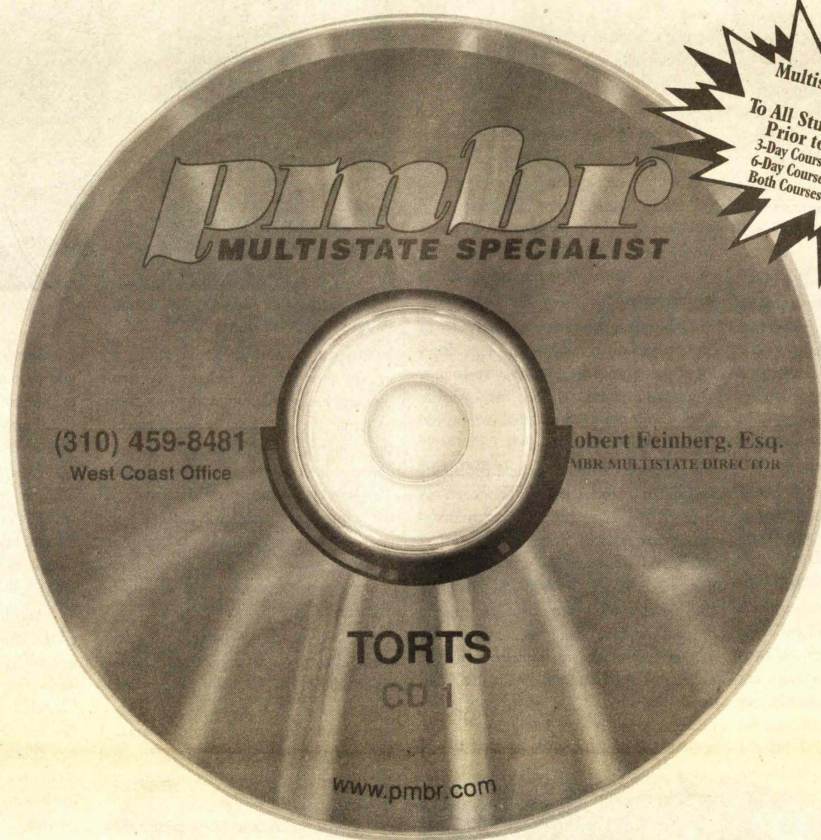
Dr. Fernandez has told Professor Comerford that it is in his favor that he never had a heart attack and had no structural damage to his heart. In fact, previous EKG and echocardiogram tests showed nothing of concern. But what these tests did not show was that 95% of two of his arteries were blocked, an alarming fact finally picked up by the stress test.

Students enrolled in Professor Comerford's spring classes were alerted just before school began as to last-minute changes in the schedule. The

rest of the student body received the news from a letter posted by Dean Gora.

Professor Comerford continues to heal at home and has said that thankfully the surgery and the many post-op medications he is taking have not interfered with or worsened his Parkinson's. Former students and security personnel wrote cards and contributed gifts to be sent to Professor Comerford at his home. And just in case students worry that he is retiring, he assures us that he has no such plans. "It's kind of boring resting at home. I miss teaching and interacting with students. It keeps you young, believe it or not." Come back soon Professor Comerford.

Get On Track With PMBR...



Multistate Tapes/CDs
FREE
To All Students Enrolling
Prior to April 22nd!
3-Day Course - 3 Tapes/CDs Free
6-Day Course - 3 Tapes/CDs Free
Both Courses - 6 Tapes/CDs Free

Early Enrollment Bonus Receive FREE Multistate CDs!

pmbr
MULTISTATE SPECIALIST

PMBR offers substantive law lectures on CD or audio cassette tapes for all Multistate Bar Exam subject areas. Subjects include: Torts (6 hours), Contracts (9 hours), Property (6 hours), Criminal Law (3 hours), Evidence (6 hours), and Constitutional Law (6 hours). You can skip to different tracks and review exactly the topic area you want to cover without hitting fast forward on a tape and guessing if you have stopped it in the right place. Each CD case has a detailed listing of tracks for different topic areas, so you can go right to the topic you need. Listen to them on your computer, in the car or anywhere you normally use a CD. The subject coverage and sound quality are excellent! What else would you expect from PMBR?