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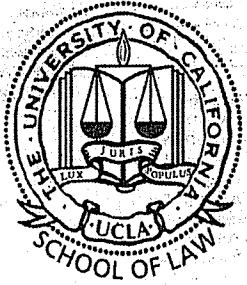
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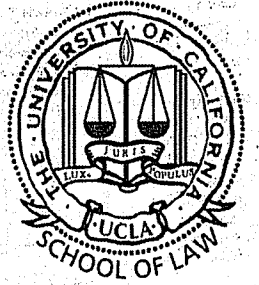
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The Docket

UCLA SCHOOL OF LAW



VOLUME 52, NUMBER 3

405 HILGARD AVENUE, LOS ANGELES, CA 90095

NOVEMBER 2003

Students Come Out On Top 2nd Year Running

Kate Bushman
Columnist

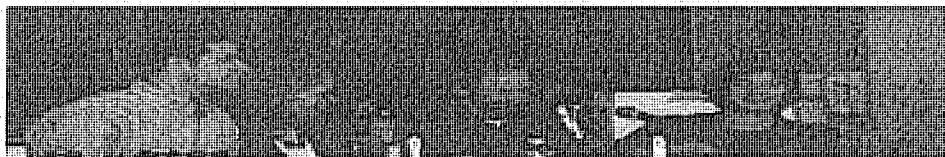
For the second year in a row, the students have asserted their domination in the realms most commonly associated with academia – the random and profoundly useless.

The Public Interest Law Foundation's (PILF) annual trivia challenge matches the wits of four faculty members and four students to raise money to fund law students performing public interest work during the summer months. The trivia challenge team members are chosen based on the amount of "votes" the contestant receives prior to the challenge – that is, how much money each person raises. PILF pulled off yet another spectacular event, evidenced by the packed house and the last minute donation stuffing by students and faculty alike.

The student team was represented by returners 2L Steve Kaplan, last year's MVP, and 2L Jim VanBlaricum, last year's designated drinker. Newcomers Kal Shobaki (3L) and Pamela Chandran (1L) made their fantastic rookie debut. The professors were represented by two of last year's players, Professors Jonathon Zasloff and Fran Olsen. Professors Dolovich and Goodman filled out the faculty



Kal Shobaki, Steve Kaplan, Jim VanBlaricum, Pamela Chandran



Jonathon Zasloff, Fran Olsen, Patrick Goodman, Sharon Dolovich

foursome.

Event Co-Chairs Matt Dresden and Maryam Judar were ecstatic with the event's results. Dresden commented, "It was a lot of hard work. There were times when I didn't think we'd make it, but the tireless efforts of a few, proud PILF volunteers and, of course, Joe Macavinta pulled us through. But it was all worth it to see the look on Zasloff's face when the final score was in! Wooheeee! Priceless!" He added, "Oh yeah, raising a bunch of money to help fund our fellow students pursuing public interest work was pretty cool, too."

Although the event was a tremendous success, it was not without its glitches. The crowd was uncontrollable; no doubt surly due to the absence of a pre-Challenge keg. Without this all-important social lubricant, the crowd turned on the event's fearless

leader: emcee David Sklansky. M.C. Sklansky, without a PowerPoint presentation to save him, quickly began to show signs of the pressure. "It gets harder and harder to be emcee each year," he commented at one point. M.C. Sklansky was unavailable for comment immediately following the challenge, although he was heard on the phone with his agent saying, "Get me Berkeley!"

The competition began with toss up questions with potential five point follow up questions. This was then followed by the lightning round, then a new addition: the karaoke round. The final round consisted of 10 toss-ups. The generation gap(s?) was painfully obvious with the students dominating questions about booze, Betty Rubble, and the Spice Girls, and the faculty hammering home recent Nobel Peace Prize winners, Star Trek minutia, and

details of songs I am sure my parents thought were "far out." The competition was intense throughout the entire challenge, the silence punctuated only by applause and short outbursts by Zasloff attempting to "constructively interpret" the rules. Despite the faculty's shenanigans, Kaplan and company began to light it up during the last toss up round after a lag during the prior round.

After more recounts than a Florida presidential election, the students confirmed their rule of the school with a stunning 79-75 victory. Students can again rest easy that we, yes, the tuition payers, are in the driver seat here at UCLA Law. Sure, professors may give out grades and give us the skills and knowledge that may ultimately determine our future, but on this one day, we kicked their asses. But after such a heartbreaking defeat for the faculty, the question remains, what about next year? Will Kaplan and VanBlaricum rule yet again, and will Zasloff be once, twice, three times a loser? Will Sklansky relinquish his title as "M.C." to take the much-easier role of federal judge? Will the controversial tie-breaker keg-stand be added to the official rules? For answers to this and more, this reporter is reserving her seats now.

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UCLAW Quarter Finalists in Georgetown U Mock Trial Competition

On November 13 and 14, 2003 the UCLA Mock Trial Team competed in the Seventh Annual White Collar Crime National Competition at the Georgetown University Law School and the District of Columbia Superior Court House. UCLAW was represented by four third year students, Robin Hazel, Radiah Rondon, Anthony Solana and Brett Cook. The team was coached by Professor Paul Bergman with Professor Devon Carbado and Professor Albert Moore assisting. Our team advanced to the Quarter-Final round and Brett Cook received the Best Defense Advocate Award.



Pictured Anthony Solana, Brett Cook, Radiah Rondon, Robin Hazel

The Georgetown White Collar Crime Competition is the only mock trial competition that focuses specifically on white collar crime. The UCLAW mock trial team was one of sixteen teams invited to compete. This

competition was especially monumental because this was the first year that UCLA had been invited. However, because of the team's success and advocacy skills, UCLA has been invited to enter teams into future mock trial competitions.

(Please Note: the previous Docket article that identified this team as the BLSA Mock Trial Team was incorrect. This team represented the UCLA School of Law rather than a specific student organization.)

EDITORIAL

Being Thankful

It's Thanksgiving, in case you are so caught up in the whole "exams are in 2 weeks" panic and didn't realize. So what are you thankful for for 2003?

I have a lot to be thankful for this year. As many of you know, I am pregnant with our first baby. We started trying just before law school and it was a long two years for us. I am thankful for the baby, thankful I did not have even a minute of morning sickness, thankful that I had a great schedule, thankful to my friends and family for all their good wishes, and truly thankful for my husband's patience and support.

Probably fewer of you know that I listed my house for sale last week. We've had offers but haven't accepted any yet. We are thankful that we have had this wonderful home for 6 years in a great neighborhood.

Over the 6 years we have lived in Los Angeles, we have made many close friends, in law school and out. We are very thankful for their friendship. They have celebrated our achievements and commiserated with our flops. It has been wonderful to see them also go through so many changes and be able to be there to see them through the major and minor transitions of life.

The Docket and the opportunity to be Editor-in-Chief is something for which I am grateful. I would have gone crazy had it not been for this creative outlet and the chance I have had to continue to write and express myself upon leaving 8 years as a writer and marketing communications professional. If you want to join an organization that really takes little time but I believe gives big rewards, write for *The Docket*.

Looking forward to the coming year, I am thankful that my future is full of opportunities. After graduation, my husband, new baby, and I will be leaving California for parts as yet undecided. We decided before I started UCLA that we would plan to move after I graduated. We have considered Colorado, New Mexico, Rhode Island, and Australia. We are in a position to choose where we live, for which I am most thankful.

I know that exam time is pressure filled and overwhelming, but as you spend time this week, with friends and family, I hope you will take a moment to count up your blessings and consider all for which and for whom you are thankful.

In conclusion, I am truly thankful for you. Thank you for reading and supporting *The Docket*. I wish you luck in the next few weeks and joy in the years to come.

No Pride in Prejudice

LGBTA

In the October 2003 issue of *The Docket*, the UCLA School of Law Veterans Society wrote a letter objecting to Dean Abrams' email in which he outlined the Law School's non-discrimination policy and noted that the military does not comply with that policy. The Veterans Society made a few points to which we, as members of the UCLA's Lesbian, Gay, Bisexual, Gay and Transgender Alliance would like to respond.

President Clinton signed "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" into law on November 30th, 1993. Since then, almost 10,000 service members have been discharged on the basis of their sexual orientation or their suspected non-heterosexuality. In 2001 alone, there were 1273 discharges and 1500 violations of Don't Ask, Don't Tell. The law itself has cost the Department of Defense nearly \$235,000 to administer since its enactment.

Dean Abrams' email explained that the law school's anti-discrimination policies are not followed by the military recruiters, but in order to receive certain federal funds, the school must forego its policy and allow the military to recruit on campus. Dean Abrams simply acknowledged a simple truth: the military discriminates on the basis of sexual orientation. For that, we thank him. Law school students should be aware of such practices. Each student at UCLA is capable of making his or her own decisions. The information was provided to the law school as a whole in an effort to educate; what you do with the information is your own choice. Dean Abrams' message was not a denouncement of the military, it was a fact. To assume that the message was an order or a directive to be followed is to do a serious disservice to every student at this school. To read the email as some sort of incitement to retaliate is to misread the message entirely - there was no explicit or implicit retaliation suggested. Such personal decisions are our own.

There is strength in numbers, yet we persist in dwindling those numbers because of prejudice. We've been bombarded with the costs of the "war on terrorism" and the need for military proficiency, yet we spend money terrorizing those who wish to serve in the armed forces. To those who defend this discriminatory practice: there is no pride in your prejudice and no hiding behind faulty logic.

The justifications advanced by the Veterans Society in support of the ban

Vet Letter Reprint

The UCLA School of Law Veterans Society respectfully objects to Dean Abrams' recent letter addressing the Department of Defense Judge Advocate General's (JAG) Corps recruitment during Fall OCIP. After describing the background and substance of the Law School's non-discrimination policy, Dean Abrams asserts that "[t]he Law School disagrees with the military's discriminatory practices...."

Ironically, Dean Abrams' email seeks to comply with the bylaws of the school's accrediting organization, the American Association of Law Schools (AALS). Under AALS executive policy, member law schools must take certain "minimum ameliorative" measures to counter military recruiting, to include "[a]lerting students and others that the military discriminates on a basis not permitted by the school's nondiscrimination policy and the AALS bylaws." The AALS policy then identifies other "creative and inventive" measures which it encourages law schools to implement, such as challenging the military's discriminatory policy, and funding students to attend conferences for the purpose of networking with gay, lesbian and bisexual attorneys.

Indeed, the Law School's non-discrimination policy differs substantially from federal non-discrimination law applicable to service in the armed forces. In highlighting these differences, however, the Law School's email notice was one-sided and inaccurate. To be clear: the age and sexual orientation policies to which the Dean refers are not military rules, but instead, federal statutes passed by Congress and signed into law by the President. In particular, the statute codifying the "Don't Ask, Don't Tell" law (10 U.S.C. § 654) does not bar homosexuals from serving in the military per se, but rather targets homosexual conduct. In its detailed findings prefacing the law, Congress asserted that homosexual conduct is not compatible with the critical need of maintaining good order and discipline within the unique circumstances of military service. The Veterans Society proposes that if, in fact, the Law School as an institution disagrees with the federal statute, its primary recourse in attempting to change the policy is to direct its efforts towards the legislature and the courts. The Department of Defense, to include the various branches of the armed forces and their JAG Corps components, are duty bound to adhere to the law. Accordingly, it is misguided to suggest that an appropriate way to

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403 N.W. 2d 403 presents
 We're
 Singin' It Again!
 The UCLAW
 Alumni Musical
 October 18, 2003

Celebrating 20 Years of the UCLAW Musical

UCLAW Alumni Musical Review: They Sang It Again!

The performance of "We're Singing It Again": The Alumni Musical proved to be an historic event. Alumni from throughout the country joined with faculty and students to mark the end of The UCLAW Musical with a final rendition of some of the most popular songs from the 20 year run of the show.

The audience saw and heard why the annual musical entertained students and irritated the Harvardizers. After the students and alums sang a collection of opening numbers ("Orientation Aria", "The First Day of Law School" and "The Law School Opening Day"), Professor Karst revealed the LSAT envy that drives faculty grading practices in "Crunch Time", and joined Professors Moore, Prager, and Graham in a musical expose of the case method ("A Hypothetical Song").

Worse yet, for those fretting about our U.S. News ranking, were the songs celebrating the foibles of particular faculty members; e.g., Sally Helppie (CE85) reprised a tribute to the economic analysis of the late Jim Liebeler ("Sex and The Problem of Second Best") and the chorus of show pioneers advised students to avoid a particular evidence professor ("Hearsay Hun"). Professors who eschew black letter in favor of "policy" got their comeuppance in "There is Nothing Like The Law."

Though not apparent to the audience, the alumni refuted the old canard that show participants are all losers who will never get a job. Representing the dozen show alumni who are now academics were Professor Bryan Hull (CE82) of Loyola Law School and Professor Shelley Saxer (CE89) of Pepperdine. Dean Evan Caminker of the University of Michi-

gan, who met his wife when he played drums in "The Good Lawyer Svejk" sent his regrets.

While many alumni work in corporate law firms, others spend their time in entertainment law; for example, Janis Nelson (CE86) is with Paramount and Mike Grizzi (CE95) is with New Line Cinema. Others are in public law; James Gibbons-Shapiro (CE96) is a Deputy District Attorney in the Bay Area and Matt Mulford (CE96) is in the Attorney General's office in San Diego.

Among the show alumni who have opted for non-traditional career paths are Donna Smith (CE96) who is the legislative assistant of a Member of Congress from San Diego, Ayanna Chamblis (CE96) who regularly shows up at the law school in her work for BAR-BRI, and Jeff Hilger (CE98) who founded and runs a charter school for inner city kids in Los Angeles.

Given the Law School Musical's long affiliation with the Public Interest Law Foundation, many of the songs in the Alumni Show had a political theme; e.g., "Everybody Ought to Have A Crit" from S.O.U.L.S. Among the most popular were those exploring feminist themes from Sandra Young's (CE92) description of sexism in the classroom in the early days ("Adelaide's Lament") through Ava Besbris (CE85) and Teresa Ozoa (CE85) defiant refusal to shut up in class in "Annie's Anthem" to Shelley Saxer's exploration of the paradox of a woman caught with a political incorrect id in "The Kicker."

Songs about sex also brought down the house. In the silly category was "Lady DeLaw Delays" in which Matt Mulford (CE96) tries to convince Susan Keller (CE84) that going to law

Advice for Beleaguered 11's: Wear Sunscreen

Mike Lee
 Columnist

This is a time of year when people in desperate need are most comfortable with lists, and so a handy one is provided below. But before reading it, let me share with you the Low Point Of My Law School Career: (hint - it was NOT when I got my first semester grades).

It was my first semester, about a week before finals. It was preceded by a terrible night in which I stayed up trying to memorize my Contracts outline. Nothing was sticking, so I gave up and threw myself onto my bed, hoping to go to sleep. Big Mistake - I spent the whole night tossing and turning, as the pages of my outline whizzed through my head. It was like being stretched on a rack, with pincers holding my eyes open in front of a spastic microfiche machine.

The natural and deserved result of this was the Low Point: the next day I couldn't eat, I had back spasms, until finally I lurched to a wastebasket in the library and vomited. I was forced to go home early, miss my book club meeting, and couldn't sleep without a pill. Needless to say, I got no studying done.

What I'm trying to get across with this graphic description is, it is possible to overdo studying, and all too easy when you're stressed about finals. So, to avoid the worst traps:

1. Don't Second-Guess Yourself. Self-doubt mimics the symptoms of arsenic poisoning: first it enters your system without odor or taste; then you feel a knife twisting in your belly, chocolate brownie cheesecake tastes like ash in your mouth, and then your body is slowly paralyzed until your heart stops.

When finals approach, all 1L's beat themselves up with what they should have done weeks before. And they're probably right, but that profits

them absolutely nothing. Stress is inevitable, stress generated by second-guessing is totally unnecessary. Focus instead on what you can and will do in the time you have left, and the odds are that you will hit on only the important stuff.

2. You Are Not Alone. Surely you remember from college how the finals period turns a bunch of indifferent strangers into a loving, close-knit family. Don't resist this. Moreover, don't forget that it hasn't been that long since the 2L's and 3L's have gone through just what you did. And most of them *love* to give advice. However, it is possible to overdo seeking help, which leads to another trap:

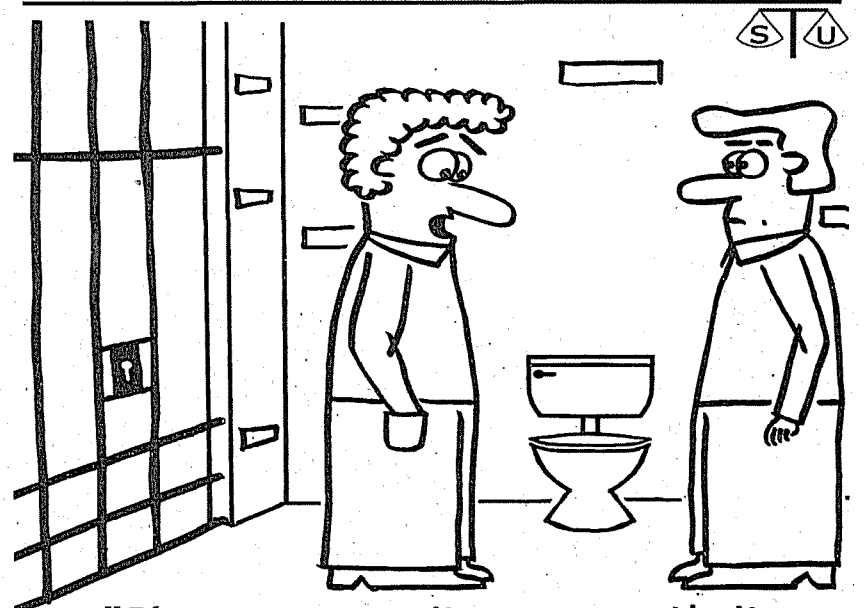
3. Ignore the Noise. This is often the hardest lesson to learn. Your classmates will tell you about the wonderful hornbooks and weekend bar courses they're attending; or they'll show you their collection of flashcards or the outline cross-referenced in eight colors. Inevitably you'll start worrying, "What am I not doing?" More self-doubt. I must repeat: after these many weeks, you have fallen into a method of studying that fits you best. On the other hand, this doesn't mean your classmates are doing too much; again, they're doing what suits them most. By all means, sample some of these methods, preferably when you're taking a break from your main reading. Just don't let them rent space in your head. Having said that, the only definite no-no I would give is:

4. Avoid Commercial Outlines. I got this from the wise 2L's my first year, and I'm giving it to you now. An outline is a tool to help you take your professor's exam. The drafters of the outlines have not taken your professor's exam. They'll only confuse you. Even an outline you get from a 2L is much less useful than the one you should make yourself, because *the*

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Stu's Views

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"I'm not sure it was worth it,
 but it certainly was the world's
 best judge joke."

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Not Just A Dog: A Chick Magnet

Jeffrey Tyrrell
2L

You have noticed me in the hallway. And while I do have a certain transcendent charm, and have generally managed to maintain my striking good looks despite the 15 lbs I gained last year bingeing on LuValle's "mandarin orange-flavored chicken parts," your attention has been drawn most likely by neither of these. No, it's really all about the fluffy golden pooch attached at my hip, isn't it? In response to the odd looks and frequent interrogations I have gotten regarding my dog, I have compiled the following FAQ:

Q: So, what's up with the dog? A: First of all, while "dog" is not an inaccurate description of my constant and faithful companion, he's really more of a "canine wunderkind," and he prefers being referenced by his given name, "Tobin," or one of various affectionate nicknames: "Toby," "Tobes," "Toblerone," or the slightly more embarrassing "Smoochie-Boochers."

Q: OK, so what's up with the Tobester? A: Take a closer look at the doggie vest. It's not *just* the latest trend in canine couture. It serves to inform the general public that Tobin is, in fact, a service animal.

Q: Service animal, schmervice animal! How come you get to bring your dog to school? A: While I am usually a firm proponent of the near-infallibility of the "something, schmomething" legal argument, I suggest you brush up on the governing sections of both state and federal law. Under these, a service animal is defined as any animal that is specifically trained to assist a person with a disability, in some way that relates to their disability. I have a neurological condition known as narcolepsy. Besides being the butt of endless adolescent pranks (I can't count the number of times my "friends" have written DORK on my forehead or shaved one of my eyebrows while I slumbered unknowingly on the couch at a party) and having doctor-approved access to the pharmaceuticals most frequently abused by young legal professionals (wake-promoting agents, anyone?), this means that I have a generally low level of energy, clinically referred to as "excessive daytime sleepiness," and I occasionally experience sudden sleep attacks or spontaneous loss of muscle tone known as "cataplexy." (Yes, you guessed it; this is why I am nearly always dozing in class.) Tobin is trained to assist me with my disability. To be more

specific, he helps me stay alert when I drive. (Kind of a scary thought, huh?)

Q: Are you training him?/How did you get him? A: Yes I am training him, but probably not in the sense you mean. That is, I am not participating in a training program in which you care for a service animal in training for a period of time before they are assigned to their permanent owner. Once I noticed that I was having difficulty staying alert while driving, I knew that I needed to find some kind of assistance or I would be relegated to the endless horrors of the LA public transit system. It seemed to me that I had 2 options. There was the cold, impersonal world of "assistive technology." I pictured flashy silicone cyber-implants, bone-sawed into my brain stem by stern, bespectacled technodocs. And on the other side of the spectrum, there was *man's best friend*. It was not a difficult decision. After researching service animals on the web, I realized that my only viable option would be to acquire and train an animal myself, since professional trainers charge anywhere from \$5,000 to \$25,000 for a fully trained service dog. Certain nonprofit organizations focus on providing affordable service animals

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I Got A Job!

Elena Q. Gerli
Alumnus 2003

On October 1, 2003, I started my new job. Just a few days before, I had paid all my October bills, and was left with \$200 in my bank account. I had filled out an unemployment benefits application, but based on the paltry amount of part-time money that I earned in the preceding months, I was only entitled to \$93 a week. Believe me when I tell you that I was looking at the ugly end of homelessness. (The pretty end being when your upper-middle class parents live in town, own a house large enough for a family of 11, and you get to move in until you get back on your feet.) Living in my car was not a good option, because I still owe money on it. Between the loan payments and the insurance payments, that would leave very little with which to buy food and kitty litter. Because, as it turns out, I would have become homeless with my then-two cats. They have since become three, making my employment status all the more critical, and officially making me a crazy cat-lady. Heretofore, I was merely crazy.

Mind you, as far as post-bar, no-job-lined-up J.D.'s go, I guess that two months of being unemployed is not something to complain about. In fact, I must admit that since I embarked upon my adventures in the law (i.e., law school et seq.), I have been extraordinarily lucky. My friends and family have obliged me by not dying or contracting fatal illnesses during times of my own high stress. All my summer jobs, internships, and externships have been really interesting and fun, and taught me gobs about being a lawyer that I simply could not have learned in classes. Yet I managed to squeeze myself out the other end (metaphor intended) without having a job waiting for me. I would like to remind my readers, of which there are many, I'm sure, that this past summer was the bottom end of the recession, the trough, if you will. Jobs were not to be had for those who did not already have them. In other words, despite my brilliance, my pretty face, and my sparkling personality, I was in a tight spot.

Once again, luck was on my side. Just as I stood on the edge of the chasm (I like a little drama, after the fact), my former 1L Law Skills professor came to my rescue. We had lunch one day in September, and as *koinkidink* would have it, right around that time her firm had decided to hire a law clerk. I called the hiring partner, I made an appointment, and I showed up for the interview. I wore a blue suit, I brought copies of my resume, a writing sample, references, a law school transcript, and goodness knows what else, which I thought might be helpful. I about fell down when I found out that this was not so much an interview as one of those

SEE JOB, PAGE 10

Reunion Nightmares

Willow Mc Jilton
Alumnus 2003

A bright, shiny envelope sat snugly in my mailbox. At first, I took it for another bill. Then, with a sigh of relief, I re-classified the envelope as junk mail. I opened it anyway, and to my shock and dismay realized it was a "save the date" for my ten-year class reunion. Somehow, someway, they had tracked me down. More efficient than the FBI or even the IRS, those damn class reunion people always find you.

I was suddenly seized with terror as images of my "glory days" flashed through my mind. Oh, yes, fall of freshman year when I dyed my hair black and it came out green. Not a "rebellious teenager green," but an "I'm blonde and have been swimming all summer in pure chlorine green." For years to come, I was dubbed "that girl with the green hair."

Or how about when I mistakenly thought winning our high school's school-wide hula-hoop contest would enhance my reputation. Kid's can be so cruel.

But was it just the kids? When I ran into a member of my high school's administration team and told her I was enrolled in junior college she was genuinely thrilled that I had "gotten in" to a college and was "improving

my life."

Without the financial wherewithal to get the therapy I so desperately needed to deal with these emotional scars, I held that damn "save the date" card while my heart pounded and my palms dripped with perspiration.

To go or not to go, that was the question. Yes, because I am slightly dysfunctional, I began singing "should I stay or should I go now" and was thus delightfully distracted for a few minutes, serenading myself.

Friends attempted to give me pep talks. "You're a lawyer now." "You look great." "You'll knock 'em dead." I desperately tried to explain that, having gone to an all girl's catholic school with a bunch of rich-bitch snobs, being a lawyer didn't mean jack. I was still going to be "that girl with the green hair."

"Then don't go." But if I didn't go they would win. All those stupid girls with their "Alumni, University of Nordstroms" license plate frames. I just couldn't let that happen. If I went down, I would at least go down fighting (and pulling out gobs of ratted-out, over bleached hair if necessary).

I comforted myself, thinking well, there are a few people I would really like to see. In fact, back in high school I

had forced a friend of mine, Jeremy, to make a pact that he would attend the reunion with me. Time to make good old promises.

So, I hunted Jeremy down and emailed him. I tried to act suave about the whole thing, simply asking if he was planning on attending the reunion. He emailed me back, from Korea. As I'm sure you've guessed, he would not be attending. And, as it turns out, no one else I had contact information for would be attending either. Something about many miles away, kids and familial obligations, great financial strain...blah blah blah.

Damn. Walking onto the field of battle alone.

The day arrives. A friend loans me a simple dress. I have an hour of anxiety-ridden driving time. At last I'm there. This is it, Lock and Load baby. I take a deep breathe and begin forcing my feet to move towards the entrance.

I walk in and don't recognize a soul. To make it worse, I have walked into the unofficial "couples only" section and stick out like a sore thumb. This just keeps getting better and better!

I am directed to go get a picture taken and then to join everyone else in

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Congratulations and Commiseration

Kathy Farkas
3L

I'd like to congratulate everyone who completed the moot court competition. Last year, at this time I was still recovering from the fall moot court competition. This year, I saw moot court from the other side of the bench. I worked on developing the moot court problem, and I even got to be a judge for one round of the competition. By this point in my long, proud moot court career, I've heard just about all the criticisms of moot court. The criticisms generally boil down to one issue: Why should anyone put so much time and energy into something with the word "moot" right there in the title?

There's a good answer to that question, and it doesn't have anything to do with adding a line to your resume. The most important things I learned from doing moot court, I learned from screwing up. I committed a bunch of mistakes that I will work very hard not to repeat in the future, and I learned how to recover from my mistakes. In the end it's much better to screw up on something that's "moot" instead of learning by experience while committing malpractice in real court. Someday, when I actually have to make an argument in real court, I plan (1) to finish drafting my brief in time to proof read, (2) to proof read, (3) to have my co-counsel proof read, (4) to develop a theme of the case *before* I file my brief, and (5) to moot my oral argument.

There is one mistake that I absolutely guarantee, I will never make again. Last fall, I neglected to paste an entire section of the brief into the final document. Instead of pasting the procedural history section into the

Moot Court - Fair and Even-handed

Mike Lee
Columnist

Nothing worthwhile comes without hard work; but that is a much easier pill to swallow than the inescapable fact that few worthwhile things also come without a lot of self-doubt and heartache. Having survived my first year of law school, I no longer despair of the end - but knowing things will turn out okay doesn't reduce the angst.

But that's the bad news. Besides, it all goes down to experience. Moot Court is touted as the best preparation for the actual practice of litigation possible. And they're right, angst included.

As a litigator, you'll be required to tackle a troublesome issue, write a thirty-page brief (with a partner or partners, thankfully), and know your case front and back before arguing before a panel of judges.

brief, I put in a second copy of the statement of facts. That's how the brief was submitted: two identical copies of the Statement of Facts repeated back-to-back, and no procedural history. Yeah - maybe someday I'll be able to laugh about that one, but not yet. I'm revealing this painful little anecdote, so that perhaps you will feel better about your own moot court missteps.

I had the mixed blessing of getting to do a second round in the spring. In the spring moot court competition, I made new and different mistakes, but I think I made fewer mistakes. More importantly, in the spring competition, I really started to have fun. For all the pain it took to get there, it was nice to know that I could stand up in front of four hostile judges and hold my own. It was even better to know that I enjoyed it.

For everyone who competed this year, including all of you who did problem one (which I wrote) and hate me for writing it, I leave you with this: Regardless of your final score, everyone who completed the competition got more out of the experience than a line on the resume and a buffet lunch from California Pizza Kitchen. You may be too blinded by your hatred towards the damned problem developers to see just what it is you got out of it. You may not know what you got out of it until you once again try to draft a legal document, and this time the structure of the argument seems intuitive, or until you have to argue before another court and this time you feel less like throwing up. I hope you enjoyed the competition, but even if you didn't, it was a good thing to do. Thanks for playing.

The Moot Court board cut it down slightly by giving us the cases beforehand. Other participants I talked to were mad that they didn't get to do their own research - not because they're looking for extra work, but because they're afraid of being trapped by their authority. Having read the first half of the cases given to us, all of which were negative, I was mad too. It was enough to put me off law as a career forever - the frustration of knowing a lot of good, interesting arguments you can or can't make for a particular issue, but being forced to work from the available cases - so much for law as an expansive doctrine. Had I not been paralyzed with depression, I could have read the second half sooner, and saved a lot of bitterness.

Then the cases started to look up, and by the end of the week I was

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Docket's Own "Dr." Phil

Phil Lerch
Columnist

In the last issue of The Docket, I gave a few pointers on interviewing. To me, sharing my wisdom with others is no big deal - I guess I just like to help people - but response to that column has been overwhelming. Over the past few weeks, The Docket and I have been deluged with emails and letters from students, professors, records office employees, and even the guy who changes the candy in the vending machine, all seeking one thing: my advice.

Unfortunately, there are only so many hours in the week: I could not possibly answer all of the questions that have been posed to me without sacrificing a lot of the time I spend on my other charitable engagements, and the greater community needs my help too. However, over the past few days I have found the time to address those questions which I feel will benefit the greatest number of members of the law school community; those questions - and more importantly, my responses - can be found below.

Dear Phil,

As one of the older students in my 1L section, I find that I'm having a hard time relating to the younger people in the class. I don't have

anything against them, and since we're going to have to spend so much time together I'd like to become friends with them, but I just don't know where to start. What should I do?

Sincerely,
Aged and Confused

Dear Aged,

It's not uncommon for an older law student to feel a little alienated from the predominately younger crowd in law school classes. Indeed, sometimes it might even seem as though you don't even speak the same language they do - whereas your language is full of terms like "cataracts," "varicose veins," and "assisted living community," theirs is full of strange words like "DVD," "Napster," and "Ritalin." That being said, Aged, what you need to do is to focus on the common ground you share with your younger classmates: you're all in law school, which means that you're all total, unbelievable tools. So to befriend them, it's best to appeal to their toolish sensibilities: to break the ice, tell them about your efficient color-coded book-briefing strategy. Then, to cement your friendship, offer up your favorite joke about Fed.R.Civ.Pro. 12(b)(6). The round of skittish, nasal laughter that follows

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Stu's Views

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"Testifying against another doctor would violate my ethics, so I'll have to charge double."

In a Hurry for a Date?

Justin Radell
Columnist

Everyone is in a hurry these days. There are ATMs that allow us to avoid lines inside banks, special kiosks at the airport that allow passengers to check themselves in and email that allows users to communicate messages without taking the time involved with making a phone call or even talking to someone in person. Each of these conveniences allows us to cut down on time spent on tasks that fill up our days. That's why it is no surprise that someone would overhaul the world of dating to make the whole process a little more efficient. Speed dating does just that – it facilitates dating by making it a little easier to meet a bunch of single people in a short amount of time. I went undercover in the world of speed dating to look at the prospects of this new way to meet people.

The whole thing started when a girl I knew, who had tried speed dating before, suggested that we go check out one of the events. She thought that I would enjoy it. She picked a day and signed up online.

Problem #1: The Debate over the Age Group.

Hurrydate is split into the 25-35 year old group and the 21-29 year old group. This was fine for my 25 year old female friend who could easily participate in either group. On the other hand, I had to participate in the younger group because I am a guy and women generally don't date younger guys. As an aside, why is that? It seems to me that any maturity gap between the sexes that would have been present in our teenage years would have vanished by our mid-twenties at the latest. Are people really at such different points in their lives that relationships between older women and younger guys are out of the question? It just seems like women have a *per se* rule against dating younger men (Demi Moore excluded). I guess I understand the rationale that older men tend to be more secure with their place in life and have more money to throw down while dating, but it just seems like bullshit to me.

Once we settled on both participating in the event for the younger age group, we were done. All we had to do was arrive at the Westwood Brewing Company on the particular night for which we signed up.

Great Sign #1: It was Held at a Bar

In what could have been the best move ever, the Hurrydate people selected a bar as the location for the event. It makes so much sense. If the whole thing sucks, you can drink to drown your sorrows about the prospect of dying alone and utter disap-

pointment in the whole Hurrydate scam. If the whole thing sucks and you want to pretend it doesn't because you live in denial like so many of us (don't deny it), you can drink to get buzzed as opposed to going straight for the depression stage (did anyone save that brochure on "The Other Bar" from their mailbox?). For people who are nervous, they can drink to loosen up. All in all, the presence of alcohol can only benefit a given situation.

Even though it was held at a bar, I was not 100% behind the idea of this whole Hurrydate thing. Sensing my apprehension, my friend told me about how great it was the last time she went. She said that there were so many people there that they had to break it into two rounds. Each round allows for 50 people to participate (25 men and 25 women). To have 100 singles wanting to participate suggested to me that it must have been a really good atmosphere. With her stories of how great it was this previous time she went, I felt okay about the whole thing and didn't chicken out.

On the night of the Hurrydate extravaganza, my friend convinced me to arrive early for the event. She wanted to make sure to get into the first round because she had plans later that night. We arrived and wandered around and went up to check on the status of the Hurrydate room. They were not ready and told us to wait downstairs and have a drink. We followed their orders and started drinking.

Problem #2: We Didn't See Promising Singles

It was really funny because we sat close to the entrance and kept watching people come in. Any time an attractive group of women came in, they would be seated by the hostess rather than go upstairs to the Hurrydate thing. It was rather comical because just like holding out hope for a team that always loses, I held out hope that each group of attractive women who entered would join the Hurrydate scene. Unfortunately, that did not happen.

Great Sign #1 (revisited): It was Held at a Bar

As the groups of attractive women cycled through the Westwood Brew Co. without staying for Hurrydate, I quickly remembered that I was in a bar that had Guinness on tap. I drank the Guinness. Oh how I drank the Guinness. The Guinness poured like a mighty river into my glass that night. I think I had three in about 20 minutes – a personal best for speedy Guinness drinking. I think that the speed with which I consumed the Guinness had something to do with the name

"Hurrydate," the act of *speed* dating, photosynthesis and osmosis, but I am not a scientist, so I can't really explain it.

The Hurrydate promoters informed us that they were going to start late because they were merging the 25-35 group from the night before with the 21-29 group tonight and there was some confusion over the start-time.

Problem #3: The Merging of Two Groups

I picked the 21-29 group knowing that I would have a better chance of finding women who would be at my age or younger as opposed to the 25-35 group and Hurrydate screwed that all up by merging two groups. Now, there was the potential to have a 14 year age disparity between the youngest and oldest members of the group. This was yet another sign that this may not be the most promising evening.

Problem #4: More Men than Women

After the Hurrydate promoters checked everyone in, they realized that there were 25 guys present, but only 10 girls. This was not good. Once they confirmed the numbers, I felt that same sinking feeling in my stomach like when Bush was elected President (it still pains me to say it). I regained my composure and asked the promoter what was going on and she informed me that 25 women had RSVP'd for the event, but they didn't all show up. Though this did not look terribly promising, the Hurrydate people created a scheme whereby guys would sit out 15 rounds to make up for the disparity in the numbers.

To provide a little background, the gist of Hurrydate (and I assume this is standard for all speed dating services) is that you get three minutes to have a random conversation with a person before someone yells "time!" and you move on to the next one. You have a scorecard and people have numbers on their nametags. As you move along from person to person, you note whether you want to see that person again. After the evening, you enter in your scores on the Hurrydate webpage and the computer tells you who selected you regardless of whether you picked them. If two people select one another, then they can email through the website to set up a meeting. If someone picks you and you did not pick them, then you are given the opportunity to change your response.

The Hurrydate people set up tables such that there is a row of women on one side and a corresponding row of men on the other. I met some interesting people that night and by interesting I mean crazy. I met one girl who

But I Love Him

Shannon McMasters
Columnist

Fuck me if I'm wrong... but is that red you're wearing? That is my favorite pick-up line, and the obvious idea is that the guy is *not* wearing red by any means.

My friends would say I take any opportunity to turn a conversation into something sexual. I'm sorry, but this is a talent that requires skill. But, I admit that sometimes I take it too far. Someone could mention that he has to make a deposit at the bank, and I'll force the sexual joke: "That's what he said!" (My classic follow-up line).

Give it up, Shannon. Just, just stop while you can.

Look, I am just a single, vibrant, and active 21-year old. My doctor said it's normal. However, my friends say that with my raging hormones, I should have been born a man. My only concern is that women do not reach their sexual peak until their thirties. I hope I don't hurt myself.

Anyway, back to me. Me, singlehood, and Bar Review. I recently discovered that when I go to bars, I usually end up "falling in love" with the bartender, bouncer, or security guard. (By the way, I fall in love about twelve times a day. That's average. This is why I don't believe in "the one." But that is a story for another day...)

It all started at a Bar Review last year held at Saddle Ranch. I'd heard the rumor that Blair from Road Rules operated the mechanical bull. Now, that's what I'm talkin' about. He was even hotter in person, and I was mesmerized. I couldn't even hold conversations with my friends I was so distracted.

When he walked by our table outside, I blurted out, "Hey Blair!" Everyone turned to look at him, and my friend Chico asked who he was. I looked at Blair and said, "Oh, you guys don't know Blair? He's a 3L."

The people I was with didn't know who he was at all. He laughed and played along with it. Chico introduced himself and even asked him something about law school. Blair continued to play along and said that first year was the toughest. When I walked by him later, he introduced himself to me. Damn skippy. I fell in love right then and there.

Then at the Lounge 217 Bar Review last year, I met a young lad named Michael. He had the undesirable job of soliciting emails from everyone in the bar. My womanly instincts required instant flirtation. By the end of the night, he kept coming

ISSUES

FROM PAGE 5

will be the sound of a gaggle of young nerds accepting you into their fold.

Dear Phil,

I'm a 2L guy, and there's this 1L girl who's really caught my eye. She's cool, funny, smart, and I'm pretty sure she's into me, too. The only problem is, I'm her Lawyering Skills TA, and I'm afraid I'd be abusing my authority if I asked her out while I'm her TA. On the other hand, I'm concerned that if I wait until the year is over to make my move, she'll have lost interest. What should I do?

Thanks,

Obvious "T and A" Joke

Dear Obvious,

I don't see what the problem is; I thought everyone slept with their Lawyering Skills TA. Mine told me it was the only way to get a decent grade. I don't even want to think about what kind of grade I would have gotten if I hadn't agreed to be in that bondage video my TA was filming. Now that I think about it, though, those nipple clamps I had to wear chafed a little bit. So, in response to your question, I think the polite thing for you to do would be to spend the extra money for some of those nipple clamps with adjustable spring tension in the clamp arms.

Dear Phil,

I am on the janitorial staff here at the law school, and several times every year I have to bust my ass hauling sacks and sacks of Docket issues out of

the school's trash cans, picking up copy after copy of The Docket off of the floor, and even fishing issues of The Docket out of most of the school's toilets. To make things worse, in all my years of doing this, multiple times every fucking year, I don't think I've ever come across a copy of The Docket that looked like it had even been read; it looks like people just throw The Docket straight from their mailboxes into the trash, onto the floor, or down the john. So why don't you just make my life a whole lot easier and give up already?

Sincerely,

Fock-et Already

Dear Fock-et,

I'm sorry, but you are mistaken: The Docket is widely read and uniformly heralded throughout the law school community. Still, Fock-et, you've hit upon a valid point: there definitely are loads and loads of publications found here in the law school that nobody ever reads; however, I'm sure the publishers of those periodicals never intended you to have to scoop their soggy, unread pages out of the men's room stalls. Thus, on behalf of the makers of JD Jungle Magazine, the OCS Monthly Newsletter, and the Environmental Law Journal, I apologize sincerely.

Dear Phil,

I am a 1L girl who is (to be blunt) very attractive. I feel as though I really

do have something to say, but nobody will listen to me! The girls in my class act really catty toward me and refuse to listen to anything I say, and the guys are too busy staring at my chest to pay attention to what's coming out of my mouth. I really want to get myself heard, what should I do?!

You're the Best!

Hot 1elle

Dear Hot,

An attractive female law student, you say? I'm sorry: I'd love to help you, but due to time constraints my advice is only available to students at UCLAW. Perhaps there is another advice columnist who can assist you at Pepperdine, Loyola, Southwestern, or wherever it is that you go to law school.

Dear Phillip,

My position behind the lectern gives me an opportunity to observe much about student behavior, and among their sundry peccadilloes I must say that I am most disturbed by the way law students dress these days. Why, in my days as a student, the Dean would expel anyone who so much as showed up to class with his tie in a Windsor knot! Yet these students today think nothing of coming to lecture unshaven, or even clad in dungarees and an under-shirt. It is an abomination, good sir, and I beseech your assistance in bringing a halt to this outrageous behavior!

Regards,

The Natty Professor

Dear Professor,

I know how you feel, and all too well; it reminds me of the way I felt when LA City Hall decided that strippers had to stop giving lap-dances. "Why, God, why?" I cried and cried, "The old way was so much better!" But after some considerable moping around, I decided to make the best of my situation: I asked myself, "Now that lap-dances are no longer available, what's the best way for me to meet and solicit prostitutes without getting myself arrested?" The solution I came up with is as simple as it is ingenious: the trick is to keep your car's high-beams on so that you can get a good look at them, and only pick up the ones who are obviously underage. After all, a 15-year-old can't possibly be an undercover police officer, can she? I'm not sure how that applies to your current dilemma, but I think you'd have to agree that it's sound advice either way.

Confidential to Humiliated Library Visitor:

Hugh & Hazel Darling Law Library rules require that a non-UCLAW visitor present a Bruin Card or bar card for admission; as far as I know, a full body cavity search is *never* a prerequisite for entrance. Are you sure that guy you talked to was actually a library security guard?

DOG

FROM PAGE 4

for people with disabilities, but since my disability is not one traditionally associated with use of service animals, I felt that I might have a difficult time convincing them to foot the bill for me. So I did more research on service dogs: the breeds that are most suited to the work and how to test a dog's disposition as an initial assessment. Then I went to South Central LA Animal Shelter, where I met Tobin. He was pretty filthy and obviously traumatized by his previous life, but unlike most of the other dogs I encountered there, he was very calm and quiet, not jumping and barking. He immediately attended to me when I approached his cage, and he licked my hand and rolled over into a submissive posture. I knew that he was the right dog, so I paid the \$80 for bail and surgical sterilization, (Sorry Tobes, they had to go!) and took him home the next morning. That was in July, and since then he has gone through a thorough transformation from a shy and skittish shelter dog to the lean mean human-assisting machine that he is today.

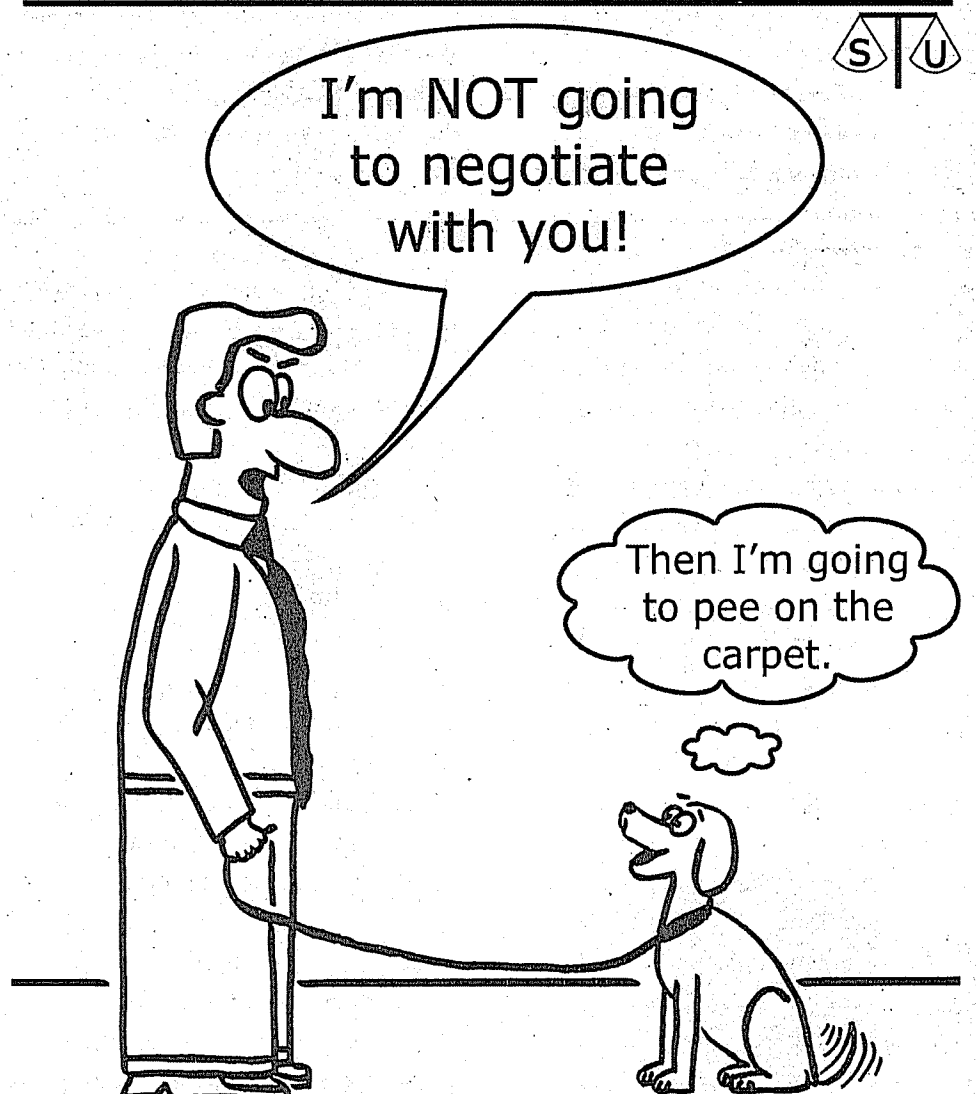
Q: Can I pet him? A: Tobin loves heavy petting! In general, you should always ask first before petting a service animal. If the animal is working, its owner probably won't allow petting, since it's a source of distraction to the animal. In Tobin's case, he is only working when we are in the car, so feel free to come up and say hi. It's generally polite to acknowledge the owner as well. A firm pat on the tush or a tongue-kiss will do just fine, thanks.

Q: Why does he often/always/sometimes look like he's cringing/refusing to walk/about to defecate? A: It's those damn slippery hallway floors. There's just no purchase for poor Tobin's wee paws. So he frequently slips, legs asplay and back hunched, which sometimes makes it look like he's about to sully the linoleum. Don't worry, he's fully potty-trained. If you find a land mine in the hallway or locker room, I assure you it was the work of an overstressed 1L or a disgruntled OCIP participant and *not*

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Stu's Views

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REUNION

FROM PAGE 4

the cocktail area. Just as I come down the steps I see people I know. Not just people I know, but people I like. Nice people, safe people. People who either never noticed the green hair or even though it was kinda cool. Suddenly, I notice that I recognize about 80% of the people and almost all of them are cool people.

As the night progresses, it becomes obvious that my memories of high school were not entirely accurate. First of all, the "rich-bitch snobs" previously mentioned only composed about 5% of my class. During the reunion, they sat bunched up at one table, isolated by the rest of us, while we poked fun at them and made snarky comments.

MOOT

FROM PAGE 5

talking to participants on the opposing side who believed they had the worst of the argument.

So the brief got written (without staying up past midnight, I might add), and then comes what it's all about, the oral argument. After a lot of preparation and worry, the experience was strangely metaphysical.

It reminds me of that great passage in Jim Thompson's *The Grifters*, when the wizened criminal explains how any con man must operate: like a magician, whatever the particular mechanics of the illusion, the trick depends on his will being strong enough to push away someone else's — the non-Force equivalent of a Jedi mind trick.

Lawyer: (waving hand): The Court should reverse the judgment of the lower court.

Judge: We should reverse the judgment of the lower court.

HURRY

FROM PAGE 6

has as much of a chance of making it as an actress in LA as Paris Hilton has of abstaining from sex for a week. She was a little better than Grilling Girl and Metaphor Girl though.

Problem #5: Girls Who Grill You

As I was moving through three minute conversations with the ten girls, I was surprised when one of them started grilling me. It was like the \$25,000 Pyramid game show where I was asked questions and I sat there trying to answer them and, if I couldn't, then I could say pass and move on to the next one. It was both frustrating and disappointing considering that there was not \$25,000 waiting for me at the end of playing her little game and I had absolutely no interest in her. The only thing I was hoping for was that she would some-

Second, the rest of my class were nice, albeit somewhat shy folk with great personalities and fantastic lives.

Third, it turns out that I was rather popular. In my horrid flashbacks of high school, I had severely discounted the number of people with whom I shared friendly relationships. People even stopped to tell me how highly they thought of me in high school! Who knew?

Poof! Suddenly my "glory days" really were filled with glory. Years of therapy could not have achieved such great results.

While there is really no point to this story, it is my humble advice to visit the past whenever possible, because you may just surprise yourself!

Stripped of the legal reasoning, that's really what oral argument is. There is no "law" to know, only the particular history behind your issue, and you usually know it better than the judge does. His job is to try and poke holes. It's a test of you and your self-assuredness.

In my second round, I was clearly outclassed by my opposing attorney, who I would gladly have strangled for being so unflappable — only I couldn't do it, except with words. Bullshit is your armor. Which leads to my third Hollywood analogy, *The Matrix* — your body is at rest, while your mind is flying through the air throwing punches and dodging bullets.

In their oral argument prep session, the Moot Court board offered one piece of great advice (don't mistake me, they offered lots, but this one transcends the experience. Oral argument is a chance to argue as

how offer to give me back the last three minutes of my life that she wasted with her stupid questions. Unfortunately, she did not come through on that end either.

Problem #6: Metaphor Girls

"Are you a staple or a streamer?" she asked. "Excuse me?" I replied in absolute disbelief. Deadpan, she repeated, "Are you a staple or a streamer?" What? Was she kidding? Did she want me to humor her? Did she think I was taking crazy pills and wouldn't think it was weird that she was asking if I was a staple or a streamer? I decided to go with staple just to see what would happen. She tells me that she sensed that I was a staple. Have I ever given off a noticeable "staple" vibe? Coming off this random question, I had too many of my

DOG

FROM PAGE 7

my dog.

Q: Does he bite? A: Only on command. I urge you to consider this when I ask to borrow your notes, your outline, or a few grand to pay for Barbri.

Q: Where can I learn more about service animals and/or narcolepsy? A: I recommend the following urls:

Service Animal Info:

www.deltasociety.org (This site addresses therapy and companion animals as well.)

Narcolepsy Info: <http://www-med.stanford.edu/school/Psychiatry/narcolepsy/>

YOURSELF; they said this by way of telling us not to read Clarence Darrow's autobiography, or watch footage of the Simpson trial — oral argument is most effective when you're arguing what's most important to you, and in the way you converse most effectively with other people. Not an opportunity you often get writing briefs or doing transactional work.

The judges echoed that same kind of down-to-earth advice; your aim is not to argue fine legal points, but to tell a compelling story to a group of human beings.

So, between a refreshing humanization of the lawyering profession, and a ritzy buffet lunch from California Pizza Kitchen (a tradition), I'd have to say the whole experience was well worth the effort. I only wish now that that part could have just shut up and got here faster. But where's the fun in that?

own for this chick. So I asked, "What does it mean that I am a staple?" She answered that a staple is someone who holds things together. What does that even mean? People should not try to be clever when they can't pull it off. What if I had said that I was a streamer? Would that have meant that I liked to party? Or maybe that I have a festive personality? I should have taken this girl out of her misery so that Jessica Simpson could officially be the stupidest person living in America right now. **Hurrydate or Schmurrydate?**

In retrospect, the whole experience was really interesting. I found it intriguing to see what I could take away from a three minute conversation with someone. Did it fill me in as to who these women were? Could I make

LOVE

FROM PAGE 6

over to dance with me, even though he was supposed to be working. He was an amazing dancer. And when a guy knows how to move on the dance floor...

About two weeks later my friend Jim had his birthday at 217. Then my friend Liz from DC came in town a week after that, and everyone wanted to hit up 217 again. Basically, I was stalking him even though I didn't plan any of the attacks. I must say, stalking is my second favorite pastime. But once you get a name, it's no fun anymore.

Michael told me on one of my last visits that he saw someone on TV that made him think of me. So you are thinking of me in your spare time? I got something else you can do with your spare time. I fell in love again that night.

This trend has continued the past year without me even realizing it. My friend Vara was quick to point out my love for the bar employee when we were at Busby's a couple of weeks ago.

Close your eyes and imagine... 6'3" tall, tan, dirty-blond hair, and a black belt in body karate. I had seen him working at Busby's the Saturday before Bar Review. As soon as I saw him, I said to Vara, "I think I love him. Should I talk to him?"

That is when she told me that I "love" all the guys who *work* in the bar rather than talking to the ones milling about with the same agenda. (The agenda being meeting people, of course).

I never went over to talk to him. Fate stepped in though... she sure is good to me. As Vara and I were heading to the car after closing time, we spotted the love of my life standing on the corner. He was making sure everyone who had to cross the street did so with caution. So I took the opportunity to meet my baby's daddy.

I told him I had my old orange safety patrol belt if he wanted to borrow it for work. (The ice-breaker). Come to find out that he just moved to LA two weeks ago from South Carolina. Don't worry, I'll be your friend. I'll show you the sites.

And he's a Southern boy? Shout out to the Dirty South.

When I saw him again at Bar Review, I completely ignored him. It was not like I was trying to play some game. I was just too intoxicated to even think about hitting on him. Something was in the air that night. Everyone came out and partied like it was the last day of finals.

No one could figure out why we all got so hammered or why so many strange events happened by the end of the night. Each of the five girls that I

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PRIDE

FROM PAGE 2

are tenuous at best:

1. The military does not discriminate against homosexuals, just homosexual conduct.

For many self-identified LGBT individuals, there is no artificial parsing of conduct and identity. Homosexual conduct is not something gay people "do." A ban on conduct effectively serves to ban individuals, just as a ban on all heterosexual "conduct" would serve to exclude heterosexuals as a class.

An even stronger observation is the facial fallacy of the statement. In fact, the military specifically discriminates on the basis of identity. Those individuals who may have homosexual experiences, but who self-identify as non-gay, are not necessarily excluded. In fact, in most cases the triggering event for dismissal is not engaging in homosexual conduct, but self-contextualizing that conduct as expression of one's identity as "a homosexual." This point is further bolstered by the fact that merely uttering the words "I am gay" is grounds for dismissal, even if one is celibate.

2. Congress has promulgated this law, the President has signed it into law, and the Courts (including the Supreme Court) have upheld it. Therefore, it must be good law. The proper way to change this law is to lobby the legislature because the military follows the law.

Even those who have not had the benefit of a law school education understand that simply because something is signed into law by the President or passed through Congress or even upheld by the highest court in the land does not make it consistent with constitutional principles. Congress, the President, and the Supreme

HURRY

FROM PAGE 8

a reasonable determination after so little time? Or was the whole thing a big farce whose only purpose was to bring together and point out the single people in the room? I am not sure. I guess that for the most part, it was still a pretty superficial exercise. I mean, there was no way that you could get much out of such a short conversation with someone. You made your determination based on (1) friendliness and (2) attractiveness. It is not the worst criteria in the world, but I probably could have scanned the group at the start of the evening and decided who I would consider hanging out with again and who would not make the cut. I was surprised though to see who

Court (as well as multitudes of lower courts) upheld segregation laws. These laws were upheld through intellectually dishonest arguments and were eventually overturned by *Brown v. Board of Education* as inconsistent with constitutional principles. Lobbying the legislature is merely one way to effect social change. However, there are other ways. It is undoubtedly possible and effective to work from the top down, and it is also possible to work from the bottom up. Which way a person choosing to express his or her civic ideas and work for change is again up to the person.

To the extent that the Veterans Society suggests that those opposed to the law seek change through democratic methods, Dean Abrams' letter falls precisely within that rubric. Democratic change does not occur when individuals call upon Congress to effectuate their individual political positions. Indeed, Madison explained the tyranny of the majority as balanced by the ability of factions to form a transient majority through coalition building. The only way to effectuate democratic change is to therefore capture the institutions of civil society to amass and exert political pressure upon Congress and the President. This is precisely what has occurred. The Association of American Law Schools has asserted its position. UCLAW, as a member, presents its position. This power of the AALS is exactly what Justice Scalia refers to whenever he decries judicial activism and demands change occur legislatively. Lobbying the legislature is ineffectual unless legislators hear the opinions of their constituents.

3. Military cohesion will be threatened should homosexuals be allowed to serve.

SEE PRIDE, PAGE 10

annoyed me within three minutes. If I can't stand to even talk to you for three minutes, how would I ever date you?

In theory, Hurrydate makes so much sense. There are tons of single people in Los Angeles that want to meet other single people, but the bar and club scene doesn't seem to be the most efficient way to help these people get together. Hurrydate and its competitors cropped up to take advantage of these singles by taking their money and acting as a middleman. They almost act as a marketplace for singles. They set up the events so that you have a little time to check out the goods before you make a selection and there is no pressure at all on the

VETS

FROM PAGE 2

'protest' the objectionable federal law is to retaliate against government agencies that have no power to change the law, and aren't vested with discretion in complying with the law.

The message implied in the Law School's email notice to 2Ls and 3Ls on the eve of Fall OCIP goes well beyond merely identifying that a gap exists between federal law and local school policy. Clearly, the timing and content of the letter reflect an intention to discourage students from considering the military as a public service career option. After the current policy barring homosexual conduct became the law of the land, federal courts dismissed at least eight separate legal challenges to the law, thereby affirming the propriety and constitutionality of the policy. A number of federal circuit courts similarly affirmed the legality of the statute, and the Supreme Court effectively concurred when it declined to review the appellate court decisions. Congress, the President, and the judiciary all agree that the law is appropriate. While some members of the Law School Veterans Society do not favor the current policy barring homosexual conduct, others do. Their personal viewpoints on the issue, however, did not dissuade any of them from answering the call of their country and serving in the armed forces.

And neither should Dean Abrams' personal viewpoint and conditional pride in the military dissuade law students from answering the same call. The tone of Dean Abrams' letter contributes to a general anti-military animus already prevalent at the Law School, and further creates a hostile learning environment for the veterans in the student body who had nothing to do with the policy. In targeting the military, the AALS policy behind Dean Abrams' email undermines the legiti-

macy of public service in the armed forces. Several other governmental agencies that recruit at UCLA, to include the FBI, CIA and Department of State, as well as many other governmental entities discriminate on the basis of age in a manner similar to the military. Why, then, does Dean Abrams specifically object to the Department of Defense's discriminatory conduct, but not address the similar practices of other government actors? Impeding or otherwise objecting to military recruiting on UCLA's campus only hurts students who might otherwise take advantage of the professional, educational, and economic benefits of military service.

The Law School Veterans Society appreciates differences of opinion regarding the federal laws that govern the conduct of all servicemen and women. In the future, we would embrace hosting a forum for UCLA law students to discuss the unit cohesion realities of military service that drive many of its liberty-constraining policies. However, if the Law School's vision is to see "all forms of discrimination disappear from military hiring," it is unclear how protesting against military participation in OCIP will help achieve its goal. It is similarly unclear, in light of the Law School's email and AALS policy, how the UCLA School of Law can expect proud UCLA veteran law students to feel welcome at the Law School and contribute to its social and academic curriculum.

Phillip Carter, Chairman
Christopher Baker, Vice-Chairman
Petè Dungan, Secretary
The UCLA School of Law Veterans Society is not affiliated with the Department of Defense (DoD). The views expressed in this article are those of the authors and the group alone, and in no way reflect official DoD policy.

LOVE

FROM PAGE 8

rode to the bar with went home separately, and no one told each other. I got my ride home the next day...in a Porsche.

Unfortunately, Dirty South was not the one to drive me home. Why didn't I talk to him? Wasn't this love that I was feeling? These are the questions I ask myself as I fall to sleep at night.

It's okay though. I am thinking of stalking him. Anyone want to go to Busby's?

**Congrats to the
WINNER
of the
BIGGEST LOSER AWARD!
46 Rejections - 29 from OCIP**

singles. That is respectable.

In practice, Hurrydate is unpredictable. The problem is that it is completely dependent on who happens to come on the given night that you choose. It could be filled with a hip crowd that you would want to see again or it might be populated with mutants that look like extras from the video to Michael Jackson's *Thriller* who use this as a means to have some social interaction with humans after spending their days working in solitaire and their evenings at home with their five cats. Let's hope for everyone's sake that when you go to check it out that you get the former crowd rather than the latter.

PRIDE

FROM PAGE 9

In the past, this same rationale has been used to justify the military's exclusion of other groups. For example, the following statement was made in reference to African Americans in the military:

"Men on board ship live in particularly close association; in their messes, one man sits beside another, their hammocks or bunks are close together; in their common tasks they work side by side; and in particular tasks such as those of a gun's crew, they form a closely knit, highly coordinated team. How many white men would choose, of their own accord, that their closest associates in sleeping quarters, at mess, and in a gun's crew should be of another race? . . . The General Board believes that the answer is 'Few if any,' and further believes that if the issue were forced, there would be a lowering of contentment, teamwork and discipline in the service."

We should not ignore the past. Women and African Americans were excluded from the military based on

JOB

FROM PAGE 4

"meet your future boss who will tell you what is expected of you and try not to vomit on him, because that does not make a good first impression" kind of things. He was really nice, he told me how much I would get paid, how many hours I was supposed to bill, and that I would start on October 1, i.e., a little under a week later. At first I was not sure if I should go for it, because the place is in Fullerton (Orange County, for you Westside snobs). I had interviewed the same day with a Century City firm for a temporary position, and they said they would let me know by the next day. I thought that Century City would be much more convenient, and I wanted to hear back from them before making a decision. But within 24 hours I came to my senses. Notwithstanding the annoying commute, the job in Fullerton was a much better opportunity, without a definite end date and with benefits, and the chance to work with several attorneys who specialize in different fields. So before hearing from Century City, I called Fullerton back and happily accepted the job.

I keep saying that I was lucky, and I mean it. My ultimate job choice after law school was to work for the DA's Office. Sadly, they are not hiring (you may have heard, there's a hole in the budget). But anyway I definitely wanted to do government work. It don't pay a whole lot, but they get all the good stuff. The firm where I work now does mostly city attorney contract work. Basically, they represent cities in litigation, they advise cities on new laws, they help cities draft ordi-

the same "military cohesion" argument. Before each group was admitted into the military, those who would have had them excluded prophesied the downfall of the military and, as a result, the downfall of the United States. Each time these discriminatory practices were supported by experts. Such an argument merely accommodates discriminatory practices.

In addition, "unit cohesion" has little to do with non-combat positions like being a lawyer or foreign interpreter. Nonetheless, LGBT individuals are excluded from even these non-combat positions. Despite concerns about the presence of women in combat positions, the military has successfully integrated women into non-combat positions.

4. Dean Abrams' email has created an unwelcome environment for military veterans at the law school.

It is doubtful that an email, which openly acknowledges a discriminatory practice has discouraged students interested in a military career. As the

nances, etc. I knew that part. But what I did not realize was the breadth of practice that this entails. Cities do a million things, and they get sued for everything under the sun, especially alleged constitutional violations of all kinds. Cities also act as landlords and employers, and as such evict people, and fire people. Needless to say, some of said people sue the cities for, you guessed it, constitutional violations and civil rights violations, among other things. In other words, whoopee!! It's almost all government work, and it could not be more interesting. The drawback is that I'm in a constant state of panic because each new assignment is a new assignment in every sense of the word. Almost invariably, I have no idea that laws even exist for this stuff, and I am terrified that I will miss something really important, even though I research and read and re-read everything until my fingers bleed (metaphorically, of course, computer keyboards are very gentle on the fingertips.) Every new assignment, a voice screams in my head, **FAKE IT TILL YOU MAKE IT, FAKE IT TILL YOU MAKE IT!!** Every new assignment begins with complete darkness and silence. So far, I have stumbled around and found my way, but it's only a matter of time until the (deep) pool of molasses that is my ignorance and inexperience petrifies, and I'll be stuck there, clutching my yellow highlighter. Not to be paranoid or anything.

Now for some fun stuff. The firm rents a couple of offices to solo practitioners. One of them is a family attorney.

Veterans Society noted, Congress, the President, and many courts have upheld this law. As a result, we doubt members of the law school community have any misconceptions about what the law does and how it affects LGBT people. How then, does an open acknowledgement of something already known to the public create any kind of discouragement? Students who pursue a military career are merely educated about a potential employer's policies, the same as with any other OCIP employer.

As for an "anti-military animus," it would seem the university welcomes veterans - with a panoply of state and federal benefits and affirmative action policies favoring and supporting veterans. Within the law school in particular, the assertion that Dean Abrams' letter fostered an anti-military feeling falls upon two obvious shortcomings:

- a) The letter said nothing new, as explained by the Veterans Society comment. It is just a restatement of what is already

Family law is quite possibly the most dangerous branch of law to practice. People do get mad when you take their kids or their money away, and they don't mind taking a whack at the ol' lawyer who's responsible. Needless to say, a client of this family attorney came to the office, looking weird and all jumpy, wearing sunglasses in the lobby (and not in that cool way some people have) with his hand firmly planted inside his backpack. When he told the attorney that he had something for him, the office cleared out and the police were called. The receptionists came around to tell us to "get under the building right now, we think there's a guy with a gun." Under the building!?! Wow, I'm thinking there's some secret trapdoor or firepole or something that I don't know about. Sadly, all they meant was for us to go to the parking lot. I guess that's for the best, because I probably would have hurt something that I need trying to slide down that pole.

Actually the client had an appointment to discuss his bill, which he apparently was not happy with. That is what he was clutching so creepily in his backpack. Naturally, I suggested that all the attorneys bill that client for the time spent in the garage waiting for the cops to arrive. Hell, if we're gonna get shot at, I think we oughta at least deserve it!

While we were down there, the family law attorney went to his car and got his large revolver. I was informed that he has a permit. Well, that was comforting. Here we all were, about 20 of us, huddled like

public knowledge.

- b) We are a community of educated persons. As was so aptly demonstrated with the Veterans Society comment, not everyone at the school accepts Dean Abrams' comments, and those who do not can make their position known.

And finally, if this letter publicly acknowledging the military's discrimination has caused discomfort to members of the UCLAW community, we urge those individuals to think about the discomfort of experiencing discrimination. The military's discriminatory policy not only causes LGBT persons discomfort but also creates government-sanctioned social inferiority. Having your government say you are unfit to serve trumps the discomfort of facing the truth of the military's discriminatory practices. There is no pride in prejudice.

A message from the UCLAW LGBTALGBTAL@lawnet.ucla.edu
Michael B. Wilson and Brigit Greeson Alvarez, Co-Chairs

chickens at sundown at the foot of the stairwell into the parking area (under the building!), between a family attorney with a revolver and the door into the building. It seems to me that if the client actually did have a gun, and figured out where we all went, that we all were in the line of fire at the O.K. Corral. The way I figure it, unless you're damn sure that you can put a bullet between the eyes of your attacker before he puts one into you or anyone else, you should not be waving guns around. Ultimately, the client did not have a gun, he was just being a jackass. The cops concluded that he intended to scare us. I'm not sure if we were scared, so much as annoyed at losing 20 minutes of billable time. I was not kidding about billing him for the time.

I would like to end on a happy note: I am getting paychecks now, and for the first time since August 2000, I am paying bills not out of money that I borrowed. Being employed feels good. A very good friend of mine's network password is "Igotajob." I know exactly how she feels.

P.S. On November 21, at 6 p.m., I find out whether or not I passed the bar. I have already broken out in red, itchy welts, with over a week to go. By next Friday, I will probably be sporting a dashing carbuncle* on my forehead and might be growing an arm out of my back. I'M HOT, BABY!

* Carbuncle: "A painful localized bacterial infection of the skin and subcutaneous tissue that usually has several openings through which pus is discharged." (Source: www.dictionary.com)

MUSICAL

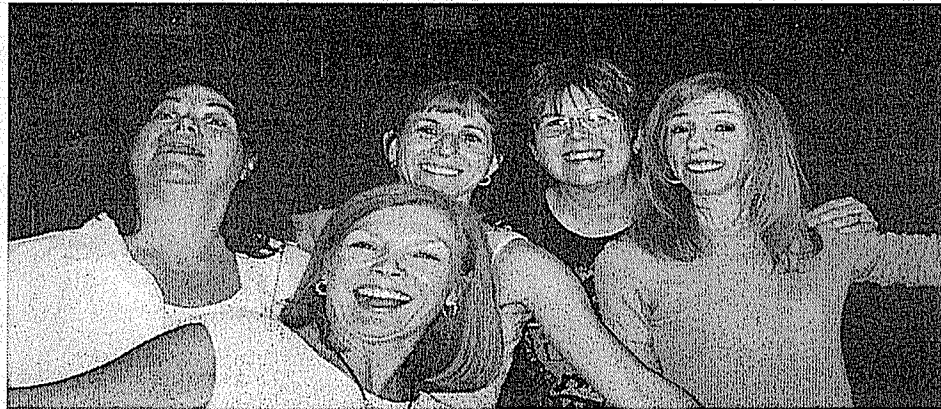
FROM PAGE 3

school will cure problems of premature ejaculation. In a more serious vein, Rob Wargo sang what Data might have said had "Star Trek: The Next Generation" looked into that feature of his humanity in "If I Only Had The Part."

Members of the audience who wanted their guilt assuaged by more didactic songs probably enjoyed the discussion of the difficulties of Civ.Pro by Chaise Bivin (CE99) and the chorus in "Teaching Procedure." For would-be tax lawyers, "Deductably" surveyed common tax shelters available to farmers and other rural clients. "Thermal Stats" presented the environmental law perspective on global warming. And if anyone had any doubts about the purpose of the bar exam after Abel's Professional Responsibility, they would have been laid to rest by Jane Fredgant's (CE84) rendition of "Too Many Lawyers."

The effect minor changes in G.P.A. on class standing was explored by the chorus in "1.795". The view of those at the bottom was portrayed comically by

James Gibbons-Shapiro (CE94) in "Grade Point 64" and in a more melancholy vein by Tricia Zunker (CE06) in "My Comic Resume." Scott Dewey (CE03) sold the remedy for this



Janis Nelson ('86'), Susan Keller ('84'), Leslie Wallis ('86'), Jane Fredgant ('84'), Sally Helppie ('85')

affliction in his pean to outlines, "In The Sweet Buying By."

Those who enjoy barber shop enjoyed the Quasi-Quartet's rendition of "Comatose." Ken Freundlich (CE85) reunited the group — Jack Rubens, Gary Urwin, Joe Scherer, and himself — who had not sung together since graduation to reprise the song they did at that

ceremony, "Alexander's Ragtime Band."

A number of songs dealt with history. "The UCLAW Library" reminded today's students why they should

appreciate the new structure, "Room 1359" explains why that room used to be hated, and in "Those Were The Good Old Days", David Polinsky (CE86) and the Chorus put the 60s into the proper perspective in a reprise of the song shown in the photo on the wall outside Room 3322.

The alumni also raked some

venerable institutions over satirical coals in "Law Review" — "they're such a snobbish crew" — and bar reviews in "The Frontalobe Beer Commercial." Students who think the schools that turned them down must be better than the one that admitted them got their due from Ayanna Chamblis (CE96) and the chorus in "UCLAW I." And just to show that nothing is sacred, Mike Grizzi (CE95) turned "Marian, the Librarian" into "Marian Disciplinarian."

The Alumni Musical closed with songs displaying varying degrees of affection for the Law School — "S.O.U.L.S.", "UCLAW II" and the finale, "We're Singing It Again."

The music was kept flowing by an excellent corps of pianists: Chris Dubois and Shing Hwong (both CE06) and Tom Nanney (CE99), Cathy Paul (CE89), and Suzanne Zaharoni (CE87).

The alumni and current students who performed in the show are now looking forward to the Second Alumni Musical, perhaps in 2008.

ADVICE

FROM PAGE 3

process of making and revising the outline is what teaches you the material, not the finished outline itself. When you get into the exam, you'll have little time for referring to it. Either you know the material for the exam, or you don't. Better to make one yourself from scratch and really learn the material, rather than trying to memorize someone else's outline. Though by all means, check it against someone else's outline (while keeping #3 in mind), making sure that it's someone who's had your professor.

As for commercial materials, spend your little money (and your even more precious time) if you must, on a really good hornbook, to elucidate the sometimes scattered presentation of the law you've gotten from lecture.

5. Take Practice Exams. The one thing I wish I'd done more of my first year. There's nothing like it — it gives you a feel for your professor's approach, and, even more importantly, makes you comfortable with the exam-taking environment. As with a lot of college exams, you'll find that you know the material surprisingly well, and that it means jack unless you can marshal your thoughts efficiently. Learning to do so under test conditions is the best way. But again, don't feel you have to take ten for each professor. Set a pace, and take as many as you can comfortably in the time remaining.

6. Take Care of Yourself. Don't live out of vending machines. Enjoy a regular meal — eating too fast and/or

rising too fast after you're done wrecks havoc with your digestion. If you're having trouble sleeping, it's probably because your mind is still running at sixty m.p.h. When that happens, get up and do something to slow it down (regardless of what time it is — you can't make yourself go to sleep): exercise, read a novel, anything relaxing. J.D. Henderson, our SBA president, is an army veteran, and knows some great techniques for beating insomnia. And the next time, make sure you give your brain a good hour-and-a-half to two hours to cool down before lying down. Not only will you be healthier and happier in the long run, but as noted above, studying becomes impossible when you're feeling not quite right.

Number seven is not *don't procrastinate*. Frankly, this one takes care of itself. It's very hard to sit through a two-hour movie or enjoy a ball game when finals are gnawing on your mind. Often you won't be in the mood to do anything except study, though it's important to have some diversion, especially around mealtimes and right before bed. However, you may want to try:

7. Creative Procrastination. In a Sunday strip of my favorite comic, *Fox Trot*, the teenage daughter is sitting under a tree in the back yard in the dead of winter, in the howling wind, shivering madly. She spends seven panels describing how miserable she is, then comes the punch line: "Because

it beats studying for my math test." Her brother comments, "For me, this would take Shakespeare."

Sadly, often the best motivation to study comes from wanting to put off something else. The key is to make the alternative something useful instead of just time-wasting. If you absolutely can't face your memo for at least a day, take a crack at outlining for Torts. The memo may still be there, but at least the time that's gone by can be counted for something else. What's best of all, of course, is finding something external to law school that you'd rather do anything than — cleaning up your garage, for example, or writing that letter to your grandmother.

Summation. My favorite guide to personal finance — well, the only one I've read — is Andrew Tobias's "The Only Investment Guide You'll Ever Need." In his introduction, he describes The Greatest Moment Of His Life, when, while attending Harvard Business School, he managed to turn a slack-off night of not studying into a brilliant coup that got class cancelled after twelve minutes. Attached to that anecdote is an asterisk, which reads, "Herein a list of my other triumphs at Harvard Business School: I graduated." The End.

For law students, read: "Herein a list of the most agonizing, back-breaking labors undertaken with law school: I took the LSAT and applied." *The hardest thing about law school has always been getting in.* You can't flunk

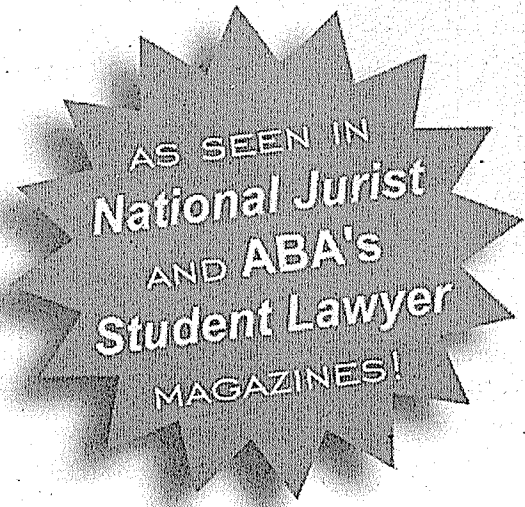
out, you can only quit. Those of you that quit (and there might be a few), it will be because you've decided law school has nothing to offer you that you can't get for yourself, thank you very much. Those of you who are worried about quitting because you can't handle the workload are probably in for the long haul.

It doesn't matter anyway. Readings will pile up, memos will torment, you will get stressed — especially those of you who have a lot riding on your law school careers — and there's very little I can say to keep it from being painful each time around, again and again. I'm a 2L, and still wish I could rewind the semester by about eight weeks. But what I hope you will take away is some practical advice for surviving these last weeks, and the more important basic knowledge that whatever happens, you'll survive. The hardest thing to accept is that how you have begun is how you should go on, because law school can't — and hasn't — changed the person you are, and no one knows you better than yourself.

To paraphrase Baz Luhrman's invaluable "Everybody's Free (To Wear Sunscreen)" invariably the things you spend the most time worrying about will turn out, in the long run, to be the least important, while the most important things will be what you assumed was taken care of.

Hakuna Matata.

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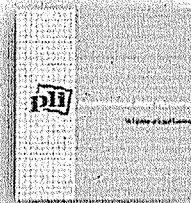
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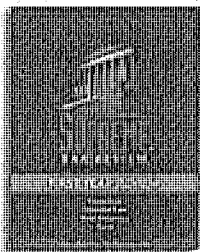


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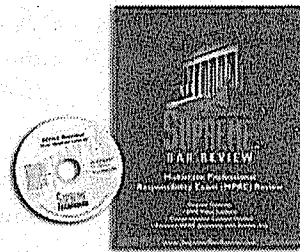
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