

UCLA
The Docket

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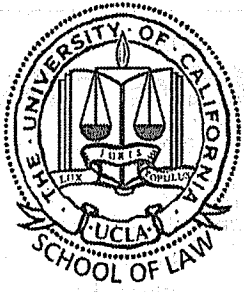
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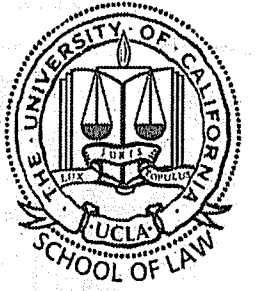
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UCLA SCHOOL OF LAW

VOLUME 49, NUMBER 2

405 HILGARD AVENUE, LOS ANGELES, CA 90095

NOVEMBER 2000

Diversity at UCLAW?

By Erika Woods

1L

For those of you who missed it, last week was diversity week at the law school.

When I first learned that the law school was going to have a week worth of events aimed at celebrating the diversity in the law school, I laughed. Considering that the diversity in the law school today is almost non-existent, I wondered why anyone would want to celebrate. If anything, I thought, we should be mourning the fact that we are deprived of the educational enrichment that a diverse student body brings, not celebrating the fact that the law school has a few token minorities. However, in trying to remain optimistic, I decided to try and make something positive out of diversity week by sharing my experiences as an African-American 1L at the UCLA School of Law. Initially, I was skeptical of speaking out because I did not want to be labeled as an angry militant. Wisely however, I realized that the stakes are too high to remain silent. I think most of us are aware that the number of minorities in the law school is pathetically low, but I don't think the numbers tell the entire story. It's one thing to read or hear someone say there are only 29 Latinos (16 Chicanos) and 5 African-Americans in the first year class, but it's another thing to actually be one of those Latinos or African-Americans. This is my story of why I came to the UCLA school of law and what my experience has been so far.

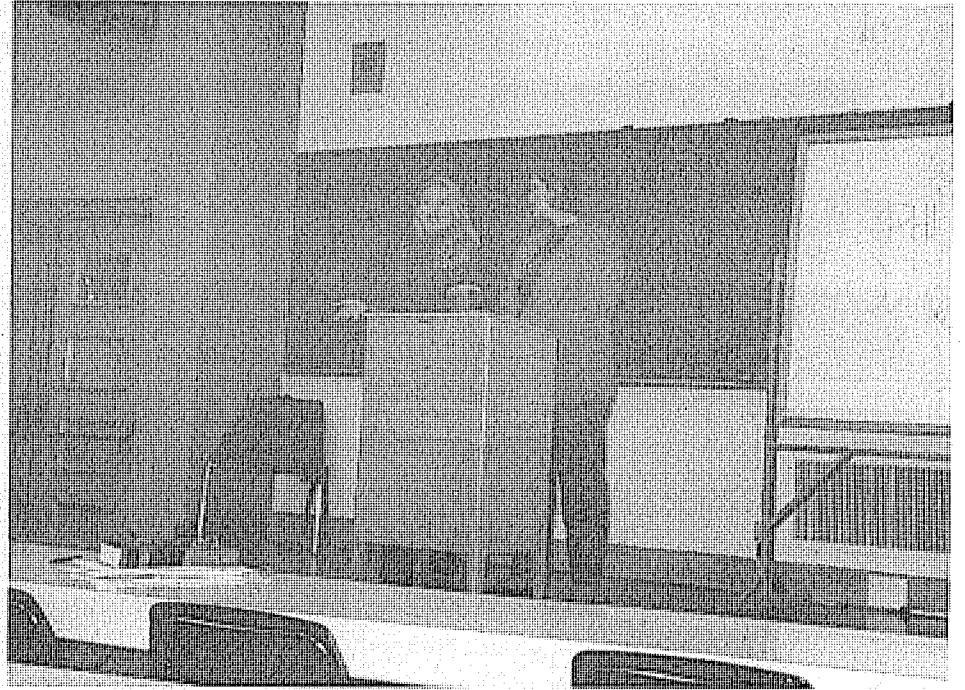
When I first began applying to law schools, I really didn't consider applying to UCLA. With all the things that I had read about proposition 209 I didn't think going to a UC law school (particularly Berkeley or UCLA) would be a pleasant experience. I applied to UCLA only as an after thought because I wanted to stay in L.A. for law school. After I received my acceptance letter, I received a call from one of the 3rd year African-American students. We chatted amicably about what law school was like and what he liked about UCLA. As we were nearing the end of our conversation he told

me that there were two African-Americans in the 1st year class that year. I was shocked. I couldn't believe that UCLA of all places would only have two African-Americans in their 1st year class. After hearing this, I tried to wrap up our conversation quickly because at that point I'd already made a mental note to scratch UCLA off the list of schools I was considering.

As the time to decide what law school I would attend drew closer, I couldn't stop thinking about the situation at UCLA. Part of me wanted to forget about UCLA completely because I knew that law school was hard enough without the added burden of being one of only a handful of African-Americans at an elite public law school. Another part of me couldn't bear the thought of the number of African-Americans being so low and felt an obligation to attend. The latter half of my conscience prevailed and I decided to attend. I rationalized my decision by concluding that: (a) I wanted to go to law school in L.A. (b) I did not want to stay at my alma mater (USC) for another three years (c) I liked the courses UCLA offered (d) the school had a great reputation both locally and nationally, and finally I shouldn't be dissuaded from attending a good law school because I am black.

While preparing to start school, I told myself it would be possible to push the race issue to the backburner and just concentrate on adjusting to the first year of law school. I knew that this would not be easy but I thought it would be possible. I was wrong.

On the first day of orientation, as all 310 of us gathered in the auditorium, I saw my chances of just being a 'regular' 1L begin to vanish. As I looked around the room I was amazed at the composition of the class. I knew that the number of minorities would be small, but knowing it and seeing it are two different things. As Dean Varat, apologetically spoke of the diversity in the first year class, I knew for sure that my



Professor Knaplund and Phi Delta Phi President Donna Hanson speak to students.

Phi Delta Phi promotes study skills

Kelly Dixon

2L

More than 100 students attended the outlining workshop sponsored by Phi Delta Phi, legal fraternity, and led by Professor Knaplund on Monday October 9th and Thursday October 12th.

Various outlining techniques were discussed at the workshop. Professor Knaplund covered the three key steps for outlining: 1) OUR (organize, understand & review); 2) compare and contrast; and 3) anticipate the question.

Many students found this workshop

to be informative and beneficial. "Professor Knaplund gave us a good deal of practical advice for thinking about the outlining process and how to organize our material," said 1L student, Scott Dewey. "I particularly found helpful her comments about setting realistic goals for both the outlining process and the exam experience and I feel she helped give me some much needed reassurance and fortitude for mentally preparing for both of these."

This outlining workshop is one of two academic workshops Phi Delta Phi hosts during the year. The ethics workshop will be coming soon.

Forget men in tights, we want men in thongs

By Crystal Howard

Senior Editor

Tuesday night was a night of divas and drag queens as West Hollywood held its annual Halloween party on Santa Monica Boulevard. Officials estimated 350,000 people were in attendance. The most popular costumes appeared to be Wonder Woman, Tigger, Madonna and groups of sailors. Edward Scissorhands, a group of Egyptians with Cleopatra in drag, and the Exorcist complete with a bed made an appearance. Several construction workers led the way for a person in an elaborate gown of "caution" tape with pointy breasts that flashed red lights. More minimalist was a lean man dressed in a g-string, mask, tail, horns, and high heels less the heels (so that they resembled hooves) and who had painted a glittering six pack on his abdomen. He entertained the crowd by dancing and lip-synching to music blaring from a bandstand. Several men with implants were spotted and there were more thongs than Venice Beach sees in an entire summer. No one in costume was camera-shy, and all loved the attention as innocent bystanders posed with them for a picture.

Several radio stations sponsored stages with live music, ranging from Berlin to Disco

Inferno, complete with large video screens for those not close enough to the stage. Several high-powered spotlights were scattered down Santa Monica to light the crowd and the night sky.

Clubs and bars were packed; some people consumed their beer on the street while keeping an eye out for legitimate police (is it legal to dress as the Missouri State Police in California?). Parking, though difficult, was obtainable due to the city's lifting permit-only parking regulations that normally prevent parking on the residential side streets. Sunset Strip served as the main entrance and exit to the carnival in an area where nighttime public transportation is all but nonexistent. Drivers stuck in traffic could amuse themselves by watching prostitutes converse with taxicab passengers and dealers sell their wares.

Not all the festivities were in the name of fun — the Gore campaign was out in full force, distributing slogan stickers and shouting out Bush's anti-gay, anti-choice policies. Two mannequins in nooses, labeled "Dr. Laura" and "George W. Bush," hung from a building.

If you're planning on attending next year, go with a group and plan on it taking one hour from the time you leave till when you find parking.

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EDITORIAL

Reflections on the poisoned tongue

We've all figured out by now that the law school is a rather tightly knit community. (And if you haven't, well, then you really need to wake up.) Eventually, you get to know most of the people around here. Granted, there are a thousand people wandering these halls on any given day, and it's very unlikely that you'd ever get to personally know everyone. But, for the most part, we all know each other's face. And, after the first semester, you can tell who belongs here and who's just visiting for the day.

First year sections tend to be very tight. These are the people you know best, like it or not. But beyond that, we form connections with other students, by virtue of being around them every day, which develops a web of relationships that links the entire law school together. Like a system under pressure, it bubbles and brims with potential energy. This energy, like all other types, can be put to ends both noble and base.

The opportunities to meet and hang with your fellow students are wonderful. Spending time with them here at school, bar review and elsewhere is good. You talk, you have fun, you get to know each other, and that's part of what makes life interesting. Perhaps you even meet that rare person whom you know will be a friend for life. We all need a few friends like that, and the pressure and stress of law school, coupled with the amount of time spent here (particularly during that first semester) seems to help forge those bonds.

But all this community can be twisted into something vile. People talk. And when you have a community as insular as ours, rumors and gossip can quickly get out of control. Sometimes it's lighthearted fun and people don't really mind. Sometimes it's hurtful. Gossip can be damaging

anywhere, but in an enclosed social environment, particularly one that monopolizes time the way law school does, gossip can spread like typhoid in a refugee camp, with results nearly as devastating. The people we meet here will be our friends and colleagues for a very long time, and when things happen that damage and destroy those relationships before they ever really have a chance to blossom, that's a shame.

It's terribly easy to repeat something you've overheard, terribly easy to vent to a friend about another friend when they're not around. But in a place like this, you cannot assume that someone's absence ensures their ignorance.

Think before you speak. Don't be selfish. Before launching in on a diatribe on that annoying person in your Corporate Securities class, ask yourself what you would say in their presence. Some of us are unapologetically caustic, but at least they're open and honest about it.

It is not our wish to play Miss Manners to the law school community. We're all adults. But we have only three years here and we shouldn't spend our time in such a way as to leave with bitter memories. Let's make it a place we can enjoy, a place where we can feel safe and comfortable, a place where we can share our fears and dreams, our secrets and wisdom, our heartaches and joys. A place we can look back on with fondness, not with regret.

UCLA is known for its friendly atmosphere when it comes to academics and employment competition. Unfortunately, our social atmosphere resonates with echoes of General Hospital and Ryan's Hope. We can do something about this, and we should.

Letters

Dear Editor,

What's up with the broken piano in the lounge? Can we get that thing tuned or replaced? You guys did such a great thing bringing back the TV (which we greatly appreciate), I know you can solve this problem.

Yanni

Dear Docket,

Many of us feel the sentiment that our SBA representatives are interested in only one thing... adding a bullet-point to their resumes. How about this: If we're dissatisfied with what the SBA is doing for us, we get our dues refunded.

Disgruntled

Letters Wanted

Come on,
you send them to
Penthouse...

...send them to us!

Send them to
docket@orgs.law.ucla.edu

Branching Out

The Docket's new column on legal education outside the classroom

By Willow Mc Jilton
1L

Nestled away in the dark corners of UCLA are unbelievable opportunities of which many students are unaware. Opportunities to practice what we learn with real people. Opportunities to build our meager resumes. Opportunities to get away from books, highlighters, and laptops. So why do so few know about these opportunities? I don't know, but I plan to change that. Each edition of the Docket will highlight an opportunity for students to expand their knowledge, improve their resumes, and sometimes even get free donuts!

The Sunday Free Legal Clinic is a non-profit community resource. Started in 1993 by UCLA professor Michael Asimow and Gary Farwell, the clinic is a joint effort between UCLA, First AME Church, and Temple Isaiah. The clinic usually runs every other Sunday, 10 a.m. to 1 p.m. and offers free legal advice and resources to members of the community, regardless of income or legal problem.

The clinic offers law students a unique opportunity to work with clients and attorneys on a variety of legal issues. Students interview clients, then present the legal issues to a panel of volunteer attorneys. The attorneys render advice and the students relay the advice to the clients. There is a

pool of 60-80 attorneys, so each volunteer experience offers more opportunities to network with legal professionals in all areas of law. Also, the clinic is a great place to meet fellow law students from USC and Loyola Marymount. The time commitment can't be beat. Come whenever you want! You can come once a month or even once a semester. Arrive bright and early at 10 a.m. or stroll in around 11 a.m.

IL Alison Taub has been volunteering with the program since last winter. She was initially drawn to the Clinic because of the minimal time commitment, but has stayed with the program because of the wonderful opportunities, including the exposure to a diversity of legal problems. "Working with two or three clients each clinic day, I have had cases involving nasty divorces, expunging criminal records, mandatory registration for sex offenders, a "scratched piano" case that sounded like it came right out of a contracts text book, parties trying to privately work out damages for car accidents, immigrants who wanted to ditch their sponsoring employers, conflicts between heirs over property of parents who didn't write wills, grandmothers being hounded by creditor problems and believe it or not, even an adverse possession case."

And if all of this doesn't make you want

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The Docket

UCLA School of Law

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Opinions

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Election 2000: More than just a President

By Jennifer Tobkin
2L

There is a great deal more at stake on November 7 than just who will occupy the White House for the next four years. In fact, the next President of the United States will likely appoint at least two justices, and maybe more, to the Supreme Court. Several vacancies are likely to arise as current justices step down because of age or health problems. A first-term president has not been able to have such an impact on the Supreme Court since President Richard Nixon appointed four justices in the 1970's, or when President Herbert Hoover named three in the early 1930's. As Supreme Court appointees generally serve well beyond the term of the president who appointed them, the next president's nominees will influence nationwide policy for decades to come.

The current Court, while it leans conservative, has produced a remarkable number of 5-4 decisions. That means that with a shift of just one or two votes, decisions on important issues — abortion rights, gay rights, the separation of church and state, and the death penalty — could easily have gone the other way. The next administration's appointees could provide those one or two votes, and produce profound changes in the law governing these areas.

Vice President Gore and Governor Bush could not be further apart when it comes

to the type of individuals they would appoint to the Supreme Court. The two hold radically different views on whom they see as ideal court members. Governor Bush has said that he believes that Antonin Scalia and Clarence Thomas are model justices. Conversely, Gore has pointed to the late Justices Thurgood Marshall and William J. Brennan as his model justices.

Understandably, one of the most talked about issues this election has been abortion rights. In the context of the Supreme Court, the importance of this issue cannot be overstated. In 1973, the Court upheld a woman's right to choose in *Roe v. Wade*. Several recent decisions regarding abortion rights have resulted in a slim 5 to 4 vote for choice, but these decisions, and *Roe v. Wade* itself, will clearly be jeopardized if a reconstituted Court leans more to the right. Governor Bush has promised that his nominees will be "strict constructionists," a code-phrase for "opposed to *Roe v. Wade*."

On the other hand, Vice President Gore has pledged to nominate justices who are strong protectors of civil rights and individual liberties, who share Gore's belief that the Constitution is a living document.

It is not just abortion rights that are in the balance. As law students, we know just how much the decisions handed down by the Supreme Court affect our daily lives, especially on issues such as civil rights,

How much would you pay for that 3L in the window?

It was my second or third interview. The guy looked at my resume and said, "Your resume looks like a train wreck." Now, I could have learned to come up with explanations about why I did certain things, and what made me choose certain options. And I thought about it. But it seemed impractical because no matter how many of their questions I was able to answer there were always other questions I had not anticipated. It was time to turn the tables on these people.

This epiphany occurred while I was interviewing with a firm located in Palo Alto. This guy started talking about Palo Alto like it was some kind of Mecca, all the while intimating that I would not fit in. He told me that Palo Alto is a small town.

"There's not a lot to do there," he said. "The place closes down at 11 o'clock and you," he continued, addressing me, which seemed strange because we were the only people in the room, "You're from New York, L.A. You don't strike me as a Palo Alto guy."

A Palo Alto guy.

What the hell is a Palo Alto guy?

I searched my memory banks: images of espresso bars and delicatessens where you have to order your food in Italian; small antique shops; really well-dressed white

babies in strollers that cost more and have more safety features than my car. From my experience, the only criterion to be a Palo Alto guy is that you have a job good enough to allow you to buy a big SUV.

Was I missing something? I mean, what is this place they call "Palo Alto?" Is it truly some wondrous place of unexciting excellence so sublime that if you've been jaded by having any experience in the real world you are unable to appreciate it?

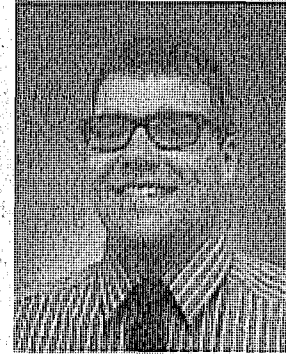
No. This guy is daring me to explain to him how, with my seemingly incongruous back-

ground, I could possibly be (or maybe have the potential to become) this mythical "Palo Alto" guy. So many images in my mind, spinning so fast that I couldn't grab hold of any one in particular. Palo Alto was too intricate in its mundaneness to thoroughly understand.

My only recourse lay not in making me into Palo Alto, but in making Palo Alto something that I could be. So I leaned into Mr. Up-North-Double-Mocha-Latte and said, "Palo Alto. Huh. Would it make any difference if I said I have a pathetic social life and really enjoy it?"

No more feigning a desire to fit in. It was the world that had to fit in with me. Was Palo

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Sam Fortenbaugh
Staff Columnist

See ELECTION, page 8

LAW FRIENDS

Good morning, class...
tikka taccka
SUPER TRANSCRIPTION GIRL
100 WPM @ 115 dB

Where's bar review?
Dude, can I have your notes?
PARTY GUY
B.A.C. > G.P.A.

Oh my god. Oh my god. That ungraded memo is due in two weeks!
I'm too old for this shit...
UCLA 2003 LAW
PARANOID BAG GIRL
OLD GUY
COULD BE YOUR DAD. WENT TO HIGH SCHOOL WITH YOUR PROFESSOR.

I think it went well.
OCIP GUY
ARMANI SUIT: \$1000. TAG HEUER: \$700. BEING TOLD YOUR GPA IS TOO LOW FOR THIS FIRM: PRICELESS.

Library Guy
COULD BE STUDYING FOR EIGHT HOURS, OR JUST DOWNLOADING PORN.

ANNOYING GIRL
HAS MANY OPINIONS, ANECDOTES, INSIGHTS. NO ONE CARES.

Five FreeCell games in a row... damn, I'm good.
BORED GUY
CONDUCTS ONLINE TRADES, E-COMMERCE. HAS NEVER OPENED UP MICROSOFT WORD.

Uh...hmm... his mens rea was... fee simple?
CLUELESS GUY

Kill me...
SOCCER MOM
SPENDS MOST OF HER TIME ON THE 405.

MINORITY GUY

COMMERCIAL OUTLINE GUY
DISCOVERS EMANUEL, GLANNON, ET AL... NEVER SEEN IN CLASS AGAIN.

My first law school exam: Funny only in retrospect

Kristin M. Green
2L

"Go to START, PROGRAMS, EXAMSOFT." I followed along as the proctor read the instructions.

"When the program starts, be sure the window that says, 'you are going into PRACTICE MODE' doesn't come up." I felt confident that I could manage this. That is, before I heard a disturbing "k-chunk, k-chunk" coming from the area of my disk drive. The sound continued for several seconds, but I nodded bravely at my classmates as they looked quizzically in my direction.

Then the sound stopped, and up popped the "PRACTICE MODE" window. Great. Not particularly worried, I raised my hand and asked what to do if the "PRACTICE MODE" window was on my screen. Naturally, the answer to my question was not part of the proctor's instructions, so she told me to wait until Sean Pine came to start the test.

Thinking that waiting until it was time for the rest to begin was NOT the best solution, I asked the proctor if I could try another disk. I remembered learning at the exam software training session that sometimes the disks don't work, and you just have to try a new one. I was sure the new disk would not fail me.

Sliding the new disk in, I smiled at the sympathetic faces around me. I wasn't worried. I mean, a tense start always makes for a good story.

"K-chunk, k-chunk." Louder this time, the sound, like a homing call, brought a crowd

of problem-solvers to my desk.

"Is your floppy drive in all the way?"

"Have you tried shutting down?"

"Has your computer done this before?"

I answered the questions and tried each of the suggestions, but to no avail. Again and again, the "PRACTICE MODE" window popped up, taunting me with what I was beginning to realize was my reality: I was going to have to write the test BY HAND.

When Sean came into the room to start the exam, the gathered crowd around my desk spoke for itself. She repeated all the same questions and suggestions and came to the same conclusion that I had.

"Did you bring bluebooks with you?"

In a daze of disbelief, I walked to the front of the classroom and dug three wrinkled bluebooks out of my backpack. Confused, I stammered to no one in particular, "Is three enough?" As bluebooks came at me from all directions, the answer was clear.

The test was passed out and the clock started. As I turned to the first page and began to read, my vision clouded as tears of disbelief filled my eyes, then dripped onto my glasses. Taking off my glasses to wipe my eyes, I looked up to see twenty-five heads bowed intently over the exam, each with a set of fluorescent green earplugs protruding from it.

Pinching myself to be sure that it wasn't a dream, and hoping if it were, that these people's alien leader would beam me up, I took a deep breath and began the murderous three hour journey that was my Criminal Law exam.

Reflections on a year's passage

By Toby Bordelon
Senior Editor

I'd like to take this opportunity to reflect on the past year or so at law school. The whole on-campus interview process got me thinking. What am I doing? I came to law school with a purpose, with dreams to follow and goals to achieve. Somewhere along the way, things changed. I'm not exactly sure when it happened. It was a subtle shift, I think, gradually over time. Slow enough that it wasn't really noticeable at first. Then one day, I woke up and wondered what had happened.

It's easy to get caught up in the law school mentality, and somehow I did. I didn't come here intending to go to work for a big firm, but somehow, at the beginning of this year, I found myself going through the process of doing just that. And as much as I think I might like firm life, it is a little disturbing.

You spend enough time at the law school, and you start thinking a bit like everyone else here, you start to desire the things that law school says you should. Grades are important, because the people with the highest grades get the best jobs. You've got to do Law Review, because that leads to success in life. That's what they even tell you at the informational meeting: Law Review looks good on a resume. It will help you get a job. It's good to go work for a large firm. Those jobs are prestigious and will lead to further success.

Now there isn't anything inherently wrong with doing any of these things, if that's what you genuinely want to do. But to do something because it looks good on a resume, because it's the path to success, or because it's what the system tells you to do is a mistake. A big one.

I look at my classmates from last year,

and I can see a difference. We're more focused now, more intent on getting through law school and pursuing our careers. Are we more grown-up? Maybe.

More serious. There's a down side to that change. Some of the fire that people used to carry inside them is gone. Some of the joy in life is gone. The playfulness, the happiness, the carefree attitudes which we seemed to carry with us last year, a little bit of all of that is gone. Not always completely departed, but enough that you can notice a difference. I don't think I like that difference.

I have friends at other law schools across the country, and I can safely say that UCLA is one of the best. This change happens less here than it does at some other places. But it still takes place. The fact that this happens is a disgrace, a dismal failure on the part of law schools across the country, a shameful blemish on the institution of legal education. The practice of law is a noble profession, but some of that nobility fades with every idealistic student who becomes an attorney intent on pursuing prestige and wealth.

I almost lost myself this past year. I came very close to the edge, but I thank God that I didn't fall over. Life should be full of joy. Don't give up your dreams, whether they are of government service, public interest, teaching, or even of becoming a partner at a large firm. Do what you want to do, and don't let yourself be pushed into anything else, by anyone or anything. I don't think a person can be truly satisfied in life unless they are following their heart.

There is a price to pay for every decision we make. Sometime it's worth it. Sometimes it's not. Whatever the potential gain may be, one's soul is far too high a price to pay.

The Librarians' Desk

By Adrienne Adan, Jennifer Lentz, and
Linda Maisner

Your Darling Law Librarians plan to write a column for each Docket filled with items we think you'd like to know (or ought to know). If you have a question for us, email us at lawlibrary@lawlib.ucla.edu. We'll answer your inquiry, and probably use it as fodder for a future column.

SEEN ANY GOOD MOVIES LATELY?

Don't feel like dragging yourself to the corner Blockbuster? The library has a growing collection of videos that can be checked out overnight to law students, faculty, and staff. Developed to support the program in Law and Popular Culture, most of the videos portray the legal profession at its best, at its worst, and in between. Included in the collection are such classics as *The Caine Mutiny*, *Witness for the Prosecution*, and *Inherit the Wind*. A few other well-known titles are *Breaker Morant*, *The Chamber*, *Chinatown*, and the *Rumpole of the Bailey* series. Check out the Law and Popular Culture video list at <http://www.law.ucla.edu/library/information/>. Each title is also cataloged on ORION2 (the UCLA libraries online catalog). The library welcomes suggestions, so if you see a good flick and think it belongs in this collection, please send an email to Adrienne Adan at adan@law.ucla.edu.

HELP—I'VE FORGOTTEN MY WESTLAW (or LEXIS) PASSWORD.

Don't despair... LEXIS and WESTLAW student password lists are at the circulation desk. Just show some identification, and the staff will look up your I.D./password number.

WHAT TO DO WHEN MATERIAL IS OFF THE SHELF:

Don't spin your wheels. Ask at either the circulation or reference desk. We can

often find it for you very quickly. There's no learning curve for you in hunting down missing materials, so ask!

TALES FROM THE CRYPT.

We've had requests from students for guided tours of the Law Library. The librarians are more than happy to customize a tour according to your particular interests - or we can offer you our "Secrets of the Law Library" tour. Contact Jennifer Lentz at lentz@law.ucla.edu and she'll set up a tour for you.

WHAT HORRIBLE TEMPTATIONS LURK IN THE TOWER?

The Tower Reading Room has over 650 recreational reading titles, including biographies, short story collections, poetry collections, travel books, and most of the recent best sellers. You can check out the latest Harry Potter or enjoy the complete Aubrey/Maturin series by the late Patrick O'Brian (an addiction Linda highly recommends). We'll be highlighting interesting new acquisitions in future columns, but meanwhile you can scan the titles in the collection by looking at <http://www.law.ucla.edu/library/information/>. If you want us to order a particular book, just fill out a request slip (found in the Tower Reading Room) or email Adrienne Adan at adan@law.ucla.edu.

COMING ATTRACTIONS

The top 5 legal websites you need to know. Also, choosing the right search engine for your web search. And stay tuned - your Law Library mug is going to have some competition.

I may disagree with what you say,
but I will defend to the death
your right to say it.

-Voltaire

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Proposition 21 misses the point

By Beth Caldwell
2L

On March 7, 2000, California voters passed Proposition 21, a law which has drastically altered the structure of the juvenile justice system in California. These changes ultimately will lead to an increase in crime and punishment and to huge state expenditures in medical, legal, and punitive costs. California is leading the nation in "get-tough-on-crime" legislation that is supported by the majority of California voters because of racial prejudice and fears cultivated by the media. California voters continue to enact measures such as Three Strikes and Proposition 21 despite that punitive measures have not been proven to be cost-effective deterrents of crime. We throw more and more money at the prison industry, yet the current system yields high recidivism rates. At the same time, we reject innovative, cost-effective models that provide people with the tools to succeed once they are released from prison and those that aim to prevent crime before it happens. Despite the fact that proactive, preventative measures have been proven to be the best way to reduce violence, California consistently has chosen to deny funding to such programs. Last year Governor Grey Davis approved the punitive portion of SB334 while rejecting the part of the bill that funded measures to prevent juvenile crime.

Funding expensive retribution while denying funds to cost-efficient crime prevention is irrational. Substantial research has shown that the punitive policies we choose

to enact actually perpetuate crime. We tolerate brutalization and dishonesty by police officers, prosecutors, defense attorneys, and prison guards ("correctional" officers). Our prison system is designed to set people up to fail; there is no question about that. Even more surprising given the national movement for more and more crime legislation is that juvenile crime has decreased over the past decade. Under these circumstances, it is crucial to question why we are behaving in such an irrational way when it comes to criminal justice policies.

Two major factors that encourage this irrational support of ineffective and expensive "get-tough-on-crime" measures are racist fears and the economic interest that the prison industrial complex generates. The prison industry is booming in the United States—private companies are making an abundance of money by contracting with the government to run private prison facilities. The interest of such companies is profit, so they decrease the quality of services in the institutions (including food, healthcare, and guard training) to lower their costs. Corporations like Victoria's Secret pay prisoners a fraction of the minimum wage to work for them in a system that is comparable to slave labor.

Everyone agrees that the suffering that victims of crime endure is tragic. However, few recognize that the current American punitive system that purports both to punish criminals and to protect society is equally tragic. It dehumanizes and victimizes many of the most marginalized individuals and groups of our society. It perpetuates vio-

lence and crime. It does not serve to protect society at all but instead provides a scapegoat that allows us to ignore the root causes of crime and violence. Even policies such as anti-gun legislation for which the Million Moms marched are coupled with extremely punitive juvenile crime measures.

I believe that many of those who support "get-tough-on-crime" legislation do so only because they do not understand the devastating and counterproductive impacts such measures have on individuals, families, and communities. How can a society believe that justice is served when a sixteen year old African American boy is sentenced to sixteen years in prison because he accepted a ride with a friend in a car that he did not know was stolen and in which, unbeknownst to him, his friend had a gun? How can people continue to support state sanctioned murder under a system that is so unquestionably racist? How can we ignore the fact that so many African American males cannot vote because they have been convicted of felonies under a racist criminal justice system?

The majority of juveniles who are incarcerated have been abused or neglected as children. Most are poor, and many are people of color marginalized from mainstream society in a myriad of ways. Instead of looking towards poverty, the poor quality of education in schools in low-income neighborhoods, racism, sexism, or the gross power inequalities within our society to explain patterns of criminal behavior, we find it easier and more satisfying to blame the victims of such societal problems.

The criminal justice system targets youth of color at many different levels. Policies such as Proposition 21 are shaped with them in mind. Special police units such as LAPD's CRASH unit (now CLEAR) target, harass, frame, and brutalize youth that they suspect to be involved in gang activity. It is up to the officers' discretion to define who they think are "gang members," so many people are targeted solely for their appearance. Highly funded prosecution units such as Operation Hardcore aggressively prosecute poor youth of color. Judges order civil injunctions against "suspected gang members," a label which often includes people who are not even involved with gangs. The state does not provide attorneys in gang injunction cases despite the gross infringement on civil liberties because the injunctions are "civil" as opposed to "criminal." These injunctions criminalize basic daily activities such as carrying a pager or being with another gang member—even if he or she is a family member.

Having worked with youth involved with the criminal justice system, I realize the importance of keeping youth out of the system. Once you're in, it's hard to get out. A kid on probation may end up back in camp because he violated probation by being tardy to school. Probation conditions ignore the basic realities of many youth. For example, a juvenile may be required to attend a school to which he must take a public bus that goes through enemy territory. If he does not go to school, he has violated pro-

See **JUVENILES**, page 9

My cup runneth over...

By Jonathan Shimkus

1L

This will be the first in a series of articles that will help you with the one of the most important things worth studying in law school: alcohol. As a licensed bartender, I have made and served many drinks, now you gain the benefit of my experience, without all the hassle (see: fun).

Screaming Orgasm

This first drink is a personal favorite of mine. There are few drinks with such a unique name that offers a great conversation starter:

Cute bar patron: What are you drinking?

You: I just finished a screaming orgasm, would you like one?

What does it taste like?

It's a rather unique flavor, but if you like baileys and amaretto, you'll like this one. I've never ran across somebody who didn't like it.

How do I make it?

In a bucket glass: (roughly 12 oz.)

Fill glass with ice, add:

- ° oz Kahlua
- ° oz Amaretto
- ° oz Bailey's Irish Cream
- ° oz Vodka

Then fill the rest of the class with ° half and half, ° club soda.

Stir.

Grasshopper

You better grab the pebble before you have too many of these, it's a sneaky buzz

What does it taste like?

It tastes like mint chocolate, who doesn't like that?

How do I make it?

Add to your blender:

- ° oz Green Crème de Menthe
- ° oz White Crème de Cacao
- 1 scoop of ice cream

Blend.

These taste good, and end up like most frozen drinks, gone fast. It's easier to make a whole pitcher at one time. Just add the ice cream, count scoops, and multiply the ounces of Crème. Be sure to buy the correct colors, its gives it its unique grasshopper appeal. Otherwise, it will taste the same. I've made this mistake before, so just call it an albino cricket! If you don't have ice cream, you can substitute 2 oz of half and half.

These drinks will either make an evening, or impress your bartender with good taste.

Clearly Vodka

I was making these exclusively one summer, its quick, easy, and good (did I mention inexpensive?).

In any glass you got at the house, fill with ice.

Add: 1 oz of Vodka

2 oz of Clearly Canadian soda, any flavor

Stir.

These are easy proportions, so just fill the glass accordingly. There are many flavors, so it's very versatile, but only requiring one liquor purchase.

The tip of the month: The darker the booze you are drinking, the more likely you are to have a hangover in the morning.

I enjoy a drink as much as (see: more than) the next person, but even if you only have a "couple," please do us all a favor and don't drive.

Remember: If your bartender can't make 'em, don't tip him.

Exhibit tries to find meaning in border deaths

By Crystal Howard
Senior Editor

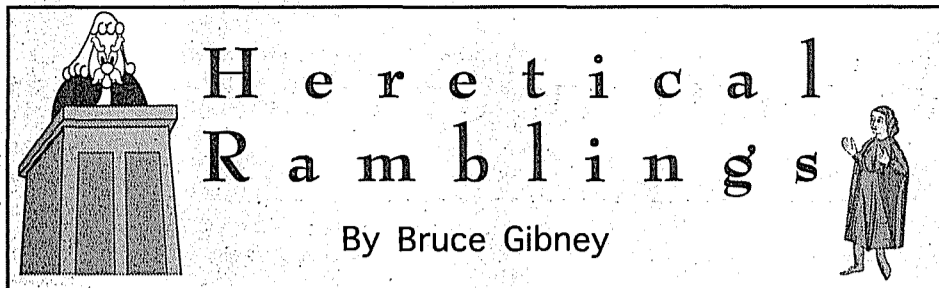
Hundreds of crosses covered the grass in front of Kerckhoff and along Bruin Walk as Conciencia Libre hosted an exhibition in memory of the hundreds of people who have died trying to cross the border from Mexico to the United States. November 1-2 are los Dias de los Muertos, a time when families remember their dead and the continuity of life.

In observance of Día de los Muertos, Conciencia Libre has erected a cross for each of the six hundred people who has died since 1988 as a result of Operation Gatekeeper, an initiative designed by the INS to "restore the safety and integrity" of the San Diego border. (ins.gov)

The death rate of people crossing the U.S.-Mexico border has increased 600% since Operation Gatekeeper was established October 1, 1994, says Global Exchange. Most deaths are from freezing, heat exhaustion, heat strokes, drowning, car accidents, or shootings. In the last two years five unarmed migrants died by border patrol bullets; another two were injured. Despite these mortality rates, the INS promotes Operation Gatekeeper as "the model for operations in other vulnerable border regions."

When a person dies crossing the border, the INS tries to notify the victim's families when the victim's ID is available. Of the crosses, nearly 150 represent unidentified bodies, distinguished by "no identificado" or "unknown." According to Alfonso Gonzales of Conciencia Libre, when uniden-

See **CROSSES**, page 9



Heretical Ramblings

By Bruce Gibney

I don't know if you've ever read the Law Review. I'm a Managing Editor and I sure as hell know I haven't slogged through a single issue. After all, the Law Review is boring. Look at the shit that we publish: *Unthinkable Misrepresentations: A Response to Towry*, or *Opening the Front Door: The Argument for a Causal Requirement in Multisite CERCLA Litigation*.¹ Who reads this shit? I'll tell you who: people writing for other Law Reviews and appellate court clerks. That's an audience of like, fifty people, which is why you don't see Chevy ads with hot chicks on the back cover of the Law Review and instead see that creepy, jaundiced Lexis eye peering out at you, reminding you to Shepardize.²

Frankly, the Law Review needs a little punching up; *Opening the Door to The Indeterminate Plaintiff: An Analysis of the Causation Barriers Facing Environmental Toxic Tort Plaintiffs* might have floated someone's boat in the days when people wore powdered wigs and tights, and it was "m'laird" this and "your ladyship" that. But in today's Eminem-Tom-Green-Ass-On-Moose world that kind of crap is not hitting the crucial male 18-49 demographic. Which is too bad, because I think the Law Review's fundamentals are pretty good, they just need a little facelift. Thus, I propose:

Anal Sex

Sex is great if you can get it, but anal sex really moves the papers. And the Law Review, you might be shocked to know, has a fair amount of anal sex in it already. Take,

for example, Volume 46's psycho-sexual diamond in the rough, *Juror Sexual Orientation*. But this article's current packaging is hardly titillating.³ Instead, how about something like, *The Juror as Ass-Pirate: Preemptory Challenges and the Louisiana D.A.*? Much better. Other ideas abound: *Butt-For Causation: Sodomy Law and You*, or *Ten Things We Need to Know About Deposing a Whore*.

Admittedly, these kinds of articles aren't as obvious a vehicle to advance the legal dialogue as *J.S.O.*, but what did more for free speech, *The People vs. Larry Flynt*⁴ or Sharon A. Madere's turgid *Paparazzi Legislation, Policy Arguments, etc., etc.*⁵? Enough said.

Exposes

As long as we're talking about anal sex and who's doing it, everybody likes gossip, and what is an expose but socially acceptable gossip slurred out by Barbara Walters?⁶ So I say, bring on the exposes.

Admit it, you'd be more interested to hear a trespassing case decided by Posner - because you've heard of him - than some equal protection sludge excreted by Souter, right? But what if the Law Review revealed to you that Souter lives with his mother in a log cabin in rural Maryland (true)? Or that Souter engages in hot, sweaty man-2-man action with his clerk-catamites (quite possibly true)? Or that Souter and his mother perform Satanic Oedipal rituals with Clarence Thomas in a Silver Springs Jack-in-the-Box lavatory (not outside the realm of possibil-

¹ Both of these articles are from the particularly hideous Volume 46, No. 6 Issue, named with horrible and unironic aptness *The Future of Punishment*. I kinda wish I had a more current installment to cite to you, but I've thrown them all out, and will continue to do so until my own mind-numbing comment is published, at which point I'll stockpile the little bastards like Credit Suisse hoards Nazi gold.

² Shepardizing, by the way, is a total scam. Here's how I learned to tell good law when I externed: if it supported your position it was good. End of story. So, enough with the Big Brother eye ad, Lexis.

³ Morphologically, of course, the word titillating is itself titillating containing as it does the morphemes "tit" and pseudo-morpheme "lating," which is the latter syllable of "fellating" and is close to "lactating," which is kind of gross, but goes with tit and probably appeals to some small, deviant portion of the population. The reason why I drop this footnote is as an example that the mere inclusion of dick and tittie need not prevent one's footnotes from edifying.

⁴ Which featured Courtney Love's boobies.

⁵ Which did not.

⁶ By the way, am I the only one out here who thinks that Barbara Walters is more or less permanently fucked up on serious 'ludes, or what?

See LAW REVIEW, page 9

DIVERSITY

From page 1

first year class, I knew for sure that my thoughts of putting race on the backburner were impossible. As time has gone on, my intuition at orientation has proved to be 100% correct.

On the surface, my law school experience is not much different from any other 1L. Like most 1L's, I find the work to be overwhelming at times, and I live in fear of being embarrassed in class by being called on and not knowing the answer to a question. However, the mental aspects of what I go through on a daily basis can be summarized as nothing short of tortuous hell. Although no one is throwing rocks at me or yelling racial epithets, there are a lot of mental obstacles I have to overcome that seem just as imposing.

First, it is embarrassing and hurtful to walk into the law school when the only people you see who look like you are doing service oriented jobs. I mean no offense to these workers, as my parents and most of my family members work in this capacity, but the hurt and mental anguish that seeing this creates is almost unbearable. To think

in the year 2000 that only a few of us can sit inside the classroom of this 'prestigious' public law school while the rest of us clean the floor or serve the food is devastating.

Another thing that I endure which is equally frustrating is that the administration is trying to hide the fact that there is so little diversity. For example, they seem to always send the photographer to sections 5 and 6 because that's the section with the most diversity. In order to feign an appearance of diversity instead of coming to grips with and fixing the problem, the administration chooses to duck and hide by sending the photographer to photograph the one 'diverse' section in the law school.

It's time that we tell the administration that they will not get away with this. The lack of diversity cheapens the quality of education for all of us. In order for things to change, it is up to each and every one of us to let the administration know that we are not going to tolerate this debacle called The UCLA School of Law. So I encourage all of you to do whatever you can, be it protesting or letters to the dean, to change the situation.

FORTENBAUGH

From page 4

Alto so dull that it could be a "Sam Fortenbaugh kind of town?" There was a new standard and that standard was I.

I didn't get a callback. But I had a moment of clarity that put everything in perspective. And in one of my next interviews, this one with a real estate firm, I didn't let the them define the world.

They tried when they asked, "Why real estate?" A simple question, but one that has buried in it so many other questions that honesty becomes impossible. If I was truly honest, I would have said, "Don't you first want to ask me why do I want to work at all?"

If they had asked me what it is that I really wanted to do, I'd have to say, "Nothing. Absolutely nothing. I'd like to sit on a beach with a cooler full of beer and some burgers and bratwursts on a Weber gas grill." I'd have a gas grill because even though I want to do nothing, I'd like to be as little a burden on the environment as possible.

Oh let's be serious. Charcoal, though bad for the atmosphere, just takes too much time to set up. And when I'm doing nothing I want to do as little of it as possible. Now that's a career.

Let's face it. If employers don't want to hear our trivial attempts at creating the illusion that all we want to do is be a lawyer, then they should change the way they search for associates. And UCLA could help them.

The Law school should conduct an auction for their students.

Every year UCLA Law School could invite prospective employers to the school, and have all the students march in front of them with their GPA's printed on their shirts along with their membership in Law review and other organizations. They can put us up on the auction block like we're a Van Gogh at Christie's, or in my case an autographed picture of Britney Spears on Ebay.

Not only would an auction take less time, but students would also get to see exactly upon what they are being judged. Additionally, and more importantly, the auction would provide the school with a whole new source of revenue. Like Christi's, the school could take a commission on each sale and reap the benefits of their nurturing of our legal abilities.

For example, a class of 300 students could fetch well over \$150,000. Not everyone would go for top dollar, but UCLA being a practical auction house would handle the class as any portfolio manager would.

ELECTION

From page 4

campaign finance reform, the environment, gun safety, the separation of church and state, affirmative action, sex discrimination, police powers, the death penalty and the legislative powers of Congress.

The replacement of just one or two moderate justices with Bush-appointed conservative right-wing justices would quickly reverse decades of Supreme Court precedent in civil, reproductive, and First Amendment rights. For example, imagine how a Bush-nominated Scalia-Thomas majority would almost certainly, beyond restricting or eliminating abortion rights, allow religious school vouchers, prohibit affirmative action of any type, invalidate campaign finance laws and regulations, impose increasingly severe limitations on Congress' authority, and exempt the states from the Family and Medical Leave Act and other federal laws.

On the other hand, envision Gore's

This process does not mean necessarily that only top students would be picked. If UCLA acted like a studio it could package the students together so that myself, a non "Palo Alto" guy, could piggy back on a truly exemplar version of a "Palo Alto" guy, like Bruce Gibney. Mr. Gibney once told me, "I went to school in Palo Alto. I worked in Palo Alto. I lived in Palo Alto. People know that Bruce Gibney is a Palo Alto guy."

It may sound mercenary, but \$150 to \$250K now would go along way to pay for faculty research. The auction system could be a good way to get the faculty to not only teach better, but also to sell the students better. I'm not saying that they should become used car sales men, at least not permanently. But every Fall they could take off the black robes of academia and don the polyester jacket and pinkie ring that can always be seen at Sol Miller's used car emporium. I could see Professor Stark's bringing someone over to me and saying, "He's not perfect but with a nice coat of wax and some sheepskin seat covers, you could do wonders. And you wouldn't be ashamed of valet parking him."

However, until Dean Varat is willing to implement "LawAuction.com," I'm going to have to answer questions like, "Why real estate?" Since I can't spend the rest of my life at the beach, and since I have to do something for a living, and since I've just spent two years in law school the answer to that question was obvious:

"I love Land."

They looked at me, but before they could reply I continued, "I love land. I love it." Now they were backed into a corner. Could they in good conscience, question what appeared to be my core set of beliefs? It would be like trying to get me to denounce my religion. They said nothing, and I pressed on. "This media, Internet stuff. They're passing fads - worthless unless you have a place to put it. That's right. Land."

I thought I might have gone a little overboard when I added that last "Land" but it was all a part of the gamesmanship. The double dog dare of the interview. They said nothing, and my lie, left unchallenged, had become the truth.

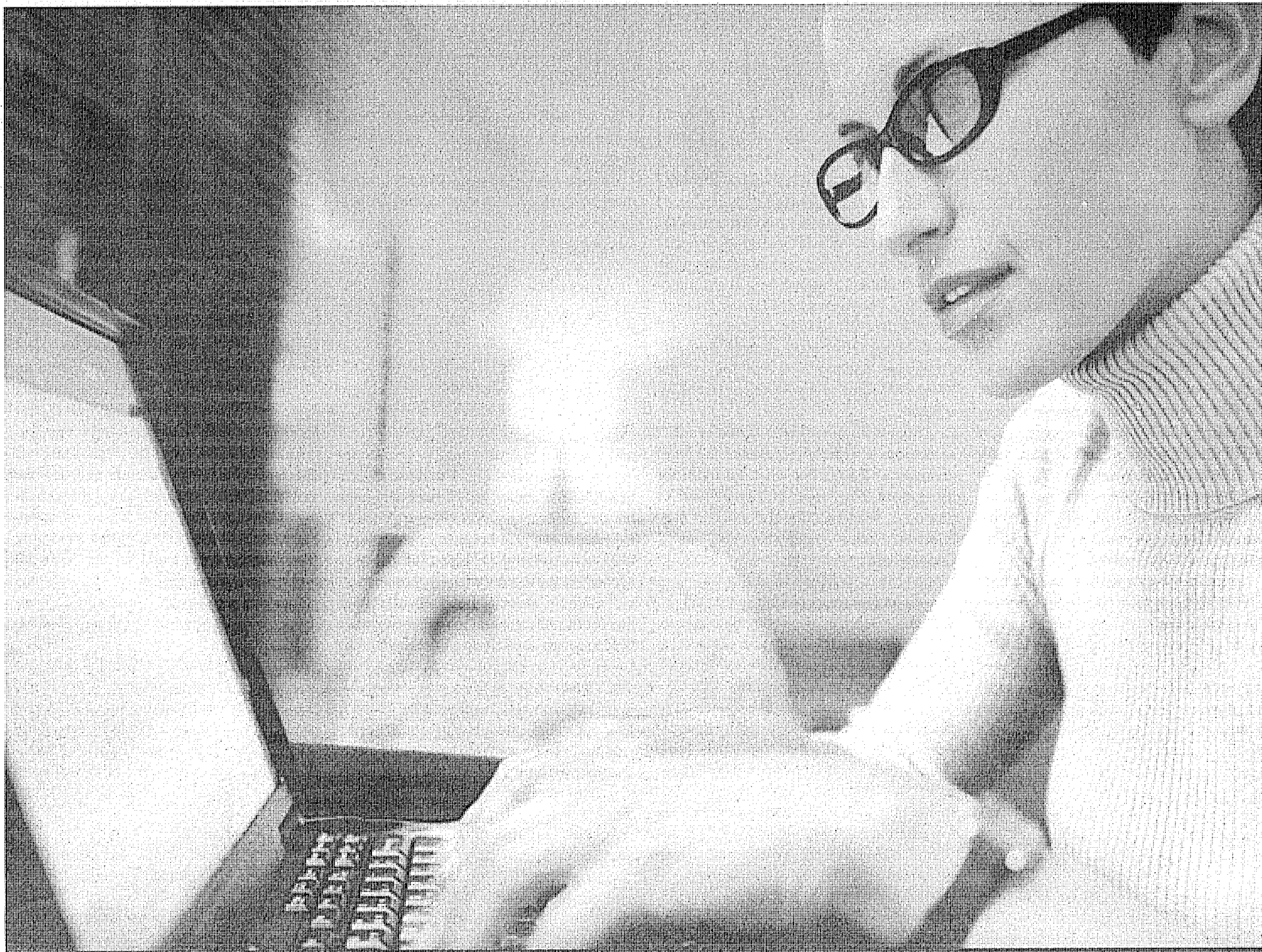
I realize that all this "not telling a lie and passing it off as the truth" is very Nixonesque. But in this interviewing process all I want is what Nixon wanted: "One more victory than defeat." So I'm willing to stretch the truth. It's not like "I am a crook." Because you see, I'm going to be a lawyer. And there's a difference; isn't there?

nominees to the Court: persons who would preserve individual rights and the advances made in the past half-century. A Court with Gore appointees would protect reproductive freedom and civil rights, and likely permit some form of campaign finance reform.

All citizens must realize what their vote November 7 will mean, as this is arguably the most important presidential election in decades. The impact on the Supreme Court is unprecedented: A vote for Bush - or Nader, no matter how appealing - will endanger so many rights that Americans take for granted, and will hinder important laws protecting civil rights and a woman's right to choose.

All things excellent
are as difficult
as they are rare.

- Baruch Spinoza



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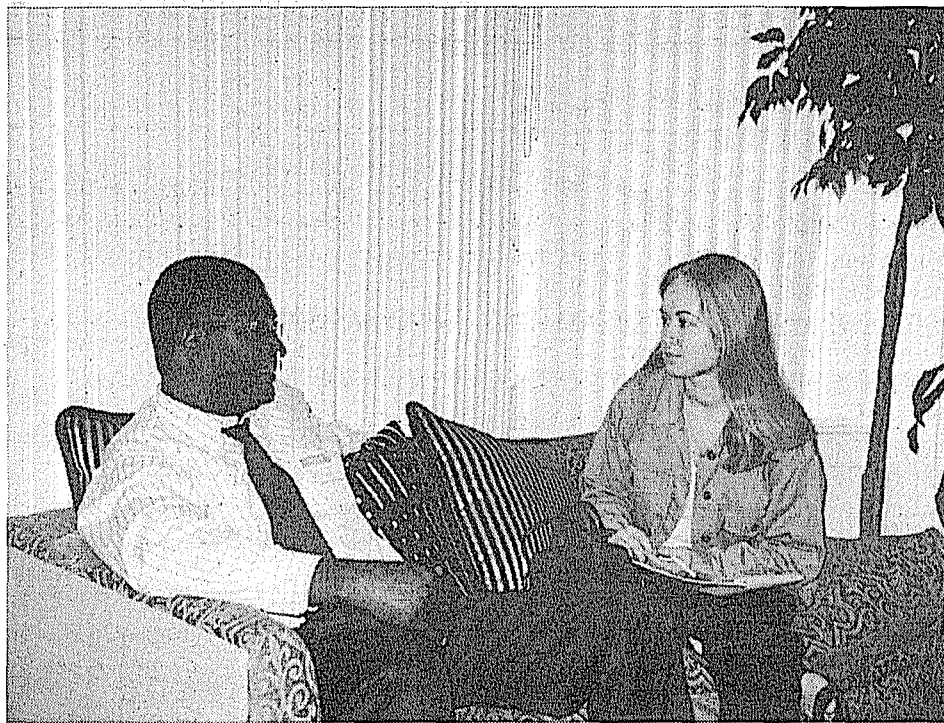
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UCLAW IL Christy Souhrada talks to a volunteer lawyer at the Sunday Legal Clinic.

CLINIC

From page 2

to jump at the opportunity, how about a little more incentive...free juice and donuts! Krispy Kremes were featured at the last

LAW REVIEW

From page 8

ity)? You'd read every goddamn word of that opinion, wouldn't you? After all, not only are our jurists' personal lives interesting, but as the public *we have a right to know*. Thus, if John Paul Stevens is hung like a donkey, you ought to hear about it first from the Law Review.⁷

Grudge Matches

Speaking of gossip, something I never realized is that the chattering classes who grace the pages of our fair legal rag actually get into big fights with one another over things like the Colorado River Doctrine - hence the aforementioned *Tonry* article, supra.⁸

This Kahan character who scribbled out the *Tonry* piece accuses Mr. Tonry of "Unthinkable Misrepresentations." Now, I'm sure that Kahan was plenty pissed off by whatever this Tonry person said, but your average Joe Couch Potato isn't going to reach for this article when he goes to the john - "unthinkable misrepresentations" seems tepid and lifeless, like Kahan can't really get pissed off because there's no real debate. So why read it?

But the WWF⁹ shows us the way to fix this: all we need to spice things up is to turn the debate into a real grudge match - you know, revamping the article as *I'm Going to Fuck You Up, Motherfucker: A Non-Textualist Response to Tonry* followed by pithy rejoinder article *You're in a World of Shit Now, Kahan: The Triumph of Strict Construction*. Flamboyant personalities would help. Maybe Kahan could get a WWF name, like the Executioner or the Chief Justice, and storm into some earnest Harvard CCLR symposium wearing a feather boa with

clinic! If you are interested in volunteering or would like to receive more information, please email Prof. Asimow at Asimow@mail.law.ucla.edu.

knock-off Ray Bans, and swinging a big-ass gavel with which to whack Tonry's (aka the Deadly D.A.) ass.

Drama would be key, of course; let's say that one day this Tonry character is blabbing about his amicus brief to the Ninth Circuit when - bam! - all of the sudden the Chief Justice bursts through the chamber's tasteful neo-baroque doors screaming "Eat shit, you textualist, right-wing pig-sticker!" accompanied by a big-ass body slam. Hell yeah!

Drugs, And Plenty of Them

From time to time, the Law Review holds a Symposium, which is like a convention except that while a convention is merely an intellectual pretense for a party, the Symposium is merely a party as a pretense for intellectual... er... pretension. But hasn't the word "symposium" meant a drinking party for like 2400 years? I mean, who the fuck is the law review to change two plus millennia of history? Plus, in Plato's original *Symposium*, all the students want to get it on with scabrous old Socrates, so you'd think professors would be all about the *vérité*.¹⁰

Anyway, sex or not there should definitely be drugs because let's face it, this Gerald Günther chappie would probably come up with more interesting shit baked¹¹ than the tedious little academic turds he forces out sober. It's not like the Law Review couldn't do it either, we've got a big budget, and let me tell you, you could pop glo-lights into the office's fluorescent sockets in ten minutes flat.

All's Well That Ends

I don't know, these are just ideas. But who ever went wrong with anal sex? I say: a person's gotta try everything once.

⁷ Preferably including a picture.

⁸ Actually, I don't know if this "Tonry" guy/gal of the *Response to Tonry* is a real person or a case name or what, but that's another problem with the Law Review - it's too picky with the details. Details are great and all, but if I wanted to deal with details I would have been a doctor or plumber or something; I'm just going to pretend Tonry is a person, if that's ok with you.

⁹ Don't laugh. Erstwhile wrestling ref Judge Mills Lane is a helluva a lot more famous that, say, über-academic Stephen Gardbaum, who has certainly never achieved the level of bad-assedness that Judge Mills Lane managed when he told one hefty Iowa plaintiff to "either shut up or I'm coming down there." The WWF has more to teach us than you think, my friend.

¹⁰ Ok, sure, Glaucon was after the traditional post-symposium gay inter-femoral intercourse, which may or may not appeal to some parts of the faculty, but there are women professors and students now, and judging by my review of Cinemax late-nite, they like to get it on, too, so however you like it, seems like everyone'd be a winner.

¹¹ Just think Bork if you don't believe me. Anyway, just imagine how entertaining the panel discussions would be:

Rehnquist: "Dude, Sandra Day is so baked - she's eaten a whole bag of Lay's already!"

Scalia: "Yeah, but man, your pupils are huge!"

Etc.

JUVENILES

From page 6

bation. If he does go to school, he faces the very real risk of getting shot as the bus goes through an enemy neighborhood. Probation sets up people to fail by requiring behaviors many youth do not have the resources to comply with.

Educating youth about the legal system and how to protect the few rights that the system affords them is a critical response to such draconian juvenile justice policies. Furthermore, teaching youth about how to protect themselves during interactions with law enforcement is crucial for their own survival. Youth also need to learn about ways in which the law can help solve problems in their lives; for example, they need to know their eligibility for citizenship and whether they are entitled to special education benefits.

As the only public law school in Los Angeles, UCLA has a duty to disseminate legal information to Los Angeles youth, par-

ticularly those from low-income communities of color that are most often targeted by law enforcement officials. We will have the opportunity to do so through RIGHTS NOW!, a youth conference being presented by Speaking Truth To Power at the UCLA School of Law. Speaking Truth To Power expects to recruit about 120 youth from diverse high schools and youth organizations throughout Los Angeles. It also invites UCLA students to participate in the conference. Following the conference, we will begin training interested UCLA students to teach an interactive, skit-based curriculum that aims to educate youth about protecting their rights during interactions with the criminal justice system. It then hopes to send teams of students into high schools and youth centers throughout Los Angeles to teach this curriculum. Students interested in getting involved with the conference can email Beth Caldwell at caldwell@2002.law.ucla.edu.

CROSSES

From page 6

tified bodies are identified it often is not by the INS but by activist organizations that do independent investigations.

In February 1999, the ACLU of San Diego & Imperial Counties and California Legal Rural Assistance charged the U.S. Government with human rights violations in the course of Operation Gatekeeper. They state that "the United States has organized and implemented its immigration and border control policies in a way that has knowingly and ineluctably led to the deaths of an ever increasing number of immigrants seeking to enter the United States to obtain jobs or family reunification. Operation Gatekeeper has steered this flow of immigrants into the harshest, most unforgiving and most dangerous terrain on the California-Mexico border." If an immigrant goes west, he faces drowning in the Pacific. If he goes east, he encounters the desert and mountains that bring extreme temperatures and the concomitant dangers of hypothermia, dehydration, and heat stroke.

Gonzales describes the border as a "Berlin Wall that separates the 'First World' and the 'Third World.'" Immigration across the

border is violent because of trip wires, paramilitary tactics and vigilante groups, as well as violence to the spirit. INS dogs, coyotes (human smugglers), barbed wire, military-trained border patrol agents in their 4x4 Broncos intimidate the migrants. Immigrants also face hunger and the fear of being deported thousands of miles (maybe even five countries) away, where they might await the slow death of starvation, and in some cases severe military oppression.

Many people blame immigration on a combination of the United States' economic policies and repressive military client states such as El Salvador that have pushed people out of their countries. Others note that while the United States tries to restrain immigration, it relies on immigrants to provide the inexpensive labor that keeps produce prices low.

Gonzales explains the exhibit: "This Día de los Muertos, the dead live. They live in our hearts that struggle to not only shut down Gatekeeper as if it was the root of the problem, but to shut down the business of exploitation, an age-old business that goes by many names and has many faces yet nevertheless continues to be imperialism!"

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Entertainment Reviews

This month highlights new albums by U2, Radiohead, Bjork and Wallflowers

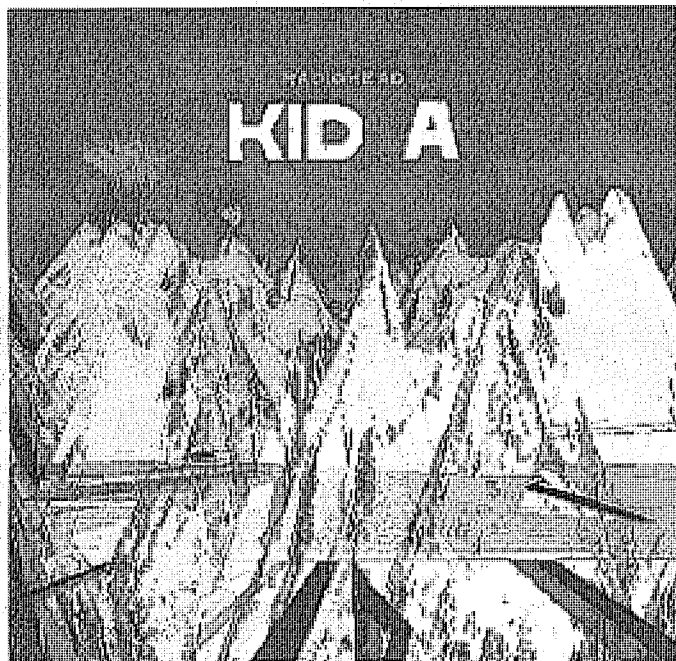
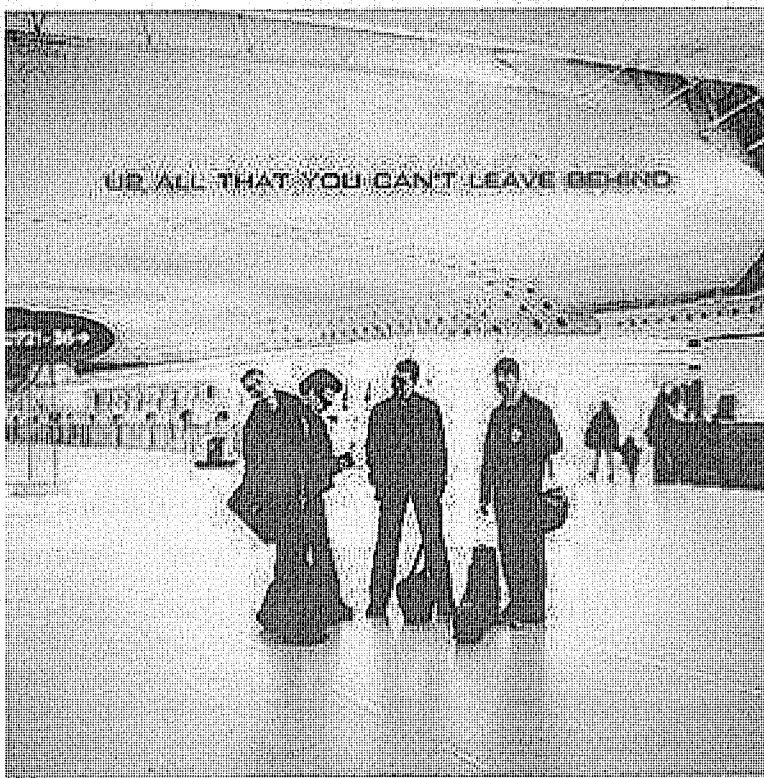
By KENNY ROOST, ENTERTAINMENT EDITOR

U2

All That You Can't Leave Behind

82/100

If you're waiting on the next great U2 album (in league with the classics like Joshua Tree and Achtung Baby), this isn't it, but it's probably as close as the band can come. They self-consciously abandon their electronic development that began with Achtung Baby and climaxed on Pop, and instead retreat back into the sound that began on The Unforgettable Fire and was honed on Joshua Tree. Brian Eno and Daniel Lanois, the fabulous producers of those albums, are again at the helm here. Bono's voice is as emotionally stirring as ever; Edge's guitar is back at the fore, pleasantly re-using some old effects and creating a few new ones; the other two guys show up too, providing solid rhythm. The first single, *Beautiful Day*, is a really good song. It also sets the tone for the whole album: happy. The album consists of predominantly saccharine songs reminiscent of an album of Achtung Baby b-sides all sounding like *Ultra Violet (Light My Way)*. This barrage of sugar gets supersaturated on *Wild Honey*, which sounds like Blind Melon doing a take of *Stand By Me*. However, this is still a U2 album - not a great one, but certainly good. As good as *Pop*, for what it's worth.



Radiohead

Kid A

91/100

Odds are the first time you listen to this album, you'll wonder what the hell Radiohead was thinking when putting out such a pile of sucky garbage. The only track with an immediately recognizable tune is the first single, *Optimistic*. However, the production on this album is superb. It is better than superb. There are more subtle, amazingly massaged

sounds going on throughout *Kid A* than Pink Floyd have at their most delicate and dense (like *Echoes*). The tracks on *Kid A* bleed into each other and gel well as an album, maintaining a monotonous mood while alternating from frenzied to moping tempos. Thom Yorke's amazing and evocative (generally of paranoia) voice, previously the central and omnipresent element of Radiohead's output, is used remarkably sparingly. The restraint leaves you wanting more, but it also makes you truly cherish the moments where Thom does sing. Listen to this album through a pair of fancy headphones, or with your head between your speakers, because the gentle flow of the absorbing soundscape is everything. Yeah, *Kid A* is ruthlessly self-indulgent and anti-rock (perhaps even anti-music). It is also fascinating, artistic, and experimental. So don't expect *OK Computer* - just cool computer music.

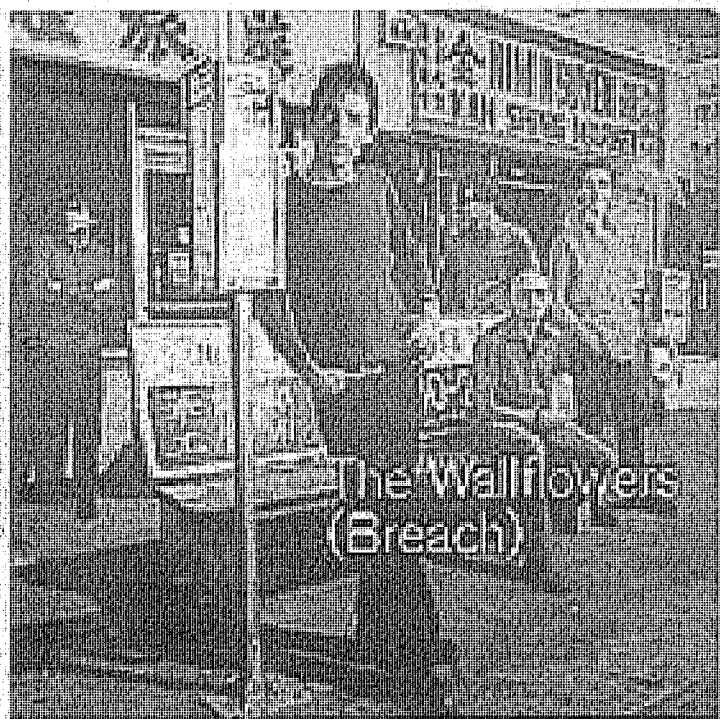
Bjork

Selmasongs

66/100

The new Bjork album comes from the new musical movie, *Dancer in the Dark*, which also stars Bjork. I haven't seen the movie, but it's supposed to be pretty cool. In line with the

rest of her output, *Dancer in the Dark's* soundtrack certainly is pretty cool. The song *I've Seen It All* features a duet with Thom Yorke (Radiohead's lead singer). The duet comes off rather well, although Thom holds off on his crazy falsettos in order to maintain a contrast between his voice and Bjork's. *New World* and *In The Musicals* are the other standout tracks on the 7-track-long album. *In the Musicals* has a fabulously wacky production intermingling symphony strings with a drum track that has all the squeaks and bounces of a fast-paced basketball game. The rest of the album (except for the first track, which is purely symphonic) also boasts a similar interesting mix of electronic elements, sequenced drums and lush symphonic contributions. The weakness of the album is that, out of 7 songs, the four not named above are, more or less, junky and forgettable.



The Wallflowers

Breach

35/100

I got this CD as a result of being a fan of Michael Penn - not of The Wallflowers. The only thing that has changed as a result of the purchase is I'm less of a Michael Penn fan. He produced the al-

bum, and not too tastefully (the instruments are extremely panned in the stereo field, and overproduction coats plastic over an otherwise heart-felt sound). However, production details are incidental to Jakob Dylan and the rest, so down to business: the bottom line is *Breach* is a dull album, and nearly the

opposite of *Bringing Down the Horse*, The Wallflowers' last outing which seduced so many of us into being fans. The majority of *Breach's* music - the strength of their last album - gravitates towards mediocrity. In contrast, *Breach's* lyrics are less abruptly pathetic than those sung on *Bringing Down the Horse*. Failed at-

tempts at profundity and Bob Dylanishness (like "Man, I ain't changed, but I know I ain't the same" from *One Headlight*) are abandoned for less ambitious goals (like not being idiotic). *Breach's* one high point is the track *Hand Me Down*, which is reminiscent of Tom Petty on a good day back in his day. And if you're a big Michael Penn fan, you can hear the quasi-rockstar-temporarily-gone-producer-singing backup on *Witness*, a slow and otherwise un-noteworthy track. Thus, unless you're a huge fan, spare yourself the purchase the new Wallflowers album.

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