

UCLA

The Docket

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THE DOCKET

UCLA SCHOOL OF LAW

Volume 47, Number 5

THE DOCKET

MARCH 1999

TWO UCLA AFFILIATES CHARGED WITH FRAUD

3L Pleads No Contest to Fraudulently Preparing Transcripts, Grad Faces Similar Charge

By Brady M. Bustany
News Editor

According to two stories published last month in the *Los Angeles Daily Journal*, a current third-year UCLA law student and a recent UCLA law school graduate were formally charged in Municipal Court with providing false transcripts to potential employers. According to the *Daily Journal*, the two people involved were given internships or clerkships that they might otherwise have not based in part on the inaccurate transcripts.

The current 3L reportedly bolstered his GPA from 2.38 to 3.62. The recent graduate, who passed the bar this summer, allegedly presented as his own the transcript of another student. The switch

raised his GPA from 2.4 to 3.0. In both instances, the students allegedly altered actual transcripts which were then submitted to firms in the Los Angeles and San Diego areas.

In both cases, the alleged discrepancies were uncovered after Dean Cheadle attempted to verify the transcripts after requests from two law firms prepared to permanently hire the students. The 3L was initially charged with five felony

counts for sending forged documents to five different firms. The charges were ultimately reduced to fraudulently preparing transcripts, a misdemeanor. According to the *Daily Journal*, the student plead no contest to one misdemeanor count in a plea agreement. The graduate's case is still pending.

The Docket was unsuccessful in attempts to contact the graduate for comment on this story. The current 3L sent

one e-mail message to *The Docket* but did not respond to several requests for further comment. In the one e-mail *The Docket* did receive, the current 3L emphasized that no admission of guilt has been made and stated a complete willingness "to accept [any] consequences."

In a startling allegation, however, the student also alleged institutional racism as a justification for what transpired. "I feel it was a justified response to the racism that I have experienced at this law school," the student wrote. The student

See **FRAUD**, page 14

Black Letter

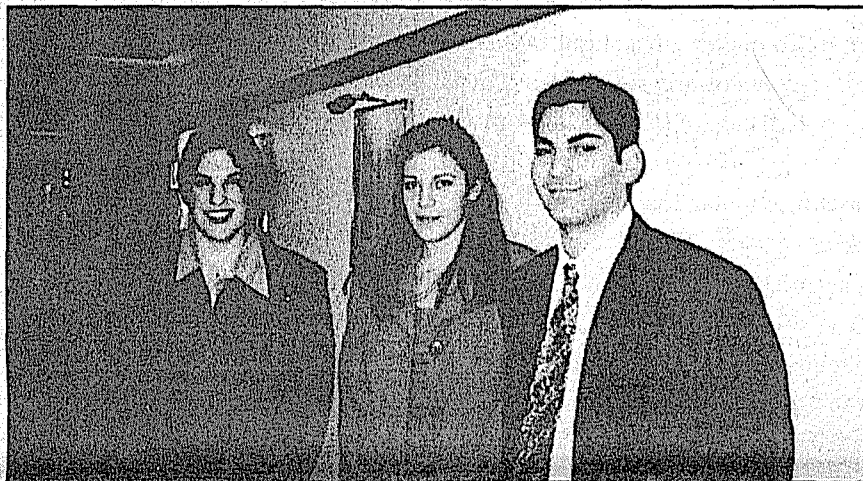
Landlords in the Bedroom

By Ron Matten
1L

On January 14, 1999, a panel for the Ninth Circuit released a decision holding that landlords may use their religious beliefs as a basis for discriminating against potential tenants. In *Thomas v. Anchorage Equal Rights Commission*, Justice O'Scannlain wrote the majority opinion and Justice Hawkins wrote a dissent. *Thomas v. Anchorage*, No. 97-35220, 1999 U.S. App. LEXIS 440 (9th Cir. Jan. 14, 1999).

The facts of the case are quite simple. Two Anchorage landlords, Kevin Thomas and Joyce Baker, challenged the constitutionality of an Alaska statute and an Anchorage ordinance prohibiting apartment owners from refusing to rent to unmarried couples. Thomas and Baker are Christians and claim that allowing unmarried individuals to live together is tantamount to facilitating sin, and thus interferes with the landlords'

See **LANDLORDS**, page 3



Shelley Gershon (1L), Ovsanna Takvoryan (1L), & David Yeremian (2L) wait in the hallways of the Guest House to be interviewed for summer associate positions. Comments on Spring OCIP can be found on page 9.

UCLAW Bomb Scare Prompts Evacuation

By Brady M. Bustany
News Editor

A crudely wrapped package sent to the Asian Pacific Islander Law Students Association (APILSA) prompted an evacuation of the law school on Thursday, February 4. Staff became suspicious of the package due to the fact that it was excessively wrapped with tape, had a coarsely scrawled mailing address, and had no return address. An APILSA representative notified of the package said their organization was not expecting any deliveries.

Law school staff pondered the package for several minutes before deciding to call the police. "I guessed audio tapes," Sean Pine said, after shaking the package to determine its contents. However, rather than take a very dangerous

and possibly fatal chance of being wrong, the school was evacuated. "There is no formal procedure for instances like this," Pine added.

Most students learned of the evacuation either by way of Los Angeles police who went through the building door-to-door, or via an emergency e-mail. It is unclear why the fire alarm was not sounded in order to evoke a faster, more thorough evacuation. One student, who learned of the evacuation only after reading an "all-clear" e-mail, saw the actual emergency evacuation message pop up on her screen a full hour after the incident. "There must be a better way to tell people about an evacuation when something like this happens. I never even heard about it," the student said.

Others got word of the evacuation but did not take it seriously. One stu-

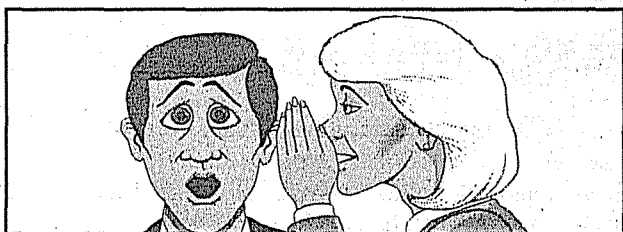
dent walked casually past the tape used to cordon off the hall in front of the room containing the package. "Last year," a 3L said, "there were fire alarms all the time, especially on the weekends. Eventually, we stopped paying attention."

Whether the law school administration is looking into better, more efficient ways to evacuate the building in the event of a threat is unclear. This is only the second time anything like this has happened," Sean Pine said, "but there should be a procedure in place."

In this case, Sean Pine's guess was right on the money. The package contained only audiotapes. Until there is a safe and effective way to evacuate the building when suspicious packages or other threats arise, we should hope to always be so lucky.

WHAT'S INSIDE

SEX!



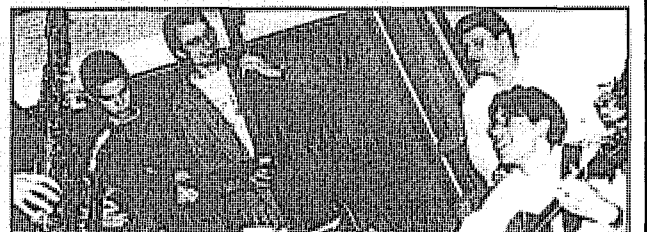
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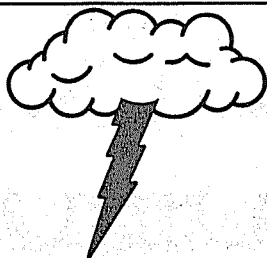
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ROCK N' ROLL!



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News Flash



Crime Alert Issued After Two Attempted Rapes Near Campus

After two attempted rapes occurred less than a week apart, the UC Police issued a crime alert for women living in Westwood.

On February 18, 1999, at 2:25 a.m., a stranger attacked a woman at a private residence on Strathmore Drive. When he attempted to rape her, she fought back and the man fled. Then, five days later on February 23, at approximately 2:09 a.m., it appears that the same man attacked another woman in a private residence on Midvale Avenue. When the man attempted to rape her, she also fought back and he fled.

The Los Angeles Police Department is investigating these assaults, both of which occurred off campus. Both of the victims are students at UCLA. Fortunately, neither of the victims suffered serious physical injuries. According to police, neither residence was locked at the time of the attack.

Victims described the suspect as a white or Asian male with a slight build. If you have information regarding the suspect, or heard or saw any suspicious activity, you are urged to call LAPD Police Detective Paul Bishop at (310) 575-8441.

The UC Police Department recommends the following standard safety precautions:

- Keep doors and windows locked at all times.
- Have your keys ready and enter your house as quickly as possible when returning home.
- Put curtains or blinds on all windows and keep them closed at night.
- If door keys have been lost, change locks or re-key immediately.
- Do not hide door keys outside your home and do not loan house keys to anyone other than family members or trusted friends.
- If you hear a prowler inside your house, get out of the house, if possible, through a back door or window. Avoid any confrontation with the prowler.

Docket Good Samaritan Award

We at *The Docket* decided to promote good will and community spirit at UCLAW by instituting a Good Samaritan Award. Essentially, we will bribe you with money and gift certificates to either be a good person or just tell us about one (yes, we do see the irony).

We received exactly five entries. Geez, people. Are there no good people in law school!?!? Don't answer that. One of the nominations was from someone who thanked a fellow student for getting drunk with him and driving around town. Yes, really. Apparently it was a nomination for drunk driving. Both sad and scary. The second entry was in Yiddish. Of the more serious entries, one was for the manager of the law school's intramural basketball team known as the "Well Hung Jury." Although I'm certain he is a wonderful human being—and I have no reason to doubt that he is the kindest and gentlest of his "Well Hung" friends—I'm afraid we chose another.

Those of us in charge of the award at *The Docket* discussed, debated, and almost got into a fist fight over who should receive the award—our tendency toward violence is the reason why none of us were nominated I suppose. So, we did the only thing we could do. I'm pleased to announce that John Bathke received a majority of the votes (You all thought we were going to toss a coin, didn't you). The entry for John read:

John Bathke has shown me and fellow 1L students a great deal of kindness by lending many study materials and much 3L advice. He is always friendly, never competitive, and always willing to lend a hand.

First year can be a very difficult time. Students like John help make the first year less stressful and more enjoyable. Because of John's friendly and helpful behavior, *The Docket* names John Bathke as our Good Samaritan. John will receive a gift certificate to one of his favorite Westwood Restaurants as part of this award.

CONGRATS JOHN!



David Dolinko

Criminal Law Expert

Saw the best minds of his generation transformed by law school?



Allen Ginsberg

Late Poet

Reduced sentences by chanting the sacred Om?...

THE DOCKET

UCLA SCHOOL OF LAW

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LANDLORDS

From page 1

rights to freely exercise religion. (An interesting side note is that Joyce Baker's husband, Gary Baker, had also filed suit, but dropped out "after six adult female patients of the Eagle River clinic where he worked complained that he spanked their buttocks or rubbed his genitals against their bodies." Liz Ruskin, *Unwed Couples, Keep Out*, ANCHORAGE DAILY NEWS, Jan. 15, 1999, at 1A). The court held that the laws infringed on landlords' rights guaranteed by the Free Exercise Clause of the First Amendment.

A closer look at the opinion reveals some interesting Free Exercise Clause implications. Because the Alaska and Anchorage laws did not expressly target religious groups, Thomas and Baker could not attack the laws on their faces. Instead, they turned to something called the "Hybrid-Rights" exception, that says that a neutral, generally applicable law (such as the Alaska and Anchorage statutes) are barred by the First Amendment when Free Exercise rights are violated in conjunction with other Constitutional protections. *Oregon v. Smith*, 494 U.S. 872, 881 (1989). Thomas and Baker claim violations of their Fifth Amendment right to exclude others from their property and their First Amendment Freedom of Speech right in addition to violations of their First Amendment Free Exercise rights.

The analysis of Thomas' and Baker's Fifth Amendment rights was fascinating to me because it made me realize that some of the cases we read in Property Law are actually used in contemporary cases. O'Scannlain's opinion cites every case in the Takings section of the Dukeminier casebook (he probably has a UCLA alum working as a clerk). O'Scannlain explains the Takings analysis consisting of three parts: 1) economic impact, 2) investment-backed expectations, and 3) character of the government's actions. Then after admitting that the laws would have no adverse economic impact since the laws could only serve to improve the landlord's bottom-line by maximizing the number of potential tenants, O'Scannlain holds that "economic impact" does not mean "bottom-line." O'Scannlain somewhat conclusorily states that the laws interfere with landlords' "dominion" and possession of the property and holds that Thomas and Baker do have a Fifth Amendment claim.

The court also finds that Thomas and Baker have a First Amendment Freedom of Speech claim, because the Alaska and Anchorage laws prohibit landlords from inquiring about the marital status of potential tenants. The court holds that this prohibition is unconstitutional because it targets religious speech rather than commercial speech. The court reasons that it cannot be aimed at commercial speech, because violation of the law

does nothing to serve commercial interests, since the only possible consequence is a lost tenant. The court also reasons that similar advertising prohibitions regarding race, color, religion, sex familial status or national origin by the Federal Fair Housing Act are not relevant, because "not all discrimination is created equal." O'Scannlain believes that Thomas and Baker have a hybrid-rights claims since their First and Fifth Amendments rights may have also been violated.

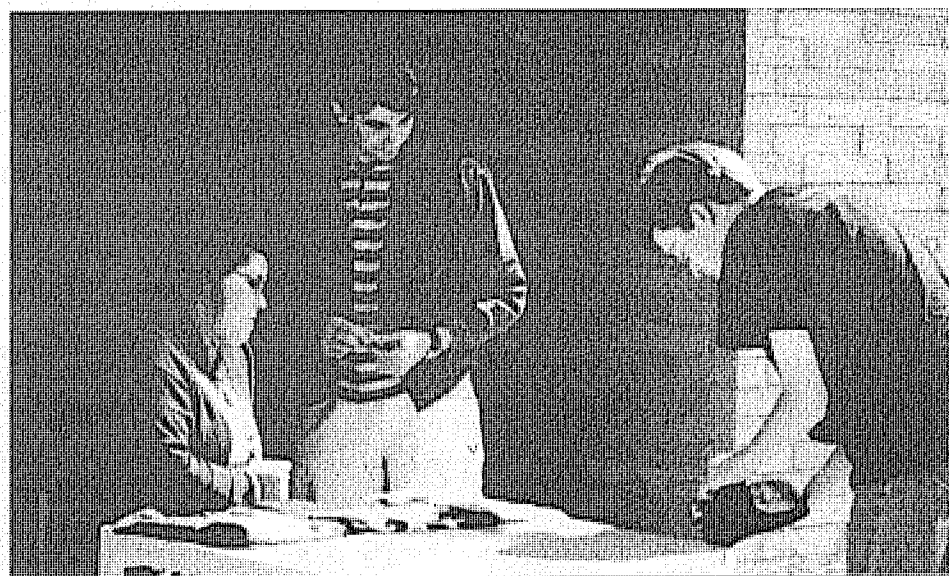
Once the hybrid-rights claim is established, the court then finally examines the Free Exercise of Religion claim. The court holds that the laws place a substantial burden on the observation of Thomas' and Baker's religion. The court distinguishes a case that held a Pennsylvania Sunday-closing law did not substantially burden the religious observation of Orthodox Jews even though it put Orthodox Jewish store-owners at a disadvantage since they would also be closed on Saturday (the Jewish Sabbath). See *Braunfield v. Brown*, 366 U.S. 599 (1961). The court reasons that Thomas' and Baker's economic interests are not merely reduced, but that the laws effectively preclude them from an entire profession, i.e. renting property. Therefore, the laws place a substantial burden on Thomas' and Baker's religious practices.

The court then determines if the state has a compelling interest in placing the burden on landlords. The court holds that the state does not have a compelling interest because there is no evidence to show that the government wants to protect unmarried couples. By contrast, the court reasons that the government established a pattern of interest in preventing race-based discrimination by passing the Thirteenth, Fourteenth, and Fifteenth Amendments in the wake of the Civil War. This argument seems a bit circular and tenuous, since the Alaska and Anchorage laws themselves were attempting to establish a pattern. Perhaps, O'Scannlain believes a war needs to be fought to establish a compelling interest. The court also ignores cases that rejected narrow definitions of "families" based on marital status. See *Village of Belle Terre v. Boraas*, 416 U.S. 1 (1974); *Hill v. Community of Damien of Molokai*, 121 N.M. 353, 911 P.2d 861 (1996).

Finally, the court reasons that its holding does not promote Christianity or violate the First Amendment by establishing a religion. To the contrary, the court says that Thomas and Baker must be able to freely exercise their religion.

This ruling has broad implications because it not only affects Alaska, but all of the states in the Ninth Circuit, including California. Naturally, many feel the ruling is a victory for religious freedom. Of course, others are not so favorable. The decision has already received much criticism because of the slippery slope.

Photos of the Week



Marie Pedroza (3L), sitting, with Robert Garcia (3L) at her side, is selling a UCLA Class of 2001 T-Shirt to John Pomeroy (1L) to help raise money for this year's graduation party. It's destined to be a good time.



Students line-up on a sunny day in the courtyard to buy the great food at the Carne Asada Sale. And let me tell you, it was Mmmm, Mmmm, Good!!!!



From left to right: Tal Ben-Zeev, Jonathan Golub, and Robert Jenkins, three of this year's participants in the Moot Court Honors Program take a short break after their first round of oral arguments on Saturday morning.

If landlords can use religion to discriminate against unmarried couples, what will prevent them from using religion to discriminate based on race or sexual orientation? If landlords are protected in locating tenants, should employers also be allowed to discriminate against employees who engage in pre- or extra-marital sex?

Due to the potential widespread impact, the case is being aggressively appealed. Several parties have filed petitions for the case to be reheard by the Ninth Circuit en banc. Bill Lockyer,

California's Attorney General, has filed a petition on behalf of California, Hawaii, Nevada, Oregon, Montana, and Washington. The City of Los Angeles, the State of Alaska, and the City of Anchorage have also filed petitions. Certiorari will be granted if a majority of the active judges agree to hear the case. The decision is expected any day, but regardless of the outcome, this case is certain to make its way into the next edition of many Property and Constitutional Law casebooks.

Jonesing for Bar Review: The Derek Jones Band on the L.A. Scene

By Michelle Hanson
Entertainment Editor

You've probably heard at least one Derek Jones rumor — that he works several hours on the weekends for Public Counsel, that he has his own record company, that he once worked for a "think tank," or, my favorite, that his band includes former members of Oingo Boingo. You've probably seen The Derek Jones Band perform at the Bar Deluxe and Luna Park, and you've probably wondered how he manages it all...

DOCKET: Let's start with the band. How did you get the name?

DEREK JONES: Well, I'm changing it, and I'm taking suggestions. Just no negative adjectives, okay. "The Derek Jones Band" sounds a little too adult contemporary

for what we're doing now. I started out as a solo artist, but it's a lot more collaborative now and no longer a one-man operation. There are no other contenders for the name right now, though. We've thought of using one of the other band member's names, but "The Joy Basu Band," er, I don't know about that.

D: The Derek Jones Band started out in Charlottesville, VA, so moving to Los Angeles meant you had to find some new members... like Oingo Boingo?

DJ: We have played with musicians with some notoriety. Doug Legacy from Oingo Boingo has played the organ at a few shows, but he's not a full-time member. It's fun to add to the hype and the mystery though. Los Angeles is full of incredibly talented musicians. We've got Marc Blitstein on drums who actually has a graduate degree in percussion. Jeff Montgomery plays bass. He has a great

tistic, it will have more of a commercial sound to it. I have my own record label, Renaissance Records, but I am willing to shop the record around to other labels. We'll be touring the country this summer. Fifteen cities in 29 days. We're starting out in Los Angeles on July 28th and then on to Austin, New Orleans, Nags Head, Charlottesville, New York City, Chicago, Vail, San Francisco, Hous-

D: And the "think tank?"

DJ: I worked at the Horizon Institute. It's a think tank that focuses on Virginia state policy regarding education reform and better land use. Apart from living like a hermit, it gave me a chance to write music. I've been back there about six times this year for various reasons. God Bless e-mail!

D: Here's what your peers are saying about you behind your back:

Dawn Payne - "Hip, happening and hopping!"

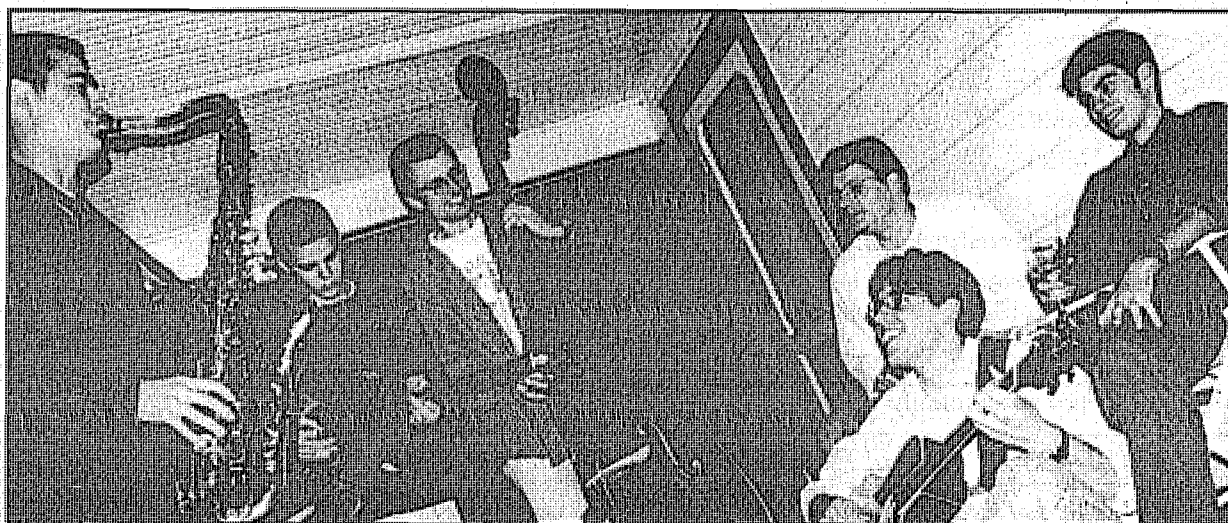
Kim Worobec - "Derek makes me wonder what the hell I've been doing with my life."

Sam Fortenbaugh - "He's the perfect man. I'm ashamed to be in his presence. He exudes flawlessness."

DJ: Well, I don't know about the flawlessness — my room is a mess, and I'm never on time. This school is filled with really talented people, and I sin-

cerely hope they don't let law school get in the way of other aspirations that may not be entirely congruent with the study of law. I came to school unwilling to put the rest of my life on hold. I hope it pays off. It sure as hell makes me a happier person.

Make sure to check out Derek Jones doing an acoustic set at the Bar Deluxe on March 11th. The Derek Jones Band will play the Dragonfly in Hollywood on March 19th and Luna Park on April 8th.



Derek Jones, 1L, and his band have a leisurely jam session away from the the grind of law school

voice and adds jazz and funk to our sound. Then, there's Joy Basu on guitar. He's India's answer to Don Juan.

D: Any studio plans or touring in the works?

DJ: We have two Virginia-based CDs. But the group is departing from its original sound. The Virginia version was more melodic like Dave Matthews Band, Everything, and Agents of Good Roots. It just didn't have a lot of groove. We will be recording again over spring break. Although my motivations are purely ar-

ton, DC, Myrtle Beach, Pittsburgh, and possibly Delaware.

D: Okay, let's say the record takes off and you have a video on MTV. Are you coming back for your second year of law school?

DJ: I will (laughter). Maybe not right away.

D: How about the other rumors?

DJ: I was working for Public Counsel about 12 hours each week during first semester. I'll be working there for the first 9 weeks of summer before the tour.

Seize the Play: Don't Miss Out When the Chair is Thrown

By Matt Williams
3L

Once again, a few hundred people were treated to the unique entertainment of seeing their classmates, professors, deans and staff perform on campus. The audience marveled at students who memorized literally hundreds of lines and songs and movements when they attended the 17th Annual UCLA Law School Musical on Saturday the 7th of February. This year's play, entitled "Thinking an 'I,'" was a mating between The King and I and Heaven Can Wait. The play was about an arrogant ass of a law professor who is mistakenly taken by angels but whose time on earth was not yet supposed to be over and the machinations of plot and song which this brings forth. As they say in Hollywood scripts, chaos ensued.

So why write about this playful event now that it is over? Especially since the writer is a third year student who will not perform next year, absent instituting the controversial alumni-performer-rule. The reason for stirring up interest in the annual musical is that its ephemeral nature demands your attention. There is not a student attend-

ing UCLAW who should not attend (or participate) in the show. There are several reasons for this, not least of which is the eternal memory factor which the show provides.

The eternal memory factor is that phenomenon that occurs when something so out of the ordinary happens that you just cannot forget it — something so unexpected that it more than pays for the price of admission. I first experienced this when I attended Indiana University as an undergraduate student.

Basketball is avidly followed in the State of Indiana, as you may have heard (Hoosiers, etc.). On the main campus of Indiana University in Bloomington, basketball is akin to religion: One should go as often as possible, and when one can't attend, one should watch the proceedings on TV. And if basketball is a religion, then Coach Bob Knight is the High Priest on campus who leads the university into holy battle.

During one basketball game I attended on campus, Coach Knight performed something very memorable: he picked up a nearby chair and threw it across the floor out of frustration and anger. All hell broke loose for Coach since, after all, this is rather unsports-

manlike behavior. The point of this story is I know of one student who never missed a game, but who missed this event and lived to regret it.

You see, missing Coach Knight's throwing of the chair became such a watershed event (should he be fired? How can anyone be against him — he's a legend!) that anyone who missed it rued that day. Missing the chair throw was like flying on an airplane, deciding not to talk to anyone sitting next to you, and at the end of a four-hour flight realize you could have chatted with Michael Jordan or Claudia Schiffer since they were sitting next to you, you dope.

This student who missed the famous chair-throwing incident actually went to the game. He just got there five minutes after Coach threw the chair, because he thought he'd read ahead in his microecon book and miss the initial crowds at the stadium. What a price he paid for not paying proper homage to the unique hometown event.

But many students here at the Law School do the same thing each year, and they don't even know it. For example, last year's play featured something equally wonderful and memorable as my undergraduate event. Last year, Profes-

sor Gary Schwartz sang.

I'm not saying he sang badly. In fact, he sang well. But how often do you hear any of your profs sing? We get many opportunities to hear our profs profess the law. For example, Professor Schwartz will be a featured speaker at an upcoming conference on the role of Torts in the face of the recent tobacco litigation. As one who has taken a course on torts from Schwartz, I can confidently predict that his talk on torts vis-à-vis recent tobacco tort litigation will be informative, relevant, and entertaining. But boy did you miss it if you weren't there for last year's show: "I love proximate cause/It's the bane of all of our laws..."

I have personally spoken with several fellow students who thought they might attend the Musical, who then wimped out when they chose to work on a Lawyering Skills paper due the next week. Weak is right. Very few law schools have a brand-new, combination students-professors-staff involvement event like our annual Law School Musical. But I guarantee you that just about all law schools have some first year course requiring papers. Will you re-



SPRING 1999 EARLY BIRD LECTURES



All lectures are videotaped unless otherwise noted

* All Day Lectures include 1 hr. lunch break

LOS ANGELES

3280 Motor Ave., Los Angeles, CA - (Lecture Hall)

March 13th	EVIDENCE (Faust Rossi)	9:00am - 5:00pm
March 14th	1st Year REAL PROPERTY (Joe Tom Easley)	9:00am - 5:00pm
March 20th	CRIMINAL LAW (Charles Whitebread) LIVE	9:00am - 12:00pm
March 20th	FEDERAL JURISDICTION - Civil Procedure (Richard Freer) LIVE	1:00pm - 5:00pm
March 21st	CRIMINAL PROCEDURE (Charles Whitebread) LIVE	9:00am - 12:00pm
March 21st	CORPORATIONS (Richard Freer) LIVE	1:00pm - 5:00pm
March 27th	CONTRACTS 1 & 2 (David Epstein) LIVE	9:00am - 5:00pm
March 28th	CONTRACTS #3 (David Epstein) LIVE	9:00pm - 12:30pm
April 10th	WILLS & TRUSTS (Stanley Johanson) LIVE	9:00am - 5:00pm
April 11th	1st Year Torts (Richard Conviser)	9:00am - 4:00pm
April 17th	CONSTITUTIONAL LAW (Erwin Chemerinsky) LIVE	9:00am - 5:00pm
April 18th	1st Year CIVIL PROCEDURE (Richard Freer)	9:00pm - 5:00pm
April 24th	REMEDIES (Willie Fletcher) LIVE	9:00am - 5:00pm
April 25th	COMMUNITY PROPERTY (Stanley Johanson)	9:00am - 1:00pm

ORANGE COUNTY / SAN FRANCISCO / SACRAMENTO LOCATIONS:

FULLERTON - 2932 E. Nutwood Ave., Fullerton, CA (Royal Ballroom)

SAN FRANCISCO - 1145 Market Street, 7th Fl - (Lecture Hall)

SACRAMENTO - Clarion Hotel 700 16th Street (Check Bulletin Board)

March 20th	1st Year CONTRACTS (David Epstein)	9:00am - 5:00pm
March 21st	EVIDENCE (Faust Rossi)	9:00am - 5:00pm
March 27th	1st Year CRIMINAL LAW (Charles Whitebread)	9:00am - 12:00pm
March 27th	CRIMINAL PROCEDURE (Charles Whitebread)	1:00pm - 4:00pm
March 28th	CONSTITUTIONAL LAW (Erwin Chemerinsky)	9:00am - 5:00pm
April 10th	1st Year CIVIL PROCEDURE (Richard Freer)	9:00am - 5:00pm
April 11th	CORPORATIONS (Richard Freer)	9:00am - 1:00pm
April 11th	COMMUNITY PROPERTY (Stanley Johanson)	1:30pm - 5:30pm
April 17th	1st Year TORTS (Richard Conviser)	9:00am - 4:00pm
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April 24th	1st Year REAL PROPERTY (Joe Tom Easley)	9:00am - 5:00pm
April 25th	REMEDIES (Willie Fletcher)	9:00am - 5:00pm

SAN DIEGO

Cal Western School of Law - Room 2B or "New A"

Room: "New A" is located at 1551 4th Avenue

March 7th	1st Year REAL PROPERTY (Joe Tom Easley) [Room: 2B]	9:00am - 5:00pm
March 13th	1st Year CIVIL PROCEDURE (Richard Freer) [Room: New "A"]	9:00am - 5:00pm
March 14th	EVIDENCE (Faust Rossi) [Room: 2B]	9:00am - 5:00pm
March 20th	CORPORATIONS (Richard Freer) [Room: New "A"]	9:00am - 1:00pm
March 21st	1st Year CONTRACTS (David Epstein) [Room: 2B]	9:00am - 5:00pm
March 27th	CONSTITUTIONAL LAW (Erwin Chemerinsky) [Room: 2B]	9:00am - 5:00pm
March 28th	1st Year CRIMINAL LAW (Charles Whitebread) [Room: 2B]	9:00am - 12:00pm
March 28th	CRIMIAL PROCEDURE (Charles Whitebread) [Room: 2B]	1:00pm - 4:00pm
April 3rd	COMMUNITY PROPERTY (Stanley Johanson) [Room: 2B]	9:00am - 1:00pm
April 4th	WILLS & TRUSTS (Stanley Johanson) [Room: 2B]	9:00am - 5:00pm
April 10th	1st Year TORTS (Richard Conviser) [Room: "New A"]	9:00am - 4:00pm
April 11th	REMEDIES (Willie Fletcher) [Room: 2B]	9:00am - 5:00pm

Valentine's Day Horror Stories

By Julie Caron Remer

1L

A few years ago, as I sat alone in my apartment on Valentine's Day contemplating the pros and cons of cleaning my shower it occurred to me that this whole Valentine's Day thing is just too much. I couldn't think of a single person who really loves and looks forward to Valentine's Day. If no one likes it and it's not even backed up with a religious significance why do we bother? Is this part of a conspiracy to make men feel inadequate and women feel unappreciated? And that's just the people in relationships, anyone who's single on V-Day is automatically a reject in desperate need of help from overeager Aunt Edna and radio station disc jockeys.

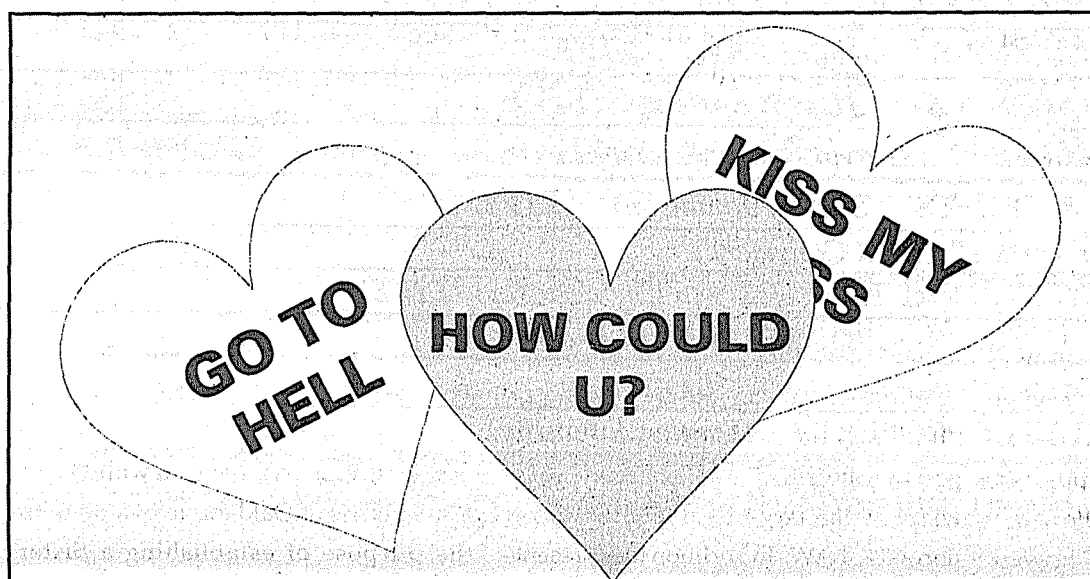
That's not even the worst part. The looming holiday leads people in and out of relationships to do strange and impulsive things. A good friend of mine mailed her long-distance boyfriend a pink elephant g-string (complete with googly eyes and pink feather ears) for Valentine's Day. He didn't laugh, he didn't think she was cute and spontaneous. No, he never mentioned it at all. She found it stuffed in the back of his dresser drawer the next time she went to visit him and was too embarrassed to bring it up.

How many people do you know

who have finally decided that they will ask out that special someone for Valentine's Day? How often does this really work out? One young man finally worked up the courage to ask his dream girl if he could take her to her sorority's Valentine's Day Ball. Being a cool guy, he said they would just be going as "friends." She agreed and he bought her flowers, rented a tux, and spent money on anything at all related to the dance. At the dance, everything was going great until he asked her why such a "pretty lady" wasn't taken. Surprised, she asked, "Didn't you know that I'm engaged?" Too late, he noticed the giant diamond ring on her finger. Needless to say, the rest of the date was not a dream come true for either of them.

I'm all for being spontaneous and impulsive, but when Valentine's Day is the only motivator for some rash act, you're more likely to end up doing something you will regret. If you wouldn't normally send your boyfriend an elephant g-string or ask out your dream girl or boy, there may be a very good reason. Take all that bottled up impetuosity to Las Vegas where it can safely be released. Or you can always come by my place and boycott Valentine's Day with me.

This article was not intended to offend sorority members, googly-eyed elephants, g-string wearers or givers, or supporters of Valentine's Day.



What Women Really Want... According to Law School Men

By Anne Jollay

Features Editor

Well, I honestly thought that with all of the oh-so-tactful men in this law school I'd get a bunch of really juicy and offensive quotes that would make a pretty good read. I was wrong. What I got was a bunch of men telling me they'd have to "get back to me" with a quote. Then, the .002% of them that didn't run away in terror every time I approached didn't have anything too original to say.

They said things like, "They want us to listen to them," or "they want flowers and romance," or "they want to feel appreciated." Yawn. So I gave up on my goal of continuing *The Docket's* streak of generating feminist hate mail.

Then, I realized that men don't really care about what women want (that is, unless they are trying to get laid). Hell, I don't even care about what women want. And it isn't my duty to broadcast a public service message to all

the ignorant men that may be lurking around UCLAW. Besides, most of them know more than you think. So never mind. Instead, I'd like to vent about something totally unrelated.

Who in GOD'S NAME thought to make the write-on during the spring break?!?! You cruel, malicious, sadistic BASTARDS!!! I hate being stuck with the prospect of giving up a week of fun and sanity for the wonderful opportunity to work my ass off writing a comment that will most likely be for nothing. I'm sure that you diligent and hardworking law students cannot relate to that sentiment. You probably think of it as a learning experience or something silly like that. But it just goes against every single lazy bone in my body, and my life is chock full of learning experiences right now.

What a painful decision. On one hand, we all know what a fabulous prize Law Review is. It may be worth the gamble. But I am someone who only plays the slots, so I'm not exactly a huge risk-taker in certain respects. Also, after going through exams last semester, I know enough about burnout to know the value of taking some time off. In addition, I am already behind in the reading and haven't yet started outlining. So at the very least I could use the week to catch up on everything. Anyway, thank you for listening to my maniacal rant. I will try to come up with an actual article next time.

The Wonders of First Year Exams

By Michael Lopez

1L

Every student at UCLAW has passed a set of first year exams. Every student has been graded on the same 20-60-20 curve. After being partitioned into GPA ranges, which ostensibly reflect our competence, we get sent on our merry way to find employment as we may be so graced by those with job openings. I use the passive voice to describe this, because I think it's indicative of how involved we are in our own grading process. If there were any way to predict a grade, if there were any way to pin down a particular exam and say "I did poorly here because..." then we could do something to affect our grades. And to a limited extent, we can: not studying at all will yield a C- or lower almost every time. But is this even true? I'll get back to people taking exams without taking classes in a moment. The point is that getting a good or poor grade (and there really are only 3 choices, aren't there?) on an exam is fundamentally detached from the efforts of the recipient. This is a problem.

I did reasonably well last semester, but I'm not any happier with my grades than I was when I won my very first wrestling match by a forfeit. But before I begin my tirade, I'd like to explain why it is anyone should care that our system is

reprehensible. None of this would be an issue if first year grades were just like college freshman grades — unimportant and easily remedied by a strong showing later on down the line. But they aren't. They really, really, really aren't.

One of the first things I was told upon arriving here at UCLAW was that only my first year grades matter. Now, I'm sure this was a bit of an exaggeration. I love my Crim T.A. dearly but her words aren't the Dead Sea Scrolls of legal education. She is however, mostly correct. The fact is, if you're interested in firms, then your first year grades are what is used to get 2L summer associate positions, which are supposedly in turn responsible for your post-graduation employment. Since a great many UCLAW students travel the path of X, Y, & Z L.L.P., this means that first year grades really can be substantially more weighty than subsequent semesters. Yet another factor making your first year grades more important is that when your employers (who are often going to be lawyers) look at your transcript, they will be looking for courses that they took. Not everyone takes "Feminism and the Landlord Tenant Relationship in Pre-U.C.C. Rural Missouri," but everyone takes Torts. Torts, Property, Civil Procedure, and Contracts are points of confluence for all attorneys. No one will ask you what you got in "Ethnic Identity and the

Development of the Postmodern Court System," but they will want to know what you got in Constitutional Law. First year grades matter.

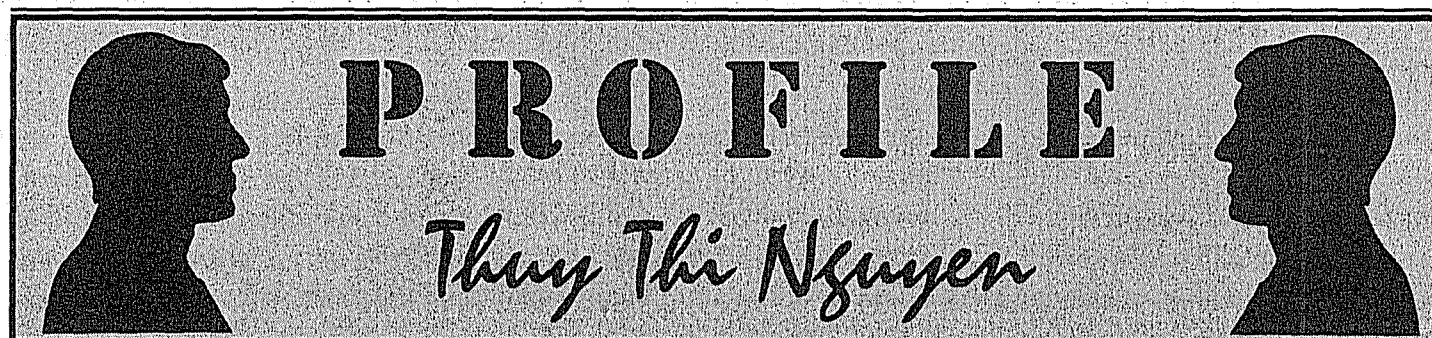
This in itself is not a problem. The problem appears when we're faced with "A" students who feel like frauds, and "C" students who feel cheated. The problem comes acutely into focus when I hear (in class, from a professor, mind you!) that in a study of law school professors' grading criteria, a Radcliffe student in ENGLISH scored a "B" on a law exam, displacing many students who had actually attended the class and done at least a few pages of the reading. That was perhaps the most disheartening thing I have heard since arriving at UCLA. The problem reaches intolerable proportions when employers hire based on GPA, expecting the University to have done their job and used a grading system that somehow reflects a student's understanding of the law. So it's time to ask the most important questions of all:

What do first year exams measure?

What are they supposed to measure?

My experiences both directly with exams and vicariously with my classmates' have shown me that the one thing the tests do not measure is retention and facility with the course material. But are they even supposed to measure this? A

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Student Awarded Paul & Daisy Soros Fellowship

By Jill Kastner
Editor-in-Chief

Thuy Thi Nguyen, a 2L, has been named one of 30 scholars in the nation to receive the Paul & Daisy Soros Fellowship for New Americans out of over 1,200 applicants nation-wide. This fellowship will provide Nguyen, who became a U.S. citizen during her sophomore year at college, with a \$20,000 stipend per year as well as one-half the cost of tuition for the remainder of her years at law school.

"I was really grappling between public interest and a regular firm job because of the problem with money," said Nguyen. Nguyen, who does not come from a wealthy family, says that this money will allow her to continue doing the public interest work she loves instead of having to take a firm job in order to pay her bills. "The monetary support of the fellowship allows me to follow the path I've chosen for myself." Nguyen hopes to practice education law.

Paul and Daisy Soros established a charitable trust in 1997 to support the graduate study needs of immigrants and their children. These fellowships are awarded to new Americans who will make a success of their lives and who will contribute something to this country, in whatever area of endeavor they choose.

"Immigrants have contributed greatly to our country," said Nguyen, who was born in Vietnam. "They want to recognize this." According to Nguyen: "The whole point of [the fellowship] is to encourage immigrants to go to graduate school and contribute back to society," said Nguyen. "You didn't need to be in any particular field... whether it is art, psychology, business, medicine or law."

"A distinguishing feature of American history has been the ultimate hospitality the nation has shown to immigrants, stated the literature provided by the Soros. "In return, immigrants and their families have made significant contributions to the quality of life in the United States... in every field. "To recognize this tradition and to help ensure it's continuity, Paul and Daisy Soros established [this fellowship]."

Last year's recipients include a 26 year old medical student from Stanford who invented a new prosthesis for upper-arm amputees; a 22 year old who produced a documentary on the Cambodian genocide; and a 22 year old former

gang member and high school drop out who decided start over again after he lost several friends to gang violence. He got his GED and is now a student at Columbia University Law School and editor-in-chief of the Columbia Law Review. This is only 3 of the accomplished students who received the award.

"These are amazing people," said Nguyen. "I read the bios for last year's recipients and thought there's no way I'd be awarded. But, a friend e-mailed me and said I should do this.... I'm glad I did."

Nguyen has many accomplishments of her own that, despite her humble nature, puts her among the top in nation. In addition to studying hard at UCLA, Nguyen is heavily involved in public interest work and other extra-curricular activities. Nguyen is a member of the PILF Program and a Moot Court Competitor. She is also Co-Chair of APILSA, which is the largest student organization at UCLA. In addition to representing APILSA both on and off campus,

EXAMS

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sage 2L in the library said that in legal practice, it isn't always the person with the most information in their head who wins the case. The person who wins, he continued, is the person who can think the most quickly, who can adapt a theory to particular circumstances. I agree with this wholeheartedly, and I would feel all tingly inside if this ability were what these exams actually measured.

It's not. Professor Volokh is fond of saying, "A survey doesn't measure what it wants to measure, it measures what it measures." The exam system may want to measure students' ability to construct arguments, and to think with and manipulate the course material. But it doesn't; it measures what it measures, which is to say, a person's ability to write quickly, clearly, rapidly, concisely, and with great celerity. If a truly brilliant person has difficulty writing down their arguments in clean, coherent sentences, then they are going to be "displaced" down the curve by some smart-ass Johnny-come-lately who happens to have a knack for essay tests. Let me repeat this last major point just to make sure I get it across: first year exams don't measure what they want to measure, they measure what they measure. Naturally then, we should ask, are these actually the same things after all?

Nguyen's duties include overseeing the executive board of 23 members, setting the agenda for meetings and helping to organize events. In addition, Nguyen recently became one of two Le Bouef Scholars at UCLA where she helps to teach a type of street law at Venice High School.

Nguyen's accomplishments started well before law school. In addition to her role as President of the Vietnamese Student Association while attending Yale, Nguyen distinguished herself in high school as the Student Director to the Oakland School Board. She also became the City Council's appointed Youth Commissioner and, that capacity, was asked to join the Mayor in his trip to Vietnam. She impressed the Mayor of Oakland so much that he declared June 23, 1993, to be "Thuy Thi Nguyen Day."

In November of 1993, while Nguyen was a freshman, she traveled with Mayor Elihu Harris of Oakland to Saigon with the purpose of establishing a Sister Cityship and establishing connections

The exam system would be totally vindicated if it was purposefully designed to measure our ability to write well under pressure, but I suspect it's not. After all, we're told by our Lawyering Skills T.A.'s that we are supposed to write like 10th graders, and we're given weeks for those assignments. If high-

"The exam system may want to measure a students' ability to construct arguments, and to think with and manipulate the course material. But it doesn't; it measures what it measures..."

pressure writing is the skill they wish to develop, then we should be writing timed responses to poetry in the fashion of the AP English Exam from those far off days of high school. (Whether catering to the lowest common denominator in writing for the legal community is a good idea, outside of its not alienating Judge Clueless, is another matter entirely and a topic for another day...)

Do I have an alternative? Well, yes, I



Thuy Thi Nguyen, 2L, smiles after learning she's received a \$20,000 plus scholarship

between Vietnam and the Port of Oakland and the Oakland Airport. This was prior to the lifting of the US embargo against Vietnam and near the time of the MIA/POW problem that sparked further controversy as to when the embargo would be lifted. This was an exciting trip for Nguyen who was born in Vietnam and whose birthday is shared with the date of the fall of Saigon (a day of morning and loss to the many who fled the communist invasion, but a day of reunification and celebration to the communist government of Vietnam).

Although Nguyen was too young to remember, her family fled Vietnam as boat people. They were adrift until res-

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do. But I'm paying money to go to this school, and I'm not tenured. In the words of Jane and Joe Average, "It's not my job." Normally I'd say that's a deplorable phrase, but 30 months from today I'm not going to care as much about law school exams; I really won't. None of the students here will. But the students are not the only ones reading this article, and while I will gain little in return for my input, there are some people at this school who have a vested interest in seeing the exam system reflect what it purports to reflect. To them, I ask, "What do you think our grades are supposed to reflect? What do you think they reflect?" I'd be interested in hearing the answers, if there are any.

A good friend of mine, a 3L dispensing the sagacity of the gods, told me something about grades and learning. He said that although some people will get A's, and some people will get C's, it is the extremely rare student who really doesn't know the material. You may have a 4.3 G.P.A., but setting personality and personal hygiene aside for a moment, and remembering the way the grading system works here, Suzie over there with the 1.9 is just as good a resource for information about your classes as Sam with the 3.7. Anyone who thinks she isn't is forgetting how hard it is to get here.

Stress: Law Students' Number One Health Problem

By Jane Lee
1L

Papers, readings, outlining, searching for jobs, cite-checking, grades, social life... Stress comes in all shapes and sizes for law students. It's true that the proper level of stress promotes an optimal level of performance, but too much of it causes people to snap at others and may lead to serious health problems. "It's hard to get through a day without hearing about stress," said Eddie Kim, a 2L.

There are a number of ways for law students to relieve their stress and one solution is "The Stress Clinic" - a part of UCLA Student Psychological Services. The Stress Clinic is a professional mental health clinic serving all registered UCLA students. Stress Clinic groups are designed to help students learn effective coping strategies for a variety of anxiety-related concerns. Most involve interactive discussions, and some involve learning specific skills, such as diaphragmatic breathing. Managing public speaking anxiety, modifying stress-producing thinking, and building social confidence are some topics that are addressed by the clinic.

The stress clinic is open to all students and there is no fee. Also, for those of you who are worried about the time commitments, most of the sessions involve a commitment of 1.5 hours per week for three weeks. The longest commitment is for four weeks and the shortest commitment is for a one-hour introduction to the principles of stress management.

For those of you who are still worried about the time commitment, here is some simple advice from a UCLA clinical psychologist, Alan Nagamoto, Ph.D.

"First, realize that it is natural to be stressed in any situation that is new and potentially threatening (a.k.a. the law school).

Second, try not to be anxious that you are anxious. In other words, do not take anxiety or stress as a sign of failure or personal weakness.

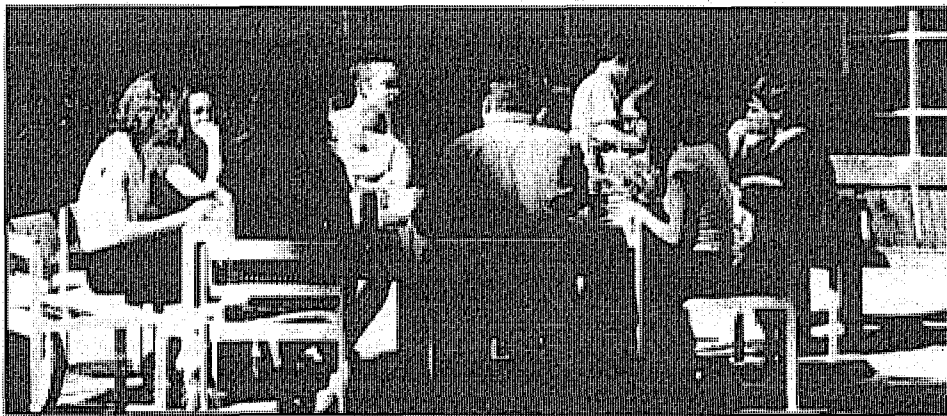
Third, develop an early awareness of signs of stress. So many students do not listen to or ignore warning signals.

Fourth, slow down and remain as calm as you can, even though things may feel overwhelming. Only then can you think constructively, creatively and realistically.

Finally, realize that there is no one right way to manage stress. So often students expect some simple, quick, and amazing techniques to reduce stress. There ARE amazing techniques but they rarely work instantly or perfectly. Just like many things in life, it takes practice over a period of time to get better at it. The good news is that we CAN take steps to reduce stress levels and improve functioning." Dr. Nagamoto emphasized that workshops can also be arranged to

be held at the law school at the request of the students.

Another effective way to relieve your stress is by taking some fun fitness classes at the Wooden Center. There are drop-in workout classes where you can buy a fitness pass for \$10 and attend as many drop-in workouts as you like. Some



A group of students relax and socialize in the courtyard between classes

interesting workout classes include: The Street Jam (where you can learn all the latest hip-hop dance moves), Body Beat (a funk-exercise with the latest dance moves), Cardio Combat (features non-contact punching and kicking drills), Killer Kick boxing (punching heavy bags and a variety of boxing and kick boxing

drills), and the Bootcamp (self-explanatory).

You can also join an aerobics class with Maren Hagedorn, a 1L. Maren teaches step aerobics and body sculpting classes at L.A. Fitness on Westwood, on the corner of Wilshire and Gayley. "It keeps me sane. I have been teaching aero-

bics for nine years so it is an important part of my life. I think the best part of it is that aerobics is a playtime for me, not a job", says Maren.

For those of you have shoulder and back problems from carrying your 1000 lb backpack, you can join the "Candlelight Yoga with Massage", where the in-

structor applies massage between stretches and postures so you can experience the new variation of Yoga. You can also learn massage techniques and impress your friends or lovers. Take it from Sonia Schwartz, a 2L who says "Yoga is the anecdote for law school."

Lastly, some of the 1L's would like to give you some tips on how to deal with stress:

- 1) "Take a bubble bath at least once a week while reading a People magazine" - Ruth Holt
- 2) "Get everything done before you go home, play some intramural sports, then go home and watch South Park while drinking a scotch" - Randall Hegarty.
- 3) "Set a date and take a day off from school" - Kwon Luc
- 4) "Sex and Masturbation" - a 1L who wants to be anonymous.
- 5) "Keep everything in good perspective and don't take everything so seriously" - Karen Jacob
- 6) "Compress your stress into a little ball and let it out all at once, then don't think about it again" - Damon Mircheff

How Can I Be a Myth Without a Dragon? Words of Wisdom from Prometheus

By Sam Fortenbaugh

1L

Sometimes when I walk through the halls of the law school, I feel a little less than fulfilled - that I don't have a purpose. That everything I'm doing in relationship to the great questions of mankind and the infinitely perplexing cosmos is not going to affect anything... And every now and then I have this sense that I'm not alone. Call it a hunch. But let me tell anyone of you who may find yourselves floundering for purpose, it needn't be so.

Whenever I feel a little down and out, I pretend my life is a NFL football highlight film. In the back of my mind, the music swells to a crescendo and that deep voiced narrator starts talking about how my situation "may appear bleak to the untrained eye, but even amidst his seeming confusion he is laying down the foundation for great future insight."

I instantly feel powerful and confident like I'm a character in a Wagner opera, a throw back to the heroes of yesterday and antiquity. In a moment of daydream I have become a modern myth. And when I raise my hand in class, I am Zeus holding a thunder bolt ready to cast it down on humanity. To punish them for not thinking the way I do and to give them warning that they need to change their ways. It is not like I consider my fellow classmates and august professors to be the rabble that these ethereal beings made from clay. Quite on the contrary, because in an instance, the tables

can turn and I the judge could quickly become the judged. Instead of Zeus, I find myself to be Prometheus - a simple messenger trying to bring the fire of life to mankind only to be sentenced for eternity to be chained up to a rock and have Professor Bussel become a sharp-taloned eagle that encircles me and swoops down and wrenches out my liver. All I can do is lie enfeebled watching as my entrails are scattered around the room as a cautionary tale for my fellow students. I don't blame professor Bussel, that's his job and I want him to do it. That's why I sit in the front row. And it's a good thing that just like Prometheus, my liver grows back every day. Actually, all it takes is the short break in between classes for my liver to grow back. Sometimes I get to be Prometheus more than once during a day.

Anytime during the day I can be confronted with an encounter of epic proportion: when I check my e-mail, peer into my box or just turn the corner. Now I could take the cowardly way out and lash myself to the mast of my ship. But not only is that easier said than done - because sometimes it's hard to find the mast of your ship - but why lash yourself to a mast in the first place. Ulysses may have avoided the sirens, but he also didn't get to learn anything from them either. There is so much to learn, so much opportunity to find that one razor thought that could sever you from the chains of your past thinking and free yourself for your future. I will not be a helpless Prometheus I will be a hopeful

Prometheus. No longer will I see my chains as mere shackles but as a gift of knowledge. So the next time I see Clyde Spillenger or whoever happens to be my siren of the day... you never know, he plays jazz guitar and speaks well. Hey, it's law school, I don't have much of a choice here.

Bussel. Spillenger. It doesn't stop with them. There's all those admin people from the deans to the records office. The word admin is derived from the English phrase "AD"ding to your problems, "MIN"us any relief. Like little wood nymphs and Satyrs, these admin people hide behind nameplates and glass windows. But they are not there just to torment me, but to test me. They give me a proving ground to sharpen and hone my skills for when I have to slay the mighty dragon that stalks the perimeter of the law school waiting for me to build up the courage of my convictions... or at this point any conviction.

I guess that's what my problem is - I haven't figured out what my dragon is. How can I be a myth without a dragon? I need a dragon. Some dragon, any dragon, whether it's social injustice, heterosexual patriarchy or just my local cable company. Something I can prop up as the evil force in the world that can justify my law school experience. Some day I will find out what that dragon is. And when I do, it'll make Professor Bussel's aerial attacks seem that much more educational. I won't need to turn him into a swirling bird of prey. Which is good, because with his glasses and tie, it takes a lot of work.

Spring OCIP, 1Ls, and Reality

By Michael Lopez
1L

Law students from all three classes participate in spring OCIP. For most 2Ls and 3Ls, spring OCIP is nothing more than a repetition of what came before. Sometimes, according to one 2L, "things just didn't work out," and other times the firm with which they want to interview wasn't available in the Fall, which has a much more randomized selection process than the spring program. But 1Ls are, by and large, doing this for the first time.

For many, the idea of getting interviews by random might seem a little strange. Many students have had successful careers prior to coming to UCLA and have had scores of interviews. But what makes spring OCIP interviews different from perhaps anything but applying for tenure track positions in the humanities is the futility of the process itself. When coupled with a wide range of emotional approaches, ranging from abject despair to frustration to naïve confidence, that futility provides powerful insight into both the 1Ls themselves, and the slant of the UCLA Law program towards traditional firm-oriented practice, hereinafter the "Expressway," though some have said it should be called the road of good intentions.

Starting at the beginning of the year, 1Ls are greeted by the sight of students running around in (mostly black and navy blue) suits. Some have done their OCS reading and are aware of what is going on, others just ask. Then the annoying part of fall OCIP kicks into gear: it's impossible to study in the back of the library. "Nice to meet you," follows "Nice to meet you," which is in turn followed by a revolutionary "it's nice to meet you," and so forth, ad nauseum. While some may have oversensitive moral reactions to such a display of canned insincerity and mindless tradition, more than once there was a muttered "Shut the f*** up already..."

The 1Ls next hint of the OCIP process is when their TA's start to explain that, although nearly every second year gets a good paying job, the number of first year students getting paying jobs at firms is inconsequential, and they shouldn't get their hopes up. Many at this point are not aware that there is OCIP in the spring — who really reads all the OCS material that finds its way into mailboxes each week?

So then it appears, practically out of nowhere. It starts with email messages: Soh, Soe, So & So is accepting resumes. Naturally, students wander over and drop in their condensed autobiographies, and the first rays of hope begin to dawn in the first year mind. Maybe this is easier than it seems, I didn't even need a cover letter. Then comes the advance reconnaissance force for the army of the

Expressway: booklets and pamphlets crowding the mailboxes. Certain terms filter into the flow of 1L conversation: "on-line bidding", "project finance", and even "transcript." The smart ones get out now, and get summer positions with respectable federal judges. The responsible ones start grabbing at the public interest jobs that are available. It could be argued, quite successfully, that working for judges or helping poor children is much more rewarding and important than slaving away at a firm and eating expensive lunches. Granting that, why would students want to work for the firms? Why would they allow themselves to get sucked into the vortex? Perhaps a better question is, "What makes the world go around?"

It's unlikely that any 1L has ever made as much as they could as a summer associate with Milbank, Tweed, Hadley, & McCloy. There may be a few, but \$1400 per week is just a lot of money, particularly in light of the actual value any 1L can contribute to a firm. Many 1Ls realize this. "They've got to be losing money," said one.

So the confidence builds: dropping a resume is easy, the money is fantastic, and no one remembers the words of the wise TAs at the beginning of the year. Like the night before Christmas, visions of summer jobs dance in their heads. But that's not the only reason students go through OCIP. For one thing, there are a number of government and other non-firm employers who participate in the program. Some students aren't even interested in finding work, but want the interview experience for when it really counts: fall OCIP. Some actually want the valuable experience of working in a firm. Others aren't interested in the money or the experience, but are simply sucked along the Expressway to the Vortex by default. But whatever their reasons, and the reasons are as manifold as the variations in temperament, students buckle down and go ahead with the process.

Bids are submitted, resumes are deposited. Then there's waiting. And more waiting. Then the word comes in: Skadden, Arps, Slate, Meagher, and Flom wants YOU! Tuesday at 11:20 a.m., please. Suddenly the OCS is much more densely populated than before, and the most common things missing from the shelves are the firm resumes and the student feedback forms. If law students know how to do one thing, it's research. Armed with some information about the firm's practice, and whatever they can glean off of the (sometimes nonexistent) web pages, they put on their suits and suddenly realize, we look just like the 2Ls did at the beginning of the year... the ones we thought were so odd running around the courtyard in suits. And

See OCIP, page 15

TOP 10 Ways to Make Your 2nd Semester More Interesting

By Anne Jollay and Julie Caron Remer
1Ls

10. Stop reading *The Docket*.

9. When asked in an interview what your greatest strength is, reply "soft porn."

8. When asked to recite the facts of a case in class, make up an elaborate story that has nothing to do with the case. Be committed. Talk at length. Then, when the professor stops you and tells you those aren't the facts, stand up and yell, "How do you know? Were you there? My Grandpappy was there and that is exactly how it happened!" Then burst into tears and run out of class.

7. When asked in an interview what your greatest weakness is, reply "self-mutilation."

6. When called on in class, quietly place a tiara on your head before speaking. Remove it when finished (this is gender neutral).

5. When asked in an interview if you have any special skills, say, "Glad you asked..." Then whip out a boom-box and

break out into the dance from *Flashdance*.

4. Convince your Lawyering Skills Professor to allow you to perform Kabuki Theatre in class about the meaning of Lawyering Skills. You will be more successful than you might think.

3. When asked in an interview what you would bring to the law firm reply "Hard work, a winning personality, and great blow jobs" (again, gender neutral).

2. When asked about complex problem you have solved recently, reply, "Well, the problem was that I had a 2.0 and couldn't get an interview with you. So I broke into Records, changed the 2 to a 4, and now here I am talking to you fine people!"

1. Actually, we couldn't think of any good ways to spice up your second semester of law school (as you could probably tell). Why? Because both the novelty and the fear have worn off—second semester is an inevitable descent into the pit of eternal boredom. Just find comfort in knowing that your fellow 1Ls also feel like hurling every time they pick up a casebook. There is just no getting around it.

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Surviving the Bar Exam: Three Days in the Inner Circles of Hell

By Bar Exam Survivor
UCLAW Affiliate

I just took the California Bar Exam less than 24 hours ago. I am writing this now partly because I told the Docket that I would attempt to provide it with an exclusive, near contemporaneous account of the experience. Frankly, I am also doing this because I've been through a battle and I need to share.

First, I will confirm what you already know: the Bar Exam is a tough, tough test; not necessarily impossible, but a very difficult exam. And whether I passed or not, I owe much thanks to many for their support, including my parents, who brought me supplies and food that saved me time on grocery and restaurant trips, my cousin's triple A card, my friend's care package, which contained more provisions that freed me from waiting in line for food during the exam lunch breaks, and the prayers of many (even though I told them to just forget February and start praying for the July exam).

And if this condensed account of the past week may not be as edifying and tragically comic as it could be, it will at least be (1) written while the injuries are still fresh and (2) more organized than my answer to that civil procedure essay question.

What shall I tell you about the California Bar Exam? How does that pop song "Live to Tell" go? "A man can tell a thousand lies ... if I live to tell ... will I have the chance..."

It's actually rather appropriate. While you're taking the exam, you may

have to fabricate legal doctrines, you wonder if you're going survive all 3 days, and you ponder about if you go warn your friends who are still thinking about law school.

Some people say that law school sucks. Well people, I can tell you that in many ways, the Bar Exam stinks even more. And unless you are particularly forward thinking or had a law school mentor who tried to warn you, after 3 years you still have little idea of what you are getting into.

I checked into my hotel on Monday afternoon. It was less than 10 miles from my apartment and I was going to be gone for 3 days. It took me an hour to load the car. Why? Because people, we're going camping:

Suitcase. Toiletries. Notebook computer. Bible. Backpack. Bag. File crate laden with bar review materials. Pencils. Portable pencil sharpener. Lots of pens. Highlighter. Cell phone. Cassette player (yes, you can shower, brush your teeth and fall asleep to substantive law!). Cooler with perishables and cold drinks. Grocery bags containing provisions.

Then I arrived at the hotel and waited in to check-in along with numerous other bar examinees. Most of them looked ready to go camping too.

I had reserved a non-smoking room, but in retrospect maybe I should have asked for a non-TV room. Yes, and I do feel badly about this, but I did watch some TV.

Monday night's HBO movie was "The Devil's Advocate" — basically a somewhat unexceptional but interesting scare flick with big stars like Keanu

Reeves and Al Pacino. I didn't watch the whole thing, but it was still a mistake.

Some people don't study much just before an exam. Others cram. I tend to cram. But instead of cramming as much as I could have, and should have — I gave in and started watching a movie about devils, lawyers, temptation and power. All this the night before an exam required before you could become a lawyer. It was like irony within irony.

Day 1. In the morning were the essay questions. Of course, they were about classes I hadn't taken or that did badly in (but that's not really unusual — although one of them was for a course I did really, really badly in), or fallen asleep during (again, not uncommon) or just remembered very little of.

But I laughed because for most of the past several weeks I had been griping and worrying about the likelihood of getting, for example, a Wills and Trusts question on the exam. Guess what the first question was?

Well, after that first hour of creative writing I thought I deserved a break. I walked to the bathroom past the exam proctors (who were all senior citizen type folks by the way, kind of like the juries you get for lawyering skills and clinical courses).

In the bathroom I started thinking about the undercover cop from Reservoir Dogs and as I went back to my seat I found myself thinking "That's right. Can't stop me. Because you are Beretta and you're super cool ... Cool as a cucumber. Cool as a cucumber... how do you spell Beretta anyway?"

The rest of the day continued in the similar tragicomic fashion, and I somehow managed to find a way to mention every statute and case they provided for

the performance test memo. For example, "See this case discussed infra, it's important."

Pretty clever way to include that in the last paragraph, don't you think?

Then I retired to my room to try to cram for the Multi-State Bar Exam questions on Wednesday. The MBE is the multiple choice section of the Bar, and every state uses it as part of the test.

On Wednesday morning, before the exam starts, the instructions are read and you are supposed to fill in the bubbles on the sheet with your name, applicant number, etc.

By the end of the day, I was using an advanced exam taking strategy that one might call "Educated Guessing Supplemented by Multiple Choice Bubble Patterns." I noticed that I had filled in a lot of D's in my first column and very few B's. By the fourth column, if I narrowed my choices down to B and D, I would either wind up with B and feel reassured that it was the right decision, or I would just choose it for no other reason except that I had already used more D's.

Thursday was kind of like a re-run of Tuesday. 3 more opportunities for creative writing on the essay questions in the morning. Then the struggle to stay focused and finish Performance Test II in the afternoon.

As I mentioned supra, there is actually a lot more that I might like to tell you about the Bar Exam, but in terms of time and space that is my tale for now. If you have taken the Bar Exam, may it help you laugh at the memories. And for those of you who will soon be getting ready, wait until you hear my story about bar review and the weeks leading up to the exam, also known as "We learned next-to-nothing about this in law school. I wonder if I can skip this Bar and just study all the way to the next one?"

PROFILE

From page 7

cued by a Japanese commercial ship. Her family stayed in Japan for less than a year and then moved to the US.

"You feel the immigrant life," said Nguyen. "It's very cultural... and something that never leaves you." Nguyen describes how her family speaks Vietnamese at home, attends Church services in Vietnamese, and has celebrations in Vietnamese.

"I'm worried about the Anti-Immigrant mentality in this country," said Nguyen. "This sense that immigrants are taking our jobs... [or] that immigrants are only a burden on our society is completely false." Nguyen is an active opponent of Prop 187 which denies education and health care to immigrants, saying this is a denial of basic human needs. Nguyen says that people often forget that almost all Americans come from immigrant families and that immigrants have contributed tremendously to this

country.

"People forget that people like Madeline Albright, Henry Kissinger, Yo Yo Ma, and Albert Einstein were not born Americans. In fact, both Kissinger and Yo Yo Ma serve on the fellowship's National Advisory Council.

The attitudes and mentality of this country regarding immigrants should change," said Nguyen. "We need to celebrate our diversity."

Nguyen believes that this fellowship for new Americans will help many immigrants and their families because it helps new Americans afford graduate school and to focus on their studies and benefiting society, rather than paying bills.

The Docket recognizes Thuy Thi's hard work and also supports the valuable contributions the Paul & Daisy Soros Fellowship have made to supporting the graduate work of deserving students, like Thuy Thi.



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"While I Am Practicing Law And Earning Money..."

October 14, 1997

Dear PMBR,

I wanted to thank you and let you know that your Multistate Bar Review course helped me achieve a score of 180 on the MBE which I believe was the highest MBE score in Missouri. I studied thousands of Multistate questions from PMBR and my general bar review course. Without a doubt, the PMBR questions were the "best" and very representative of the actual questions on the MBE.

During the Multistate Exam, I finished the morning and afternoon sections with an hour left to spare. While most people were perplexed and struggling, I breezed through the exam because I recognized so many of the questions from PMBR. A few of my friends who didn't take PMBR in July are now signed up for the February class. While I am practicing law and earning money, their lives are "on hold" for six months. Thank goodness I took PMBR the first time!

Yours truly,

Matt McDonald

1997 Washington Univ. Law Grad

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SCORE
180**

My Friends Who Didn't Take PMBR Are Preparing For The February Exam!"

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POINT/COUNTERPOINT

Just Say No to the War on Drugs

By Kelly Casillas
1L

Early one morning this past September, while we dutifully rose to face another day of law school, a gruesome event took place a hundred miles south outside Ensenada, Mexico. Barely reported in this country, characterized mostly as just another unexplainable, senseless, violent incident in neighboring Mexico, the episode painfully symbolized all that is wrong with America's so-called war on drugs. Eighteen men, women, and children were dragged from their beds, lined against a patio wall, and executed. Authorities, who attributed the murders to a long-standing feud between rival drug cartels in northern Mexico, were shocked by the remarkable callousness of the murders, atrocious even by drug cartel standards. Every member of an entire family (except a 13-year old who survived his wounds and his 15-year old sister, who hid under a bed) was summarily annihilated within a matter of minutes. Why should we care? Our tax dollars enabled those murders. We, as Americans, held the pistol to their heads and pulled the trigger.

The campaign against drugs in this country began seriously with the passage of Prohibition, and steadily increased to bring us the fanatical drug war crusade of today. The anti-drug message is broadcast through television segments, taught in our schools, and enforced in the workplace. It is an omnipresent voice, a repetitive chant repeatedly loudly and often, but with little reflection. JUST SAY NO. However, as the unquestioned commitment to this dirty little war has grown in nature and in scope, a growing number of political commentators, legal scholars, human rights advocates, medical professionals, law enforcement officials, and everyday citizens have begun, slowly but surely, to question the logic behind it. They advance a number of arguments for ending the war on drugs, all of which are reasonable and most of which are overwhelmingly supported by evidence revealing the failure of United States drug policy.

The most logical, sensible, and easy to subscribe to of these arguments is pure economics. The drug war costs money—a lot of it—with little to show for the expenditures. The federal government spends \$17 billion annually on the war on drugs. This budget, breathtaking in scope, does not include state and local drug enforcement budgets, incarceration costs, costs associated with increased

crime, or medical expenses from illicit drug-related illnesses, death, and treatment (or lack thereof). While our representatives spend months figuring out how to eliminate welfare benefits and quibble about the potential economic impacts of prohibiting new roads in wilderness areas, they simultaneously and unanimously expand the already astronomical drug war budget, broadening the reach of drug laws, increasing minimum prison sentences, and mandating more costly local law enforcement mandates. According to the federal Bureau of Prisons, 60% of all federal inmates are serving mandatory sentences for drug-related offenses, at a cost of \$1.3 billion per year. New prison construction is at



*Cream?... Sugar?... How about some smack and amphetamines?
Legalized drugs may either reduce crime or cause more problems.*

an all-time high, and cannot keep up with ever-increasing demand.

There are also hidden costs associated with the drug war. Manufacturers, distributors, and dealers, forced to become more sophisticated and expensive in their activities, pass on those costs to the buyer. Drug users, faced with purchasing increasingly expensive goods, turn more and more to illegal activities to pay for them—stealing, money laundering, prostitution. The lucrative and otherwise unattainable income levels earned by local dealers entice impoverished, uneducated, unskilled youth to enter the drug market rather than face a life of uncertain and unrewarding minimum wage jobs. These local markets reinforce and exacerbate existing gang rivalries, increasing the market for illegal guns and requiring more law enforcement to combat resulting crime.

Meanwhile, steadily rising drug addiction rates are accompanied by insufficient and underfunded treatment pro-

Drugs: A Scourge on Society

By Jill Kastner
Editor-in-Chief

Illicit drugs are a plague on our society. Each year, thousands of our nation's young people become addicted to drugs. Everyday, lives are destroyed by addiction and by the things addiction makes people do. Friends of mine who became addicted have described it as: "hell", "being consumed by demons", "loosing control", "loosing all sense of self", and "suddenly waking up and looking in the mirror and not knowing or liking the person staring back." Even for those people who fought addiction and won have lost years of their life, and many have made mistakes that will haunt them

for most drugs. Even marijuana can do more harm to the lungs than filtered cigarettes. Second, even if some drugs aren't as damaging or addicting as alcohol and/or tobacco, why does that mean they should be legal. They still do damage. The US government should not get into the practice of legalizing drugs because they're not as bad as the ones we already have legal. If they're bad, they're bad and shouldn't be made legal.

As for the idea that taxation will end all the problems because then we can pay for all the health and other problems caused by drugs, is absurd. First, the government would have to institute very high taxes in order to pay for the health care, rehab centers, and criminal wrongdoing (I'm assuming that Driving Under the Influence, fights, and other crimes associated with drugs will still be illegal). Drug associated problems cost literally billions of dollars each year. You could have a situation in which taxes are so high, drugs will still be so expensive that those who currently steal or even kill in order to get drugs will continue to do so. It's a Catch-22. Either the taxes won't be high enough to pay for the costs of drugs, or the taxes will make drugs so expensive that the poorest (who may loose/quit or fail to find work because of drug abuse and addiction) will continue to steal and commit other crimes to feed their addiction. This doesn't even touch the moral issues of earning tax dollars on the addictions of others. No thank you.

The most disputed point in this debate is whether legalization of drugs will lead to fewer people using drugs. Legalization allows for regulations which, I agree, could make drugs "safer". However, drug advocates argue that fewer people, particularly kids, will try drugs because it's no longer the "forbidden fruit." They use the example of underage drinkers and smokers. There is often less binge drinking after one reaches 21, and many stop smoking (or at least try to) after reaching 18.

Frankly, I don't buy it. Anyone who saw me at my 23rd birthday party knows full well that I haven't given up binge drinking. Now, I agree that I don't binge drink nearly as often as I did in college, but that has more to do with maturity than the fact that it's now completely legal for me to get smashed. In my undergrad, my friends and I didn't drink because we were thrilled by the thought that we were doing something naughty. In fact, we didn't think it was bad at all because most of the people at the party

for the rest of their lives.

First, let me say that the US "War on Drugs" has many faults. I firmly believe that our nation's drug policies must be overhauled drastically. However, I do not believe that drug legalization is the answer. Because there is only limited space (and no one reads past 1,000 words anyway) I will only address why drugs (for recreational purposes) should not be legalized and save my views on US drug policy for a later discussion.

The three main reasons I believe drugs should remain illegal are: they are harmful both physically and mentally, taxation of drugs won't work, and legalization won't make fewer people use drugs.

It's rarely disputed that drugs are physically harmful (except in certain medical capacities which I will not discuss—I actually support the medicinal use of marijuana, etc.). What is debated is that certain drugs are no more harmful for you than alcohol or tobacco. I don't find this argument persuasive for two reasons. First, that simply isn't true

See **LEGALIZE IT**, page 15

See **JUST SAY NO**, page 15

What the Bible Says About Homosexuality: A Response

By Branden Schroeder
2L

Last month's issue of The Docket featured an article entitled "What Does the Bible Really Have to Say About Homosexuality?" In that article, author Ron Matten put forth an alternative biblical interpretation to the topic of homosexuality. He outlined four "myths" that he viewed as responsible for common misunderstandings of scripture. His ultimate thesis was that the Bible does not condemn homosexuality. Was his thesis correct?

Before analyzing Matten's various points, it is important to recognize that belief or disbelief in the inspired authority of the Bible is irrelevant in determining the accurateness of his thesis. As rational beings with free moral agency no one is obliged to agree with any conclusions in the Bible. However, just as one may disagree with the holding in a Supreme Court opinion, one can neither deny the law it expounds nor twist what is written to make it say something it does not. Responsible journalism and accurate scholarship requires an objective, unbiased methodology of studying the text. In some cases, this methodology may illustrate an irreconcilable difference between what the Bible really says and a personally held view.

In attempting to dispel the first of his proposed myths, Matten suggests that God destroyed the biblical cities of Sodom and Gomorrah not because of homosexuality, but because of their lack of faith. This assertion is simply unsupported by the account. There is not one reference to a lack of faith. Rather, the residents of the two cities are described as "wicked and sinners" (Genesis 13:13). God decided to destroy them because there were no "righteous" people found in those cities. The biblical term righteous describes proper conduct as outlined by biblical laws. Sodom and Gomorrah were filled with unrighteousness. In fact, the only specific act of unrighteous conduct described by the account is of a mob bent on performing homosexual acts. The issue of homosexuality is indeed central to the story and emblematic of Sodom's immorality. To say then, as Matten does, that the lesson of the story is about faith misses the point.

Matten's second point is that the prohibition of male-to-male sex found in Leviticus is insignificant based on its position in the Bible. He suggests that the buried placement of the same-sex prohibition in the third of five Books of Moses, in the eighteenth chapter of a twenty-seven chapter book, in the twenty-second of a twenty-nine verse chapter indicates the command's lower degree of significance. If this line of reasoning is followed to its end, then we should probably expect little of signifi-

cance past the halfway point in any biblical book. One might as well stop reading because all the important material should have been covered at the beginning. This is illogical. The location of a scripture is not an indication of its importance. For example, can you imagine only reading the very beginning of a court case and expect to get a full understanding of its ramifications? Would Matten also say that the 8th Amendment is less enforceable than the 1st Amendment just because of its sequential location? Clearly not, yet somehow he has no trouble doing this with scriptural text.

Matten also contends that the ancient Leviticus law against homosexuality is irrelevant today due to its historical context. He posits that God gave the Hebrews a code of conduct, including the proscription of same-sex acts, after their freedom from slavery to ensure their survival in the harsh desert. However, the nexus between controlling one's sexual behavior and wilderness survival is tenuous at best. It was also in the desert wilderness that God commanded the Hebrews to build the ark of the covenant, participate in various offerings, and perform ritualistic cleanings. None of these aspects of Mosaic law pertain to physical survival. So, there must have been reasons beyond simple desert survival for the laws given to Moses, perhaps spiritual reasons.

The third myth Matten points to surrounds the book of Romans in the New Testament. In Romans I, there is a clear condemnation of same-sex acts. Matten proposes that Paul, the author of Romans, was not addressing homosexuality in general, but was really condemning the ancient Roman practice of men who violently sodomized pre-teen house servants. Matten even refers to certain unnamed "religious scholars" who support this view. This claim suffers multiple problems. First, the mention of homosexual activities in Romans is not the only time Paul addressed the issue. In two epistles written to a non-Roman audience, he unequivocally expressed strong objection to homosexual conduct (I Corinthians 6:9, I Timothy 1:10). Second, the religious scholars who believe that Paul only opposed non-consensual or promiscuous homosexuality are among a very small minority. Finally, the narrow reading of Romans to forbid only the exploitative Roman practice of men raping boys conveniently omits consideration of the condemnation of female-to-female homosexuality found in the preceding verse.

For further support of his position, Matten questions why Jesus never personally said anything against homosexuality. While Jesus may not have, one must also note that Jesus did not explicitly say anything about rape, incest, or torture. An imaginative person could probably think of dozens of examples of

bad human behavior that Jesus did not specifically address. Yet, no one reasonably believes that his failure to mention, or the failure of the gospel writers to include his mention of these other reprehensible acts means that Jesus did not oppose them. The omission argument, therefore, does not work.

The fourth myth Matten refers to regards the potential pitfalls of reading the Bible literally. Clearly, there are occasions where interpretation is required for

a full understanding of biblical text. However, the Bible is actually quite clear on the subject of homosexual conduct. An objective and honest reading reveals that the textual condemnations of homosexuality are not affected by problems of interpretation. A proper reading of the biblical text can lead to only one conclusion. Contrary to Ron Matten's assertions, the Bible does condemn homosexuality.

CARPE DIEM

From page 4

member your dubious paper ten years from now? I know I won't forget the plays I've been in. What makes this even more sad is that the student who worked on her Law Skills paper missed the show for an Ungraded paper! As Professor Holm might say, "Especially when" the paper is ungraded, the student should attend the Musical.

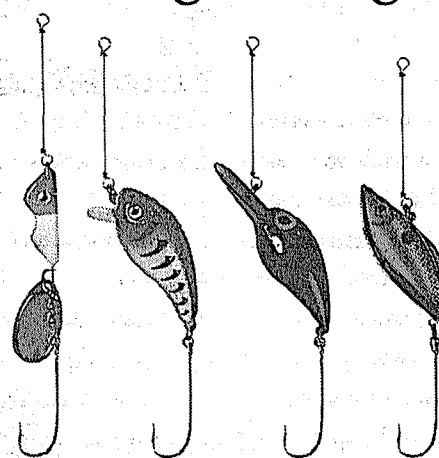
As you look back on your law school career, ask yourself how many times you sat in class, sat in the lounge, read a case, etc. Be sure to do something you will remember next year—attend the Law School Musical. Who knows what amazing bloopers or hilarious lines or songs you will hear. And if you want to get just

a flavor of the camaraderie which the Musical represents, check out the blown-up photo outside Professor Graham's office on the third floor of school. The photo is from a long-ago Musical entitled "Damp Hankies." It's outside Professor Graham's office because he is the world wide web liaison for the Aesopian Collective, the creative group behind each year's musical.

You won't find next year's Kernel Corn anywhere but at UCLA. Where else would anyone expect to find the music of Jerome Kern threaded around a legal plotline? Nowhere but here. Will you come alive and experience the event? Or will you be on the outside looking in when the chair is thrown?

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The Docket's Scoop from VaultReports.com

The Long and Winding Road: Making Partner

Getting a job at a law firm is the first step towards making partner. Accepting an offer, however, doesn't necessarily mean that you'll reach that pot of gold at the end of the rainbow. In fact, the numbers regarding making partner are rather grim. According to the National Association of Law Placement, a full 75 percent of all associates hired at firms with over 100 lawyers firms bail out by their seventh year. In another study published by The American Lawyer and The Recorder, the odds of making partner at the largest firms is around one in ten - for lateral hires, the likelihood of making partnership hovers around 17 percent, hardly promising.

The numbers match responses from our contacts within firms. Los Angeles' O'Melveny & Meyers, for example, elected its largest partner class in its 113-year history in February of 1998, with 16 new partners. Still, associates say that making partner at O'Melveny is "very, very tough." "It's a long row to hoe!" sighs one associate. "Who the hell knows about prospects these days?" shrugs another. Still another offers that "O'Melveny is still a place that does not give enough information about partner-

ship chances." A mid-level associate in Los Angeles simply advises prospective O'Melveny lawyers to "come for the training and experience, not for partnership."

Yet, as O'Melveny's 16 lucky souls indicate, people continue to sign partnership agreements each year. What, then, does it take to make it there? One quality is clear: rainmaking. Partners "have to have the sense that you have the presence or ability to generate business over time," one senior associate advises. "This is not based on track record. It's based on whether you interact well with clients, whether you can make good presentations, whether you can become a leader in your field. It's if you can schmooze." "Partnership is far from automatic," says one associate. "It is important to be really good and perceived as a

'star.'" That associate warns that reputations "can be determined very early." Another contact muses: "having an expertise in an area of law that is profitable is going to matter...[people] should ask, 'how do I make myself as close to an indispensable resource as I can?' Sometimes, however, fate helps more than any-

thing. Says one: "If you can stick it out eight years, work hard and manage to come up for partner at a time when your department is booming - you're in luck."

Making the rain fall, however, isn't the only quality that aspiring partners need. A Covington & Burling litigator told The Legal Times that in order to make partner, an individual have "the ability to impart a sense of confidence... a sense that you can deal with a crisis. Treat your clients and your partners with the understanding that what you do when you take on a project is to remove the stress and worry associated with that problem." Another senior associate reveals: "Number one, they assess whether or not they can entrust matters to you to handle on your own," "The other partners need to know that they can sleep at night when you're at the wheel." Another agrees: "The most succinct definition that I've heard is that partners want to feel that this is someone they could hand the next case that walks in the door and not worry about it."

In addition to these desirable qualities for partnership, there exist undesirable qualities as well. First, gunners beware. Surprisingly, many advise

against trying to bill out extraordinary numbers of hours. In comments to The Legal Times, Ali Stoeppelwerth, a partner at Washington, D.C.'s Wilmer, Cutler & Pickering, warned against taking on too much work, noting that "an associate's reliability is important - you have to be careful in terms of how people view you and the work you are putting out." And schmoozers should beware. In the same article, Peter Hutt, a partner at Washington's Miller & Chevalier, advised against "trying to play the political process at the firm too much." The real trick is to please the client, make partners look good, make yourself indispensable, and make rain. If you can manage all these things, and don't burn out after eight years, you'll reach partnership's promised land.

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FRAUD

From page 1

suggested that this story should be "less about student misconduct and really about the law school's refusal to deal with a race discrimination problem." The 3L stated that he was the victim of three incidents of racism at UCLA. According to the 3L, all three incidents were reported to the administration but none were adequately investigated. "Because the School refused to handle the problem," the 3L wrote, "I took matters into my own hands. I will not be silenced by the School and do not apologize or regret any actions taken by me in this matter."

Regarding the general matter of the two students charged, Dean of Students

Elizabeth Cheadle said the law school had no comment at this time. "It would be inappropriate for us to comment. Internal pending matters are strictly confidential." Dean Cheadle was also unable to comment on the student's charges of racism as a justification to what allegedly transpired.

Both UCLA and the law school have academic policies that address any misrepresentation of academic records by a student. The 1998-99 UCLA School of Law Academic Standards note that "should disciplinary proceedings result in a finding that a student has made a willful misrepresentation, that finding will be reported to the governing Bar Association of Committee of Bar Examiners of any state in which the student


seeks admission to the Bar." At the University level, a student found by the Dean to be culpable of prohibited conduct faces sanctions ranging from a warning to expulsion.

"There was a law student some years ago," said Dean Cheadle, "who plagiarized a paper in his final semester. We didn't discover it until after he attended graduation with his entire family. He was a model student, he had landed a top firm job, he had very compelling mitigating factors, and yet he still lost his firm job and had the start of his career delayed by two years." The student was required to repeat the courses he failed, sit out one year, and after finally finishing, was subject to a number of special moral standard reviews and

courses for the Bar.

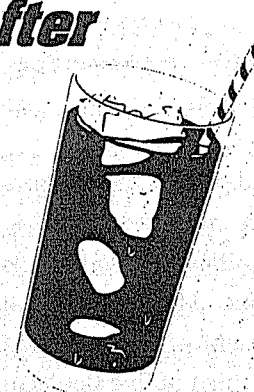
Students concerned about academic standards and the rights and responsibilities of both the administration and of students should review their copy of the 1998-99 UCLA School of Law Academic Standards handout. Additional copies, as well as the UCLA Student Conduct Code, are also available from the Registrar's Office.

Editor's Note: The editors make no assumptions as to the ethnicity of the student claiming racial discrimination against the law school nor as to the truth or falsity of any of the allegations.



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LEGALIZE IT

From page 12

grams. Drugs become increasingly more refined in response to the stricter market, sometimes with devastating health effects. Addicts suffer a myriad of health problems, the treatment of which is inevitably absorbed by an already overburdened health care system. This system is also forced to treat Americans suffering from chronic and temporary illnesses that could more cheaply and effectively be treated through the use of currently illicit drugs. The drug war also results in the loss of badly needed but uncaptured tax dollars. For instance, marijuana is the number one cash crop in the state of California—already the nation's number one agricultural producer. Millions of dollars flow annually from the legal market to the drug underworld—with not a single tax dollar going to a state already strapped for resources.

If these economic arguments don't persuade you to rethink drug policy in this country, maybe the dire implications it has had on our civil liberties will. As Thurgood Marshall noted, "... the first, and worst, casualty of the war on drugs will be the precious liberties of citizens." The paramilitary tactics required to enforce the increasingly stringent and punitive federal drug policies have created a quasi-police state of the likes not imagined by George Orwell. Our children are indoctrinated by law enforcement officers teaching a drug resistance program that encourages them to report their friends, neighbors, even their own parents to the authorities. The state of Oregon has a program that gives students \$1,000 for reporting suspected drug offenders. The U.S. military has been recruited for the herculean task of enforcing drug laws along the U.S.-Mexico border. In Texas, an 18-year old U.S. citizen, was gunned down by military police who mistook his sheep grazing activities for drug smuggling.

Forfeiture law is routinely used to seize any and all property of persons even vaguely suspected of committing a drug-related offense, the profits typically reapportioned directly to local law enforcement officers and agencies. The families of those accused, 80% of the time without conviction or even being charged with drug offenses, routinely lose their homes, cars, and other major property interests. The Supreme Court has ruled that drug testing and body cavity searches are not excessive. Law enforcement agents routinely use infrared sensors, heat detectors, satellite photography, paid informants, military helicopters, and no-knock, unfounded search warrants to harass, prosecute, and incarcerate thousands of Americans every year. The state and federal governments pay no heed to voter mandates concerning drug policy reform. This past November, the voters of Washington,

D.C. passed a medical marijuana initiative which was immediately invalidated by Congress, the representative branch of the national capital. The American people have sacrificed their fundamental rights of privacy, due process, and representation to promote a domestic war that has no identifiable enemy, no real victor, and no end in sight.

Another compelling argument against the war on drugs are the human casualties. Families are torn apart, law enforcement agents are killed, innocent parties are caught in the crossfire. Persons suffering from cancer, AIDS, glaucoma, and depression are denied vital research studies and inexpensive medicinal remedies. Foreign nations, especially those south of the border, are held

OCIP

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all those second years got jobs in the fall, right? Sure. Besides, the employers want to talk to YOU, remember?

Spring OCIP is mostly pre-screened, so they are probably really interested in meeting me. I did pretty well last semester, and I've been slaving away for next to nothing to fill out my resume. I've done all the appropriate volunteer work and I've got all the answers to the difficult and common questions ready. What are my weaknesses? I'm a perfectionist

and I have a hard time taking time off from work. What are my strengths? I'm humble. What are my interests? Let's see... for Milbank Tweed I'm interested in project Finance, for Ross Dixon I'm fascinated by litigation. And for Stutman, all I've ever wanted to do is Bankruptcy. This won't be hard at all. I'm as ready as I can be, and remember, they're interested in me.

The other thing that students can forget is that the odds aren't as good as they seem. Maybe a firm is interviewing 30 people on campus, and they have 2 openings. That's 1:15, right? Not quite. Multiply that by the number of schools that the firm is interviewing at (which is usually from 4 to 6) and suddenly your odds are 1:90. It gets worse, but not yet.

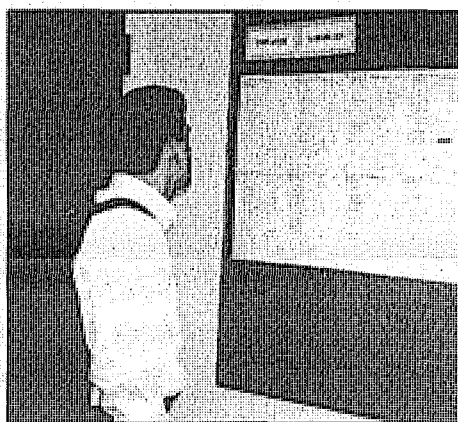
So there you are, in the hall at the Guest House, or the mezzanine in the back of the library. (You see, you have to show up or they will kick you out of school. All right, that's an exaggeration, but they will slap your hand and drag you to go apologize or you'll be sent to bed without supper.) And standing next to you are twelve people who look exactly like you. Some are carrying briefcases, some are carrying clipboards, and some are carrying leatherbound folders. That's when it hits: Oh wow... these

hostage by powerful and competitive drug cartels making it rich off the insatiable and increasingly expensive appetite for drugs in this country. To add insult to injury, we subject these governments to meaningless certification processes that do nothing to stop drug trade but subject them to potential economic sanctions and jeopardize their chances for receiving important loan assistance.

In light of all this, the only thing unexplainable and senseless about the murder of the family outside Ensenada is why we continue this brutal, expensive, futile drug war. So I, too, have begun to chant the mantra, loudly and often, but with a lot of reflection. JUST SAY NO to the war on drugs.

people are smart. I'm not going to get any jobs.

Now, there are many students who have known this from the start. We can only commend their courage in the face of adversity. Suddenly the doors start to open (for the firms that aren't running behind, which is most of them).



A student checks the OCIP schedule

"Nice to meet you," follows. "Nice to meet you," follows. "Nice to meet you," and even a subversive, "It's a pleasure." Then you sit in their chair. Many times, you are pleased to find out, they have gone to UCLA as

well. Sometimes they ask about professors or school activities (one former Docket editor thought the paper was now defunct!), and there's a great deal of smiling.

Remember that it gets worse? The interview can start off with a speech that goes something like this: "We wanted to say one thing first, in preparation. We're only accepting one person from each school at which we are interviewing, and we're interviewing a lot of people. We don't want you to think, if for some reason you aren't hired, that it's a reflection on your credentials or on you personally."

I've heard three good responses to this preface, none of which I think have actually been used in interviews, but all of which deserve repeating here:

"Look, why don't we get this over with, let's just flip a coin right here."

"Then what are you basing your decision on?"

"Well that's okay, I'm interviewing with a lot of firms so I hope that if I turn you down, you won't take it personally. It has nothing to do with your credentials."

Would that such rare courage find its way into the process.

JUST SAY NO

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were our age, we knew we wouldn't be caught, and no one, except our parents, were going to be upset if we did, by some freak of nature, get busted by the cops. We drank because it was fun and we couldn't think of anything better to do.

To make the point more clear, did you stop binge drinking after you turned 21? If you did or if you slowed down, was it because the thrill was gone or because you became mature enough to realize that being hung over wasn't worth it. More to the point, if you tried drugs, would you have never tried them if they had been legal and easy to obtain? If you never tried drugs, would you have if they were legal?

Personally, I've never done drugs. Although I did have an incidence with a funny tasting brownie that I was naïve enough to think had coconut in it, I never purposefully experimented with drugs. Why? Because the consequences weren't worth the risk. But, if drugs had been legal, I would have tried marijuana; I probably would have tried other drugs as well. I know there are a lot of people who agree with me. Legalization won't make drugs less desirable. Instead it will be an excuse for people, who would otherwise stay away from drugs, to just try it—and perhaps eventually become addicted.

I have a friend who really brought the point home to me. He was a bright and able student who got good grades. Everyone liked him. He got a 172 on his LSAT; he got accepted to Madison and Chicago for law school. He got addicted to drugs. Then everything changed.

At first, it was just marijuana every now and again. Then, I saw him use it more and more. I saw his life change. Then, he started experimenting with other drugs. He stopped caring about school. He stopped being a good friend. He still graduated, but instead of going to Madison for law school, he ended up driving truck. Now, don't get me wrong. Driving truck is an honorable profession and there is nothing bad or distasteful about it. It's the reason why he chose this profession that bothers me: he needed the money in order to buy drugs.

Now, don't tell me that things would have been different if drugs had been legal. He still would have tried them, gotten addicted, and still would have messed up his life. Heroin is addicting, no matter if it's legal or not. It will mess you up whether you buy it from a dealer or at the neighborhood drug store.

I wholeheartedly agree that our current war on drugs is not working. But, the answer isn't legalization. Drugs are bad, whether regulated or not. Our government cannot cave in and make it acceptable to do cocaine or heroin, etc. It will just help to destroy more lives and create another problem to tear the social fabric of our society.

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