

UCLA

The Docket

Title

The Docket Vol. 47 No. 6

Permalink

<https://escholarship.org/uc/item/9z31c7cf>

Journal

The Docket, 47(6)

Author

UCLA Law School

Publication Date

1999-04-01

UCLA SCHOOL OF LAW

THE DOCKET

APRIL 1999

LAW REVIEW EDITORS OVERLOOK PASSOVER

Some Students Pleased; Others Upset by Rescheduling of Spring Write-On

By Brady M. Bustany
News Editor

The *UCLA Law Review* was forced to reschedule the Spring Write-On Competition, originally set to end on Thursday, April 1, after students at a March 8th informational meeting pointed out that the April 1 deadline conflicted with the observance of Passover.

In a letter to UCLAW students dated March 9, Volume 47 Editor-in-Chief Frank Menetrez apologized to students for the oversight and pledged to work as quickly as possible to find an alternative acceptable to everyone. In a follow-up letter sent several days later, Menetrez informed students that the revised schedule would involve splitting the competition into two parts, a significant depart-



Amanda Loveland, 1L, takes the Law Review packet from her box. Law Review staff came early Thursday morning to stuff the 1L boxes.

ture from write-on competitions in the recent past. In a compromise worked out with the help of the law school administration, the revised schedule split the written portion of the competition from

the production test ("blue-booking") portion. As a result, the written assignment was changed from Thursday to Wednesday, March 31, and the production test, normally done simultaneously

with the written portion, was pushed back more than a week to the April 9 weekend.

"The response to the change has been overwhelmingly positive," said Alycia Degen, Chief Comments Editor of the *Law Review*. "We've had more than a few people come into our office to tell us how happy they were that we split the competition into two parts." Traditionally, making the decision to compete for a spot on *Law Review* required sacrificing all of spring break. This year, students will essentially have half of the break to relax or catch up on outlining. Of course, there is a price. Instead of giving up the majority of their spring break, students will give up the April 9 weekend instead.

With the end of the semester fast approaching, the April 9 weekend will be precious to many students gearing up for exams. Linda Deitch, the editor in charge of the production test, recognizes that as the end of the semester nears, time pressures may cause some who com-

Petition Circulated After Moot Court Scandal

By Anne Jollay
Features Editor

A substantial controversy has arisen out of the spring round of the Moot Court Competition in February. The day before the competition, a participant discovered that a fellow student cited eight unauthorized, outside authorities in his brief. The student brought the infraction to the attention of the Moot Court Board. The Board decided to penalize the offending brief by deducting an undisclosed number of points instead of disqualifying the brief from the competition. In addition, the Board informed the judges of the offense and instructed them not to ask about the unauthorized authority or allow the authority to be brought up by the student who committed the infraction.

The round proceeded without mention of the unauthorized authority. The student who submitted the offending brief, however, still garnered enough points to receive the honor of Distinguished Advocate. This has caused many students to question why the brief and its author were not disqualified from the competition. Approximately

eighty-two students have signed a petition asking that any Moot Court participant who cites outside authority in their brief be disqualified from the position.

According to the student who initiated the petition, the main concerns of students who signed the petition are that the Board did not properly address the

were not to consult outside sources for their briefs. The rules were also clear that a student's brief might be disqualified if it is determined by the Board to be "of poor quality". They feel that not disqualifying briefs that cite outside authority brings dishonor to the competition and excuses those who do not abide by the rules designed to promote fair competition.

The organizer of the petition maintains that the infraction was substantial because four of the thirteen pages of the brief contained the unauthorized material. The student feels that material gave the offending participant an unfair advantage over his competitors. The student further asserts that the point deduction could not possibly have fit the crime if the participant still managed to receive a Distinguished Advocate Award. He strongly feels that the offending participant should still be disqualified and the Distinguished Advocate Award should be given to one of the runner-up participants instead.

Dean Cheadle expressed in an email

See **LAW REVIEW**, page 2

UCLAW Students Run Los Angeles Marathon XIV

By Ron Matten
TL

Sunday, March 14, 1999, 8:45 a.m.: More than 20,000 runners line up at the corner of 6th and Figueroa in downtown Los Angeles. A shot is heard, the signal of the beginning of the Fourteenth L.A. Marathon. Two hours, nine minutes, twenty-five seconds and 26.2 miles later, Simon Bor from Kenya was the first to cross the finish line. Over the course of the next several hours, another 16,826 runners crossed the finish line. Among those finishers were several UCLAW students, faculty and staff. I spoke with a few of them about their experience.

All of the students I spoke with were glad they ran the marathon and were overwhelmingly positive about the experience. Brady Bustany said: "It was the most exciting athletic experience I've ever undertaken, because it was completely individual. It was both challenging and

WHAT'S INSIDE

NEWS.....2
ENTERTAINMENT.....4
FEATURES.....5
OPINIONS.....8

MO' MONEY

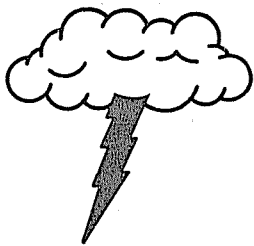
See Page 7

[illegible]

From Cop to Call Girl

See Page 5

News Flash



Susan Westerberg Prager Appointed Provost of Dartmouth

On February 1, 1999, former UCLA Dean, Susan Westberg Prager, 55, became the Provost of Dartmouth College. As Provost, Prager will serve as Dartmouth's chief academic officer and will have direct responsibility for the libraries, computing and other academic support programs.

Prager served as Dean of UCLA School of Law from 1982 through June of 1998 when she stepped down to pursue other interests. In that same month, The Board of Regents named Jonathon Varat as the new dean. Prager received her J.D. degree from UCLA in 1972 and was appointed to the UCLA faculty in 1973. The school promoted her to Professor in 1977. She became Associate Dean in 1979 and held that position until 1982 when she became UCLA's Dean.

"As a legal scholar, dedicated teacher, and bold academic leader, Susam Westerberg Prager brings to Dartmouth the right combination of experience and commitment," said James Wright, President of Dartmouth in a press release. In making the announcement, Wright cited Prager's broad leadership experience at UCLA as well as her experience as a member of the Board of Trustees at Stanford university.

"Dartmouth is an institution rich in history, with a future full of promise," said Prager. "I am deeply honored to have this opportunity."

Docket Names New Editors

Over Spring Break, *The Docket* selected its 1999-2000 Executive Board which will help lead *The Docket* into the next millenium. News Editor, Brady Bustany, 1L, and Features Editor, Anne Jollay, 1L, have been named Co-Editors-in-Chief for the next school year. The third member of the Executive Board will be Jill Kastner, who will take the position of Executive Manager of *The Docket*. The remaining editor positions will be selected by the new executive board late this year or early next year.

"It's not an easy job," said Jill Kastner, current Editor-in-Chief, "but I have every confidence that Anne and Brady will do a tremendous job."

In their joint application for Editor-in-Chief, Bustany and Jollay wrote: "We would like to make *The Docket* a well-respected and well-loved part of UCLA through hard work, astounding creativity, sound leadership, and tremendous commitment."

Docket Good Samaritan Award

This time, there were many more applicants for *The Docket's* Good Samaritan Award. Last month, we wondered if there were more than a handful of nice people at law school. This month, we've had so many entries that we're wondering where all the nice people are hiding because we haven't seen that many nice people in all of LA! But, we digress.

This month's recipient of the Good Samaritan Award is Martin Ericson, a 1L. Among the numerous helpful and kind things Marty has done, he helped a fellow 1L by giving her the inside scoop on an interview. Because of his help, she went into the interview prepared for the questions asked. His anonymous nominator also wrote that:

Generally, he is a fun-loving and kind individual who keeps me awake in class with his screen savers. ... He is a blessing upon the UCLAW community and should be recognized as such. He Rocks!!!!

The Docket recognizes Marty Ericson for his good deeds. For being such a great person, Marty will receive a gift certificate to one of his favorite Westwood eating establishments, compliments of *The Docket*.

LAW REVIEW

From page 1

pleted the written part to give up on the production test. Deitch urged everyone who makes the initial sacrifice over spring break to do the production test as well. "There is no way to know how well you did," she said, adding that the challenging nature of the write-on can cause people to self assess their chances in an unrealistic way. "Most people feel like they did poorly. It's the nature of the competition," she said.

The schedule change has not pleased everyone, however. One student who asked not to be identified first contacted the Law Review in February in order to

make spring break plans around the write-on competition. "I haven't been able to change my plans," the student said, "and the due date change from the Thursday to Wednesday makes this much less realistic for me. Of course, a religious holiday is a religious holiday — I only wish the editors had anticipated this a little better." Other students, although inconvenienced, were able to make last minute schedule changes in order to participate. One such student who plans to give the write-on a shot despite the inconveniences said "I just hope Frank [Menetrez] meant it when he said [the Law Review apologizes] for the unnecessary stress they caused, because



Eugene Volokh
1st and 2nd Amendment Scholar
Two .220s and a Microphone?...



Beck
Hipster Musician
"Soy un professor"?...

THE DOCKET

UCLA SCHOOL OF LAW

The Docket, UCLA School of Law, 405 Hilgard Avenue, Los Angeles, CA 90095

(310) 825-9437

E-Mail: docket@orgs.law.ucla.edu

EDITOR-IN-CHIEF
JILL WATRY KASTNER

BUSINESS MANAGER
JOHNNY TRABOULSI

PRODUCTION MANAGER
ROB BAKER

NEWS EDITOR
BRADY BUSTANY

FEATURES EDITOR
ANNE JOLLAY

ENTERTAINMENT EDITOR
MICHELLE HANSON

OPINIONS EDITOR
MATTHEW MICKELSON

PHOTOGRAPHER
SERGE AVAKIAN

The Docket is published monthly by the students of the UCLA School of Law. Copyright 1999. All rights reserved. Points of view expressed in *The Docket* do not necessarily reflect the opinions of the editorial board. All submissions are subject to an unrestricted right to revise. *The Docket* is not responsible for unsolicited materials. All graphics obtained through the Internet are considered public domain.

Summer 1998 Bar Exam Pass Rate (First-Time Takers)

UCLA
Pass Rate:
(196 of 228 Passed)

86%

UCLA Students Supplementing With PMBR: (139 of 143 Passed)

97%

**UCLA Students
NOT Taking PMBR:
(57 of 85 Passed)**

67%

Increase Your MBE Score...

Increase Your Odds Of Passing!

pmbr
MULTISTATE SPECIALIST

Absolutely, Positively A Necessary Multistate Supplement!

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

[illegible][illegible][illegible]

Shoot Happens: Film Crews Choose UCLA

By Michelle Hanson
Entertainment Editor

Extras! Extras! You, too, could be in the next *Party of Five* ... or the next *Mafia*! It seems like movie crews are on campus practically everyday roping off the lawn in front of Royce Hall and taunting the student body with tents full of catered food. UCLA has been the location for such memorable movie and television moments as *The Nutty Professor*, *Scream 2*, *Higher Learning*, *Seventh Heaven*, *Providence*, a *Smashing Pumpkins* video, and a falling flaming couch in the Halloween episode of *ER*.

For all the filming that occurs at UCLA, you would think this must be the cheapest place in town to make a movie.

MARATHON

From page 1

exciting to prepare for and then ultimately run the marathon from within." Brian Barnes puts it this way: "I did it to make sure I was accomplishing something positive while flunking the hell out of law school."

Additionally, a couple of students explained that the tremendous support from the thousands of spectators who lined the entire length of the course made running for four-and-a-half hours well worth it. Susanne Blossom said: "It was a blast. The best part was running through the communities and seeing people out there for you, having fun, playing music, chillin' on the lawn on a Sunday morning, from Crenshaw District to Hollywood." Erin Moore described the energy from the spectators in one of L.A.'s less-attractive neighborhoods this way: "The side of the street is lined with little kids who stick out their hands for you to 'high five' them. It is so amazing. In doing the marathon, even a person like me gets to feel like an athlete and a hero and a role model, if only for a few hours ... and then I feel like an idiot who ran 26 miles." Bustany also felt that the energy from the spectators was awesome. He said: "The course wound

Not so. "We're far from free," says James Blaine, the UCLA Film Locations Manager, "but the fees offset the cost of providing social and cultural events for students. It all comes back to the students."

The presence of the studios offers other benefits as well. Disney repainted several wheelchair access ramps, the company behind Tom Hanks' upcoming release *The Cast Away* donated a refrigeration unit to a research laboratory, and the makers of *Krippendorf's Tribe* established a scholarship fund.

UCLA is located within the "studio zone," an area bordered by La Cienega and La Brea which provides one set rate for union film workers. In addition, the campus has many different styles of buildings that allows the moviemakers

through some pretty depressed neighborhoods, yet everyone was out cheering the runners on, and most of the runners were cheering on the spectators just as much."

Even if the positive energy from the crowds isn't enough to convince you that

to create everything from a pretend Harvard to a psychiatric institution. UCLA is careful to avoid recognizable shots of certain buildings, though, because alumni may not appreciate their investments prominently displayed in the latest teen slasher flick.

The ongoing presence of students on campus eliminates the need to gather up extras for those campus shoots, but studios will often solicit certain student organizations to participate or bring their own extras when they need to create a specific atmosphere. However, don't expect any location shoots at the law school in the near future. "It could be potentially disruptive to the academic setting," says Blaine, "and that parking meter space is competitive."

on running the L.A. Marathon as long as he's in L.A. He added: "Of course, the New York City Marathon is automatically a goal now, too." However, when I asked Blossom if she would ever run a marathon again, her response was simple: Never.

On the other hand, everyone recommended that anyone contemplating the marathon should "Just Do It." Moore said: "Anyone, and I mean anyone can do it. The marathon is 95% mental. You don't have to be super fast or super skinny. You just have to want to finish REALLY bad." Bustany agreed, adding: "for those who are not runners, I think it is wise to join a group like the LA Roadrunners or the LA Leggers. They help organize the effort and make sure that you are prepared physically for the race." The best advice, however, came from Barnes, who believes "everyone in Law School should run the marathon next year. It makes you pay attention and demands respect ... unlike Civ Pro."

So go buy those new running shoes and start training. On March 5, 2000 at 8:45 a.m. you, too, can be somebody. As one student put it: "I'm Joe Student, 3L, 2.0 GPA, unmarried, unloved, unpopular. I basically don't exist ... except for 26.2 miles last Sunday."



Brady Bustany, 1L, breezes past a fellow runner at mile 21 near Los Feliz.

the marathon is worth trying, there are other things to entertain you while you're running. In fact, it's not all about running ... or even being healthy for that matter. Branden Schroeder commented that he saw 3 Running Elvises — not to be confused with the Flying Elvises — who stopped every few miles to drink beer.

As much fun as the runner had, there was a mixed response when asked if they would ever do it again. Moore ran the marathon last year and plans on running it again next year. Bustany plans

TOP 10

Things to Love About Your Final Lawyering Skills Paper

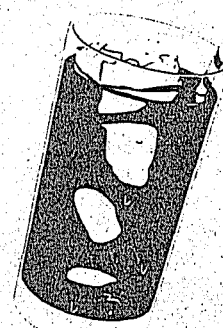
By Anne Jollay and Julie Caron Remer
1Ls

10. It added the word "disparate" to everyone's everyday vocabulary (seriously- count how many times you hear it in class).
9. For three weeks it enabled you to carry on a conversation (albeit a boring one) with most any member of the 1L class, promoting unity and peace within the halls of UCLAW.
8. It gave you a great excuse to live off of pizza and gummi bears for a week end (or maybe that was just me!?!).
7. It gave your L.S. profs the rare opportunity in class to demonstrate 101 ways to politely say to a bunch of insecure, anal-retentive 1Ls, "What do you want, an outline of the whole damn paper?!? Do your own damn work, you academic leeches!"
6. It gave you another great excuse not to try to write-on to Law Review (complete and utter burn-out).
5. It gave you a great excuse not to read for any of your classes for a week (which again, leads us back to #6- a great excuse not to write-on to Law Review).
4. The resulting leg muscle atrophy actually made you look forward to going to the gym.
3. It also made you look forward to cleaning your apartment, just for the joyful thrill of throwing away all those sorry-ass excuses for drafts.
2. It enabled you to witness the athleticism of your fellow 1Ls at 10:55a.m. in the path from the computer lab to the Records Office.
1. It was your LAST LAWYERING SKILLS PAPER! Yippee!!!!!!

Metro COMBO

**Buy a sub any day after
1:00 pm and get a
medium fountain
drink FREE with
this coupon!**

(Offer valid through Friday, April 23.
UCLAW students only)



LU VALLE COMMONS

Mon-Thurs 7:30am-9pm: Fri 7:30am-6pm: Sat/Sun 11am-3pm

Offer valid through Friday, April 23. UCLAW students only.

UCLA RESTAURANTS

Cop Turned Call Girl: A Look at the Life of Norma Jean Almodovar

By Marc Angelucc

2L

I would like to share a recent experience with a famous prostitute. Perhaps it will add a human face to a stimulating issue.

It was February 24th, 1999. I sat amidst a cluster of law books faintly visible under my flickering lamp. My brain had reached its on-schedule dementia. Normally, I would have . . . pushed on. But not this night. Something was in the air. I had read about a lecture sponsored by the Bruin Libertarians. I knew that in just one hour, a legendary woman who had for years intrigued me with her sexual prowess would visit my campus. The relentless ticks of my alarm clock became compelling nudges, jerking me into submission. When my body gave in I harkened to the call and peddled by bicycle through Westwood's dark streets. Destination: Kerkoff Hall.

The object of my intrigue was Norma Jean Almodovar, a former cop turned prostitute and author of *Cop To Call Girl*. Persecuted by cops, jailed for her beliefs, held in solitary confinement for 50 days, interviewed on hundreds of talk shows including *60 Minutes*, *Oprah*, *Donalune*, and *Joan Rivers* . . . and there she sat, perched to my right, mercilessly close to my body. She was intelligent, self-empowered, polite, and boldly articulate. She was my hero. Just two minutes into her prelict, I was penetrated by her oral countenance as she unveiled . . . slowly . . . her life story.

Raised as a Baptist in New York, and planning a career as a missionary, Norma Jean enrolled in Philadelphia College of the Bible at age 18. But instead, while on vacation in 1970, she decided to stay in California. Norma Jean became a cop for the Los Angeles Police Department (LAPD) in 1972. As time passed, she became sickened by the LAPD's sleazy endeavors such as murder for hire, burglary, and sex with minors. She also felt that the police unfairly harassed, even abused, prostitutes and their clients ("Johns" or "Janes") who themselves were hurting nobody. Norma Jean took an interest in the lives of prostitutes, and even began to admire them. She saw them as victims, not of clients, but of the police themselves and of oppressive laws that violate people's rights. In 1982, after ten years of life as a cop, Norma Jean decided to leave the police force to become a prostitute (or "sex worker"). She told her fiancé, Victor, a handsome architect whom she had dated since 1975. Being a very sexually secure man, Victor accepted the career change. (Victor has never been her "pimp"). Since that time she has worked as a prostitute with no regrets. Norma Jean married Victor on November 19, 1984, and their marriage today is as happy as ever.

Norma Jean has no trouble separating her marital lovemaking from sex on the job. When a man recently tried to pick up on Norma Jean, she told him "Sir, I only have sex for two reasons: for love or for money. I am very much in love with my husband, and I am very expensive." At that point, the man left Norma Jean alone.

Norma Jean represents thousands upon thousands of prostitutes who are fed up with being told that they don't have a choice, sometimes by the very people who otherwise insist on a woman's

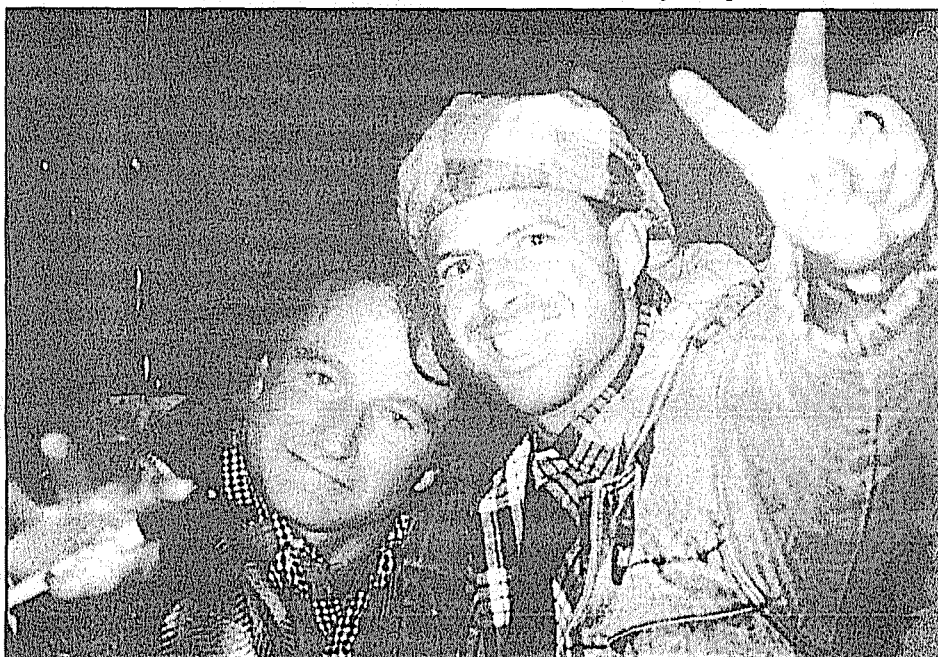
right over her own body. For over 15 years, Norma Jean has been the executive director of the Southern California chapter of COYOTE (Call Off Your Old Tired Ethics), a prostitutes' rights organization whose membership includes former Surgeon General Joycelyn Elders. In 1995, Norma Jean was an official NGO delegate to the UN Fourth World Women's Conference in Beijing, China. She co-chaired and organized the 1997 International Conference on Prostitution (ICOP) with California State University, Northridge. That same year, she founded a non-profit organization called the International Sex Worker Foundation for Art, Culture and Education, or ISWFACE (pronounced 'iceface') (info at <http://iswface.org>). Among the ISWFACE's goals are to share the many artistic sides of prostitutes from around the world, past and present, and to form an international database about prostitution for health service providers, law enforcement agencies, communities and sex workers themselves.

To Norma Jean, being a prostitute is more empowering than being a cop. And in fact, more safe. "I have never, ever felt

zation. "We are abused by cops all the time, far more than by clients," Norma Jean says. In fact, in Chicago and other places, when a sex worker is killed, police unofficially call it a "misdemeanor homicide" and use the code "NHI" (No Humans Involved).

In retaliation for exposing them, Norma Jean explains, the LAPD harassed her for years. In 1983, a Linda Tripp-type "friend" came to Norma Jean wiretapped and asked her to help fulfill a fantasy of becoming a call girl. When Norma Jean tried to help, the police charged her with their handy "pandering" charge. She underwent 50 days of "psychiatric evaluation" in solitary confinement. Meanwhile, the police conveniently confiscated her unfinished *Cop To Call Girl* manuscript. Of course, when they threatened to expose her conduct to the media, Norma Jean didn't care at all. "HA! Everyone already knew I was a slut!"

In 1985, a judge found the mandatory three to six year sentence to be cruel and unusual punishment for Norma Jean, who had no criminal priors. She was then released on three years probation.



Marc Angelucc, 2L, is The Docket's Man on the Scene. Here he is hanging out with Robin Williams, who has no relation to this story...But hey, that's a pretty nice picture, eh?

physically threatened by a client," Norma Jean asserts. A huge factor in her safety is that, when working for a "madam" (a female overseer) her clients are screened, and when working alone from indoors she has a known client base.

Clients treat me better than the cops I dated, and are better in bed. They treat me sweet, with respect. I spent a lot of my time just holding my clients while they talk. Most of them just want someone to be gentle with them."

In "Cop To Call Girl," Norma Jean calls the LAPD the "Blue Mafia," describing instance after instance of police abuse. For example, in California, "pandering" (encouraging a person to commit an act of prostitution) carries a mandatory sentence of three to six years on the first offense with no prior convictions. Police often use this law as an extortion tool, to force the prostitute to become an informant, or sometimes to coerce sex and money from her. Moreover, the LAPD, in practice, allows officers to have intercourse with a prostitute and then arrest her. Consequently, the officer gets paid to have sex, and thus, by definition, is a prostitute. And, by taking away Norma Jean's rightful earnings, the LAPD becomes a pimp organi-

At this time, Norma Jean became politically active. She received the endorsement of the Libertarian Party of California and ran for Lieutenant Governor. She lost, but received nearly 100,000 votes.

A year later, District Attorney Ira Reiner appealed Norma Jean's release, said her crime was "worse than rape or robbery," and accused her of compounding her crime by writing a book which would "cause disrespect for law and order." In December of 1987, the California Court of Appeals ordered Norma Jean back to court for re-sentencing under the three to six year mandate. Her attorney appealed the decision but was unsuccessful.

While in prison, Norma Jean's case was the focus of a *60 Minutes* investigation and she was interviewed by Ed Bradley. The investigation concluded that she had been imprisoned only because she was writing a book about police corruption which the LAPD did not want published.

In 1988, Norma Jean was finally released on three years parole. Since her conviction in 1984, Norma Jean has been active in several prostitutes' rights groups, appeared in over 500 radio, television and print media interviews, and has lectured at colleges and universities nationwide.

What does Norma Jean say about her experience and prostitution in general?

Norma Jean has found prostitution her unique calling, and a very rewarding one at that. "It takes a special person to be a prostitute, not everyone can be one. Your job is to relieve people's stress, to make them happy. It's therapy that involves fantasies." Norma Jean compares prostitution to the food industry. "It serves a physical need."

Norma Jean was not a streetwalker and therefore did not need a pimp. She states that only about 15% of prostitutes walk the streets. In fact, if prostitution were decriminalized (barring police enforcement) or legalized, they would not need to walk the streets at all because even prostitutes with no client base could work safely inside with other workers instead of having to be mobile to avoid police.

Norma Jean favors decriminalization over legalization because the latter allows too much government control. For example, in Nevada, where prostitution is legalized, the government can restrict prostitutes to brothels that limit certain freedoms and use humiliating "lineup" methods (lining up for a client to choose).

Contrary to popular belief, Norma Jean says, prostitution does not spread disease. Prostitutes in Nevada, who are educated about safe sex, are no more likely to have STD's than the general population. STD's are spread through many mediums, including schools, night clubs, etc. The key is education, not prohibition.

According to Norma Jean, male prostitution is "prevalent," but police rarely arrest male prostitutes because undercover police don't want to flirt with men. Many male prostitutes are cross gender, but not all are. In fact, a growing number of women are offering male escort workers money to have sex.

Nevertheless, the vast majority of clients, Norma Jean says, are male. To represent this group, she brought with her a sweet, soft-spoken disabled man named Fred Cherry. Fred grew up with Celiac disease, which made him extremely thin all his life and rendered him "undesirable." His first sexual experience was at age 30, with a prostitute. Fred explains, "Without a prostitute I would never have had a sexual experience. There are many others like me. People seek sex workers for all sorts of reasons. It's a choice we make and it's nobody's business." Fred founded a group called "Johns And Call Girls United Against Oppression." Fred has been trying repeatedly to get arrested in New York so he and his attorney can take the matter higher up in the judicial process. Ironically, he has had no luck.

Norma Jean does not think we should encourage young girls to be prostitutes. But, she says, that is no reason to prohibit the profession for those adults who choose it. "For that matter, we should not encourage kids to be sanitation workers either. But we still give sanitation workers power to unionize for better conditions, benefits, and legal protection. Why not sex workers?" Norma Jean has no children. If she had, she would teach them to pursue their dreams without worrying about what other people think.

See **CALL GIRL**, page 7

Bar Review (The Other Kind): Cramming Three Years into Two Months

By Phillip Lee
UCLAW Graduate

The Bar Review Course

You are done with law school and you have walked through that spectacular graduation ceremony. Congratulations! Where are you going next? To your bar preparation course! It may not be the "Happiest Place on Earth" but you knew this was coming. Most students have heard stories or even done some reading. Like that harrowing account of surviving the bar in the last *Docket* issue (you do read *The Docket* don't you?).

Thousands of bar applicants will be scurrying into Long Beach for this July's California Bar Exam, but before that comes "bar review" — and don't let the name fool you because this time it really is reviewing for the Bar. Some wonder, "Just what is bar review like anyway? Do they really teach you law school in two months?"

If you ask around for advice on the Bar Exam, you will get conflicting opinions, just as you have heard many different suggestions on "how to survive law school." Having been through the process myself not too long ago, maybe you'll find it helpful to consider these observations before you start BarBri or even as you choose your classes for next year. While you should find and figure out what learning plan works well for you, the following seem to be to the majority opinions on the topic. In some instances, additional comments are included based on personal experience.

Does anyone remember the glory days back when after West had purchased BarPassers and started sinking lots of money into taking market share away from the BarBri Review Course? Those were the days when UCLAW had free bagels by the full bag as West and BarBri tabled in the courtyard and competed for students' affections by liberally sponsoring pizza for student club meetings.

Did you know they once drove an In-N-Out Burger truck into the courtyard to dole out burgers and fries? Sure, Princeton Review and PMBR have scuffled. Westlaw and LEXIS-NEXIS have tussled. But it ain't the same. Sigh. Where have those free food gala days gone?

Nostalgia aside, West left the battlefield a couple years ago leaving BarBri as the major review course (notice the increasing prices). Most people are still going with BarBri, although there is something to be said for some of the smaller courses too.

With BarBri you will receive a truckload of books including huge outlines, a bar-specific summary called the Conviser Mini Review, and practice books for the performance, multi-state, and essay tests. You will receive a calendar called the "Pace Program" which outlines your schedule for the next several weeks from lectures and review homework to writing essays and practice tests.

The schedule is somewhat comfort-

ing if you like structure and can follow the daily routines. It can be a little discouraging if you are prone to falling behind and stuck in catch-up mode. If you are used to ignoring schedules and succeeding with your own study plan, that's fine too.

BarBri has years of experience, but sometimes the puffery can lull you into a false sense of security. Furthermore, the facility can be overcrowded during the sum-

"This is the first time it really becomes clear that semester-long law courses can boil down to a manageable number of concepts..."

mer and some of the lecturers are worse than others. You will certainly have to do a lot of work outside of the classes. That said, without a course like BarBri, studying for the Bar would be even more overwhelming and you might not even know where to begin.

BarBri is an eye-opener, especially the subject lectures. The lecturers will typically cover bar exam subjects in three-and-a-half hour stretches. Sometimes, it just takes one morning (e.g. Community Property) or multiple sessions (e.g. Contracts, Property) and in the end you average less than 10 hours per subject! Of course, you will still need to spend time on your own reviewing and taking practice questions.

For some people, this is the first time it really becomes clear that semester-long law courses can really boil down to a manageable number of concepts. You might find yourself wishing you could have made this much sense out of law school, instead of slogging through those three years, or lamenting how much law was not covered during law school. On the brighter side, you may be surprised to find out how many terms of art you remember and that you can "think like a lawyer."

Studying Before Bar Review Starts

There are plenty of reasons to take a particular course in law school such as great professors or a career-related interest. But putting aside all those factors, what about choosing a course like Evidence or Wills and Trusts strictly on the basis of the bar exam?

Yes, it is possible to fumble your way through law school while taking very few bar courses, and then study really hard for the Bar Exam and pass (or not). On the other hand, you could take all the bar courses, learn a lot, have less stress during bar review, and then pass (or not). Of course, in between those two routes are a myriad of possibilities that could result in a pass (or not!).

There is some truth to the claim that programs like BarBri cover everything one needs to pass the exam. Instead of taking a whole semester in law school, you might find it preferable, say, to sit through 3 hours of Community Property and a few days of studying. On the other hand, it is difficult to over-emphasize the tremendous amount of material you will

be studying for the Bar Exam. Having a basic grasp of major concepts and how they fit into the big picture can help take an edge off the stress.

Whatever your year in school now you might find it helpful to start using materials such as the stuff that review courses provide. For one thing, it may help acclimatize you with the outlines that you will be using later. Secondly, it might even help you to tackle a class that you are currently having trouble with.

You also realize that IRAC (that mysterious string of issue, rule, analysis/application, conclusion) is alive and kicking on the bar exam. The graders are going to be reading hundreds of essays at rapid speed. Your ability to organize and write a reader-friendly answer will be important to your score. I still have to make a conscious effort to use IRAC and strongly encourage you to keep working at it because it will be helpful to both your GPA and passing the bar.

MBE: The Multi-State Bar Exam

There was an article in the last issue of *The Docket* that described the wonder that is called taking the bar exam. We had to skip on the gory details of the MBE for space reasons, but you might read the article again to get some sense of the grueling three-day experience. After that, you might find yourself contemplating spending more money and taking a course like PMBR in addition to BarBri.

The MBE is a difficult and picky 200-question test. It tests six different subjects, most of which come from your 1L classes. If you take PMBR you get to hear lectures from a man who has passed the exam at exciting sites like Hawaii and the Virgin Islands. He will chant chants things like "Hit it and move on! You've got 1.8 minutes per question!" Then he will swing between substantive law review (the nuances you need to know for the MBE are frightening) and lively rants about proper test-taking attitude (e.g. prepare for the MBE like those test-makers are your enemies and out to get you!).

Most people seem to find PMBR a valuable supplement to BarBri's coverage of the MBE because the PMBR practice questions are trickier and more challenging. I know people who have skipped the PMBR lectures and still got a lot out of the PMBR materials, but the lectures do provide some last minute fact patterns and tips that are not in the books.

One way of looking at the Bar is to break it into four components: multiple choice test, performance test (often comparable to lawyering skills assignment), essays, and of course, knowing the substantive law. A good bar review will cover all four areas, but you can at least ease the burden by working on your legal thinking and essay writing and learning some law while in school.

Finally, this is not intended to be a commercial for programs like BarBri and PMBR, but if you are going to be signing up anyway you should consider making a deposit early enough to lock in a lower price and take advantage of the discounts they offer to student groups. You can save yourself a few hundred dollars that way! And that's more than enough to buy a few bagels and In-N-Out double-doubles on your own. :-)

You can only
SHEPARDIZE®
using

Shepard's®

SHEPARD'S® Citations Service online exclusively
on the LEXIS®-NEXIS® services beginning July 2.
You won't find it online anywhere else.

Set your cites on the future — SHEPARD'S on LEXIS-NEXIS.

Shepard's®
SHEPARDIZE®. ON COMPROMISE.

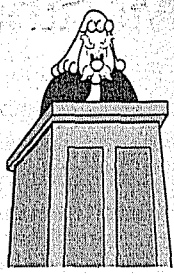
1-800-45-LEXIS



LEXIS-NEXIS®

LEXIS and NEXIS are registered trademarks and the INFORMATION ARRAY logo is a trademark of Reed Elsevier Properties Inc., used under license. SHEPARD'S and SHEPARDIZE are registered trademarks of SHEPARD'S Company. © 1999 LEXIS-NEXIS, a division of Reed Elsevier Inc. All rights reserved.

www.lexis-nexis.com/lawschool



heretical RAMBLINGS

BY BRUCE GIBNEY with
JAMES FITZGERALD



Making Money the Old Fashioned Way: Winning It

Some people say that it's the money you earn that's the most satisfying — which is a crock, because nothing's sweeter than the money you win. The reason is simple: to earn money is to create it, to win money is to screw someone else out of it.

No one has won more money than the Internet investors. Take the investors in Amazon.com, who made 966% on their investments last year. If you'd taken the ninety grand it's going to cost you to plow through three years of graduate life and put it in Amazon, you'd have close to \$900,000. True, you wouldn't know anything about collateral estoppel, but you could hire someone who did.

So why not cash in and buy a ticket on this Internet gravy train with biscuit wheels? There's a simple reason: most Internet stocks are worthless. Even Amazon, the platinum standard for Internet retailers, is badly overvalued. Although Amazon accounts for a fraction of all the books sold in America, at a market value around \$30 billion it's worth more than all other American bookstores combined. Can Amazon really be that good? Or has everyone just gotten greedy?

The problem, as usual, is the proletariat. Everyone with a phone-line and a computer is busy tossing money at anything with a .com attached. CNBC is the worst thing to happen to the stock market in years. Brokers are flooded with calls screaming for whatever flashed for 10 seconds on the Power Lunch buy board. A broker friend tells me that he once got a buyer demanding to get in on the IPO of Hamburger Twist. It took him ten minutes to figure the client meant Hambrecht & Quist. No one has ever lost money underestimating the intelligence of the American public and no one has made more money on the greedy bovines than the owners of all those IPO.com's. JP Morgan said that he predicted the crash in 1929 when he overheard grocery baggers giving each other stock tips. Last week I overheard two undergrad football players chatting up Yahoo!. Are Net stocks in good shape when their share price is being driven up by the kind of person who has to get naked to count to twenty-one?

That's not to say that some Internet stocks aren't, like public interest law, without some small redeeming qualities. The total value of Internet commerce is expected to reach \$108 billion in four years. But Wal-Mart itself had sales of \$130 billion in 1998. The total value of American retail last year was \$1.7 trillion.

Beyond anemic market share, there are some serious problems with profitability of Internet firms. Retailers make their money on mark-ups, but it's hard to get away with big mark-ups on the Net. First, the Internet is the very definition of a market with perfect information (that is, if we ever get a search engine that doesn't return

porn sites with every query). So if you're looking for a bottle of Chateau Lafite-Rothschild 1983, you just search for it and pick the retailer with the lowest price. To stay in business, each Net firm has to lower its price as far as possible, wiping out virtually all profit. And a quick empirical test proves it — the variances between Internet retailers on that bottle of wine were less than 14%. The variance in wine shops in West LA was in excess of 45%. This is great for consumers, but it doesn't augur well for big Net profits. It looks even worse when you consider that at least three companies are now promising to sell at wholesale or less — theoretically making the profits up on advertising. If E-Trade why not E-Ponzi? Who can pay for advertising if no one is making money? Traditional retailers, probably. Suddenly, putting the retirement dollars in Net stocks looks a lot less attractive.

Even the Norman Vincent Peels of Wall Street have to wonder how long these Net stocks are going to hover in the stratosphere. Amazon's market cap is 27 times its annual sales; Wal-Mart's is 1.4 times annual sales. More dramatically, Yahoo's cap is 148 times annual sales, whereas Disney's is around twice its annual sales. A lot of investors argue that Yahoo is growing a lot faster than Disney, justifying its outrageous multiple. But no stock can grow at 50% annually forever. If Microsoft grew as fast as it did in its first fifteen years for another twenty-five it'd own most of the world. Jokes or no, they're some things that even Bill can't do.

Which isn't to say that you shouldn't invest at all in Net stocks — any more than you shouldn't double down at the blackjack table. Your chances of winning are good, but your chances of losing may be even better.

SCANDAL

From page 1

to the complaining student that the administration is reluctant to interfere in the business of a student organization unless the actions of the organization were "clearly erroneous." Dean Cheadle went on to express that the penalty received by the offending student was substantial, so the decision by the board was not erroneous. She further asserted that the Rules, while stating clearly that outside authorities are not permitted, does not state what the penalty will be if that rule is violated.

The Rule that states that briefs may be subject to disqualification does not de-

fine an "unacceptable brief." While the "unacceptable briefs" probably should include briefs citing outside sources, it did not explicitly say so. Dean Cheadle therefore recommends an amendment to the rule if the Board wants to enforce such a policy. Dean Cheadle also explained that the conduct could not be treated as cheating because there was no proof that the offending student knew about the rule and intended to violate that rule.

The student who initiated the petition is not satisfied with the explanations offered by Dean Cheadle or by the Moot Court Board and is currently considering taking the matter to the UC Regents.

CALL GIRL

From page 5

Interestingly, Norma Jean writes "prostitute" as her employment on tax forms. And the IRS accepts her money. No problem.

I need not be a Libertarian to support Norma Jean's cause. In fact, I am with the Green Party and devoted to fighting industrial slime. But I support her primarily because I detest bigotry based on sexual lifestyle. Perhaps such bigotry stems from sexual insecurity and a need to feel superior to others. But for whatever reason, it is still rampant and often not even considered bigotry. We are only beginning to tolerate, let alone appreciate, gay men and lesbians (many of whom are not promiscuous at all). But it will take years before we also learn to accept cross-dressers, transsexuals, sex workers, Johns, or Janes, and stop calling people "slut," "sleaze" or "womanizer" just because they choose to have fun with their bodies. Cheating on a commitment is one thing; enjoying sexual freedom is another.

Sexual insecurity, ignorance and moralistic bigotry have made us, the public, complacent about these oppressive laws. We watch cops harass prostitutes and humiliate their clients on *Cops* and *John* TV without questioning the violation of their human rights. We don't ask whether our money would be better spent prevent-

ing serious crimes and on education and protection from the trafficking of women or abuses committed by police and pimps. Instead, we confuse consensual prostitution with forced prostitution, call it all "exploitative," and then pass laws that shove prostitutes and clients into conditions that are far more exploitative and dangerous than they would otherwise be in if they could unionize and have legal protection.

Like Dr. Joycelyn Elders, who lost a position as Surgeon General for suggesting that we teach children it is acceptable to masturbate, Norma Jean has paid a high price for being ahead of her time. . . way ahead. "This country needs to learn that sex is healthy," she declares. And rightly so. In fact, in her profession there is a saying: "It's not just for fun anymore."

When Norma Jean's lecture reached its climax, I had the pleasure of some intimate small talk with her. We finished with a sweet hug, then turned our backs and parted into the lonely, windy night. I strolled across the vacant campus, mounted my bicycle, and pumped it home. In the comfort of my apartment, I drank multiple cups of tea, then relaxed as my speedy pulse calmly subsided. I had encountered a legend. Satisfied, I cuddled up with my pillow, curled into a ball, and fell asleep. With a long, dreamy sigh I whispered to myself, "Goodbye Norma Jean..."



GEORGETOWN UNIVERSITY
LAW CENTER

SUMMER LIVING

in the heart of Washington, D.C.

Georgetown University Law Center invites interested students who will be working or studying in Washington, D.C., to consider living in the Gewirtz Student Center.

- Convenient summer dates: June 5 - August 7, 1999 (Short-term rates are also available).
- Furnished, air conditioned apartments with private bedrooms and full kitchen.
- Local telephone service available
- Utilities included
- Walking distance to the U.S. Capitol, Supreme court, Library of Congress, federal and district courts, Smithsonian museums, Union Station and the Metro.
- Fitness Center, including aerobic and weight training rooms
- 24-hour uniformed security and controlled building access
- Laundry facilities
- Lounge with wide screen television
- Parking available
- Long term and short term housing options available

Please contact the Office of residence Life at (202) 662-9290 for further information and a housing application. Spaces will be assigned on a first-come, first-serve basis, so please apply early to reserve your space.

600 New Jersey Avenue, NW
Washington, DC 20001-2022
202-662-9290 FAX 202-662-9248

Georgetown University does not discriminate on the basis of race, color, gender, age, religion, national origin, sexual orientation or disability.

My Message to the Graduates: The Una-Bob Manifesto

By Rob Baker

Production Manager

Ah, it's spring again...the skies are blue, the flowers are in bloom, and another legion of legal pupae are preparing to squirm out of their cocoons. This final issue of *The Docket* is my last chance to reach them all before they flap away, eager to chew on our sweaters.

3Ls, I know many of you can't wait to charge into your new careers and buy yourselves all those nice things you've been fantasizing about in between lectures; I know that's the only reason many of you decided to withstand three years of this crap in the first place. Well, go right ahead. Go forth and consume! You deserve it, right? The westside condos, the Rolexes, the Lexi. Lather yourself in as much yuppie excess as you want, but please heed my words. You see, there are two aspects of modern urban life that have worked my last good nerve, and if I have to deal with them much longer I'm gonna snap like Michael Douglas in *Falling Down*. To make sure your office is not the first place I visit, take care to abide by the following commandments. And if you are already living in sin, it is in your best interest to repent.

I. Thou shalt not use cellular phones

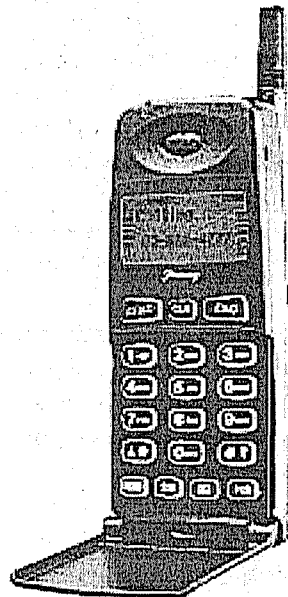
The other night, I made a left onto Hilgard and drove at my usual speed for only two blocks before I had to hit the brakes. Ahead of me was this Toyota Camry putting along at about 15 MPH,

casually gliding between the two lanes with dreamy abandon. I tooted my horn as if to say, "Pardon me, but would you mind choosing a f*cking lane?" but on it obviously glided. With great caution, I maneuvered around it, pulled into the left-hand turn lane, and looked in my rearview mirror. Up crept the Camry, stopping within inches of my bumper. Behind its wheel was a young lady holding a cell phone in her right hand and ashing a cigarette with her left. Now do the math here: what was she driving with?...and how the hell was she planning to handle Sunset Boulevard??

Anybody who's used the L.A. freeways knows that people do all kinds of crazy things while they're driving: they eat, they shave, they even apply make-up at high speeds. But most often, it's the idiots talking on their cell phones that are swerving all over the place. Studies have shown that using a cell phone in the car reduces one's care and attention so drastically that it's equivalent to driving drunk. So at any given moment on the 405, scores of people are acting like winos, putting your life at risk so they can make that urgent call to...to whom? To their hairdressers? To their voicemail? To Buffy? Of course, all of these people and their calls are simply too important to wait for the next off-ramp. But look to the positive: though you may not be in the movie that the suntanned producer guy is developing in the next lane, you may just star in the latest installment of *Red Asphalt*.

The evil of cell phones extends well

beyond the danger they pose on the road. It also lurks in their tendency to turn even the nicest, humblest people into the most pompous of a**holes. Ask yourself: how many times have you been studying in the law library or sitting at the movies when you've heard that familiar electronic cackle? Inevitably, some guy picks



One of the latest evil yuppie trends

up in his speaking voice with no intention of excusing himself: "Hello?...Oh hey, how ya doin'?...The movies...*Saving Private Ryan*...Nah, it sucks. So what's up?" When you confront these people, you get a perfect look at the ugly Mr. Hydes their cell phones have turned them into. They usually look at you like you're the one with a bizarre appendage growing out of your head, then act violently annoyed that you've interrupted their conversation. "Wha-at?! What do you want?" You see, it's all about them. With this little gadget on their utility belt, they are Batman. And through the wonder of cellular technology, they can answer the Bat Signal from anywhere, even the comfort of their own multiplex.

And that's not all. Cell phones and their beeping cousins are responsible for at least one more hassle that's taken its toll on L.A. Have you noticed that practically every city block now has its own area code? Wonder why you're getting these curious "zone unit charges" on your phone bill when you call your friend down the street? Anybody who lived in L.A. before 1991 can remember the salad days when all we had to remember were three codes. I think Silverlake punks That Dog summed up the problem perfectly in their song "Westside Angst": "What about me, / GTE? / Why'd you have to change my 213?" I'll tell you why: because all of these schmucks yapping on their cell phones have actually depleted the nine million possible permutations of digits to assign within one area code. By the way, guess who's never had to change the precious 213 from their business cards? All the lawyers, judges, and investment bankers downtown, that's who. It's a conspiracy, Scully.

II. Thou shalt not purchase or drive sport utility vehicles

An ominous cloud looms on the horizon, my friends. Look west. The sky is crimson-brown from the exhaust farted out daily by yuppies in their SUVs. Lately I've tried to cure my rush hour boredom by counting how many of these beasts are roaming the streets. By my last informal count, one out of every five cars was an SUV. Most of them were driven

by tiny, waif-like women with long fingernails and delicately coifed hair who looked like they couldn't even identify a sport utility, let alone lift one into their vehicle.

So if the majority of their owners do not regularly haul around bikes, skis, or surfboards, why are SUVs so popular? As with cell phones, it's not about necessity, it's about superiority. When you're sitting in one of these things, James Cameron has nothing on you — you're the king of the world. For the duration of your commute, you get to look down on all of the commoners in their Dodges and Hyundais, and pity them. You may even pretend you're Big Daddy Don Bo Dean at the wheel of the Behemoth, crushing the poor bastards at the monster truck competition on Sunday! Sunday! Sunday!

But all of this fun and make-believe comes at a price. Apparently, none of the parking lots in L.A. have caught up with this new consumer trend. They're still reeling from the last one, expecting everybody to show up in little fuel-efficient Japanese coups. So what happens? Your typical SUV driver looks at the ten-year-old inscription, thinks "I'm bubbly and cute, I could be a 'COMPACT' today," and crams herself into the tiny space, leaving me absolutely no room to get back into my car. Breaker, breaker, Cinderella! You can't just magically wish your carriage back into a pumpkin!!

Aside from the little hassles, there's a more serious price to pay. SUVs get lousy gas mileage and emit twice as much globe-warming carbon dioxide into the air as mid-size sedans. Chevrolet's Suburban, so far the largest SUV on the market, spews out 86% more cancer-causing carbon monoxide than the Honda Accord. With an atmosphere 426 times more hazardous than is allowed by the Clean Air Act, Los Angeles could sure use a break from everybody's ego. Like I said, if you want to feel like a big deal, go get a Beemer or a Benz (non-diesel of course). The hood ornament alone is like a coat of arms that will stir the envy of bourgeois pigs all around you. But unless you plan on off-roading everyday on your way home from the courthouse, take a pass on the SUV.

So there they are, my dear 3Ls. I do not ask that much of you. There are but two commandments. I go into them at length with you because you and the chuckleheads over at Anderson are the most likely to run afoul of them. How you spend your money is up to you and the eye of the needle you'll eventually have to go through. But how your playthings affect everybody's personal space is my business, and I'll let you know about it. Yes, I realize my Luddite rants make me sound a bit like our friend Mr. Kaczynski (coincidentally, I plan to spend Y2K alone in the wilderness), but if you take some of the venom away you'll find that they really make a lot of sense. Before you blow your dough on cell phones and SUVs, take a minute to consider whether you really need them, whether they're really worth the headaches they cause...or worth the risk.

With his luck, Rob Baker will probably be killed by a yuppie lawyer driving an SUV while talking on her cell phone.

The best
just got
better...

Shepard's®

the next generation.



LEXIS-NEXIS®

LEXIS and NEXIS are registered trademarks and the INFORMATION ARRAY logo is a trademark of Reed Elsevier Properties Inc., used under license. SHEPARD'S is a registered trademark of SHEPARD'S Company. © 1999 LEXIS-NEXIS, a division of Reed Elsevier Inc. All rights reserved.

www.lexis-nexis.com/lawschool