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THE CAVEAT

VOLUME XVII, ISSUE 5

FEBRUARY 1992

BENEFITS OF MID YEAR ADMISSION NOT ALL THEY ARE MADE OUT TO BE

by Ed Taylor and Miles Dolinger

For some members of the Mid Year Admission class of 1991 (1991 MYAs), GGU was not quite what they expected. Over enrollment in the program and lack of foresight into MYAs' unique needs were the major complaints. The administration failed to prepare the MYAs for the obstacles consequent to being "off-sync" with most law students, e.g., academic planning and entering the law clerk world. As a result, MYAs feel they were not provided with adequate guidance. The administration did take responsibility for at least partial blame, though apologies were never given. In a recent interview, I posed some of these concerns to Dean Pagano who was first to admit that, "in regard to last year's MYAs, we clearly dropped the ball."

SMALL CLASSES

First, the administration misrepresented to the MYA '91s that their class size would be small -- only 20 to 40 students. In fact, according to Greg Engle of the law school admission office, the class consisted of 84 people, broken down into 43 full time, 26 part time night and 15 part time day students.

The MYA admission brochure, which indicates that the prior MYA classes had only 25-40 students, emphasizes that one of the benefits and advantages of the MYA program is the small class size. However, Engle's records show that the 1991 MYAs' Property class had 58 students and their Torts class had 41. Some MYA students thought these numbers were high. Regardless of the accuracy of these numbers, many MYAs feel the actual numbers in their classes were much larger than the law school had originally represented.

Professor Larry Jones, who taught the Torts class, says he may have given the MYAs an exaggerated notion of their class size by reference to the significantly smaller size of previous mid year classes.

CLASS PRIORITY

Secondly, the class registration process favors traditional second years over those MYAs returning for their second semester in the fall. For example,

approximately 15 of last year's MYA's were originally precluded from Professor Mike DeVito's Spring, 1991 Constitutional Law class.

SUMMER CLASSES

Mid Years also complain about their limited opportunity to take summer classes. According to MYA Alex Naar, summer is the best time for mid years to "catch up" with the traditional first year class and to take classes which are prerequisites for other classes, yet no first year classes were offered during the summer. Furthermore, the limited range of available summer classes ultimately offered were much more limited than the administration originally represented to the mid years.

THE DEAN RESPONDS

Dean Pagano seemed sincerely concerned with all of the mid years' complaints. He acknowledged that the 1991 mid year class was larger than any previous mid year class, and explained that in reducing total student enrollment he plans to keep the size of the mid year classes down to 53-- the size of the 1992 MYA class. (Continued on page 2.)

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VALUE WHINERS AS YOUR BEST CUSTOMERS

From what I have been told, the administrators who showed up for the latest "Meet the Deans" fiasco were held to answer for some quite valid criticisms by the 60 some-odd students who attended. Students voiced their concerns about over-enrollment, overcrowded classrooms, registration problems and their desire for more academic counseling. The administration acknowledged the criticisms and complaints students had, but some students' were offended by a perceived defensive attitude of the administration and their failure to even apologize. As to students' desire for academic advising (not to be confused with academic assistance), a suggestion was made that law students shouldn't so trouble the administration or faculty.

I think we deserve more than such an unfeeling attitude. Hear our plea: A few years ago law was a secure, prestigious, lucrative field in which to invest a graduate education. (Thanks to the live-to-spend eighties and L.A. Law). However, this is no longer the state of things. The recession is causing firms to lay people off and governments to freeze hiring, resulting in a job market where even the top students at Golden Gate can't find work. Frankly, we're scared, especially those of us looking at 30 or 40 or 50 thousand dollars of friendly law school loan debt. With so much invested only a bad lawyer or a stupid person would let him or herself be exploited at the expense of a small school which has ridden the L.A. Law wave into a \$1.5 Million surplus. We appreciate the administration's past responsiveness to student concerns, but we have too much at stake to sit still. From our perspective it is in the nature of the administration to be accountable to us and we will demand the most from our \$12,000 per year. So yes, we will whine and complain, and we will demand service until we get jobs or until the economy recovers, whichever comes first.

And what does GGU have to gain? Only reputation, that's all. As much as the administration likes to think a high bar pass rate is the only golden road to law school elitism, let me suggest that a long term rise in reputation is also dependent on the word of mouth of future alumni, a.k.a., the current students. It is the experiences we take away from here which will determine whether we will associate ourselves with this place at all after graduation, which, from what I hear from student fundraisers in the Alumni Relations Office, is hardly a given. This is our power. So please, empathize with our plight and help us where you can. I would not call our request for academic advising extreme or unreasonable, only prudent. We realize that we might be asking administrators faculty to work harder at their jobs, but at least you have jobs. Our future is not nearly so bright. -- Miles Dolinger

Regarding class priority and the problems MYAs had getting into DeVito's Con Law Class, Dean Pagano blamed the large number of second and third year students and the difficulty of predicting what classes the students will ultimately want to take.

However, Dean Pagano contends GGU "bent over backwards to accommodate students and in fact, all MYAs who wanted to be in DeVito's Constitutional Law class eventually got in." MYA students agree, but point out they were only admitted after extensive student lobbying efforts which resulted in DeVito conditionally accepting all the extra students in exchange for money. Both Dean Stickgold and Dean Pagano point out that relatively few classes were closed out at GGU compared to other schools where the administration is less flexible.

The communication breakdown about available summer classes was also acknowledged by Dean Pagano, though his only excuse was that it would not have happened if he was here at the time the information was given out. [Dean Pagano was on extended medical leave last spring semester.] The Dean hopes a regular monthly meeting to discuss student grievances will solve the problem.

ADVANTAGES

While the source of information for this article was interviews with only a few disgruntled students (who do claim to be representatives of their class), many MYAs are quite pleased with the program and its unique benefits. Dean Pagano likes to emphasize the advantages of being in a mid-year class, such as the fact that they graduate one semester early. In fact, many mid years do admit that, to some extent, what are perceived as disadvantages are merely differences which have corresponding advantages. Mid years don't have to wait a whole year to get into law school and they graduate one semester early. Socially, they have the advantage of being in a smaller, more insular and therefore more cohesive group than most entering classes, and academically, they have the advantage of experience in classes they take with new first year students in the fall.

While the administration is clearly taking steps to deal with some of the problems posed by the 1991 MYA class, some MYA's are still not satisfied and may never be. The administration should at least make better efforts to inform interested MYA candidates of the liabilities of being a mid year. Our unique MYA program is another way for GGU to carve an indelible niche in this competitive law school market by attracting gifted students who need a more flexible schedule. MYAs generally have better test scores than the average 1L and thus .make everyone look better. Why don't they deserve at least equal treatment?



ACADEMIC ADVISING AT GGU? STUDENTS SET THE PROCESS IN MOTION

by Mike Herald

Although GGU's current academic advising program is nominal compared to other law school in the Bay area, a more comprehensive program may be on the way. The only problem is that most of us may never benefit from it. Dean Tony Pagano told law students that GGU would begin a program of comprehensive academic counseling beginning with this Spring's Mid-Year Admit class (MYAs). This promise by the Dean came in a January 21 meeting between students and the administration, where the SBA invited students to come "Meet the Deans" and to voice their concerns. Approximately 60 students attended, and Dean Pagano was joined by Associate Dean Elaine Andersson, Associate Dean Mark Stickgold, Professor Bernie Segal and Tony Bastone of the Career Placement Office.

In addition to committing to academic advising, Dean Pagano expressed his desire to be more accessible to students. He stated that he would hold a similar session for night students, that he would begin to hold office hours on Wednesday nights, and that more general administration/student meetings like this would be had in the future.

Dean Stickgold spoke about course scheduling and the Externship Program. Essentially, his message was that it was the students' responsibility to ask questions to him about the curriculum and the clinical/extern program, and the students' responsibility to bring concerns about scheduling to his attention at an early enough date to enable possible changes to be made. It was at this point that students requested an academic advising program to assist the administration in conveying to the students the kinds of programs and courses GGU has to offer. Dismissing the idea of peer advising because of too little control of what students say, Dean Pagano announced that he would begin a faculty advising program for the new mid-year admit class and all successive classes at GGU.

In essence the Dean's proposed advising program would match an entering student with a professor. Dean Pagano suggested this may be done based on the student's particular subject interest, matching him or her up with a professor experienced in that area.

Student reaction was mixed. Several students felt that while Dean Pagano made a good first step, the announced program does not go far enough. The problem, as one student indicated, is that this proposal fails to address the needs of current students. Students currently in their first, second and third years need academic and career advising just as much if not more than do incoming students. Dean Pagano's offer would do nothing for these students.

Another student then asked if faculty advisors could be educated on the available programs at GGU, so that once the advising program began, disparate information would not be disseminated to students. While Stickgold struggled to understand what the student was actually requesting, other students advocated for such a plan, arguing that if we pay over \$12,000 dollars per year, we should be able to obtain effective academic advising.

As more hands raised in support of the students' proposal, Professor Segal, although only in attendance to explain the litigation programs, stepped down to the auditorium floor and employed his litigation techniques to defend his colleagues in the administration. While pacing along the aisle he told students that good lawyering takes initiative, and basically, that those students who could not take the initiative now to find out what is available at GGU would not make good attorneys. After Segal's harangue, Stickgold explained that educating the faculty on the available programs at GGU would not be possible.

Finally, Professor Segal explained the various classes involved with the litigation program. Those who want to be litigators, he explained, should embark on the following course plan: take evidence the summer after your first year, take trial advocacy first semester of your second year, and take either civil or criminal litigation second semester of your second year. Your third year should be devoted to mock trial competition. For those who want to take litigation classes, but don't necessarily want to devote many of their electives to litigation, Segal recommended pre-trial advocacy and trial advocacy.

After the meeting, students generally seemed to think that Dean Pagano was taking student concerns seriously and that he treated them with respect.

The same cannot be said for students' reactions to Dean Stickgold and Professor Segal. One student felt that Stickgold was "blaming" students for having the audacity to complain. What was needed instead, this student felt, was a more receptive and helpful administration. As for Professor Segal, several students found him "condescending" and "pompous."

The academic advising controversy is not so easily resolved. According to SBA President Jennifer Martin, Dean Pagano has invited her to take the students' proposal for faculty advising before the faculty at the next bi-monthly faculty meeting. The only way current first and second years will see academic advising at GGU is if their professors vote themselves to be advisors now, instead of in the fall. Hopefully the faculty will be more receptive than the administration. 

by Ed Taylor

Over the years historians have speculated endlessly concerning the disappearance of Judge Roy Bean from the territories west of the Pecos. One book claimed he survived, but changed his name and became a green grocer in Kansas. Many history books represent he spent the remainder of his days as an urchin in a major metropolitan area. A ten volume treatise was devoted to the theory that the Judge was actually from another planet and returned to that planet, once his mission of dispensing justice was accomplished.

Fortunately, a cache of ancient documents has now thrown some light on his disappearance. Apparently, the Judge knew he had been "whipped" and headed for the wilds of Zanzibar.

The Judge found Zanzibar suitable, it was wild and untamed. As the Judge himself was to remark upon his arrival:

"The forest of Zanzibar spread out before me as a vast seething mass of legal principles learned members of the profession call the law. I was seized by the realization that, as I had hunted within the law for legal principles, so I would hunt in the forest for the creatures that had evolved within its fevered confines."

Pursuant to this desire, the Judge had Rusty, his Bailiff, requisition a hip flask of distilled spirits, some shot, a bag of powder and his favorite firing piece--a blunderbuss which he had inherited from his spiritual predecessor, Cotton Mather.

In these days of yore, game animals were not the harmless field hens of today, but were very vicious indeed. The most dangerous game animal of the Zanzibarian forest was the wild Woodcockold--a mean brutish and short bird, known to frequent the heliotropes that cascaded from the tree tops.

However, because Woodcockold plumage could be sold to European habidashers for outrageous sums, it was of particular interest to the Judge.

As Rusty hacked their way through the serpent infested forest, the judge felt uneasy. He was to later remark in his journals:

"The forest was altogether too silent. The sounds of thousands of insects failed to resound with their customary unrelenting resistance. In such a situation, a Woodcockold had been known to detect an approaching party and arrange an ambush. Only the cry of the dreaded cucoloris bird provided any hope of relief."

The Judge drank from the hip flask in an attempt to "restore" his "intestinal fortitude." Then something caught his eye. There! In a clearing, beyond a slight hummock in the earth the iridescent multicolored plumage of the Woodcockold.

Placing the ancient weapon between his knees, the judge quickly loaded the powder and shot down the barrel with a ram rod. In his haste, he sparked the powder. The gun fired, driving the pommel into his pantaloons, renting them from his bodkin.

At the sound of the deafening concussion and the sight of Bean's gaudy under garments, the forest erupted. Even the dreaded cucoloris birds warbled.

The Judge rushed to the edge of the clearing only to find a mammoocked feathered coiffure and two people--a man and a woman-- fleeing through the forest.

"What in damnation is going on here," the judge said, waving his hip flask in the air. "You'll appear in court tomorrow under penalty of contempt."

While returning home through the forest, the shadow of the Woodcockold once more crossed his mind. Surely, the bird had seen him in his fruit of the looms shooting his gun--had not all the animals in the forest. Clearly, the hand of Providence must once more have interceded in his behalf, but how much longer would Providence favor him.

It is now known that Woodcockolds never existed. It was the creation of the fevered imaginations of the illustrators of natural history books of the Judge's day. What passed for Woodcockold feathers in the markets of the Judges day was, in fact, nothing less than dyed turkey feathers.

BUY AMERICAN (continued)

products where possible can make a difference. And I wouldn't call this protectionism, but simply loyalty.

The battle has already begun. In the same manner that the lightning attack on Pearl Harbor galvanized the American people into mobilizing for the war ahead, this verbal barrage is already hardening the resolve of the citizenry to take action. In towns and companies big and small around the country, thousands of people are putting their money where their roots are, and "buying American."

We don't need more jingoistic Japan-bashing and racist stereotyping, but an assertive campaign to protect our interests is in order. Our trade deficits and our budget deficit are linked together. Our economy is so dependent on other forces that the the U.S. of A. is close to becoming another U.K. in the pages of history, another has-been, once-great county, with the sun threatening to set on our empire. This attack could be just the kick in the pants we need to jump start our resolve to better ourselves, and retain our leadership in the world society. It's too early to tell whether this campaign will die out due to lack of concern by the American people. But it is a battle which we cannot avoid, and one which we and our children cannot afford to lose.

VALENTINES

Knuckle-Honey: Thanks for a year of friendship and fun and joy. Good luck in that job hunt thang. I love you, Fu-Fu-nee-hee-hee

Stacey: Happy Valentine's Day! Your love tool, Mike

To Lucy, My study buddy: thanks for the help and LLC. Your the best, Sasha

Barbie: Will you always be mine? - Ken

Tanya: Will you be mine? - Library man (Real original man!! Ed)

Dan: I know you see the way I'm looking at you...but Every Woman Wants a Herskowitz & I just can't help myself.

MaryLynne B.: I love your guts - You are everything to me. Happy V. Day!

Boo Boo: Let's substitute love for biting, scratching and beatings about the head.

Stover: I know our height difference can be overcome by the immense size of my throbbing heart. Love, Rich B. Cassidy Jr.

Kristin: You are the best roomie in the whole wide world! Let's go get a slice. K.O.

C - Miss you. Thinking about you. Wanting you. Happy V-Day, G - PEEPSTER - I [HEART] U (Sorry dude, can't draw hearts on the MAC. Ed.)

Joan C.: Thanks for all that you add to my law school experience. Your positive demeanor about the campus and your insight in the class room make it all a lot easier. Happy Valentines Day! - Sarah

Happy Valentines [sic] Day Josh M! Bin [sic] thinking of you at what you did for me! L - (taught you how to spell, eh? Ed.)

Cara Ramos: Love you much, very much, Mars

Little Buddy: I can't tell you how long I've waited for us to be alone. None of those other castaways could even satisfy me like you can. Meet me at the lagoon on Friday night and we can watch the sun come up together. Love, The Skipper

Jim - Section A: You are an exceptionally hot babe & I want you!

Dear Pansy, Roses are red, violets are blue, God only created one beautiful flower like you! Sasha

To Tommy G.: We have to stop meeting like this! Love; your Thursday morning brunch club

Rosenschwintz: No body loves you! Rock

To my dear Wynne: I sit in your class & dream of the day you'll be mine.

Happy Valentine's Day Sweetheart! I love you, Dave

To Tom G.: Oh you property stud you. I sit in class all day dreaming of you claiming me adversely and creating an easement all over my body. Your future interest....

Dearest T-Bone: Ich Liebe Dich! Pretty Girl Way Old

Marcus Cheek(ees): Boo love you too much, Kitty Lynn

Lady Di: You are the sunshine of my life. HB.

To Jim P.: The man who's helped me feel hot, young & special, LL

R.G. - You bring sunshine to a dreary day. Sincerely, a not so secret admirer

Michael - What stud-muffin you are - if only we could clone you & make more of you,

D.B.: Who loves you, Oh my

Squisher

Dear sweetheart, Being with you is the best thing in the world. I have no doubt that I want to spend the rest of my life with you. Happy Valentine's Day! Love, Puffer

Stephanie, Will you be my Public Defender Valentine? An indigent admirer

Dearest Justice Hand. Have enjoyed the love burdin [sic], it was so worth the loss. Thank you, the Donger

Pongo: I need to know the meaning of metaphysical. When I'm with you sometimes I think I know. Let's swoosh together! Love, Misses (AKA Perdita)

Sherry - You're the only one I don't mind sharing with. You know who

Lefty: I dreamt that you asked Dex if the sheep were being treated fairly under a little used statute. Thanks for understanding me. Love, Querida

Stove: Remember you can always retake a class, but you can never relive a party. Happy V.D. Rob

To Rob Ammar - Oh you evidence Czar. You make me smile whenever you are. You are the most. I offer you a toast. You're the best friend a Betty could want. Love, Stove

Squeezing, tickling, oo la laing, singing, eating, without talking, talking, crosswords, [censored, Ed.], drinking pinot noir...all with you my love

OPINION

by Adam Miller

WHY BUY AMERICAN?

In the years to come, January 19, 1992 will be the new day of infamy. That's the day the new World War began with Japan. Not with weapons and rhetoric, (and not by vomiting on the Japanese Prime Minister,) but with the hardened resolve and determination of the American people spurred on by a verbal sneak attack. Already politicians, auto manufacturers and private citizens are pointing to the statement made by Yoshi Sakurauchi, the speaker of the Japan's lower house of Parliament, denigrating the so called American work ethic. Unfortunately, many Americans find it difficult to disagree with that allegation. By a pocketbook consensus, many Americans agree that Japanese and other Far East manufacturers are superior and more economical than equivalent American ones. In several unscientific polls conducted over the past few weeks, Americans agreed that our workers are lazy, illiterate, and clamor for high pay for less work. Of course, even if true this is not just the fault of the blue collar workers. Management is equally to blame for lack of motivation, especially since in many cases the upper echelon is earning 40-50 times more than the lowest paid employee in the company. With such discrepancies, it's no wonder that many American workers feel unmotivated.

Still, it's unfair to label all U.S. workers lazy and all American products shoddy, holding them in perpetual reputation bondage, though this is clearly the perception by many foreigners and citizens alike. For instance, while it may be true that American cars are now built as well as Japanese vehicles it's difficult to convince consumers. General Motors practically gave up trying and created an entire new company, Saturn, just to go after those buyers interested in import-like styling and quality.

So how do we react to this statement, this crystallization of long felt attitudes towards American products? We can do several things. We can bury our head in the sand and keep on boasting about our great country while the trade deficit increases. We can impose tariffs and close our markets to protect our industries. We can even step up Japan-bashing to new levels of old-fashioned American bile. Or we can fight back, not with arms, or foolish and racist rhetoric, but with a determination to support American industry and American workers by buying American products, despite higher costs or lower perceived value. If you were concerned about the environment, it wouldn't take too much effort to purchase products with less packaging, refuse paper bags when buying one can of soda, or recycle in general. Similarly, a little effort by a lot of concerned people to choose American (cont'd) ...

BOARD OF TRUSTEES NEGLECTS LAW STUDENTS ON GGU PRESIDENTIAL SELECTION COMMITTEE

by Jennifer Martin, SBA President

The Presidential Selection Committee, a group of 5 Board members chosen by Chairman David Gregory to organize the search for a new GGU President, formed a University Search and Screen Committee empowered to search and screen candidates for president. Unfortunately, although the Board saw fit to appoint a student representative from the Inter-Club Council (the student organization representing all non-law school students), the Board neglected to invite a law student to represent the concerns and interests of our school.

The current members of the University Search and Screen Committee include the five trustees from the Selection Committee plus, four members of the University faculty – only one from the law school, the president of the Alumni Association, a representative of the support staff, a representative of the support staff of the Development Office, and the President of the ICC. Thus, of this 13 member subcommittee, the Board allocated one law school voice, and chose that voice to be only that of the faculty, and not of the students.

Upon discovering this omission, the Student Bar Association presented a letter to Chairman David Gregory and Chairman of the Presidential Selection Committee, William Zuendt, requesting that a law student representative be added to the committee as soon as possible. Explaining that law student interests are not only different from the non-law school

students, but oftentimes conflict, the SBA letter informed the Chairmen that an ICC representative could not possibly adequately represent the concerns and interests of the law students at Golden Gate University.

Zuendt, with whom David Gregory left the final decision, decided that adding a law student representative would slow down the process, and thus, our concerns need only be orally transmitted to the law faculty representative of the committee, Professor Lani Bader. Zuendt also seemed concerned that two student representatives on the committee would go against the WASC (accrediting agency for non-law schools) mandate for student cohesiveness under the university umbrella.

Of course law students did not take kindly to the decision of William Zuendt. With no apology for the omission, or communication to the ICC student representative to attempt to represent our concerns, law students felt that the Board of Trustees were treating law students as second class citizens, second to all other non-law students. Luckily, enough complaints by (tall) students convinced Bader to encourage Zuendt to change his decision. If Zuendt doesn't change his verdict, he will be establishing a policy that one-third of the students at Golden Gate University aren't important enough to receive representation on Board committees.

**** CLUB NEWS ****

Starting this month, the ENVIRONMENTAL LAW SOCIETY (ELS) begins its monthly video program, with videos shown monthly at 12:00 PM on Thursdays and (for night students) 5:30 PM on Wednesdays of the designated weeks.

Joan Reiss, Regional Director of the Wilderness Society, will speak regarding some of these proposed changes on February 27 at noon. The April issue of the Caveat will focus on environmental issues featuring a Bay area environmental update and papers written by students for their Natural Resources class. Also, planned are trips to watch whales, the Marin Headlands and the Environmental Law Conference in Eugene, Oregon on March 13th.

The Public Interest Law Foundation (PILF) met to plan its annual Loan Forgiveness Program fundraising drive, which will begin March 16. This semester PILF is sponsoring a public interest speaker series, with Ellen Barry, director of Legal Services for Prisoners as the first speaker.

PHI DELTA PHI took children from the Boys and Girls Club of San Francisco to the San Francisco Zoo.

Topics of discussion at the INTERNATIONAL LAW ASSOCIATION meeting included the Jessup International Moot Court Regional Rounds, future speakers and spring festivities.

The SBA survey was posted on January 31st. In addition, a suggestion box was placed in the law library for student suggestions. All comments will be answered by a SBA member and posted on the SBA board. The Intellectual Property Symposium has been canceled due to lack of student interest, and money previously allocated for the tentatively scheduled gender/sexual issues symposium will be reapplied to other areas. Also discussed were plans for a Winter Mixer, which might be had at the Rock'n'Boll. The SBA is not meeting from 5:30 to 6:30 on Tuesdays. The SBA finally approved the purchase of a computer for SBA, CAVEAT and club use. SBA meetings are held every other week on Tuesday or Wednesday. The budget committee meets on the weeks that the SBA doesn't.

LAW REVIEW

WRITE-IN COMPETITION COMING SOON

by Joan Cox

As work on this year's three law review publications draws to a close, Articles Editor Linda Sullivan announced that the write-in competition for students to staff next year's law review will take place sometime in February.

Golden Gate University publishes three separate law review issues each year. The "9th Circuit Survey," the most senior of the three, is a compendium of recent 9th circuit cases which are tracked from start to finish. Golden Gate is the only law school to publish such a survey of the 9th Circuit.

"Notes and Comments" deals with an open topic selected each year by the incoming editor. This year's topic is Intellectual Property, and deals with the dilemma of copyrighting intangibles such as software and secret formulas.

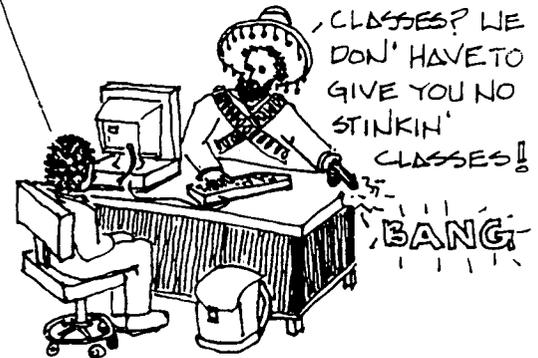
Finally, the "Women's Forum" is the newest of the three law review publications, established nearly 20 years ago. Although not yet quoted by the Supreme Court, it is highly visible in California and frequently quoted by California courts. Editors generally attempt to focus the entire volume on a narrow topic. This year's issue will focus on feminist jurisprudence, and will be accompanied by articles on other women's issues.

Golden Gate is unique in that the majority of the articles in its law reviews are generated by students. There are two ways to be selected for the law review staff. The first is a write-in competition open to all students, where contenders are each given the same problem and allowed one weekend to research and write their best possible article. Entries are evaluated based on clarity of writing style as well as ability to cite accurately (a la Zamperini!) There is no set number of writers, although approximately 40 students are selected each year.

The second way to be selected for law review is to "grade on," i.e., students who are in the top 10% of the first year class will automatically be offered a spot on law review. All students, even those with excellent grades, are encouraged to enter the writing competition as a backup, however. Once selected for law review, students need maintain only a 2.5 gpa to retain their spot, whereas grade-on's will need at least a 3.0 to ensure their spot in the top 10%.

After the staff is selected, research and writing takes place during the summer or fall, depending on the publication date, followed by many rounds of edits and rewrites. Not all students will write. Generally there are 1 or 2 student writers paired with a third student editor. Those students who seek a "quick" law review experience would do well to write for the 9th Circuit Survey. Its

B-BUT, I WAS HOPING TO GET INTO WILLS & TRUSTS AT LEAST,.. PLEASE!



HELP... SOMEONE GET ME INTO CRIMINAL LAW CLINICARRGH

SCHOLARSHIP NEWS

BLACK WOMEN LAWYERS ASSOCIATION OF LOS ANGELES LAW STUDENT SCHOLARSHIP COMPETITION

Each year the Black Women Lawyers Association of Los Angeles, Inc. awards scholarships/bar grants to 2nd or 3rd year law students who intend to practice law in Southern California. Recipients are selected on the basis of financial need, community service, academic achievement, and legal writing ability. In 1990-1991, the BWL awarded \$12,000 to successful candidates.

**APPLICATION DEADLINE: MARCH
15, 1992**

**Applications are now available in the
Financial Aid Office, c/o Robert Vergas**

format is the most rigid of the three, with each student tracking a single 9th circuit case. Because it is the earliest of the three law reviews to be published, most of the work is accomplished over the summer, with publication early the following Spring. This year's law review editors hope to have all three issues sent to the printer prior to the beginning of finals in May.

Sullivan found her work on the law review personally rewarding, and commented that prospective employers consider its presence on students' resumes to be very important. ○

Profile

by Susan Kalra

Professor Mary Pat Treuthart is a visiting professor from Gonzaga School of Law in Washington. Professor Treuthart has written and taught in the areas of ADR and Women and the Law. She was a staff attorney and director of a legal services program, where a significant part of her practice dealt with family law and domestic violence issues. Professor Treuthart is the author of Mediation -- A guide for Attorneys and Advocates Representing Battered Women (1990) (with Laurie Woods) and "Mediation," published in Women and the Law, by C. Lefcourt (1984).

CAVEAT: How did you become interested in the subject of gender bias in mediation?

Professor Treuthart: I was staff attorney and director of a legal services program for several years, and so I did a lot of family law work. And in the course of doing that type of work while practicing in New Jersey and then in Nevada, there was a growing interest in using ADR [alternative dispute resolution] techniques, particularly mediation, in the family law context. After observing the process I was initially very enthused about the possibilities of applying this non-adversarial process to family law, and I maintained a fair amount of enthusiasm for mediation for quite a long time.

I then began to see that there was some dissatisfaction experienced by clients. They were somewhat overwhelmed by the process. I also began looking at some of the research being done, which is fairly limited, regarding gender differences and user satisfaction with mediation. I eventually hooked up with the National Center on Women and Family Law, a national support center for whom I did some work. It was through this association that I became convinced that we needed to re-examine whether or not mediation is appropriate in the family law context, where t bargaining power issues and domestic violence considerations were not being addressed.

C: When faced with a situation where there is unequal bargaining power between the male and female parties in mediation, what can a mediator do to put them on a more equal footing?

T: I would take the position that if one disputant has been abused by the other, it is almost impossible to equalize bargaining power. This is true even if the abuse has taken place a long time before.

If we are talking about other types of abuse, such as psychological abuse, it is very important to screen for that as well. Equality differences such as a notable economic disparity between disputants has an affect on bargaining power that is also hard to equalize in mediation. Finally, and maybe most importantly, pervasive gender inequality in our culture manifested, for example, in a pattern of women deferring to men in terms of decision-making, is also a great source of unequal bargaining power which is difficult to remedy.

Another problem is that positive attempts by the mediator to equalize bargaining power may result in impartiality and neutrality being compromised. Savvy mediators, however, might be able to achieve some effectiveness in this regard, given parties who are nearly level to begin with.

C: As an attorney, what should you do before you send your client to mediation?

T: I think it is part of your ethical obligation to explain the different methods available to resolve the matter. I would discuss mediation as one of these alternatives. At the same time, I would want to screen the client for any evidence of domestic abuse, any type that occurred at any time. There are screening guides available for that purpose. If abuse had occurred, the case should be deemed inappropriate for mediation. Further, it is very important to determine where your client is

psychologically in terms of the divorce process. Every person goes through stages, such as anger or conciliation, that affect the client's demeanor in settlement.

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