

2-1994

Caveat, February 1994

Follow this and additional works at: <http://digitalcommons.law.ggu.edu/caveat>

 Part of the [Legal Education Commons](#)

Recommended Citation

"Caveat, February 1994" (1994). *Caveat*. Paper 215.
<http://digitalcommons.law.ggu.edu/caveat/215>

This Newsletter or Magazine is brought to you for free and open access by the Other Law School Publications at GGU Law Digital Commons. It has been accepted for inclusion in Caveat by an authorized administrator of GGU Law Digital Commons. For more information, please contact jfischer@ggu.edu.

CAVEAT

GOLDEN GATE UNIVERSITY SCHOOL OF LAW

VOLUME XVX ISSUE NO.4

FEBRUARY 1994

The One Semester Zone

by Andrew M. Olshin, 3L
Special to the *Caveat*

One long semester to go. I say long because I have decided to include the seven or eight weeks of Bar Review as part of the semester. Pessimistic or realistic? You decide: my last law school exam is scheduled for Monday, May 16... graduation is set for Saturday, May 21... and Bar Review (for some) begins on Monday, May 23 — no rest in the One Semester Zone.

Life for most law students includes classes; reading and eye strain; writing assignments — what fun; outlining — yours, hers, his, theirs; Bar/Bri tapes; study groups — for some; time with partners, friends, and lovers — too little time; eating — I'm sick of pizza and chow mein; sleeping — more, please; and exercise — when necessary. Law school quickly becomes a survival game with the J.D., passing the bar exam, and the elusive first job laying separately in an office on the other side of a barbed wire fence.

Professors try to prepare us, future employers wait to see what will happen to us — too many are waiting for too long, while those evil and invisible loan collection professionals wait for the deferrals to end. When I look back, I'm glad that I did it and even more glad that I did not lose myself in the process.

The one piece of advice that I can offer to those not in the One Semester Zone is as follows: get involved with something outside law school where you can express yourself and stay in touch with the non-law world.

please see One Semester, page 2.

African-American Speaker Series: U.S. District Judge Terry Hatter

by Meenoo Mozayeny
Caveat Staff Writer

Judge Terry Hatter, U.S. District Court Judge for the Central District of California, was the first speaker kicking-off the 1994 African-American Speakers Series. The event was sponsored by the Helzel Family Foundation. Judge Hatter agreed to speak at Golden Gate University after receiving a phone call from his long-time friend and visiting Jurist, Chief Justice Rose Bird.

Judge Hatter began his speech on Tuesday, January 18, urging Golden Gate University School of Law students to be as good as they could be, and stating that "there's always room for good lawyers." He received his J.D. from the University of Chicago Law School in 1960. Before his appointment, Judge Hatter was a judge at the California Superior Court in Los Angeles, and taught at the University of Southern California Law Center and Loyola University. Hatter was appointed judge for the Central District of California by President Carter in 1979.

In January of this year Judge Hatter ruled that the Navy's discharge of gay Petty Officer Keith Meinhold was unconstitutional and ordered a reinstatement ruling that the Pentagon's justifications for banning gays were based on "cultural myths and false stereotypes" — Associated Press. Hatter also criticized President Clinton's "don't ask, don't tell" policy, saying that the policy is "sad." Judge Hatter feels personally disappointed that the President didn't put the matter to rest and stated that "instead of doing the right thing about it, Clinton is doing the popular thing about it." The new policy, passed by Congress and accepted by Clinton, prohibits questioning recruits

about their sexual orientation, but still requires discharges of those who reveal their homosexuality, unless they can persuade authorities they will remain celibate while in the service. Hatter said, "I don't know that it's workable."

Hatter broadened his ruling last September to prohibit all military discrimination based on sexual discrimination after the Navy indicated it would deny promotion or re-enlistment for Meinhold. The case is currently on appeal and Hatter, as well as many others, hopes for proper constitutional interpretation before it's put to rest. The ruling, if upheld would strike down both the old and the new policies. "The same arguments are used against gays in the military as were used against blacks in the military," said Hatter. "I don't submit for a minute that the problems are the same, but unfortunately the results in how gays are treated and how many minorities are treated is the same."

Judge Hatter raised the issue of federal mandatory prison laws and sentencing minimums. Asking the question, "Do you feel safer now than 12 years ago?" Hatter suggested mandatory treatment programs as a solution. He believes the results are clearly racist since "black and brown males are the major victims here," and that "rehabilitation, not incarceration" is a viable alternative.

C.

INSIDE

SBA BEAT.....	page 2
Editor's Notebook.....	page 6
President's Perspective.....	page 6
How to Reduce Your Taxes.....	page 3
PILF Annual Fund Raiser.....	page 4
Calif. Lawyers for the Arts.....	page 5

S.B.A. BEAT

by Timothy Roscoe Carter
S.B.A. Correspondent

President Alex Lumbarsky announced that on Saturday, February 12, there will be a constitutional convention to discuss ways of correcting problems with the current constitution identified by the Judicial Committee. Stacey Camillo, Co-Chair of LEGALS, inquired as to whether club presidents would be invited to the meeting. Eric Ferraro, 3rd Year Day Representative, was originally opposed to the suggestion, saying that it would be pandering to student groups and that the SBA was not responsible to them. However, in the discussion that followed, inclusion seemed to be favored, and when a motion was made to allow club presidents, it passed unanimously. The SBA then voted 7 to 5 to hold an SBA retreat following the convention.

Francis Ryu, Mid-Year Admit Representative, announced a meeting of Mid-Year Admit (MYA) students who entered in the Spring of 1992 on Wednesday, February 2. The purpose of the meeting will be to discuss the options of MYA students in the face of the lack of a graduation ceremony in December. Currently, MYA's have to pay the same fees for graduation as other students, but are only given a reception. They are expected to return the following May if they wish to participate in a full ceremony. This past December, many graduating MYA's were upset with SBA for failing to provide funds for a graduation party that they believed had been allocated during the '92-'93 year. No SBA member could remember the allocation, and no record of one could be found. In January, SBA sent a letter of apology out to the graduated MYA's. Ryu said that MYA's from all years were welcome to attend to help draft and sign appropriate petitions.

Andrew Spett became the Representative for the entering MYA class after being the only applicant for the position. He said that it was sad that he had no competition, and that that shows a lack of interest among the students.

Terrance Vaughan, 1st Year Night Representative, resigned. Jeff Green attended the January 31 meeting and announced his intention to fill the vacancy. Lawrence Kaldor, Mid-Year Admit Representative, praised Green's interest and suggested that he should be appointed immediately. Other members felt that other night students should be made aware of the vacancy, and postponed a vote until the next meeting.

Mark Figueiredo, 2nd Year Day Representative, suggested that the SBA study the possibility of publishing a book of student evaluations of professors, designed to aid students in choosing classes. Those present seemed to agree that the idea was sound. Ferraro stated that SBA tried the exact same thing last year, but that at the last moment, "Pagano shut it down." Figueiredo responded that they should try the concept again, and look at doing with or without administrative cooperation. No vote was taken.

Bert McMeen, Editor of the *Caveat*, requested that the SBA appropriate funds for the purchase of a new computer. He said that the layout and publication needs of the *Caveat* made sole reliance on the one SBA computer impractical. He gave a figure of \$1,825 as the price for a Mac hard disk, an Apple monitor, a printer, and PageMaker software. The computer would be placed in the student organizations room so that all club presidents have access to and would be available for the use of all student organizations. Marie Davidson, Treasurer, moved that up to \$2,000 be allocated for the purchase of the *Caveat* computer. The motion passed unanimously.

In addition to the above appropriations, the Board of Governors in January also unanimously approved a motion to allocate \$100 to continue the keg receptions. A motion to raise each student organization's food allocation for the Spring semester from \$50.00 to \$100.00 passed over the single nay proxy vote of Davidson.

One Semester, continued from page 1.

Throughout the past five years, I have maintained my involvement with politics and helped to build a strong community organization in the Sunset District. This has given me a chance to meet people like President Clinton, Tom Lantos, Nancy Pelosi, Willie Brown, John Burton, and many others.

This type of activity can only increase your chances of getting that elusive job and may give you a sense that you can help to keep this country strong. Good luck and stay in touch.

C.

To: All Students.
From: The Caveat
Re: Spring Break

Have a fun and safe vacation, everybody! And don't forget to come back!

THE CAVEAT

Published by the students at Golden Gate School of Law, the *Caveat* mission is to provide a forum for the law school community. Opinions expressed in by-lined articles are those of their authors, and do not necessarily represent the opinions of the editorial staff, the Student Bar Association, or the School of Law.

Submit to the *Caveat*! The submissions envelope is on the door of room 223. The deadline is the 15th of every month. Submissions to the *Caveat* are subject to editing for grammar, punctuation, and space considerations.

STAFF

Editor-in-Chief.....Bert McMeen
Copy Editor.....Carolyn West
Assistant Editors.....Robert Bae
Wendy Giblin
Joe Gonzalez
Hallie Kate Loveridge
Entertainment Editor.....Ken Devore
SBA Correspondent.....Timothy Carter
Treasurer.....Dan Alweiss

How to Reduce Your Taxes - Deduct of Student Loans from Federal Income Taxes

by **Katie Hansen**
Special to the *Caveat*

If you're like me — and just about every other law student these days — you are amassing a huge debt in order to graduate with that prized JD. I would guess that many people will graduate owing more in student loans than their parents took out to finance their first house. There is one huge difference between our parent's mortgage and our student loans, however: deductibility of interest from adjusted gross income when figuring taxes.

Currently, mortgagors can deduct the interest paid on their mortgage as an itemized deduction. This lowers the amount of taxes they pay and in effect creates a subsidy for housing. In contrast, student loan interest is paid with after-tax dollars. Students graduating with no assets to speak of, and often without a job, are not afforded the same subsidy mortgagors are. Is this fair? I certainly do not feel that it is and neither do some lawmakers on Capital Hill.

Jim Bunning (R-Ky) is sponsoring an amendment to the Internal Revenue Code which would restore the tax deduction for educational loans. The amendment is still working its way through Congress and I appeal to all students to lend your support. Contact your Senator or Representative to voice your support. Your financial future depends on it.

Senators Feinstein and Boxer
U.S. Senate
Washington, DC. 20510

Representatives Pelosi, Lantos and Dullums
U.S. House of Representatives
Washington, D.C. 20510

Thanks to Parker Waggaman for inspiration and information for this article.

This month's question:

**THE FALL SEMESTER
GRADES ARE OUT - BUT
FEW PEOPLE ARE SMILING.
WHAT'S YOUR BEST EX-
CUSE FOR THE GRADES
YOU RECEIVED?**

"I was in mourning for my pet goldfish, 'Rocky.'" - Tim Fricker, 2L

"Underwear too tight due to nervous over-eating." - Arlene Bradley, 2L

"I needed a little more pressure in my life, so I decided to see what it would be like closer to the 2.05 G.P.A. mark."

- Marie Davidson, 2L

"My professors have little, if any, ability to recognize talent."

- Matt Menes, 2L

"I still haven't received my grades, but I imagine they will be 'curve-determinative.'" - Meenoo Mozayeny, 2L

Golden Gate University Student Special

3.5¢ Copies
99¢ Color Copies
with Coupon only

Krishna Copy Center
551 Mission Street
San Francisco, CA 94105

Golden Gate University
School of Law
**Public Interest Law
Foundation**

is proud to announce the

**1994 SPRING
FUND-RAISER**

Proceeds from the fund-raiser are used to support the Public Interest Loan Assistance Program at Golden Gate School of Law. This year the **PILAP committee awarded up to \$15,000 among six Golden Gate Graduates** for their commitment and excellence in public interest law. With your support we will be able to continue the tradition of fostering dedication in working for social justice in our communities.

**RECEPTION &
AUCTION**

All are invited to the kick-off Reception on **Tuesday, March 15, 1994 at 4:30** in the Plaza Level at 536 Mission St. At the Reception, we will be featuring **Professor David Oppenheimer as Auctioneer Extraordinaire**. At the Auction you will have an opportunity to bid for exciting items as bar review courses and more!

thanks to:

BarBri

BarPassers

PMBR

RAFFLE

Tickets for the Raffle will be on sale for two weeks beginning March 15 at the Reception. Raffle tickets are being offered at a sliding scale; \$10 for students and \$25 for faculty. Raffle Prizes have a value of up to \$40!

PILF thanks the businesses that have chosen to participate in our activities this year! The following is a partial list of the prizes we have so far:

Katz's Bagels
(a dozen fresh bagels)

Bepples Pie Shop
(coffee & desert for two)

Adobe Bookshop
(gift certificate)

Maelstrom Books
(gift certificate)

Ron Bruno's Hair Design
(free cuts)

Ti-Couz
(crepes)

San Francisco Coffee Co.
(free beans)

A Different Light Books
(gift certificates)

Escape From New York Pizza
(free pizza)

Spinelli Coffee
(free beans)

Hot 'n Hunky
(free lunch)

Golden Gate Bookstore
(study aids & books)

Mr. Ralph's
(free lunch)

Hair By Henrik & Co.
(free cuts)

The Castro Theatre
(free movie passes)

California Lawyers for the Arts: two advocates present views

by Ken Devore

Caveat Entertainment Editor

Interested in Entertainment Law? Membership and an internship with California Lawyers for the Arts (CLFA) is a great place to start your career path. CLFA provides legal assistance to artists and art organizations throughout California. Programs such as the Lawyer Referral Service, Education Seminars, and Arts and Arbitration and Mediation, help implement this assistance. CLFA offices are located in San Francisco, Oakland, and Los Angeles.

An intern at CLFA works for the Lawyer Referral Service or the Arts and Mediation program. Working for the Lawyer Referral Service involves listening to artists' problems, summarizing and recording them on an intake sheet, and relating them to the appropriate attorney.

This job is more demanding than it sounds because it requires the intern to understand the basics of the client's problem and coherently convey it to a qualified attorney.

In addition, the nature of this job requires the intern to talk to dozens of Bay Area attorneys each shift. As a result, making those valuable contacts are almost inevitable.

An internship with the Arts and Mediation program provides one with valuable mediation training. Effectively helping two parties solve their legal problems without litigation is an art unto itself. As mediation is increasingly being used, many attorneys need this skill.

To find out more about what CLFA has to offer, call Griff Morris at the San Francisco office at (415)775-7200, or Adrienne Crew at the Oakland office at (510) 444-6351.

by Meg Dixit

Special to the Caveat

What's life like in the real cut-throat world of law? The hardships of being a law student are only the beginning. Many law students are exploring the realities of the legal community by interning or volunteering at law firms in the Bay Area. But there is another organization in town, the California Lawyers for the Arts (CLFA).

CLFA is a non-profit organization at Fort Mason, in San Francisco. It provides lawyer referrals, dispute resolutions services, educational programs, workshops, publications, and a resource library.

CLFA was founded in 1974, when a group of concerned lawyers and artists decided there should be a service to respond to the legal needs of the California arts community. Today, other major cities such as Atlanta, Chicago, New York, and Seattle have similar organizations, although there is no affiliation.

Victoria Parks, a second-year law student at Golden Gate University who interned at CLFA last summer, says that the experience she gained gave her good insight into the business.

"I matched artists with lawyers that fit their needs when I did referrals. The work was valuable and I have already recommended the internship to a buddy of mine." The friend she speaks of is another second-year student who is a current intern at CLFA, Julie Ericson. Ericson says she got involved with the organization because of her love for arts, and her professional goals.

"The two mixed well and I am getting a lot out of my internship in conjunction with my school work."

Students can get involved with the

many services of CLFA: referrals, conflict resolutions, art-house (involves artist housing and workspace), seminars, workshops, marketing publications, and still others. Day to day office administration is also an integral part of the "real-life" look at law.

Griff Morris, Program Coordinator, says students who are interested in arts and entertainment law will gain from their experiences at CLFA.

"They will get hands-on experience with legal contracts, conduct research, and get involved in other tasks that will help them decide if this is indeed what they want to do."

Morris, who has his J.D. from Emory University in Atlanta, says that in the time he's been at CLFA, he has seen community needs met.

"Artists just starting out, with little or no money, have somewhere to turn. Several of our non-profit clients would be broke without our legal services."

Plans for the future include more educational programs and services that will address changing legal needs.

Golden Gate University professor, Tom Goetzl, who has been on the Board of Trustees of CLFA for 12 years, says that students should grab the opportunity to get involved with the organization.

"It's fun! It's about people, the arts, law and real issues that would complement a law student's study."

Professor Goetzl says that the only concern he has about the organization's future is its financial plight. "Like any other non-profit organization, not having a stable financial base and a steady cash flow is disheartening."

Currently, most of the organization's funding comes from earned income, that is, fund-raisers and membership, as well as grants and contributions.

Interested students can send a resume to CLFA, or contact Griff Morris at (415) 775-0990.

C.

LIKE TO WRITE???

Then come work for the *Caveat!*

Or just submit a story!

The *Caveat* submissions box in the Law School Lounge is always open.

S.B.A. PRESIDENT'S PERSPECTIVE

by Alex Lubarsky
Special to the *Caveat*

Reflections of Three Years

Three years is no flash in the pan. We will all spend three years here and so much will happen in our lives and the worlds which define them. The start of this semester marks my third anniversary as a law student here at GGU - and in the words of Mr. Garcia, "what a long, strange trip its been."

I can remember the panic that filled me as I opened my first casebook to see the Latin-filled passages rudely interrupted with parenthesized and indecipherable numbers and volumes and dates. Life was young then. I was a youthful, carefree, and lost 22 year old who, like the other MYAs, had yet to hear of Stevenson Street, Saddam Hussein, Nirvana, Frank Jordan, or Bill Clinton. The elevators hadn't learned to speak, *Cape Fear* was a flick that was "coming to a theater ...," the sixth floor was home to the city's most repulsive restaurant, and "Stauffer" was still the maker of frozen meals as opposed to the President of the University. Its been such a long time.

Three years had brought about divorce and death in my family. Three years had caused some undergraduate friendships to fade. Three years has washed new and life-long friendships upon my changing shores along with a spattering of shorter romances. Three years has made me a part-time law student and a full-time one. Three years has employed me both in and out of the legal profession. Three years has allowed me to serve in several different capacities as an officer in various organizations and as a competitor in several challenges. Three years has allowed me to explore my own country. Three years has brought me upon the sands of exotic countries spanning several continents. Three years had transformed the word "battery" from the lifeline of my walkman into the bowels of a legal theory called a "tort" which was no longer a sweet thing I could pick up at the local bakery. My world and my persona have changed significantly in three years.

I spent much of my time as a fresh MYA hanging out with my two newest friends Jim and Nancy. Jim was a large and robust man with a peppered beard who would drag me from Torts to the nearest watering hole and fascinate me with stories of his first two wives, his army of children throughout the world, the horrors on the front lines in Vietnam, and the rise and fall of the national magazine he started (the demise of which left him bankrupt and a law student.) He would end each of his tales with a roaring laugh from his belly that would never fail to shake the bar and cause the foamy tops of our beers to slide down the sides of our mugs. Nancy was a former women's basketball star. At six-and-a-half feet tall, we nick-named her "Big Bird," and she put up with out teasing like a true sport, however she would claim her revenge on the court when she never failed to deliver humbling defeats to even the most athletic of our MYA men. Today, both Nancy and Jim are no longer at GGU and, sadly, I have failed to remain in touch with them. I have no doubt, however, that at this very moment they are thriving and amazing other fortunate acquaintances with their respective storytelling and athletic magic.

What am I trying to say by all of this? Nothing really. Nothing other than the obvious, yet overlooked, reality that life goes on and on... and like branches in a storm or traffic on a highway, it is constantly moving and changing. With each transition, life becomes more scintillating and magical. I can only guess as to what the following three years will bring to me and the world. In addition to a fine legal education, I sincerely hope that all of you experience meaningful growth and change during the next three years. Although there will be rough spots here and there, I hope all of us can

Editor's Notebook

Editor's Notebook

GGU Law School Faculty, we'd love to hear from you! Last year we featured an article by Professor Oppenheimer on the beating of Rodney King, and were quite proud to do so. We hear that in academia one must publish or perish, and yet are unaware of most of the published work of our faculty members.

Professor DeVito sometimes mentions in class that he has written on a particular subject, and I for one would like to read any of his work I can get my hands on. And I remember being overjoyed to see Professor Eichengrun, my property professor of last year, cited in our property text.

In short, the *Caveat* would love to receive summaries of articles written by the faculty, even if the articles are not recent. A reference to the place where the full text of the article may be found would also be appreciated.

Submissions may be dropped off at the the *Caveat* box on the 14th Floor in 49 Stevenson, or in the *Caveat* submissions envelope on the door of Room 223.

—Editor

learn from them and capitalize upon the little bit of good in every unfortunate situation, and at the same time revel in the good fortunes that are bound to find their ways into the lives of each of us.

C.