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Caveat, October 26, 1992

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In Memory of Robert Ammar

by Adam Miller, 3L

This past week several friends of the late Robert H. Ammar memorialized his death, and celebrated his life. Death is never an easy subject to ponder. It is one thing to coldly analyze holographic wills and testamentary intent; it is another to confront its bitter reality. It is especially difficult when it is someone you know well, someone so full of life, and someone so young. Standing in front of my peers, seeking the words to evoke the image of Rob was not easy. Most of the thoughts I wanted to share were drowned out by emotion.

It has been said, that for all we know, death may be an escape, to a better life and higher existence. That may be true, but until we are there, we will never know. So what can we learn from death? How can we lose the ones we love and keep on living? Must we blot out their memories to keep our lives moving forward, unto our own fleeting existence?

Not a single day, perhaps not a single hour has gone by without a thought of his smile. It is sometimes a distraction in this third year of law school when any excuse from studying is welcomed. Yet this is not a study break I look forward to. I cannot resurrect him from his sleep. I am alive, and must keep on living, studying and working. Yet at the same time I do not want to forget. I want to hold on to all that he was, and still is, in my heart and mind.

If we are to see any meaning in death, it is that life is so very precious. Looking around the room during the memorial service, I realized that one may never see this much outpouring of emotion until our demise. And then, we're not too well disposed to appreciate it. This is a common theme throughout eternity; dead painters' works are always worth more; musicians are revered after they are shot, kill themselves with drugs or die in plane crashes. This paradox may never be solved. But if we treat every day as if it were our last, and everyone we meet as if we might never see them again, perhaps we will never have to fret that we never said goodbye: we will always know that someone will miss us when we're gone, and that they will know we

cared for them when living.

Standing among all of Rob's friends, I realized that these were also my friends, and I am a friend to them. If any one of them or I were to leave this earth tomorrow, we would have shared in this common outpouring of love and friendship, and seen the difference each and everyone of us has made on this earth, and to each other. As long as the dead live on in our hearts and minds, they are never truly gone. Their memory lives on to inspire us to push ourselves to our limits, to enjoy life to its fullest. That's what Rob would have wanted us to do. So whenever you feel sad or depressed, think of him and say, hey, if Rob were here, he'd be smiling at me. And then I'd smile back. And then I'd forget my problem. Or realize I didn't have any problem to begin with, other than my mind playing games with me. And so what if that girl (guy) won't go out with me. There are plenty of other women (men) in the world. And if Rob were here next to me right now, he'd be saying to me: "Adam, just remember what my father taught me, I'll never forget it...it was...Always remember...no, I mean never forget...well, we were talking about marriage or something like that...you understand, right?" Yeah Rob, I understand. Take care, Rob Ammar, you evidence czar.

Donations in Rob's Memory may be made to:

Robert Ammar Memorial Fund
c/o Warren-McElwain Mortuary
120 West 13th Street
Lawrence, Kansas 66044

Expressions of sympathy may be sent to Rob's family at the his parents' address:

Mr. & Mrs. Raymond G. Ammar
1651 Hillcrest Road
Lawrence, Kansas 66044

Bosnians: Refugees or Immigrants?

Sabina Zenkich, a third year GGU law student who was born in Bosnia and is a naturalized American citizen, is seeking the help of her fellow students in prompting the U.S. government to allow her family and other Bosnians from the former Yugoslav Republic to immigrate to the U.S.

"After repeated contact with U.S. government officials and agencies, we have received nothing but rhetoric and rejection to our pleas for help," said Ms. Zenkich. Members of her family have been ejected from the towns of Prijedor and Kozarac after male members of her family were placed in concentration camps and tortured this July. She has a newspaper picture of her paternal grandmother with a Serbian soldier pointing a machine gun at her as she was being forced onto a bus that would forever take her from her home. One of her uncles was so severely beaten that he has lost part of his vision and hearing. Two of her male adolescent cousins were forced to hide under floor boards in their home for weeks on end so as not to be forced into the Serbian army and made to fight their own people, or worse, to be sent into concentration camps with their father and uncles to meet similar fates. Ms. Zenkich's father was just in Zagreb, Croatia attempting to convince the U.S. Ambassador to allow him to bring family members to the safety of the U.S. Like so many others, he has had no luck.

"What I cannot understand is why the U.S. and other nations are dragging their feet and have failed to, at least, give refugee status to the Bosnian people. It is painfully clear what is happening in Bosnia: that Serbian forces are on a mission to ethnically cleanse the area of innocent, peace-loving Slavic Moslems from their homeland and Croats from their Bosnian homes. They are forced to sign over their homes to Serbs and leave the area and never return, or else be exterminated. These people fit the classic, text book definition of refugees as defined in U.S. law -- the Refugee Act of 1980. I just learned that Prijedor, where my maternal grandmother and two of her children and their families still remain, is surrounded by Serbian soldiers and will soon be forced out or killed. I do not want to have to help my mother bury her entire family. It is by the grace of God that my parents, my brother and I are not in Bosnia now, or we would be dead or hungry and homeless in the war-torn streets. I feel that it is my duty, not only as a Bosnian-born individual but also as an American citizen to help others less fortunate than me in such horrifying circumstances. After all, we Americans are largely comprised of refugees or descendants thereof. We should all be indignant and active in rectifying this situation, which echoes of World War II Nazi atrocities.

It is what we and other democratic governments promised ourselves in the late 1940's. We should keep that promise," said Ms. Zenkich.

For more information, please call: Sabina Zenkich (510) 947-4352.

You may also call or write our California Congresspersons:

Rep. Nancy Pelosi 450 Golden Gate Av. 556-4862	Rep. Barbara Boxer 450 Golden Gate Av. 626-6943
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Rep. Tom Lantos 400 S. El Camino San Mateo 342-0300	Sen. Alan Cranston 1390 Market 556-8440
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Sen. John Seymour
211 Main
905-1666

Statement from Student Accounts Office

In reference to the item in the October 12th issue of **The Caveat** indicating that financial information had been inappropriately released; we appreciate the concern expressed and assure you that measures have been taken to ensure that this does not happen again.

The student accounts office staff has been reminded that student records, including student accounts, are protected by the Family Educational Rights and Privacy Act.

The student accounts staff takes this issue very seriously. The office staff is aware that no financial information is to be released to anyone but the student without the student's written authorization.

If you have any additional concerns, please contact Jim Reiter, Assistant Director of Accounting, at (415) 442-7000, extension 7513.

THE CAVEAT

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THE BROAD IMPACT OF THE COURT'S DECISION IN MOORE

by *Bonnie Moore, 2L*

In two previous issues, I described my background as an accountant and the specific regulation of the State Board of Accountancy which provides the underlying facts in Moore v. State Board of Accountancy. I also described the First Amendment commercial speech issue which is the subject of this case.

This decision, if it is not overruled, will provide the precedent for any state regulatory agency in California to legally violate the First Amendment commercial speech rights of citizens who legitimately compete with their licensed counterparts.

Does this sound far fetched? Hardly. Ross Perot, for one, has enumerated too many examples of governmental abuse for us to shrug off inherent power when it is handed to officials. Governmental agencies abound with misuse of public trust. Regulatory boards in all professions are constantly criticized for protectionism. In the power hungry environment of our present governmental structure, strongly influenced by political pressure, it is not safe to open the door a crack, thinking that overt abuse would never occur.

The majority in Moore carefully stepped through an analysis of First Amendment commercial speech rights. The court first determined whether the individuals who claimed the right to use the word "accountant" were, in fact accountants, and not bookkeepers. There was unanimous agreement on the word "accountant." Next, they reviewed the existing cases in commercial speech rights and determined that the principles of those cases applied. These decisions all require that restrictions on truthful commercial advertising be based on a substantial governmental interest. Virtually all commercial speech decisions have gone against the governmental entity seeking to impose restrictions. The court feigned agreement in principle, then upheld the offending regulation of the State Board of Accountancy. The court read into the regulation a different meaning from the plain words in the text, and established a disclaimer for the affected individuals which would absolve the Board of its constitutional violation. The people who are affected by the Board's regulation continue to be able to do accounting work, but they must now tell the public that their work is unregulated.

By solving the issue in this manner, the court, in effect, tacitly allows any regulatory agency to establish overly broad regulations which violate constitutional rights. The court majority failed to recognize that regulatory agencies are normally controlled by the professions which they regulate. Restricting competition is a major goal of these professions. In Moore, the court granted open season to professionally controlled state

boards to limit the constitutional rights of legally permissible, unregulated competitors.

Regulations designed to limit competition between licensees and non-licensees are easily passed by regulatory boards. Non-competition regulations are always touted as "consumer protection measures" but they do not require proof of an adverse effect on consumers. These regulations do not pass legislative scrutiny. The affected individuals have no opportunity to protest and have no representation in the vote. The adversely affected individuals may only establish their fundamental constitutional rights by going to court. They now face the prospect of winning nothing more than court approval of the board's activity, with a weak disclaimer.

A example of how this new power would work exists in the legal profession. Paralegals are a group of hard working, dedicated, unsung heroes within the legal profession who have no regulatory controls. There are certain limited areas where they are allowed to practice in a self-employed capacity. The State Bar Association, the regulatory arm for the legal profession, could pass a regulation stating that paralegals may no longer use the word "legal" in their name when they are self-employed because it might confuse the general public. The affected individuals would have no representation and no vote. Like accountants, they would be able to continue to do the work, but the traditional word which has distinguished them would be taken away and they would be left with no appropriate designation.

Other examples can easily be envisioned in professions which have both regulated and non-regulated functions, such as engineers, architects, appraisers, financial planners, and potentially, software consultants.

I do not believe that this patronizing, dictatorial, self-serving concept is the role that we grant to our governmental agencies. As consumers, we want the right to shop for services, and to chose the style and price range which is comfortable. We have enough common sense to distinguish competency from incompetency. We have the ability and responsibility to distinguish whether or not a license is required to perform the services requested. It is not in our best interest, as consumers, for the government to make our decisions for us.

As potential attorneys, we should be gravely concerned when our courts determine that certain governmental behavior is unconstitutional, and then upholds it. This decision by the California Supreme Court bears an imprint that should be very unsettling. Individuals in all professions should be watching with great interest to see if the U.S. Supreme Court accepts this case for review.

Club News...

Research Projects Clearinghouse

Contact Person: Jeremy Blank
(415) 442-7000 ext. 7585

Last year, the SBA established a legal research pool, called the Research Projects Clearinghouse (RPC), to help Golden Gate students. The way it works is simple: attorneys call the RPC with problems they want solved, or a memo they want written, and the RPC asks a student from its pool of eligible researchers to undertake that project. At the conclusion of the project, the RPC checks the work, bills the attorney, and pays the student \$10.00 per hour.

The Program was developed in response to a need for Golden Gate Law students to find jobs and make contacts with law offices. The program also helps attorneys, who may have neither the time nor the money to hire a full-time law clerk, but welcome a little extra assistance from a bright law student.

The RPC opened its doors in June 1992, and in four months has recruited over 50 students and completed over 400 hours of research. We have done direct marketing to attorneys in the Bay Area, as well as to attorneys in Reno and Las Vegas. Our researchers undertaken projects in areas of law as varied as contract disputes in North Carolina, First Amendment challenges, personal injury litigation, tax law, and motorcycle helmets. We have received press coverage in The Recorder, and will be featured in an upcoming story in Student Lawyer magazine. We have also entered into negotiations for what may be a rather dramatic expansion of the business; stay tuned for details.

The RPC is administered by Jeremy Blank, Drew Martin, and Michele Shuster, and is located in the SBA office, on the ground floor of the library. If you have any questions about the service, please stop by the office, or call us at (415) 442-7000 ext. 7585

Phi Delta Phi International Legal Fraternity

Contact Person: Izzy Sanft
750-1243

Nationally: Phi Delta Phi (PDP) was started in 1869 to promote a higher standard of legal ethics. PDP predates the American Bar Association and is the oldest professional fraternity in the Western Hemisphere. The fraternity has chartered over 160 Inns and has initiated over 140,000 members. Inns have been chartered in Mexico, Canada, Guatemala, and Puerto Rico, as well as nearly every ABA accredited law school in the United States. The list of Presidents Judges, Senators, Representatives, Governors, ABA Presidents and Law School Deans that make up our alumni is impressive to say the least. Of the current Supreme Court, Chief Justice Rehnquist and Justices O'Connor, Powell, Scalia, Stevens, White and Kennedy are all PDP's. Former Justices Brennan and Marshall are PDP's as well.

Locally - Mash Inn: Mash Inn at GGU was started in 1989 by a group of ten friends who got together to improve their law school experience. They did so through supporting each other academically and by improving their quality of life during law school through social and community service activities. They formalized their relationship and chartered Mash Inn so that they could pass on what they had learned

to others. The group has grown to over 40 members since then, but the purpose is still the same. Our mentor program is the longest running and most successful on campus. No other organization on campus has a more comprehensive community service program than ours. When it comes time to rid ourselves of a little of that law school stress, our social events are some of the best attended events of the year.

Because the word "Fraternity" and Greek letters make up our name, we have been accused of being nothing more than ANIMAL HOUSE in disguise. This characterization could not be further from the truth. Our members are SBA officers and representatives, on the law review, on the Dean's List and are leaders of other organizations. We invite you to come to our meetings, participate in our mentor program, take part in one of our community service events and, yes, to attend one of our parties and see for yourself.

Upcoming events: Please see the Phi Delta Phi bulletin board on the third floor for more details regarding our activities. Here is a brief glimpse of what we have planned:

- Oct. 30 7-9pm Mentor Program Kick-Off
- Oct. 30 9-??? H a l l o w e e n Costume Party
- Nov. 4 TBA Getting to Know You event with the Association of Retarded Citizens
- Nov. 13 All day Blood Drive (co-sponsored with GGU Student Services) and to benefit the Irwin Memorial Blood Center
- Nov. 16-25 Clothing Drive

Club News...

Public Interest Law Foundation (PILF)

The Public Interest Law Foundation (PILF) is a multi-interest organization serving students, alumni and the public. The organization is dedicated to increasing involvement and awareness in public interest law.

MEETINGS: PILF meets on alternating Tuesdays and Thursdays, every other week, from 12 noon to 1 p.m., in room 320. Future meetings are planned for Nov. 5th and 17th.

ACTIVITIES: PILF is presently looking into several possible programs. The organization is considering a Write-in Campaign, possibly in conjunction with other Golden Gate University (GGU) organizations. The event consists of different organizations visiting GGU and informing students on a variety of issues. The organizations may choose to seek student assistance through brochures, petitions and letters to representatives.

PILF is also considering working with other student groups on a variety of different projects; one being the Student Bar Association's (SBA) annual Thanksgiving Dinner for the homeless.

SBA: Congratulations to Eric Young for being selected as PILF's representative to the SBA. PILF is considering selecting an additional member to assist in this position. Interested candidates should attend the next SBA meeting.

International Law Association (ILA)

Contact Person: Alilda Duangjak
(415) 751-5107

Despite hectic work schedules, the ILA has continued to strive to offer its member an array of activities in international law. On October 8th, a video called "Out of

the Silence - Fighting for Human Rights" was shown. It focused on the struggle going on in Guatemala and Czechoslovakia. On October 15, the committee of the International and Comparative Law Journal met to organize and plan a timeline.

As for future events, on November 3, the ILA will have a meeting to discuss studying abroad. There will be presentations by those who have gone abroad (studying is optional) and everyone is encouraged to attend. On November 5, attorneys from Chevron will speak at GGU. Check the law School News for the room numbers.

If you haven't already got yours, this month's installment of the ILA Newsletter is available. In addition to current ILA business, the newsletter contains articles about the Maastricht Treaty, Rio Summit, and about travel in Israel.

LAW LIBRARY LOOPHOLES

by John Adkins (Ref. Librarian)
Contest! A while back a suggestion was made that we name "The Book" that serves as a forum for patron suggestions, comments, questions, and the general hysteria law schools seem to foster. We were game, but you were not. Nobody entered our contest! So we will adopt the name suggested by one pundit who wrote it anonymously in the Book -- "The Buzz." The name is taken from the sounds coming from the library's overhead lights. So there is no prize this time, unless our anonymous contributor comes forward with verifiable proof that he or she wrote that particular comment.

Outlines! The Library is in desperate need of newer, more current legal outlines. Because we follow the scholarly traditions of most law schools, the Library relies

on donated copies. The ones we have are (pick a category) old, worn out, or falling apart. We accept any kind (e.g., Gilberts, Blackletter, Legalines, Emmanuel, etc.), and would prefer those published in this decade. If you have any to donate, we would really appreciate it. Thanks!

Lexis & Westlaw Ink We have had a rash of thefts of ink cartridges from our Lexis and Westlaw printers. Such scurrilous activities cause trauma, consternation, and -- who knows? -- maybe even constipation in some sensitive individuals. Let us know if you see any suspicious behavior around the printers, or make a report to Joan Cox (Westlaw student rep) or Kevin Nash (Lexis student rep). Thanks.

Commando Research Alert!

Supremely honorable mention goes to Rachel Hoffman, who tracked down the Clarence Thomas/Anita Hill hearings on Lexis. Way to go, Rachel!

MYA Statement by Dean Hughes

I met with interested mid-year admit (MYA) students on October 13, as part of the ongoing process to clarify and understand their concerns and to work toward improving the MYA program. Like the other students and student groups I have dealt with, the MYA students have demonstrated exceptional energy, thoughtfulness and optimism. But most impressive is their willingness to pitch in and to do what it takes to help themselves, the school and succeeding generations of MYA's. I look forward to working with them, the faculty and other administrators to meet our mutual goals of a well-planned program that is clearly and consistently articulated.

How To Excel At GGU School Of Law

by Penny Mason, 2L

This is one of a series of articles being written by Penny Mason, a GGU Law student, in an effort to aid her fellow students.

By now, most of you are probably feeling just a *little* stressed. After all, finals are just about six weeks away! I want to give you some ideas on how to beat some of that stress so it won't hinder your academic performance.

EXERCISE:

Exercise is a great way to release tension and stress and there are several exercise facilities conveniently located near the law school:

EMBARCADERO YMCA: The YMCA re-opened last year after extensive remodeling. The new facilities are excellent. There are two aerobic rooms, basketball courts, an outdoor track, and racquetball courts. There is also a swimming pool, jacuzzi, and a steam room and a sauna in both the men's and women's locker rooms. The YMCA has separate areas for free weights, nautilus machines, cybex machines, and stretching. The best part about the YMCA is the wonderful view of the Bay which one has when using the stairmasters. The staff is very friendly, knowledgeable, and helpful.

The fitness programs the YMCA offers include aerobics, cross training classes, swim lessons, and aqua-robics. Clinics that are offered include a volleyball clinic and racquetball clinic. Health enhancement classes are also offered and include Weight Management, Adult CPR, American Red Cross First Aid, and Y's Way To Healthy Back. Body, Mind, and Spirit classes offered include Tai Chi, Judo, Yoga, and Hapkido-Tae Kwon Do.

The disadvantage of the YMCA is that it is too popular. Should you decide to work out during "peak" times, you will have to deal with crowds and wait in lines to use many of the machines. Peak times during the week are usually early in the morning, around noon, and around five. The crowds on the weekends aren't that bad, and the YMCA is practically deserted during football season.

Regular membership to the Embarcadero YMCA is \$47.00 per month with a one time initiation fee of \$250. For individuals unable to pay this amount, there is some scholarship money available, the amount of which depends on the individual's particular financial need. However, this scholarship money is limited and is only awarded for one year. When the one year period ends, the individual must wait eight months before reapplying; if he or she is still eligible.

Basic membership is only \$25.00, but it only allows

the individual to attend classes such as Weight Management, Yoga, Tai Chi, etc. Basic membership does not allow an individual to attend aerobics classes.

Day passes to use the YMCA cost \$12.00. If you belong to another YMCA, you pay only \$3.00 per day to use the Embarcadero YMCA.

The Embarcadero YMCA is located at 169 Steuart Street. To get there, go down Mission Street towards the Ferry Building and turn right at Steuart Street. The YMCA is about halfway down the block, on the left side of the street. For more information on the Embarcadero YMCA, call (415) 957-9622.

TELEGRAPH HILL CLUB: Telegraph Hill Club, located at 1850 Kearny Street (near Bay Street and Embarcadero) is another exercise alternative that has been in business for about 14 years. They have 6 racquetball courts, basketball courts, and volleyball courts. They also have cardiovascular strengthening machines such as stairclimbing machines, rowing machines, treadmills, lifecycles, and ski machines. Also offered are 48 aerobics classes per week. The facilities also include a spa, sauna, and cafe.

The Club also has special clinics where members can meet with medical specialists who will answer members' individual questions. Fitness clinics taught by the Club staff are also offered and cover a variety of topics. In addition, the Club holds social events for its members and include regular Friday afternoon beer and pizza parties or seasonal events, such as an Oktoberfest.

Golden Gate students are offered a special initiation membership fee of \$150.00 and pay a monthly fee of \$82.00. The regular initiation fee is \$500, so students do receive a savings of \$350.00. In addition, the Club provides free parking to its members. GGU Law students can receive a free day pass to visit the Club. For more information or to claim your free day pass, contact Zach Gobel at (415) 982-4700.

CITY GYM: Another great place to exercise is City Gym, conveniently located around the corner from school at 50 First Street. City Gym offers its members a wide array of fitness building tools, including free weights and Polaris machines. Also available is cardiovascular equipment such as stairclimbing machines, rowing machines, and exercise bikes. In addition, City Gym holds about 17 aerobics classes per week. With each new membership, City Gym provides free individual training with a fitness instructor and also performs an optional bodyfat composition test if the new

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Public Interest Law Program Supports Your Public Service Career Goals

As the number of citizens lacking the basic necessities of life--food, shelter, and employment opportunity--increases, so does the need for public interest lawyers. Recently, a report prepared by the Public Interest Clearinghouse, Unequal Justice: A Report on the Declining Availability of Legal Services for California's Poor 1980-1990, noted that despite an increase in the number of pro bono attorneys in California, only 15.2% of the legal needs of California's poor are being met. Many recent law school enrollees are aware of the need and an increasing number are focusing their studies on public service.

Media coverage often highlights the large salaries some lawyers receive and the abuse of the justice system. The reality is that the legal community is strongly committed to public service. This commitment is evidenced by the number of volunteer legal service programs that benefit our community. Thus, students interested in pursuing a law degree should realize that law school can be a means of facilitating individual dedication to serving the public.

On the other hand, once a student makes the decision to enter law school, there may be economic and social pressure to abandon public service goals. There is a program designed to support students with public interest aspirations whether they are pursuing public interest as a full-time career or choose to integrate pro bono work into private practice.

The Public Interest Law Program, PILP, is a Certificate Program designed to assist public interest law students develop their awareness of public interest law. PILP was founded in 1979 by a consortium of four Northern California law schools. Over 1,300 students have participated in the Program since its inception. The Program is unique in its comprehensive system of course work, seminars, community service placements, and individual counseling that enables participants to integrate their skills and interests with the needs of their community. No fee is charged for students to enroll.

The Program has three components: (1) an academic requirement whereby students are required to earn a minimum number of credits from an approved course list; (2) a practicum of supervised legal work in which students work a minimum number of hours in a public interest or government office; and (3) a community service requirement to work with a project that promotes public interest and/or benefits the community.

Students enrolled in the Program receive: Individualized counseling; a subscription to the Public Interest Advocate, a monthly newsletter that includes relevant articles and employment opportunities; the opportunity to apply for a Kramer Public Interest

Scholarship; information and inspiration from practitioners invited to share knowledge with students in a Public Interest Speaker's Series and Career Planning Forum; assistance with employment and community service searches; the ability to network with other public interest students by participating in planned projects and events; and the opportunity to take courses at other Program law schools.

Upon completion of the requirements, students are invited to take part in a special Program Graduation where they receive a certificate. They also receive one year's free subscription to PIES Job Alert!, a bi-monthly newsletter listing advocacy-type positions in the West, published by the Public Interest Clearinghouse.

During the past three years, enrollment in the Program has tripled as students have increasingly realized the importance of community service in their professional and personal lives. Currently, students from five law schools may participate in the Program:

Golden Gate University School of Law
Santa Clara University School of Law
University of California Davis School of Law
University of California Hastings College of Law
University of San Francisco School of Law

PILP is effective because it is administered by the Public Interest Clearinghouse, a non-profit organization closely tied to the legal services and public interest community. For the past eleven years the Clearinghouse has provided information, resources, and support to legal services programs, public interest law firms, pro bono attorneys, community activists, law students and other advocates of the under-represented in the Bay Area, statewide, and across the country. The Clearinghouse administers four distinct programs. These programs are the:

Legal Services Coordination Project
Computer Project
Public Interest Law Program(PILP)
Public Interest Employment Service (PIES)

The Public Interest Employment Service is a resource for anyone looking for public interest employment. It maintains a Career Resource Library and publishes PIES Job Alert! For information about subscribing to the Job Alert! and about other Clearinghouse publications, see the address below.

For further information on the PILP, PIES, or the Public Interest Clearinghouse, please contact Sue Schechter, Public Interest Law Program Project Coordinator or River Ginchild, Regional Coordinator Public Interest Law Program, Public Interest Clearinghouse, 200 McAllister Street, San Francisco, CA 94102-4978, (415) 565-4695.

A "Fem-Nazi" Comment Furthers Our Culture Clash

by S.L. Longaker, 1L

Have you heard the term, "Fem-Nazi?" I hadn't, nor did I ever expect to, but there it is. Who said it and in what context is not my issue presently, however it is of some interest that it was said by a woman. What I am concerned with is the ignorance with which the comment was formed as well as the effect such words will have on this soon to be professional's clients, etc.

Webster's definition of feminism is "...the movement to win political, economic and social equality for women." I would like to think that some, after reading the definition, will start to rethink their definitions of feminists as "radicals." Others, perhaps may stand firm on their original definitions and comments that Webster's has not taken into account society's twist on the word. And perhaps they are right. People tag other stereotypes on to feminists such as "man-haters" or radical activists, but I would argue that these are stereotypes and that some feminists, such as I, would not consider being pro-women's rights and equality as being radical.

However, before delving into the societal affects of stereotypes, I want to emphasize that the particular use of the phrase "Fem-Nazis" takes the stereotypes and goes a dangerous step too far. It associates people who believe in women's rights (not exactly a radical idea) with....how does one describe a Nazi?...with a sick-minded, murdering, supremacist species. I cannot think of a more hurtful, dehumanizing name to be called. It was particularly alarming and, in my mind, totally unacceptable coming from a colleague of our country's esteemed legal profession. Call me radical (a term I'd be comfortable being associated with if it means for the first time I've responded publicly to an issue I strongly believe needs to be addressed) and I'll probably disagree with you. I'm more likely to agree with you if you call me hypersensitive, but I'll argue that at least I'm not apathetic. But call me a Nazi and don't be surprised if I am (as well as others are) shocked, offended and take steps to publicly let you know you've overstepped your line.

If this were just one incident, I doubt I would have taken the time to put pen to paper, especially in these first busy weeks of law school. However, it is much too often that I hear colleagues at GGU put others down, judge others by their skin or accent, use stereotypes as truths, or put someone else down just to get a laugh. It's not funny and I cannot stand silent on this reoccurring issue.

Using a practical legal analogy may further clarify my point that we need to be aware of our beliefs, how we form them, and where they may lead us. When we first

look at a case, for example in Intentional Torts, what we may see at first glance appears to be an open and closed "no contact, no battery" case. On a second look, as we piece together the case's individual characteristics, we see it on its own merits. We see that our first guess was wrong, that in fact there was a battery. We have quickly learned a valuable lesson. We need to skip the "first assumption/first glance" phase and move into seeing each case individually first. (If we don't take the time to move away from quick assumption, then not only do we get the searing stare from professors because we have been sloppy with our reading, but as attorneys we'll get the evil slap of a malpractice lawsuit as well.) To be effective attorneys we need to see cases on their own merits.

All I am suggesting is that we use this process with each other. We find that we can be effective, compassionate members of communities, by seeing people on their own merits. We need to skip the assumption-stereotype phase and look at each other as individuals. Rather than assume I am a radical, man-hunting feminist because I attend, sponsor and/or support, a function honoring new women faculty, ask me instead why I'm going, what it's about and why you, too, may want to be involved. Better yet, you may learn something.

As I continue to think about this situation, it frustrates me that the comment about "Fem-Nazi" came from a colleague -- one who is presumably aware of the aspects of Nazism, one who will be a professional in 2 to 3 years -- a colleague who, as an attorney, will have the power of influence (with clients, in legislation, as a public figure). We, the "educated" are presumed to be above childish name calling and we should "know better" than to use verbal expressions viewed as inciting what are now called hate crimes. It scares me that our justice system is going to gain apathetic, culturally harmful attorneys. If as professionals we not only turn our heads from society's continuing culture clash, but actually are the ones perpetuating stereotypes and re-seeding the hatred among people, then how can we associate ourselves among the peace keepers of our nation and communities? Alternatively, I believe that as members of the judicial system, we can, and have a duty to, effectively help bring peace back to the communities.

Please note that this article encompasses merely the open oppressive behavior - the use of stereotypes to judge one another or put others down. I would also suggest raising the issue of combating misconceptions and honest ignorance about each other. As we have each

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How to Excel...

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member requests one.

Currently, City Gym is offering students at the law school a special membership price. The cost is \$250.00 per year for use of the facilities alone. If an individual wants to participate in the aerobics classes, the annual fee is \$325.00 per year. There are no monthly service charges and City Gym accepts credit cards. Day passes to use the facilities alone are \$10.00 per day and \$6.00 to attend an aerobics class. If you purchase a day pass; be sure and ask for a receipt because City Gym will apply the amount you paid to a full membership.

For more information, please contact the Pat O'Brien, Dean of Student Services at (415) 442-7000, extension 7245 or contact City Gym at (415) 882-4411.

While diligently studying in the law library, I can't help but notice the anxiety that is spreading among the first year students. I have found some things that have been helpful to me, so I just want to tell you about them.

Law in a Flash cards: These are great for reinforcing legal concepts and to put those legal concepts into practice. These cards come in yellow cardboard boxes, are available in the bookstore, and cover most required courses. The cards are divided into topic sections and what I do is take sections of cards with me. Then, when I'm on the bus or on the train, I look at them. This utilizes time that I would have otherwise spent reading the newspaper or doing nothing. I also take these cards with me when I exercise because it makes the time I spend walking on the treadmill go by faster. The best thing about these cards is that it doesn't take long to read and answer one card, so they are perfect for short periods of time, or long blocks of time when you are continuously being interrupted.

Siegel's Essay Questions: These books have blue covers and can be purchased in the bookstore. They contain essay and multiple choice questions and answers for most courses tested on the Bar. I found these to be extremely helpful because the essay questions were similar to law school exam questions and the answers that were provided were organized and detailed. Each book has about 20 to 25 questions, and the topics each question covers are outlined in the front of the book. If there was an area I was weak in, I could practice those particular questions first. However, this is NOT a substitute for Academic Assistance!

Jobs: Another thing I noticed while I was in the library were the number of first year students looking through the student job listing binder located in the Reserve Room. I don't know why you first years are doing this!

Don't you have enough work to keep you busy? Don't worry about finding a job! Worry about excelling in your classes! It has been my experience that most attorneys and law firms do not want to hire students who have only completed their first year of law school.

If you are worried about obtaining relevant legal experience, sign up for one of the clinics offered here in your second year or volunteer for a public interest organization during the summer after your first year. There are many organizations that will teach you a lot and provide you with fantastic legal experiences. To find out about these opportunities, check with Tony Bastone at the Law Placement Center. Another option is to sign up with a legal temporary agency. Whatever you do, do not waste precious study time writing employment cover letters and sending out resumes! Remember that 2.15 GPA you need to have in required courses!

Fem-Nazi Comment...

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come from different backgrounds, we may not have been exposed to many other cultures of life experiences. Our unawareness or our lack of knowledge about others is not our fault, however, it is now our responsibility to take it upon ourselves to start asking questions about what we once firmly believed in or what we were taught. It is not easy, perhaps, to challenge our deeply rooted conceptions or beliefs, but in order to best bring justice to our communities, we as attorneys have a duty to become aware of cultural issues and promote social responsibility.

Letter to the Editor:

During every election in recent memory, the electronic media have inundated us on election day with exit polls, predictions, and analyses designed to convince us that they know who's going to win the elections before the last polls have closed. For those of us in the western states, this means that at 5 p.m. local time on November 3rd, while we still have three hours to go to the polls, the networks will be doing their best to convince us that the election is already a foregone conclusion. This invariably results in a lower voter turnout.

Call or write your local television stations, particularly the network affiliates and cable networks and tell them that you do NOT want to know their opinions of the outcome until after the last polls have closed in Hawaii. Let's take our chance to remove some of the undue influence the media possess over elections.

by Pat Healy, 2L

Notes From The Editor

by *Tod Manning (Editor-in-Chief)*

Congratulations to Mr. Don Carl Money who made the Dean's List for last spring but whose name was inadvertently left off the cover of the last issue of *The Caveat*. I reprinted the front page for Carl, but it's not quite the same and I'm sorry for that. If you know Carl, please tell him congratulations!

Congratulations are also in order for Ms. Katie Cairati who was elected the MYA Night SBA Representative. She may be reached by her classmates at work (415) 225-1845 or at home (415) 697-7140. Call her if you need help and you're a Night MYA!

Last issue I mentioned that a faculty member was not always displaying a professional attitude. Well, I have been accused by two certain members of the faculty of starting a witch-hunt. The interesting thing is that many students, faculty and staff have been trying to guess who the person is and most of them guess the *same* person, but it is not the person who I was referring to. If I've started a witch-hunt I'm sorry, I didn't mean to. I was told by a "certain faculty member" that I owe an apology to those who may have been tarnished by my painting with too broad of a brush. To those who have been tarnished I say: The fault lies with you. You are the ones whose attitudes have caused others to doubt your professionalism. Other faculty members *know* that it was not them, you should follow their examples so that some day you will *know* that it is not you. In other words, if the shoe fits, wear it.

I have told Dean Pagano who the individual is and the matter is now in his hands. Now, let's drop it.

Another "certain faculty member" asked me if members of the faculty could write in anonymously to *The Caveat*. I'm *sure* she was sincere in her question, but I don't believe that she heard my response: Yes, of course! Everyone should know that I will only print anonymous letters and articles if the authors first make themselves known to me. I won't tell ANYONE else who they are.

There are many things which individuals may wish to let others know about, but without exposing themselves to the risks that may accompany such actions. Anonymous writers, informants, and whistle-blowers are very valuable in our society. But only if the information so obtained is used in a lawful manner, and only if any actions which result are conducted according to law. If you doubt the value of anonymous informants, think about the most well known anonymous person in our lifetime -- Deepthroat of Watergate.

Next...

Appellate Advocacy/Blue Book/Writing & Research.

Some of the faculty are getting a great deal of grief about the above. I suggested that they write something to the readers of *The Caveat*. They thought it would be more appropriate if it came from a student. Well..., since no one else has volunteered, I'll do so.

To those who feel that learning proper citation forms per the Blue Book is a waste of time and something that they will learn on the job -- you're wrong. Most of the work that you will be doing when you start working in the legal field will involve a great deal of detail checking, from spelling to cites to grammar. That is, of course, if you were able to get the job in the first place after someone who *has* had Blue Book training read your writing samples which contained inconsistent cites.

As for App. Ad., for me it was a valuable class. However, I received very little timely constructive instruction; fortunately the text was very good. I was forced to write clearly, concisely, and logically in order to support my position in a limited number of pages (unlike what I do with *The Caveat*). App. Ad. will make you a more complete advocate. If you find aspects of the program to be wanting *after* you've finished it, write or talk to Professors Anscher and Zamperini about ways to improve it. Complain constructively...

To a "certain faculty member:" Did you *really* walk 10 miles, uphill, in the snow, to take appellate advocacy for no credit, when you were a law student?...

For those of you who aren't happy with what you are reading in *The Caveat*, I've got an easy solution for you -- write an article! Everyone is welcome to write whatever they want. No promises that everything will be printed, but I will do my best to do so. For those who suggest that I should write an article about their pet project or peeve, and who then tell me that they are too busy with studying or Law Review to write it themselves, please understand that I too have a lot of studying to do. Write your own ... articles.

VOTE ON NOVEMBER 3RD!!! Some Professors have agreed to not call on anyone Nov. 3-6 who shows their ballot stub in class! How's that for a reason to vote?... Big, big kudos to Alex Lubarsky, Cynthia Eng, and Stacey Kepnes for their efforts in putting on the Night Student reception on 14 October... The negotiations between the Office & Professional Employees Union and the GGU Management is still going on after six months. A federal mediator has been brought in for the next meeting. I'll keep you posted...