

4-1993

## Caveat, April 1993

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# THE CAVEAT



VOLUME XVIII

April 1993

ISSUE 10

## DEAN'S LIST Fall Term 1992

Julie Aguilar  
Lynnette Ariathurai  
Karen Beecher  
Jodie Bell  
Mark Berkowitz  
Scott Biaggi  
Jeremy Blank  
Deborah Boatwright  
Russell Boltwood  
Stephanie Bradshaw  
Julie Brook  
Diana Busenbarrick  
Hanni Calhoun  
Douglas Chapman  
Edwin Clark  
Darlene Clark  
Christina Cline  
Brian Coleman  
Mathew Cooney  
Margaret Copenhagen  
Deirdre Cox  
Pamela Critchfield  
David Cunningham  
Alexandra D'Italia  
Russell Davis  
Elizabeth Deighton  
Gregory Dillon  
H. Robert Dorman  
Heather Elrick  
Philip Fagone  
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Michael Weiss  
Allison West  
Amy Whitney  
Claire Williams  
Annette Wilson  
Kelly With  
Jennifer Wyllie-Fletcher  
Jackie Xu

## SBA ELECTION RESULTS

### EXECUTIVE OFFICERS:

President: Alex Lubarsky  
 Vice-President Day: Tracey Mlodozeniec  
 Vice-President Night: April Reid  
 Treasurer: Mike Chodnicki  
 Secretary: Chris Peterson

### REPRESENTATIVES:

4th Year: Bob Mihalovich  
 3rd Year Night: Stacey Kepnes  
 3rd Year Night: Daniel Pickard  
 3rd Year Day: Jeremy Blank  
 3rd Year Day: Eric Ferraro  
 2nd Year Night: Kate Tobin  
 2nd Year Night: Patrick Whyte  
 2nd Year Day: Mark Figuieredo  
 2nd Year Day: Jason Estavillo  
 1993 MYA: Lawrence Kaldor  
 1992 MYA: Francis Ryu

Thanks to the Election Committee: Miles Dolinger and Alilda Duangjak.

## CONGRATULATIONS

### 1993-94 Law Review Senior Editorial Board:

Editor-in-Chief: Brooke Oliver  
 Managing Editor: Alexandra D'Italia  
 Research Editor: Greg Zywicke  
 Outside Articles Editor: Gina Harmon  
 Notes & Comments  
 Co-Editors: Brenda Lillington  
 Justine Juson  
 Women's Law Forum  
 Editor: Rebecca Weisman  
 9th Cir. Journal Editor: Joan Cox

## Notes From The 1993-94 Day Vice-President

by Tracey Mlodozeniec, 2L

Congratulations to all recently elected SBA officers and thanks to everyone who took the time to vote in the election!

I am very enthusiastic about our team. We are an ambitious group, and we will do our best to make the SBA the most efficient and active that its ever been. Just hours after the election, we began planning for next year's events. Alex has set out many of our ideas for next year, so you can look to his message for more detail. However, a few ideas that I would like to implement have not been mentioned:

**STUDENT MAILBOXES:** Cindy Eng felt this was essential to facilitate student communication, and I will put this great idea to work.

**LAW STUDENT DIRECTORY:** If updated regularly, this would serve the same important purposes.

**ALUMNI COMMUNICATION:** I believe that increased alumni support will be invaluable in helping to open the doors of employment.

Otherwise, Alex has successfully articulated all that we have discussed and planned. We will do our best to keep everyone working on these goals, and on goals and problems that the former SBA officers have identified. We will work to maintain continuity during the transition, and to ensure that the former officers' efforts have not been wasted. We will use their experience and vast wisdom to guide us in the weeks ahead.

[Mlodozeniec is pronounced mo-do-zen-ick, just like it looks. Editor.]

Letters to the Editor *(continued from page 7)*  
 students seeking admission to the Law School, and as tuition and fees continue to skyrocket, one would expect the School to at least maintain the *same* level of academic opportunities for its students. Instead, we are expected to pay more and receive less, losing an important program (evidently) because no member of the faculty or administration will step forward to supervise it. I find that an appalling state of affairs.

No one expects the Law School to guarantee its graduates jobs in the legal field. But the least the School can do is facilitate student efforts in this area by offering us the opportunity to gain law-related work experience while at the same time picking up a credit or two. I implore the administration to restore the Legal Externship program, if not for the summer, then at the very least for the fall semester.

Very Truly Yours,  
 Michael Steinbrecher, 4L Night

# NOTES FROM THE 1993-94 SBA PRESIDENT

*by Alex Lubarsky, 3L & SBA President*

I would like to thank all those who voted in last month's SBA elections. It was a hairy battle and all candidates were extremely qualified and ambitious. I would like to thank Stuart Bussy, Allison West, Tod Manning and Tracey Mlodozeniec for their motivation and consultation during my campaign. I could not have made it without them. Lastly, I would like to extend a special thanks to the night students. I have traced back SBA records as far as possible, and no previous night student appears as SBA President. Night students can expect the changes I have initiated as Night Vice-President to persist and I will continue to implement new policies which ensure equal access, opportunity and recognition. Night students have been left in the dark for too long.

I am enthusiastic about the year to come. The incoming SBA administration is a highly motivated, experienced and enthusiastic bunch. We will be dedicated to change. I plan to hold SBA meetings every week and each officer will be asked to submit a personal goal and will be held to the realization of his or her goal. There will be a retreat for all officers so we don't run into the sad but common situation in which officers are introducing themselves to one another during the last meeting of the year. Further, any officer or representative that repeatedly fails to attend meetings and/or events with no acceptable excuse will be asked to tender his or her resignation. A chain is only as strong as its weakest link.

I will personally strive to achieve the following:

**A GGU LAW GYM MEMBERSHIP:** We are affiliated with the YMCA and two years ago students were offered a cut-rate membership. I hope to bring this benefit back to the students.

**A JUDICIAL SPEAKER SERIES:** I plan to bring in judges from the local community to address a different current legal issue once a month. Ideally, students would be offered the opportunity to "schmooze" with the speakers after the lectures in an informal setting.

**INTER-LAW SCHOOL EVENTS:** I hope to plan community service, social and athletic events with other law schools in the area.

**STUDENT-FACULTY LOUNGE:** We are currently in the process of creating a law lounge on the second floor where students will have the opportunity to grab a cup of

coffee with the dean or a favorite professor. This is a much needed opportunity for this institution to iron out its long and unpleasant history of friction and lack of communication between law students and the administration.

**OLD FASHION ACADEMIC ADVISING:** All first year students should have a certain professor or administrator that she or he knows will be there for academic and personal support and guidance.

**KEEPING THE TRADITIONS:** There will still be room for fun. Next year's picnic and Rock n' Bowl will be worth writing home about.

**THE 536 MISSION STREET BEAUTIFICATION PROJECT:** I hope to work closely with the undergraduate student body association to improve the interior of our hideous premises. Hopefully some artwork and a few plants will be forthcoming.

**COMMUNITY SERVICE:** We will continue our traditional thanksgiving dinner for the homeless and I hope to organize clothing and blood drives.

I hope to be accessible to all students at all times. I will keep strict office hours and I encourage anyone to leave a message at my home (415) 347-6191. I encourage all students to attend SBA meetings and events and to always questions his or her surroundings and to never remain silent because silence is our greatest detriment.

**Criminal Law Clinic** *(continued from page 4)*

If you need guidance in obtaining a placement, call Professor Rutberg (442-6665) or stop in and see her during office hours. Once your placement is arranged, pick up certification forms from the Registrar's office. The certification process takes from two to three weeks, so you'll want to start this in advance of the summer session.

To earn credit for the clinic you must put in 60 hours of work for each unit and submit a substantial amount of writing for each credit as well. We also require that you turn in daily logs of the work you do. You will also attend a somewhat weekly seminar designed to help train you for the work that you will be doing and, by raising ethical and practice issues, to help you process the information you will be receiving in your work.

## THE CRIMINAL LAW CLINIC WHAT IT'S ALL ABOUT

*by Professor Susan Rutberg*

**T**he late Lenny Bruce once said that San Francisco's hall of Justice was aptly named because the only justice was in the halls. Enroll in the Criminal Law Clinic and you will have an opportunity to see for yourself.

Working for the Public Defender of the District Attorney ten to fifteen hours a week, clinic participants hear the stories of the men and women who pass through the Hall of Justice as victims, witnesses and defendants, while simultaneously learning the language of the lawyers and judges who handle the cases. The clinic seminar provides a place for students to learn from each others experiences, as well as that of their instructors. Students often find that after one semester in the clinic, their law school (or past life) inspired perspectives on justice have been radically altered.

Students in the Criminal Law Clinic currently work in public defender or prosecutor offices in San Francisco, Alameda, and Contra Costa counties. Some students are placed in the juvenile division of one of these offices; placements are also available in the San Francisco Sheriff's Prisoners Legal Services unit.

The State Bar provides that students can be certified to appear in court, and, with their supervising attorney present, may actually conduct hearings and offer arguments. So in addition to research and writing, clinic students have argued motions, interviewed witnesses and helped prepare them to testify, aided in jury selection, and actually conducted felony preliminary hearings and juvenile court trials.

This semester Debbie Klis works with homicide prosecutor, Peter Cling. Assistant District Attorney Cling has involved Klis in almost every aspect of a five defendant murder trial. In addition to murder, the defendants are charged with conspiracies to commit the murder itself, credit card fraud, and arson. The prosecution alleges that the defendants participated in a complicated scheme to defraud credit card holders, including the formation of a bogus corporation. The murder occurred, according to the prosecutor, when one of the group was killed because the others thought he posed a threat to the success of the scheme. As part of her work on the case, Klis has researched areas of the law that the prosecution anticipated would be used by the defense, including the use of joint peremptory challenges by multiple defendants, the permissible scope of cross-examination of defense psychiatrists, and the viability of some probable defenses.

For Klis the experience has been transforming:

principles of criminal law and procedure learned in class have become real. The work of applying the law to the facts of this case has imprinted those principles on a much deeper level. In addition, for Klis, who has always considered herself pro-prosecution, exposure to the defendants, particularly the young ones, has increased her compassion for, and her understanding of what it means to be accused of a crime, and face spending many years in prison.

Clinic student Susan Kalra recently assisted Deputy Public Defender Jeff Adachi in writing and arguing a motion to dismiss that made the front page of the Daily Journal. Kalra's mentally ill client had been lost in the system for more than five months. Found incompetent to stand trial for a 1991 assault and attempted robbery, the client was committed to Atascadero State Hospital for treatment. In late August, 1992, he was transferred back to county jail, Atascadero's doctors having determined that he was now competent to stand trial. But somebody goofed: no sheriff's deputy filled out the requisite form to notify the court that the man had been returned. He sat in a jail cell, his mental condition deteriorating, until late January 1993, when a jail psychiatric worker contacted public defender Adachi. The motion that Kalra helped to prepare argued that the client had fallen into a hole in the system that the judge had power to seal by dismissing the case on speedy trial grounds. Instead, according to Adachi, the judge stepped around the hole. Declining to grant the motion on the ground urged by the defense, the judge ordered that the case be discharged, a manoeuvre that permitted the District Attorney's office to refile charges against the public defender's client.

Kalra's work on this case and the ensuing publicity has helped to spotlight the troubling issue of the limitations of the criminal justice system in dealing with the mentally ill. For Kalra, although the work is often frustrating, the clinic has been the highlight of her law school experience. Her supervising attorney gives her important work to do and listens to her ideas. After absorbing so much in one semester, Kalra feels a lot closer to becoming a lawyer.

If you're interested in applying for the clinic's summer session, it's not too early to start the process. Pick up an application from Professor Rutberg's office (Room #1427, 49 Stevenson), talk to other students in the clinic and think about where you'd like to work. Call or write to the contact person in the office you choose, and ask to set up an interview before the end of this semester.

*(continued on page 2)*

## PUBLIC INTEREST ENVIRONMENTAL LAW CONFERENCE INCORPORATES INDIGENOUS PEOPLE'S PERSPECTIVES

by Miles Dolinger, 3L

**A**n Environmental Law Society Report-Back.

With a small stipend from the SBA, several members of the Environmental Law Society (ELS) made the trek to Eugene, Oregon earlier this year to attend the three-day national environmental law conference put on by law students at the University of Oregon School of Law. This year's conference, the eleventh annual, was entitled: "Indigenous Peoples: Sacred Roots, Sacred Ties." Featured keynote speakers included such noted environmentalists as David Brower (founder and Chair of Earth Island Institute, founder of Friends of the Earth and former Sierra Club Director) and David Foreman (co-founder of Earth First! and leading voice for deep ecology).

The event was filled with three and a half days of panels, seminars, workshops, speakers and films encompassing the broad array of environmental issues from deforestation to overpopulation, from toxics reduction to the North American Free Trade Agreement, and from the public trust doctrine to the benefits of hemp. As a sampling: The Overpopulation Panel highlighted the severe rise in world population levels since European colonization and the Industrial Revolution, the correlation with economic prosperity. It also warned of the dangerous methods different cultures have attempted in order to "control" their populations, from overt infanticide to more subtle ways of de-valuing the lives of women.

The Coral Reefs Panel drew the connection between the health of coral reefs and other major environmental problems. For example, many of the world's most beautiful and exotic reefs occur off shore from areas of rampant deforestation. The resulting soil sediments wash down the formerly protected hillsides out into the ocean reefs, preventing life-sustaining sunlight from ever reaching the tiny coral polyps and microorganisms which are the base of the reef ecosystem. The problems caused by releasing sewage into the water pose equally devastating problems for coral reefs as the bacteria and nutrients contained in such emissions make the water too "rich." As a result, algae will bloom out of control, and out of balance, and will also kill a coral reef by blocking out the sun's rays.

Possibly the most lively and well-attended panel was entitled "Hemp for Victory." (Before you ask...no samples were distributed.) Speakers discussed the medical, spiritual and environmental benefits of hemp in advocating for its legality. The claims made about hemp were quite provocative, if only half true. Hemp is apparently one of the best sources of fiber in the world,

noting that both paper and textiles were made from hemp before the proliferation of cotton. One panelist has been developing hemp pulp into a fiber-board type building product, claiming the product will be stronger than wood, less expensive and better for the environment. He claimed that hemp can be produced in a growing cycle of four months, compared to a 70-90 year cycle for trees. He also claimed that hemp can produce 40 times more fiber per unit area than can trees, and can be grown without the use of pesticides. The speaker also noted that Great Britain has just legalized the growing of hemp for industrial purposes. The result of that experiment promises to be quite interesting.

The one workshop attended by this reporter was given by Luke Cole of California Rural Legal Assistance and was a training in practicing law as an "environmental poverty" lawyer, or from an "environmental justice" perspective. Environmental poverty law is a response to the failure of both large environmental groups and traditional legal services groups to address poor peoples' environmental issues. To oversimplify, poor peoples' environmental needs are to avoid the health and life-threatening exposures to environmental hazards caused primarily by their lack of economic and political power. Poor people suffer because they are not empowered to have a say in what goes in THEIR backyards. Did you ever wonder what happens when the NIMBYs win?

Cole's strategy is to lawyer with an eye towards maximizing their clients' participation in a struggle, while minimizing what he calls the "macho law brain." With the goal of involving people in communities to get involved and empower themselves, Cole's view of social justice is from the ground up.

With this goal in mind, Cole's environmental poverty movement encourages his clients to challenge the "three great myths of white americana: 1) the truth will set you free; 2) the government is on your side; and 3) we need a lawyer."

Cole would then suggest these guidelines for any legal strategy: 1) the lawyer's actions should educate people; 2) the lawyer's actions should help build a movement; and 3) the lawyer's actions should address the root of the problem.

Panels at the conference covered the whole spectrum of environmental issues, from biological, political, historical, legal and spiritual perspectives. Because the theme of this year's conference focused on indigenous, or Native Americans' issues, the spiritual aspect of

*(Continued from page 5)*

## What's New from the Dean

by Dean Anthony J. Pagano

**WOMEN'S CLINIC:** We have received notification from a charitable trust that wishes to remain anonymous that our grant application to establish a Legal Assistance Clinic for Women at Golden Gate will be funded. The grant is for three-years and is for a total of \$346,770. The idea to create a women's clinic here at Golden Gate was Luther Avery's and he and I have talked about this for several years. However, without the extraordinary efforts of Professors Kupfer and Rutberg, we would not have received this generous grant. They both spent many hours drafting the proposal and worked very closely with Luther Avery.

We have begun our search for the clinician who will run the program. I have appointed a committee composed of Professors Kupfer, Oppenheimer, Rutberg, and Stickgold to begin interviewing candidates. They will be joined by Mary Dunlap, who has agreed to help in the search.

**UNIVERSITY OF PARIS NANTERRE:** Because of Elaine Andersson's efforts, we are in the process of negotiating a student exchange agreement between the Law School and the University of Paris X (Nanterre). I went to Paris over spring break to meet with representatives of Nanterre's Department De Sciences Juridiques. Many of the faculty met with their representative, Anne Deysine, while she was in San Francisco. She was most impressed with our faculty and our program. I hope that, after we have the student exchange in place, we can arrange for a faculty exchange as well.

**BOARD OF TRUSTEES:** The Board of Trustees is considering amending its by-laws. One of the changes proposed would eliminate faculty and student members from the Board. I strongly oppose this increased insularity and would like the law school faculty to adopt a resolution also resisting this change. [This was dated 3/5/93. Editor.]

**BOLOGNA:** Franco Ferrari has been negotiating on our behalf with the University of Bologna to establish a Law School summer program in Bologna beginning summer of 1994. It would be similar to the program we conduct in Bangkok at the University of Chulalongkorn.

## ATLA Equals Success For Law Students

by Althea Kippes, 2L

At the second general ATLA meeting, officers were elected for the 1993/1994 academic year. Congratulations go to **John Baxter and Althea Kippes**, who were elected Co-Presidents, **Cheryll Manley** who was elected Vice President, and **Kimberly Benson** who was elected Secretary/Treasurer.

Congratulations also go to the officers who were confirmed for 1993 year! The confirmed officers were **Richard Schulke** for President, **Althea Kippes** for Vice President, and **Kimberly Benson** for Secretary/Treasurer.

The panel discussion of attorneys and hiring partners entitled "Finding Jobs in a Tough Market" which was held on February 23 was a tremendous success! Attorneys speaking on the panel included Edward Lau, of the Law Offices of Edward Lau, Anglia Benjamin-Dorward, of Cartwright, Slobodin, et al, and Kevin Lancaster of the Law Offices of William Veen. Special thanks go to **Richard Schulke** who recruited such interesting, informative, and entertaining speakers.

Scholarship applications for the \$2,500 ATLA scholarship are available on the third floor bulletin board. The deadline is May 1, 1993, so be sure and submit it before then!

**NEXT ATLA GENERAL MEETING:** The next general meeting for ATLA will be held on Tuesday April 13, 1993, from noon until 1:00 p.m. in Room 316. At this meeting, we will be discussing ideas for upcoming ATLA events and planning for the annual convention held at the San Francisco Hilton from August 1-5, 1993.

**FOR MORE INFORMATION:** Contact ATLA President Richard Schulke at (415) 285-3073.

### IS THIS SUPPOSED TO BE FUNNY?

A physician, an engineer, and an attorney were discussing who among them belonged to the oldest of the three professions represented. The physician said, "Remember that, on the sixth day, God took a rib from Adam and fashioned Eve, making him the first surgeon. Therefore, medicine is the oldest profession." The engineer replied, "But, before that, God created the heavens and earth from chaos and confusion, and thus he was the first engineer. Therefore, engineering is an older profession than medicine." Then, the lawyer spoke up, "Yes, but who do you think created all of the chaos and confusion?"

## Letters to the Editor...

### Editorial:

As a student who has been at this law school somewhat longer than average, I feel compelled to volunteer a few observations.

I would like to begin by observing the school, in my estimation, has improved. And, I want to acknowledge the efforts of those students and administration who brought about these improvements.

When I began attending GGU, it was a school where people went to pass the bar. The administration sought to maximize this priority with the lowest grading curves and means in Northern California. At one point, ten percent of the third year class was apparently in danger of failing law school.

An unfortunate side effect of the obsession with bar exam passage seems to have been the school's weak social dimension. Students did not have many opportunities to explore areas of law that interested them or socialize with present or future attorneys who shared their interest in a specific area of the law.

While this was detrimental to the students, there were cynics who said (with pragmatism Sancho Panza would admire): if the students were not bright enough to realize they were not getting the n=most out of their education or brave enough to do something about it, then they were getting exactly what they deserved.

Fortunately, not all the students or administrators shared this mind set. As a result of the quixotic efforts of students like Alex Narr, Tod Manning, Miles Dolinger, Jennifer Martin and Mike Herald, the student body transformed itself from a passive entity subject to the vagaries of the law school administration to an active instrument of change.

The student grading revolt of 1992 impressed upon the

administration the need for recalibration in the grading curves and means. The result was the implementation of curves and means which more closely resemble those of other Northern California law schools.

An extensive network of clubs developed at the school in areas as varied as environmental, entertainment and East Asia Law. These now provide students with a social backdrop in which to pursue interests in the law beyond passing the bar.

Of course, the most positive change at the school did not involve grading curves or social life. Rather, it was a shift in the mind set of some of the students -- a shift from narrow self interest to one that recognized the interests of the students were inextricably linked. For it was this which was ultimately the driving force behind the changes at the school.

Hopefully, the students who helped bring about these changes will carry this mind set into the larger world with similar results. Hopefully, newer students will follow the example of their departing predecessors, realizing that often today's problems are opportunities for tomorrow's positive change.

by Ed Taylor, 3L

Dear Dean Anthony J. Pagano,

I learned today [26 March 1993] that the Law School is not planning to offer the Legal Externship program for the Summer, 1993 semester. I understand that the program might also not be offered during the Fall, 1993 semester. I discovered this from a conversation with the Registrar, confirmed by Associate Dean Hughes. If notice of this action was published in the Law School News or on the 3rd floor bulletin board on campus, I did not see it.

I am frankly dismayed with the apparent decision of the faculty and administration to do away with this program. As we are all painfully aware, given the very tight legal job market in the Bay Area, summer employment opportunities for even the top students are severely limited. The Externship program at least took some of the sting out of this sad fact by permitting students to gain valuable work experience and academic credit through unpaid work with law firms, corporations, public agencies and public interest groups. Since the onus was on students to secure these opportunities through their own diligent efforts, there was little administrative burden on the School other than providing faculty supervision of the Externship Seminar.

Without this program, night students such as myself, who work full-time, as well as day students who have been unable to find paid summer employment, have virtually *no opportunity* to gain law-related work experience during our law school careers. Short of pure volunteer work for no academic credit, something many of us would like to do but simply cannot due to time constraints, we are shut out of an experience which is increasingly becoming a prerequisite for a future career in the law.

One of the primary reasons I chose Golden Gate was for its strong clinical and externship programs. Now I discover that the School is withdrawing one of its most attractive educational programs simply because "we can't find a faculty advisor for the program." And this little-publicized decision is apparently being made virtually without discussion or input from the student body.

As Golden Gate benefits by increasing numbers of qualified

(continued on page 2)

## Notes From The Editor

*by Tod Manning, 3L & Editor*

**A** few observations from my limited perspective as to possible goals for the new SBA: 1) Manuals for each SBA officer to keep track of what their goals are and the progress that they make. These manuals would then be handed down to the next officer so as to create continuity between years. 2) Get academic advising in place and operating for the students arriving in August. Don't try to make it perfect, just get it started. 3) An inter-class athletic competition, e.g. have basketball and softball competitions between the different classes, 1Ls v. 2Ls v. 3Ls v. 4Ls v. MYAs. 4) Increase coordination between the student groups in regards to their meetings, speakers, and other functions. 5) Have the SBA keep the students informed about the SBA's activities through either the Law School News or the Caveat. 6) Hold the elected officers and the administration accountable for their promises. 7) Plan for the long-term. 8) Be pragmatic idealists.

Next...

Last week I asked an instructor why I got a C in a class in which I was fully expecting to get an A. He reviewed my exam and pointed out that I had not addressed a number of the facts and issues that were present. I told him that my first year I had been taught to not clutter up my paper with issues, facts and discussions that weren't on point to the call of the question. Then he gave me that patient smile that comes with age, experience, and kindness, and he asked how my grades have been using that method. Not too good, I responded.

He kindly went on to explain that there are three types of facts given in exams: first, facts that help define and answer issues involved with the call of the question; second, facts that define issues that are auxiliary to the call of the question; and third, facts that are "noise" or red herrings and pertain to issues that do not help answer the call of the question. Basically, all facts given need to be addressed in some manner, even if just to dismiss the issues that they raise. Well, now that I know this, lets see how I do this semester.

At the risk that someone might read the above and try it in their next exam, please don't do so without checking with your instructor as each instructor has different things that they want from an exam answer. Oh! Didn't anyone tell you that you must also learn to analyze *each* instructor to determine if they *really* want what they say they want? Does this one want IRAC or not? What exactly do they mean when they say "only answer the call of the question," and "the shorter the answer the better?"

The only advice that I can offer is to give each of your instructors a practice exam that you've completed and

ask them to review it with you. That way you will know that "only answer the call of the question" means either: spot every possible issue and use every fact given to let them know that you know the material or, only address the main issues called for by the question. Good luck.

Realistically, this is exactly what we will have to do with our clients and employers after we pass the bar: Ask them to identify with particularity what exactly it is that they want from us. Hopefully, they will know.

Last...

The next (and last) issue the Caveat for this semester is due out the first week of May. You can look forward to two State of the School articles, one from Dean Pagano and the other from the outgoing SBA President Kieran Flaherty. This issue was ready to go to press about two weeks ago, but do to a mix-up my budget was reallocated, leaving no money for printing. Sorry...

Environmental Law... *(continued from page 5)*

"environmentalism" predominated many panels. For Native Americans, living with the land for the long term is a way of life; the religious and the practical are one and the same. Native Americans have lived in harmony with this continent for thousands of years. But after only 200 years since European settlement, our planet's ability to sustain us appears to be in great jeopardy, and we wonder whether we can reverse the process in time. We might adopt a traditional native american concept from their "resource management," which is to simply live with mother earth with an eye towards the Seventh Generation. Beginning to count from the founding fathers, we are the sixth....

In retrospect, one of the most interesting aspects of the conference was the self-critical attitude which seemed to pervade it. The opening address commented that "all of the easy things had been done." Pretty mountain wildernesses are being protected and butterflies are being saved. Now progress must be made to change the way people live. The movement is becoming aware that this next wave will require a greater inclusiveness, and in the echo of allegations that elitism and racism exist within the environmental movement, native americans came to Eugene to make their voices heard. After a history of effective genocide, broken treaties and commercial and environmental exploitation, the anger and pain of the real Americans was not an easy thing to listen to. They wanted respect for their independent sovereignties and inclusion in environmental policy decisions which affect their remaining lands. Such pleas were painful to the ears of this progressive and socially responsible movement which already has so many obstacles, but they spoke the truth.