Dean White discusses law school issues with students

By Matt Estes

This past week, Dean Patricia White spoke with about 15 students in an open luncheon meeting to discuss various topics of interest for students at the Sandra Day O’Connor College of Law. Among the issues broached were the search for the dean’s eventual replacement, reorganization of administration, and new student opportunities.

Dean White spoke frankly about her limited involvement in the new dean search, citing the customary removal of the outgoing dean from the search process. Her tenure as dean, beginning in 1999, is considered long for law school deans, who are often eager to avoid developing a cult of personality that is detrimental to future recruitment and fundraising efforts. Rather, Dean White described her role as fiduciary, as the dean is often on-call as a 24/7 caretaker of the law school. For example, she spoke of her very real concerns in facing and effectively disarming violent threats against faculty, students and staff.

Moving forward, Dean White is excited to return to the classroom, and out of the business of selling the law school and serving as its public face. This move will occur first as a visiting professor at Georgetown Law School, and later as an ASU faculty member. Dean White admitted that her favorite class to teach is the introductory Federal Income Tax course, but that she also looks forward to teaching diverse topical areas, including Torts, Property and Decedent’s Estates.

As noted in recent cent college-wide email, Dean White announced that several senior staff members in the law school administration will be reorganized, in the hopes of enhancing the student experience and enabling the transition to a new role. Thomas Williams will move from that position to Assistant Dean of Academic Affairs, taking on the difficult issues of class scheduling and student discipline. Leslie Mamaghani will become the new Assistant Dean of Educational Programs, where she will engage many projects directed at the goal of improving the College’s current educational apparatus. Dean White expressed significant pride in the efforts and achievements of the administration and staff, and hopes that the reorganization will enable the law school to solidify its reputation as an innovative and student-friendly center of study.

In passing, the Dean noted several tidbits regarding student and faculty opportunities. The recent economic downturn puts faculty hiring in a “holding pattern,” with planned additions continuing to be made, but no new plans for expansion in any particular area of study. A new study abroad program in Italy is being made available for the summer of 2009, with ASU partnering with Australian institution Monash University to send students and faculty to study in Prato. Also announced was a further alliance with the undergraduate honors college: selected undergraduates will be allowed to join the law curriculum during their final year, in essence creating a six-year bachelor’s-3D program. This program continues ASU’s progressive educational apparatus in permitting undergraduates to study in its law school.

Is the Death Penalty Appropriate Punishment for the Rape of a Child?

By Ravi Arora

2008 is gearing up to be a milestone year for Supreme Court cases governing the administration of capital punishment in the United States. The Court has agreed to take up two major cases this year, both involving the Eighth Amendment’s bar on cruel and unusual punishment. In Roper v. Simmons, the Court will address the pain and suffering involved with lethal injections, while Kennedy v. Louisiana will decide whether or not a person can justifiably receive the death penalty for the rape of a child. While Roper may change the ways in which inmates are executed (hardly an insignificant matter), Kennedy ignores the actual impact on the victim by making a crime that results in psychological trauma and enlightenment. Additionally, expansion of the death penalty appears to be treading upon a slippery slope. After all, the principle of “death for death,” while sickeningly reminiscent of Hammurabi’s Code, at least draws a clear and semi-logical line around the cases that are death penalty eligible and those that are not.

Furthermore, in light of the evidence that has come forth in the recent decades concerning false convictions of death row inmates, as well as the numerous studies that have revealed various other flaws in our current administration of capital punishment, it seems absurd that we should be considering an expansion of a morbidly problematic system to encompass less egregious crimes. If the stakes were not so grave, it would appear laughable that, as the rest of the “civilized” world distances itself from state-endorsed execution, the United States is busy backpedaling into the Dark Ages.

Of course, one might argue that the death penalty has its justifiable applications. And if one accepts this position, then one might further argue that child rape is more morally depraved than murder in many ways. After all, one can easily envision scenarios in which murder may be justified (e.g. self-defense). However, there are no scenarios in which the rape of a child appears justifiable. This line of argument, however, ignores the actual impact on the victim by making a crime that results in psychological and physical trauma tantamount to the killing of the victim. In terms of proportionality, it seems problematic to equate the two scenarios.

From a strong retributivist perspective, life in prison might just be the more appropriate punishment, since inmates convicted of child rape are inevitably raped themselves (usually many times over) in prison, at least anecdotally. Thus, even if one feels that the rape of a child is on a par with murder, death seems less appropriate than life imprisonment.

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Photo from: asu.edu
Smurf Laws Under Review

By Kyle Shelton

Smurf Village, located somewhere in the middle of a deep forest in northern Washington, has found itself under the scrutiny of state judges, who have called the village’s many laws unenforceable due to confusion over the meaning of the word “smurf.”

“It’s true that smurfs often replace many nouns and verbs in everyday speech with some offshoot of the word ‘smurf,’” said Pierre Culliford, the leading Smurf linguist. “But the Smurfs themselves understand each other despite subtle variations in the intonation of the word ‘smurf’ that we cannot detect.”

Such explanations don’t seem to satisfy many critics of smurf law. “That ‘intonation of the word smurf’ stuff is garbage,” said local Washington defense attorney Alan Young. “I’ve represented many smurfs who don’t understand the laws themselves. One client of mine, Smurlette, was charged with a crime that we later found out was for enticement of a smurf for a purpose of prostitution. Of course it took us weeks to figure this out because the statute only said, ‘A smurf who knowingly receives smurfs or any valuables from smurfrification, is guilty of a class smurf felony.” A class smurf felony? It’s just ridiculous.”

Further adding to the confusion, many judges have found differences in the use of “smurf” in the northern part of Smurf Village and the southern part. “Yes, the north and south sides of Smurf Village have different ideas as to whether ‘smurf’ should be used as a verb or a noun,” said Justice John Albert, of the Washington Supreme Court. “For instance Northern Smurfs would call a botle opener a ‘bottle smurfer’, while the Southern Smurfs call it a ‘Smurf opener.’ When you take this language and apply it to the law, things get confusing quick.”

Papa Smurf, mayor of Smurf Village, believes Washington judges have gone too far. “They have no right to strike down smurf law,” said Papa Smurf. “We’re going to be smurfrifying in front of that smurfing court house until they respect our smurfing laws. This situation is just smurfy.”

But not all smurfs agree. “I was arrested last month for possession of psychedelic mushrooms,” said Grumpy Smurf. “I tried to explain to them that all smurf houses are made of mushrooms and I wasn’t using my house to get high, but all they said ‘it’s illegal to smurf a smurfroom.’ How was I smurfing a smurfroom?”

Smurf Village officials are looking into how to adapt smurf laws to Washington state standards.

Man Found in Ross-Blakely Library

By Kyle Shelton

An elderly man, believed to be an ASU Law 1L from 1968, was discovered last week in the basement of the ASU law library.

Roscoe Talbot, who started studying for his Contracts final exam roughly forty years ago, was found sleeping in a chair in the English Legal History room, with a textbook and an outline on his lap. “I’m sorry, what?” said Talbot. “Do you know when the Contracts exam starts? Cause I’m gonna need a minute.”

Victoria Trotta, the associate dean who found Talbot, believes he merely got caught up studying for his first final exam and lost track of time. “This really happens way more often than you’d think,” said Trotta. “Many 1L’s, studying under the pressure of their first final in law school, go into what you might call a ‘study coma.’”

Talbot, like many students, probably just wanted more time to cram for his Contracts exam, and accidentally took forty years too long.”

Many professors and students have questioned how Talbot managed to survive down in the basement for so long without food and water. “It appears he ate snacks found mostly in the law journal room,” said Travis Wilson, staff writer for the journal. “We’ve also noticed some missing Frescas in the past few months, so ... mystery solved.

Still, some are outraged that no one seemed to notice or care that Talbot had been living in the English Legal History room for over four decades. “It just seems messed up,” said Grant Porter, a first year student. “How could nobody notice him studying for contracts for that long? Also, didn’t anyone question what that smell was? The man hadn’t taken a shower in forty years.”

School administrators think Talbot was unnoticed for so long due to his location.

Kyle's Corner

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School administrators think Talbot was unnoticed for so long due to his location.
By Jeff Lee

I remember having a very different picture of lawyers as a little child. Like most of my generation, I was raised by the television. I had no lawyers in my family, so my worldview was largely formed by the images and sounds created by Hollywood. Thus, I lacked the tools of experience to inform my reasoning and sort the profound from the frivolous. As a result, I believed that lawyers were an occasionally nefarious but largely noble breed; the ranks brimming with warriors for truth and justice of the ilk of Perry Mason and Atticus Finch.

As I grew (and especially since I started to meet lawyers), I was disabused of this naive and came to the realization that lawyers are human; a bit richer and better educated than most, perhaps, but still human. But I maintain a certain conviction — not through conscious idealism or sentiment, but unwittingly, like an itch I can’t quite reach — that lawyers are professionals. The education attorneys receive, the unique and powerful position they hold in the legal system, and even opposing parties. Yet, the actions of many that I’ve encountered in the legal community (a.k.a., the “real” world) are greatly removed from the phrase, “…the plaintiff is asserting that he was unaware of whether he was guilty of the alleged physical and/or sexual abuse that gives rise to his cause of action…” I don’t think I need to go into too much detail about the case; you get the idea. This flippancy and caustic misstatement of facts, aimed at insulting the plaintiff rather than presenting a legal argument, had no place in a motion to the court.

Another example: In response to a motion to admit evidence, the prosecutor, rather than making a legal argument, responded by impeaching the original motion’s use of authority (incorrectly, no less). Of course, my original response was something to the effect of “Who the hell does this fourth-tier diploma mill graduate city prosecutor think he is, telling me how to cite a case?” But I still had to respond, and wound up sounding like a legal writing instructor explaining how my use of authority was correct rather than making an argument on the merits of the case. I’m sure you can think of your own examples if you put your mind to it. Such absurd statements and frivolous submittals to the courts waste what little time our overly worked judicial system already has, needlessly denigrates the profession, and is detrimental to both sides of a conflict by needlessly making an enemy of an opponent.

And how about my favorite example: Everyone saw the commercial for Lerner and Rowe during the Superbowl. A play-ground accident — likely negligent but not evil — results in the perpetrator being verbally berated, embarrassed, and deprived of his shirt, shoes, and bike. The message couldn’t have been more clear: “Bring me your gripe, and I’ll get you more than you deserve, up to and including the shirt off the other guy’s back.” This is why people hate lawyers. I don’t know about you, but I don’t want to be hated. I’m proud of what I’ve accomplished in life so far, embarrassing moments and student loans and all, and would like to be proud of what I accomplish in the future. Maybe that means I don’t take every cheap shot that’s available, or something tells me I can still win, and my reputation and sense of professional pride will more than make up for what few opportunities I may lose by keeping myself out of the mud. I’d rather be Atticus Finch than Glen Lerner.

“…the plaintiff is asserting that he was unaware of whether he was guilty of the alleged physical and/or sexual abuse that gives rise to his cause of action…” I don’t think I need to go into too much detail about the case; you get the idea. This flippancy and caustic misstatement of facts, aimed at insulting the plaintiff rather than presenting a legal argument, had no place in a motion to the court. “

~ Jeff Lee
The 2009 Judicial Clerkship Term: Are You Ready?

As you may know, judicial clerkships are one of the most prestigious and sought-after positions available to recent law graduates. Nationally, approximately 10% of all law graduates get placed as judicial clerks. Here at the Sandra Day O’Connor College of Law, over the past five years that percentage has ranged from 9% to 16% of the graduating class.

The benefits of clerking are immeasurable; in fact, major law firms find them to be so valuable that many hold their associate’ offers open during the term and also give credit for that year towards the partnership track. Many of our current faculty have held clerkships at various level courts. Students find clerking to be an excellent transition between law school and the real world by being able to learn, for example, what consists of good writing and bad and what types of arguments are persuasive to a judge. In addition, the experience obtained from a judicial clerkship makes a new attorney very marketable for post-clerkship employment, regardless of what area of law that attorney wants to practice!

Fact or Fiction?

Many of you may be under the mistaken impression that you do not have the qualifications to apply for a judicial clerkship. However, more often than not, students already possess many of the qualities sought after by judges looking to hire a law clerk. With that being said, we would like to dispel some of the myths commonly associated with judicial clerkships by offering the following information:

Myth: You need to be in the top 10% to even be considered for a clerkship.

Fact: While it is true that many judges prefer candidates with law review experience and high class rankings, many judges have stated they like to look at the “whole student”. In other words, don’t think you cannot apply simply because you are not at the top of your class. Other characteristics judges like to see in their law clerks are: life experience; knowledge of specific practice area (e.g., government contracts, tax, bankruptcy, etc.); previous experience as a judicial intern/extern; maturity as an individual; ability to be a team player and exercise good judgment, strong organizational skills and a sense of inquisitiveness and collegiality.

Myth: As a judicial clerk, I will be stuck at a desk researching and writing.

Fact: Clerking can involve much more than just research and writing. Very often, clerks will attend judicial proceedings, settlement conferences, pre-trial conferences, oral argument and other interesting and valuable activities. Many judges also like to discuss cases with their clerks and seek input from them, resulting in the clerk having an influence in the judge’s decision. Previous clerks have also stated how invaluable it is to be able to observe and review other attorneys’ work.

Myth: Clerking will be a waste of time because I don’t want to be a litigator.

Fact: Many law firms perceive judicial clerkships to be significant achievements. In fact, many former law clerks find that the prestige and experience associated with service as a law clerk broadens their future employment opportunities.

Other facts you might not know about judicial clerkships:

• Usually last for one year but sometimes extend to two years
• Provides a hands-on look at how a judge makes decisions and conducts litigation.
• Provides the ability to see what types of arguments persuade a judge and what policy concerns influence the law.
• Gives personal feedback from an expert (the judge) and a great opportunity to improve writing skills.
• Provides an impressive addition to resume.
• Gives an opportunity to experience a wide variety of legal areas, from constitutional law to civil rights to procedure.
• Provides an opportunity to develop a lifelong relationship with one’s judge.

The Application Process

The process for applying for both Arizona and out-of-state clerkships is quite specific. Keep in mind that the Career Services Office can help guide you through this often times confusing process.

Typically, a clerkship application consists of a resume, cover letter, recent transcript, writing sample, and letters of recommendation. But some judges may ask for additional or less material.

The timing of your applications is critical. The deadlines for out of state judicial clerkships can be early in the spring semester of your second year of law school. The following steps can help get you started:

See www.vermontlaw.edu, which is password protected and can be accessed through the Career Services website. This website offers general information on each state’s clerkship process and should be used as a starting point.

See http://www.law2.byu.edu/Career_Services/JudicialClerkship.htm, another password protected site which offers information on Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Oregon, Washington, Utah, and New Mexico courts.

Check out the supreme court website for each state you’re interested in applying. Note that some websites offer detailed information on the clerkship application process, while some do not.

Contact the chambers directly for specific application deadlines, as Judges typically hire throughout the year as vacancies arise. The Career Services office has a resource that contains contact information for almost every state appellate, state supreme, federal district and federal circuit court judge in the country.

The deadlines for many federal and state clerkships in Arizona are at the end of August, for those federal and state judges that follow the Federal Hiring Guidelines. It is therefore imperative that you start thinking about gathering your applications materials now, during the spring semester. The Career Services website also has several databases and links that can help with the research process.

Upcoming Events

Career Services has two important events planned to assist you with the clerkship application process:

“Judicial Clerkships: From the Judges’ Perspective” is a panel of federal and Arizona State judges who will discuss the judicial clerkship experience, the responsibilities and projects of a judicial clerk, and suggestions for success in applying for judicial clerkships.

The panel includes:

Justice Ruth V. McGregor, Chief Justice, Arizona Supreme Court
Judge William C. Canby, Jr., U.S. Court of Appeals for the Ninth Circuit
Judge Earl H. Carroll, U.S. District Court for the District of Arizona
Judge Ann A. Scott Timmer, Arizona Court of Appeals, Division One

The panel will be held on Wednesday, March 5 from 12:15-1:15pm in room 105.

“Applying for Judicial Clerkships in a Nutshell” will be presented by the Career Services Office on Thursday, March 6 from 12:15 – 1:15pm in room 105. This is a great way to learn about the ins and outs of the application process.

Don’t miss these opportunity to learn more about the wonderful experience of serving as a judicial clerk!

Article Submitted by Samantha Williams, Career Services
Second Amendment Heads for Date with Supreme Court
By Matt Nelson

On March 18th, 2008, the Supreme Court will hear District of Columbia v. Heller, 478 F.3d 370 (DC Cir. 2007). The Court accepted cert after the District of Columbia Circuit Court struck down the DC law that prohibited residents from owning hand- guns. The DC ban, along with Chicago, was the toughest in the country. Certain other large cities, such as New York, also have handgun bans, but with more excep- tions. DC's acceptance of cert indicates that the Supreme Court’s decision is the Second Amendment is an individual right and not a right belonging to the states. Conservatives have long held this view, but in recent years liberal consti- tutional scholars like Lawrence Tribe and Alan, Dershowitz have come to accept this position. The Supreme Court has not ruled on a Second Amendment case since 1939. Since that case many urban areas have tried to ban or restrict guns, especially handguns.

As the case moved into the Supreme Court, it has had its share of controversy on both sides. Last month as the attorney for Washington DC was practicing for oral arguments, he was suddenly fired. Allen Morrison, who has argued 20 cases before the Court, was fired by the DC Attorney General, who regularly cites Constitutional law in their own personal policy views.

What exactly does the DC law ban? For starters, no handgun can be registered in DC. Even those pistols registered prior to the ban— or those purchased prior to the ban— cannot be carried from room to room in the home without a license. If an invader had burst in your home, you could not bring your handgun from your bedroom to your living room, where your spouse is at, without first ob- taining permission from a local bureaucrat. Apparently feared an adverse ruling. Strangely, the NRA has never challenged gun bans by large cities. They are now supporting the case but clearly are not the leader here.

The Solicitor General, Paul Clement, filed an amicus brief supporting part of the DC Circuit’s opinion. He agrees the Second Amendment “protects an individual right to keep and bear arms” and is not limited to the National Guard as some have maintained. Then the brief goes off into left field. He urges the Supreme Court to tinkering with the DC Circuit opinion and instead of setting a standard for test weight would “the strength of the govern- ment’s interest in enforcement of the Second Amendment.” The Solicitor General worries in his brief that Judge Silberman’s ruling would allow felons with guns, and even that “Sherman tanks” could not be barred. This is not needed. The DC Cir- cuit’s opinion gave Constitutional protec- tion for a wide range of weapons that Americans typical own and that the foun- ders could have reasonably anticipated. Legal observers think that the Solicitor is trying to get Justice Kennedy’s vote. If the court gives a split decision, a balancing test favored by Justice Kennedy would invite judges and politicians to interpret the decision with their own personal policy views.

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Presidential Candidates Agree on One Thing: Law School

By Colby Morris

The presidential election is upon us. John McCain will very likely be the Republican nominee, and Hillary Clinton and Barack Obama are fighting for the Democratic nomination. One of the interesting subplots to the 2008 U.S. presidential race is that nearly every major challenger, both Democrat and Republican, is a law school graduate. Democratic contenders Hillary Clinton, John Edwards, and Barack Obama possess law degrees (as does Obama’s wife and Clinton’s well-known husband). On the Republican side, Mitt Romney, Fred Thompson, and Rudy Giuliani each hold a J.D. As businessmen, lobbyists, trial lawyers, and politicians at the local, state, and federal levels, each candidate has used his or her law degree in a different way, and their career paths provide interesting insights into the personalities and priorities of those who would be our next president.

Democrat Hillary Clinton earned her law degree at Yale, where she was on the Board of Editors of the Yale Review of Law and Social Action. She was very active in studying children and working at the Yale Child Study Center, as a Research Assistant on children’s issues, and as a volunteer in child abuse cases. She also worked on Senator Walter Mondale’s Subcommittee on Migratory Labor. She and her future husband, President Bill Clinton, campaigned in Texas for George McGovern’s presidential bid in 1972 (where several people opined that Hillary, not Bill, could be president sometime). After graduation, Bill proposed to her, but she declined so that she could pursue a year of post-graduate study on children and medicine. After marriage, Clinton moved with her husband to Arkansas, where she pursued a successful legal career, became governor, and served two terms as U.S. President. Clinton won a seat in the U.S. Senate, representing New York as a Democrat, in the year 2000, but he dropped out after being diagnosed with cancer (since treated).

John Edwards earned his Juris Doctorate from the University of North Carolina at Chapel Hill with honors. He clerked for a federal judge and worked for a firm in Tennessee before moving to South Carolina. In 1984, Edwards established himself by winning an “unwinnable” medical malpractice lawsuit. He continued to win large sums for his clients and eventually opened his own firm in 1993. Edwards’ biggest win came in 1997, when his client was awarded $25 million after their daughter was dismembered by a defective pool drain cover. Mark Dayton, editor of North Carolina Lawyers Weekly, called Edwards’ closing argument “the most impressive legal performance I have ever seen.”

John Edwards ran for U.S. Senate after his son died, having lost his desire to continue politics among Republican groups. After leaving the Senate, Thompson continued lobbying but became well known as an actor. He co-starred on the television series “Law & Order” for five years, and appeared in several movies.

Though some candidates have already left the race, many of those remaining share a common trait: they all received their juris doctorate.

Barack Obama worked for five years in the private and public sectors after receiving his bachelor’s degree. He eventually moved to Chicago to work as a community organizer, laboring with low-income residents. He earned his J.D. at Harvard Law School and became President of the Harvard Law Review, the first African-American in the school’s 104-year history to hold the position. After graduating, Obama returned to Chicago and represented community organizers, discrimination claims, and voting rights cases. He also taught Constitutional Law at the University of Chicago.

Obama was elected to the Illinois State Senate in 1996, unsuccessfully ran for a seat in the U.S. House of Representatives in 1998, and was reelected to the Illinois State House in 1998 and 2002. In 2004 he was elected to the U.S. Senate by the largest margin in Illinois history. Obama was an unknown when he gave the keynote address at the 2004 Democratic National Convention, where he received an enthusiastic reception. His wife Michelle is often present on the campaign trail with her husband. She also earned a Juris Doctorate degree from Harvard Law School and worked in a Chicago law firm until 1996, when she became Associate Dean of Student Services at the University of Chicago. She currently serves on the board of directors of the Chicago Council on Global Affairs.

On the Republican side, Mitt Romney received both his Juris Doctorate and a Master of Business Administration degree from Harvard Law School and Harvard Business School, respectively. He graduated cum laude from the law school and was named a Baker Scholar for graduating in the top five percent of his business school class. Originally from Michigan, where his father was once Governor, Romney remained in Massachusetts and worked for the Boston Consulting Group, where he had once interned. He became a vice president of Bain & Company, another management consulting firm, before he co-founded Bain Capital, a private equity investment firm. The average annual rate of return during Romney’s tenure was 11.3 percent. He invested in or bought such companies as Staples, Brookstone, Domino’s, Seacl, and Sports Authority. In 1990, Romney returned to Bain & Company and rescued it from financial collapse without laying off any employees.

Romney took over the Salt Lake City Olympic Games in 1998, after the organizer’s leaders were charged with bribing Olympic Officials. The SLC Olympics were heavily in debt and close to collapse, but under Romney’s leadership, the games finished with a profit and many Americans were touched by dramatic ceremonics that included an emotional tribute to 9/11 and its heroes and victims. A Republican, Romney became Governor of Massachusetts in 2002 and created the nation’s first universal health care system, while balancing the state budget without raising taxes.

Fred Thompson presented his Juris Doctorate from Vanderbilt Law School in 1967. He worked as an Assistant U.S. Attorney for three years before becoming campaign manager for U.S. Senator Howard Baker in 1972 and served as Minority Counsel to the Senate Watergate Committee that led to the impeachment of President Richard Nixon. Thompson worked primarily as an attorney throughout the 1980s, with offices in Tennessee and Washington, D.C., but he also served as Special Counsel to several Senate committees. Of note is his role in revealing a bribery scheme where fellows bribed aides to Tennessee Governor Ray Blanton in order to receive clemency. (Blanton was re-moved from office). Thompson was heavily involved in lobbying and worked for such diverse interests as banks, Haitian President Jean-Bertrand Aristide, and even pro-choice family planning groups. (Thompson de-nied working for the pro-choice group, but his billing records indicated that he had). In 1994, Thompson was elected to the U.S. Senate as a Republican, representing Tennessee. He played a role in investigating President Bill Clinton during his impeachment proceedings, but was criticized by some for also investigating improprieties among Republican groups. After leaving the Senate, Thompson continued lobbying but became well known as an actor. He co-starred on the television series “Law & Order” for five years, and appeared in several movies.

Rudy Giuliani originally intended to become a Catholic priest, but instead attended New York University School of Law, graduating cum laude in 1968. He clerked for a U.S. District Judge, and became an Assistant U.S. Attorney in 1970. Giuliani was appointed Chief of the Narcotics Unit and soon became a U.S. Attorney. Giuliani started political life as a Democrat, but became an Independent when he went to work in the Justice Department under President Gerald Ford, where he prosecuted U.S. Representative Henry Ford Podell for corruption. During the Carter Administration, Giuliani worked in a private practice, but changed his party affiliation to Republican and went to work as Associate Attorney General under President Ronald Reagan. In 1988, Giuliani was appointed U.S. Attorney for the Southern District of New York. He gained national prominence prosecuting high-profile cases such as Enron, Morgan Keegan & Company and rescued it from financial failure without laying off any employees.

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Student Organizations And Series

Arizona State University College of Law
Chicano-Latino Law Students' Association
Presents

22nd Annual Fajita Cook-Off

Join us for all you can eat chicken and steak fajitas, rice, beans, chips & salsa, music, dancing, and a whole lot of fun!

Sunday, Feb. 24th, 3-8 pm
Kiwanis Park
6111 S. All-American Way

Everyone is welcome to come!
Support CLLSA!

Admission
$10 prior to event
$12 at the door
$8 per person when purchasing more than 5 tickets in advance

The 22nd Annual CLLSA Fajita Cook-off Fiesta Extravaganza will be held on Sunday, Feb. 24 at Kiwanis Park in Tempe from 3-8pm. WE STILL NEED TEAMS - If you are interested in forming a team to compete in the fajita cooking competition please contact us. We will supply you with the fajita meat and you can prepare it any way you wish. Teams of 3 get free admission. Your friendly CLLSA Members ARE OFFICIALLY selling tickets at school for $10 each. They will be $12 at the gate. $8/each if you buy 5 or more.

The event is always attended by many local attorneys and business leaders. It will be a great opportunity for networking, socializing, and spending time with friends and family. There will also be basketball and volleyball competitions, music, dancers, raffle, bake sale, beverages, and ALL YOU CAN EAT FAJITAS. Be there or be square. Email questions to mdenny@asu.edu, alba.jaramillo@asu.edu, ashley.villaverde@asu.edu

~Information and flyer submitted by Ashley Villaverde

WLSA to Hold Silent Auction

The Women Law Students Association will be holding its annual Silent Auction to raise funds for three domestic violence shelters in the Rotunda on Tuesday March 18th and Wednesday March 19th. Please come and bid on a variety of items, including rounds of golf, restaurant gift certificates, tickets to sporting events, donations from professors, and much more. Help WLSA reach its goal and provide these shelters with the support that they so greatly deserve!

~Information submitted by Nicole Hartley
Packing for Alaska

By Ravi Arora

The Packers were in need of men
To sail the turbid surf
From the coast of California
To Alaska’s frozen turf.

Men were found to raise the sails
So to sea they took,
Their wages were agreeable
And lay upon the books.

The men then carried out their work
Arriving on Alaska’s shore,
But when they were asked to complete their task
They stopped and asked for more.

“More what!!?” the superintendent cried,
Not believing his ears.
“Why, money of course, you seasoned dolts!
Else we will leave these piers!”

“Gladly would I rid myself
Of your conviving demands
But for the fact that I now lack
Alternative helping hands!

For the sake of the Lord, I must implore
Your compliance with what was agreed
Do not now turn to mutinous acts
To fulfill your ill-formed greed!”

Now sign your name to this ‘new contract’
And render our payment doubled
Men were found to raise the sails
To Alaska’s frozen turf.

From the coast of California
To sail the turbid surf
The Packers were in need of men
To fulfill your ill-formed greed!

Inside a Juror’s Mind

This is one of the funniest things I’ve ever read. Take it to a party. Read it out loud. It will be a hit even with non-lawyers because it’s such an over-the-top, yet undoubt- edly accurate, portrayal of “what jurors really think.”

It’s a transcription of a handwritten letter from a juror to the judge during a civil trial. I have a copy of the actual letter - always trying to ensure accurate reporting here at lawsharka.com. I deleted the juror’s name and inserted paragraph spacing for reading convenience, but everything else (including errors) is reproduced faithfully.

Anyone who has ever sat through an entire trial can appreciate this poor juror’s frustra- tion. I assure the judge had to boot the juror, but it was probably nodding while he read the missive, saying, “I’m with you, brother.”

Your Honor

I am tired of spending day after day wasting my time listening to this bullcrap. This is cruel and unusual punishment. The plaintiff is an idiot. He has no case. Why are we here? I think my cat could better answer these questions . . . and he wouldn’t keep asking to see a document.

I’ve been patient. I’ve sat in these chairs for 7 days now. If I believed for a second this was going to end on Thursday I might not go crazy. This is going to last for another 4 weeks. I cannot take this. I hate these lawyers and prayed one would die so the case would end.

I shouldn’t be on this jury. I want to die. I want to die!! Well not die for real but that is how I feel sitting here. I am the judge, you’ve said that over and over, well I am not fair and balanced. I hate the plaintiff. His ignorance is driving me crazy. I know I’m writing this in vain but I have to do something . . . for my sanity. These jury chairs should come with a straight jacket.

An entire day today and we are still on the same witness. The defense hasn’t even started yet and we have 3 days left 3 days my ass. Not that the defense needs a turn anymore. The plaintiff has no case either. The case would have no case!!! Thanks for letting me get this off my chest. Please keep the disordersly near. I may need them.

Juror #5

Out of Context

Best Of...

This Section is where we quote your esteemed professors at their finest. In order to keep properly stocked, we need to keep your ears tuned to your professor’s off-key utterances and submit them for publication. The more irreverent and audacious, the better.

"I don’t care what the witness called it. That’s porn!" - Prof. Plunkett

"I’ve got to see the next XXX film b/c it has great ideas."- Prof. Weinstein

"I guess that’s Jason’s point about it sucking.” - Prof. Rose

New York Judge is Pizza Snob

New York Judge Straniere penned an opinion about “shrinkwrap” agreements—contracts that may or may not become valid upon the opening of the package. The agreements go by different names (shrinkwrap, clickwrap, etc.), but the rose still smells as sweet. Evidently, Judge Straniere—who apparently takes his pizza as seriously as his contracts — did not agree:

Before deciding the merits of this case the court must address a troubling issue. The computer industry and other courts have adopted the term “pizza box” to describe the package in which the document containing the terms and conditions of the agreement is shipped. As a matter of law in the State of New York, such a container is not a “pizza box.” No self-respecting New York pizza would be caught soggy in such a box. The container may pass as a “pizza box” in those parts of the world that think food from Domino’s, Little Caesars, Pizza Hut, and Papa John’s is pizza. In this court’s opinion such a classification cannot be recognized east of the Hudson River.

Judge Straniere, having fun with this case, goes on to quote Iris Gershwin, Mandy Patinkin, and Marie Antoinette, among others.