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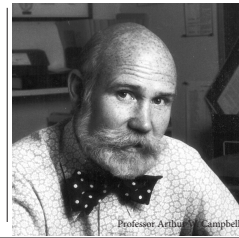
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California Western School of Law

October 2014

THE COMMENTARY

One Last Exam

BY PROFESSOR DONALD J. SMYTHE

I always enjoy going to our graduation ceremonies. Everyone's always happy.

Like most valuable educational experiences, law school can be a real grind. On graduation day, everyone can forget about those attendance sheets, reading assignments, writing exercises, and exams, dress up in academic regalia, and enjoy the genuine sense of exhilaration that comes from one of life's substantial achievements.

But graduation day is like being in the eye of a storm, because there's usually one more exam looming on the horizon. Best not to think about it on graduation day, but soon enough, most law graduates will be writing the bar exam.

My advice is, if you're going to celebrate, do it in style. And when you're done, get right back to the grind. The best favor you can do for yourself right after graduation is to pass the bar exam on your first attempt. Not only will that help you move on with your career, it will save you from having to study for the exam all over again.

Of course, sometimes the dice roll against you, and you might fail on your first try. Even outstanding students can fail the bar exam, so it's nothing to be ashamed of. And I know many graduates who failed the bar exam on their first attempt and are having successful careers. So if you do fail, don't despair, and most important of all, don't give up. Lick your wounds, muster your resolve, and try it again. The vast majority of graduates from California's ABA-approved law schools will eventually pass the California bar exam if they keep trying. And if everyone else can pass it, you can too.

How should you prepare for the bar exam? The most important thing is to start early. In fact, you can start by attending the right law school. Some law schools prepare students for the California bar exam better than others.

I'm a firm believer in the intrinsic value of a legal education. I would never want to "teach to the bar," and I wouldn't advise anyone to attend a law school with a "trade school" orientation. The law is an intellectual profession, and I think a good law school should instill in its students a deep respect for the insights and wisdom that we can glean from other disciplines and an understanding of the great ideas and underlying economic, social, and technological forces that have shaped

See PROFESSORS' PAGE, p. 9

CWSL CELEBRATES DIVERSITY LEADERS



Photos by Ian Wright

BY ALLAN ACEVEDO
ASSOCIATE EDITOR

On September 10, Diversity Services recognized campus and community leaders who have worked to expand opportunities for minority and diverse students entering the legal profession. The annual Sunset Reception featured keynote speaker, Denis Dawson, a practicing attorney and former deputy attorney general.

Dawson emphasized the importance of law schools matriculating a diverse class of law students. Dawson shared his experiences working in the legal community and offered suggestions for career and personal advancement. Dawson encouraged the law students present to become involved with their local, state or national law associations. He stressed the importance of networking in a meaningful way. He encouraged students to explore their county or minority bar associations. Further, Dawson suggested running for an officer position in one of these associations.

Beyond networking, Dawson wanted students to explore ways to give back. Dawson recognized how busy our schedules may be, but said that, eventu-

ally, there would come a time when we would not be so busy, and that is when we should take it upon ourselves to find ways to use our legal education to help the community. Dawson reflected on working in the consumer division of the Attorney General's Office and starting workshops to help low-income community members improve their credit scores.

One leader recognized for his contributions to California Western, graduating 3L Christian Barton, was lauded for his work in starting Law Students for Disability Rights. Barton has also served as an honors instructor for multiple classes, won awards in moot court competitions, and served on the Student Bar Association. Barton is a role model who will long be missed on campus. His reasons for coming to law school are well known among us.

Barton is open about discussing a sky diving accident that left him almost unable to walk. Barton was struck by the tail of the aircraft upon exiting when the pilot failed to level the aircraft. Unfortunately he lost his trial and appeal due to the doctrine of assumption of risk. That prompted Barton to enroll in law school. After law school, Barton hopes to either pursue a full-time judicial clerkship or enroll in an LLM.

Ferguson: A City Holds Its Breath

BY LESLEY O'BRIEN
CONTRIBUTING WRITER

Ferguson, MO erupted in violence following the August 9 killing of an unarmed black teenager by a white police officer. The victim, Michael Brown, was shot numerous times following an encounter with the officer. Questions of racism and use of police force are at the forefront of public concern. Many questions remain unanswered as the grand jury continues to hear evidence. In general, prosecutors can elect to take a case in front of a grand jury in lieu of holding a preliminary hearing in open court. The decision to use a grand jury in this case is a tactical move to avoid backlash. A prosecutor has the power and discretion to decide which cases move forward and which do not. Taking a case to a grand jury relinquishes the burden of making a tough call and shifts it to an unknown entity.

The fatal shooting took place in a crowded housing complex on a Saturday afternoon. Several witnesses have come forward with conflicting stories. The released preliminary autopsy report failed to answer the important question of whether Brown was shot from behind. Released incident reports were essentially blank. The public has decried the actions of the Ferguson police department following the killing, especially the initial decision to withhold the name of the officer who killed Brown. Officer Darren Wilson was later identified as the shooter. He has been placed on administrative leave pending investigation.

While most of the world has forgotten about Ferguson, MO by now, the city awaits the grand jury decision with bated breath. Tensions are still high and protests continue. One of the biggest remaining controversies is the refusal to use a special prosecutor. Robert McCullough, St. Louis County's elected prosecuting attorney, denied allegations that he couldn't be objective because his father - a white police officer - was killed by a black man.

Protestors are concerned that McCullough's ties to law enforcement will lead to a biased presentation of evidence in grand jury proceedings. Because the prosecutor decides what evidence is presented and in what manner, the concern is that the prosecutor will sway the grand jury

See LEGAL NEWS, p. 10

FROM THE STAFF

From Your Editors: September Hit Us Like A Brick In The Face. How About You?



Clint and Seve played in the Annual CWSL Alumni Golf Tournament on Sunday, September 21. Seve's team came in Third Place (pictured above). Clint's team took "Dead Ass Last" (below).



It's been a busy month! The school year started off at full speed. Four weeks in, and we already can't remember what day it is. Clint has already suffered from his second nervous breakdown of the year, and Seve's good looks are starting to fade, but we wouldn't have it any other way!

Thank you to everyone for the feedback and compliments on last month's issue. We took your suggestions to heart. Support for *The Commentary* continues to grow, and we've even recruited a few more staff members. Sarah has done a great job with the layout, all of our editors have been relentless in seeking out writers, and we've ended up with another 16-page issue and more material than we could print! We're always looking for writers. If there's anything you would like to share about your student organization or something that is going on in the world around you, be sure to stop us in the hall. We're making progress toward our 100-writer goal!

We have a great issue for you this month. Professor Campbell is back! This time, TJ Hopkinson interviews him about life and law. He'll give you a few tips that he's learned in his decades of experience. We've introduced a new series in this issue. Every month we'll be featuring another staff member who keeps your

school in running order. Be sure to check out Legal News for Allan's run-down of the ballot initiatives. Get out and vote!

Next month, look for an interview with Professor Fink, and for the first in a series of alumni interviews, featuring Kathy Minella.

Good luck to everyone taking the MPRE! 1Ls, remember that you're smarter than you think you are. Everybody else, if you're going crazy, please invite us to come along with you.

Remember to check out *The Commentary*, the Student Bar Association, and other student organizations at www.CWSLSBA.com

Like *The Commentary* on Facebook at www.facebook.com/CWSLTheCommentary

You can also stay up to date with the CWSL administration at these sites:

- [instagram.com/CaliforniaWesternSchoolofLaw](https://www.instagram.com/CaliforniaWesternSchoolofLaw)
- [facebook.com/californiawestern](https://www.facebook.com/californiawestern)
- twitter.com/CWSL_News
- plus.google.com/+CaliforniaWesternSchoolofLaw
- <https://www.linkedin.com/edu/school?id=17836>
- [youtube.com/user/CaliforniaWestern](https://www.youtube.com/user/CaliforniaWestern)
- foursquare.com/cwsl_news

Our Apologies to Allan and to the Levitan Family

In the September issue of *The Commentary*, we printed an article on page three, entitled "Yes, Real-World Justice CAN Live Up To Lofty Academic Ideals." Credit was given to Anson Levitan, but the article was actually written by Allan Acevedo about his experience as a recipient of the Anson Levitan Fellowship. Professor Jan Stiglitz would tell you, "[Anson Levitan's] dedication to serving the underprivileged was unmatched and he was an inspiration to all who knew him." The fellowship provides funding for CWSL students to work at the Legal Aid Society during summer trimesters. If you're interested in the fellowship, you can learn more at www.CWSL.edu.

From Your SBA President: We're Off To A Great Start

By JOANNE HEILBRUN
CWSL SBA PRESIDENT

We are only one month into the Fall 2014 trimester and wonderful progress is being made! I hope you are all settling back into your classes, and finding refuge from the sweltering San Diego heat. I am looking forward to some cooler temperatures, pumpkin spice lattes, and an opportunity to wear some cozy fall sweaters.

Welcome Week was a huge success this year. Both Trivia Night at the Local and A Fine Night at Florent drew large crowds of new and returning students. Both events provided an opportunity to learn more about the Student Organizations on campus, and to meet new people. A very big thank you to all the students who attended the events, and to all of the Student Organizations for hosting such a successful start to the new school year. We look forward to seeing you all at our upcoming events.

The Student Bar Association's Community Outreach Committee is hard at work planning our annual Halloween Auction, which will be held on Thursday, October 30. The silent auction will take place on the First Floor Lobby from 10:00 a.m. through 12:00 p.m., and the live auction will immediately follow at 12:15 p.m. in the Moot Court Room. This year, the proceeds from this auction will benefit the Tossaint Academy, a group home serving homeless youth in San Diego. This is an excellent opportunity to support a worthy cause while having some fun!

The Eleventh Annual Race Judicata "Neon Lights" is also quickly approaching! The Race Judicata Committee, in partnership with the Community Outreach Committee, is working diligently to ensure this is an enjoyable and successful event. Race Judicata is an annual 5k walk/run hosted by the Student Bar Association. The race is open to the public, and will take place on Saturday, November 1, at Tidelands Park in Coronado. All the proceeds

from the race will benefit the Access to Law Initiative and the Community Law Projects. The registration fee is \$25 each. Registration is now open at <http://www.active.com/coronado-ca/running/distance-running-races/race-judicata-neon-lights-5k-2014>. Let's lace up our running shoes and "blaze a trail for access to law!"

Thank you to all of the students who have provided feedback through our new Suggestion Boxes. We are excited that the "Question of the Week" is providing an opportunity for targeted feedback, and so very grateful that you are using this exciting new resource. Ombudsman, J.R. Canlolo has been diligently collecting your feedback, and is documenting each suggestion. Starting in the November 2014 issue of *The Commentary*, J.R. will be writing an article unpacking a specific suggestion, or group of suggestions, and outlining the progress that is being made as a result. Please continue to provide comments, ideas, and suggestions. This is an excellent opportunity



to ensure all student voices are heard.

To stay informed on all upcoming events, please "like" our Student Bar Association facebook page at <https://www.facebook.com/cwslsba>. If you are interested in volunteering as part of a Student Bar Association Committee, please contact me at sbapres@law.cwsl.edu.

Wishing you all a successful October!

The Commentary is:

Co-Editors in Chief - Clinton Michael Pierce & Seve Gonzales;

Design Editor - Sarah Donaldson; Copy Editor - Lorenzo Morales;

Associate Editor - Artichoke, Alex Perez; Associate Editor - Advice/Opinion, Chris Goodrich;

Associate Editor - Features, Nichole Schirm; Associate Editor - Campus News, Allan Acevedo;

Associate Editor - Professor's Page, Turner Hopkinson; Associate Editor - Sports, Leonid Vaisburg;

Associate Editor - Legal News, Joshua Souk; Staff Writers - Thomas Feerick, Leah Gonzales, Roger Hinojosa

CONTRIBUTE AN ARTICLE OR JOIN THE STAFF! EMAIL COMMENTARY@LAW.CWSL.EDU

STUDENT LIFE

HAVE YOU CONSIDERED TRANSFERRING?



As the fall trimester kicked off, we at *The Commentary* took notice of those of our class that didn't return after the summer. Some decided that the study of law isn't for them, some were *told* that the study of law isn't for them, and some, upon receiving stellar grades, decided that they would be better off at a "better" law school. We asked a few people in the latter position to write to us about why they chose to leave. We're sure that they had good reasons, and that they made the choice that was in their best interest, but we received no response. We did, however, hear from one of our classmates, a staff writer for *The Commentary*. Thomas Feerick was in a position to transfer to a higher-ranked school, but decided not to.

Here is what he had to say about his decision.

Why I Chose Not To Transfer

BY THOMAS FEERICK
STAFF WRITER

After spending my 1L year drowning in fear, anxiety and insomnia, the last thing I wanted to do was wait for another month for grades to come out. But when they did, I was able to relax and reflect back on my first year in law school. Doing better than some, not as good others, my mind drifted to the possibility of transferring from Cal Western to another school. Of course I considered the usual arguments for transfer, the same ones I heard before confirming my acceptance to Cal Western: Other schools are ranked higher, their median salary after graduation is bigger, and, of course, "you'll have a better shot at passing the bar." But I found myself thinking back to before my 1L year, traveling around California looking at law schools such as Hastings, USC, and, unfortunately, USD. I realized those schools only wanted one thing from me: money. It was at this point I began to ask myself whether I was really willing to forsake everything Cal Western has given me to be treated as just another student loan number at another school. After all, the main reason I went to Cal Western is because they invest in their students. The learned faculty and dedicated administration strive every day to make their students the best they can be. This dedication was reflected in last February's Bar Exam. According to the State Bar of California's February 2014 exam statistics, Cal Western had a bar passage rate for first time test takers of 72%. That ranked higher than Hastings (70%), UCLA (67%), and USD (67%). We had the highest number of students pass

the bar at 38, beating Stanford, Berkeley and UC Davis combined. How would I feel taking everything Cal Western has invested in my peers and I over my first year and using it to transfer elsewhere? I couldn't do it. But it wasn't just academics that swayed me to stay.

My thoughts fell to my peers, my friends, and my law school family. We suffered together, we laughed together, and we succeeded together. We spent countless hours in the library, countless hours hoping we would not get called on in class, and countless hours drunkenly venting about law school life. United by our shared ambitions, we formed bonds that will last a lifetime. I didn't want to leave them, I wanted to finish what we started, together.

Needless to say, I remained at Cal Western. I stayed because I wanted to attend a school that cared more about the students than they did about tuition revenue. I stayed because Cal Western is academically strong. I stayed because Cal Western doesn't just teach you how to succeed as a law student; they teach you how to succeed as a lawyer. I stayed because I am part of a community at Cal Western. A community that thrives together. I stayed because I wanted to contribute to the growth of the already well-established reputation of Cal Western. And you should too. After all, there is only one thing Cal Western wants from its students: Triumph in all endeavors

Learning to Defend the Defenseless

BY GRANT PORTER
CONTRIBUTING WRITER

When I told people I was interning at the San Diego Office of the Public Defender this summer, the majority of people would immediately ask:

"You represent guilty people? Aren't all those people murderers or rapists? Do you like that?"

My only answer: I loved it!

When I started Cal Western last fall, I didn't know that I wanted to intern at the Public Defenders. I wasn't even sure that I wanted to do criminal law. My perspective of criminal law was that you argued in court all day. And for me, I was terrified of public speaking! Unlike most of my classmates who couldn't wait to rush into the courtroom, I kept my safe distance.

But somehow, the infamous Cal Western criminal law bug bit me. So in the beginning of the spring trimester, I started to apply for internships in criminal law. I would have never gotten my internship if it were not for the help provided from the Career and Professional Development Office counselors, Professor Campbell's advice to alleviate my fear of public speaking, and my peers' support. And so this past summer, I found myself interning at the Primary Public Defender Office in South Bay.

Now, I could try to describe to you a typical day at the Public Defenders, but that would be impossible. In just one day, I could travel to George Bailey detention center to speak to a client, go to an office to write a motion, run into court to do a sentencing argument, and even travel to a store to help out an investigator. I loved the fast pace, and it definitely was better than sitting behind a desk all day!

This internship definitely pushed me into the courtroom. From speaking in Felony Arraignment to Sentencing, I was able to improve my public speaking skills and become a strong oral advocate. But, my internship also consisted of a large amount of legal research and writing (so 1Ls: pay attention during Legal Skills!). My attorneys assigned me countless motions and memos to write. Writing is important!

This internship allowed me to learn many lessons, and here are just a few that I learned in such a short time:

You are the underdog.

My first week at the Public Defenders, I was assigned a Statement of Mitigation to allow my client to be granted probation instead of jail time. I was able to gather all these factors showing strength of character to prove that probation was a better option for my client over jail. I researched my client's file. I wrote the motion. I argued in court. But despite all the work and effort I put in, I still lost. Being on the criminal defense side, wins don't come in a windfall. But for me, I enjoyed being the underdog. I loved this challenge, and I gladly took the wins.

Learn how to be "comfortable in uncomfortable situations":

My current supervising attorney gave me this advice when I argued my first preliminary hearing. The overall story, I was horrible! Though I diligently prepared, this experience was new for me. At the Public Defenders, you'll be placed in a new situation

where you'll have no idea what to do. Criminal law moves fast, and you have to learn how to be comfortable despite never being in that situation before.

Don't get caught up in the hype.

Criminal law has the prosecution and the defense. And in the courtroom, you need to be a zealous advocate. But you also have to understand the ethical balance between the two sides. My internship at the Public Defenders was amazing since I was surrounded with working professionals and other interns who shared my view and passion for criminal defense. But equally important was to be respectful to the other side, and understand their side of the story. Criminal law requires both the prosecution and the defense.

Realize that a defendant is still a human being.

One of the highlights of my internship was dealing with the clients. Yes, some of them had allegations of burglary or rape. Yes, some of them pled guilty to those allegations. But at the end of the day, they are still people. An internship at the Public Defenders does not call for you to represent convicts, such as rapists or murderers. You represent people. Some of these people have past child abuse. Some of these people haven't slept in a bed for ten years. Some of these people suffer severe mental illness and addictions. My internship allowed and required me to be highly empathetic to my client's situation and problems.

For me, I know that if I would have just taken a "left" turn instead of a "right", I could be right where my client was standing.

Take everything with a grain of salt.

An internship at the Public Defender's office can place you in a unique position of being hated or disliked by almost everyone. The prosecution might dislike you. The victim and his family can't believe what you're saying. Society might not understand how you represent "guilty people". Your client might not even like you! Why work here, then? At the end of the day, I loved that I could ensure that I was fully getting the best possible outcome for my client and that I could ensure the ethical balance of the law.

Not every client thanks you. But I'll always remember one client, a young man who somehow had his allegations dropped. I saw him later that week, and he said, "I don't know what you did. But whatever you did, thanks."

I loved my internship at the Public Defender's office. I'll never forget the clients I met, and the work I did that summer. That summer, I was left with a newfound perspective and appreciation for the work that the Public Defender's office does. This internship allowed me to live out my passion for serving indigent communities and people that are often prejudged, mistreated, and voiceless. What more could you ask for?

STUDENT LIFE

Get Involved, Get to Know Each Other, Join a Student Organization

California Western is host to a number of student organizations supporting future attorneys from all walks of life with all sorts of career goals. We asked the leaders of these organizations to share some information with our readers and below are their responses. This is just a small sample of the many groups that you are invited to join. Check back next month to hear from the rest! For a comprehensive list of student organizations, visit www.CWSL.edu and click on "Student Life."

Employment & Labor Law Society

The goals and purposes of the Employment and Labor Law Society are to bring together student members and practitioners in the fields of employment and labor law and to support open discussion of employment and labor law among the general student body and members of the community.

President: A. Lauren-Nicole Carter



Environmental Law Society

The purpose of the Environmental Law Society is to expose our members to the legal issues arising out of environmental issues, encourage our members to participate in community events in San Diego relating to environmental issues, expose our members to career opportunities in the environmental law area, and create green and sustainable initiatives at CWSL and in the San Diego community.

Presidents: Diana Rodriguez Agiss and Alexandra Fay



Estate Planning Society

The purpose of the Estate Planning Society (EPS) is to bring together students interested in the field of estate planning, probate litigation and use taxation. The goals of EPS are to provide helpful information to those unaware of the estate planning concentration, to support open discussion of estate planning law among the general student body and members of the community, and to support and assist students in becoming exceptionally knowledgeable in this area of law through personal experience and networking. For more information, email: JLSprenger@law.cwsl.edu

Co-President: Madeleine Tabor

La Raza Law Student Association

La Raza Law Student Association (LRLSA) aims to enhance the social and cultural environment of the law school and advance its spirit of diversity. We strive to promote and strengthen its working relationship with the San Diego-Tijuana legal community and with other Latino-based, local organizations. We seek to raise awareness about issues pertinent to the underserved and underrepresented segments of the Latino community. We look to spur an active debate over the need for social justice and system-wide reform through service and advocacy.

President: Marisol Swadener



Tax Law Society

The goals and purposes of the Tax Law Society are to bring together students interested in the field of taxation as it applies to individuals and businesses, to provide helpful information to those unaware of the tax law concentration, to support open discussion of tax law among the general student body and members of the community, to support and assist students in becoming exceptionally knowledgeable in this area of law through personal experience and networking, and to encourage involvement in the community via the Volunteer Income Tax Assistance Program (VITA).

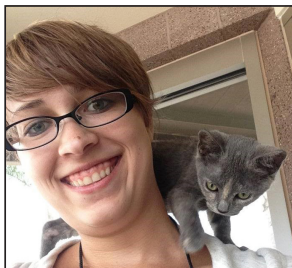
President: Diana Rodriguez Agiss



The Military Veterans Legal Society

The Military Veterans Legal Society ("MVLS") exists for the purpose of bringing together veterans and anyone who is interested in JAG or military law. Members of MVLS are an inclusive group and everyone is more than welcome to join. Activities include networking events with local attorneys, interaction with current JAG attorneys, social events throughout the city, sponsoring philanthropic events aimed to help veterans throughout the County, and more. If you are interested in joining MVLS or have any questions please e-mail us at tjhopkinson@law.cwsl.edu.

President: Turner Hopkinson



Student Animal Legal Defense Fund

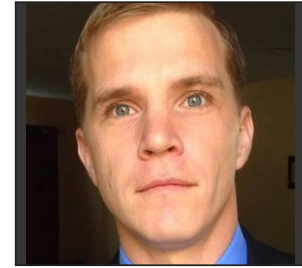
SALDF is a student group affiliated with the Animal Legal Defense Fund and shares its mission to protect the lives and advance the interests of animals through the legal system. We are dedicated to providing a forum for education, advocacy, and scholarship aimed at protecting the lives and advancing the interests of animals through the legal system, and raising the profile of the field of animal law.

President: Kara Peterson

Child, Family, Elder Law Society

The Child, Family, Elder Law Society (CFELS) is an organization for students who are interested in pursuing a career in Child, Family, or Elder law, and that increases students' interest in many of the varied aspects of family law and related issues. For more information, email slaicher@law.cwsl.edu.

President: Steven Aicher



Criminal Law Association

The Criminal Law Association (CLA) is an organization of students at California Western School of Law interested in the field of criminal law. We strive to provide information regarding the practice of criminal law and other relevant legal issues. In cooperation with other criminal law organizations, including those at other law schools in California, CLA aims to increase knowledge and interest in the field of criminal law. For more information, email jsdoidge@law.cwsl.edu.

President: Jessica Doidge



XONR8

XONR8 is a student organization at California Western School of Law dedicated to creating awareness of wrongful convictions and the flaws in our justice system. XONR8 will collaborate with the California Innocence Project (CIP) and others in the legal community to host activities and events to educate the CWSL community and the public about the causes of wrongful convictions.

President: Jamal Kamandy

CAMPUS NEWS

Race Judicata: Blazing the Trail for Access to Law

BY LANE TORSY
RACE JUDICATA MARKETING
DIRECTOR

Grab your friends and put on your brightest and wildest neon because Race Judicata 2014 is quickly approaching! This year, all funds raised will benefit the Access to Law Initiative (ALI) and the Community Law Projects (CLP).

ALI gives resources to recent law school graduates who plan on starting a solo practice or entering a small firm. ALI also brings pro bono assistance and affordable legal services to people who need them. Essentially, ALI is a group of lawyers who share a common space, bounce ideas off of one another, and receive training on how to be successful lawyers. ALI lawyers and law firms have about 18 months to develop their practices to a point where they can be independent. Cal Western started ALI in 2012 and was the first law school to launch an "incubator program" on the west coast. For more information on ALI call (619) 752-4443 or email Director Bob Seibel at rfs@cwsl.edu.

CLP offers free legal information to low income and indigent members of San Diego. CLP is run by attorney volunteers and Cal Western Law students who get to work one-on-one with clients in a variety of practice areas such as family law, personal injury, and fair housing. CLP has locations in Downtown, Lemon Grove, and City Heights. For more information log on to www.cwslp.org or contact the Executive Director, Dana Sisitsky, at dsisitsky@cwsl.edu.

The Eleventh Annual Race Judicata "Neon Lights" 5K Run/Walk will take place on Saturday, November 1st at Coronado Tidelands Park. Online registration is NOW OPEN! Individual participants are \$25.00 and teams of 4 are \$20.00 per person. You can register at <http://www.active.com/coronado-ca/running/distance-running-races/race-judicata-neon-lights-5k-2014>. The race begins at 9:00, but we will be accepting late registrations from 8:00 a.m.-8:30 a.m. (day-of registrations will be \$25.00, cash only). Refreshments will be provided after the race. Mark your calendars! Race Judicata 2014 will be the brightest and wildest 5K yet!



Welcome Week Welcomes All

BY JOANNE HEILBRUN
CWSL SBA PRESIDENT

Welcome Week is a wonderful opportunity every year for new students to experience a little bit of San Diego while getting to know existing students in a friendly environment and familiarizing themselves with the Student Organizations at California Western. This year, the Student Bar Association wanted to plan activities that would attract a wider audience. Thanks to the Student Organizations who hosted these events, Welcome Week was extremely successful.

Trivia night at the Local started the week. California Western students packed the entire venue and enthusiastically engaged in a little friendly competition. The crowd was full of 1Ls, 2Ls and 3Ls, all talking and eating appetizers including pretzel balls, wings, and quesadillas. This fun, laid back environment provided an ideal opportunity for students to get to know each other.

A Fine Night at Florent was the second and last event of the week. Held in the middle of the Gaslamp, this event drew a large crowd of California Western Students. The cool atmosphere was the perfect backdrop for lengthy conversations and networking. Everyone was dressed to impress, and appetizers including jicama sticks and sliders were served as the breeze came through the large street facing windows.

Over the upcoming year, the Student Bar Association and the many Student Organizations on campus will continue to plan a wide variety of events. Keep your eyes peeled for information on all of these wonderful opportunities to get to know your peers. If you have any suggestions for Student Bar Association events, please leave them in our suggestion boxes.



Daniel's Tech Update: Don't Click That Link!

BY DANIEL STARNES
COMPUTER LAB AND NETWORK TECHNICIAN

Today we are talking about "phishing" emails. "Phishing" is when someone sends you an email message in an attempt to get you to give up your network credentials. "I would never fall for that," you might say. "I'm not that dumb." Let me tell you, it's much easier than you think.

Let's say that it's the middle of the semester, and you get an email that says something like this: "Your mailbox is almost full. Click this link and enter your network credentials to confirm that you need more space." Well, that doesn't look bad, does it? You don't have time to clean out your mailbox right now. Just click the link, and the school will increase your mailbox size, right? Wrong! Don't Click That Link! This is nothing more than an attempt to steal your network account.

We recently had a student who fell for this scam. We spent half the morning cleaning spam out of our email servers. We had to shut down the student's account until the student could come in and change the password to the account.

When you go into practice, this could be even more dangerous. Instead of just using your email account for spam, they could use your network account to steal information from your firm. So Don't Click That Link!

If you get a "mailbox full" warning from CWSL, it looks like this:

"User LawStudent

Your mailbox is nearly full, please remove some messages.

If you have any questions, see your system administrator."

That's it. No hyperlink. No asking for your username and password. If it asks for your network credentials, it's a scam. It's that simple.

A worse trick is when they try to steal your bank information. You get an email that tells you that there is some suspicious activity on your account, and you need to click the link and log in to your account so you can check it out. When you click the link, you get a web page that looks exactly like the home page for your bank. But it's a fake. And if you do log in to that page, you just handed your bank account over to the crooks. Say goodbye to your money.

Here's the bottom line: if you ever get an email that asks you to click on a link, and then enter your username and password, or any other information, Don't Click That Link!

WE CAN'T HEAR YOU!

Look for the new suggestion boxes around campus,
brought to you by your ombudsman!

Suggestions will be collected and catalogued weekly by me, J.R. Canlolo, SBA's ombudsman. As the ombudsman, I act as a neutral third-party between SBA and the student body. I will be taking your comments to SBA, and together we will take them to the administration. With every issue of The Commentary, I will provide follow up to comments that were submitted and addressed by SBA and/or the administration.

If your suggestion cannot wait, or you prefer to make a suggestion from the couch, you can always e-mail calwestombudsman@gmail.com. These suggestions will also be catalogued and shared with SBA and the administration, and if requested, will remain anonymous to those bodies.

CAMPUS NEWS

Behind the Scenes: Get to Know Your Support Staff

By **ROGER HINOJOSA**
STAFF WRITER

Robert Nathan

As busy students at Cal Western, we often walk from building to building or class to class thinking about the next cases that we have to read or what cases we will be discussing in class. We do not really stop and think about what goes on behind the scenes to maintain the facilities that we use on a daily basis. We have a number of staff and faculty members who are dedicated to providing us with the best experience possible. The variety of jobs on campus include looking up books in the library, making sure we have air conditioning, and cold calling us in class and putting us on the hot seat (that's when AC is so clutch, so thank your maintenance man). A staff member that you should get to know sometime is Robert Nathan, one of our maintenance men.

Robert Nathan, a San Diego native, has been working here for a year and a half. You'll usually see Robert in a black polo going from one side of campus to the other. Robert is like a walking, talking Swiss Army Knife. He never has a normal day. In one day, Robert can help set up for on-campus events, troubleshoot our air conditioning, and generally upkeep our facilities. This man will paint your fence, walk your dog, and dribble a soccer ball at the same time. Outside of work he is just as well-rounded and talented as he is at Cal Western.

Robert is from Jamul, CA, which is located in Rancho San Diego, and he currently resides with his wife, Brittany, in San Carlos, East County San Diego. He's from a family of six and is the second oldest of his siblings. He graduated from Steele Canyon High School in 2008, where he played soccer and football. After graduation, he went on a two-year mission to Utah through The Church of Jesus Christ of Latter Day Saints. He really enjoyed his mission because he met so many people and it gave him a chance to reflect and grow as an individual. He also met his wife Brittany through the church.

Robert has many hobbies that keep him busy outside of work. He has another part-time job where he dresses as super heroes for children's parties. He's actually a big comic fan. He attended the San Diego Comic-Con dressed as Olaf, from Disney's Frozen, and went sky diving as Spider-Man for his birthday. When he's not being a super hero, he's out playing soccer, going rock climbing, or at the bowling alley. He said a couple of heroes in his life are Steve Young and Travis Pastrana. He admires both of his heroes because they followed their passions.

Robert loves the hands-on aspect of his job and hopes to own a house that he can fix up himself. He would also like to take houses, fix them up, and flip them. When I asked Robert for a piece of advice he'd give to a crowd of people, he said: "Challenge yourself every day because life isn't getting any longer." If you ever see Robert around school, stop by and get to know him.



Monique Taylor

If there is one person to get to know at California Western, it's Monique Taylor, Administrative Assistant of Student & Diversity Services. I don't want to jump the gun, but she may be the nicest person on campus. Her job is to help us throughout our journey in law school and to ensure that we have the best experience here. Student & Diversity Services not only hosts a variety of academic and social programs and events, but they also offer a wide range of services to students. Those services include academic and non-academic counseling such as stress management support and resources, classroom and testing accommodation, diversity programs, and mentoring.

Student & Diversity Services provide support for the SBA and student organizations and serve as the primary administrative liaison on campus. Monique suggests attending the CPDO events and programs because they provide important information and opportunities to land a job, not only after we graduate, but while we are students. Another recommendation from Monique is to balance school with life by getting involved with student organizations or the SBA. Many of the student organizations also provide academic support for their members by hosting review sessions and offering outline banks on their TWEN page. If you would like to get more information feel free to stop by Monique's office, located on the second floor of the Administrative building, and ask her a question.

Monique was born and raised in Boston and graduated from Bridgewater State University with a bachelor's degree in Anthropology. She's had a variety of jobs, ranging from banking and working in human relations for Boston's public transportation, to working at a conservatory. Monique was fed up with the cold weather and decided to come to the best side—the west side—specifically, the beautiful city of San Diego. She moved to San Diego 6 years ago and started working for the Museum of Man in Balboa park. Monique has been working at Cal Western since 2010 and has loved it from the beginning. She really enjoys the interaction aspect of her job; she has a passion for helping students. Monique loves that she stays so busy helping students make the most of their time here. She is always on the go, in and out of work.

Monique has a handful of hobbies. She loves music; in fact she played the piano and violin, and danced ballet. She loves to go to concerts and live music shows, so you might see her at The Casbah or Belly Up. She has too many favorite bands/music, but she said that The Green, Walk the Moon, and Luke Bryan are definitely among them. She also enjoys going wine tasting and going to the local breweries around San Diego. Monique has an adventurous side; she recently picked up paddle boarding, loves to go hiking, and loves to travel. When you have the chance, make sure you stop by Monique's office and get to know her. Before you know it she'll be giving you a high-five or a big hug at your commencement ceremony.



Discounts and Benefits: Are You An SDCBA Member? You Should Be!

By **TURNER "TJ" HOPKINSON**
SBA SDCBA REPRESENTATIVE

Being a student member of the San Diego County Bar Association ("SDCBA") has many benefits beyond the invaluable networking opportunities and events throughout the year. Some of the benefits most useful to students include:

- Geico Automobile Insurance – Do you have a car? One of the nation's largest private-passenger auto insurers offers an extra discount to all SDCBA members.
- UPS – Save up to 34% on a broad portfolio of services, including air, international, and ground services on all your shipping needs.
- Verizon – Since living on student loans and minimal funds isn't exactly my definition of fun, why not save some money on your cell phone bill? SDCBA members who subscribe to a Verizon Wireless plan \$34.99 or more a month may qualify for discounts.

- AVIS & Hertz Rental Cars – Discounted rental rates are available to all SDCBA members for business or pleasure travel (you know, for all of our spare time).

- The W Hotel – Receive an exclusive SDCBA member rate on rooms when you're on vacation or looking to take a day away from the rigors of school here in San Diego.

- ACE Parking – SDCBA members enjoy free parking at night and on weekends at the Ace lot at the corner of Union and B Street. Want some extra exercise or are the parking lots around school full? You'll also be eligible for discounted parking during normal business hours too.

If you are not already a SDCBA member you can join for free at <http://www.sdcb.org/index.cfm?pg=JoinSDCBA>. Are you a 3L getting ready to enter the world of practice? Considering hanging your own shingle and want to reduce your operating cost those first few years? Numerous other benefits are available if you fall in this category and can be discovered at <http://www.sdcb.org/index.cfm?Page=Benefits>.

CAREER CORNER



Let's face it: law job interviews can be stressful, especially for the uninitiated. Now that the fall recruiting season is upon us, many of you have already or will soon interview for legal internships or post graduate positions. So, why do employers interview? They interview simply because the information presented in your application materials presents only a "snapshot" of the candidate, which by its nature cannot accurately reflect the entire person. Meeting a candidate allows the interviewer to confirm his or her initial impressions as to your qualifications and to evaluate how you will perform tasks, respond to their clients, and how well you will fit in and work with the rest of the team. As such, students need to express their value and indicate what sets them apart from other candidates. The following tips should increase your chances of a successful conversation:

1. Be prepared. Be on time.

Bring a resume, list of references, writing sample, grade sheet - anything the employer could ask for. Be prepared to discuss your resume and writing sample. Be sure to have questions to ask the employer. Asking questions demonstrates that you are interested in the position. Be flexible in setting interview times. Be early, bright, proactive and appreciative.

2. Appearance.

While it is very important to distinguish yourself, it is not advisable to express your individuality with your wardrobe, hair or adornments. This is a professional interview, not an evening out with friends. The legal community is conservative and you do not want your wardrobe to be a topic of later discussion for an employer. Although employers may have different dress codes, err on the conservative side when interviewing. Think black, navy blue or dark grey for suits. And remember, "hold" the onions (as in "none") on that sandwich before the interview!

3. Have a plan before you apply.

The last thing an employer wants to hear from a candidate is "I am exploring my options." This sends a message that you don't know what you want, which they will interpret to mean that you may or may not like the work you will be assigned, and thus, might be a less than productive intern. Even if you have not yet identified your ultimate career path, for the purpose of the interview, demonstrate that you have an identified career plan in mind, preferably, a specific type of work environment and intended areas of practice. This will convey a message of confidence and purpose, which translates to "productive intern."

4. Sell yourself.

At its core, the practice of law is about selling something, although we call it advocacy. Litigators sell arguments to judges and juries while transactional attorneys sell their client's (advantageous) posture to opposing counsel. Now is your opportunity to sell yourself and show the interviewer that you have the ability to advocate. You've worked hard in school and in life; share your accomplishments! Pick a few skills, attributes or accomplishments you want the employer to know about you before you leave the interview. Find examples from your resume or other life experiences that support each of your attributes and make sure you speak about them.

Interviewing Tips: How to Initiate the Conversation

BY MATTHEW A. LAB
ASSISTANT DIRECTOR
CAREER & PROFESSIONAL
DEVELOPMENT

5. Research the employer.

In short, conduct your due diligence. Know the employer (and interviewer(s)) and what they do. With all the information available on the Internet today, there is simply no excuse for a candidate who lacks this knowledge. One of the most important and common questions an interviewer will ask is, "Why do you want to work with our organization?" If you do your research, you will be able provide a rock star response to this question.

6. Tell stories.

Back up general statements with a short anecdote. Stories are effective sales tools because they are memorable and demonstrate a skill that lawyers need in practice. Think about compliments your previous supervisors gave you, or about the work you did that was special or interesting. When you tell the story, you are engaging the interviewer, and you feel more confident and relaxed. The best interview is one that flows like a conversation!

7. Practice.

Interviewing does get easier with practice. While thinking about what you will say is a good first step, to be best prepared, you must practice responding to questions out loud in a setting that simulates some of the nervousness you will feel at the real interview. A mock interview should accomplish this, and we can help you through it. We will prepare practice questions for you that are tailored for each particular employer. You can have a career advisor, friend or family member ask you the questions. For those questions that you don't answer smoothly, keep practicing them until your answer flows easily.

8. Focus on transferable skills.

Many students fear if they pick one type of law or specific opportunity for an internship, they will be stuck in that field or have closed off other options down the road. This is untrue. You will build transferable skills no matter where you work. The key is to find an opportunity that genuinely interests you, but even if you pick an internship in criminal law this trimester and decide later that you want to practice civil law, at that interview you will tell the prospective employer about the transferable skills you gained (court room experience, advocacy, research and writing) instead of the substantive criminal law you learned.

9. Thank you notes.

Be certain to send each interviewer within 24 hours a note thanking them for their time and reaffirming your interest in and qualifications for the position. While email correspondence is perfectly acceptable and has become the norm due its efficiency, snail mail is also acceptable, although less timely. In any event, make sure that the tone of the note is professional.

10. Follow up.

Calling or emailing a prospective employer seven days or so after applying for a position to find out more about the employer's hiring needs or decision making timeline is a great way to have your application materials pulled from the file for a fresh look. While it doesn't guarantee results, this additional contact may increase your overall chances of being called for an interview. Many employers are busy (hence their need for additional employees), and are awash with applications. Thus, a simple follow-up will confirm your interest in the position and put you back on the prospective employer's radar. When you call or email, ask questions that will advance your application. State who you are and when you applied. Confirm your continued interest in the position and inquire whether there is anything else that you might provide them to assist in their decision making process.

Ten Common Mistakes to Avoid in Internship/Job Applications

BY DREW LAUTEMANN
PROGRAM MANAGER
CAREER & PROFESSIONAL
DEVELOPMENT

Applying for jobs and internships can be a time-consuming and stressful experience. Meeting application deadlines and crafting good application materials while also keeping up with course work and current internship duties is understandably difficult, but avoiding these common mistakes will make your materials more professional and improve your chances of landing a position:

1. Not using the same headers. Use the exact same header for all documents you create (e.g. cover letter, resume, writing sample cover page, and references list). Doing so will give your application packet a coherent and professional appearance.

2. Not including, or including an improperly formatted, address block. Include an address block for the employer, which includes (1) the recipient's full name and title, (2) the employer's name, and (3) the employer's address.

3. Improper salutation. The opening salutation should start with the word "Dear" and end with a colon. It should NOT end with a comma.

4. Improper salutation, cont. The opening salutation should refer to the recipient as "Mr./Ms. Jones." Do NOT include the first name or title. A common improper format is "Dear Mr. James Jones, Esq.,"

5. Unnecessary contact information. Do NOT include your contact information in the last paragraph. This is unnecessary because your contact information should be in the header.

6. Improper comma usage. Make sure to use commas correctly. Most mistakes involve too many commas. Even the best writers make mistakes, so if you're uncertain whether you need a comma do some quick research to make sure. After a while you'll get the hang of it.

7. Not including an electronic signature. Add an electronic signature to your cover letter, and if there is another document included (like a resume), add the word "Enclosure" (or "Enclosures" if there are multiple documents). There are different ways to format an electronic signature, but a common way looks like:

/s/ James Jones
James Jones
Enclosure

8. Not including a writing sample cover page. Writing samples need cover pages and should be ten pages or less (unless the employer states otherwise). The cover page should have the same header as your cover letter and resume and a simple statement like, "This Memorandum regarding promissory estoppel was prepared for my Legal Skills I class. I received a B+ on this assignment and an A- in the course."

9. Waiting too long. Don't wait until the last minute to search for or apply to jobs. The longer you wait the less time you will have to proofread your materials or deal with other issues that come up along the way.

10. Not seeking help. Stop in to get help from the Career and Professional Development Office (CPDO). We are located on the second floor of the 350 building, and we are here to help you stay on top of deadlines, identify jobs of interest to you (this fall there were several job openings that no one applied for), and make sure your materials are the best they can be!

PROFESSORS' PAGE

PROFESSOR ARTHUR W. CAMPBELL: DRU MARTINI, UP, WITH TWO OLIVES



The Scot and his Timeless Bride, courtesy CWSL archives

BY TURNER HOPKINSON
ASSOCIATE EDITOR

What type of law did you practice, where, and for how long?

I practiced criminal law in Washington D.C. as a prosecutor and defense attorney. I came out here as a teacher and, after teaching copyright for ten years, started practicing a little entertainment law.

What made you switch from prosecution and defense?

I wanted to learn. I was in a Master's program at Georgetown. The fellowship there gave me the opportunity to practice as Special Assistant U.S. Attorney. Washington, D.C. has one of the most exclusive U.S. Attorney offices in the country, so I was really lucky. When I first walked into that office, they already knew me as a defense attorney, so it took me a while to win the confidence of my colleagues on the basis that "We're all in this to do justice... aren't we? So we're all really fighting for the same thing." When I first told my defense attorney friends that I was going to be a prosecutor they all left me. "He's deserted us for the enemy!" It didn't help much when I replied, "Look at the bigger picture-- I'm going to learn from the enemy."

When I first went to work as a prosecutor, the first day, I still had some misgivings. Then a detective of 20 years' experience came in and threw this file down on my desk and said "I want you to paper this guy for illegal gun possession." When I asked him about the search, it turned out it wasn't a constitutional stop or search, so I said, "I'm not going to paper this guy." I expected him to blow up in my face or go over my head. Instead, he just smiled, and said, "I knew you would say that but I had to try it." And I thought: "Wow, I just did as much justice in ten minutes as it would have taken me weeks to accomplish as a defense attorney!"

Did you enjoy defense or prosecution more?

My heart was always in defense.

There will always be someone willing to serve the powerful; it's the powerless that need defending. But one nice thing about being a prosecutor was I could close the door at 5 p.m. and not worry much about my pending cases. I might think about the trial tomorrow if I was in a trial, but if something got messed up it wouldn't be my fault. It would be the cops, detectives, or FBI agents for not bringing me my witnesses or prepping them properly. As a defense attorney, on the other hand, I felt on the job 24-7. Always thinking about my clients' cases. What more facts can my investigators find? What more law can I find? What more motions can I file? What different theories can I bring? Those clients' lives were always on my mind.

How long have you been a professor at Cal Western?

Since 1976, so 38 years. That makes me the most senior prof in the school. In fact, I'm working on outlasting my fifth dean!

Have you only taught here?

No, when I was in Washington D.C., I was an adjunct professor for all five of the major law schools there. I helped run one of the largest clinical programs in the country. As supervising attorneys we went into court with our law students and their real clients, representing them in criminal cases, landlord-tenant, and small claims.

What subjects do you teach here?

Now, only criminal law and copyright. Earlier, I ran the clinic and also taught torts and federal courts.

Where did you go to school and when did you graduate?

As an undergraduate I went to Harvard back in the Jurassic Period... No, actually I graduated in 1962. And then I started at West Virginia University College of Law but dropped out after one year because of my POSI. That's my Parasite Of Self Importance. It said, "If I can't make straight A's at this game, I'm not playing this game." I joined the Air Force hoping to become a fighter pilot but I couldn't pass the eye test without glasses. So I was put in the god-awful position of being a navigator trainee. This was scary for me because I didn't have any mathematical background. However, this predicament sure motivated me to learn-- if I didn't, I could crash the plane.

Why did you come back to law school?

Because I started reading books about what criminal-defense attorneys actually did, and realized defending the poor, the powerless, and unpopular ideas was what I wanted to do. I also visited criminal courtrooms every time I had the chance. Each time I'd walk out of court elated. It was either "I know I can do better than that schmuck!" or "Hot damn, I hope I can be as good as she is!"

So when I came back to law school I said, "Just as in navigator training, I

need to figure out how my instructors think and what they want. I have to learn how this game is really played." I actually ended up graduating at the top of my class using that approach. Then I had 2 fully-paid fellowship offers at NYU and Georgetown. I chose Georgetown, did two years on that fellowship, and that was law school.

What was the hardest part about law school for you?

My first year before I dropped out because I hadn't learned how to play the game. After that, the hardest part really -- and I think what happens to a lot of 2nd and 3rd year students -- was not getting bored. But I was also excited to be practicing law in the school's clinic. So I used that thought to keep from getting bored in the classroom. I constantly asked myself as I was plowing through endless rules of law, "How can I use this for one of my clients?"

What is your favorite class to teach?

It's a toss-up. What I really like about criminal law is I'm dealing with mere human beings. Most 1Ls are eager to learn how to think like ethical lawyers. It's an honor and challenge to show them legal analysis is a powerful hammer but that not all the world's problems are nails. What I like about teaching copyright is that I get to work with the top students in school and deal with society's most original creations: sculpture, novels, music, videogames, dance, etc. We grapple with how our profession packages creativity in legal terms and then tries to solve problems of ownership and infringement. That's also a neat challenge and thrill. So, with two different levels of enjoyment, I can't say which one I like more.



Courtesy CWSL archives

What is your most memorable moment as a lawyer?

Off the top of my head I suppose it was when I was practicing as a 3L in my law school's clinic and ended up being the first law student in the country to argue a real case in front of the state supreme court. One thing that makes it memorable is that I really messed up. I took the chief judge's hypothetical question-- one that seemed to last about five minutes--and gave a four-word answer: "The latter, your honor." The judge freaked out; he couldn't remember the details of his own hypothetical and had really wanted me to just grab the ball and run with it. But

I was a literalist and just "answered the fabulous question. So he rephrased his question in yes-or-no terms. Then what saved me was my supervising professor scrawled a note on a yellow pad and placed it on my podium. It said "Yes, agree!" So I did.

But I've got to include another moment, one I detailed in my first TRIAL & ERROR memoir: the time I got all charges dismissed against my favorite client who was facing decades behind bars after being set up by a lying narc.

Why did you become a professor and what are some of the pros/cons as you see them?

I didn't become a professor on purpose. I sort of edged into it. When I was in D.C. as part of my Master's thesis I had to write a thesis on sentencing. When it was done I sent it to a few publishers. The editor of the premier law-book publisher flew down, wine and dined me, and said, "We want you to write a whole book on the subject for our criminal-law library. We'll market it along with F. Lee Bailey's and other notable lawyers of the day." I said, "Wow, that's really an honor, but I don't have time to write a book." And he said, "Why don't you get a job teaching partly as an academic, not as a full-time clinician?" So I came to Cal West, ran the clinical program here for a while, and wrote the sentencing book that's now the national authority. What totally took me by surprise was how much I liked classroom teaching.

In fact I'll make a confession about why I've kept teaching so long. When I was 50 years old, I told myself, "When I turn 65 I'm going to hang it up. I don't want to become a slobbering, doddering, old man that can't distinguish the felony-murder rule from the Rule of Shelley's case." Yet here I am, 70 and a half, still teaching and loving it even more. The older I get, the more I learn and the more I can give-- and less time left in my life to give it. But sometimes I wonder, "Have I become that doddering old man?"

Do you miss practicing law and in hindsight would you do anything different?

I miss the adrenalin of courtroom work, but not the stress of 24-7 preparation. When I watch Law & Order, or movies about lawyers, I sometimes feel the old firedog attitude of "Let me go there again!" I go to almost all the lawyer movies to check the latest views about attorneys. When there's a courtroom scene, my wife can feel my tenseness. She'll clamp her hand over my arm and whisper, "Don't yell objection!"

Do you think switching to more clinics and practical training is one of the biggest changes you've seen in legal education?

Yes, one of the biggest and best changes. It's what medical students have been doing for a hundred years. When I started teaching clinically in

PROFESSORS' PAGE

Washington, D.C., compared to conventional classroom academics, I found it the most motivational, efficient, and realistic way to teach law. So have ABA and scores of studies over the last fifty years. But clinical education has been resisted with all the ferocity of career academics who never wanted to practice, and earnestly believe "law" exists mainly in books. I'm enheartened that the current economic crisis is causing law schools to rethink what they're doing. Clients are refusing to pay firms for work by lawyers who aren't ready to practice; firms are refusing to spend time teaching them; and students are refusing to end up with a pile of debt and no job.

Before schools started moving to clinical teaching it was more book based and case law, correct? Now it might seem students are becoming more proficient practitioners but not learning the law as well. Would you agree?

Not at all. That's an objection that some of my dearest academic colleagues make. But my response to them is that, once 1Ls learn how to think like ethical lawyers, they can find the rules of law on their own. Not only that, but now their clients can find the rules as well. Lawyers used to be able to hide the law in costly books in our libraries. But now that clients can access it online, there has to be something lawyers can bring to the table, to make us valuable to our clients and society.



PROFESSOR SMYTHE, COURTESY CWSL.EDU

One Last Exam

CONTINUED FROM PAGE ONE:

our laws and the world we live in. Moreover, there are many intellectual abilities and professional skills that you need to learn in law school that won't help you pass the bar exam. In fact, at a good law school, you'll learn some of them without even realizing it, and without ever being examined on them.

But a law school should also prepare you for the bar exam, and not all law schools do that equally well. I recently analyzed the bar statistics that the State Bar of California has posted on its website and discovered some interesting things.

I was somewhat surprised, for example, to find that there is a very significant in-state advantage on the California bar exam. That is to say, graduates of Californian law schools

It's no longer just knowing the law but knowing how to solve their problems in the real world.

What do you recommend students do in your classes to excel?

Something unconventional. Go to the library the first week of class and look at my old exam packets. See what you're going to be up against. That's where the rubber meets the road at the end of the term. All my packets have the highest scoring student answer along with my commentary in footnotes. I also state what I was looking for, what I got, and what were the most frequent mistakes. If they see how the exam game is actually played, it can help them arrange their outlines and study strategies in a way to win that game. I've found A students will do it the first week, B students will do it in the middle of the semester, C students near the end, and the others never.

What type of teaching methods do you use to teach your class and why?

I try to address all three basic types of learning. For people who learn by eyesight, I give them downloadable PowerPoint's. For people who learn by ear, I try to put what they need in my spoken words. For kinetic learners, I run around the lecture hall, shoot off cap pistols, get stabbed by stage knives. The guerilla theater not only keeps all students awake, it helps the kinetic learners identify with different criminal law protagonists and the various rules of engagement.

generally perform significantly better on the California bar exam than graduates from comparably-ranked law schools in other states. For example, from 2007-11, the first-time taker passage rate on the California bar exam for graduates from the University of Notre Dame School of Law was 75.7%; the first-time taker passage rate for graduates from the University of Minnesota School of Law was 75.6%; California Western came right in behind them with a first-time taker passage rate of 75.2%. Trailing California Western with first-time taker passage rates of 75%, 72%, 71.1%, and 69.2% were the University of Colorado School of Law, the University of Arizona College of Law, the University of Iowa School of Law, and Washington University School of Law. That's not bad company.

Now we should keep in mind that the bar statistics posted by the State Bar of California are incomplete. The State Bar does not report the results from an exam for an out-of-state school unless there were at least ten takers from the school on that particular sitting of the exam. Still, over the period from 2007-11 the State Bar reported the results for 115 first-time takers from Notre Dame, 86 from Minnesota, 24 from Colorado, 107 from Arizona, 45 from Iowa, and 117 from Washington. That's enough to make reasonable comparisons.

Of course, there's another matter that could confound the comparisons. It's possible that the graduates from those other schools who sat for the California bar exam were not representative of their schools. In other

There seems to be a 50/50 split among student opinion over whether they should take bar-recommended courses or avoid them. What is your opinion on this?

I've never thought about it. I guess I'd fall back on the advice I got from a professor at Harvard. He'd been Justice Holmes' law clerk. I asked him what courses I should take if I wanted to be a lawyer. I thought he'd say philosophy or economics or something like that. But he urged me to study whatever my heart was really into, because once I became a lawyer I wouldn't have much time to study it again. So my analogy would be, once you're in law school--once you've learned how to think like an ethical lawyer-- you can learn the rules you need for the bar from a bar-review course. That would suggest choosing subjects you really liked, or ones you'd like to practice.

If you were talking to a new 1L, what would you tell them is the most valuable thing they should take out of law school?

Try to figure out what it really means to think like an ethical lawyer. I always insert "ethical" in the phrase "think like a lawyer." It shows they can rise above the tsunami of lawyer jokes, which are always about unethical lawyers.

What can a student do in law school besides classes and grades that will help them prepare for the real world?

Above all, stay in touch with reality yourself. Equating "law" and "life"

words, maybe they were among the weaker students from their graduating classes. I suppose I can see why that might be the case: maybe most of the stronger students from their graduating classes had jobs lined up outside of California before they graduated and chose not to write the California bar exam; maybe the graduates from those schools who wrote the California bar were weaker students who couldn't find local or regional jobs. After all, who would move from Missouri to California unless they had to?

I'm not buying that. Most of those schools brag a lot about their students' entering credentials. And I suppose they're entitled to do so, because their entering students have good numbers. In fact, the 25th percentile LSAT scores for the entering classes at all those schools have typically been significantly higher than the 75th percentile LSAT scores for the entering classes at California Western. In spite of all their limitations, LSAT scores do generally help to predict success in law school and on the bar exam. So regardless of whether it's primarily the weaker graduates from those schools who write the California bar exam, it certainly looks like we're doing a better job of preparing students to pass the California bar exam.

In fact, all of California's ABA-approved law schools appear to outperform out-of-state schools with similar US News rankings. Among the elite schools, graduates from Stanford seem to outperform those from Harvard and graduates from USC seem to outperform those from Michigan and

can become a serious occupational hazard! Then I'd suggest three things. One, take as many clinical courses as you can. Second, get to know a lawyer and how that lawyer works. (For instance, the summer after my second year of law school I went to the best criminal lawyer in the state and offered to pay him to let me carry his briefcase into court. He liked my approach and enthusiasm, and actually hired me. I learned more from him than from my prior classroom semester.) The third thing is to ask yourself, as you are analyzing a zillion appellate-court opinions, "How would this play out in the real world now?"

How about a 3L?

Look back and remember the change-the-world idealism you had when you first walked into law school. The world your mind will operate in takes shape the way your mind pictures it. Don't let the cynicism of others replace your own picture. To be effective, you must learn to ply your talents in the real world, one which includes cynics. But you needn't let their or others' views replace your own vision, the one that comes from your passion.

Follow money or passion?

Definitely, follow your passion. Of this I've no doubt whatsoever. Money may not always follow, but if you're passionate the money isn't going to be that important. One day you're going to die with all your passions, so why not live with them?

Pennsylvania. Among other relatively highly-ranked schools, graduates from Pepperdine and Loyola-Los Angeles seem to outperform those from Boston, Cornell, and Minnesota. And among the Californian schools with the weakest first-time taker passage rates on the California bar exam, Thomas Jefferson and La Verne seem to outperform schools like Gonzaga, Suffolk, and Denver. In fact, when I did my study I was shocked to find how poorly graduates from some out-of-state schools seem to perform on the California bar exam.

I don't think there are any ifs or buts about it: there's a significant in-state advantage on the California bar exam. Graduates from Californian schools consistently outperform graduates from out-of-state schools that place much higher in the US News rankings and have significantly stronger numeric credentials.

At California Western we take some pride not only in the fact that our graduates have outperformed those from schools like Minnesota, Washington, and Arizona, but also in the fact that our graduates have typically outperformed those from other schools in southern California, like Southwestern, Whittier, and Thomas Jefferson. But we would be foolish to rest on our laurels: we can't afford to let up on our efforts and allow our bar passage rate to slip.

The lesson for law students is that where ever you go to law school, you're going to have to deliver the goods. You're going to have to pass the bar exam to get a license and you're going to have to work hard to get ahead in your careers.

LEGAL NEWS & OPINION

A City Holds Its Breath

CONTINUED FROM PAGE ONE:

against indictment. No judge presides and no defense attorneys are present in the proceedings. It has been alleged that at least four past presentations of evidence by McCullough's office in fatal police shooting cases have resulted in a failure to indict.

In order to combat the public concern that his office will present a biased case, McCullough has vowed to make public the transcripts of the proceedings if the jury elects to not proceed with charges against the police officer. The grand jury, whose original three-month term was set to expire soon after the proceedings started, recently had their term extended through January. Proceedings were initially expected to extend through mid-October. Protestors believe the time extensions are a strategic move to let tensions die down before a decision is made. They have continued to demand that a special prosecutor be appointed.

Some have indicated that a failure to indict the police officer responsible for Michael Brown's death will result in more unrest. Following the killing, the city saw several nights of violence. Ferguson protestors burned and looted businesses, and shut down city streets in protest. Police met crowds with rubber bullets, tear gas, and dogs. It took several days and numerous strategies to get the city back under control. Now people worry that the worst isn't over. St. Louis waits in angst while McCullough proceeds with his presentation and the jury term is repeatedly extended.

The local government's actions have continued to upset the community and create backlash. City council meetings have been packed with people demanding answers and action. Some have dismissed the protestors as troublemakers. While I don't condone violence or looting, I am proud of a citizenry that has held strong in their calls for justice. The U.S. Constitution affords us the right to petition our government for a redress of grievances. Although some protestors took a less civil route, most have proceeded peaceably and their crusade for justice has resulted in numerous wins, including the release of the officer's name, federal investigation into the shooting, and at least a limited transparency in the grand jury process.

Do you have an opinion?

The Commentary is Seeking Submissions

The Commentary is YOUR publication, owned and operated by the students for the students since 1973. All issues are archived in the CWSL library and online at www.CWSL.edu. We provide students and faculty with an outlet for news and opinions that are of interest to law students and relevant to student life here at CWSL. We promote the SBA and student organizations, celebrating the successes of our fellow students. Above all, we provide an interactive forum for the student body in order to promote a cohesive communal atmosphere at California Western School of Law. If you would like to write for *The Commentary*, please come to our Wednesday meetings in the 350 Cedar Building at 7:00 pm in the Student Organizations Room.

Submit your news, opinions, announcements, concerns to:

COMMENTARY@law.cwsl.edu

Ferguson Under Fire, Fueled By Overt and Covert Racism

By CHRIS GOODRICH
ASSOCIATE EDITOR

Some people are racist, and all cops are people. Therefore, it is possible that some cops are racist. Back in North Carolina, I knew many racist people. Some were overtly racist, others were covertly racist. There were even those made so covertly racist by society that even they didn't realize it. Today, a few of those racist people are now racist cops, both overt and covert. However, most unjustified cop shootings are probably not the result of overt racism. More likely, they are the result of training that has failed to prepare cops for life and death situations, or the failure of recruitment practices to screen potential cops for prejudices based on racism, especially the covert sort.

A video surfaced shortly after the Brown shooting, which showed St. Louis cops shooting a knife-wielding larceny suspect who was also black. The video showed the larceny suspect walking towards two cops who are exiting their vehicle, guns drawn. The suspect, hands at his side, repeatedly yells, "shoot me!" From what appeared to be a distance of 10-15 feet, the officers then shoot the suspect, whose hands are still at his side. The cops claimed they used deadly force because the suspect was 3-4 feet away and holding the knife in an overhand grip. After watching the video, it is quite arguable the shooting was not justified.

Why didn't the cops first back away from the suspect or use less lethal force? Isn't that what cops are trained to do? Shouldn't we expect them to behave the way they have been trained to behave? Hindsight makes it easy to sit on the couch and pick the video apart and to say the cops should have done this or that, even though most of us would have panicked the same way. But most people aren't trained for such situations. Cops are supposed to be. Furthermore, it can be difficult to understand why two cops would "lie" about these incidents. But inaccurate statements provide ammo for anyone making a racism argument. But maybe they weren't lying; maybe they gave inaccurate statements for other reasons.

Psychology research shows eyewitness testimonies are terribly inaccurate. Thirty people can watch one crime and give you thirty different statements of facts and suspect descriptions. This phenomenon is due to stress; most people do not deal well with stressful situations, especially situations that appear life-threatening. A person has to be properly trained to deal with such intense situations, which is a difficult thing to do; just look at the rate of PTSD among military vets.

A lot of people in society expect cops to be trained in a particular way, to be trained to handle the stress of a life and death situation in a particular way. Yet, sometimes cops do questionable things, out of line with how society believes cops are trained. That's when people question police motivations.

When questionable situations result in a black civilian being killed by a white cop, people often jump to conclusions about racism, even when race really isn't an issue. And it's easy to see why: institutionalized racism has been a large part of America throughout its history. However, policy brutality can't always be attributed to racism, even if there was an era where that assumption was more appropriate. Last summer, a video surfaced showing two white cops shooting a white man in a situation similar to that in St. Louis. There, cops shot, from a distance, a knife-wielding man without first attempting to use any less lethal methods, and then claimed the man rushed them. Home-security footage showed the cops shooting the stationary man from 10-15 feet away. Racism obviously wasn't at play, so only three conclusions can be drawn here: the cops were either poorly trained, psychologically unfit, or both. But when racism is a possibility, the media and debates almost always focus solely on overt racism because it is more sensational than a theory about poorly trained cops.

Honestly, I am doubtful that Brown's death, or the delayed investigation into it, were motivated by overt racism. If racism was involved it was more likely covert racism. The cop may have a deep, subconscious belief that black men are stronger, more violent, and more aggressive than white men because society at large has enforced this racial stereotype for decades. Thus, covert racism could have fueled the officer's subjective belief that his life was in danger. Empirical research in sociology does suggest that covert racism within society has a large impact on where officers expend most of their resources (i.e., in poor, minority neighborhoods), which leads to more run-ins between minorities and cops. The nature of covert racism makes it hard to understand, and consequently, hard to implicate, where the fault lies. Overt racism, however, is easy to observe, and is implicated too broadly and too often. Racism, both covert and overt, is an issue in this country, especially in southern states. Covert racism explains in large part, for example, why cops arrest minorities more often than whites in the war on drugs. Racism is sometimes, but not always, an issue in police shootings, and when racism is an issue, it is more likely covert racism.

The shooting of Michael Brown may have been justified. I originally leaned towards an unjustified shooting when initial reports stated Brown was shot while running away. However, there are many conflicting reports, so it will be hard to know the truth until the investigation is complete and conclusions are drawn from the three autopsies. The shooting may or may not have been racially motivated, covertly or overtly, but that's even more difficult to discern than whether the officer's life was objectively in danger.

The events surrounding the shooting aren't clear yet, but two things are becoming clear. First, police forces across the nation suffer from poor recruitment practices and inadequate

training. Second, Louisiana prosecutors and police officials did not properly handle the aftermath of the shooting, which contributed to the riots.

The announcement that an investigation into the shooting would take place should have matched the speed at which the local news picked up the shooting, ahead of national news and social media. The announcement should not have come so late. Additionally, officials should not have sent local police officers to control a crowd of angry people who were shouting things like, "F*** the police," "187 on a cop," etc. Sending local police to control a group of people who were angry with those local police would, obviously, only anger that group more. Finally, sending the local state troopers was probably too little, too late. The riots may have been avoided altogether if an investigation into the shooting was announced in a more timely manner and if firefighters and EMTs, instead of local cops accused of a racially motivated killing, were first to respond to the gathering protesters.

It is my belief that current police training techniques have failed to adequately train some cops to maintain their assessment abilities during intense situations. Current recruitment processes have failed at sorting out people who aren't psychologically fit to handle the stress of being on duty. Police forces need recruitment processes that sort out overt and covert racists, and remove people who cannot stay level headed in deadly situations. Police training should place more emphasis on managing stress and excitement, and emphasize less-lethal alternatives before reaching for a gun.

Typically, people don't like to be placed in life or death situations. Today, most people, including racist cops, don't like to shoot and kill people. That's why it is hard to believe Brown's death was motivated by overt racism. Not too many people in this country suffer from that sort of overt racism. That's why, if the shooting proves unjustified, it's not likely the result of overt racism. Rather, it is likely the result of poor police training, and the sort of covert racism that careful recruitment could alleviate.

These issues are socially complex, and discussion probably creates more debate than consensus, but this much should be clear: both cops and the people they swear to protect deserve better. Cops deserve training that prepares them to do their job in the heat of the moment, under intense stress, and with minimal mistakes. Because no cop should have to think, "what if I hadn't shot them" or "did I need to shoot them," they deserve training effective enough to erase any question from their mind and the public's mind that they could have done something besides use deadly force. Finally, society deserves police forces whose recruitment and training processes are stringent enough to remove any doubt that the cops can do their job safely, effectively, and free of personal bias. Nevertheless, almost all people have biases and prejudices even they don't recognize, and all cops are people, so...

LEGAL NEWS & OPINION

Marriage Equality: Losing a Battle Might Win the War

By JOSHUA SOUK
ASSOCIATE EDITOR

The only thing that advocates on both sides of the marriage equality debate seem to agree on is that the United States Supreme Court needs to step in and settle the issue once and for all. Currently, the Court has seven petitions for certiorari on the issue to review. In a few weeks, the justices will sit down and decide which cases they feel warrant their intervention. Most advocates expect the court to grant cert because the current state of marriage laws in the United States is fractured at best, and an unmitigated disaster at worst. Same-sex marriage is legal in some states but not in others. Some states refuse to recognize marriages performed legally in other states. Other states have domestic partnerships and civil unions but not marriage. A gay couple can be legally married in one state and enjoy all of the rights and protections that come along with it, but drive an hour over the state line and find they have no legal rights or protections at all. This patchwork of differing laws has created confusion, debate, and spurred lawsuits in every state with a same-sex marriage ban on the books.

Sometimes, the Court grants certiorari because a case deals with a matter of public importance that needs resolution. But a more compelling reason for the Court to step in is to address a split among the lower courts. Currently no such split exists. States where same-sex marriage bans have been struck down have appealed to the Fourth, Seventh, and Tenth Circuits and have lost in each. A decision on the issue is expected any time from the Sixth Circuit, which heard arguments in four different cases on the issue.

If the Sixth Circuit falls in line with the others, there will be "no urgency" for the court to take up the issue, according to the venerable Justice Ginsberg. Justice Ginsberg's comments, made recently during a question and answer session at the University of Minnesota, came as a surprise to many. She said previously that the court would not "duck" from the issue of same-sex marriage, making it sound like the Court would take a stand on the debate, settling it once and for all. However, if there is no split among lower courts the justices may be hesitant to take on a politically charged issue that will have substantial, far reaching consequences no matter what their decision.

All eyes are now on the Sixth Circuit. Observers of the lengthy oral arguments on the issue were left with the impression that the uninterrupted winning streak for marriage equality may be over. For a variety of reasons, the three-judge panel seemed disinclined to strike down the marriage bans, leaving equality advocates worried that they may be about to sustain a serious loss at the federal level. If Justice Ginsberg is correct, however, the loss may be exactly what equality advocates need to finally get the issue before the United States Supreme Court. If that happens, and if marriage equality becomes the law of the land, the Sixth Circuit's decision will be the loss that won the war.

Congressional Candidates Weigh In

By ALLAN ACEVEDO
ASSOCIATE EDITOR

Congressman Scott Peters invited local student journalists to meet with him and discuss his job in congress and his upcoming re-election. Peters met with over a dozen high school, college and law school newspaper editors. Peter's opponent, former San Diego City Councilmember Carl DeMaio, agreed to answer a similar range of questions via e-mail. They both presented their views on government and the race to represent California's 52nd Congressional District.

During the meeting, Peters discussed his successes and challenges in congress. While Peters spent much time discussing legislation that he has co-authored, he also lamented that he did not think any of his bills would come to a floor vote before the year ended. Peters talked about mounting student debt and how he himself understands the plight of students. Peters recollected about cleaning birdcages in the science department through Federal Work Study to pay for college. Despite the legislation he already drafted, Peters lamented the gridlock in congress — with Republicans in control of the House, it seems likely no action will come from our national representatives until after the November elections.

Peters answered a range of policy questions and noted that changing

law schools from three years to two years sounded like a good idea. Peters specifically recognized the efforts of California Western in producing practice-ready attorneys. Currently, four California Western alumni work on staff for Peter's congressional campaign.

In terms of the election, Peters was quick to emphasize distinctions between himself and his opponent, former San Diego City Councilmember Carl DeMaio. DeMaio, Peters argued, was too divisive to be effective in congress. Peters emphasized that he is a friendly problem solver who likes to bring different people to the table to discuss issues and find solutions. DeMaio, Peters emphasized, had never been placed in a leadership position by his colleagues on the city council while Peters was elected council president during his time on the council.

Indeed, DeMaio has been a polarizing and vocal representative. DeMaio, who is openly gay, refuses to take active stances on what he calls social issues such as marriage equality. Peters argued that DeMaio's lack of advocacy on behalf of significant social justice issues makes Peters the better candidate.

DeMaio is well known in San Diego for his efforts in passing a local ballot initiative to change the pension system for San Diego employers. DeMaio said he will sponsor pension reform for the UC and CSU systems in an effort to make higher education more affordable for students. DeMaio also would sponsor legislation to expand competition in the student loan market and allow greater ease and flexibility in adjusting student loan repayment terms.

DeMaio also said he would be supportive of efforts to make law school two years instead of three if it would make education more affordable and quicker.

When asked to differentiate himself from his opponent, DeMaio said he has a track record of getting things done and leads by example. DeMaio cited his refusal of political perks while on the San Diego City Council, his refusal of a government pension, and the fact that he cut his office budget by 20 percent as examples of leading. In contrast, DeMaio, said Peters, who is worth millions, has taken his government pension from the City and voted to raise his own salary while in office.

On the issue of net neutrality the two candidates came in on opposite sides. Peters said he supports and open and accessible internet, but did not think supporting net neutrality through the reclassification of broadband as a common carrier (effectively making broadband internet regulated the same way as other utilities) was the best way to do it. Peters said the government would hinder innovation and development, which the Internet has long existed to promote. In contrast, DeMaio said he strongly supports net neutrality and would pursue all avenues to defend fair and open access to the Internet.

The California 52nd Congressional District encompasses coastal and central parts of the City of San Diego, including Carmel Valley, La Jolla, Point Loma and Downtown San Diego; Poway and Coronado; and college campuses such as University of California, San Diego, Point Loma Nazarene, University of San Diego,

Law Students: Vote On Your Laws!

By ALLAN ACEVEDO
ASSOCIATE EDITOR

This November 4, California voters have the opportunity to vote on six ballot measures that impact issues ranging from water quality, budget spending, health insurance rates, drug and alcohol testing for doctors, criminal sentencing for misdemeanors, and Indian gaming compacts.

I get it, we're law students and we're busy. But that in no way should obviate us from being informed and participatory citizens. In fact, as semi-non-law people we should feel an abiding responsibility to weight in on these important issues. If you've ever read a case and wondered how that could be the law, you now have a chance to one day spare that pain on future generations of law students.

Do your own research, but hopefully this synthesis of the ballot initiatives will spur you to look into these issues more and make informed decisions.

Prop 1 - Water Quality, Supply, and Infrastructure Improvement Act of 2014.

This measure was previously known as Prop 43. If approved, this measure would authorize \$7.12 billion in general obligation bonds for state water infrastructure projects. The previous Prop 43 called for \$11.14 billion. Governor Jerry Brown called on the legislature to replace it with this proposal. The average annual cost to repay the bonds is estimated at \$380 million.

Supporters emphasize that large portions of the funds are proposed for improving and restoring watersheds, water recycling and water treatment technologies, and floodwater management projects. Opponents are concerned with the corrosion of public trust in the use of open water in rivers and streams. Opponents stress that this bond would require taxpayers to line the pockets of a few wealthy water users by purchasing water the public already owns.

Supporters: The California Democratic Party, The California Republican Party, California Chamber of Commerce, and San Diego Water Authorities.

Opponents: California Sportfishing Protection Alliance, Small Board Commercial Salmon Fishermen's Association, Friends of the River.

Prop 2 - Rainy Day Budget Stabilization Fund Act (Constitutional Amendment)

This measure was formally known as Prop 44. This measure would change the state's existing requirements under the previous Budget Stabilization Account (Prop 58). It would also establish a Public School System Stabilization Account. It would specifically requires (1) transferring of 1.5% of general fund revenues to state budget stabilization account; (2) transferring of personal capital gains tax revenues exceeding eight percent of general fund revenues to the BSA and, under certain conditions, a dedicated K-14 school reserve fund; (3) and that half the budget stabilization account revenues be used to repay state debts and unfunded liabilities.

Supporters claim this will stabilize the budget while ensuring the state has funds to pay for essential services, including education. Opponents claim Proposition 2 breaches the minimum guarantee of funds promised to California school children. Opponents assert that the state already diverts billions of local school property taxes to pay its debt and this proposition would make it so that those funds won't necessarily be replaced.

Supporters: The California Democratic Party, The California Republican Party

Opponents: Ellen Brown (Green Party candidate for Treasurer) and 2 Bad for Kids (an initiative started by volunteer parents who thought no one was willing to stand up to Gov. Brown who supports the measure)

Prop 45 - Public Notice Requirement for Insurance Company Rates

This initiative would provide for public notices, disclosures, and hearings on health insurance rate changes, and subsequent judicial review. It would require changes to health insurance rates to be approved by the California Insurance Commissioner before

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SPORTS

CWSL Sports: Get In On the Action

BY LEO VAISBURG
ASSOCIATE EDITOR

Believe it or not, Law School is not all about reading cases, preparing briefs, and maintaining outlines for final exams. Our school does a great job of making sure that various activities and sports are available to students throughout the trimester. I would strongly recommend that all you 1L's out there take advantage of these opportunities and participate in intramural sports. It's a great way of building friendships and camaraderie with your classmates, and it's extremely important that you get out of the library from time to time and do something to take your mind off school. Speaking from my own experience, our group had a tremendous amount of fun playing all the intramural sports last year; and nobody's grades ever suffered. Those couple of hours you may spend participating in intramurals will never make or break your grades. Remember, it's not about how much you study, it's about how smart you study.

The first activity to kick off the school year was Intramural Flag Football. In collaboration with Thomas Jefferson School of Law, a five week flag football season started on Septem-

ber 14th. Although only fielding two teams, Cal Western started out hot, going 2-0 in the first week. Hopefully both teams can maintain their winning streaks and roll right into the playoffs to knock off the defending champions from Thomas Jefferson.

The next event is going to be the 5th Annual Alumni vs. Current Students Softball game, on October 12th. The festivities start at 10:30AM, with the actual game taking place from 1:00PM-3:00PM at the Robb Field Recreation Center in Ocean Beach. For those of you who may be interested in representing the Cal Western's current students, I recommend that you reach out to Amy Vaughan to see if there are any more spots available. Drop her a line at AAVaughan@law.cwsl.edu.

Almost immediately after Intramural Flag Football comes to a close, Intramural Soccer is going to be the next event. We envision the season starting towards the end of October. The format is similar to that of Flag Football, with a four week regular season and a one week playoff. Cal Western did really well last year, and the games are always fun and competitive. Once we get into October, keep your eyes open for posters in the lobby of the 350 building.

Padres Continue to Disappoint

BY LEO VAISBURG
ASSOCIATE EDITOR

As the 2014 Baseball regular season draws to a close, it's a good time to look back and reflect on what a disappointment the Padres have been. Sitting over 15 games behind the NL West leading Dodgers, and over 10 games below .500, this season has been rather mediocre. Mediocrity, as it turns out, is something that Padres fans have been accustomed to seeing from this team for many years. With the Dodgers coming out of the gate slow, the Padres had an opportunity to be competitive within the division and at least vie for a Wild Card berth. Alas, playoff hopes were mostly extinguished with the Giants coming out hot and the Dodgers picking up their play as the season wore on.

As is the case in all sports, it is hard to be competitive when your roster is completely devoid of any talent. Seth Smith, the Padres' most productive hitter this season has a very pedestrian .265 Batting Average with only 12 Home Runs and 44 RBI. These are not breathtaking numbers by any stretch. On the pitching side, Tyson Ross had a decent year, with 13 Wins, a 2.80 Earned Run Average, and 195 strikeouts to date. He's certainly a player to build around. Overall however, man-

agement needs to do a better job of putting a quality product on the field. Whether it's drafting better or acquiring free agents, this team needs a serious influx of talent to be competitive in their division. A status quo means this team is going to continue to disappoint for a very long time.

Fortunately for us baseball fans, the sport does not revolve around the Padres. The season as a whole has been very exciting and very competitive. The Orioles, Angels, and Nationals have already locked up their respective divisions. But with most teams having played over 150 games, the remaining divisions and wild card spots are still up for grabs. In the American League, the Tigers, Royals, Athletics and Mariners are all battling for 3 playoff spots. Only 3 games separate the four teams. In the National League, the Cardinals are in excellent position to lock up the Central division, while the Pirates and Giants are in excellent place to take the remaining 2 wild card spots.

It's going to be a fantastic finish to this 2014 regular season, and I can't wait until the postseason kicks off. We're going to be in for some very exciting October baseball!

Ballot Initiatives, Continued from Page 11

taking effect. It would further prohibit health, auto and homeowner insurers from using lack of prior coverage or credit history to determine your rates.

Supporters liken this initiative to Prop 103(1988), which made similar requirements on auto and homeowners insurance. Supporters stress that the public wants accountability and transparency; skyrocketing rates are raising faster than inflation and this should be explained to consumers. Opponents are concerned that we would be giving one elected official too much power and contend that treatment decisions should be made by doctors and patients. Opponents also worry about creating new costly bureaucracies.

Supporters: Insurance Commissioner Dave Jones (D), California Democratic Party, California Nurses Association, Campaign for Healthy California.

Opponents: California Republican Party, California Chamber of Commerce, California Hospital Association, California Association of Health Underwriters, American Nurses Association of California.

Prop 46 – Medical Malpractice Lawsuit Cap and Drug testing of doctors

This initiative would increase the state's cap on non-economic damages in medical negligence lawsuits to over \$1 million from the current cap of only \$250,000. It would also require drug and alcohol testing of doctors and reporting of positive tests to the California Medical Board. It would also require health care practitioners to report any doctor suspected of being impaired by drug or alcohol use. This would be the first law in the nation to require random drug testing of doctors.

Supporters of the measure say that California's medical malpractice cap has

not reduced health care costs. Moreover, there should not be concern of costs going up because malpractice is such a small portion of the cost of health care. Further, supporters emphasize that California malpractice insurers earned 16.7 percent return, which is 250 percent more than the industry average. Lastly, supporters state that claims that community health centers will close is false because such entities are protect by the Federal Tort Claim Act, which exempts from liability these centers for medical malpractice. Opponents, however, argue that trial attorneys are trying to squeeze more money out of malpractice lawsuits so that the lawsuits and the payouts will increase drafted this proposition. Opponents warn that consumers will be the ones that have to pay for these new costs. Lastly, opponents emphasize that there are too many personal privacy concerns attached to this ballot initiative.

Supporters: U.S. Senator Diane Feinstein, Consumer Attorneys of California, and Congress of California Seniors

Opponents: California Republican Party, California Citizens Against Lawsuit Abuse, California NAACP, ACLU of California, ACLU of San Diego and Imperial County, California Teachers Association, Los Angeles County Democratic Party

Prop 47 – Reduces criminal penalties for some crimes

This proposition seeks to reduce the classification of most "nonserious and nonviolent property and drug crimes" from a felony to a misdemeanor. This would require the sentencing of a misdemeanor instead of a felony for such crimes unless the defendant has prior convictions for murder, rape, or certain gun crimes. Included in the proposition would be the option to re-sentence anyone currently serving prison sentences for offenses that had their penalties reduced

because of this proposition. Lastly, the proposition would create the Safe Neighborhood and School Fund, which would take savings generated from this proposition's implementation and divert those funds to education, victim compensation, but the bulk would go to corrections.

Supporters assert that we need to stop wasting prison space on low-level nonviolent crimes. This bill, they claim, will stop government waste and redirect needed funds from prison spending to k-12 education. While the idea of lowering sentences on criminals seems to go against public safety, supporters emphasize that this change would protect public safety by focusing resources on violent and serious crimes and the funds would be directed to education, which helps in preventing the cycle of crime from repeating.

Opponents, however, warn that dangerous inmates will be released into society. Further, they claim that this bill would hurt consumers because retail thieves and commercial burglars will only be charged with a misdemeanor. Opponents also ask you to consider that crimes like purse and phone snatching will be considered akin to stealing a candy bar.

Crimes included in this initiative include:

1. Shoplifting, where the value of property stolen does not exceed \$950
2. Grand theft, where the value of the stolen property does not exceed \$950
3. Receiving stolen property, where the value of the property does not exceed \$950
4. Forgery, where the value of forged check, bond or bill does not exceed \$950
5. Fraud, where the value of the fraudulent check, draft or order does not exceed \$950
6. Writing a bad check, where the value of the check does not exceed \$950
7. Personal use of most illegal drugs

Supporters: San Francisco District At-

torney George Gascon, State Senator Mark Leno, California Democratic Party, Crime Survivors for Safety and Justice, The League of Women Voters of California, Children's Defense Fund of California

Opponents: California Republican Party, San Diego Police Chief Shelley Zimmerman, California District Attorneys Association, California Correctional Supervisors Association, and California Retailers Association.

Prop 48 – Referendum Indian gaming compacts

This initiative is to ratify AB 2777 (Ch. 1 Stats. 2013), which includes two gaming compacts between the state and the North Fork Rancheria of Mono Indians and the Wiyot Tribe. Of note, the compact includes exceptions from California Environmental Quality Act (CEQA) requirements for certain projects. Remember that a referendum operate whereby a "yes" vote is to uphold the contested legislation and a "no" vote is to overturn the legislature's bill.

Supporters say this bill will create thousands of jobs, generate revenue for the state and local governments, respect local control of land use, and protect flora and fauna and no cost to taxpayers. Opponents, however, assert that this goes against the promise made by California Indian Tribes when they asked voters to approve limited casino gaming only on the tribes' original reservation land. Opponents warn this will start a new wave of off-reservation casino projects.

Supporters: California Democratic Party, Gov. Jerry Brown

Opponents: Fresno County Supervisor Henry Pera, The Sacramento Bee

ADVICE

The Power of Positive Thinking

BY NICHOLE SCHIRM
ASSOCIATE EDITOR

In the legal field, most of the time you deal with people who have problems. Your clients are seeking advice at a time in their life when they are in trouble with the law, their family, or a business partner. It is very easy to let their negative situation and attitude rub off on you and turn your positive day into a negative mess. If we, as soon-to-be-attorneys, allow our fellow classmates and future clients to dictate how our day will go, there is no hope for us, and especially no hope for our families who have to deal with us.

Is your glass half empty or half full? The way you answer this basic question will help determine how you look at the world. Those who answer half empty tend to worry and fill their heads with negative thoughts. On the other side, those who answer half full tend to have a more positive outlook on life. Knowing your perception of life allows you to reflect and make the necessary changes. It is so easy to be negative when life disappoints you and gets you down, but you should not let the negativity control you.

Everyone knows that person who needlessly judges others, makes mean comments for no reason, and uses sarcasm as a way to keep everyone out. You want to love that person, but they make it so difficult. Unfortunately, they will most likely end up alone and even more negative. If you are that person, even just a little bit, it is time to reflect and focus on what makes you happy. Happiness attracts happiness, negativity attracts more negativity; choose

your cycle.

Research has shown that cutting back on negative thinking improves the quality of life. Not only does it improve mental health and happiness, but it also improves physical well-being.

The benefits of positive thinking include:

- Increased life span
- Lower rates of depression
- Lower levels of distress
- Greater resistance to the common cold
- Better psychological and physical well-being
- Reduced risk of death from cardiovascular disease
- Better coping skills during hardships and times of stress

Though it has yet to be proven how positive thinking is associated with these benefits, it has been theorized that optimistic people tend to live healthier lifestyles. When people are happy, they have the energy to stay active and social, eat healthier and abstain from excessive drinking or smoking.

If you find yourself thinking negatively, remember that this is your life and if you are doing something just to satisfy others and it results in your unhappiness, you have the power to change. Re-evaluate your life and adjust your priorities, because being happy and satisfied in life is the best gift you can give yourself. So, next time a negative thought pops into your mind, do yourself a favor and turn it around. Below are a few common negative thoughts that one might have on a

daily basis and the positive alternative that can help lessen worry and stress—developing a happier you.

Negative Self-Talk	Positive Thinking
I've never done it before.	It's an opportunity to learn something new.
It's too complicated.	I'll tackle it from a different angle.
I don't have the resources.	Necessity is the mother of invention.
I'm too lazy to get this done.	I wasn't able to fit it into my schedule, but I can re-examine some priorities.
There's no way it will work.	I can try to make it work.
It's too radical a change.	Let's take a chance.
No one bothers to communicate with me.	I'll see if I can open the channels of communication.
I'm not going to get any better at this.	I'll give it another try.

PS: Here are some motivational quotes to make your day a little brighter:

- "With the new day comes new strength and new thoughts."

- Eleanor Roosevelt

- "We can complain because rose bushes have thorns, or rejoice because thorn bushes have roses."

- Abraham Lincoln

- "You are never too old to set another goal or to dream a new dream."

- C. S. Lewis

- "If you're going through hell, keep going."

- Winston Churchill

- "Thoughts Become Things... Choose The Good Ones!"

- Mike Dooley

- "Even if you fall on your face, you're still moving forward."

- Victor Kiam

- "Quality is not an act, it is a habit."

- Aristotle

- "Always desire to learn something useful."

- Sophocles

Source: Mayo Foundation for Medical Education and Research, 2014.

Table for Two at Cucina Urbana

BY NICHOLE SCHIRM
ASSOCIATE EDITOR

Out of the small amount of restaurants on Bankers Hill, I keep coming back to Cucina Urbana, located on the corner of Laurel and 5th. The first time I went there was to meet up with friends for happy hour. I walked in and the atmosphere was business casual, but nice enough that it would be an appropriate place for a romantic date. The place was packed and I finally found my friends crowding in the corner at the end of the bar. At first, I thought it would take forever to get a drink and I would not have a place to sit. However, a gentleman not associated with my friends instantly offered me a seat and the bartender came right over. I ordered my drink and I took a

look around. The crowd was mainly professional, both young and old, and several couples locked in their own world were scattered about.

As I sipped my smooth, dry merlot, I glanced at the menu. Not because I was hungry, but because I wanted to come back and try the food. I watched dish by dish be devoured slowly as the patrons closed their eyes and savored the flavor. I had to come back.

What is especially great about the happy hour at Cucina Urbana is that they have a different special for every day of the week. They always have specials on their healthy selection of beer and house wine (which is ten times better than any house wine out there), but for each day of the week, the food specials change. My favorite day is Thursday because it's half-off pizza. Pizza combinations that make our mouth water, like: fig and Gorgonzola; pepperoni and fennel sausage; and smoked salmon and buffalo mozzarella. I do not just get the pizza though; I have yet to have anything from their menu that I did not enjoy. Like I mentioned, it is also a great

A Bar for the Rest of Us

BY ALLAN ACEVEDO
ASSOCIATE EDITOR

It's not a strip club, it's not necessarily unsafe, and it's definitely not a spot for a first date. But it is my kind of bar. Chee Chee is a dive bar aficionado's bar. On Broadway between 9th and 10th rests an unassuming bar waiting to offer you a cold drink and a no-attitude downtown drinking experience unlike anywhere else.

The pink neon sign might fool you, but this is a no frills neighborhood dive where cheap drinks are the name of the game. There is a busy bus stop right outside the door for those wanting to skip the hunt for parking. Even better, the inside features ample seating, pool tables, darts, and a jukebox with a unique spectrum of music.

Walking in, you'll notice the dimly lit long bar with several empty stools and a limited alcohol selection. Don't expect to order anything with elderflower or sample any craft beers here. A staple order would be a PBR tall boy. Cash only, sorry for those with their dad's American Express. But once you visit this bar, you'll understand why it's best if we all avoid a paper trail.

You can really tell the quality of a dive bar by the bathroom. Sure, not every bar can have flytraps and soft-core porn on the wall (I'm looking at you Tower Bar), but the faint smell of urine can live in any local watering hole. Chee Chee does not disappoint.

Standing in the men's bathroom last time I was there, I looked to see where the door should have been and was grateful that I could rest easy in the knowledge that my alcohol purchases were only being used to purchase more alcohol for the establishment. Besides eschewing standard repairs and credit card fees, Chee Chee also is not about overcharging you for the drinks.

Whether you're celebrating or forgetting, Chee Chee is sure to have a cheap drink with your name on it. Mostly because you're unlikely to encounter many others competing for that drink. Unlike many bars in downtown, Chee Chee will never be crowded. Also, the bartender will never be too busy to help you out, unless they are on a smoke break.

Your visit will either earn you the distinction as the only person in the bar or give you the opportunity to meet some of San Diego's finest. You might run into some hipsters, but most likely you'll just meet some older patrons cooling off with an ice-cold beer.

Consider yourself lucky if Fred is your bartender for the evening, morning or afternoon — he's exactly the right amount of surly that is sadly missing from many of San Diego's mixologists. But really, the bartenders are friendly and easy to talk to. If you didn't come with friends don't worry; an open mind and a few drinks will ensure you leave with many new ones.

Sometimes you want a cold drink, but don't want to listen to whatever terrible thing is coming out of Hannah Montana's face. Sometimes you want to put a quarter in a jukebox and listen to your song right away. Sometimes you want to hang with friends and not worry about finding a table. Whatever your reason, make sure next time you couldn't care less about where you drink you check out Chee Chee.

Sure, Chee Chee might not be for everyone, but it's definitely there for anyone.

Recommend: Highly

ADVICE

Hey you! Yeah you, the person down in front of class eating a burger and fries from In-N-Out. Stop it. We all get hungry throughout the day, but eating food that causes the classroom to smell as if it was a restaurant is distractingly rude. Some snacks or a drink are ok, but devouring a box of noodles with chopsticks is not ok, for several reasons. Yet I have seen these exact behaviors in class before, as well as other less than considerate behaviors. If you find these examples rude, I think you will enjoy and agree with the rest of my thoughts today; if you did not find these examples to be rude, please read on because I am writing this article to you.

Let's talk about food and drinks in class. The 1L schedule typically provides some free time around lunchtime. Students should eat lunch rather than study during that time. Your health and your grades really will be better off by putting the books down to eat. This is also a good time to get both a free lunch and to learn about many of the organizations around school, like Exoner8, P.A.D., P.I.L.E, La Raza, and many, many more. So, typically, most people do not need to eat lunch in class. Nonetheless, some people will need to, and some people just want a snack during class.

If you are going to eat in class, here are a few thoughts as to how you can do that without being a distraction to your classmates, your instructors, and yourself. All you really need to remember is to be quiet, don't stink, and save a hand. What I

Don't Be A Jerk

BY CHRIS GOODRICH
ASSOCIATE EDITOR

mean by "save a hand," is that you should not be eating food that takes both of your hands or a set of utensils. How can you be taking notes if you are using both hands to eat? Do not stink up the classroom. If the back row can tell what you are eating by smell alone, a majority of the people in between are probably thinking about what is making the room smell. Students should be thinking about the words coming out of the professor's mouth, not what is going into your mouth. Be quiet! This one is pretty simple: don't eat food with packaging that makes so much noise that you and your neighbor can't hear the professor.

So if you don't want to be rude by distracting your classmates and yourself, just be considerate of your time and others' time. Don't stink up the classroom, don't drown out the professor's voice in noise, and save a hand to write with.

Now onto other rude and distracting behaviors people should try to avoid, most of which are pretty basic. Some might consider not wearing a hat inside as an outdated tradition, but a hat can still be a distraction to people's view of the instructor if you have your brim pointed at the ceiling. Playing video games and watching videos on

your computer is another distracting behavior. Some days you just don't want to pay attention. We all get that, but if you play Tetris every day or watch NFL highlights instead of paying attention, sit in the back row so you don't distract people behind you. When the professor walks up to the podium, everyone should stop talking. People should not even wait until the professor starts speaking, and never should a professor have to order the class to begin. Don't talk in class, even if some student is giving a recitation of the case you think is so horrible your head will explode if you hear it. Nothing could be ruder than talking while a professor or student is speaking to the class.

So at the end of the day, what's important is to think about your fellow classmates before you act. Take into consideration whether your behavior is going to be distracting to other people. Just think about other people, please; we don't live in bubbles. Law school life is hard and sometimes we get caught up in our responsibilities, what we have to do, or how stressed out we are, and we end up forgetting about other people's concerns and needs. Doing that is circular. If you make other people's lives more stressful, they are more likely to make someone else's life more stressful. That person could be you. So please, start being more considerate of the people around you, especially in the classroom and at school, where everyone spends most of their time now.

Personal Property, with Penelope: A Law Student's Search for Love

BY PENELOPE JO MICHAEL
DATING GURU

There are good dates, and there are my dates.

Law school and dating – those words are not compatible. They are not supposed to be. Thankfully, Mark Zuckerberg invented Facebook, which ultimately led to Tinder. Without the app, several of us would be lonely and have normal dating lives. Those without Tinder might think that it is for people who hit rock bottom in their personal lives or are looking to report for "Booty Duty." That might be true for some, but a lot of us just want to meet new people.

My first Tinder date happened during first semester of law school. I had not been on a date since moving from Denver, and I was nervous, excited, and doubting whether or not I should go. After swiping right on each other's profiles and talking about our love for the Broncos, Josh* and I decided to exchange numbers to "hang-out sometime." Josh and I agreed to meet in public. Why? Because this is the world of Catfish and Craigslist Killers. I let Josh pick where we went on our date, because he did not have a car. This should have been sign number one, but I didn't let it bother me, because I needed to have social inter-

action with non-law school students. No offense, everyone.

The morning of our date, Josh told me we should meet at The Living Room in La Jolla. He texted me the address: 1010 Prospect Street, La Jolla, CA 92037, U.S.A, The Milky Way. I literally LOLd. His text gave me the false expectation that I was going on a date with Andy Samberg – or at least his personality doppelganger. Spoiler alert: I did not.

I arrived at The Living Room 20 minutes late, because I waited on my group text's approval of my outfit. When I walked in, I saw him sitting at the "first date" table. Every restaurant has one, it is usually near the door, for ease of exiting and this is for good reason. I walked up and smiled. Josh smiled back. He asked if I wanted coffee and I told him I did. Then he pointed towards the cash register and told me that is where I order my own coffee. Strike one.

After I followed his directions and bought my own coffee, I sat down and decided to talk with him. After we got "the usual" topics of conversation out of the way, I learned that he was pursuing his PhD in something related to science or math, he wears flip flops everywhere he goes, and he is from "the rich scenes" in the 8 Mile movie. After we finished our coffee, he asked if I wanted to go to the Ko-

rean BBQ place across the street to "get an actual meal." I agreed, because "an actual meal" is my favorite kind of meal.

Once we got the restaurant, I revealed that I had never had Korean food before. He suggested that I try the kimchi. I will never forgive him for that. Strike two. I tried to reveal my dazzling personality to Josh, but I soon realized that someone in the room did not appreciate this date. That someone was me. Josh he kept asking about my exes and trying to analyze me based on my responses. I don't even want to think about my exes, and I could not imagine why anyone would want to know about them. When I confronted him about this conversation topic, he told me it was because he wanted to make sure that he and I would be compatible. What a scientist. As soon as he finished his bowl of "actual food" I told him it was time to go. When we had to pay, he asked if I wanted to pay for the sake of feminism... We split the check.

Leaving the restaurant, he offered to walk me to my car. I let him, because I was silly and thought La Jolla was a sketchy place. He suggested we take a short cut back to my car so we could see the seals at La Jolla cove. Note to everyone: never take short cuts at night with Tinder dates. When

we got to the cove, I realized my surroundings - Josh and I were one of four couples "taking short cuts." He told me we were the only couple not committing a PC 314. He tried to impress me with his legal knowledge about indecent exposure.

While standing at the cove with couples committing criminal offenses, I told Josh I was tired and ready to go home. His response was "are you a good kisser?" Because I am an awkward human being, I told him I have only practiced on pillows and didn't know. He then reached into his pocket, pulled out breath spray, and put his arm around my shoulders. Strike 3. I walked away and I told him I would text him later. Once I got to my car, I noticed he sent me 4 texts. The first said that he had fun on our date. The second asked me to text him when I got home. The third asked if he could take me out for a second date. And the fourth asked for a ride home. I never texted him back.

Although Tinder can sometimes leave you asking yourself "what the f&*# did you just do," it helps you learn who you are as a person and what you want out of a personal relationship... To be continued next month.

*Names have been changed to protect the guilty

PROCRASTINATION ZONE

WORD SEARCH

B N L K A S J T P B X T Z E E
 O R Y H A V L Z A X R G T H E
 I Z O T L U N R R V E S I R J
 G D X O A E T C E G G D L L G
 K O E F K O B H N L A A G I R
 C F Y S N S T I Y X E E I C A
 N H C B S Y U N E A Y D T H Z
 T I U D M E C H L S N J S M H
 S X E S N H N R E P O O C G R
 C E H T I M S T N Z M Z B C K
 K M Y Z S E R O O M K N I F L
 D C K O P N Q W Q P S K U S E
 Q A A G N T I M O R T O N T I
 U D O D L D E E X L E X F J N
 B E L K N A P H W F T U I T N

BARTON MORTON
 BELKNAP NOYES
 BROOKS SAX
 COOPER SEIBEL
 COX SMITH
 DESSENT SMYTHE
 EHRLICH STIGLITZ
 FINKMOORE THYFAULT
 KLEIN WEINSTEIN
 LYNCH YEAGER

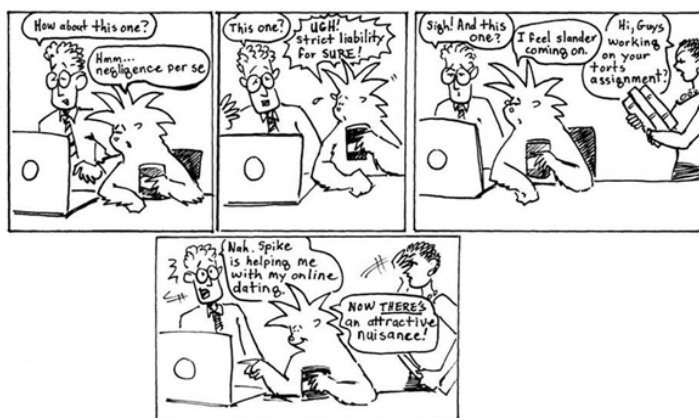
SUDOKU: Moderate

	2	3		9		8		
6		1		3	8			
5			4					
3						2		4
		6				3		
7		8						1
					3			8
			7	8		9		6
		2		5		1	4	

SUDOKU ANSWERS: No Peeking!

3	4	1	6	5	6	2	7	8
9	2	6	4	8	7	5	3	1
8	5	7	3	1	4	9	6	2
1	6	5	2	9	3	8	7	4
7	8	3	6	4	1	9	5	2
4	6	2	5	7	8	6	1	3
9	7	4	2	1	6	3	5	8
2	4	7	8	3	5	1	6	9
5	1	8	7	6	9	3	2	4

Murphy's Law - By: Aycock and Allman



§2 Where Art Thou?
 I remember the good times and the bad,
 And all the lectures we have had.
 I see you around, but it isn't the same,
 Do you even remember my name?
 Can't we just go back to last year,
 When our main focus was dancing and beer?
 Let's have a party when finals are over,
 I just can't believe that it's already October.

Author: Unknown
<http://legalpoetryslam.tumblr.com/>

SBA PARTNERS: CWSL Students Receive Discounts With These Vendors

Princess Pub & Grille - 10% OFF food and drink
www.princesspub.com
 1665 India St.
 619-702-3021

GO POSTAL! - 25% OFF copying and printing
 Notary, Apostiles, Shipping, Mailboxes, Passport Photos, etc.
www.gopostalsd.com
 1501 India Street, Suite #103
 619-237-0374

Nelson Photo - 10% OFF, excluding hard goods
nelsonphotosupplies.com
 1909 India St, San Diego, CA 92101
 619-234-6621

Brake Stop and Auto Repairs - 15% OFF
 702 W Grape St
 619-291-STOP

BringItToMe.com - 10% OFF
 Delivering from 50+ of your favorite restaurants, including RubiconDeli, Lotus Thai, Taco Surf, and Bareback Grill
 Enter "CalWest" at checkout and show your student ID to driver.

the kebab shop - 10% OFF one item with student ID
 303 W Beech St.
 (619) 550-5481

Mixon Liquor And Deli - FREE DRINK with purchase of sandwich and chips
 1427 1st Ave
 (619) 232-8665

Greathouse Furniture, Patio, Accents - 15% OFF purchases with student ID
 9050 Kenamar Drive
www.greathouse.com
 (858) 271-9400

Help CWSL expand the discount program:

Do you know any local businesses that would be interested in offering CWSL students a discount? Do you always find yourself eating at your fa-

vorite restaurant and wish that they would give you a discount already? Email any information to Travis Kohler at TWKohler@law.cwsl.edu

DISCLAIMER: California Western is a great place to go to school and SBA is happy to provide you with access to student discounts from several local vendors. Please note that each discount may have its own restrictions, which are imposed by the discount provider. California Western does not warrant or endorse any goods or services provided by any business participating in the discount program. It is your responsibility to carefully check goods and services offered. As always, students should exercise caution and good sense when dealing

THE ARTICHOKE IS SATIRE. DISCRETION IS ADVISED. THE ARTICHOKE IS SATIRE. DISCRETION IS ADVISED. THE ARTICHOKE IS SATIRE. DISCRETION IS ADVISED.

Supreme Court Reality Show Puts the "Men" Back Into Mens Rea

BY ALEX PEREZ
ASSOCIATE EDITOR



Breaking News, In Breif

- Follet Fallout! Maria Villalobos has become the first person in U.S. history to receive her entire textbook order from Follet. She commemorated the event by forming her receipt, which she has kept since the day it was received, three days after the start of the Korean War.
- Three ILS who have been missing since orientation have finally been found on CalWestern's campus. The students were found in the little-known mezzanine level of the 350 building. The three first-years survived by rationing the five pounds of candy they had smuggled out of the career services office.
- The registrar's office has released a statement regarding the recent delay in distributing summer grades. According to the release, the curve had to be re-adjusted after it was discovered that one of the students was actually just a volleyball left over from a school picnic. Off-had actually scored better than one of the had was stymied by the fact that the ball transfer students from Thomas Jefferson.
- CalWestern has entered into a three-year sponsorship deal with Domino's pizza. In addition to making Domino's the sole provider of food for student groups, the deal will also provide students with an exclusive pizza tracker app. Besides the usual tracker entree like, "pizza now baking" and "Delivery en route" the app will add new relevant entree, such as "providing a momentary distraction from the misery of finals week" and "easing your feelings";
- After years of enduring hours of gossip and unrestained venting regarding reading assignments, the ashtrays on the west side of the 350 building have achieved sentence and have begun sliding away from campus. Students considered reporting the phenomenon in order to study the ashtrays, then quickly lost interest and opted to just throw their cigarette butts on the ground.

For years, the deliberations undertaken by Supreme Court justices have been shrouded in mystery. Millions of Americans spend hours imagining the sort of courtroom deals and quid pro quo maneuvering that factors into milestone decisions that change the face of the nation forever.

This October, audiences may finally get a real glimpse into these conversations and have their questions answered...well, mostly.

The Real Husbands of the Supreme Court will focus on the exciting lives of the six male justices of our highest tribunal.

The show's producers admit they would have loved to include female justices Kagan, Ginsberg, and Sotomayor, but were unsuccessful in securing their participation. When questioned about her reluctance to join, Justice Ginsburg stated that she was "a little busy trying to avoid turning the American judicial system into a farce" before turning on her sprinklers un-

til we went away.

Justices Kagan and Sotomayor have not provided any comment, but last time we checked Facebook Messages, it said that they had read our message, so we don't know what their deal is.

The Artichoke received an advance copy of the show's pilot, which introduces the cast and follows Chief Justice Roberts on a typical day in Washington D.C. The episode opens on Roberts being interviewed by a reporter from the Washington Post.

The questions turn to his nomination to the Supreme Court, and how the death of the former Chief Justice Rehnquist opened the door for Roberts to take the newly vacant seat.

Roberts had originally been set to fill the seat of retiring Justice Sandra Day O'Connor, but President Bush changed his nomination after Rehnquist's death. The report asks Roberts how he felt about

overing his current position to random giant medallion becomes visible, the word "Originalism" emblazoned on one side.

Alito takes his cue and also sits back with a conspicuous yawn, obviously attempting

This was a mistake

Jeff Madison, 2L

New year means new start

No more flirting with deadlines

Said no one. Ever.

[No Name Given]

Hey I think we really need a fountain for water bottles. I can't tell you how many times I've doused my pants

School of Law is finally joining the ranks of... well, we're just joining the ranks. Those who put their faith in a for-profit news outlet's ability to determine which law schools best prepare their students to be millionaires will be pleased to hear that CWSL is finally recognizing the respect we deserve.

The US-based News Source has developed a points system over several years that tells wealthy parents how much money to waste on their children who have disappointed them by going to law school after failing to become

Richard Huffer, [No year provided]

Roses are red, violets are blue

Jose Villarreal, 1L

Hey, girl on laptop

Second row, browsing Facebook

I know your password

Well, that's all for this year! Not exactly what we were hoping for, I think some people don't know what

By Clinton Pierce

Sleep deprived student

Good news! California Western School of Law is finally joining the ranks of... well, we're just joining the ranks. Those who put their faith in a for-profit news outlet's ability to determine which law schools best prepare their students to be millionaires will be pleased to hear that CWSL is finally recognizing the respect we deserve.

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Richard Huffer, [No year provided]

Roses are red, violets are blue

Baba booby, baba booby Howard Sterns bar review!!!

#BoxTrollin

#WashYourRV

Jose Villarreal, 1L

Hey, girl on laptop

Second row, browsing Facebook

I know your password

Well, that's all for this year! Not exactly what we were hoping for, I think some people don't know what

Right at the end. Oh well, better luck

next September!

Dale Maron, 1L

I just got cold called

Life just flashed before my eyes

Haikus are cool man

I know how to write haikus

Unlike this case brief

Haikus are cool man

I know how to write haikus

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