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Professor Jan Stiglitz

California Western School of Law

September 2014

# THE COMMENTARY

## WELCOME TO A NEW ERA, 90 YEARS IN THE MAKING



Your Student Bar Association welcomes you back to school for California Western's 90th year. SBA President Joanne Heilbrun (center), Vice President Merrick Wadsworth (center-right), and Treasurer Brittany Cosina (center-left) are excited to usher in a more student-centric law school experience. Read about some of SBA's plans and vision in this issue.

### Legalize It

Weed, Violence, and Racism  
in America

BY CHRIS GOODRICH  
ASSOCIATE EDITOR

Rape, vehicular homicide, domestic violence, battery - what do all of these things have in common? They are violent crimes which are frequently and directly caused by the over consumption of a legal intoxicant known as alcohol. Possession, possession with intent to distribute, trafficking, maintaining a dwelling for distribution - what do all of these things have in common? They are the non-violent crimes most commonly committed by marijuana users, and are only crimes because marijuana, America's largest cash crop, is an illegal substance under the federal Controlled Substances Act. If marijuana were legal, abusers would probably not be breaking any laws at all. Marijuana abusers might not go to work, or class, or they might fail to follow through with a number of other responsibilities, but that's about the extent of it. If marijuana were legal, many violent drug dealers and the gangs they belong to could be put out of business by smiling retail salespersons.

America endured the increased violence and health consequences that came with forcing the alcohol trade underground for only thirteen years before it repealed alcohol prohibition, yet America has endured the failed prohibition of marijuana and all of the crime its prohibition creates for decades now. See **NORML** on page 10

### New SBA: Renewed Focus On Campus And Community Involvement

BY JOANNE HEILBRUN  
SBA PRESIDENT

A very warm welcome to our new 1Ls, and welcome back to all 2Ls and 3Ls!

My name is Joanne Heilbrun and I am the president of the Student Bar Association. I was raised in San Diego and graduated with a Bachelor's of Arts in Communications from California State University San Marcos. Both Vice President Merrick Wadsworth and I have been privileged over the last two years to represent the California Western student body as both 1L and 2L Student Bar Association representatives. We are extremely excited to continue representing you this year!

Over the next year, the Student Bar Association will be focusing on three main goals. First, we will work diligently to meet student needs by becoming a greater force on campus. Second, we will focus on extending our reach into the local community. Third, we will seek out collaborative opportunities with other San Diego law schools. Most importantly, we want to engage the California Western student body, and learn what will improve your individual law school experiences. One of our most important responsibilities is to support all the student organizations on campus, and we will continue to make this a priority by encouraging participation in these organizations, and the many incredible events they plan and execute throughout the year!

During the summer, the Student Bar Association took some important steps toward realizing our goals. Our ABA Representative Sarah Reddiconto and I attended the ABA Conference in Boston where we were voting delegates for the ABA Law Student Division. We were able to meet many of the Student Bar Association Presidents and

ABA Representatives from across the country. We participated in round table discussions about exciting ideas to improve the law school experience for every student. We will continue to work alongside our SBA and ABA counterparts to improve the reach of the Student Bar Association at California Western.

Beginning in September, you will see suggestion boxes located throughout the school. We encourage and welcome feedback regarding any facet of your law school experience. Our ombudsman, J.R. Canlobo, will be responsible for collecting these suggestions and cataloging and presenting them to the Student Bar Association. In turn, we will take any ideas, concerns, and comments to the administration on your behalf and give life to each individual voice on campus. Additionally, the Student Bar Association is asking local businesses to provide California Western students a discount for patronizing their establishments. During the first week of classes for all students, the Student Bar Association will be distributing "SBA Partners" stickers to place on the back of your California Western student identification cards. As law students, we all struggle with the financial obligations of our commitment, and many local businesses are happy to help partially alleviate that burden when asked. We will continue to seek out participants throughout the year, and continuously update the list at [www.cwslsba.org](http://www.cwslsba.org).

The upcoming trimester will provide many opportunities for involvement including bar reviews, Race Judicata, Community Outreach events like the Halloween Auction, and many wonderful student organization events. We encourage all students to get involved and come out to participate in these excellent networking, social and volunteer opportunities. We look forward to working with you and for you over the next year!

### Summer Abroad: Chile to Prague, Malta, Paris

Chile: Life after the Pinochet  
regime. An old world with  
ambitions for the future

BY ALEX PEREZ  
ASSOCIATE EDITOR

Less than five minutes after getting through customs in Santiago, it became clear that I was definitely not in San Diego anymore. As I walked to the pick-up area, I found myself completely surrounded by tarps decked with signs asking me to pardon the mess, because renovations were being completed. On the way from the airport, countless buildings were covered by scaffolding with signs promising that things would look a lot better in a few months. A quick walk through central Santiago revealed that the Plaza de Armas, one of the most frequently visited sites in the city, was partially closed for remodeling. The message was clear: Welcome to Santiago, We're Not Done Yet.

Throughout my stay, I saw many signs that Chile is in a rush to compete with the major players in the Western world. Chile hopes to achieve in ten years what nations like the United States achieved in a hundred. At the same time, Chile cannot escape its past, and no matter how much it rushes to modernize, it will always be coming from an entirely

See **CHILE** on page 8

# WELCOME!

## Meet Clinton and Seve: A Message from the Editors-in-Chief

This summer some students went on exotic trips abroad, others represented indigent clients in court, and a lucky few honed their trial skills at Cal Western's famed Boot Camp, but all of us now return for another year on Cedar Street, hoping to learn, grow, and maybe have a little fun along the way. As editors of the paper, we hope that part of your 2014-2015 California Western experience will include reading and enjoying *The Commentary*.

Our names are Clinton Pierce and Seve Gonzales and we are the new Editors-in-Chief of *The Commentary*. If you missed our introductions in the April issue, be sure to check them out on the SBA website at [www.CWSLSBA.org](http://www.CWSLSBA.org) (or just ask one of our friends to tell you how wonderful we are). There you will find previous issues of *The Commentary* as well as lots of great information on your Student Bar Association and the many student

organizations available at CWSL.

For those students new to Cal Western, *The Commentary* is the school's student run newspaper published at the beginning of every month (we hope). While the paper changes slightly from year to year with new staff and editors, its main purpose remains to inform our community while also providing a relaxing and fun alternative to class readings.

This first issue includes coverage of major legal news from the Supreme Court, stories from several summer abroad programs, and an interview with Professor Stiglitz in which he admits that there are no real consequences for slackers! Basically, that's what he said... basically. We hope you enjoy these stories and the others, and if you're looking to start the year off on the right foot, we've added a Procrastination section!

This month's issue would not have been possible without the

help of our wonderful staff.

We would like to thank all those who worked on this issue, even in the face of summer finals, hangovers, and sunny beaches. We know that the key to a successful paper is having a quality staff and getting as many students involved as possible. In the past, *The Commentary* had the goal of one hundred contributors by the end of the year. That's something we are bringing back for the 2014-2015 school year. If you have any interest in getting involved with the paper, whether it be joining the staff, writing an article, or simply sharing an idea for a story, please email us or stop one of us in the hallway. We love meeting new people.

We look forward to getting to know all of you, and hope that we can live up to our predecessors in



Your humble Editors-in-Chief aboard their private yacht paid for entirely by their well-deserved sense of self-satisfaction

bringing you some important information and a little entertainment. We'll try our best... well, we can't promise that we'll try, but we'll try to try.  
- Clint & Seve

## A Message From Student Services

**SUSAN GARRET-FINSTER**  
DEAN OF STUDENT & DIVERSITY SERVICES

When I interviewed for the position of Assistant Dean for Student & Diversity Services, the most frequent question I was asked was, "Why are you interested in this position?" The answer was, and is, simply: the students of California Western.

This is my school. I graduated from CWSL in 1992 when there was one building, the 350 building, where the library was in the basement and the deli was on the fourth floor. Professor Campbell for Criminal Law? Yes. Professor Finkmoore for Property I and II? Yes. Professor Barton for Contracts? Yes. Well, you get the idea.

Our focus in Student and Diversity Services is "Students First." We are here to be a resource for you. Successful students use all the resources - let us help you have the best experience while you are at California Western.

The S&DS team will continue to create special events like commencement, recognition receptions, diversity speaker series, as well as Coffee with the Dean, Study Breaks and the Relaxation Room during finals. Your well-being is our foremost concern. We are here as a resource for academic and non-academic

counseling and support.

For the 2014/15 school year, our goal is to provide greater access to information, to streamline administrative processes, to target effective support for student organizations, to provide effective support, and to narrow the gap between students and the administration and faculty. This year we will launch a cognitive wellness program to help students learn how stress affects their academic performance and to provide resources and activities to foster a healthier learning environment.

Our office is on the second floor of the 225 building - come by and say "hello." Many afternoons you will also find me at Donna's coffee cart or twice a month on an Urban Hike. On the Student Portal, you will find an "Ask the Dean" link on the Services page. Send me an email about what you like about California Western and how you would suggest we improve.

Also, check out the new calendars at [www.cwsl.edu/calendar](http://www.cwsl.edu/calendar) to learn more about what is going on around campus. I look forward to working with you.

## Why I Chose To Get Involved

**MEGAN MENGASSARIAN**  
2L REPRESENTATIVE

I decided to run for 1L Representative because I like to be involved in school activities. I have always participated in school organizations and truly enjoy having a leadership role. It was important for me to get to know my classmates and to be a resource for them. Being a 1L Representative put me in a position where I could interact with student organizations. I was approached with questions and concerns that I carried over to our meetings. The representatives truly are the voice for the students.

Election week is a time to have fun and break out of your shell. The election process gave me a chance to meet all of my classmates and explain why I would be a good choice for the position. I highlighted the experiences and characteristics that I thought would set me apart from the other candidates. My section was competitive because

there were many students who would have also done a great job. When running against your classmates, it is important to stay respectful. The goal is for students to work together and support each other.

What I liked most about being a representative was getting to know all of my classmates. As a representative, I was the link between the students and the SBA. I was approached almost daily for questions varying from a need for more water fountains to starting a new organization. I enjoyed the responsibility because I wanted to be a reliable source for my classmates. The first year of law school is extremely challenging, but working together makes it easier.

Being a part of SBA allows you to give back to the school through fundraisers and community service. The representatives play a big part in informing classmates about events and encouraging attendance. Including all of the students for school events enhances the sense of family that California Western offers.

Overall, being a 1L Representative is extremely rewarding. It allows you to give back to the school and help your fellow classmates. I appreciated the experience so much that I chose to run again as a 2L Representative.

## The Commentary is

**Co-Editors in Chief**, Clinton Michael Pierce & Seve Gonzales; **Managing Editor**, Noura Bariche; **Design Editor**, Allan Acevedo; **Copy Editor**, Lorenzo Morales; **Associate Editor - Artichoke**, Alex Perez; **Associate Editor - Advice/Opinion**, Chris Goodrich; **Associate Editor - Features**, Nicole Schirm; **Associate Editor - Campus News**, Sarah Donaldson; **Associate Editor - Professor's Page**, Turner Hopkinson.

CONTRIBUTE AN ARTICLE OR JOIN THE STAFF! EMAIL [COMMENTARY@LAW.CWSL.EDU](mailto:COMMENTARY@LAW.CWSL.EDU)



# STUDENT LIFE

## “Kill The Body And The Head Will Die”

Pizza, Candy, and Booze, Oh my!

BY NICOLE SCHIRM  
ASSOCIATE EDITOR

You are in law school so you are obviously thinking about your future career, but are you thinking about the future you? What do you look like? You start school as a young, vibrant go-getter that is full of energy, but as the reading gets heavier and the studying gets longer, you fall into the law school rut. All your healthy eating habits go out the window and you find more and more excuses not to exercise. The pizza and candy that have taken over the school perpetuates your lack of desire to stay healthy and you lose hope.

You sit through class, sit when you study, sit when you eat, and sit at the office. This is enough sitting. It is time to take charge of your health and gain total control of all aspects of your life. You made it to law school, so you must realize the power of your determination and self control. Put down that pizza, spit out that candy, and save the future you.

It will not be easy, but it will be worth it. Take time to plan ahead and bring healthy snacks to school and say “No” to the pizza that catches your eye. Do not be fooled, that glistening pizza

What You are Craving	What You Need	What to Eat Instead
Chocolate	Magnesium	Nuts, seeds, veggies, fruits
Sugary Foods	Chromium Carbon Phosphorus Sulfur Tryptophan	Broccoli, grapes, cheese, chicken Fresh fruits Chicken, beef, fatty fish, eggs, dairy, nuts, veggies, grains Cranberries, horseradish, cabbage, cauliflower Cheese, raisins, sweet potatoes, spinach
Bread, Pasta & Other Carbs	Nitrogen	High protein foods: fatty fish, meat, nuts, beans, chia seeds
Oily Foods	Calcium	Organic milk, cheese, green leafy veggies
Salty foods	Chloride Silicon	Goat milk, fatty fish, unrefined sea salt Cashews, nuts, seeds

Source: <http://natureworksbest.com/naturopathy-works/food-cravings/>

is not a shining beacon from above; that is just the light reflecting off the grease. And the next time you pop that tiny piece of candy in your mouth, time yourself as you savor and reap the pleasure of this delectable morsel. You will see that after a few minutes the satisfaction has dissipated and you are left with an unsatisfying 300 extra calories that have glued themselves onto your growing rear. This is not to say that you should never indulge, just do so in moderation and make smart choices to avoid derailing your progress.

In addition to the best food our tuition can buy, you constantly fall victim to free-flowing alcohol. If you have not already, you will soon realize

that most networking events take place at bars. Bars are the ideal place because after a long day at the office, attorneys just want to relax. Plus, having a drink takes the edge off and makes it easier for students to chat and network with strangers. Bars are also utilized by students so they, too, can unwind. Between the networking and social events, the drinks add up and you eventually find yourself on that next belt hole. At first you may not realize it, but you do not want to reach the point where all of your student loans are going towards a larger wardrobe.

With all the junk food our school tempts us with and the constant pull towards social events, it is

really easy to get into a volatile cycle. Your schedule is thrown by having to adjust to a new school and a study routine that changes with every term and now you find yourself eating at random times during the day. You eat because you think you are hungry but your food choices are not actually satisfying your craving so you eat more, or it turns out that you are just dehydrated and need water. Either way, you are fueling your body with empty or extra calories and causing it to work harder than necessary. Without the proper nutrients, your body sends you mixed signals and you end up eating foods you do not need. As a helpful guide, see the table of what foods you should eat depending on your craving. By choosing the proper food, you are listening to what your body really needs and helping it work more efficiently and effectively.

If you want to fall victim to a cycle, adopt this one: The better I eat the better I look, the better I look the better I feel, the better I feel the better I eat.

The future you is relying on the choices you make today. Do not let yourself down.

If you have any questions or comments related to this column or an idea you want discussed, please feel free to contact Nichole Schirm at [NRSchirm@law.cwsl.edu](mailto:NRSchirm@law.cwsl.edu).

## Yes, Real-World Justice CAN Live Up To Lofty Academic Ideals

Student Recounts His  
Summer Experience Working  
for Legal Aid Society of  
San Diego

BY ANSON LEVITAN  
CONTRIBUTING WRITER

After finishing 1L, I felt like I had learned a lot about the law and how to think like a lawyer, but I still had not had many moments where I actually felt like a lawyer. That all changed this summer. I accepted a paid clerkship with the Legal Aid Society of San Diego (LASSD).

President Lyndon B. Johnson, as part of the Great Society – a series of domestic programs aimed at eliminating poverty and racial inequality – signed into law the Legal Services Corporation Act of 1974. In announcing the advent of these policy initiatives, Johnson declared that “with your courage and with your compassion and your desire, we will build a Great Society. It is a Society where no child will go unfed, and no youngster will go unschooled.”

While those lofty goals have not been actualized in this country, one of those programs, the Legal Services Corporation, has worked hard over the last three decades to ensure that our na-

tion's poor have equal access to justice. Local public interest law firms, such as LASSD receive funding from this national organization to further the work of providing civil legal representation to those who would otherwise be denied access to justice because of their inability to acquire representation.

Today, LSC is the single largest funder of civil legal services. In fulfilling America's promise of equal justice for all regardless of income, Legal Aid represents some of our community's poorest.

My internship experience over the summer gave me the opportunity to really feel like a lawyer. I was given my own clients who I was tasked with helping secure social services and programs they were eligible for such as CalFresh (food stamps), Medi-Cal, advance premium tax credits through Covered California (Obamacare), General Relief grants, among other important social safety nets established to help our neediest members of society.

Through my internship I not only felt like I was learning a lot, I also felt like I was doing a lot. Often, staff members who were not lawyers assumed I was a new lawyer. I reached agreements with county appeals representatives before going to hearings. I was also able to represent clients before Administrative Law Judges.

I will never forget my first client whose case went before an ALJ. My client had mental and learning disabilities which put him at risk of being

institutionalized if he was not able to receive in-home support services. The county had denied his claim. In preparation for the hearing date, I reviewed over 300 pages of medical records; secured a letter of support from my client's doctor; and conducted a two-hour interview with the mother of my client. During the interview, the mother began to cry as we reviewed the challenges and difficulties of her son's disability. During the hearing, on direct examination, I asked my client and his mother questions. On cross examination, I asked questions of the social worker who denied my client's application. I also introduced seven exhibits into evidence.

Three weeks after, we received a somewhat favorable ruling from the judge. The county was determined not to be wrong in their rejection of my client's application, but there was no determination on what services my client was eligible for. I spent another hour with my client's mother reviewing the decision and giving her advice on how to proceed with the new assessment that was going to take place.

Through my time at Legal Aid this summer, I felt like I was actually making a concrete difference in people's lives. Some clients needed hours and hours of service. Others just needed an advocate to place a phone call or two for them – often because of a language barrier. No matter, the need or whether I knew that our clients needed an advocate: someone who

would ensure policies and procedures were being followed. Too often those who would qualify for a program don't know what steps they need to take to get it. This justice gap is exactly why the Legal Services Corporation was created by congress.

I am most grateful to have had the opportunity to work with so many dedicated and intelligent lawyers. I know when I began to look for summer jobs there was no way I could take on an unpaid internship and still afford all the top ramen, coffee and cheap beer my student diet consists of. The Anson Levitan Law Clerk program gave me the opportunity to do what one of my coworkers, Paul Spencer, called “the most money you can get paid to do do-gooder work.”

In reading about my summer, I hope you'll consider applying for this clerkship next summer or volunteering your time during the year. Legal Aid serves an important function in our community and we cannot ignore the needs of the poor as we learn about the rules of our system of justice. There are still so many indigent people who are denied access to justice. In fact, the U.S. Census Bureau's 2011 statistics on poverty show that nearly one in five Americans qualified for civil legal assistance through LSC, according to their website.

Justice is often taught to us in the abstract, but we must be mindful that justice is not just a concept developed for those who can afford it.

# STUDENT LIFE

## Get Involved, Get to Know Eachother, 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 plans. We asked the leaders of these organizations to share some information with our readers and below is their response. 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](http://www.CWSL.edu) and click on "Student Life."



President Diane Lopez

### Women's Law Caucus

The Women's Law Caucus is an inclusive organization with the goal of facilitating education and discussion of issues affecting all women in the legal system. The WLC offers an opportunity for students to meet and support each other through the laws school process. Activities include networking with local attorneys, sponsoring speakers and discussion groups concerning women's issues in the law, and offering community service opportunities at a Sanctuary, a local women's shelter and Planned Parenthood, in an effort to protect a Women's right to choose. We invite all to attend in our effort to attain equality for all people. For more information, email [dlopez@law.cwsl.edu](mailto:dlopez@law.cwsl.edu)



Vice Pres. Clinton Pierce

### Christian Legal Society

We are currently seeking a president!

The Christian Legal Society (CLS) provides a place for Christians at California Western to come together and unite in our love for God. We welcome Christians of all denominations, non-Christians and those of no faith. Through prayer and fellowship, we hope to create a more compassionate, ethical and Christ-centered approach to the difficult issues facing our world. Through social events and volunteer work, we are able to share His love with our community. We know that God is the source of all justice and that His law is perfect (Psalm 19:7). For more information, email [CMPierce@law.cwsl.edu](mailto:CMPierce@law.cwsl.edu)

### Student Intellectual Property Law Association

Intellectual Property is one of the fastest growing sectors of law. The Student Intellectual Property Law Association offers a forum for students to discuss patent, trademark, copyright, licensing, trade secrets, unfair competition and other issues related to intellectual property. One of the goals is to provide information regarding career paths and to develop contacts with local Intellectual Property law attorneys. Looking to get involved? SIPLA is one of the few clubs that elects its officers during the Spring semester, so interested candidates should join this fall. For more information, email [briannaharb@yahoo.com](mailto:briannaharb@yahoo.com)



President Brieanna Harb

### Moot Court Honors Board

The Moot Court Honors Board is a student-run division of the school that creates and administers all mock trial, moot court, and negotiation competitions at California Western School of Law. For more information, email [RMFerguson@law.cwsl.edu](mailto:RMFerguson@law.cwsl.edu)



CEO Rachel Ferguson



President Teena Fodge

### Older Wiser Law Students

The purpose of Older Wiser Law Students (OWLS) is to create a supportive community for non-traditional students entering law school and provide a way to recognize them in the larger CWSL community. For more information, email [OWLS@law.cwsl.edu](mailto:OWLS@law.cwsl.edu)



President Ryan Hulse

### International Law Society

The main focus of International Law Society (ILS) is to familiarize students with what international law entails and what a career in the field involves. Through ILS, members are provided with opportunities to meet attorneys currently practicing in international law who can give tips on how to start your own career. ILS sponsors seminars in which attorneys and scholars come together to discuss important issues. ILS also coordinates fundraising opportunities with other campus organizations. For more information, email [RKHulse@law.cwsl.edu](mailto:RKHulse@law.cwsl.edu)

### Phi Alpha Delta

Phi Alpha Delta (PAD) is the largest international legal fraternity offering opportunities that include: outlines and workshops for the entering student; academic enhancement seminars for the continuing student; and philanthropic service to the law school. For more information, email [lctorsy@gmail.com](mailto:lctorsy@gmail.com)



President Lane Torsy

### Jewish Student Union

The goal of the Jewish Student Union (JSU) is to have a cohesive Jewish student body that participates in various social gatherings. As members of the tribe, we encourage the growth of our constituents through common support for the state of Israel and the uniting bonds of Jews throughout the world. Some of our functions include speaker events, holiday dinners, picnics and networking functions as well a pool event and sports outings. JSU also welcomes and encourages participation by non-Jewish students with the goal of creating a better understanding of Jewish heritage, history and culture. For more information, email [jsu@law.cwsl.edu](mailto:jsu@law.cwsl.edu)



President Adam Grant



President Christian Barton

### Law Students for Disability Rights

LSDR is a unique organization in that it is the only student organization on campus that is both a support group and a substantive law organization. Our goal is to provide students with disabilities with a concentrated group of people they know they can identify with; students with disabilities can join others facing the same hurdles and discuss their fears and frustrations. LSDR also hopes to introduce all students at California Western to the area of disabilities rights law and assist those who wish to pursue careers in disability rights law. For more information, email [cwbarton@law.cwsl.edu](mailto:cwbarton@law.cwsl.edu)



President Jamie Sprenger

### 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: [JLSprengr@law.cwsl.edu](mailto:JLSprengr@law.cwsl.edu)

### Middle Eastern Law Student Association

MELSA's goal is to unite and promote the assimilation of all Middle Easterners regardless of origin, culture, and religion. We promote the understanding and fellowship of Middle Easterners. We have members of Arabic, Armenian, Israeli, and Persian ethnicities. We are active in recruiting prominent guest speakers from Californian Middle Eastern communities. Second and third-year members offer personal support to first-year students. We actively collaborate with the MELSA chapter at TJSU and USD School of Law. We welcome all members of the CWSL community. For more information, email [cwslmelsa@gmail.com](mailto:cwslmelsa@gmail.com)



President Omid John Afati

### Business Law Society

The Business Law Society (BLS) is an organization for students who are interested in pursuing a career in business law, from transactional to litigation, to in-house counsel, or even just plain business. The BLS is focused on developing relationships between student members and attorneys currently practicing in the business field. Members will have the opportunity to meet successful legal professionals and entrepreneurs during intimate speaking events and social functions throughout the year. For more information, please email [RRadulescu@law.cwsl.edu](mailto:RRadulescu@law.cwsl.edu)



President Robert Radulescu



# CAMPUS NEWS

## PRESIDENT AND ABA REP. BRING NEWS FROM BOSTON

BY SARAH REDDICONTO  
ABA REPRESENTATIVE

The American Bar Association (ABA) Annual Meeting is one of the largest gatherings of legal minds in the country. This year's conference was held in Boston, MA, and was attended by SBA President Joanne Heilbrun and ABA Representative Sarah Reddiconto. The Meeting includes association-wide events including programming covering various issues at the forefront of the national legal community. Although Joanne and Sarah primarily attended programming for the Law Student Division, the experience was both educational and inspirational.

The two arrived in Boston late Thursday night, and attended their first meetings at 12:00 on Friday. Joanne attended the Law Student Division Career Lunch and Sarah attended the ABA Representatives training. Immediately following the lunch, Joanne attended the SBA Presidents programming. Both the ABA Representatives training and the SBA Presidents programming were informative sessions, bringing together law student representatives from across the country. The pair were able to learn about the different benefits the ABA offers to law students, and are now better prepared to provide information about the ABA to the California Western student body. They were also able to meet the different representatives from San Diego law schools, University of San Diego and Thomas Jefferson. The duo attended a networking event Friday evening which consisted of an expo of vendors ranging from hotel accommodations for business travel to relaxation techniques for lawyers to information about joining JAG after graduation. The best part of the evening was meeting attorneys and more law student representatives from around the country and exchanging ideas and learning about different career practice areas.

On Saturday, both Joanne and Sarah went to their respective roundtable meet-



Student Bar Association representatives from schools across the nation gather in Boston for the ABA Annual Meeting.

ings. These meetings built on the previous day's programming. Sarah was able to talk with ABA representatives from Charlotte, NC, who represented a school which boasted an ABA membership of approximately 80% of their student body. Sarah also spoke with one of the ABA Law Student Division Circuit Governors. The ABA Law Student Division is comprised of 15 different circuits, and California Western falls into the 9th Circuit. Joanne was able to talk with representatives hailing from a school with 100% membership in the ABA. Both Sarah and Joanne left their meetings with many new and exciting ideas to bring information about the ABA to the students of California Western.

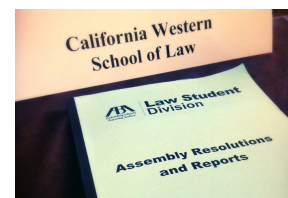
Saturday afternoon Joanne and Sarah attended the Law Student Division Assembly. This four-hour meeting was the most formal meeting in the Law Student Division programming. The Assembly is when all the law student circuits from around the country gather to vote on Resolutions and Reports. This year, the voting members of the Law Student Division were asked to discuss and vote on eight different Resolutions. The Resolutions covered the following topics: 1) amendment to the Law Student Division Bylaws regarding non-payment of membership dues; 2) amendments to the ABA Standards for Approval

of Law Schools; 3) a resolution encouraging law schools to create veterans law clinics to ensure all veterans have access to legal services; 4) a resolution to urge that credit for mandatory continuing legal education include law practice skills programs and training; 5) opposition to changes in current educational debt loan forgiveness in the public sector; 6) approval of the legal community to give resources to new law school graduates for their services in rural areas; 7) adoption of provisions governing against domestic and sexual violence in the workplace; and 8) consideration of a bill, 3YL, urging Congress and the Department of Education to develop benchmarks and attain various legal educational goals. The Assembly was urged to oppose 3YL because it contained a provision which declines to allow law students to receive compensation as well as academic credit for the same internship. The other measures in 3YL were approved, and the provision regarding compensation was effectively severed. The compensation and academic credit provision will be going before the ABA House of Representatives for further debate and consideration.

Saturday evening Joanne and Sarah attended the President's Reception. There, the pair was able to meet the head of the Environmental Law Section of the ABA.

They discussed the different issues the Environmental Law Section is confronting, and were reminded of how easy it is to make connections with attorneys through the ABA. For any issue students may be interested in becoming involved with, there is a section of the ABA that is either already involved, or would be a great first step in spearheading resolution of issues.

Sarah and Joanne are both very appreciative for the connections gained from the wonderful opportunity of attending the ABA Annual Meeting. They look forward to bringing the knowledge they gained to the California Western student body, and are excited to share their experience with everyone.



For any information regarding ABA membership or the opportunities available through the ABA, you may contact Sarah Reddiconto at

SMReddiconto@law.cwsl.edu.

## Go Greek, Legally

Phi Alpha Delta is recruiting!

BY MEGAN NEWMAN  
CONTRIBUTING WRITER

Mission: Phi Alpha Delta Law Fraternity, International is a professional law fraternity advancing integrity, compassion and courage through service to the student, the school, the profession and the community.

Sure, that sounds great, but what really is Phi Alpha Delta at California Western? It is professionalism, networking, and a place to find friends who share your common interest: law school. As you have come to find out, or will soon enough, law school consumes a large part of your life. It is probably what you talk to your family about the most, it is what your entire schedule revolves around, and your non-law school friends are probably tired of hearing about it. What better than to socialize with people who can relate to you in an area of your life that is so overwhelmingly prominent and important to you?

Moreover, Phi Alpha Delta can give you access to a vast alumni network, outline banks, and a law school mentor. Our chapter provides events for you to interact with both California Western alumni and PAD

alumni alike, because it is never too soon to start meeting people in the legal community or line up a future internship. With your PAD membership, you get access to successful 2L and 3Ls secrets to scoring a top grade in the form of outlines. Lastly, Phi Alpha Delta has a "big" and "little" mentoring program. After our new members get an opportunity to meet our existing members, new members are given a big bro or sis to act as a mentor. Your big bro or sis will help guide you, the new member, through your law school experience or just be there to lend support when you need someone to remind you that you'll live past your Property I final.

During my undergraduate program at CSU San Marcos, I was a member of a sorority. My sorority provided most of my social network, my extracurricular philanthropy and leadership roles, and a sense of home away from home. Graduating CSUSM and starting at a new school made me realize I had to find those things again in a new place where I knew no one. While the promise of a new set of Greek letters initially drew me in, I have come to realize that Phi Alpha Delta is so much more than the social sororities and fraternities I once knew. It is a group of professionals that wants to help each other build successful careers. It is having a common interest and purpose and supporting each other in this very challenging part of our lives.

## WE CAN'T HEAR YOU!

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

Have you ever wanted to speak out about something going on at California Western? About SBA? About an organization? Give a suggestion for Barrister's Ball or Race Judicata? But you aren't sure where to go to speak up? You now have that opportunity! The Student Bar Association will begin providing suggestion boxes throughout the 350 building for students to help both SBA and the administration in facilitating student needs.

On September 2, 2014, the suggestion boxes will go up in the basement, 1st floor and 2nd floor of the 350 building. They will be easily noticeable and accessible. SBA will provide a "Question of the Week" to encourage students to share their thoughts and ideas. Don't limit your feedback to answering the "Question of the Week." SBA invites any comment, concern, idea, or suggestion. In the spirit of providing an open space to discuss student's concerns, the cards may be made out anonymously.

The 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](mailto: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

## Bike Racks, Beware

BY SARAH DONALDSON  
ASSOCIATE EDITOR

As the fall semester is starting back up, the returning students will notice a few changes have occurred during the summer. One change that should be noted is the addition of several bicycle racks. Returning students will be familiar with the old placement of the bicycle racks outside of the classroom building on 350 Cedar. However, these bicycle racks have now been moved to the courtyard of the administrative building (225 Cedar Street).

The city has recently installed a bike rack right outside of the CWSL library on Cedar Street. This rack is not within the watchful eyes of the CWSL campus security, and bicycles placed there without a sturdy U-lock are at risk for being stolen. U-Locks can be found at various retail stores in San Diego.

Bicycle theft problems occur near campus. This bicycle theft problem has been addressed by CWSL by placing a rack within the court yard of the Administrative Building. Anyone who enters the court yard passes by the security guards, and this deters thieves.

Please keep your bicycles safe by either using a U-Lock or taking advantage of the bicycle rack in the courtyard of the administrative building!

## Expect More. Be More. Do More.

Marketing Department  
Unveils New Campaign

BY SARAH DONALDSON  
ASSOCIATE EDITOR

For many years, California Western School of Law's marketing brand was, "What law school ought to be." Since the inception of that motto, the legal field has experienced significant changes. Employers and clients are now searching for new law graduates to be practice-ready when they graduate. California Western School of Law wanted to rebrand their marketing to demonstrate that they do produce graduates who are practice-ready when they become first-year associates.

The marketing department at California Western conducted focus groups and other research with staff, faculty, and students for a new marketing brand. The result was the new campaign, "Expect more. Be more. Do more." The goals for the new campaign are to highlight the successful graduates, the school's prime location for job opportunities in Southern California, and the many advantages it has to offer over other Southern California law schools.

California Western students have been known by employers to put out a high quality work product with outstanding professionalism. So, expect more out of your education while being a student at California Western. Be more than just a student, and get involved in the available advocacy programs. Do more with your free time through work-life balance by enjoying beautiful San Diego.

For more information, visit the campaign webpage: [www.cwsl.edu/more](http://www.cwsl.edu/more)

## Become A Student Ambassador!

BY IRIS FUGATE  
ADMISSIONS RECRUITER

When you were deciding where to go to law school, did you take a tour of our campus? Did you attend Preview Day? Do you recall listening to student panels at Orientation? Each of our incoming students interacts with Student Ambassadors in one-way or another. Our Student Ambassadors (or "SAs" as we call them) are often the first real contact prospective students have with California Western. They play a vital role in helping to bridge the gap between life before law school and life as a Cal Western student. "As an SA, I have the rewarding privilege of being one of the first people to interact with and assist potential students in their legal journey at Cal Western." – Grant Porter, 2L

Our Student Ambassadors give private campus tours or lead large groups during our Preview Days. They are panelists at Orientation and they recruit with the Admissions Office at undergraduate campuses. They sometimes even become mentors and friends with students that decide to attend CWSL. "I became a Student Ambassador because when I was a prospective student, my tour guide did an excellent job informing me about what the school had to offer and I wanted to share that with incoming students," says Ashley Yosuco, 3L. "Also, it's nice to know that if a prospective student decides to attend CWSL, they already have someone they are familiar with that they can go to."

"I believe our school's close-knit community is what makes us stand out from other law schools." Rachael Bailey, 3L. "Seeing the new and prospective students with emotions ranging from nervousness and confusion to excitement and pride makes me think about my own experience when applying to law school. It allows us as SAs to relate to others and recognize the growth within ourselves while aiding students in making an important life decision."

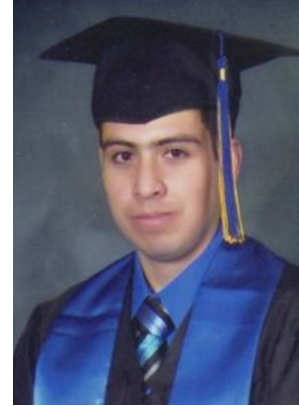
Being an SA doesn't only provide an important service in the Admissions process, but it can also aid in your own skill development. Ashley expands: "I also think being active in the school is important just like going out to networking events." Students visit the campus from all walks of life, and so it gives our Ambassadors a chance to continue developing their communication and problem solving skills. Student Ambassadors are thoughtful students, friendly community members and successful law students who are proud to be here. "Being an SA is a wonderful opportunity to highlight the great aspects of our school and creates a sense of pride in the CWSL community," says Rachael.

"I think other students should become involved with Student Ambassadors because CWSL is helping us achieve our goals, so why not help prospective students start reaching their goals by showing them how great our school is, and helping them make the decision to attend as well," says Ashley.

"Deciding to go to law school is a big deal and the unknown can be very overwhelming. As a Student Ambassador I have had the opportunity to ease the worries of incoming students and correct any misjudgments they have; the same worries and misjudgments I had," says Nichole Schirm, 3L. "Being an SA has also given me the opportunity to go back to my home state, Oregon, and attend recruiting fairs at undergraduate universities; thus giving me a chance to see family and friends and take a well deserved break from the rigor of law school," adds Nichole.

If you're interested in learning more about the Student Ambassador Program, contact Iris Fugate in the Admissions Office at [Ifugate@cwsl.edu](mailto:Ifugate@cwsl.edu).

## Remembering Luis Canales



California Western Lost a  
Student This Summer.  
To Cystic Fibrosis.

BY ADRIAN CAVALLINI  
CONTRIBUTING WRITER

Luis Canales was one of those rare and gentle souls you only meet a few times in life, and whom you may miss out on, unless you keep a watchful eye. While other more boisterous and overbearing voices may have drowned out his humble qualities, his bold nature shone radiantly for those who were paying attention.

Luis was an extremely generous and altruistic person who wanted to help people. He dreamed of being a criminal defense lawyer and defending those who needed a helping hand. He was a strong advocate of the Innocence Project and showed his solidarity by buying every product the Project sold the first week of school.

He worked his heart out in school, even when the simple act of breathing took its toll. Although doctors urged that he be hospitalized during finals week, Luis' tenacity prevented him from quitting. After he was, in fact, hospitalized during winter break, I still remember seeing how sparkling he looked, and how effortlessly he could finally respire. He proudly presented me with a Christmas gift, even though I had not bought him one. I vowed to reward him somehow, but I never fulfilled that promise.

I will always remember that shy but bold spirit. I will always miss his bewildered reactions to my gentle teasing and playful harassments. I will always thank him for putting up with my zany escapades and, more importantly, for being a friend.

## Daniel's Tech Update: Cyberduck

BY DANIEL STARNES  
COMPUTER LAB AND NETWORK TECHNICIAN

Welcome to the fall semester at CWSL. For you new students, we welcome you to the adventure that is law school. For you returning students, welcome back. Please remember that we're here to answer any questions you have. If you have computer problems, or any questions about our computer or network system, call me at 619-749-4835, or send email to [labhelp@law.cwsl.edu](mailto:labhelp@law.cwsl.edu).

We made a few changes during the summer. First, we have a new FTP program called Cyberduck. Cyberduck lets you easily transfer files to your H: drive. We had something like this in the past, but very few people used it because it was hard and confusing. Cyberduck is really easy to use. Once you get it set up, all you have to do is drag files or folders to the Cyberduck window, and they are copied to your H: drive. This makes it really easy to create backup copies of your school work. We recommend that you use Cyberduck each night to copy your school files to your H: drive. Then if something bad happens to your laptop, everything is saved on the school network. You log onto a computer in the lab, and there's all your stuff. You can get Cyberduck from the Student Computer Lab web page.

In the Library computer lab, the main change is we put electrical sockets in all the stations. If you look under the keyboard and to the right, you will find a place to plug in your laptop, or tablet, or whatever. We have more and more students bringing laptops in to the computer lab. Since the lab wasn't designed for laptops, there just weren't many places where you could plug it in. Our wonderful Facilities department took a good look at this, and came up with a way to wire all the stations. Now when one computer screen just isn't enough, you can come into the Library computer lab, and not worry about your battery.

In the computer lab in the 350 building, we re-arranged the printing station a little bit. We put in a larger table, we are putting in some heavy duty staplers, and we moved one of the printers closer to the door. Many students print from their laptops, and then run into the lab to pick up the print jobs. We hope that these changes will make this process a little more efficient.

If you have any questions, suggestions, or feedback, let us know by sending email to [labhelp@law.cwsl.edu](mailto:labhelp@law.cwsl.edu). We would like to hear from you. See you next issue.

# CAREER SERVICES



## Networking Tips: How to initiate the conversation

BY MATTHEW A. LAB  
ASSISTANT DIRECTOR  
CAREER & PROFESSIONAL DEVELOPMENT

Welcome new students and welcome back to our continuing students! The Career and Professional Development Office is excited about the career development programs and opportunities that we have prepared for this fall term. September presents many opportunities for you to develop your networking skills. Networking is probably the most important non-legal skill that you will develop during law school. For law students and lawyers alike, networking is and will continue to be a crucial aspect of your career development. It is a method through which we make new friends and establish valuable contacts, learn about different practice areas and career paths, promote ourselves and our employer, cultivate new clients, increase our self-confidence, and develop our professional presence.

The idea of networking evokes many emotions and almost none of them are good. Networking can be intimidating and somewhat awkward. Most of us have stood at the edge of a room at a “networking” event, wanting to speak with someone, but felt awkward or apprehensive about how to initiate the conversation. Such feelings are normal. After all, you are striking up a conversation with a total stranger. The good news is that networking gets easier with practice. It is one of those instances where you get points merely for showing up because the more events you attend, the more familiar faces you will see and the more comfortable you will become. Here are a few tips to help get you started:

**General tips:** Wear conservative, professional attire; know your personal “elevator speech” introduction; keep your right hand free for handshaking and hold your drink in your left hand to avoid the dreaded “clammy hand”; employ a firm, but not over powering, handshake. Limit alcohol consumption to a single drink, if any, and avoid any messy food. To help with recollection, repeat the name of any person to whom you are introduced, e.g., “Nice to meet you, John.”

At a panel (such as our “Exploring Career Options in the Law Series” this Fall): Often, several students crowd around a popular panelist, making it tough for you to wedge your way in. Rather than compete for time then, approach the person, introduce yourself briefly, compliment the presentation and ask for a business card. Try this: “Hi, my name is Sara; I really enjoyed your insights today. Do you have a business card? Would it be alright if I contact you in the near future with a few follow up questions?” Do not worry about imposing – if the panelist is too busy to take your email or call, they will say so and you can then ask when it would be more convenient.

At a career fair: At a career fair, people are very receptive. All you have to do is wait your turn, step up with a nice, open smile and a firm handshake, and introduce yourself briefly: “Hello, my name is Sara. I’m a student at California Western School of Law and I’m very interested in your organization. I’ve done some research about your work and I’m impressed, but I’d like to ask you a few questions about your own experience if you have a moment.”

At a reception: Receptions can be intimidating because there are often groups of people standing in a circle and it can be difficult to break into the “huddle.” One tactic is to look for other solos who are standing around the edge looking as uncomfortable as you are, and introduce yourself. As your conversation progresses, guide her/him to a group and gently break in, saying, “Hi, my name is Sara, and this is Carlos. We are law students and overheard your conversation about securities litigation. We are interested in this practice area. Would you mind if we joined you?” It’s usually easier to advocate for someone else when breaking the ice. Another method of inserting yourself into a conversation huddle is to stand just at the elbow of someone in the group, slightly behind but inside their peripheral vision. They will likely step aside to allow you into the circle, at which point you can say, “Don’t let me interrupt - you were saying...?” to the person who was speaking last. The conversation should then resume unabated and you can join in as appropriate.

Flying solo: Perhaps you are at the event on your own and there are no other solos in the room. In that case, the area around the food or drinks table can be a good place to find someone who is not currently in a group. A casual comment such as, “Wow, there is a big crowd here tonight!” can bring a smile and an opening to introduce yourself.

In all of these scenarios, most people are feeling just as awkward as you are and yet are there to meet and greet people. The entire point of such events is for everyone to widen their circle of acquaintances. Press on your name tag, bring out your best smile, and enjoy the chance to speak with some experienced attorneys who are waiting to get to know you.

**Remember to attend the Law Student Welcome Reception at the SDCBA on September 23, between 5:30 – 7:30 p.m. as well as our Exploring Career Options in the Law Series commencing here on campus at 12:15 p.m. on September 11th in the Moot Court Room.**

## APPLY NOW TO GET JOBS FOR SPRING AND SUMMER 2015!

**DEADLINE: 5:00 p.m. Monday,  
September 8, 2014**

There is still time to secure a job for Spring and/or Summer 2015. Log onto CWSL’s Online Job Database (Symplicity) through the school website and view the many jobs available. You may apply to as many jobs as you desire. Simply upload your applications on Symplicity (unless otherwise noted on the job listing). Some employers plan to come on campus for interviews and some will interview at their own offices. Feel free to visit our office for lists of participating employers and then meet with a Career Advisor to review your materials or come up with a job search plan.

Apply for positions with:

- Private Law Firms
- District Attorney and Public Defender Offices
- Pro Bono Employers
- Various Government Employers
- Local and Out-of-State Federal and State Court Judges

When applying, remember the following:

1. Pay close attention to the “How to Apply” section.
2. Upload each document you want to submit for a particular job listing by going to the “My Documents” tab and hitting “Add New.”
3. Be sure to read the “Notes” section in red at the bottom of the listing. (It only appears once you hit the Apply button.)
4. Call or stop by the office if you have any questions about a listing.

Interviews will either be scheduled directly by the employer or will be held on campus in late September and early October. If you apply for a job that has an On Campus Interview (OCI) date, you must be available at any time on that date for the interview.

Also, if you are looking for a Fall 2014 position, there are still many jobs available on Symplicity. Take a look, and if you still do not find what you are looking for, come into the Career and Professional Development Office and talk to an advisor about your specific goals. The office will do whatever they can to help you achieve your goals and find that perfect position.



# STORIES FROM ABROAD

## Chile: The Best Part is the Chileans

CONTINUED FROM PAGE 1 different direction.

It is a completely unique experience to be in a country that was so recently in the grips of a dictatorship. Until 1998, Augusto Pinochet, the man at the head of a regime that tortured 30,000 of its own citizens, was still the commander-in-chief of the army. The dictatorship is a fresh wound on Chile's national identity, and one of its greatest effects has been on the character of its people. The people of Chile now consist of those who lived through the Pinochet regime and those who were raised by its survivors. Their perspective is forever shifted, with the grim knowledge of what has come before being tempered by the hope of a better future. During my first weeks in Chile, my experiences left me with the impression that Chileans were cold and unfriendly. I spent my first week living with a Colombian friend who was renting a room to two Dominican girls who had recently come to Chile. When I asked them what their impressions were of Chileans, they warned me that they were "huevones" a Spanish term that colloquially means stupid. When I walked down the street, I noticed that most people walked with their head down and moved quickly. The taxi drivers said nothing to me as they dropped me off at my destination. Shopkeepers eyed me silently as they handed back my change. I was ready to confirm the Dominican girls' assessment until I tried something revolutionary: I tried talking first.

Chileans speak a very unique form of Spanish that's distinguished by the very high volume of slang and neologisms paired with a unique lilting accent. Their initially aloof nature provides the first shield and their language created a second, but once I got through both, it felt like I had just unmuted a television. I was suddenly having long conversations with some of the funniest people I'd ever met. Their humor was wry and self-deprecating, and they will be the first to call themselves huevones, although they pronounce it "weon". Umberto, the attorney that I worked with during my internship, would introduce me to his colleagues by joking that I was an American who had come down to Chile to see how bad the law could get. Many of the nation's current institutions were created during the dictatorship, and serve as a reminder of the atrocities that were committed, however Chile is also hard at work reforming other institutions. In 2006, Chile completed a complete overhaul of its system of criminal procedure. Umberto's joke served to point towards the image people have of the law in Chile, however the fact that he felt free to joke about it so openly among court officials also pointed towards a sense of hope. Chile has not forgotten what happened, that would be impossible; so instead Chile makes jokes and looks ahead.

I had the immense good fortune to be in Chile during the World Cup, an event that had the power to make a city of 6 million grind to a screeching halt. Nowhere was Chile's burgeoning sense of hope more evident than on the football pitch. In offices all around the metropolis, business as usual stopped in favor of watching "La Roja." The effect was striking -- you could almost see their hard outer shells fall off as the games began. Suddenly they had words to describe their hopes and dreams, and those words were printed on the back of red jerseys: Bravo, Sanchez, Vidal. I feel immensely lucky to have been present in Santiago, surrounded by Chileans, when Chile beat 2010 champion Spain. The match was scheduled right in the middle of my first day as an intern, but before I could worry about missing it, I was taken to the break room where everyone had already gathered to watch. I found myself watching the game like a Chilean: unfazed by adversity, on an outdated, static-filled screen while grilling longaniza indoors with an open window to vent the smoke.

It was in Chile that I met the nicest man I have ever met in my life. His name was Rodrigo and he owned a few cabins in the town of San Alfonso. San Alfonso was located in the Cajón del Maipo, a canyon about forty minutes south of Santiago. Despite the proximity to such a huge city, the towns in Cajón del Maipo are idyllic and small, and Rodrigo seemed to personify this peaceful and warm environment. He had a lovely family and an adorable golden retriever named Kurt, after the lead singer of Nirvana. Acting way beyond his scope as hotelier, Rodrigo guided us to hiking trails, invited us to watch the Chile/Brazil game with his family, and invited us into his home. When we returned from rafting, far past the agreed check-out time, Rodrigo was obviously in distress, as we had kept him from closing up and going back to Santiago. Instead of charging us extra, he drove us all the way back home, which saved us at least two hours of trying to figure out a ride back ourselves. On the drive back, Rodrigo told us about his memories of the dictatorship, and how he remembered seeing a helicopter fly above him while it let loose a barrage of machine gun fire. It is clear that no one in Chile was left untouched by Pinochet's regime, and every person I talked to had a story about how he/she or a relative had been kidnapped, interrogated, or simply disappeared.

Whenever someone asks me what my favorite part of Chile was, I never know what to say. I can remember the amazing metro system and how efficient it was, or the taste of Carmenère wine, or the giant cathedral, but what I keep going back to is the people. When I think of the metro, I recall accidentally hitting a man in the face with my elbow



Alex Perez looks out over Machu Picchu after the long trek to the isolated ancient ruins.

and having that exchange turn into a conversation about Colombian football. Thinking of wine reminds me of Boris, the hilarious tour guide at the Indomita vineyards. Thoughts of the giant metropolitan cathedral take me back to the goofy security guard who excitedly led an Englishman into an awkward conversation so he could practice his English.

There is so much to talk about when it comes to Chile, and I could go on for pages more about the countless natural wonders and architectural masterpieces the nation has to offer. However, now that I'm back home and being asked to write about my experience, I keep coming back to the people. I feel confident that if you decide to go next summer, it may be for the wine, but you'll want to stay because of the Chileans.

## Prague: All I Did Was Drink Beer

BY CHRIS GOODRICH  
ASSOCIATE EDITOR



Chris Goodrich poses near The Metronome, overlooking Prague.

I had never traveled out of the US before last summer. In fact, I had only flown once, and I jumped out of that plane. This summer, I flew from San Diego to Amsterdam, from Prague to Zagreb, and from Rome back to Amsterdam before flying home. I did all of this traveling and more thanks to our school's study abroad program and financial aid.

If you haven't heard about Cal West's study abroad programs before, you really should read on; if you're like me and haven't done much traveling before, you need to read on. Any one of the study abroad programs offered through our school is an amazing opportunity that everyone should look into. Each program offers its own unique experiences and opportunities. Sitting almost in the middle of Eastern Europe, Prague probably affords the most opportunity to travel, which was one reason that I went. I always wanted to travel around Europe and here was my chance. Also the beer is cheaper than water, literally.

The Czech Republic, where Prague is located, is a major tourist destination in Europe because of its rich history, including beer history. The town of Pilsen is where Pilsners were first invented and should be visited by any beer aficionado. Today, beer still abounds in the Republic and you are even likely to get an odd stare from your waiter if you order anything other than beer, even at breakfast. And why wouldn't you order a beer with your breakfast? The beer is exceptionally crisp and refreshing, and so cheap that you can get half a liter of good beer for as little as twenty-nine Czech coronas. Now I know we all joined law school because there wasn't any math on the LSAT but do just a little bit here, and you will see how cheap the beer really is. There are roughly nineteen coronas to the dollar, twenty-nine divided by nineteen equals just over a dollar and fifty-two cents, and that is for beer way better than Budweiser. The food is just as cheap as well. In fact, everything but the taxi-cabs is cheap! But maybe you don't care about beer and beer history; Prague has plenty of other history lessons to offer due to the Nazi occupation during World War II and its experiments with communism after the war. World War II destroyed most of Europe but not Prague, nope, Prague handed over all of its Jews and put up little resistance to a Nazi occupation. As a result, Prague is filled with old buildings, cobblestone streets, medieval churches and even a castle. Europeans tout Prague as the most beautiful city in Europe because of its preserved architecture.

If delicious cheap beer, a storied history, and beautiful surroundings are not enough to peak your interest in Prague, maybe the opportunity for travel will. This was the major reason I went to Prague. The program is short and is set up to start late enough and end early enough so you can travel before and after the program, or if you are one of those gunner types, you could forego the extra travel time and still squeeze in a stateside internship. I chose to travel. My adventures started in Amsterdam, by day I spent time gazing at works of art by Van Gogh and Rembrandt, and relaxing in Vondel Park. At night, I wandered around the red light district people-watching, and learned to dance to EDM in the many discotecas. After Amsterdam I traveled by train to Prague, enjoying its cheap delicious beer, cheap food and beautiful architecture. One long weekend, I traveled by train to Budapest, Hungary. There I enjoyed breath-taking views atop St. Peter's Basilica and witnessed the most hedonistic party I have ever seen at one of the baths. After classes were over, I took a little twin-prop plane into Zagreb, Croatia where I rented a car and drove into the mountains. I spent a few days hiking the waterfall-laden trails around Plitvice National Lakes Park before I drove down to the coast of Zadar to catch a ferry to Ancona, Italy. From Ancona, I took a train into Rome where I went into full-blown tourist mode. Earlier in my travels, I tried my hardest not to look like a tourist, I didn't carry around a map or take any guided tours. However, in Rome, I didn't care. There is so much history to see, and you just can't catch it all without hopping on a bus tour or guided tour of some sort. I strongly suggest you take a guided tour through the Vatican and the Coliseum so you can skip the ridiculously long lines.

Sadly, my travels ended with Rome. After walking on the oldest paved road in civilization, I boarded a very modern plane and traveled back to Amsterdam for one more night of coffee shops and discotecas before flying home the next morning. I am glad to be back home with my dog and my friends but I can't wait until I can travel again.



# STORIES FROM ABROAD

## A Mexican-American In Paris

BY ELIZABETH MACKINNON  
CONTRIBUTING WRITER

Spending a summer studying in the beautiful city of Paris is something I had wanted to do for a very long time. I did not have the opportunity to study abroad in my undergraduate career, but I knew that I wanted to do so while in law school and California Western made it possible. While Cal Western offers many opportunities for students looking to study abroad, and all of the programs seemed great to me, I had my sights set on Paris. After finding the Paris program on international law through another ABA approved law school and presenting my petition to Dean Aceves, I was delighted to find that Cal Western was supportive of my attending the program.

The program consisted of four courses, all at the Universite Paris Dauphine in the 16th arrondissement (by Trocadero – the best view of the Eiffel Tower), with noted experts in the field. I had Comparative International Law with Professor Fedtke; European Union: Institutions and Politics with Professor Canor; Introduction to French Law & Legal Culture with Professor Palmer; and Antitrusts & Mergers with Professor Moneger. Each professor had a unique teaching style ranging from overly enthusiastic about the course to very methodical. I was lucky enough to live within walking distance of campus, and only one metro stop away.

It was easy, both for the professors and for us, to lose track of time every day, often making our classes last well over the 55 minute period. This worked well most days except on those days where our program coordinator had set an extracurricular activity.

The program was coordinated and put on by French lawyer and alumna of the Universite Paris Dauphine, Michal Wiacek. The program began with an informal reception right across from Notre Dame Cathedral where we were welcomed with glasses of wine and a three course meal in an effort to help us bond with our classmates and professors.

There were about 50 students, from various parts of the world. Often our breakfast was a 50 cent (euro) coffee from the vending machines with a chocolate bar, or a baguette from the cafeteria downstairs. Getting to our classrooms was like walking through a maze of doors, trying to find signs directing you to it. Within a week (and after inevitably getting lost in the huge corridors) it became second nature and I would often get stopped and asked for directions inside the building as well as outside of campus.

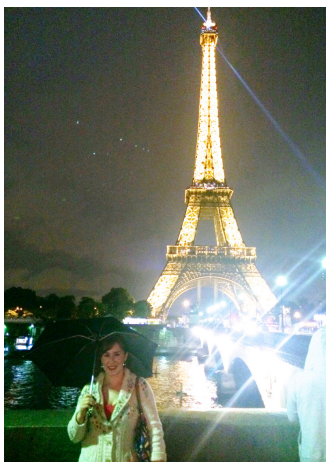
Our TA Michal filled the three-week course with a variety of extracurricular activities that would take place after classes multiple times a week. As a result of these excursions, I got to visit the Memorial de la SHOAH (holocaust museum in Paris) where we learned about France's role in the Second World War and got to see old newspapers and advertisements from the era as well as actual clothing from Auschwitz.

We also visited the Cour de Cassation (the French version of the Supreme Court) – a very exclusive visit. The French Supreme Court is not open to visitors but has always been receptive to receiving students from the program. We were welcomed by our French tour guide, who was also a judge in the court (though she humbly left this fact out as she gave us our tour), and she showed us the different deliberation rooms for judges, as well as the private and public sectors of the court. The statue of St. Louis, reputed to have been the fairest king of France, prefaced the criminal chamber. St. Louis believed the oak tree symbolized justice and today the “chambre criminelle” (criminal chamber) is made primarily of oak in an effort to preserve tradition and to remind the judges of the necessity to be fair in their rulings. The court system in France is so different than ours, and the criminal chamber is just one example. In France you have a room where judges discuss the case but the defendant does not have to be present and the lawyers are only allowed a short presentation. After the judges have spoken on the piece they enter a room behind this criminal chamber where they, not a jury, deliberate before reaching a final verdict. It was also interesting to learn that most lawyers can become judges by the age of 25; schooling is completely different in France.

We were able to visit the law library there, with books from the 1600s up to modern day, with lawyers conducting legal research and giving us awe-faced law students glares for how loud our whispers were.

In addition to the Supreme Court, we were able to visit the Senate in Paris. The Senate was almost equally impressive as the Supreme Court and our tour guide spoke little to no English. For those of us who spoke French this was a great way to learn a little history in their language, however translations were made in English for the rest. In the Senate, we were given the opportunity to sit in the public space of their general meeting to hear them vote on legislation, propose new legislation and hear the head speakers propose the main contrasting views on the law. The room was ornately decorated with gold and could seat over 350 senators though only 45 were present. Our tour guide informed us that all 350 never needed to be present because they were allowed to vote by proxy.

Important to note is that France does not operate from a common law perspective as we do in the U.S., but rather uses a civil code. This was important in understanding the fundamental differences between our two systems. We also visited the International Chamber of Commerce (ICC) where we were taught lessons on mediation and arbitration and the way the ICC works.



Elizabeth MacKinnon explores the city of light.

Living in Paris for a month allowed me to see things and eat at places I otherwise might not have if only visiting a short time. I ate at the same restaurant where President Obama ate, Fontaine de Mars, now more commonly referred to in Paris as “The Place where Obama ate.” We were able to sit at the same table President Obama did and ate one of the most expensive but unique meals I’ve ever had.

Among a thousand other experiences, such as viewing the fireworks at the Eiffel Tower on Bastille Day (Independence Day), visiting countless museums and making long-lasting friendships, the opportunity that California Western gave me by allowing me to go on this life-changing trip has made me a better law student, more apt to understand cultural and legal differences and more excited for the future that international law holds.

## Malta Made Me Cry (in a good way)

BY AMY FERNANDEZ  
CONTRIBUTING WRITER

Arriving in Malta was like stepping back in time. Malta is a country with 7,000 years of history and you can see it everywhere. You can see the historic legacy with temples dating back to 4000 BC, beautiful cathedrals from 1500 AD, ancient Roman houses, and underground World War II shelters. It is also one of the most beautiful islands in the Mediterranean. Its amazing history and mix of cultures makes Malta a fun and vibrant country. Its beautiful beaches, great nightlife, and dramatic cliffs took my breath away. How lucky I felt to be studying in a place so beautiful.

Not only did I learn about Malta's amazing history, but also I studied law in a place that was undergoing tremendous legal changes. Just last year Malta legalized divorce and thus I was in a country that, in many ways, was stuck in their past yet, carving the way to a new future. Our university was in the capital, a place with ancient buildings yet endless construction on the buildings of tomorrow. I was surrounded by conservative Catholics intermingled with the rebellious youth in their short skirts with knowledge of all the great nightclubs. Malta is ever-changing.

One of the best parts about our summer in Malta was the unique learning experience. Professor Hargrove and Professor Brooks from Cal Western both taught courses, which re-instilled my passion for the law.

Professor Brooks taught a class on wrongful convictions changing my whole outlook on criminal law. Never have I cried so much in class and then walked out eager to make a difference in the lives of others. This man is making history right before our eyes and saving lives in the process. How lucky we are to have him with the California Innocence project right here at Cal Western. Do yourself a favor and take his class. He will remind you why you are studying law.

Just when I thought I had heard it all, Professor Hargrove came to teach Comparative Juvenile Justice for the second part of the summer. The tears continued and the passion grew stronger. Professor Hargrove is animated and passionate about helping children. She stands up for what is right and will force you to do the same. I finished my summer abroad with a newfound purpose and new dream of helping those who can't help themselves. Malta will forever remain a part of me.



Malta study abroad students and professors pose in front of the courthouse in Valletta, Malta.



Malta study abroad students hang out with Professor Justin Brooks.

# LEGAL NEWS & OPINION

## NORML

CONTINUED FROM PAGE 1

and for reasons largely based on: racism, faulty science, and myths. This is why organizations such as NORML and persons such as myself are of the opinion that marijuana prohibition should be put to an end.

Marijuana use itself, when lawful, leads to very little criminal activity. Have you ever watched an episode of Cops filled with marijuana users who were breaking laws unrelated to unlawful possession? How about an episode of Cops filled with alcoholics breaking almost every law on the books simply because they were drunk? Not many reliable statistics connect the use or abuse of marijuana with violent crimes, but there are statistics that connect the abuse of alcohol with violent crimes. According to the National Council on Alcohol and Drug Dependence "alcohol is a factor in 40% of all violent crimes today" and "based on victim reports, alcohol use by the offender was a factor in: 37% of rapes and sexual assaults, 15% of robberies, 27% of aggravated assaults, and 25% of simple assaults." Vehicular manslaughter is another good example of how alcohol abuse can lead to violent crimes. MADD's website reports "[e]very day in America, another 28 people die as a result of drunk driving crashes."

The prohibition of marijuana, as the prohibition of alcohol did, creates more crime than it prevents by forcing the distribution and sale of marijuana underground where it is not regulated. During prohibition, people did not stop drinking alcohol. People simply went underground with their consumption. Consequently, gangsters fought violent wars in public streets to control the highly lucrative and illegal trade of alcohol. Drive-bys were invented and violent weapons like the Tommy gun became infamous. The same thing is happening with the prohibition of marijuana. Millions

of Americans use marijuana and that number has only been climbing throughout history, it has never declined. Because of federal prohibition, most marijuana users are forced to buy their marijuana underground where sales are not regulated. Consequently, today's gangsters fight violent street wars to control the highly lucrative and illegal trade of marijuana, similar to the way yesterday's gangsters fought to control the illegal trade of alcohol. Drive-bys are even more commonplace, and the more violent a weapon the better because gang wars over marijuana trade rights is a serious and violent business, big business. The marijuana trade is such big business that marijuana is actually America's biggest cash crop, larger than corn and wheat combined. Consequently, marijuana is the biggest source of profits for gangs. Do gangs today fight one another to control the manufacture or distribution of alcohol? No. Why? Because America ended its ineffective prohibition of alcohol decades ago. Ending today's prohibition against marijuana would also decrease gang activity because gangs would no longer fight over the trade of marijuana, and they would lose a serious amount of profits.

So, if marijuana use, and even marijuana abuse is not likely to lead to violent crimes, why is it illegal while alcohol, abuse of which is likely to lead to violent crimes, is legal? This is a complicated question, but for now, a quick history lesson on marijuana and prohibition will provide evidence of one reason why marijuana is illegal: racism.

Marijuana was not always illegal in America. Although it was always regulated in some form or fashion, by the late 19th century marijuana was frequently used in a variety of medicines and was openly prescribed by doctors and openly sold in pharmacies. After the Mexican revolution ended in 1910, Mexican immigrants began to flood into the US, bringing the recreational use of marijuana with

them. Marijuana was associated with the Mexican immigrants and was quickly associated with the irrational fears that Americans held concerning Mexicans. A hysterical anti-marijuana campaign quickly engulfed the nation, fueled by racism. The propaganda attributed violent crimes committed by the "racially inferior underclasses" to marijuana use. Concerned about the possible link between marijuana use and violence, Congress passed the Marihuana Tax Act of 1937, against the objections of the American Medical Association, which disputed the supposed link between marijuana use and violence.

Today, an attorney-created organization called the National Organization for the Reformation of Marijuana Laws (NORML) leads the fight against marijuana prohibition. "Since its founding in 1970, NORML has provided a voice in the public policy debate for those Americans who oppose marijuana prohibition and favor an end to the practice of arresting marijuana smokers. A nonprofit public-interest advocacy group, NORML represents the interests of the tens of millions of Americans who smoke marijuana responsibly." (norml.org). NORML lobbies both state and federal governments and there are several NORML chapters located in California, including some college chapters at undergraduate institutions. A California Western alumnus heads the local San Diego NORML chapter. Considering California's history with medical marijuana, first legalized in 1996, it makes sense that both criminal attorneys and business attorneys stay current on the many legal issues surrounding the medical marijuana industry and the still illegal recreational use of marijuana. However, for some reason the issue seems to be a little taboo.

Last semester, several students tried to start a NORML chapter here at school but had difficulty finding enough students interested in filling the requisite board positions. The students also had

trouble finding a professor who would agree to be their faculty advisor, a requirement set by Cal West. Some professors were not interested in the position. Some professors feared they would lose federal grants if they were associated with NORML. One professor who turned down the request later made a mockery of that request in front of her class.

Regardless of where you fall in the debate, the issue is a hot topic at both state and federal levels. Fourteen states and the District of Columbia have medical marijuana laws in operation. Eleven other states have CBD (an extract of marijuana) specific laws on the books. Eight more states have passed medical marijuana laws but have no operational system in place. Two states have legalized the recreational use of marijuana and several more have decriminalized possession to some extent. So, in total over 35 states disagree with marijuana prohibition. In our classes, we have studied theories of law with far less support than that.

Don't you think it is time this school opened itself to discussions over the many legal issues involving marijuana and the war on drugs? Where do you fall on the issue of medical marijuana? What about adult recreational marijuana? What would you think about seeing an organization such as NORML on campus?

If you have an informed opinion regarding any of these questions, or any of the topics discussed above, please share them with the Commentary.

Email your opinions to  
CFGGoodrich@law.cwsl.edu.

The views and opinions expressed in this article are solely those of the original author and do not necessarily reflect those of the California Western School of Law, The Commentary, or its' staff.

## Constitution Day Should Be A Celebration Of A Work In Progress

BY CASEY LOWE  
ACS PRESIDENT

Constitution Day falls on September 17th of each year to commemorate the signing of the United States Constitution that took place on September 17, 1787. The document that has guided our courts and our country for the last 226 years has been amended many times. Almost all, such as the 15th Amendment giving men of all races the right to vote, and the 19th Amendment, extending that right to women, are here to stay. The only amendment in history to be repealed, and celebrated by law students everywhere, was the 18th Amendment prohibiting the sale, transport, and production of alcohol. Casey Low, the President of the American Constitution Society's student chapter at California Western explains his views on the history of the Constitution and its' interpretations:

"As [the human mind] becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times."<sup>1</sup>

The Constitution's story, along with America's story, is a chronicle of evolution. At its inception, our nation's governing document turned a blind eye to the horrific hypocrisy of slavery. It then defined those

slaves as only three-fifths of a human being. Fortunately, our nation's Founding Fathers imbued the Constitution with the ability to adapt, allowing the document to evolve in step with changing American attitudes, ideals, and values.

Describing the Constitution, our Supreme Court's first Chief Justice, John Marshall, declared, "...only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects, be deduced from the nature of the objects themselves."<sup>2</sup>

As Chief Justice Marshall implied, we should empower our courts to use all the tools at their disposal to discern those "minor ingredients." Instead, conservatives increasingly argue for a restrictive "originalist" interpretation, examining the Constitution only through the Framers' eyes.

By restricting courts to parsing the Constitution's plain language, and divining the Framers' original intent, this approach rejects modernity. Originalism also ignores the constant, dynamic change that drives our country forward. Moreover, originalism prevents courts from examining constitutional issues in their modern social context. Therefore, courts should approach the Constitution as a living document that adapts to reflect our society's evolution.

Over the years, the American People actively participated in this evolution. We abolished slavery. Women won the right to vote. We briefly flirted with prohibition, before rekindling our romance with alco-

hol. We brought the process for selecting United States Senators out of smoke-filled, back rooms, and placed it in the hands of American voters. We limited Presidents to serving two terms, regardless of their success or charisma. And we defended the right to vote from Jim Crow era poll-taxes.

All of these Constitutional amendments reflect the profound changes our nation underwent, and the social progress our country achieved. Without accounting for changed circumstances and evolving social values, none of these amendments would have been possible.

The way our courts interpret the Constitution has evolved as well. The Civil Rights Movement ended segregation. The Labor Movement banned sweatshops, and brought us the minimum wage. The New Deal introduced Social Security. Women won the right to control important decisions regarding their own bodies. We took steps to provide quality, affordable healthcare options to all Americans. Gay and lesbian Americans emerged victorious from their fight to marry the partners they love. In all of these cases, courts upheld the constitutionality of changes that would have seemed unacceptably radical from an 18th Century perspective.

We can all agree that life today is very different than it was in 1790, when Rhode Island became the last state to ratify the Constitution. Therefore, limiting courts to an antiquated, constrictive, formalistic approach to constitutional interpretation

is inherently problematic. Restricting constitutional analysis to a perspective that predates electrical devices, indoor plumbing, and the internal combustion engine makes little sense in a world of smart phones, drone technology, and wireless communication. Thus, courts should consider the Constitution a work-in-progress that adapts in accordance with our society's evolution.

We can learn much about political movements from their names alone. Progressives, for instance, want to move society forward, to progress. Thus, progressives generally believe the Constitution, and its interpretation by our courts, should evolve to reflect the ever-changing face of America's social landscape. As Thomas Jefferson, a Framers himself, once observed, "...laws and institutions must go hand in hand with the progress of the human mind."<sup>3</sup> The constitutional originalism many conservatives endorse stubbornly rejects that progress.

The views and opinions expressed in this article are solely those of the original author and do not necessarily reflect those of the California Western School of Law, The Commentary, or its staff.

1. Letter from Thomas Jefferson to Samuel Kercheval (July 12, 1816), in 12 THE WORKS OF THOMAS JEFFERSON, 3, 12 (Paul Leicester Ford ed., G.P. Putnam's Sons, Fed. ed. 1904-05).  
2. *McCulloch v. State*, 17 U.S. 316, 407 (1819)  
3. Jefferson, supra, at 12.



# LEGAL NEWS & OPINION

## Hobby Lobby: Supreme Court Stumbles Into A Minefield

BY JOSHUA SOUK  
ASSOCIATE EDITOR

The United States Supreme Court decided several important cases this summer, but none stirred more controversy, on many levels, than *Burwell v. Hobby Lobby Stores, Inc.* From religious groups to women's rights groups, and all those on either side of the abortion debate, it seemed everyone had a stake in the landmark case that essentially boiled down to one clause in the Affordable Care Act: the requirement that employers cover all forms of contraception.

The political fight over the Affordable Care Act has raged, and will continue to rage in different forms for years. But this firestorm was not about the financial implications of the law or the overall constitutionality of mandating insurance coverage for Americans. Although it was actually two cases tried together that raised a multitude of complex issues, religious freedom

was at the heart of it. Specifically, the issue was whether a for-profit company is entitled to claim a religious freedom exemption from the Affordable Care Act due to the Religious Freedom Restoration Act.

In the end the court was split along both party and gender lines. The five votes of the majority that gave Hobby Lobby its victory were cast by male judges, a fact that the female members of the court took issue with both in the bitter dissent and through various interviews. The majority opinion written by Justice Alito and joined by Roberts, Scalia, Thomas, and Kennedy called it a narrow holding, applying only to "closely held" for-profit corporations run on religious principles. It seemed the majority wanted to assuage the fears of those who saw the decision as opening the floodgates to corporation after corporation claiming religious

exemptions in order to deny anything from health care coverage to jobs for LGBT workers.

Justice Alito accepted the proposition that complying with the law would constitute a substantial burden on Hobby Lobby's religious liberty by imposing annual fines of up to \$475 million for a lack of compliance. And although the majority agreed that the government has a compelling interest in providing contraception to women, they pointed to other ways of providing that contraception, from having the government pay for it to shifting the responsibility onto the insurance companies in the same system that is already in place for some non-profit groups.

Much has been made in the media about Justice Ginsberg's scathing dissent. While calling the majority to task for making a decision of "startling breadth" she echoed the fears of many groups when she wondered what implications the case may have for religions that oppose such medical procedures as blood transfusions or the use of anti-depressants. The dissent also questioned what might happen when offering women equal pay, or having to pay the minimum wage offended an employer's religious beliefs. The court, she wrote, "has ventured into a minefield."

While the legal and social implications of the ruling will play out over time, it is interesting to note that Hobby Lobby had previously been providing the type of emergency contraception at issue in the lawsuit. As Professor Joanna Sax, Co-Director of the Institute of Health Law Studies at California Western School of Law explains,

"Prior to the lawsuit challenging the contraception mandate, Hobby Lobby's health insurance plans included coverage for emergency contraception. In this case, Hobby Lobby opposed a form of birth control that it

previously included as part of its health insurance plans to employees."

Hobby Lobby admits they were providing the emergency contraceptives over which the lawsuit arose. Their answer for doing so was simple; they did not know their insurance plan was covering the drugs, specifically Plan B and Ella. Although Hobby Lobby is not against providing certain contraceptive devices such as condoms, their issue comes with providing drugs they consider to be abortifacients, that is, drugs that induce an abortion. In their court filing the company stated,

"Coverage of these drugs was not included knowingly or deliberately by the Green Family. Such coverage is out of step with the rest of the Hobby Lobby's policies, which explicitly exclude abortion-causing contraceptive devices and pregnancy-terminating drugs"

However, according to Professor Sax,

"Hobby Lobby opposed two specific types of contraceptives in the contraception mandate - Emergency Contraception (EC) and Intrauterine Devices (IUDs). Hobby Lobby claimed that they believed that these forms of contraception cause abortions. However, the medical literature is clear that EC and IUDs have no impact on an established pregnancy. That is, Hobby Lobby's belief is not in accord with the scientific consensus."

For now advocates on both sides of the issue are gearing up for what they expect will be numerous future court battles over interpretations of the holding. Only time will tell if the issue appears before the court again in some capacity, but if it does the words of Justice Ginsberg could come back to haunt the court. This legal battlefield may indeed prove to be filled with landmines.

## Want To See What's On My Cellphone? Get a Warrant!

BY BRIANNA DAVIS  
CONTRIBUTING WRITER

Modern cell phones contain, for many Americans, "the privacies in life." The amount of information that an officer can retrieve by searching through a person's pocket these days is quite vast compared to the late 1700's, when the Fourth Amendment was enacted.

The United States Supreme Court granted certiorari for two separate cases involving the police searching through petitioners' cell phones without a warrant. In the first case, *Riley v. California*, David Riley was stopped by a police officer for driving with expired registration tags. When officers learned that Riley had a suspended license, his vehicle was searched and he was arrested for possession of concealed and loaded firearms when two handguns were found under the car hood. An officer searched Riley's cell phone incident to the arrest and found data associated with the "Bloods" street gang.

In the second case, *United States v. Wurie*, Brima Wurie was caught making an apparent drug sale from a car. Officers subsequently seized two cell phones from her person. Officers used the phone to track the location of Wurie's home through repeated phone calls from a number that identified itself as "my house." After obtaining a search warrant for Wurie's house, officers charged Wurie with distributing crack cocaine, possessing crack cocaine with the intent to distribute, and being a felon in possession of a firearm and ammunition after finding such items in Wurie's home.

Both trial courts denied petitioners' motions to suppress the evidence obtained from the searches. The California Court of Appeal affirmed in Riley's case and a divided panel of the First Circuit reversed the denial of Wurie's motion to suppress and vacated Wurie's convictions for possession with intent to distribute and possession of a firearm as a felon.

On June 25, 2014, the United States Supreme Court unanimously ruled that police must generally obtain a search warrant in order to search a person's cell phone except in extreme circumstances where harm or destruction of evidence is imminent. For example, fearing that a suspect is texting an accomplice to detonate a bomb or a child abductor who may have information about the child's location in his cell phone demonstrate fact specific threats that may justify a warrantless search of cell phone data.

The United States Supreme Court's decision reflects a change in law that adapts to the advanced technology that has become part of our lives in America. The Fourth Amendment was enacted in response to reviled "general warrants" of the colonial era, which allowed British officers to search through people's homes for evidence of criminal activity without restraint. The fact that technology now allows a person to carry private information in their pockets which only used to be stored in one's home does not make this information any less worthy of the protection for which our Founders fought.

## Do you have an opinion?

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# PROFESSORS' PAGE

## "Zen and Law"

Third of a Three-Part Interview of  
Art Campbell by  
James B. McEnteer

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W. Campbell



ARTHUR W. CAMPBELL  
PROFESSOR OF LAW

This is the final installment of Professor Campbell's interview about Zen with a journalist of international standing. The entire interview (including both men's biographies) can be found on Prof. Campbell's website: <http://trudar.com/>

CAMPBELL: As a Zennist I've often grappled with how far I should go with judges, lawyers, clients, and my students with my view that life is one majestic game we're playing. They needn't snuggle up to my vision of this larger game in order to consider some idea or solution I'm suggesting. On the other hand, I wonder why, especially in this country, they play their games with such ferocious—sometimes suicidal/homicidal—seriousness?

McENTEER: So the challenge of how far to go follows you into the classroom?

CAMPBELL: Yes, I frequently confront it there. I want my students to realize they can become effective, ethical lawyers—instruments for global good—and at the same time know they're players in a zillion interlocking karmic games. Many first-years aren't yet ready for that truth. It would shatter their pre-law expectations about law's grandeur and the impact of their own careers. If I become too flip or jokey when I teach, they'll write me off, treating what I say in this regard with suspicion or contempt. So I sometimes ease into a stance between their expectations and some other level of reality. Still, I can't stand too far away from the level of abstraction because that's where they'll learn to think like lawyers and absorb the rules of law.

Sometimes, if I spot the opportunity, I'll suggest we may be talking on some different level than they were conscious of. For instance, after an exhilarating Socratic dialogue, when the class has penetrated to the heart of an issue and students are relaxed, smiling, and exuding confidence, I'll ask if we've been "doing law or life?" Or I may point out that what a student did in answering my questions was just to ponder his prior unexamined mental frames or unexpected consequences of his thoughts. If students learn to catch themselves at this, they'll find out more about the working of their minds, be more effective lawyers, and bring law and lawyers closer to reality.

McENTEER: Are there times you have to rein your students in, times they start stampeding blindly down a hallway of abstractions?

CAMPBELL: On occasion. Let's say I see a student breaking through one of the hardest first-year barriers, mastering the skill of legal analysis. I'll sense her mental light bulb flashing "Wow, I've finally got it!" Her feeling is analogous to Zen's kensho, an overwhelming feeling of life's one-ness. I don't want to dampen her new-found confidence and well-deserved pride, but she needs to realize legal analysis is just a lawyer's tool, a special form of abstract thought (like tools that architects or veterinarians use.) It can never capture the experience of a sunrise, seagull, or a symphony. Law's boxes can't contain the essence of these things.

So I caution first-years about wielding legal tools in domestic quarrels, especially with partners, parents, or their landlords. "You may think your logic trumped their arguments but then wonder why you're asked to leave. You've won the battle and just lost the war."

McENTEER: What about after your 1Ls acquire legal analysis and move on to their second and third years? As a Zennist and a law prof, do you then face different challenges?

CAMPBELL: You bet. To begin with, once they've mastered legal-think, I come across a couple students smarter than their prof.

McENTEER: What—how can that be, O Meister of Forensic?!

CAMPBELL: A coach can always spot a player with more talent than he has. He still can teach them special skills, some wisdom culled from his experience, help them find effective ways to use their talents or step around concealed pitfalls on their chosen path.

But here's a toughie I confront when teaching students in the upper-class. First, I continue urging them to use law as tool for bettering the world. And I promise, if they do, they'll find careers more personally rewarding than using law as just a way to gather money, power, and prestige. As 1Ls they were eager to accept this view; it matched their pre-law expectations.

But after they've been pounded by the law, had their pre-law dreams crammed into little abstract boxes, many students react by turning into cynics. They abandon both their hopes and law's empowering aspirations. Other students slump into resigned poses, now thinking it's impossible to achieve both inner satisfaction and the world's external wealth. Instead of searching for their own individual way to find fulfillment plus a decent share of worldly goods, they fall back to our culture's current stance that insists these twin objectives pose an either-or dilemma.

I'm pleased to find these cynics and submissives less enthralled with legal-think. But unfortunately they've also lost touch with the reasons they chose law as a career. It's hard to keep their interest, motivate them, reach their core.

On the other hand, every classroom holds at least a couple independent thinkers. They see no need to stuff their worldviews inside boxes. They'll go on to lead fulfilling lives, plying legal tools discretely, tackling problems from different levels of reality, not conflating law with all that's real.

Since all these students sit beside each other, I'm challenged to relate across the spectrum, supporting some on certain levels while not turning off the others. Still, I relish this tough task and explore new

ways every day I'm on my feet. Of course, there's no fits-all formula to deal with what pops up in a zillion different classroom moments.

McENTEER: So when your workday's done can you leave school, drive into the sunset, and let it all go?

CAMPBELL: That's usually not hard. The trouble starts on days I let myself get sucked into my ego's little game. Let me digress a sec and serve another slice of Zen.

McENTEER: Still no cookies, eh?

CAMPBELL: Nope, but how about some ego-thought for food? I view ego as a super-powerful but distinctly human abstraction. It's our self-image, the mental concept of a "me" that most folks (even atheists) utterly believe is real. Even though I know it's totally made up—cherry-picked historical events and traits—I feel its tug each day. Since I've operated so long from the influence of my ego, I affectionately call him "Posi," my parasite of self-importance.

On days my mind slips into Posi's tune, I'll drive home, walk through my front door, and yet mentally be back in class, going over some experiment I'd tried. Posi's gaily gnawing on his knucklebone of auld lang syne, not living in the now, not present when I greet my wife. On the other hand, if I spot that Posi pushed the replay button, I can pack those thoughts and teacher tools away inside their zippered bag. Then I can walk into my house and plant a fully conscious kiss on Timeless Bride.

McENTEER: Wow, I hope she's ready!

CAMPBELL: After all our years of marriage she can tell if my heart's in the Now or back in school, revising lesson plans.

McENTEER: So Zen might make you a better husband, but does it make you more effective as a lawyer?

CAMPBELL: Undoubtedly. Any player of a game who knows the borders of the field is more effective than one who doesn't. Such attorneys can prevail over lawyers who can't see law's limits, who constantly mistake the law for life. As I said about my early litigation days—when trials felt more like life than games to me—I was frustrated having vital evidence I couldn't get before the jury, seeing larger views of life I couldn't argue, being blocked from what should be my client's "win."

McENTEER: So knowing now it's just a game, do you still get frustrated?

CAMPBELL: Occasionally, especially when my inner warrior mistakes winning for survival. What prompts this once again is Posi. He'll poke my Scottish Highland genes and whisper, "Come on, Art, you absolutely must prevail on this point!" Or he'll slither up and chitter, "Art, at least make sure your self-image comes out looking good."

Sometimes I'll get irritated when I see a negotiation, boardroom, or classroom project veering from the balanced outcome I prefer. I'll ask myself, "Isn't there a better argument I can make, more research I can do, some fact I can uncover that would nudge us to a better result?" But, after doing everything I can to influence the result—after I've chopped all the wood and carried all the water—I'll remind myself it's time to recognize those larger karmic forces.

To put what I've just said in classic Buddhist terms, when I catch myself "craving" a particular outcome for the future or "clinging" to some aspect of the past, I know Posi's biting me again. He whirls, whines, and hissy-fits when he's confronted with a Now he doesn't like.

McENTEER: As a Zen practitioner do you prefer negotiation over litigation?

CAMPBELL: Oh, yes, mucho gusto. Although I've currently laid down my war-

rior's lance, that's just a personal preference. Some of history's most effective knights were Zen-trained samurai. Zen attorneys, modern knights, are quite successful battling in court. But the way our adversary system's structured, litigation fosters win-or-lose outcomes. So I've switched to forms of lawyering where results can be closer to win-win. When you're negotiating deals or mediating disputes you can bring together diverse points of view and then collectively create an outcome more harmonious than one from win-lose games.

McENTEER: Can you be more specific about how a Zen-trained mind can make you more effective when you practice law or teach?

CAMPBELL: Let me offer two examples. Now and then, negotiating or conferencing, I feel a pervasive sense of serenity, a lack of egoic separation between myself and others in the room. When I'm able to communicate this sense it sometimes urges other folks to drop their guards. Together we then reach surprising states of candor and creativity. After putting our egos away, an evolving mutual trust can lead the group to more profound and less polemic views of issues and the stakes involved. Our free-wheeling synergy uncovers new solutions we could never have arrived at as dedicated partisans. Similarly in classrooms, open and spontaneous discussions can reveal new and useful outlooks on our mental processes, blending real life to whatever subject's under scrutiny.

I can't say what triggers these unusual episodes. Maybe someone thinks, "Hmmm, today Campbell's not waving his ego flag, so I'll put mine down a moment." Or perhaps one person says to herself, "Look how unguarded Campbell is. I wonder what would happen if I trusted our collaboration more?" Anyway, neat new things spontaneously arise. And all I did was tell my Posi it was time for him to go outside and play.

McENTEER: How about the reverse? Are there ways in which the law has made you more aware as a Zen practitioner?

CAMPBELL: Oh definitely. Law often tees me up so Zen can whack me in the butt. For instance I need constant reminders that Posi is seducing me. Practicing and teaching law before an audience tosses Posi handfuls of red meat. To extend my earlier example of carrying a problem home inside my mind, I'll start innocently reflecting on something I said or did inside a class or conference room. I'll review the scene from others' viewpoints, asking, "How effective was I with this person or this point?" Then Posi sashays up and asks, "Art, how did your self-image—"I"—come across?" If I don't recognize that voice as Posi's, I'll revise the scene on coulda-would-shoulda lines and replay it like it's not a total fantasy!

That duplicates a hazard built into the law itself. As we've discussed, law traffics in abstractions, linking them to things that happened in the past in its attempt to control a portion of the future. In a Zen sense its dealing with what isn't, is no longer, or is not yet real. And yet the lawyer's goal—as litigator, negotiator, problem-solver, or professor—is to present abstractions so that they register inside their audience's minds as real.

This leads to why and how attorneys sometimes hoodwink ourselves into conflating law with life. The more we reify abstractions—especially when we method-act inside our made-up dramas—the more our client's viewpoint of the movie Roshomon appears to be not just a real ver-

See CAMPBELL, Next Page



# PROFESSORS' PAGE

## PROF. JAN STIGLITZ: MARGARITA, ROCKS, NO SALT

Turner Gets Some Good Advice  
From Co-Director of CIP

BY TURNER HOPKINSON  
ASSOCIATE EDITOR

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

I started out with a small municipal labor law firm in New York for 2 years. I then spent 2 years as an assistant attorney general in New York doing public construction contract litigation.

**Did you enjoy it?**

Yes, to an extent. Ultimately, I decided I wanted to teach full time and not practice full-time. In part, this was because law practice is a grind. It's nonstop. I didn't particularly enjoy dealing with clients and discovery and I was involved in litigation all 4 years.

**What was your most memorable experience as a lawyer?**

My two most recent highlights were arguing before the California Supreme Court about a year and a half ago and arguing before the 9th Circuit last summer for the Innocence Project.

**How long have you been a professor at California Western and what do you teach?**

I started in 1980. Now, I teach first year civil procedure and the Innocence Project.

**Which course is your favorite?**

It depends on the day...

**How was your law school experience?**

I enjoyed it. I really liked law school. I had a gap in time between finishing undergrad and going to law school. I was very anxious to actually get started and I loved the intellectual challenge. I thought the law was interesting. I probably would have been viewed as a gunner. My attitude was if I didn't understand something I wanted to get the answer.

**Why did you become a professor?**

Between graduating from college and law school I taught high school English. When I got to law school not only was I in-



terested in the law but I thought what my professors did seemed like a lot of fun. So, it was a question of how long I practiced or how long I taught, either as an adjunct or teaching full time.

**What is your most memorable experience as a professor?**

Nothing really sticks out as one particular teaching moment. One class I had a student who came in a chicken costume for Halloween. Before class she approached me and said, "I have a bet with a student that you won't say anything." And of course I didn't say anything about her costume in class that day -- not a word.

**What are the best parts of being a professor?**

Working with first year students, who are generally more eager to learn, and helping them achieve their life goal of becoming a lawyer and then following them. I enjoy seeing a student 10 or 15 years down the road who is now a judge, or a partner in a law firm. Sometimes I get the opportunity to litigate against a former student.

**Do you think law school today adequately prepares students for the real world?**

Sure. More so than when I was a student. It is certainly a lot more practical now. But that comes at the expense of greater knowledge of substantive law. So, there is a trade off there. When I was in law school we had first year civil procedure for 3 credits, everyone took a federal jurisdiction course, and we all had 8 credits of New York procedure in our third year. So in terms of knowing the law, you knew a lot more when you walked out the door than students now do.

**What do you recommend students do in your class to excel?**

Prepare, prepare, prepare, and prepare. And sweat the details. It's all about the details. There is no substitute for preparation and being cautious. That's what your clients want you to be. Clients have gotten into more trouble because cases where they hire lawyers but their lawyers have been sloppy.

**What teaching method do you use and why?**

First year you pretty much call on people. It's as Socratic as it's going to be. It is more of a challenge in the upper division classes to motivate a student. They've seen your act and know there aren't really any consequences for not being prepared. So motivating them is very difficult, which is why some professors just don't call on students or will assign a small group of students. This is one of the reasons I don't

teach in the upper division other than CIP.

**Do you recommend students take the bar recommended courses or not?**

I think it depends on the student. If you're a good student, a good test taker, and can pick up on doctrine quickly, then you might not. But if you want to pass the bar the first time it should be a bar review. You don't want to sit there every day and learn something for the first time.

**What can a student do during law school to prepare for the real-world?**

Take whatever opportunities there are to meet attorneys, participate in bar activities, and if there are speakers at the school or outside of school who attract your interest, do hear them and speak to them.

**Would you suggest a student develop a very specific resume, say, tailored for criminal law or a more generalized resume in case that doesn't work out?**

It depends on how sure you are about what you want to do. If you want to be a public defender, then prepare yourself to get that first job. If you're not sure what you want to do then whenever you have a choice, make the choice that leaves more doors open.

**Do you recommend a student follow money or passion?**

Passion. I think if they follow their passion they will have a successful career and that will translate to money. If you follow money you will burn-out, move to do something else, and then whatever they have in terms of money and a head start will evaporate.

**What section of law do you see growing the most in the next 5 years?**

Health law is going to be more and more important. Intellectual property is going to be more and more important.

**Why intellectual property?**

Because more and more transactions we encounter on a daily basis are a lot more complicated. In the past, you went into a bookstore, bought a book, and never thought anything about what you owned. Nowadays, you purchase a book online you may not have any ownership interest; just limited use rights. It's the same with software. You may go to a store to "buy" a program. But when you download it you find out you're only a licensee.

**Where do you see the legal profession going in the next 10 to 15 years?**

I don't know. I think the traditional law office where everyone has their own office, library, secretary, file cabinets and a bunch of partners and associates is rapidly going away. I see more people working from home. I also see more people piecing together different parts and kinds of practice. But that's speculation and my future vision isn't what it used to be.

**Do you observe any stereotypes among professors? "I was a litigator, I'm the better professor" v. "I've been an academic my entire career, I'm a better instructor"?**

No, I think students benefit from having a variety. I think if a student had me for every class he or she would receive a very limited education. But if you have a variety of practice oriented professors like me and Professor Ehrlich and also have professors like John Noyes or Dan Yeager, who are both much more intellectual and academic in their approach, you will have a better education. A variety in style is also helpful. I create stress in the classroom. That works for some and not for others. Professors Finkmoore, Barton, Weinstein, and Klein, are all outstanding teachers who run much more relaxed classrooms. The rich diversity we have in terms of faculty approaches to the classroom experience is one of the greatest strengths of Cal Western.

**Do you see law school tuition and a large influx of new lawyers as a problem? Do you see it as a sustainable model? Or do you think it is going to have to change?**

It's going to have to change. The student debt load among graduates of law school compared to their starting salaries is unsustainable.

**How do you think it's going to change?**

There are a lot of possibilities. There are discussions about allowing 2-year law schools. Some law schools are going to move away from the Harvard model, where all faculty are expected to devote a substantial amount of time to scholarship, as a way of reducing the cost of legal education and creating more practice-ready graduates.

**One thing you would change about law school?**

Costs. It is the biggest problem facing law students right now.

**Biggest advice to a 1L?**

Take it seriously.

**Biggest advice to a 3L?**

Take the bar seriously.

**Where do you see yourself in 5 years?**

On a golf course!

**Do you feel that your ambition to conduct scholarly writing diminished once you became tenured?**

I never had much of an interest doing scholarship. I never had any desire to be a scholar. It was something I was required to do. I think there are other ways we can contribute to the law school outside teaching and legal writing. That's why I founded the California Innocence Project. I thought it was something worthwhile that I enjoyed doing and wanted to do.

**What is the biggest change you've seen at Cal Western since you first started teaching?**

The facilities have changed dramatically, especially the library. And the amount of clinical and practicum courses has increased dramatically.

**Student Questions:**

**I know you hate it when people start sentences with "basically". What are some other pet peeves of yours?**

In terms of students in class, coming in late is definitely a pet peeve. Trying to BS instead of just admitting they have no idea. Being afraid to engage. If you want to represent other people you have to be willing to put yourself out there. Law school doesn't feel safe as a student, but in fact, it's a safe place to learn and interact.

**What is the biggest problem with young lawyers today and students?**

Writing and everything has to be instant. I refer to it as a one-click generation. You're used to right here and right now, finding out information instantly and getting there in one click.

**Favorite drink?**

Margarita. On the rocks, no salt.

**Favorite place to go in San Diego?**

Torrey Pines South.

**Perfect Friday Night?**

Just hanging out with my wife of 37 years.

**CAMPBELL, continued from page 12**

sion of what happened but the only real one.

So another difference between Zen and law that Zen first takes a trip into the mind, investigates, and then comes out. But law's like what they used to say about Las Vegas: a trip into the mind that stays inside the mind.

MCENTEER: Compared to when you started law and Zen, does it still boggle your mind, trying to do both?

CAMPBELL: Not much anymore. At least not on days I'm totally awake. But let me answer from a different level, from the "balcony." Yes, sometimes I see my mind is boggled as I strut across law's tiny stage. If I accept the boggle, see it's caused by either law's or Posi's mind-forged manacles, I laugh out loud. I'm grateful for this sign I've wandered off the real road, the highway of the Now. Then, when I retake the stage, I can honor and appreciate law and life's fabulous, impermanent, impersonal, and ultimately unsatisfying forms. So I'm glad my mind is boggled now and then. If it weren't, I might miss the essence of both Zen and law.

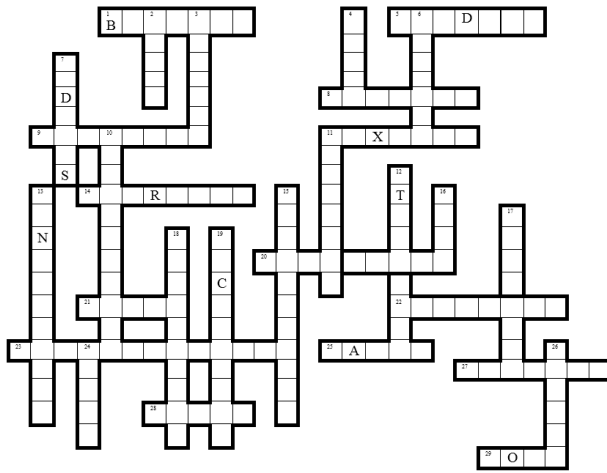
Which professor do you want to hear from next?  
What would you like to know about him or her?

Every month, Turner Hopkinson will interview another professor, chosen by our readers.

Send your requests to  
TJHopkinson@law.cwsl.edu

# PROCRASTINATION ZONE

## WELCOME TO LAW SCHOOL



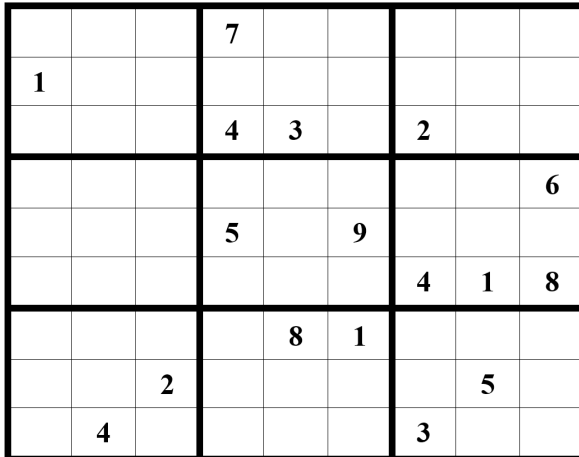
**DOWN**

2. Free printing
3. Market yourself
4. Study abroad
6. Condensed notes
7. Writing cover letters
10. Team
11. Distinguished \_\_\_\_\_
12. Respect quiet spaces
13. Sick? Stay home.
15. Selective charity
16. You have a lot when you graduate
17. Thomas and Roberts
18. Finals \_\_\_\_\_ room
19. Find an internship w/ Fall \_\_\_\_\_
24. #1
26. \_\_\_\_\_ Law Dictionary

**ACROSS**

1. Successful life juggling
5. Kiss your social life
8. How you spend your nights
9. Treaties
11. Symptom of cold calls
14. Use for old book
20. Home of Gafford's gavel
21. "Lunch provided"
22. Useful resource
23. Get involved and join
25. Preferred questioning
27. Better use your points!
28. Resident mother/counselor
29. It's all about who you know

**SUDOKU: Moderate**



"My mother always told me I wouldn't amount to anything because I procrastinate. I said, 'Just wait.'" - Judy Tenuta

"Don't fool yourself that important things can be put off till tomorrow; they can be put off forever, or not at all." - Mignon McLaughlin

"Time wasted is existence; used is life." - Edward Young

### LAW SCHOOL SUBJECTS

C H C I N S U R A N C E W E L  
 I O G O N M C S C K M R C N A  
 M E N K M I E L C P G O Q V N  
 M R B S V P I D L I M Q G I O  
 I U S I T N A O I M H R C R I  
 G D L T I I Y R U A O T C O T  
 R E R C C M T N A S T R E N A  
 A C S E E A I U S T I I H M N  
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 I R T O Y E N T I I L V T N E  
 O P I P R I D N N A O A E T T  
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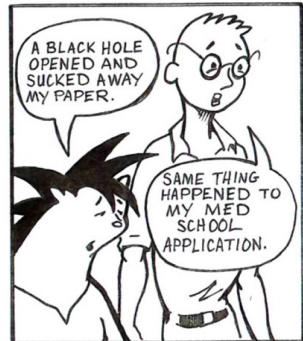
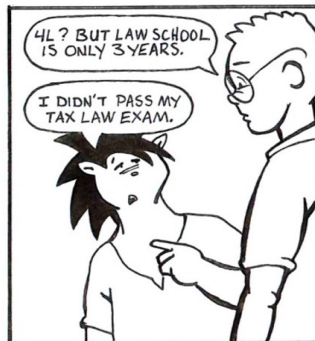
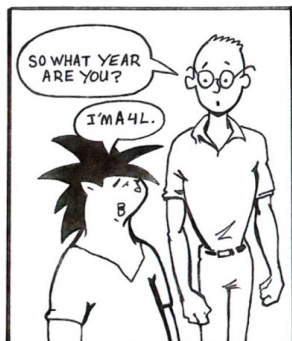
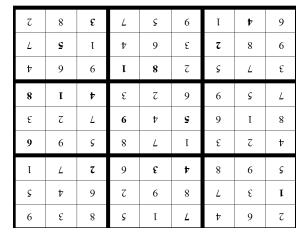
**BUSINESS ORG**

- CIVIL
- CLINICS
- COMMUNITY PROP
- COMPARATIVE
- CONSTITUTIONAL
- CONTRACTS
- CRIMINAL
- EMPLOYMENT
- ENTERTAINMENT
- ENVIRONMENTAL
- ETHICS

**HEALTH**

- IMMIGRATION
- INSURANCE
- INTERNATIONAL
- LEGAL SKILLS
- MEDIATION
- PROCEDURE
- REMEDIES
- TAX
- TORTS
- TRIAL

ACROSS:  
 BALANCE, GOODBYE, READING,  
 HORNBOOK, ANXIETY, DOORSTOP,  
 MOOTCOURT, PIZZA, TUTORING,  
 ORGANIZATIONS, PANEL, WESTLAW,  
 DONNA, JOBS  
 DOWN:  
 LEXIS, NETWORK, CHILE, OUT-  
 LINE, PEDIOUS, NEGOTIATION, AD-  
 VOCATE, ETTQUETTE, CONSIDER-  
 ATE, SCHOLARSHIP DEPT, JUSTICES,  
 RELAXATION, RECRUITING, AMJUR,  
 BLACKS



BY: AYCOCK AND ALLMAN



# ADVICE

## SBA PARTNERS

CWSL's Student Bar Association is proud to announce the SBA Partners Program - an exclusive discount program just for CWSL students! SBA Partners will include discounts and savings offered by local vendors around San Diego, from restaurants to yoga studios and everything in between.

We hope you are as excited as we are for this new program. We aim to create a way for current students to enjoy the community and save a little money while doing so. All it takes to experience the savings is proof that you are a current CWSL student. Simply present your Student ID at participating businesses and enjoy the savings.

Below are the first business members to join SBA Partners. This program is just getting started, so check back each month to see the expanding list:

**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.

**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 favorite restaurant and wish that they would give you a discount already? If the answer is yes to either of these questions, please feel free to email any information to Travis Kohler at [TWKohler@law.cwsl.edu](mailto:TWKohler@law.cwsl.edu)

## Lessons Learned and to be Learned

Law School is a daunting task to most; here is some advice from students that are further in the task than you are. Listen to them, don't listen to them (it's your choice), but here is what students say they wish they would have done differently last year, or something that would have been helpful to know.

**2L to 1L Advice:**

"There's a pool table on the fourth floor. Don't pick a fight at the Cherry Bomb. Get to know the faculty." – Clinton Michael Pierce

"Take interest in the material you are studying--even if it is an area of law you know you don't want to practice. You have to learn it so make the experience bearable by allowing yourself to be intrigued and by keeping your mind curious." – Erin LaMontagne

"Stay on top of the reading! I know some people didn't find the reading super helpful, but as a person who learns best by example I found it extremely beneficial. Plus, you're going to get called on; might as well be prepared. And if you get behind there is almost no chance of catching up." – Megan Newman

"Do the practice exams! And do them under timed conditions! They really do help. If your professor only has a few, do them multiple times and figure out new issues to include to make your essay stand out." – Lane Christina

"Work hard, but don't forget to have fun." – Kimberly Soule

"Start early on finals prep; don't make yourself crazy." – Rachel Edwards

"Know your ultimate goals and your happy place. And make sure to run to them, either physically or mentally when things get really intense. It's a way to remind yourself that there is a light at the end of the tunnel." – Michelle Luna Reynoso

"Get familiar with all of the little areas that are available in the 350 building for studying. You're not going to always want to be at the library, and the 350 building doesn't close during finals season." – Alex Perez

"Don't stress, worry, or work too hard. Have fun. The race is long and in the end it's only with yourself." – Brittany Torbert

"Everyone will proclaim that you need to do what works for you to excel, but in the same breath list things that you must do. Ignore all of it, and listen to the one and only voice that tells you what YOU know in your gut will be right for you. It's probably a good thing if it's different from anything else anyone suggested." – Heather Ray

"Three simple rules: 1) Have something to say 2) say it 3) stop." Mike Barbary

**3L to 2L Advice:**

"STEPS is harder second semester, particularly in January and February because you have to write the MSJ!" – Marlena Balderas

"It gets easier, but don't get too comfortable. Continue making your own outlines, and doing the reading for yourself. Above all, have fun! You made it through the toughest year, you should reward yourself on occasion." Stephanie Franco

"The hardest thing about going into 2L is keeping the momentum you have from 1L. 2L is a lot different than 1L in the sense that you're usually working and going to school. Just remember you're still a student. Continue to study as if you're still a 1L and you'll be great." – Amrit Dhaliwal

"Be friendly and try to make connections with everyone you meet! Network, network, network." – Noel Hicks

"Pay attention and learn the rules for professional responsibility during STEPPS. It will help when you are preparing to take the MPRE!" – Jennifer Roth

"Don't get lazy. The amount of time and work you put in for a good grade in 1L is still needed for upper division classes - true story." – Ariana Kenourgios

"Don't listen to what any upper classmen says, don't underestimate anyone, focus on yourself, make sure your social life/ relationships are stable." - Fred

**POSTITION, continued from Pg 1**  
 few points short of that cable deescalator or dashboard hula girl that they wanted. With no way to earn those last few points, students have resorted to trading goods and services for points on the black market. "I've even heard that some are resorting to prostitution. I have like 2,000 points I don't need. Just throwing that out there," a.m. was because you were binge-watching Arrested Development. You may think that your days of wallowing in a shapeless fabric bag were over, but you are mistaken. The night before your first final will be the coldest one you will ever remember, and you will need your Snuggly! You may already have one of these from the days before you came to CalWestern, back when the only reason you were up at 4 a.m. still manage to sneak in a Netflix binge-watching session now and again, you'll just feel intense waves of guilt afterwards. cheaper knock-off versions like Blanket or Freedom Blanket, however your body will be able to discern your lies. Don't worry though, you'll still manage to sneak in a Netflix binge-watching session now and again, you'll just feel intense waves of guilt afterwards. **Cursed Idol of Nyarlathotep:** Still having trouble memorizing the model penal code elements for homicide? When all the other items in the list have failed you, it is time to curry the favor of the Outer Gods. After a quick summoning ritual on the month of the winter solstice, you too will master criminal law by unleashing unathomable cosmic horrors onto this mortal plane. Sure, all of existence will be consumed by the ancient rage of a long forgotten deity, but you'll probably be able to beat the grading curve at that point.

**SURVIVAL, continued from Pg 1**  
 all year: eating stuff from the vending machine and reading books. You will try to eat healthy every day, you will fail. For those times when you need some hot Cheetos, avoid getting red dust all over your book of Federal Rules by using a pair of chopsticks. With just a bit of practice, you will be eating like a ninja, deftly tossing snack food into your nutrient-deprived face with one swift motion without leaving a trace. Others may look at you funny for a bit, but it will all be worth it when you are the only student who does not return the reserve copy of Criminal Law 3rd Edition covered in red shame powder.

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# THE ARTICHOKE

# THE ARTTICHOKE

THE ARTTICHOKE IS SAVIRE. DISCRETION IS ADVISED. THE ARTTICHOKE IS SAVIRE. DISCRETION IS ADVISED.

## Student Joins Study Abroad Program, Inadvertently Becomes Dictator

BY ALEX PEREZ  
ASSOCIATE EDITOR

After an impossibly unlikely series of events, California Western student Kent Molina has become the absolute ruler of the geographically dubious nation of Gan-zania. Molina, who will be a 2L if he ever returns, has ousted previous ruler Badluck Jefferson and forced him into exile.

Molina enrolled in California Western's Summer in Gan-zania program out of a desire to expand his horizons and get out of his shell. "I never really saw myself as a leader," he admits, "I came to CalWestern because my mom told me to. I just couldn't decide." Kent was attracted by the program before the nation's supreme court argued before the nation's supreme court.

Kent was one of fifteen students who signed up for the inaugural phase of this controversial study abroad program, located on the tiny island nation of Gan-zania. With the exception of California Western, every law school in the nation had opted out of participating, citing the region's extreme instability on both a governmental and geological level. Kent dismisses these concerns, calling them overblown. "You see, Gan-zania sits at the foot of an extremely active volcano, and every few years, an eruption takes out half of the sea-level. Honestly, it's not that big of a deal. I've seen midterm elections that have mixed up seats more than that."

Once the students arrived, it did not take long for them to realize that Gan-zanian law was not based on the common law tradition. Kent was allowed to represent parties in small claims court, where inexperienced advocates cut their teeth, often literally. Against all odds, Kent had found his calling, and he performed better than anyone could have hoped for.



ABOVE: Kent Molina and his mentor Chavez Alboorto, 1 MONTH before the coup.  
RIGHT: Kent Molina in his role as dictator.



Over the next two months, the fifteen students were put through an intensive and consumer rights. This newfound interest would go on to become the catalyst to his rise to power. After going on a visit to his native country, Molina launched the presidential mansion, and uttered a one-liner that was so clever that it couldn't be printed, because you just had to be there.

Foreign policy experts agree that President Molina's rise to power is unprecedented, not because it was particularly impressive, but rather because it was so stupid and unlikely. Molina is quick to argue the contrary. "I don't know why people think it's so weird for me to be head of state. I mean do you know who the president of Venezuela is right now? A bus driver. I mean I went to college. I have a communications degree. Why is it so weird that I run a country?"

Alboorto was unavailable for comment regarding his former intern, as he, and his mask, have been missing from his office since the coup.

During his time in Gan-zania, Molina developed a passion for international business and consumer rights. This newfound interest would go on to become the catalyst to his rise to power. After going on a visit to his native country, Molina launched the presidential mansion, and uttered a one-liner that was so clever that it couldn't be printed, because you just had to be there.

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## NO MORE WESTLAW!

BY CLINTON MICHAEL PIERCE  
JEDI KNIGHT

This summer students were met with the shocking news that Westlaw has discontinued its Westlaw Rewards program. Students are no longer able to earn Rewards points, but have been given until September to spend any points previously accrued. In response, California Western School of Law has given Westlaw until September to pack up their free highlighters and study aids and get off our campus.

For those who are not familiar with the program, until recently, Westlaw provided incentives for daily research and participation in training courses. Those who actively utilized WestlawNext racked up points which could be used to purchase gift cards, vacuum cleaners, and exercise equipment through an online catalog. Hopefully, without Westlaw, students will return to researching law the way I did – with books!" Dean Willis stated, "Our alumni have invested a significant amount of money in the library and until now we were considering just donating all of our legal volumes to needy, underprivileged institutions like University of San Diego School of Law. We even considered just burning all the books to make room in the library for more STETPS activities, but now I'm glad we voted that idea down."

Meanwhile, students are scrambling to cash out and are finding themselves just a unamimous: We dont want Westlaw at Cal Western.

## Law School Survival Kit For 1Ls

BY ALEX PEREZ

Fall 2014 marks the entry of a whole new class of bright-eyed first year students, eager to begin their path as future attorneys. If you are one of these students, waking up early on the first day with a brand new laptop and a smile on your face, there is one thing you should know: you are not prepared. You will soon find yourselves in the middle of one of the most difficult periods of your life, with no time to do your homework, hoping that you can gather enough of your own tears to rise off in the library bathroom. But we can help.

Unlike any other class before it, this year's incoming 1Ls will benefit from the wisdom that we have gained along the way. We have used this collective knowledge to prepare that definitive shopping list of items to stock your personal survival kit. Read on to learn what you need to stay awake, stay productive, and stay sane.

**Pepsi Max:** You need caffeine. You may not think you do, but that's because you fall asleep while reading this and are now living in a dream world where it's not 4 am before the day of a final. However, regular soda is incredibly fattening, and it just can't compete with the caffeine content of coffee. Pepsi Max solves this problem by nearly doubling the amount of caffeine and having zero calories. Some of you may prefer Coca Cola to Pepsi; you're wrong, but that's okay. Pepsi Max is not comparable to its closest competitor, Coke Zero, because Pepsi Max also has panax ginseng, used by the Chinese for centuries to energize and clear the mind. Overly cautious students may point out that diet drinks contain carcinogenic sweeteners, however those students should probably look up a little something called the FDA, which approved aspartame potassium over ten years ago. Despite a few instances of uncontrollable twitching, Pepsi Max has been an invaluable resource for many sleep-deprived students.

**Brown Paper Bags:** It's easy to take inventions for granted after they've been around long enough to be ubiquitous. The paper bag is an incredibly reusable tool, yet many students neglect to buy a healthy supply at the beginning of the school year and then find themselves empty-handed during finals season. Paper bags will serve law students at any time of the day, serving functions such as: transporting lunch to school, hiding stolen slices of pizza from club meetings (Second Lunch), a breathing apparatus for when you hyperventilate after realizing you've made a mistake and should have gone to dental school, a part bag for when you've overexerted yourself on the two mile walk back to your car (second lunch minus one), and any More! (mostly to do with barfing).

**Chop Sticks:** There are two things you will be doing SEE SURVIVAL, NEXT PAGE.