

# The Opinion

Shoestrings have been produced on larger budgets.

<http://www.wmitchell.edu/studentlife/organizations/opinion.asp>

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## College Names Vice Dean Eric Janus as New Interim President and Dean

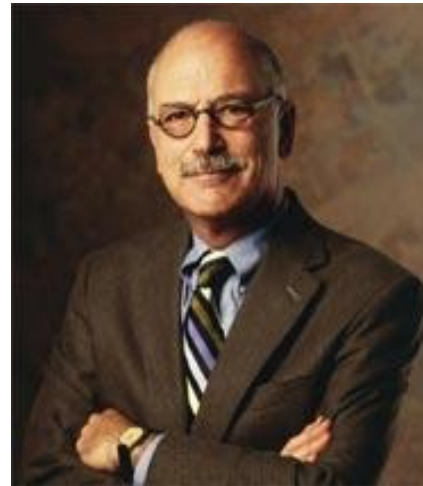
*By Kate Johansen*

For nearly two and a half decades, Professor Eric Janus has been a prominent figure in Mitchell classrooms. Starting this fall, he will be occupying yet another important room on campus: the dean's office.

When former Dean Allen Easley announced his resignation for personal reasons late this summer, Janus was a natural choice to fill the position of interim president and dean; after all, he has served as the college's vice dean since 2004. A graduate of Carleton College and Harvard Law School, Janus is also a nationally-renowned expert on the interaction between law and psychiatry and has authored several publications on laws affecting sex offenders. He began his career at Mitchell in 1984 and has since taught required courses, such as civil procedure and constitutional law as well as seminars on health law and race and the law. Some students also know him for his work in establishing Mitchell's exchange program with a law school in Turkey, where Janus served in the Peace Corps in the late 1960s.

When he assumed his new position at the beginning of the school year, Janus addressed

faculty and staff members. Mitchell, he noted, is considered Minnesota's law school. However, recent changes to the area's legal education market may force Mitchell to re-examine its image and development strategies over the next few years, according to Janus. The school can continue to cultivate its Minnesota roots to the exclusion of wider markets, he said, or it can seek to strengthen its reputation as a national and even international leader in legal education.



*Image courtesy of William Mitchell College of Law*

Overall, Janus expressed humility in accepting his new position and optimism about the school's future. If faculty and students alike take on his same enthusiasm, Mitchell is certain to enjoy a strong term as it searches for a permanent president and dean this year.

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# The 35W Bridge Collapse: Asking the Right Questions

*By Jake Crandall*

On August 1, 2007 an interstate bridge in Minneapolis collapsed- a bridge that was designed to last for 75 years. Thirteen people died, scores were injured, and the regional economic impact is projected to be in the hundreds of millions of dollars over the next few years. The collapse of the bridge was clearly a catastrophe and a disaster unanticipated in the Upper Midwest. As you might imagine, the reaction of state and local government has been swift. The Governor is considering a special legislative session, and Congress is now considering an increase in the federal gasoline tax specifically for bridge inspections. The National Transportation Safety Board has begun a thorough investigation of the cause of the collapse, and they will investigate everything from the bridge design, to its construction, to the repair work that was ongoing at the time of the collapse, as well as general wear and tear.



*Images courtesy of [www.ctigroup.com](http://www.ctigroup.com)*

People want to know whether or not anything could have been done to prevent this tragedy. What was known about this bridge, who knew it and when? Will this happen again? There is a simple starting point in analyzing this bridge's failure, and it's called the bridge formula. A clear understanding of its application may not only shed light on the 35W bridge collapse but could also help address the many unanswered questions surrounding the thousands of interstate bridges across the nation.

When the interstate highway system was conceived in the mid-fifties, U.S. Department of Transportation engineers created a model for highway and bridge construction. That model was a semi-tractor trailer truck weighing 73,280 lbs., with a standard length trailer. With that in mind, engineers would estimate traffic volume to project the useful life of the infrastructure. The 35W bridge, built in 1967, would have been designed using that formula.



Unfortunately, at least in terms of being able to make useful projections of service life, several changes have occurred that have dramatically affected the formula. Following the Arab Oil Embargo and the subsequent reduction of the speed limit, the weight component of the formula was increased to 80,000 as a concession to economic concerns. This significantly reduced the useful life of both bridges and highways. Subsequent increases in weight and length of semi-tractor trailers since then have further accelerated the depreciation of interstate highways and bridges. As the nation began to shift away from warehousing to a system of just-on-time delivery, truck volume, which is the third

element of the formula, was also dramatically increased.

While the tragedy of the 35W bridge collapse in Minneapolis is being investigated, the simple fact that our roads and bridges were designed for a lighter, shorter truck continues to be ignored. One of the most controversial provisions of NAFTA calls for the harmonization of semi-tractor trailer lengths and weights. Both the Canadian and Mexican governments allow significantly heavier and longer vehicles than those currently operating in the U.S. The economic pressures to fully implement NAFTA are simply reflective of the struggle between commercial demands and the need to protect the nation's investment in infrastructure. In the aftermath of the 35W bridge collapse, we have to realize that changes made to standards for the trucking industry have real life implications for the lifespan of bridges and highways. \*\*\*

## **Mitchell Students Attend American Bar Association's 2007 Annual Convention**

*By Britt Kringle and Hanna Wolf*

### **Background – The American Bar Association**

The American Bar Association (“ABA”) is the largest voluntary professional association in the world. With more than 400,000 members, the ABA provides law school accreditation, continuing legal education, information about the law, programs to assist lawyers and judges in their work, and initiatives to improve the legal system for the public. Each August, the ABA holds an Annual Convention bringing together Supreme Court justices, members of Congress, noted authors and actors, attorneys, judges, and law students. This year's Annual Meeting, held in San Francisco, featured many

of the nation's leading legal, industry and government professionals, including U.S. Supreme Court Justices Stephen G. Breyer and Anthony M. Kennedy. In particular, the ABA - Law Student Division attracts law students from across the country to be involved with this organization. William Mitchell students, including Hanna Wolf, Britt Kringle, Zach Robins, Rachel Boerum, Ann Hansen, and Heather Diersen, were honored to attend this year's convention.

### **Highlights of the Annual Convention**

Justice Breyer was the keynote speaker at the meeting's Opening Address and the Rule of Law Initiative Luncheon. He spoke about the importance of judicial independence and underscored the importance of the ABA's promotion of judicial independence across the country. One of our own representatives, Britt Kringle, sat next to Justice Kennedy at the CLE “Lessons and Legacy: The Judgments at Nuremberg Sixty Years On.” This CLE included a diverse panel of international experts who spoke about how the trials have shaped international criminal prosecutions and courts, including the International Criminal Court. The panel also spoke about the relevance of the Nuremberg trials on the post-9/11 War on Terror and other emerging challenges in the international justice arena, including conflicts in Uganda, Sierra Leone, Rwanda, Sudan, and Kosovo, among others.

The Minnesota State Bar Association reception was a great opportunity to network with attorneys, students, and professors who traveled from Minnesota to the Annual Conference. The law students were able to meet the MSBA President Brian Melendez.

Hanna (LSD - National Representative) and Zach (President of William Mitchell's Student Bar Association) attended various leadership workshops and the Law Student Division's

Grand Assembly. Chapter officers Britt, Rachel, and Heather also attended leadership meetings and a variety of CLE seminars.

## **Becoming Involved**

The Mission of the American Bar Association is to be the national representative of the legal profession, serving the public and the profession by promoting justice, professional excellence and respect for the law.

If you are interested in becoming involved with the local chapter of the American Bar Association-Law Student Division, please contact [Hanna Wolf](mailto:Hanna.Wolf@wmitchell.edu), [hanna.wolf@wmitchell.edu](mailto:hanna.wolf@wmitchell.edu), or Britt Kringle, [britt.kringle@wmitchell.edu](mailto:britt.kringle@wmitchell.edu). Also, please contact us if you have questions about law student memberships and benefits or competitions sponsored by the ABA. Finally, if you would like to discover more information yourself, please visit [www.abanet.org](http://www.abanet.org). \*\*\*

## **Profiles in the Profession: Bankruptcy—Obtaining a Fresh Financial Start**

*By Stephanie Gruenhagen*

Bankruptcy.

The Myth: A frightening word.

The Truth: an area of law that seems irrelevant unless you are somehow affected by it, and of course no one ever thinks it will happen to them.

The Truth: It's not scary or uncommon, especially in recent years. With consumer debt and foreclosure rates on the rise, bankruptcy offers many people the fresh start they may need.

Bankruptcy is a document heavy process, giving attorneys and staff much to organize before filing. The process starts with a consultation. The attorney assesses the case, looks for potential issues, and decides whether the debtor will be filing a chapter 7 or 13. A chapter 7 allows debt to be discharged, and a chapter 13 permits reorganization along with a partial payback plan based on the debtors' debt and income. Which chapter a debtor will file depends on the income of the debtor's household determined through a means test. The means test is a product of the 2005 change in bankruptcy laws. The test looks at the gross income for average households and determines the mean by geographic area. If a debtor's household income is above the mean, certain payroll deductions can be taken into consideration to help lower the income amount.

When assessing the case, there are several issues with which an attorney must deal, such as judgments, garnishments, foreclosures, and potentially fraudulent actions of the debtor. A debtor cannot do anything to delay or hinder the case; it is a very low bar to prove delay or hindrance and such a finding can result in the case being dismissed. If a case is dismissed, the bankruptcy will still appear on the debtor's record, and their debt will not be discharged.

To get the filing process started the debtor must assemble the required documentation and complete a credit counseling course. Credit counseling ensures consumers understand their options and have the necessary knowledge and tools to develop a sensible financial plan for their future. The attorney's office then processes the paperwork and files the petition.

About a month after filing, there is a meeting of the creditors (commonly referred to as a 341 hearing). The meeting is a non-adversarial administration hearing. A panel trustee conducts the hearing and swears in the debtor. All creditors have a right to come but

most do not. The total financial picture of the debtor is evaluated, including debts and the fair market value of the assets of the estate.

After the meeting, the trustee writes a letter addressing any issues with the estate, namely non-exempt assets. The attorney then negotiates with the trustee to surrender or repurchase the non-exempt assets.

After filing, a debtor has seventy-five days to complete a debtor education course that addresses budget development, money management, and wise use of credit. Typically ninety days after filing, the bankruptcy gets discharged. The discharge eliminates a lot of the debtor's debt and worries. The debtor can then look forward to their credit score and their financial outlook improving. \*\*\*

## **Things No One Else Will Tell You: "Keep Your Eyes on Your Own Paper"**

*By Allison Crandall*

Think back to your years in elementary school, and remember your teacher walking up and down the aisles during a test. My favorite teacher, Mrs. Whalen, would patrol the rows with her eagle eye. When warranted, she reminded a suspect, "Keep your eyes on your own paper."

That phrase has occurred to me many times in the year that I've been in law school and never more than now. The beginning of your second year is, in many ways, an exciting time. Many of your colleagues have had experiences in the law over the summer, such as writing onto Law Review. There is a mixture of giddiness and trepidation at the thought of having survived one year only to face another. OCI interviews become a major topic of

conversation. On top of all of this, there are new classes, without the safety net of your section.

There is a significant pitfall to all of this. Maybe you didn't have any legal experience this summer and feel stupid listening to people talking about bail hearings and drafting memos. Maybe you did work with a lawyer, but when listening to a classmate, it seems you should have done better. You started the Write – On Competition but never finished, and you feel silly listening to people discuss cite checks as they head into the Law Review office. You bid for OCI and didn't get any interviews. You bid for OCI, got some interviews, and are so nervous you haven't eaten in two weeks. This is a good thing because you are pretty sure you will have to wear panty hose for the rest of your life.

Mrs. Whalen was concerned about people cheating on their spelling tests, but keeping your eyes on your own paper has taken on a different meaning for me. I came to law school, in all honesty, because it seemed more prudent than getting a Ph.D. in my undergraduate major. I knew when I took the LSAT that my personal life was important to me, as was maintaining some time for the things I love to do. I knew that I never wanted to work long hours to make partner, or to get the corner office. I wanted to use my education to contribute to other people's welfare, and I wanted to live a life I like.

This does not stop me from comparing myself to people who do want to be partner, who do want the corner office, and who thrive on working for long hours. I see people I greatly admire for their hard work and diligence compare themselves to others, and I wonder- is anyone satisfied with themselves in this place?

We all came here from different places for different reasons. We all have choices about what this place is going to mean in our lives.

If you are being true to yourself and doing all that you can to maximize the value of your time in law school, you are succeeding. That doesn't mean you are at the top of your class, nor does it mean you ever will be. What it means is that you will have succeeded in keeping your eyes on your own paper, and you will have as an asset for the rest of your life that you are able to remember who you are in one of the most competitive environments a person could be crazy enough to pay for the privilege of being a part. \*\*\*

## The Death of Free Speech?

*Recent leads in understanding the murder of Anna Politkovskaya make investigation ever more complicated*

*By Vanessa Denis*

On August 30, 2007, *RIA Novosti* published a story blaming the murder of Anna Politkovskaya (renowned critic of the Kremlin) on ten newly arrested suspects and one who still remains at large. Prosecuting attorney, General Yury Chaika, explained that suspects include both planners and perpetrators of the crime. The article reports, "Russia's chief prosecutor announced Monday that a Chechen-born leader of a Moscow organized crime group, known to the journalist, masterminded the murder." However, because the suspect is abroad, Chaika asserts, "I can't give his name, as the investigation is still underway." The article later states that two of the ten arrested have already been released.

Overall, the article espouses the prosecution's prevailing theory that Politkovskaya's murderer had an ulterior motive—to incite international suspicion of the Kremlin's involvement in Politkovskaya's death (perpetrated on President Putin's birthday,

October 7). The Kremlin has denied any involvement.



*Pictured: Anna Politkovskaya, a Russian journalist whose murder is generating multiple theories.*

On the same day, *AP News* published an article alleging that *four* of the ten murder suspects were to be released from further investigation; all four suspects have sufficient evidence to deliver their eventual reprieve. *AP News* also released the name of Chaika's anonymous "chief suspect." The anonymous reference was allegedly to Boris Berezovsky, a fierce Putin critic and former Kremlin insider who lives in London. Berezovsky remains the focal point of the prosecution's investigation.

Moreover, *AP News* illuminates the opinion of *Novaya Gazeta* journalist, Sergei Sokolov—editor of the independent newspaper for which Anna Politkovskaya was a tenured journalist—asserting that a continued decline in current suspects will only undermine Chaika's case and bolster existing suspicions of the Kremlin's connection to Politkovskaya's murder (clearly an alternative theory to that employed by Russian prosecutors).

Additionally, *The Economist* reports Mr. Sokolov is skeptical that Chaika has already, "adopted a sweeping interpretation before the end of the investigation." Sokolov and fellow colleagues at *Novaya Gazeta* maintain their suspicion that the perpetrator of Politkovskaya's murder was from within the Kremlin.

Further speculation points to Chechen President Ramzan Kadyrov. As a tenacious advocate for disenfranchised Chechens, Politkovskaya had publicly criticized Kadyrov for his human rights abuses in Chechnya and his surreptitious ties to the Kremlin. Coincidentally, Kadyrov was not included in the list of Chaika's suspects.

On September 5, *Reuters* published story entitled: "Russia names new lead prosecutor in Politkovskaya killing probe." The article reinforces the theory that politics will color the outcome of this investigation, as the lead prosecutor for the case has changed three times in the matter of a week.

If one enjoys reading the news of various countries, one will surely be left ever more perplexed by the selectively published information tied to Politkovskaya's murder. As evidence begins to unveil the answer to this convoluted crime, dominant powers are quick to cut-off our full view. Does anyone else wonder if this case will ever be legitimately tried, solved, closed? I find it interesting that although a government can go through the motions of investigative legal due process, the integrity of that process truly hinges on the very basic veracity of the legal system itself. \*\*\*

## **Iranian Women Outnumbering Men in Local Universities**

*By Nazanin Barouti*

Since the tragic events of 9/11, the American media has portrayed a skewed image of Middle Easterners. As a result, many believe, unfortunately, that countries of the Middle East are backward and thrive on a fundamentalist mentality. As an Iranian American, I hope to help counter these

stereotypes by exposing readers to Iran's rich culture, a culture in which extraordinary individuals have made important global contributions to philosophy, medicine, and the arts.



*Pictured: University of Tehran's College of Literature and Humanities. Image courtesy of the University of Tehran.*

The people of Iran have long engaged in a struggle to balance the Western ideals of Mohammad Reza Pahlavi's White Revolution with Islamic fundamentalism that underscored the Iranian Revolution of 1979. Despite this political turmoil, Iranians have always stressed the importance of education. The country is home to several outstanding universities one of them being Tehran University. The University is the most prestigious school in Iran, offering 116 bachelor degrees, 160 masters degrees and 120 Ph.D. degrees. To gain admission to such a university, applicants must take an entrance exam. The competitiveness and complexity of the exam forces these universities to only admit the top five percent of the two million applicants. Over the years, American universities, such as the University of Utah, University of Southern California, University of Virginia and John Hopkins University, have contributed in developing the agricultural, business,

journalism and post-doctoral programs within Tehran University.

For the past five years, it has been reported that Iranian women make up more than sixty percent of the student body in local universities. Iran's educational system has provided a means for women to abandon traditional roles in pursuit of self-improvement and career goals. Iranian women such as Shirin Ebadi, lawyer and 2003 Nobel Peace Prize recipient, provide positive reinforcement for female students. As the first Iranian woman to receive the Nobel Peace Prize, Ebadi has been a vocal advocate for democracy and women's rights in Iran. Although this social phenomenon is sweeping the country, many students, men and women, remain skeptical of job opportunities after graduation.

It was reported in the July 21 issue of *The Economist* that in 2006 half of Iranians between the ages of 25 and 29 remain unemployed. With nearly three-quarters of the country's population being under the age of 30, Iran remains in need of economic reform. In 2006, the International Monetary Fund ranked Iran number one out of ninety countries with the highest "brain drain." A "brain drain" occurs when trained individuals migrate to other countries because of conflicts and lack of opportunity within their own countries. It has been estimated that over 150,000 Iranians a year migrate to other countries in pursuit of jobs. These highly talented graduates tend to end up in Western Europe and North America. In order to benefit from their educational advancements, the Iranian government must initiate an economic reform that accommodates the high rate of professionals within the country. This in turn may discourage Iranians from migrating to

other countries. It will also provide an outlet for educated Iranians, especially women, to remain in their country and help to steer the fate of their homeland. \*\*\*

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# The O-pin-yun

## The Humor Section:

This part of the paper bears no resemblance to reality. In a way, this part of the paper is to reality what law school is to legal practice.

### U.S. Supreme Court declares *Heller v. American Range Corp.* “Most Important Case in American History”

*Chief Justice Roberts: “The United States Constitution does not hold a candle to this Minnesota ruling”*

*By Mike Vogel*

After reviewing all the published cases in existence, the United States Supreme Court has declared that the 1931 case brought before the Minnesota State Supreme Court is, in the words of the Chief Justice, “the most important ruling any judge in the United States has ever made. Ever.”

The Court, in its unanimous pronouncement issued last Thursday, did give some honorable mentions, including: *Marbury v. Madison*, which established the Supreme Court’s power to strike down unconstitutional legislation; *Roe v. Wade*, which established a woman’s right to choose; and *Brown v. Topeka Board of Education*, which ended segregation in our public schools. “While these cases have certainly left their mark on American history, they simply don’t compete with the *Heller* case, which upheld that certain industrial pollution may constitute a nuisance to nearby residential

property in the state of Minnesota,” said the Court.

A spokesperson for American Range Corporation commented, “We couldn’t be more ecstatic. This was completely unexpected. We would like to say to all the other corporations to just keep polluting, you never know what good things can happen.”

Many law schools in the United States have begun recognizing this court opinion by extensively integrating it into their curriculum. William Mitchell College of Law set the example in a press conference with its Dean of Students yesterday. “We are excited to announce that our first year students will now be basing their legal writing homework on this case because of its huge significance in American law”. Experts now estimate that at least fifty other law schools, including Harvard and Yale, will follow suit by the beginning of the upcoming spring semester.

This follows up the Supreme Court’s decision to recognize the Minnesota nuisance statute as the most important law to our nation’s freedom, just edging out the First Amendment. \*\*\*

## Fish Fighting Scandal Strikes Local Lawyer

*By Matthew Dziuk*

MINNEAPOLIS, MN--Allegations of animal fighting have shocked the Minnesota legal community. Former Rosalie Wahl Moot Court stand out and William Mitchell graduate John Q. Law's name has surfaced in an ongoing investigation of the underground fish fighting culture in the Twin Cities.

Fish fighting, though documented with catfish in southern states and in parts of northern Minnesota with walleye and crappies, is done mainly with Siamese fighting fish, commonly referred to as bettas. These fish are colorful with flowing fins, but when they are placed into a small tank, bowl, or empty whiskey bottle with another fish they attack each other until only one remains alive.

Hennepin County Attorney's Office representatives said that "along with the cruelty and loss of aquatic life, underground fish fighting culture supports illegal gambling which spawns another whole host of problems associated with violence and organized crime."

Law is alleged to be one of the major players in the Twin Cities fish fighting scene. Information gathered by investigators from an anonymous informant going by the code name "Gates" paints a different picture of John Q. Law. Law, known in fish fighting circles by the nickname "Posner," is allegedly the economic mind and backer of "Bad Newz Aquariumz," an aquatic pet store now expected to be a front for betta breeding.

In the most gruesome allegations, "Gates" told investigators that Law and two "Bad Newz Aquariumz" employees, going by nicknames "O'Connor" and "Bader-Ginsburg," made the decision to destroy six

fish that failed to demonstrate any aggressive fighting tendencies when they didn't react to a mirror being held up to their tanks. Law first indicated that the six fish, named Tortfeasor, Zealous Advocate, Bubbles, Scalia, 12(b)6, and Fred, should be drowned. However, when this proved an ineffective means of killing the fish, they placed them in water and then electrocuted by placing various home electrical appliances into their tanks.

The remains of all the fish, except Scalia, were found in shallow graves in the balcony flower box of a downtown Minneapolis condominium owned by John Q. Law. It is believed that Scalia's remains were disposed of by flushing. Crime Scene photographer Doug Gare said, "The sight of the lifeless bodies of the once beautiful and colorful fish nearly made me lose my lunch. I had fish and chips."

As the evidence mounts against him, Law maintained his innocence in a brief public statement that "he merely owns the condominium and is an investor in the pet shop known as 'Bad Newz Aquariumz.'" However, the Hennepin County Attorney's Office says that they are continuing to investigate and that charges related to fish fighting may be filed in the near future. \*\*\*



*Pictured: 12(b)6 before his tragic death.  
Image courtesy of Doug Gare.*

# Top 10 Things to Do While You're in Class

By Jen Becker

10. **Look around the classroom and make a list.** It may start at the simple level with “the top ten cutest girls/guys”. If you are lucky, it will soon escalate to “the top ten grossest things you’ve seen people do in class”. This one is usually done best in cohorts with your classmates over IM; a chat group of 3-5 people really gets the list going.

9. **Let your imagination run free.** Public speakers advise imagining the audience in their underwear. Switch roles. Imagine your professor in his/her underwear. This may sound gross at first, but honestly, it is one of the most gratifying things that you can do in law school. Don’t worry; you still won’t be on equal grounds with them, even if you tell your professor that you know they have a lacey pink thong on that day.

8. **Watch the Britney Spears VMA performance over and over again.** Hey, don’t knock it till you try it!

7. **Pick out your new tattoo.** It is totally normal to get a Taz tattoo with an eagle and an American flag in the background. I just got a new unicorn tattoo last weekend. Doesn’t that make you feel more confident about your decision?

6. **Daydream.** This is always a strong fallback plan. There are so many things to dream about: rocks, potatoes, even awesome things like the giant multi-pack of highlighters they sell at Sam’s Club (Don’t lie; you know you see those huge packs of all the different colors, and your mind goes crazy with excitement!).

5. **Snack.** It is always a good idea to maintain a full arsenal of snack foods that are super

LOUD! “It ain’t good unless they can hear ya munching from three rows back,” I always say. Maybe bring three or four snacks. Also, I strongly encourage smelly leftovers from last night’s Indian take out.

4. **Talk to your exes on IM or text messaging.** It is almost like drunk dialing only better because you get to experience it in real time (unlike drunk dialing where you only get to experience it in the morning!).

3. **Surf.** Who can forget good ol’ trusty Myspace/Facebook. That’s right, just think of all the cool things you can do on there. You can change your song, your background, send your friend a computerized drink, or judge every person you know to be completely less cool than you are. The possibilities are endless; I would encourage you to get started right away.

2. **Play computer games.** I would suggest SNOOD. It’s always a classic, plus it encourages strange outbursts and body contortions when you don’t beat the next level.

1. **Work...for us.** The top thing to do in class is to: (drum roll please...) work on writing your next article for The Opinion! That’s right; this is an ad for the Opinion. Now get in to class and start writing, folks. But honestly, if your article isn’t this funny or informational then please don’t even send it. We are only interested in winners and also attractive people. Thanks. \*\*\*

We’re serious! Email us at [theopinion@wmitchell.edu](mailto:theopinion@wmitchell.edu) with your submissions!

## The Many Hands of American Law

By Adam T. Johnson

Never to have served on the United States Supreme Court, Billings Learned Hand – widely known as Learned Hand – is considered one of the most influential judges in American jurisprudential history. His judicial opinions in tort and contract law are considered classic formative statements on those subjects. For decades, first year law students have remarked on the good Judge's name and its proximity to his own professional fate with jesting spirits of jocularly. "If only our own hands could be so learned," we say.

It was during the research period of a book I'm currently working on – *Persuasive But Not Binding: Great Unpublished Opinions in American Legal History* – that I discovered through the sifting of historical data, an interesting footnote in American jurisprudential history, relating directly to the revered Judge Learned Hand himself.

It appears that Judge Hand's father, a Dutch wool trader by the name of Wandering Hand, immigrated to the United States in the mid-nineteenth century, and involved himself in a number of extra-marital affairs throughout the judicial districts of the United States. His wife, Naïve Hand - and in fact Judge Learned Hand himself - remained unaware for their lifetimes of the numerous bastard Hands resulting from such infidelities. Interestingly, a number of Judge Hand's half-brothers themselves grew up to become judges, and would be better known if it weren't for their opinions remaining in the unpublished dustbins of legal history. Research of late is responsible for their discovery. Their names and positions are hereafter presented, with broader accounts available after the publishing of the afore-mentioned book.

To begin, there was Judge Hand's eldest brother, Judge Cursive Hand who shunned modernity and his typewriter and forced readers to deduce the meaning of his opinions through his often illegible free-hand writings. There was Judge Unyielding Hand of the Second Circuit Court of Appeals, responsible for some of the longest judicial opinions in American history. Next, there was Judge Forgetful Hand who dotted no i's and crossed no t's. He eventually forgot he was a judge and took to teaching, where his absent-mindedness made him quite at home. There was Judge Melancholic Hand of the Eighth Circuit whose life was cut tragically short by his own designs. In the Alabama Court of Appeals sat Judge Left Hand, who was really quite a normal justice but for his being left-handed. Judge Eccentric Hand sat on the Fourth Circuit for a brief stint but soon disappeared without a trace. It is rumored that he appeared from time to time in Parisian salons dressed as Oscar Wilde and giving soliloquies on the virtues of being earnest. Judge Aberrant Hand is rumored to have killed three law clerks by duel. There was Judge Invisible Hand of the First Circuit whose opinions in the late nineteenth century helped pave the way for a healthy capitalistic industrial environment. Judge Lenda Hand of the Ninth Circuit was best known for his short concurring opinions.

Current research into the lives and times of these justices hints that one final sibling existed in an unknown federal judicial district somewhere near the eastern seaboard. At the present time however, no name is known, and said sibling will remain for the time being as Judge Hand Not Appearing In This Article.

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## The William Mitchell Life Coach... Your Questions. Answered.

*Dear Mitchell Life Coach,*

*I am still in school and am wondering about valuable job search strategies. Any suggestions?*

*Yours,  
Fabian Ernest*

Dear Fabian,

It is important to find a job you like. Otherwise you will end up in a Dickensian nightmare: you will wake up one day and realize that you hate your job, you hate your life, and your jerk of a boss will not give you Shark Awareness Day off. Trust me, when two Great Whites form an unholy alliance and attack you using a classic pincer move, you will be wishing that you learned the proper shark evasion techniques and rudimentary military theory that you would have learned during Shark Awareness Day.<sup>1</sup> Having said that, here are some tips to get jobs that won't cause you to be ripped apart by two cartilaginous fish working as a single, cohesive unit.

First, be realistic. I know you can throw a tight spiral, Hot Pants. However, not everyone will become a star football player who develops a killer smack addiction that leads to retirement in disgrace on top of countless child support payments that drive you to bankruptcy and eventually force you to peddle vacuums on the Home Shopping Network. You need to follow your dreams in a way that is both practical and realistic. Personally, I've always dreamed of being the dictator of a small banana republic. Unfortunately, starting a revolution is difficult and I really don't have time between my Jazzercise and Pilates classes to initiate a

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<sup>1</sup> Shark Awareness Day is July 14. Use this day to reflect upon the shark menace.

bloodless<sup>2</sup> coup. Instead, I make my mother call me "generalissimo," and I hold a biannual military parade where I dress my dog up as a missile and parade her down the street, goose-stepping my way into greatness.

Also, learn a foreign language. Employers are very interested in bilingual individuals. Furthermore, learning a language will broaden your cultural horizons. A prominent linguist put it like this: "There is no better feeling than establishing communication with individuals. Especially when I'm at Culver's and I just want an f-ing fish sandwich."<sup>3</sup> I recommend something practical like Spanish, Esperanto, or Ebonics.

Finally, learn to write good. Follow these steps and you will be swimming in a sea of three day weekends, excellent pay, and liberal policies on inter-office romance with subordinates.

*Hasta mis pantalones son en fuego, dawg,  
The William Mitchell Life Coach*



*We assure you that this heavily sedated dog was not injured in the making of this photo. Clearly, the misspelling of 'missile' was intentional.*

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<sup>2</sup> Optional.

<sup>3</sup> Smith, Josiah Ph. D. *What's With All the Gosh Darn Jibba-Jabba?* Yale Journal of Etymological Review, 2004.

## Profes Say the Darndest Things!

*We've all been there. You are sitting in class, innocently taking notes, when your professor says something hilarious. While this effectively prevents many of us from learning for the rest of the day, it is also, undeniably, one of the best parts of law school. As a public service, The Opinion will publish these gems of legal education. Don't forget to send us your candidates for our running series; send the quotations to theopinion@wmitchell.edu!*

“Don't appoint anybody from New Hampshire!”

“The Fifth Amendment used to be something dirty that only the mafia used.”

“*Marbury v. Madison*. It's a tedious opinion. I hate it.”

“I put ten people in jail wearing this suit!”

“If he was president, then everything he did would be an official act, even if he dropped trou in a hotel room!”

“I once went to a terribly boring dinner party at which the host insisted on showing slides. He showed us a picture of a log and said “There was a ground squirrel on this log just before I took the picture.””

“No state can be sued in the ICJ without its consent. That's one thing that keeps the caseload light.”

“I regret using ‘group’ as a noun and a verb in the same sentence.”

“Slippery slope...parade of horrors...gotta love it!”

## The Top Ten Questions NOT To Ask at Your Job Interview

*By Kate Jobansen and Grant Smith*

10. How many five-year olds do you think I can beat up?

9. Do you mind if I smoke?

8. Can you tell which parts of my resume are fake?

7. If you were a hotdog and you were starving, would you eat yourself?

6. Soooo...that Bill of Rights is pretty pesky, eh?

5. How many stupid people do you know?

4. What is your firm's policy on pants?

3. Can you believe the state makes us take an ethics test?

2. When you say summer associates have access to free soda, do you mean all the soda they can drink or just all the soda they can drink while they're at work?

And the number one question NOT to ask at your job interview is...

1. Are you guys gonna hire me or what?

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# HOROSCOPES

By visiting *ninja Irina Abramovich*



**Aries** (March 21-April 19): Your stint as an amateur firewood cutter will come to haunt you when it is revealed that you “cheated” in Stillwater’s 2002 Annual Lumberjack Days log rolling competition by going under the name Woodsy McAwesome.



**Taurus** (April 20-May 20): You will run into good fortune when your classmates offer you a large sum of money this month. Unfortunately, this will be in exchange of you never using the phrase “slippery slope” when volunteering an answer in class again.



**Gemini** (May 21-June 21): You will make headlining news when your misguided attempt at losing weight results in a deadly bone marrow donation.



**Cancer** (June 22-July 22): Some people say that two wrongs don’t make a right, but tipping over that bookmobile and then starting a book burning bonfire will invoke your right to remain silent.



**Leo** (July 23-Aug. 22): Your days as a functional alcoholic come to an end when you boldly announce in your Con Law class that you vehemently oppose the Thirteenth Amendment.



**Virgo** (Aug. 23-Sept. 22): Despite the gorgeous weather, your recent diagnosis of Chlamydia makes you feel like a permanent rain cloud looms over you.



**Libra** (Sept. 23-Oct. 22): Your first date at a Caribou Coffee will take a wrong turn after your too-personal admission of “I had seven colonoscopies last year.”



**Scorpio** (Oct. 23-Nov. 21): A water balloon fight will take a humorous turn when you introduce your grandma’s urine catheter bag into the mix.



**Sagittarius** (Nov. 22-Dec. 21): Your adventurous trip to the zoo will prove to you once and for all—stealing penguins isn’t always as easy as it sounds.



**Capricorn** (Dec. 22-Jan. 19): Those aren’t night terrors that are waking you up screaming in the middle of the night. There really are cobras in your bed. I know these things because I’m a medical professional.



**Aquarius** (Jan. 20–Feb. 18): You will run into some unexpected troubles while traveling this month when you innocently tap your foot to your favorite song while using the restroom at the airport.



**Pisces** (Feb. 19-March 20): While you won’t be lured into death by the offer of free vodka to mourn the death of a nonexistent dog, you *will* be lured into death by the request of digging a dog-sized grave for the same nonexistent dog.

# *The Opinion* needs your help!

As we work to reestablish a monthly print publication as our student newspaper, we are seeking donations and advertisements. If you believe, as we do, that *The Opinion* is an important part of creating a better sense of community at William Mitchell, we would appreciate your contributions.\*

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Attn: The Opinion

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