

# The OPINION

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## Represent Wrong Client; Go Directly to Jail The Case of Lynne Stewart

By Carla J. Magnuson

On February 10, 2005, New York criminal defense lawyer and civil rights advocate Lynne Stewart was found guilty on charges of conspiracy to provide material support to terrorists and lying to the United States government in relation to her representation of the blind Sheik Omar Abdel Rahman. The charges stemmed from a statement of the sheik's that Lynne Stewart released to the media in violation of a Special Administrative Measures directive of the Bureau of Prisons where the sheik was imprisoned.

The lawyer had been under siege by the DOJ since her indictment in the spring of 2002. Lynne Stewart, unlike the other Stewart criminally held accountable for lying to the government, faces a stiff sentence of 20+ years, the equivalent of a life sentence for a woman of 65. Lynne Stewart's conviction is particularly troubling for me because I look to her as a role model and on two occasions I had the opportunity to meet Lynne Stewart and really like her as a person.

The first time I met her was in December of 2002 at a small reception

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## The G.O.O.D. Life

by Melessa Henderson

In my 2.5 year stint at WMCL I found most fellow students to hold extremely divergent worldviews, but nevertheless views laden with idealism. Students here seem to really want to "make a difference," "change the world," and carry many other good-hearted mantras. None seem to hold the mettle worthy of the disdain practicing lawyers are so riddled by with jokes and criticism.<sup>1</sup> So what is the change between students and lawyers in practice? Is it just a myth that there are bad lawyers out

there? That may be, but there also might be another explanation for the great disparity between the idealism individuals hold in school, and behavior found in the real world. I believe the reason comes down to just one four-letter word: DEBT!

Debt is a great cause of stress, and plagues society today like no other generation. Today the average household credit card debt in American is \$9,205.<sup>2</sup> I have heard of many a WMCL student that carries over \$100,000 in just student loan debt. Debt is clearly an ineffi-

cient way to live life. If you have a credit card racked up to \$5,000 with an 18% rate, and only make the \$100 monthly minimum payments, it would be eight years and \$10,000 later until the card is finally paid off.<sup>3</sup>

Today, ours is not a battle with swords and shields, but one of powers and principalities. We are slaves to the desires that drive us into debt. It is these desires that will cause the most idealistic to stretch our values to get that one last deal done.<sup>4</sup> Our indebtedness and our desires to have nicer things, a.k.a.

"keep up with the Jones," cloud our judgment. That fine line between black and white becomes a gray middle ground when the choice comes down to just "bending the rules for a buck" or "repo man makes a midnight visit to your new Lexus." It is our debt that will cause us as professionals to curb. The less debt we have, the more empowered we may be to take the legal and moral highroad.

The G.O.O.D life (Got Out Of Debt) is the best weapon against the travesties of DEBT.

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## Lynne Stewart

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prior to the Social Justice dinner held at William Mitchell by the Minnesota chapter of the National Lawyers Guild (NLG).

She was the keynote speaker and she graciously spent time with a handful of students before the dinner. We talked about the injustices of the criminal justice system and how she came to represent the blind sheik. During the course of the conversation, I went off on a tangent about the "wilding" incident in Central Park. I was going on about how the woman who had been subsequently raped and murdered by the real Central Park rapist might still be alive had he been put away rather than the kids that had been wrongly convicted for the crime. If that were my family member,

I went on, I'd have been really upset and would want to make the NYPD pay. So Lynne began to talk about how the episode had affected the NYC legal system and how that, even though the real Central Park rapist was a bad man, he did not have to come forward to clear the kids but he did.

While she was talking I made the startling discovery that Lynne was part of the real rapist's criminal defense team and I felt like a complete fool. Saving me from my embarrassment, Lynne graciously reassured me that I could not have known because the team had purposely kept her name out of the paper because of her other legal troubles.

She noted that part of the downside of being willing to do pro bono criminal defense work and being good at your job is you may be assigned a

case by the court that you wouldn't necessarily volunteer for.

The second time I met Lynne was in October of 2003 at the NLG national conference hosted by the local chapter and held at the Holiday Inn at 7 Corners in Minneapolis. Because the conference was over Halloween weekend the local student chapters threw a costume party on the first evening of the conference. Lynne and her husband – who happen to be an interracial couple – dressed as half black/half white jesters with the understanding that each was the other's better half. They made a grand entrance and were a highlight of the evening. I even received a hug of acknowledgement from Lynne getting smudged by makeup in the process.

The point of my recollections is this: Being a stand up

person, doing the job assigned to you, the zealous advocacy of a client appointed to you, is not good enough. If you make a mistake, even if it is breaking a trivial administrative rule, the government can come after you. You are particularly vulnerable if you are representing an enemy of the state. Even brilliant defense attorneys like Michael Tigar won't be able to keep you safe if the government wants to make an example of you. For those of you considering criminal defense work of a political bent, this is a cautionary tale. For further information see Lynne's website [www.lynnestewart.org](http://www.lynnestewart.org)



# Observations from the Front Desk

**By Stephanie Balmer**

Sitting at the front desk gives one a unique outlook on what makes William Mitchell students tick. Some might think that the only thing that keeps us going is the however distant prospect of using our degrees to make loads of cash. I would argue that we're much easier to please.

I am continually amazed at how excited people get when they see chocolate in the candy bowl. For those of you who don't know, Hershey's Kisses are better than the Second Coming. Some might say it's sad, but I prefer to look at it as a group of people who grab life with both hands – not only are we fortunate

enough to be engaged in some of the most rewarding intellectual endeavors of our lives, but there's CANDY, too!

It's not all warm and fuzzy work, however. Front desk workers are encouraged to acknowledge each and every person with a greeting and a smile. I personally am a huge fan of yapping away to strangers, but even my extensive supply of enthusiasm dwindles after several hours of saying "hi!" and beaming at folks only to be callously ignored. You know when the nerd tries to talk to the hot chick in the hallway at school, but the hot chick just rolls her eyes and turns away? Yeah, I'm the nerd. Telling

myself "he must be preoccupied" or "she's just deep in thought" suffices for the first 20 shut-downs, but the sensitive side of me eventually rises up in hurt anger – who taught these people how (not) to interact? Perhaps the folks who say hi back are Midwesterners like myself, or at the very least have been properly socialized. In any case, I expect such self-absorption from the competitive over-achievers at the U of M, but certainly not here, where we're supposed to be thriving on the sense of community.

We're also the first person people talk to when they call the general phone number for

William Mitchell. This means that we get the good news: winning sweepstakes, free windshield replacements, etc. I'm embarrassed to say that sometimes I want to not do my homework so badly that I'll go along with them for some time before I tell them that it's a school and I'm just a student worker answering the phone.

Sometimes I wonder where students are from and why they dress the way they do. No, I'm not being mean – I'm genuinely curious. I'm from Duluth, so anything beyond jeans and fleece is out of my league. My mom and sister met me at school a couple

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# From the Editor

On December 23rd I was recovering from finals, finishing my long paper and preparing for the holidays. It was bitterly cold, so I was simultaneously frosty and toasted. I was out walking my dogs on Nicollet Island, a bucolic stroll in the heart of Minneapolis. Getting into my car I was distracted by multiple police cars' lights flashing a block up the street. Because my mind was toast, and my reflexes were slow to respond, it took me a minute to turn on my headlights. Just so happens an extra police car noticed my reflex problem, pulled me over and ticketed me for driving without headlights, and for good measure having frosty windows. Still frosty/toasty I was digging through my glove box and couldn't find my most recent insurance card. I had three years worth of expired cards but not the most recent. The nice policeman gave me a form to fill out and reminded me to "Drive Safe."

The ticket felt like the equivalent of coal in my stocking. I survived travelling home for the holidays. Upon my return, I promptly filled out the form, mailed it in, and continued my recuperation from my penultimate round of finals, the holidays, and the encounter with The Law between the two.

Fast forward to mid January, I receive a notice from the Minnesota Department of Motor Vehicles threatening revocation of my license if I didn't produce insurance verification. So I called the DMV and explained that I sent in the form to the MPD like I was supposed to. The DMV responded that the MPD had not forwarded the information. I said, "I have a copy of the form that I sent in and would they like to see it?" DMV said "fine", so I faxed in the form and continued my recuperation.

Months pass and I forget my encounter with the MPD and DMV when, at the beginning of March, I receive in the mail official notice that my license had been revoked and to be allowed to drive again I needed to take the driver's test, reapply for my license and pay \$40.

After freaking out, the next day I "light railed" it down to city hall (a fabulous ride by the way), and tracked down the traffic violations department that is tucked under a parking ramp 2 blocks away from the regular police department. The nice police sergeant at the service window rifled through his files and discovered the form I filled out and mailed right after the holidays. He said, "Sure enough, here's the

## The OPINION

William Mitchell College of Law Student Newspaper

**Carla J. Magnuson, Editor**

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### Submissions to The Opinion

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envelope with the postmark cancellation of December 27th but the violations bureau did not receive the form until February 4th." I asked for some sort of explanation as to how that would have happened and got a shrug.

Armed with special acknowledgement from the MPD, I then bused to my office and faxed the special form to the DMV. I spent the next couple days on public transit trying to commute between home and work in Minneapolis and school in Saint Paul. I sustained the effort for two and a half days. At that point I collapsed, using my transportation woes as an excuse to skip school. I called the DMV multiple times getting the computer voice telling me "the line was busy and for 50 cents she would continue to try the number"

for me. Finally got through. The nice lady on the phone (the human one not the computer generated one) said they had received the fax on Monday that my records were updated and that I was now "valid".

The moral of the story: If what you are about to mail is important, particularly if the recipient is bureaucratic in any way, SEND IT CERTIFIED.

So this elaborate tale is meant to elicit sympathy; please forgive the fact that you haven't seen a new *Opinion* since fall.

Enjoy this issue, and if you have any random thoughts that you think might be worth airing on these pages, please please please contribute. *The Opinion* can't exist without your input.



## The G.O.O.D. Life

*continued from page 1*

We should “build our businesses, before we build our house.” If we get established financially before we begin to build our houses (i.e. buy a big home, buy the nice cars, and have a bunch of kids), then we will not be owned by any job, power, or principality. Following are some suggestions for getting out of debt.

### 1. Know where you are at and create a plan of action!

After several years in my pre-law school career as a mortgage broker, it never ceased to surprise me how, out of hundreds of financial pictures I analyzed, very few people knew how much debt they had. The best way to start to understand your financial picture is to have your credit “pulled.” If you

apply for a loan at any bank or mortgage company, more than likely they had to pull your credit. These places often have a policy to not allow the client to have the report, however it never hurts to ask for a copy. If they will not give you a copy, then request to at least see a copy and write down all of the creditors, outstanding balances, and monthly payment amounts.

Another way to see your credit report is to contact the credit report bureaus. There are three primary ones: Equifax (sometimes referred to as the Beacon score), Trans-Union (sometimes referred to as the Empirca score), and Experian. Here is contact information for each:

**Equifax:** 1-800-685-1111;  
**Trans-Union:** 1-800-888-4212;  
**Experian:** 1-888-397-3742

### 2. Spiral down the debt!

What I call to “spiral down your debt,” is to make a list of all of your debts starting with the smallest to the largest. People with many different debts often randomly pay a little extra here and there when they can. A much more effective way to do this is to start at the top of the list with the smallest bill, pay all extra monthly money to that one, and once it is paid off, then begin to attack the next smallest, and so on and so on until the last bill is reached. This systematically reduces debt, creates momentum, and also helps simply your life by having fewer bills to manage.

### 3. Give 10%, and save 10%.

Whatever your financial picture looks like, you should consider giving 10% to some noble cause. Call it Karma or reaping what you sow, but if

you want your financial picture to be better start to give.<sup>5</sup> All major world religions encourage, or even require giving. Buddhism encourages alms, or dana, given to the monks and nuns and other teachers of the dharma and consider this a way to cultivate non-attachment. In Hinduism there is no official tithe, however donation is considered a duty; believers donate daan, or alms to the poor and to holy men. Jewish believers give 10% to 20% of their income to charity, which does not include the voluntary donations Jews give to support synagogues. Mormons give the tithe, or 10%, of their income to the church and they consider that money to be sacred and a duty and a test of faithfulness. Protestants believe in giving 10% and that the tithe is the channel by which God blesses the giver with abundance.<sup>6</sup>

Another principal that should be implemented immediately in your life is to “pay yourself first,” by saving 10% of your gross income for your future, or ideally retirement. Can you think of five or six individuals or couples that probably make 10% less? More than likely, from an objective standpoint their quality of life is probably almost identical to yours. If they can live on \$90,000, instead of \$100,000 then so can you! Today with automatic investment and bank accounts that withdraw from paychecks, to pay your self first and save for the future is easier than ever before.<sup>7</sup>

### 4. Resolve to stay out of debt.

Make a firm commitment that you will never go back to being in debt. One thing that

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# LOVE IS THE LAW

Well I was walking thru the middle o' town  
and I said to myself yeah what's goin' on?

People are breakin' the law just to make ends meet  
but people are breakin' their hearts  
just to stay off the street.

And there written on the wall for everyone to see  
was 'Love is the Law' right there on the street it said,  
Love is the Love is the Love  
is the Love is the Love is the Love is the Law  
Love Love Love Love Love is the Law.

(bridge)

Well girls yeah yer lookin' all right  
And boys ya don' look so bad.

You got to give it if you want to get it.  
You got to give it if you want to get it.

Love is the Love is the Love  
is the Love is the Love is the Love is the Law  
Love Love Love Love Love is the Law... (horn fade out)

Lyrics by The Suburbs, ©1983 The Suburbs Music, BMI from the album  
"Love is the Law", Polygram Records.

## The G.O.O.D. Life

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my husband and I did was to get rid of all credit cards except one to use in an emergency, or to book hotels and flights. Then we resolved to only use cash for our purchases. At the beginning of each month we each get our allotted cash, and when that is gone, that is it. If we use the credit card, then that amount of cash has to be taken from our cash allotment and placed back into savings. If it is the 23rd of the month and there are no groceries, then we will have to fast for a while. There are very few of us adults that couldn't probably even benefit by a fast of a few days!

Young couples 50 years ago purchased a home on one income, at a post WWII rate of around 2% and probably paid the entire house off in less than ten years. They owned one car, but only needed one car because the wife did not need to work. Today, to live on two incomes is more difficult than it was in the 1950's to live on one.<sup>8</sup> Now there is not much we can do about the cost of housing, or food. There is however, much we can do to live a simpler life. Say no to credit card use. Get out of debt and begin to live a life where you pay cash for anything and everything you purchase. To live a G.O.O.D. life is to be free to make decisions based on what we know to be right, and not to have our integrity swayed by our debt loads. The journey towards changing the world is often started with changing our very own homes first!

<sup>1</sup> When I told my Grandpa I was going to start law school, he recalled that he "knew a lawyer once, and you know when he finally died he was so crooked they had to screw him into the ground." That was all Grandpa had to say about law school.

<sup>2</sup> Dar Haddix, *America's Love-Hate Affair With Credit*, United Press International, at <http://www.upi.com/view/cfm?storyID=20040323-072454-4898r>. (Mar. 23, 2004)

<sup>3</sup> Mark Helm, *Credit Card Debt Stalks College Students*, Hearst Newspapers, at [http://www.teensarentadisease.com/credit\\_card\\_debt\\_college\\_students\\_.htm](http://www.teensarentadisease.com/credit_card_debt_college_students_.htm). (Aug. 6, 2002).

<sup>4</sup> The Bible says that the love of money is the root of all kinds of evil. (I Timothy 6:10) The apostle Paul warned that uncontrolled desire for money leads to temptation, snares, and into many and destructive obsessions. See JOHN AVANZINI, *WAR ON DEBT-BREAKING THE POWER OF DEBT*, 22-23 (HIS Publishing Company, 1990) (citing that "the spirit of greed will drive an already prosperous business man to become involved in illegal schemes just to secure a few more dollars. He will knowingly risk the loss of his business, and even jail, in his obsession.").

<sup>5</sup> Proverbs 29:11 (The New International Version of the Bible) (citing that "[h]e who gives to the poor will lack nothing.").

<sup>6</sup> What's on the Collection Plate?, Beliefnet, available at <http://www.beliefnet.com/features/tithing-g-chart.html>.

<sup>7</sup> Lewis Schiff, *Paying for Your Future First*, "Ask the Armchair Millionaire" featured each week on CNNmoney, available at [http://www.armchairmillionaire.com/features/ask\\_payfuturefirst\\_7.1.03.shtml](http://www.armchairmillionaire.com/features/ask_payfuturefirst_7.1.03.shtml). (citing that "little will do more to motivate you than knowing how much your "pay yourself first" money can grow over time. Let's assume that you bring home \$3,500 a month and that you decide to save 10 percent, or \$350 per month, over the next 20 years. Assuming an average annual growth rate of 9% – historically, an extremely realistic number – your money would grow to over \$235,000.").

<sup>8</sup> Amelia Warren Tyagi, *Why Women Have to Work*, TIME at 56, March 22, 2004 (citing that since the "mid-'70's, the amount earmarked for the mortgage has increased a whopping 69%. At the same time, the average father's income increased less than 1%.").



"Mr. Frosty, it's March.  
Time to talk estate planning."

Stu's Views

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"Tax Lawyer of the Year!"  
I'd like to thank the IRS, without  
whose incomprehensible regulations  
I wouldn't have a job.

### Front Desk

*continued from page 2*

Saturdays ago so that I could give Mom a tour. The first thing she said was "you will never believe what I saw in the parking lot!" My sister rolled her eyes, so I should have known, but I asked her what she saw. "A girl got out of her car wearing RED STILETTOS and JEANS!" I (properly horrified) gasped, and said "no she didn't!" So you can understand where I'm coming from. It's a real fashion show going by the front desk sometimes - I've seen cowboy boots, fur coats, track suits, kicky berets, and suspenders. Since we don't have any of those things in Duluth, I'm learning a lot.


As you can see, we're doing more at the front desk than

pretending to do our homework. While I miss my law clerk job for the legal experience it gave me, I'm thankful for the opportunity to work at what some might call the hub of the school. And the next time you go by, would you please say hi?




*Success is not the key to happiness. Happiness is the key to success. If you love what you are doing, you will be successful.*

*- Albert Schweitzer*




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# Career Guide of the Stars

DO YOU KNOW WHAT KIND OF LAW YOU'RE GOING INTO? Back in the day, court astrologers made the call. May sound nutty now, but considering we're flailing around in the dark, maybe following the stars isn't such a bad idea. Okay, this is just a game. Neither in-depth psychological assessment or informed analysis of your potential should be inferred. See Career Services for the real skinny.

Match the career specialty to the astrological sign a person born under that sign would be particularly suited to (for example, Military law – 1[Aries] or 10 [Capricorn])

Answers are based on sun sign. People and astrology alike are more complicated than a simple sun sign description.

- A. Contracts/U.C.C.
- B. Estates and Trust
- C. Local Government/Lobbyist
- D. Intellectual Property
- E. Criminal Law
- F. ADR
- G. Civil Liberties
- H. Entertainment Law
- I. Family Law
- J. Tax
- K Litigation
- L. Human Rights/Immigration
- M. Property/Real Estate
- N. Poverty Law

## 1. Aries

Positive attributes: energetic, eager; Negative attributes: arrogant, annoyingly combative (they're easy to pick fights with).

## 2. Taurus

Positive attributes: stable, solid; Negative attributes: materialistic, mellow, lack momentum (unless angry, then run).

## 3. Gemini

Positive attributes: fun, friendly; Negative attributes: superficial, spacey (can't trust them further than you can throw them)

## 4. Cancer

Positive attributes: intuitive, nurturing; Negative attributes: smothering, wield guilt as weapon (uber-moms).

## 5. Leo

Positive attributes: loyal, likeable; negative attributes: self-centered, (would-be) celebrities ( it's all about them)

## 6. Virgo

Positive attributes: dainty, detail-oriented; Negative attributes: uptight, anal-retentives (they make great accountants)

## 7. Libra

Positive attributes: pretty, peace-keeping; Negative attributes: finicky, fence-sitters (just decide already).

## 8. Scorpio

Positive attributes: determined, deep; negative attributes: secretive & scary(cross them at your peril).

## 9. Sagittarius

Positive attributes: open-minded, optimistic; Negative attributes: opinionated, obnoxious (someone's got to tilt at wind-mills).

## 10. Capricorn

Positive attributes: reliable, really like rules(rather conformist); Negative attributes: cynical, stick in the mud, (make great bureaucrats).

## 11. Aquarius

Positive attributes: analytical, egalitarian; Negative attributes: detached, difficult to motivate (tend to operate on "Aquarius time").

## 12. Pisces

Positive attributes: idealists, inner awareness; Negative attributes: guilt-ridden, gullible (they make great singer-songwriters).

## Answers

A. 10, B. 8, C. 3, D. 11, E. 12, F. 7, G. 11, H. 5, I. 4, J. 6, K. 1, L. 9, M. 2, N. 12



Photo courtesy of Hubble Heritage Team

# The Opinion's Opinion Page

## Niche Marketing: Law School Variety

By Carla J. Magnuson

In 2000 when I was considering which law schools to apply to, several acquaintances of mine suggested I try the new University of Saint Thomas (UST) Law School. Knowing my "power-to-the-people" bent; they felt the "social justice" mission the school touted would be a good fit for me. I decided not to apply there, not because the mission did not appeal to me, but because I was leery about signing up to a school that had yet to receive ABA accreditation.

Over the years I have met several UST students and I have thanked my lucky stars for making the right choice. There appears to be an ongoing battle over the true heart of the school with the pro-life/anti-death penalty (p-l/a-d) camp at odds with the pro-life/anti-abortion (p-l/a-a) camp. While I am sure there are many at the school attempting to bridge this rift, and know that there is no fundamental value difference between the two, several faculty hiring moves suggest that the p-l/a-a camp is "winning".

1) The controversial appointment of Delahunty, co-author of a legal memo used by the Bush administration and Alberto Gonzalez to justifying the in-application of the Geneva Conventions to prisoners at Guantanamo Bay and Abu Grieb.

2) Ominous departure of a couple of criminal law profes-

sors highly valued for their progressive values and background with the Innocence Project and anti-death penalty advocates.

3) Disregard for the recommendations of student members of the faculty selection committee against hiring a p-l/a-a family law professor. The recommendations expressed concerns that another white male conservative would not bring anything new to the school. The recommendations were not binding on the administration and a group of students are organizing to encourage future recommendations for the students be binding.

Students are also concerned that these hiring decisions reflect a trend at the school of an increasingly hostile environment towards progressive values held by some students and faculty members. This might be ironic given the mission statement adopted by the school which claims a dedication to "integrating faith and reason in the search for truth through a focus on morality and social justice".

Now "social justice" is arguably a nebulous concept, using law to promote a just society is not the exclusive purview of progressives. Even so, communities likely have a certain take on the concept that creates an expectation re: what social justice means. In the progressive/populist land of Paul Wellstone and 10,000 bleeding hearts, Catholic social justice brings

to mind the ministrations of Dorothy Day and the Catholic Workers' movement and the intrepid McDonald sisters devoted to civil disobedience in the service of the peace and justice movement.

A conspiracy theorist might pose that the "social justice is in the eye of the beholder" approach to UST's mission is a deliberate bait and switch tactic to lure in gullible liberal students then indoctrinate them into ultra-conservative "faith-based" values. No law school needs to make a concerted effort to turn students away from a poverty law/public interest/social justice orientation, the debt load in and of itself does the trick.

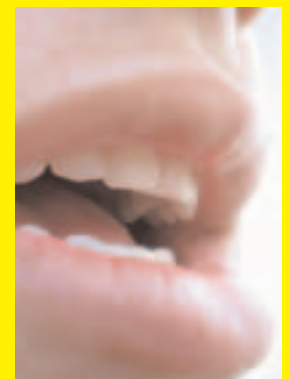
More likely the vision of UST has evolved with the help of economic forces of supply and demand. The metro area can only handle so many law schools, the liberal Christians have Hamline, and the secular humanists have the U of M and WMCL. Where does the ultra-conservative faith-based future lawyer have to go?

A new graduate from UST recently confided that if she knew then what she knows now she would have chosen WMCL, a school that is dedicated to public service without the hype.

"At least we aren't Ave Maria" is not an adequate response to students expressing concern to UST's administration over the trend toward preference shown to the pro-life/anti-abortion

world view and straying from its mission of social justice.

I know I personally would have felt betrayed had I started at UST and was made to feel alienated and unwanted because I held to my definition of social justice. UST might consider updating its mission statement by acknowledging its idiosyncratic definition of social justice (or simply drop the term entirely and leave the correct impression that they are fostering moral values) before it generates more alumni who leave UST feeling manipulated by false advertising.



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# The Opinion's Opinion Page

## HEARSAY

That's interesting, what's up with that? So was my response gazing upon the post-modern American Gothic painting installed outside room 229. Hey what's that doing on William Mitchell's walls anyhow? I don't think that half-dressed "Desperate Housewives" type women belong three doors down from the Women Law Student Association's bulletin board. (btw where did the other student organizations' bulletin boards go post-construction?) Except maybe to illustrate a future "Work of a Family Lawyer" edition. Further reflecting I became concerned about my response. How did I get to be so uptight? What happened to that irreverent

free thinker I was prior to my 1 thru 4L journey? Is there something about attending law school that makes a person prudish and intolerant of things that don't belong? Or is it just me? Hopefully the transformation is not permanent and I can regenerate my appreciation of all things that don't fit post graduation.

The former me would have not hesitated to respond to the Wall Beautification project looking for ideas about law for upcoming future WMCL classes to appreciate. Several quotes crossed my mind that would have been highly inappropriate, or would have hit the nail too soundly on the head. Unfortunately I lost my

nerve and failed to send in any quotes. The following would have been my (or former me's) suggestions to put up on the wall to creatively elicit responses of the present me, and those doomed to follow in my footsteps. My apologies to upcoming classes for my loss of nerve.

**First thing we do,  
let's kill all the lawyers.**  
*Henry the VI, Shakespeare.*

**The greater the number  
of laws and enactments  
the more thieves and  
robbers there will be.**  
*Lao Tzu*

**Property is theft.**  
*Pierre Joseph Proudhon*

**Good men must not  
obey laws too well.**  
*Ralph Waldo Emerson*

**Nothing is ever accomplished  
by a reasonable man.**  
*George Bernard Shaw*

**We don't seem able  
to check crime so why  
not legalize it and then  
tax it out of business?**  
*Will Rogers*

**Law never made a man  
a whit more just.**  
*Henry David Thoreau*

**There is no such thing as  
justice in or out of court.**  
*Clarence Darrow*

**Distrust all men in whom the  
impulse to punish is powerful.**  
*Nietzsche*

**Indeed I tremble for my  
country when I reflect  
that God is just.**  
*Thomas Jefferson*

**There cannot be good laws  
where the state is not  
well armed; it follows that  
where they are well armed  
they have good laws.**  
*Machiavelli*

**Crime is contagious.  
If the government becomes  
a lawbreaker it breeds  
contempt for the law.**  
*Louis Brandeis*

**We ought never to do wrong  
when people are looking.**  
*Mark Twain*



# Why Should Minnesota Keep the Bar Examination as a Requirement for Admission into the Bar?

by Gena Berglund

1. It's a boost to the economy. Bar examinees buy preparation courses, books, stimulants, sleep aids, easy-to-prepare foods, gasoline, anti-depressants, chocolate, alcoholic drinks and post-exam trips away from Minnesota to forget.
2. It promotes "boot camp" buddies. Taking bar preparation courses fosters lifelong friendships among colleagues.
3. It's preparation for a life of "Work" in the "Big" law firm. By engaging the new grad in an extra two months of intense study between finishing law school and swearing-in, the new grad will be less inclined to pursue new hobbies or pastimes, thus will be more likely to work an 80-hour-week without complaint.
4. It's a second chance to learn those archaic legal rules.
5. It's the perfect Reality Show Idea. Viewers watch five WMCL grads (the hated lawyers-to-be) as they suffer demoralization and emotional trauma, with physical symptoms of anxiety such as: racing heart, fainting or light-headedness, heaviness in the chest, loss of stomach contents, shortness of breath, inability to sleep the night before, or uncontrollable crying during the exam. (Hint, everyone I talked to on exam day had one or more of these symptoms.)
6. It's a cause of action for the creative new attorney's first case: a lawsuit against the Minnesota Supreme Court and the Board of Law Examiners for Intentional Infliction of Emotional Distress (IIED). See #5.
7. It's an educational tool: psychiatric students can observe numerous cases

of neurosis, anxiety, and emotional breakdown all within a 36 hour period of time and Law in Psychiatry Clinic could conduct discovery for Ms. New Lawyer's suit for IIED.

8. It's perfect preparation to be a contestant on *Fear Factor*. Heck, I'd rather lay in a tank of Madagascar Cockroaches than take the Bar Exam again.
9. Passing is an ego boost which every law student needs while in the job search trenches.
10. It's a recruitment tool for WMCL. Each examinee who passes on the first try is another notch in WMCL's bedpost.
11. And the **REAL** reason to keep the bar exam in Minnesota is *QUALITY* control, duh!



*The author, Gena Berglund graduated from WMCL in January, 2005. She took the February bar exam and tries to forget that on April 18, she will learn whether she has to repeat that unpleasant experience in July. Just in case it's not obvious, this article is meant to be satirical, sarcastic, cynical and sassy.*

*[Editor's note: Gena received WMCL's Student of Merit Award at the January 2005 graduation ceremony.]*



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# Global Community Spotlight

## Welcoming the New Dean of Multicultural Affairs

by Jessica Meza

Did you know William Mitchell is the only law school in Minnesota to have a Multicultural Office?

When you get past the pretzels and candy at the front door of the Multicultural Office you will find a room of friendly staff and interesting conversation. The Multicultural Office provides academic workshops, information on international programs, assistance for students with special needs, coordinates all the PLP's and provides support for student groups. They also collaborate with the Dean of Students to make sure that issues pertaining to religion, gender, sexual orientation, or race are

addressed. Essentially, Andriel describes the role of the office as "trying to be a part of the fabric" that makes up the William Mitchell Community.

Andriel Dees is an alumnus of William Mitchell and describes her past student experience as being very unique, yet tense, but changing in the right direction. As a student she was committed to William Mitchell's efforts of increasing diversity of the staff and of the students. Statistics paint a discouraging picture on the number of students of color attending law school, this information motivates the work Andriel does. Throughout her legal career she has always felt drawn to dealing with these issues and says "it makes me

feel better when I am doing something not just for myself but for the community."

Even at the age of 15 Andriel was aware of the obstacles facing culturally diverse communities. She shares a story from her high school economic class. The topic of the class was about supply and demand. In order to enhance their learning the students were assigned to bring in articles on the economic status of the country at the time. She did not have Forbes or Money Magazine in her home, but rather she had Black Enterprise, which spotlighted African American businesses. She always got a "C" on all her assignments and inquired as to why. Andriel says, "I



Photo of Dean Dees from WMCL public relations - Trace Landowski

know I was only 15, but he didn't have a good answer for me... We have to make sure that our perspectives are at an equal level. So I realized we have work to do."

I asked her what would represent a sign of positive change here at William Mitchell. She said, "When diversity is accepted by all as a part of the fiber of the larger community. That is when I know we are in a positive environment."



## Courage in Pakistan

By Terri Port

In late September I found myself reading the New York Times and stumbled on an article about a woman, Ms. Mukhtaran Bibi, that had been sentenced to be raped. Her brother had been accused of having an affair with a higher caste woman in order to cover up some other brutality and the "appropriate" sentence was to gang rape his sister. This in fact was done, and then she was forced to walk naked through her village

in front of 300 villagers (I assume men) to get home. At this point in the story I was crying and trying to imagine her experience. For Ms. Mukhtaran, showing her face to a man in public would be extreme, so to be completely naked, well, I just don't know how she managed to even walk. Now, this isn't the worst of it! Her appropriate response to this crime would be to commit suicide in order to save the reputation of her family! Amazingly, she chose not to. She ulti-

mately testified against her assailants and secured around-the-clock police protection for her and her family. The "damages" awarded amounted to about \$8,000. Instead of taking the money and fleeing Pakistan to secure the safety of her family, she built a school for girls! She herself had never attended school, and so at the time the article was written, she was in the equivalent of 4th grade. The government had promised to provide

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# Global Community Spotlight

## Guidance for 1L's

by Don Zhou

The first year of law school is notoriously known as hard. To meet the challenge, I have four tips:

1. Brief and compare the cases: The ability to read a case, ascertain the point it tries to make and dissect the reasoning is critical for the first year. A majority of first-year courses involves reading cases, but be aware that your professors do not grade your analysis of the case (called briefing). They check by asking you questions in class about the cases which will make you feel you have never read them. Don't merely resort to the primitive method of reading the cases multiple times, though it might be helpful. Instead, seek help and guidance from the series of casenote legal briefs written for first-year courses such as Torts and Contracts, published by Aspen publishers and available at the college bookstore. Use

these briefs books as if you have hired a private tutor. Write your own analysis first and then consult the casenote briefs. You might still find the classroom questions completely stumped you, but the work you have put in will help you better understand the questions and occasionally you can argue with good reasons for an answer you have chosen.

2. Relate IRAC to syllogism: Your first-year writing professor will drill in your mind that you need to use IRAC for your legal writing. IRAC (Issue-Rule-Application-Conclusion) is in essence syllogism with a hat, the hat being the issue. In syllogism, you have a major premise, minor premise and conclusion. The major premise can be broken down into antecedent and consequent. An example is all men are created equal. All men is the antecedent. In legal writing, spend all your energy in proving or disproving that some

specific individual belongs to the antecedent, namely, a man. The conclusion will follow naturally from the analysis of the applicability of the antecedent to the individual instance. Spending time mastering this syllogistic structure in your legal writing will help you establish a solid footing before launching to utilize other legal writing skills.

3. Use tapes and CDs from the library: For first-year courses such as Contracts, Torts, Civil Procedure, and Property, the college library has purchased either CDs or audio tapes as supplemental aids for the class. Check them out. These tapes or CDs provide enormous benefits such as the correct pronunciation of legal terms, the elements legal doctrines contain. And you can listen to them while you are driving to work or school.

4. Read law review articles: A majority of the cases



selected for first-year courses are seminal cases on selected topics. This means that other people have written articles either opposing or supporting the theories that the cases have advocated, adopted or rejected. Invariably these articles include analysis of the case. Reading them enhances your understanding of the specific case at hand. The additional benefit is that your class discussion can not possibly cover all the issues raised by these articles; therefore, reading the articles broadens your understanding of the legal issues involved and can effectively help you integrate what you have learned in class with legal discourse in the real world.

## Have you met Janet Totter?

By Jessica Meza

Janet is currently a 1L and actively shares her rich background and experiences with her colleagues and friends. Janet is one of nine children raised on a rural farm in Upper State New York. Her parents never graduated from high school and she was one of the first to go to college. She has a Bachelor of Science in Physical Education, and a

Master of Arts in Health Systems Management.

Janet decided to go to law school during a mid-life crisis when she realized that as she got older there were opportunities today that she didn't have when she graduated from college in 1979. She grew up with the social expectation that women were to get married and raise a family and if you wanted to

pursue a professional career it was either in teaching or nursing. She says, "Today, thanks to the women's movement, I have choices."

Janet has enjoyed her experience at William Mitchell and she knew she would. When she was looking at schools William Mitchell stood out because they were willing to accept her as a person not just a student. She explains

some of the schools she looked at were not comfortable with aspects of her life; such as age, her sexual orientation. She states "Here, I get to be who I really am. More importantly I get to bring my values and beliefs with me." William Mitchell has only asked in return that she be open to learning and to show respect to the values and beliefs of others, which she definitely can do!

# Global Community Spotlight

## Courage...

*continued from page 13*

on-going support for the school, but was not doing this.

I finished the article (found at <http://www.nytimes.com/2004/09/29/opinion/29kris.html?ex=1097466310&ei=1&en=488f9bb7063d6f13>) and thought that I would probably never meet anyone with as much courage and strength as Ms. Mukhtaran. I decided I had to try to collect as much money as possible to send to her, to help support her school. With the encouragement of Professors Bob Oliphant and Raleigh Levine, and the approval of Dan

Thompson, I presented this story to six different classes. My fellow students were so very generous and contributed \$960! Thank you so much to everyone that contributed!! I have sent this to the Editor at the *New York Times*, who will forward the money to Ms. Mukhtaran.

I also contacted a friend of a friend, who works at the U.S. Agency for International Development, specifically on Pakistan projects. He is looking into permanent funding for all girls schools in Pakistan. But, unlike our personal ability to pull a dollar out of our pockets, bureaucracy works slowly and so they have not yet estab-

lished a permanent program. I remain hopeful that they will do so.

If anyone is interested in supporting Ms. Mukhtaran's school, please contact me at [tportwright@wmitchell.edu](mailto:tportwright@wmitchell.edu).

A quick follow-up on the fund-raising for the Pakistani woman that defied all odds and survived. I finally heard back from Nicholas Kristof, the writer at the *New York Times*. He sent an amazing letter saying that our contribution of just under \$1,000 was part of an outpouring from the U.S. of \$130,000!!! to Mukhtaran. This was so much more than anyone anticipated and Mukhtaran is

totally overwhelmed and appreciative. It is also so much money for the Pakistani economy that she is considering setting up a small hospital for women, as so many women there still die in childbirth. The aid group Mercy Corps is helping now (and if anyone wants to donate anything else it has become easier as they set up a U.S. bank account in Mukhtaran's benefit) and a Pakistani law student has moved to her village to help her coordinate all the efforts and to translate for her. For once, a happy story! Thank you to everyone!



## Prisoner Abuse at Abu Ghraib: The Involvement and Ethics of Medical Personnel in the Commission and Cover-up of Human Rights Violations

Amnesty International invites you to join  
Professor Dr. Steven Miles of the UM Medical School:  
When: Tuesday, April 19 at 7:30 p.m. Where: Room 325

*PLP Credit: Perspectives*

Prof. Miles, MD, is the author of the *Lancet Paper* which criticizes the silence and involvement of nurses and physicians in failing to report abuse or signs of abuse and the falsification of medical records and death certificates of detainees. Prof. Miles has argued that military law, US law, and international law require the reporting and prevention of abuse and has noted the systemic nature of the problem. In addition, Prof. Miles has rested his claim on simple ethics. He believes the abuse deviates from past US practice with respect to prisoners of war. Where do military law, US law, international law, and ethics intersect? **Come hear Prof. Miles on Tuesday, April 19 at 7:30 p.m. in Room 325!**

Amnesty International looks forward to seeing you there! If you have any questions, please contact Conor at [ctobin@wmitchell.edu](mailto:ctobin@wmitchell.edu), Emily at [edalager@wmitchell.edu](mailto:edalager@wmitchell.edu), or Elise at [eanderson@wmitchell.edu](mailto:eanderson@wmitchell.edu)

# Perspectives from a 1L

By Sarah Nemmers

Greetings, colleagues and friends! As I write this article in an effort to capture my bewildering, frustrating and phenomenal experiences of the past year, we only have 32 days left until classes are over (not that anyone's counting). For some of us, this is a frightening thought because it means we better get moving and buy those hornbooks, make our outlines and prepare for the grueling finals that are to come. Others are starting to breathe easier knowing that warmer, less frantic days are ahead of us, days when the runners will return to Summit Avenue. For a select group of us, namely the 1Ls, we are desperately trying to figure out what exactly our WRAP professors

want from us and how we can gain this valuable insight before we get our assignments back. Oh, the joys of law school...

I'm sure the experiences of my fellow 1Ls and I have been no different than those of the countless students who have braved the Socratic Method before us. Law school is a rite of passage; we get it. What I have yet to figure out is how all of you "older and wiser" students have managed to avoid wasting away from lack of adequate nutrition or checking into rehab for caffeine addiction. Very often I find that the only "food" I eat comes from a vending machine, and that I don't drink any beverages that don't contain caffeine.

Now the amount of homework assigned in the first year of law school is legendary, and I expected to spend hours and hours and hours studying, which of course I have. What I wasn't prepared for, was spending that much time trying to determine what is expected for the WRAP assignments. This is where my innate intelligence and conjecturing skills come in. I wasn't aware of it before law school, but it turns out that I'm an excellent guesser! When I can't figure something out, I console myself with chocolate.

Aside from WRAP, which I know is "good for us," what's up with those PLPs?! Many of us work full time, or close to it, have important people in our lives that we use to spend

time with and squeeze every second out of every day in order to get our studying done. Then we rush over to school, slamming a Coke and a pop tart on the way, get a ticket for parking in an undesignated spot, and barely make it to class. I'm stressing out about making time to attend my stress management PLP!

Now as we near the end of our first year, with an intense sense of camaraderie for all of our fellow survivors, I look around at my bleary-eyed classmates and say to myself, "We did it! We're going to be lawyers!" Good job, 1Ls! You deserve to celebrate, so please feel free to meet me at Billy's on April 27th for a drink...a tall one.



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Houston's Tony Buzbee, a PMBR graduate, is one of the top lawyers in the country. Over the past five years, Buzbee has won verdicts and settlements that exceed \$225 million. Buzbee was recently named by *Texas Lawyer* magazine as one of five "Go-To Lawyers" in commercial litigation for Plaintiffs in the State of Texas. Buzbee routinely handles high-profile, cutting edge litigation. In fact, Buzbee brought and settled the first of its kind antitrust case against the offshore drilling industry, a case which settled for \$75 million. Recently Buzbee was retained by the Basque government in Spain to seek recovery after the sinking of the M/T Prestige, which resulted in an oil spill and damage exceeding \$1 billion. Buzbee gets results. So does PMBR. While in law school, Buzbee took the PMBR course and scored a 190 on the multi-state, the highest score in Texas that year.

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