

THE CHAPMAN LAW COURIER

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Message from the Editor: The First Edition is Here!

Students, faculty, and administrators: I am pleased to present to you the first edition of the Chapman University School of Law newspaper, "The Chapman Law Courier." I hope that all of you are as excited as I am about its inception. My goal in creating this paper was to give the law school a voice. Students are encouraged to use this paper as a vehicle for expressing their views about the law and the world, for airing grievances and for giving praise where it is due. Professors and faculty should use the paper to keep students informed of events that involve and influence the school. My goal is to see this paper become a tradition valued by future generations of Chapman Law students, and a publication that our school can be proud of. As the paper's first Editor-in-Chief, I am open to suggestions and constructive criticism, and I encourage any reader to become involved. If you would like to become a regular writer, or if you are simply interested in submitting an article, comic, or picture, please feel welcome in contacting me.

Please enjoy this first edition of our paper!

Ashley Jurca, 2L

A Chapman Law Student's Experience in Lebanon

by Jimeel Hamud, 2L

Working in Lebanon

While looking for a summer job last year, I noticed a flyer in career services about international internships abroad. I have always been interested in international business and even considered moving to Dubai for work instead of attending law school. I visited the website of the program and learned an internship was available with a law firm in Beirut, Lebanon. I applied for the internship and after a couple phone interviews with the law firm I was offered the position.

This seemed like the perfect opportunity for me. I am a Lebanese-American; I spent last summer living in Beirut; and I love the country, the lifestyle, and the people—I have wanted to go back, especially during those weekends before LRW papers were due! Beirut is like no other city in the world and completely different from anything here in the United States. On the same street you can find ancient Roman ruins, destroyed buildings from the Lebanese civil war (1975-1990), and 50-million-dollar apartment buildings and nightclubs. In downtown restaurants it's common to see a group of Lebanese models, Arabic celebrities, or billionaire Saudi royalty. I was ecstatic; I could gain legal experience and spend the summer with my friends in Beirut.

My first day at work was awkward. I was never told an exact time to start, but wanting to make a good impression I arrived at the office at 8:30AM. Only a maid and two secretaries were on the premises. I sat in the lobby struggling to have a conversation in Arabic for two hours until my boss and the other lawyers began to arrive. When they found out what time I showed up everyone laughed. No one had told me the hours were around 10 or 11 in the morning until 6 or 7 at night.

The actual work was very interesting. Lebanese law is based on the French legal system and is conducted in Arabic, French, and English. Most of the lawyers at the firm speak all three languages. I was assigned various tasks over the summer including working on licensing contracts, business formation agreements, acquisitions, and drafting English versions of trade publications. The firm had a very relaxed, familial atmosphere. People there work very hard but my boss and co-workers cared just as much about what I was doing outside of the office as they did about my work product. They would make it a point to invite me to go out after work or to the beach on the weekends. My co-workers also continually reminded me of how pathetic the U.S. was for losing to Ghana in the World Cup. My experience in Lebanon was great, the work

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The Dean's Corner



Dean Parham Williams

I am excited about the advent of *The Chapman Law Courier*, a much needed voice for law student news and affairs. The inspiration and leadership for the *Courier* has come from Ashley Jurca, Editor-in-Chief, and her staff colleagues Darren Case, William Idleman, Hien Vu, Magdalena Kozinska, Helen Gurfinkel, Jimeel Hamud, Jennifer Spinella, Michael Rasch, Brian Snyder and Rob Terrazas. Professor Donald Kochan provides valuable guidance and counsel as Faculty Advisor.

The law student survey conducted by the SBA last spring indicated clearly that many students feel uninformed about events and policy changes that occur in the Law School during the course of the academic year. Ashley has exciting plans to change that. News of student events, interviews with students, faculty and staff, notice of policies and procedures proposed by the faculty and the Student Bar Association, op-ed pieces, course changes, and many related items will make the *Courier* a valuable source of interesting and useful information. Importantly, Ashley and her staff possess the necessary journalistic skills to render the paper a readable and enjoyable medium of information. I congratulate each of them on the successful launch of the paper, and express to them my sincere appreciation for their hard work that made this success possible.

Dean Parham Williams

To Repeal, or Not to Repeal: The Pros and Cons of the Estate Tax

by Darren Case, 2L

ISSUE

The Estate Tax, adopted by the Tax Reform Act of 1976, is topic of much debate in current political news. The House of Representatives recently passed a bill known as the “trifecta” package, but the bill failed to obtain the requisite 60 votes it needed to be passed by the Senate (56 to 42 vote). Permanent estate tax reduction, a minimum wage increase and extension of certain tax breaks were the intentions of this recent bill. It is a fair assumption that most of America knows very little on the subject of the estate tax, which warrants the discussion of some of the arguments in the debate.

RULE

The Internal Revenue Service (IRS) summarizes the estate tax as thus:

“The Estate Tax is a tax on your right to transfer property at your death. It consists of an accounting of everything you own or have certain interests in at the date of death, which is known as your ‘Gross Estate.’ Once you have accounted for the Gross Estate, certain deductions (and in special circumstances, reductions to value) are allowed in arriving at your ‘Taxable Estate.’ After the net amount is computed, the value of lifetime taxable gifts is added to this number and the tax is computed. The tax is then reduced by the available unified credit. Presently, the amount of this credit reduces the computed tax so that only total taxable estates and lifetime gifts that exceed \$1,000,000 will actually have to pay tax. In its current form, the estate tax only affects the wealthiest 2% of all Americans.”

(If the IRS summary of the Estate Tax is not enough to suppress your intellectual desire, please feel free to check out the 20 plus pages of non-stop drama in 26 USCS § 2001.)

ANALYSIS

Argument against the repeal:

“The man of great wealth owes a peculiar obligation to the State because he drives special advantages from the mere existence of government.” – Teddy Roosevelt

Proponents, such as OBM Watch, who argue against repealing the death tax believe that most of the wealth taxed is from capital appreciation, and thus, OBM Watch explains that the money taxed has escaped the current tax system, therefore it is not double taxation. Other arguments against the repeal are that only 2% of all Americans are subject to the estate tax, and repeal would cost charities approximately \$10 billion per year in charitable giving. Furthermore, there are unlimited deductions for charitable giving within the computation of the estate tax.

Argument for the repeal:

“All taxes upon the transference of property of every kind, so far as they diminish the capital value of

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The Unofficial 1L Library Tour

By William Idleman, 2L

Unbeknownst to most 1Ls, the study of the law is largely self-taught. Otherwise the law school experience would largely be spent in the classroom. Therefore, one of the most valuable resources that Chapman offers to its students is the law library.

First, 1Ls, take a deep breath. The admissions office did not set you up for failure and in the absence of a sinister plot to take your money and run, you have the ability to succeed. Just become comfortable with the idea that a “C” means average amongst diligent and bright students. Give yourself a couple of weeks to acclimate to law school, then begin to focus on exams. Once the urge to regurgitate from the prospect of facing Professor Kochan's Socratic Method subsides, you are ready.

As a new student I only took three things from the library tour: (1) no talking except in the Current Awareness Room, (2) no mug for your coffee—you die, (3) if the steel bars come down—we all die. However, over time I learned the library staff is very accessible. The reference desk's mission is to help you find the law, not to find Starbucks coffee cups that are not up to code. The reference librarians have JDs, so even if you ask a question they do not know, they know where to find the answer.

Behind the Circulation Desk are the reserve materials. The Circulation Desk holds a treasure trove of legal information and study aids. Exam writing books, commercial outlines, hornbooks, legal CDs, headphones, bar prep material, past exams, plus much more are here to supplement your classroom experience. All free. You may also sign up for group study rooms at the Circulation Desk. If you need dry erase markers, you can check them out too.

New this year is a legal themed DVD collection located in the Current Awareness Room. Personally, I always avoid anything law-related on Sundays, but if you just can't help yourself—indulge. It's not like Netflix, so it's free as long as you return it in 24 hours.

Be sure to pick up a Study Aids brochure at the Reference Desk and a map of the library layout at the Circulation Desk. This map also includes the call number and subject range. It is very helpful to know the call number range for property, torts, contracts, and civil procedure.

There is a copy room on each floor. You may use either change at ten cents/page or purchase a copy card in the upstairs copy room for eight cents/page.

A few last notes, the library can be cold sometimes, so bring a sweater. The Law Library is open to the public, so keep an eye on your belongings. Lastly, one caveat, if your writing style resembles this article, you need to reevaluate your exam study habits.



“The reference desk's mission is to help you find the law, not to find Starbucks coffee cups that are not up to code.”

The Perfect Pass

by Ashley Jurca, 2L

I had faith in all of you. I thought that by my second year, my fellow classmates would finally grasp the concept of passing the attendance sheet. However, it was not until my Professional Responsibility class today that I realized that the problem runs much deeper than I had originally thought. Many students are still completely unaware of the etiquette of “the pass.” As I simply cannot allow this to continue, please allow me to break it down for you:

First, the movement of the attendance sheet should resemble an oscillating fan on a warm summer's day. The pass goes left to right, right to left, all the way across each row.

If you are sitting at the end of any row, congratulations kid, you have made it to the big leagues. You now play an integral role in the success of the attendance-sheet-pass. Those of you in the inner aisles are responsible for making sure that the attendance sheet makes it across that enormous distance between you and the person on the other side of the aisle. The key to completing this delicate task centers upon the avoidance of becoming a “back-passer.”

A back-passer, for those of you taking notes, is the person that screws it up for the rest of us. Instead of being a respectable and conscientious individual and standing up to pass the attendance sheet across the aisle, the lazy back-passer simply turns and passes the sheet to the person directly behind him. This is *not* okay. This action creates large isolated groups that have not received the attendance sheet. These groups must now wait for the attendance sheet at the end of class, making the post-lecture mass exodus take even longer (and let's face it, by the end of an hour long lecture, we are all ready to get the heck out of there). Further, it makes the next class late because they must wait for the isolated groups to sign the sheet and exit the classroom before they can sit down (and I know every one



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First Year Stole My Soul! (and Time, and Money...)

by Hien "Ian" Vu, Editor-in-Debt

A. Huh? Refer to 4(A).

Now that the dreaded "One-El" label has been lifted off my shoulders, I would like to take these brief moments to reminisce. Since I already sweated aplenty writing essays for finals, I'm going to swear off that writing format for the next few months...at least until mid-terms. In true outlining form, the following are my more memorable bullets of a year of sweat, tears and suffering:

6. Class participation

A. Gee whiz, I'm so impressed with my own insightful, thought-provoking, deeply-intellectual, professor-challenging questions that I'm going to interrogate the professor before, during and after class

i. Discovery: I love the sound of my own voice

1. IRAC

A. The next time I hear this term, it had better be either

i. identifying a certain country where my peeps are fighting; or

ii. forming part of a sentence, as in "I rack free points from Westlaw/Lexis Nexis trivia."

7. Parking

A. Res Ipsa Loquitur

8. Library

A. How low can my voice go?

9. Student organization meetings

A. Free lunches!

B. Three on Wednesday? Which meeting is a better eat?

2. Case books

A. They either make you

i. look as good as a donkey carrying a tourist; or

ii. fall asleep faster than a lecture on Einstein's Theory of Relativity

10. Finals

A. This subject is both a Res Judicata and Collateral Estoppel issue. We shall not talk about them this early in the semester

B. Whether new or used, it's important to always go ape on the highlighting - your books will look mighty pretty with a splash of color

C. May be saved for future bookshelves in that future big corner office (so you can show off to all those "non-lawyer" types)

As a "Two-El," in the face of constant crises (financial, grades, emotional, mental, hand-cramps, lack of sleep, and many more), those of us who still hang around are proudly bending over while taking it in stride -- to quote "National Lampoon, Double Secret Probation": "Thank you, sir! May I have another?" Here's to another great year of law school, fellow 2L's. We are one step closer to the goal.

3. Student loans

A. Hurt now, hurt later - regardless, it is and will be a world of pain

B. I wonder what I can make for dinner with a can of beans, half a bag of spaghetti (no sauce), and a cup of instant noodles?! Mexitalisian Fusion (better get a trademark on this word - It's hot!®)

To the 1L's: it's your turn to pay the dues. Prepare for the worst (being Socrates-ized or just plain-humiliated for the first time in your very first law lecture), hope for the best (Did the Spanish Inquisition last longer than this?), and try to put things in perspective (I can't be as dumb as I feel right about now - I got in law school for crying out loud!). You'll be able to laugh with us one day. Hopefully.

4. Time

A. Don't have any

(As for the 3L's, we won't see much of them. So we'll say "hello," "goodbye," and "good luck" as they go for broke this year.)

5. Parties

"The next time I hear [IRAC], it'd better be...as in 'I rack free points from Westlaw/Lexis Nexis trivia.'"



Legal Humor

Compiled by Magdalena Kozinska

ATTORNEY: How old is your son, the one living with you?

WITNESS: Thirty-eight or thirty-five, I can't remember which.

ATTORNEY: How long has he lived with you?

WITNESS: Forty-five years.

ATTORNEY: What was the first thing your husband said to you that morning?

WITNESS: He said, "Where am I, Cathy?"

ATTORNEY: And why did that upset you?

WITNESS: My name is Susan.

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Schedule of Events

- September 1-3 — Orange International Street Fair (Old Towne Orange Circle)
- September 4 — Labor Day
- September 14 — “Darfur: Who Will Survive Today?”
Lecture by Jerry S. Fowler, Jr. (Beckman Hall, Room 404, 4:00pm)
- September 15 — The Fourth Annual Madison Lecture: Commemorating the 40th Anniversary of the U.S. Supreme Court Decision in *Miranda v. Arizona* (Kennedy Hall, 2:30pm—RSVP required)
- September 20 — The Orange County Bar Association (OCBA) Presents, “Recent Trends and Current Developments for the Trust and Estate Practitioner” (Airport Hilton in Irvine, 5:30pm)
- September 21 — OCBA Presents, “Closing Your Opponent’s Case in Opening”: How to Make a Compelling Opening Statement in Federal Court (Room 237, 6:45pm)
- September 23 — Football: Chapman University v. Pacific Lutheran (Wilson Field, 7:00pm)
- September 30 — OCBA: Carnivale Crystal Casino (Tentation Ultra Lounge in Newport Beach, 6:30pm)

| <i>September 2006</i> | | | | | | |
|-----------------------|-----|-----|-----|-----|-----|-----|
| SUN | MON | TUE | WED | THU | FRI | SAT |
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

Lebanon (continued)

(Continued from page 1)

was interesting and I became close friends with many wonderful people. Then July 12th happened.

War Breaks Out

July 12th seemed like a normal day. When the cook at my apartment building brought me breakfast, she was saying something about a war. I assumed she was referring to Iraq because my neighbors were Iraqi. I turned on the news and saw that Hezbollah had captured two Israeli soldiers and Israel was bombing southern Lebanon. Even though it was less than 100 miles away, it seemed like another world, not the Lebanon I knew. The streets of Beirut were still packed with cars and everything seemed normal. A friend of mine said not to worry because it wasn't too big of a deal: Hezbollah and Israel have been going at it on and off for the past 30 years.

Coincidentally, I was off from work and later that night was flying to Prague for a couple days. I visited the firm and found the mood was really somber. Everyone was sitting by the TV watching the tragic events unfold. A couple of people said I was lucky because they thought Beirut was going to be bombed that night. I thought that would never happen.

As the day progressed things changed for the worse. I met a few friends for lunch at a restaurant close to my apartment because I was warned downtown was not safe as it might be an Israeli target. That night my friends and I were supposed to go out before my flight, but our plans were cancelled because the violence was escalating. Israel began bombing closer to Beirut and my friends had to stay with their families. One of my friends was stuck south of Beirut because the road back was destroyed.

At 2am I hailed a cab to go to the airport. By this time many places in Lebanon were getting bombed. The cabbie said the drive to the airport was way too dangerous, but he would do it for \$20. I figured he was trying to scam me but I had an hour before my flight so I agreed. As we headed south towards the airport doing about 120mph the entire time, not only were we the only car on the road through the “Hezbollah suburb” of Dahiyeh, but I could see the flashes of the bombs going off in the distance. My flight was delayed and we took off at about 4:35AM. The airport was bombed at 6:00AM.

When I landed in Prague I turned on my cell phone and had text messages from my friends asking where I was or to call them immediately. I still had no clue what was going on until I saw a BBC TV report in the airport lounge claiming the Beirut Airport had been bombed. Apparently my flight was the second-to-last flight to leave. My friend Myriam in Lebanon called me and I was able to talk with her for a couple minutes until the cell phone towers were destroyed and we were cut off. As the day progressed things got exponentially worse, but I still wasn't accepting reality and thought that I should go back to Lebanon and this would end in a day or two. I was set on flying to Damascus, Syria, and then driving into Beirut, but I changed my mind when Israel bombed the highway leading into Syria, killing 2 families trying to leave Lebanon who were on the road stuck in traffic. I contacted British Airways about flying back to the U.S. but was told that my August 2nd flight from London to LA was the earliest available. I couldn't fly back to the U.S. and definitely couldn't go back to Lebanon. It was July 13th and all I had was a backpack, a plane ticket for Aug 2nd, three changes of clothes, and a hornbook for Fed Tax. My laptop, suits and other clothes, and most of my belongings are left behind in Beirut, where they remain. I literally became stranded in Europe.

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Editorial: You Can't Take the Bomb with You (unless it's in the checked baggage)

by William Idleman, 2L

It seems that the most effective way to prevent a plane from exploding is to keep explosives and/or terrorists off of the plane. But the U.S. has not changed its airport security to meet the new post 9/11 challenges. We are approaching the five-year anniversary, but is air travel any safer?

Since 9/11 I have traveled roundtrip from South Carolina to LAX without once being asked for photo identification. I am not kidding. Yet, I was hassled for photo identification for my one-year-old son in Palm Beach. I found the security in the Bahamas to be tighter than in LaGuardia. I suspect that is true because the airports are smaller and they are skilled at looking for contraband, weed or undeclared cash. I was hassled in Las Vegas because I wanted to bring a toy flintlock pistol that clearly looked like and was marked as a toy aboard the plane (it is not on the prohibited items list). My point is that airport security post 9/11 is merely inconsistent window dressing designed to make the masses feel comfortable enough to support the airline industry.

Each time I go through airport security I play a game with myself. I try to find a way to successfully breach security. Usually, I can think of a couple of clever ways each trip. This exercise allows myself a way of gauging my own comfort level with air travel. I assume that if I can use my wiles to accomplish the task, a handful of highly motivated terrorists have beat me to the proverbial punch and probably shared their newly found trade secrets.

I'm sure a multitude of issues face airport security, but my observation is that the airline safety issue is two-fold: a lack of quality personnel employed by the TSA and out of date detection equipment. Most TSA employees seem to have the "I'm just collecting a paycheck" mentality or they are simply going through the motions. Did you know that private commercial cargo stowed on passenger planes is not even checked for explosives at this time? It seems that both issues could be solved with the appropriate funding and political will. \$30 billion + can be used to search for weapons of mass destruction in a foreign desert, but very little has been spent on beefing up airport security in a meaningful way. Partial privatization of the security system may be one option to explore. We can fly safer, but as a country, we must want to fly safer.

"...[A]irport security post 9/11 is merely inconsistent window dressing designed to make the masses feel comfortable enough to support the airline industry."

Basic Training

by Jennifer L. Spinella, 2L

This summer I externed for the Honorable John E. Ryan of the United States Bankruptcy Court in Santa Ana, a position I obtained through the Chapman Law Externship Program. The "official" reason I applied for judicial externships (the reason rattled off in interviews with judges and clerks) was that I wanted to improve my legal writing skills. This truly was a goal, but I had little idea what to expect beyond those obvious first steps.

Ultimately, I learned most about the elusive bridge between theory and practice. I learned that it is on this bridge that attorneys win and lose cases. Attorneys who get too comfortable with everyday pleadings -- who forget to completely dissect theory as it relates to the facts in each case -- would inevitably gloss over key issues. Conversely, attorneys who steeped themselves too deeply in theory would lose sight of essential practical issues.

For those who don't know (I didn't), when a party files a pleading with the court clerk, it is photocopied, recorded, and sent to the appropriate Judge's chambers. Once in chambers, the law clerk doles out much of the pleadings to externs who review the pleadings, research the relevant case law, and write "bench memoranda" to the Judge evaluating the parties' arguments. The law clerk then proof reads the externs' memos for thorough legal analysis and writing. After the memos are revised and polished, they go to the Judge for review.

I was lucky enough to work for a Judge who was eager to debate the more interesting matters with the externs and law clerk. On the best days, I convinced the Judge of my position by reasoning through complex issues. On the worst days, I completely missed the forest for the trees. Every day was an entirely new learning experience.

What I hadn't expected to learn, and learned most distinctly, were things *not* to do as an attorney. My fellow externs and I were endlessly baffled by the number of filings brimming with spelling errors, incomplete sentences, misplaced pronouns, and incorrect citations. We also encountered beautiful use of language accompanied by haphazard legal reasoning, which only still resulted in mediocre writing. Thor-

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10 Commandments for 1Ls

by Michael P. Rasch and Brian A. Snyder, 2L Extraordinaires

I. "Thou shall not read from High Court's Summaries when called on in class"

"High Court's" can help you understand the essential components of an opinion and may be valuable in learning to brief, but please, don't try to pass those briefs off as your own. Rather than subject yourself to mockery and ridicule by reading them word for word, why not use a thesaurus and rewrite the Summaries in your own voice thereby fooling everyone into thinking that you are actually intelligent.

II. "Thou shall break up with thy significant other"

Unless you are a) married, b) completely stupid, or c) a masochist there is simply no reason to remain in a relationship with someone you have met outside of school. According to an unofficial, non-scientific study, over 54.6% of all 1L relationships end prior to the beginning of one's second year of study. Save yourself the pain and move on now, preferably to the undergrads across the street.

III. "Thou shall not give in to thy desires to hook up with anyone in thy track"

No matter how attractive you may think someone in your track is, hands off. Even if the "relationship" starts off great, it is bound to end eventually (please refer to Commandment Number II, *supra*). The only thing more awkward than having to abide by a seating chart that puts you next to your ex-love for the rest of the semester is having everyone find out that you are the one ranked last in the class after you were just telling some girl how well you did on your finals. Avoid both at all costs.

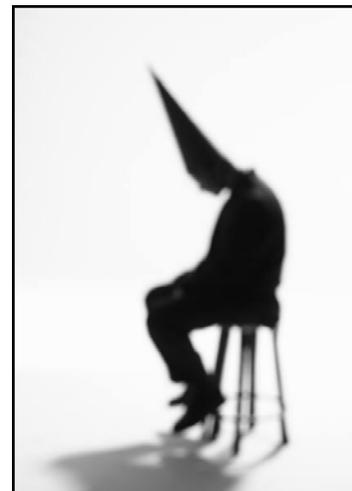
IV. "Thou shall refrain from drunkenness during the weeknights" (Fridays excluded)

While getting pasted the night before your 9am Basket-weaving 101 class may have been the norm in college, hangovers during early morning Torts classes will prevent you from fully grasping the subtle nuances between "assault" and "battery." On second thought...

V. "Thou shall use thy student loans for something important and meaningful."

I hear Vegas is beautiful this time of year...

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Estate Tax (continued)

(Continued from page 2)

that property, tend to diminish the funds destined for the maintenance of productive labour." – Adam Smith, *The Wealth of Nations*

Opponents of the estate tax, who are pushing for its repeal, argue that the estate tax slows economic growth, reduces social mobility, causes wasted productive activity, and that the tax is double taxation. In Jim Saxton's *Joint Economic Committee Study: The Economics of the Estate Tax*, he cites Alicia Munnell, a former member of President Clinton's Council of Economic Advisers. Munnell estimated that the costs of complying with estate tax laws are roughly the same magnitude as the revenue raised; this would amount to about \$23 billion in 1998. Thus, for every dollar of tax revenue raised by the estate tax, another dollar is squandered in the economy simply to comply with or avoid the tax.

CONCLUSION

Both sides certainly have strong arguments, but I believe the estate tax should be repealed. When a president's economic adviser reveals a detailed study showing that the amount of tax dollars received is offset by avoidance and cost of compliance, the argument for the repeal appears to dominate. It is true that the estate tax only affects the wealthiest 2% of all Americans, but 2% of the United States estimated population is approximately 6 million people. The majority of these 6 million people are our country's best and brightest, who have used every ounce of energy and intelligence to claw to the top of their respective fields. Do we really want to punish them by taxing their success at an increasing rate, proportionate to their wealth, which is currently at a rate around 46%? The repeal of the estate tax would better serve the maintenance of their successes after their deaths. Repealing the ineffective estate tax will put already taxed, hard-earned income to a better use.

"When...the amount of tax dollars received is offset by avoidance and cost of compliance, the argument for the repeal appears to dominate."



The Summer Grind

by Darren Case, 2L



The sound of my alarm clock obnoxiously blaring at 6:00am during the summer was certainly a new experience for me. During summers past, I spent my time in the one hundred plus degree heat in Arizona either at the pool or hacking up the local golf courses. This summer would not be one of those summers. This summer was spent with my eight new best friends: Tax law, family law, criminal law, wills & trusts law, construction law, property law, bankruptcy law, and contract law. For summer break, I was hired as a law clerk in an uptown Phoenix law firm.

On my first day, arriving at 7:30am, I was shown my office. By 7:45am, I was assigned several cases to work on, and by 8:00am, I was buried in Pacific Reporters, Arizona Revised Statutes, Arizona Probate Manuals, Tax Management Portfolios, and various other legal sources. By the time lunch rolled around, I had already contemplated why I did not sign up for the summer abroad program.

During lunch, I felt better when several attorneys in the firm took me out to a sandwich shop where we joked about the joys of the first year of law school. All of my horror stories seemed to pale in comparison, because none of the attorneys I had lunch with attended law school when Westlaw or Lexis Nexis were readily available on the internet. So back then, hiding a book in the law library would actually have serious consequences.

After lunch, it was back to the grind. Skimming through headnotes, opinions, and holdings, I was desperate to make a good first impression. As time passed by, I began typing a legal research memorandum for one of the client cases I was assigned. Then at 6:00pm, an attorney told me to go home, because there would be plenty of work for me tomorrow, the next day, and the rest of summer.

The next day was substantially similar and so was the day after. Other activities such as attending client meetings, sitting in with counsel during hearings, and drafting or responding to legal documents filled my workload as time went on. Before I knew it, my summer was over. It seems like it was only a few days ago that I had completed my last final exam of my first year of law school. What happened to my summer break?

With the completion of my first experience of what life is like as a lawyer, I have to admit that I did in fact enjoy it. Being buried in legal work for the summer did have its advantages, because the learning experience was phenomenal. In addition, the law does have its humorous moments, such as finding out the opposing counsel's client forgot to mention pertinent information to his attorney before trial, or a pro per representative decides to strongly criticize the opinion of a past case during trial, unaware the author is the presiding judge.

Aside from the humor, I gained valuable insight on what it takes to be a successful attorney. One cannot stress enough the importance of maintaining a solid reputation in the legal community. The legal community is a lot smaller than you may realize. Many of the attorneys and judges that I met this summer have dealt with the law firm I worked for a substantial number of times. Some of these lawyers and judges were even classmates long ago. Thus, I learned it is of the utmost importance to always act in a professional manner and treat others with respect, no matter how unruly they may be.

To sum up, my summer break was not really a break at all. I continually debate whether my first year of law school or being a law clerk was more difficult. Although I may not have been able to relax at all this summer due to the constant grind as a law clerk, the experience is something I would not trade in for a summer on the links or by the pool.

10 Commandments (continued)

(Continued from page 7)

VI. "Thou shall not use thy enrollment in law school as a pick up line"

No one cares that you are in law school, so any attempt to pick up a girl with "Yeah, I'm in law school right now... it's really not as hard as everyone says it is" will fail miserably and only leave you looking like a pretentious idiot. The only people who you will attract with such a line are those who see dollar signs, so you may as well tell them that you won America's Got Talent.

VII. "Thou shall not use a rolling suitcase to carry thy books to class"

Yes, casebooks are heavy. Does that excuse this horrible faux pas? Absolutely not. Rolling one of these ridiculous things around is bad for everyone: Handicapped people who actually need to use the elevator have to wait for your lazy ass to use it, since you clearly cannot climb any stairs; people walking behind you have to dodge your "train" because somehow you are incapable of rolling them in a straight line; those who sit on the aisle have to scoot their chairs in so far that it almost suffocates them; and, most importantly, it is a personal affront to flight attendants everywhere. Maybe instead of these rolling suitcases, you should just use a wagon or a Tennis Ball Hopper.

(Continued on page 9)

Lebanon (continued)

(Continued from page 5)

AFTERMATH

The next three weeks were miserable. I spent them trying not to think about the situation in Lebanon by sightseeing, but would end up checking the news and e-mail in internet cafes 15 times a day to see if anything had changed or if my friends had contacted me. Everyday I would receive e-mails from my friends in Lebanon or see news that would bring me to tears, describing the death and destruction that was taking place: entire families getting killed, friends' houses being damaged, hundreds of thousands of people homeless, even Lebanon's famous beaches being covered in oil from the Israeli bombing of a power plant. I've been to these villages, beaches, and recognized a few of the streets ablaze on the news. One of the Israeli bombings was only one block from my apartment building, in a posh Beirut neighborhood. Lebanon is a tiny country and close to one thousand civilians have been killed and around nine hundred thousand people have been displaced from their homes, equivalent in U.S. figures to one hundred thousand deaths and about seventy five million people displaced.

I realize I was very lucky to get out when and how I did. Some American friends told me that the U.S. Embassy, in the event they would actually answer the phone, would tell them just to wait their turn and they would be called when needed. In the middle of a war you're going to tell people to wait their turn? That's ridiculous!

My American friends ended up evacuating Lebanon by any means possible. Some received a ride on a ferry the French government was using. Two others drove through the dangerous northern border crossing into Syria. Another friend of mine got tired of waiting for the Embassy and went to the port herself and argued until she was finally let on the boat.

When I arrived at LAX on August 2nd, my mom was so thankful I was home she was crying. I had mixed feelings about

returning, considering what I had witnessed and gone through over the past three weeks. I was never as happy to finally be home but however grateful I am, I don't forget that many of my friends and relatives remain in harm's way with no place to go or means to leave. They are in my thoughts every minute of every day.

PERSPECTIVES FROM LEBANON

My friends in Lebanon are both Christian and Muslim and have taken these events very seriously. Some of the common themes described to me by them were a hatred for Israel for deliberately targeting Lebanon and its people and not targeting Hezbollah as they claim; a hatred for the U.S. and Bush for not only allowing this to take place, but providing Israel with all the weapons to carry out the destruction; and the overall feeling that Lebanon is alone and no one cares what happens to them. They send me questions I don't have the heart to answer: e.g., since Israel has broken multiple convention agreements and committed many human rights violations over the past three weeks, including the killing of 4 U.N. observers, where was the International Law? Why are five damaged buildings in Haifa a bigger story for CNN than forty Lebanese civilians being killed? Or why a soldier in war is normally considered captured while an Israeli soldier is considered kidnapped? I can't explain to them that Israel and the U.S. are above international law, or that the media here depicts Israel as defending itself while Lebanon is the bad guy. It's an overwhelming sense of helplessness and frustration.

The U.N. resolution on the cease fire was accepted and hopefully by the time you're reading this the fighting is over. Looking objectively it's hard to decipher who the real winners are, or if there is any winner. Frankly it seems to me in this war everyone lost.

With comments regarding this article, please e-mail Jimeel at: hamud100@chapman.edu

10 Commandments (continued)

(Continued from page 8)

VIII. "Thou shall not covet thy dean's fellow"

It won't help your grade and they are smarter than you are. Leave them be.

IX. "Thou shall not consider foosball to be a sport, nor a worthwhile activity to partake in in-between classes"

When you were a kid at the local Rec Center, it may have been cool to be known as the local foosball champ. Most of the real cool kids were busy winning baseball, basketball, football, and soccer trophies, but if you thought that twirling a metal rod with wooden, faceless men on them was "rad," more power to you. Unfortunately, that was only acceptable when you were 7 years old. Just because you break a sweat does not mean that you should be wasting your free time doing it (in fact, it probably means that you have a gland problem). If you need the exercise so badly, hook up your Dance, Dance Revolution portable game kit, and wave your inner-geek flag proudly.

X. "Thou shall join as many student organizations as possible"

While you may not be of the exact "religion," "ethnicity," or "political school of thought" as that day's lunchtime meeting, the free pizza and soda is well worth the embarrassment.



Perfect Pass (continued)

(Continued from page 3)

of you has grumbled loudly upon having to wait for a prior class to leave). A perfect aisle-pass eliminates this problem by ensuring that every person gets a chance to sign the attendance sheet.

Please note that there are other rules of etiquette that will further expedite the perfect-pass process.

(1) A speedy-passer is a person who signs the attendance sheet upon acceptance and quickly passes it to the next person. 1Ls: you will undoubtedly be learning a lot about “acceptance” this semester in your contracts class; please be aware that the attendance sheet does not constitute a contract and thereby does not require an hour of scrutiny prior to signing—just sign the thing and move it along. Gentleman: the attendance sheet is not an opportunity for you to ogle the picture of the hot girl in the next row—actually talking to her will get you a lot further than gazing at her picture will (plus, drool on the attendance sheet is a MAJOR faux pas). Again, just sign and pass.

(2) An alert-passer is a person aware of the fact that the attendance sheet is coming, often already prepared with a pen in hand. Do not fall asleep at the wheel by allowing the attendance sheet to remain motionless atop your pile of Fed Tax books. I have witnessed many a student in the back row hyperventilating after spotting the attendance sheet gently at rest next to a careless non-passer. Please make life easier on these people and keep your eye on the attendance sheet as it comes to you (besides, if they die from having to watch your complete unawareness of the attendance sheet, it messes up the curve).

Exceptions:

Like any great subject related to the law, there are exceptions to the aforementioned rules. First and foremost, back-passing is permitted at the end of an aisle where the entire row has already signed the sheet. This is what moves the sheet from the first row of the class to the next, and is not only allowed, it is a necessity. Second, the non-back-passing rule does not apply in Professor Bell’s class in which he has designed a highly intricate system of three attendance sheets intended to avoid the need for aisle-passing. Be mindful of similar situations as noted by your professors. Third, the speedy-pass is waived for 5 minutes if the professor passes out the attendance sheet too early (and many people have yet to arrive to class), and is waived for 1 minute if the person sitting next to you has gone to the restroom and you anticipate his swift return. The courtesy hold on the speedy-pass does NOT apply for students that have not arrived after class has begun, however. Late students get to experience the joy of hunting down the attendance sheet after class is dismissed. Finally, none of these rules apply in Professor Kochan’s class in which there is no attendance sheet.

In sum, I hope that this article has helped you in deciphering the minutiae of the perfect-pass. Please keep this article handy in the event that you become confused as to how to pass.

Finally, when in doubt, just remember this helpful rhyme:

A perfect aisle-pass makes you head of the class, a back-pass makes you a jack... well, an idiot.



Above: Finishing their first week of class, 2Ls Macey Chan and Jimeel Hamud look forward to the weekend

Basic Training (continued)

(Continued from page 6)

oughness and attention to detail in reasoning, writing, and presentation were the characteristics consistently shared by the most successful attorneys.

With respect to court appearances, it was surprising to observe how many attorneys appeared before the Judge with their best arguments memorized and their weakest points sorely neglected. The Judge was well aware of a party’s best arguments, those were, after all, the arguments that appeared in the briefs each party filed with the court. What the Judge was sure to ask about and was far more interested in hearing were arguments that addressed a party’s weakest points. It was almost always these “borderline” issues that ultimately decided the matter before the court, yet they were hardly ever the issues most carefully considered by counsel.

Another prominent courtroom trend was attorneys’ not answering specific questions the Judge had asked. Usually counsel would avoid answering the question by rehashing a previous argument or attempting to “answer” only in vague generalities. These “politician responses” may have worked in front of Sunday morning talking heads, but they were rarely successful in court.

Beyond these anecdotes, my experience this summer fostered in me an even deeper respect for the law than I already had. There is an innate elegance and humility in the law, and an adeptness in the system that assures effective solutions. I encourage fellow students to seriously consider a judicial externship as a unique opportunity in the shaping of a legal education.



Legal Humor (continued)

(Continued from page 4)

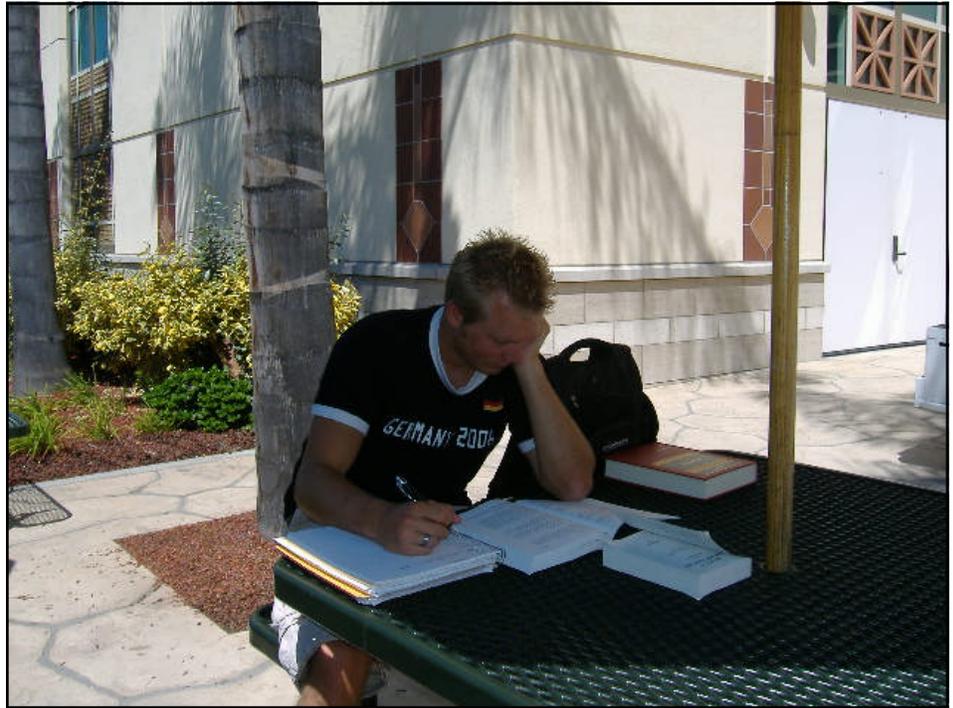
ATTORNEY: What is your date of birth?
WITNESS: July 18th.
ATTORNEY: What year?
WITNESS: Every year.

ATTORNEY: What gear were you in at the moment of the impact?
WITNESS: Gucci sweats and Reeboks.

ATTORNEY: How was your first marriage terminated?
WITNESS: By death.
ATTORNEY: And by whose death was it terminated?

ATTORNEY: Now doctor, isn't it true that when a person dies in his sleep, he doesn't know about it until the next morning?
WITNESS: Did you actually pass the bar exam?

ATTORNEY: The youngest son, the twenty-year-old, how old is he?
WITNESS: Uh, he's twenty-one.



Above: 1L Kyle Miller already hard at work during the first week

ATTORNEY: This myasthenia gravis, does it affect your memory at; all?
WITNESS: Yes.

ATTORNEY: And in what ways does it affect your memory?
WITNESS: I forget.
ATTORNEY: You forget? Can you give us an example of something you forgot?

Source: Disorder in the Court: Great Fractured Moments in Courtroom History, Charles M. Sevilla

Below: Future lawyers gather after class



The Next Edition

A student paper is nothing without its students. For that reason, we are asking for your help in making this paper great.

In the next paper, you will find professor and student interviews under the "Discovery" heading. Contact us if you are interested in seeing a certain professor interviewed, or if you would like to volunteer yourself or another student for an interview.

In the "Exhibit A" section, we will feature pictures of Chapman Law students at work and play. Pictures submitted by the 20th of each month will be featured in the following edition.

Finally, in our "Dicta" section, we hope to capture the random and funny things that professors say—particularly when taken out of context. Keep us posted on what you hear in your classes.

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We're Looking for a Few Good Men (and Women, of course!)

Attention Professors:

In an effort to keep Chapman Law students connected to the faculty and the law school, we would like you to provide us with information that will be of interest to students and the law school. Please tell us about your current publications, upcoming appearances and symposiums, and other events you may be involved with. We can display dates on our monthly calendar and we can publish details within the newspaper as an article. If you are seeking research assistants for an upcoming project, this is a great place to let the student body know.

Attention Students:

We are looking for both full-time and part-time contributors to help us expand the Chapman Law Courier. Currently, we are looking for general writers and editors, and an entertainment/sports writer.

For more information, please contact Ashley Jurca at jurca100@chapman.edu

