PUPPY LOVE

STUDENTS KEEP POSITIVE OUTLOOK WITH HELP FROM FURRY FRIENDS - PAGE 8

ALSO

Depression in Law School
See Page 7

March Madness: Law School Litigation & Rankings
See Page 6
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The story of my law school career began very similarly to how this article was started: Through procrastination. Instead of procrastinating a paper (as I am doing right now), I was procrastinating becoming an adult. I came straight from undergrad to law school, thinking “I’ll just continue my education so I don’t have to get a job”; completely unaware of the alarming fact that law school was going to be the biggest “job” of my life to date.

As I was being shuttled through the cattle call that is 1L year, I stumbled upon something called The Chapman Law Courier. I went to the meeting, as any good 1L does, for the free food. However, I discovered that The Courier was more than just free pizza, it was an opportunity to write creatively. Alas! I had found an outlet that would serve as my escape from dull law school texts and papers! I quickly jumped on board.

Soon enough, not only was I writing for The Courier, but I was also working as the assistant to the current Editor-In-Chief, Jean-Laurent Polio. When the end of the year rolled around, Jean-Laurent asked me to come talk to him one day. He told me that I was going to be the new Editor-In-Chief for The Courier. Mind you, I have never been on a yearbook staff, written for a student newspaper, or been interested in journalism at any level of my career. Despite this, I gratefully accepted.

Two weeks after this discussion I flew to Botswana. Yes, Botswana, as in, Africa. While making a documentary about HIV/AIDS awareness in Botswana, watching a World Cup game in South Africa, and volunteering at a hospital in Uganda, the wonderful world see Farewell, page 4
Farewell, from page 3

of law school and all that it entails drifted into a distant memory. Unfortunately, my return date snuck up quicker than my overworked mind was ready for, and I was rudely awakened to my U.S reality. When I landed back in Orange, I unwillingly dove (or maybe was pushed) head first into 2L year and my new position of Editor-In-Chief of The Chapman Law Courier.

I would be lying to you if I said that this position was awesome all of the time. Each edition, I had to hold a meeting (which all the presidents of clubs are probably rolling their eyes at me for mentioning – swear it gets more intense). When the paper was being put together, I had to coordinate with the writers, editors, layout personnel, advertisers, Chapman’s financial accountant, and the printer. Then when the paper was distributed, I had to coordinate with the Courier webpage, help Dean Kacer get the paper to the alumni, and talk to the advertisers again to get paid for the issue.

This all took place over 5 weeks, twice a semester. If you’re counting, that’s 10 weeks of a 15 week semester. And that was if everything went “smoothly.” Often there were hiccups along the way including missing advertiser’s checks, angry readers, and lost articles which can postpone or lengthen this process by days, weeks, or months. Not only was this time consuming, but it was emotionally draining as well. When so much hard work was put in by me and my team members, discovering an error in an edition or having the editions not picked up and read was extremely disappointing.

Whatever pains that came with being the Editor-In-Chief of The Courier, they were far outweighed by the joy I received when the paper was finally in my hands and the hands of my classmates. It’s that “I created this beautiful thing” feeling that a mother gets when holding her baby. Ok, not that intense, but you get the point. Along with the hardcopy of the paper, those few emails I received complimenting the outcome or thanking me for my work, solidify my reasons for gratefully accepting the Editor-In-Chief position two years ago. Although the readership may not be huge, the work may be taxing, and the appreciation was minimal, it has all been worth it!!

As I venture out into the “real” world, and begin my legal career, I know that I will miss The Courier. It offered a creative escape from legal writing and gave me a sense of accomplishment when I was able to hold, in my hands, the physical production of my hard work (something I fear the first years of my legal career will likely be lacking).

I am proud of what The Courier has become. During my 1L year it began its hard-copy era and, over the last 3 years, I and my staff have helped it grow into an impressive paper. I hope that I have lived up to Jean-Laurent’s expectations as an Editor-In-Chief. I am positive that the new Editor-In-Chief, Lauren Crecelius, will far exceed my expectations of her and I cannot wait to see how far she will take The Courier in the years to come. As an alumnus, I will look forward to the paper each semester as way of staying connected to Chapman and reminiscing the “good” times of being a law student.

Thank you for being a loyal reader, whether it’s simply been your first year as a 1L or if it’s been since the birth of The Courier in 2006. You are the reason the paper continues to grow and why the hard work seems minimal compared to the pay off.

Sincerely,
Amber Hurley
Editor-In-Chief

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The (Not So) Humorous Uterus: The Politics of Women’s Health

Kat James

The (not so) Humorous Uterus: The Politics of Women’s Health

Mandatory trans-vaginal ultrasounds! Getting fired if you use contraception!

Oh my.

Never does the uterus become quite as tremendous a political pigskin than during an election year. And never has the already sensational rhetoric of would-be and presently elected officials become so sensational as it has in the era of informational deluge.

Jack Pitney, political science professor at Claremont McKenna aptly noted in an NPR interview earlier this month: “There’s always been an element of grandstanding in the legislative process. If you’re eager for attention, the new electronic environment makes it easier for such activities to get attention.”

Established and would-be politicians alike are apparently all too aware of this fact. Why, then, does the public seem to be ignorant of it, as they jump on every crazy statement, proposition, and bill that comes up?

When President Obama announced that he intended to compel faith-based employers to provide for contraception coverage in their employee health plans, I wager that he knew he was asking for a media firestorm. After all, in his former life he was a professor of constitutional law, so I’m almost certain that he knew his proposed action was legally DOA. Hell, I knew that, and I’m a left-leaning pinko with a below-average law school GPA.

So, assuming that the president knew that his initial promise was empty, I’m left to surmise two things: 1) Given the climate on the Hill, if you want to get anything done, you have to aim for crazy when making a proposal, just so that your original, moderate idea isn’t categorically sacked from the beginning; and 2) The president needed to make nice with the folks he pissed off when he backed the Director of Health and Human Services’ plan to keep Plan B behind the counter for minors.

And it worked out for him. Though some minor kicking and screaming remains, if PPACA isn’t struck down – hell, even if it is - insurance companies will indeed be compelled to provide coverage for contraception.

No matter on which side you butter your political bread, his was some Grade-A politicking.

It was also a repugnant use of women’s health for political gain.

The incredulous response to the revival of the contraception debate (i.e. “I thought this was 2012, not 1962”) misses the point. Women’s health – in no small part because it entails abortion – is a darling of the culture wars; wars that are alive and well and will remain so for as long as they serve a political purpose.

The reality associated with women’s health is often inadequately articulated by one side, and goes willfully unacknowledged by the other: that, like it or not, most folks have sex outside of marriage, but the burden of pregnancy – and therefore contraception – uniquely befalls women who have sex with men, not the men who have sex with them. And the unequal burden associated therewith must be reckoned with, on a reasoned and fair level.

Women’s health remains the easiest target of political sparring because no politician has any real intention of doing a damn thing about it one way or another. So, it remains a perennially easy way to stir up a controversy and grab attention for yourself, your base, and your party without being burdened with a pesky promise of action.

Those wacky provisions – the ones I alluded to in the opening and those like them – would never survive a constitutional challenge, precisely because the jurisprudence has acknowledged the unique position in which women find themselves just by virtue of being fertile. Just like the president’s initial grandiose announcement, these legislative endeavors, if passed, are veritably futile exercises in political attention grabbing.

And yet we seem to be unable to resist taking the bait. Every. Single. Time.

I’m not saying that these kinds of bills shouldn’t repel us with their audacity and their underlying disregard and misunderstanding of the rights of women.

Nor am I saying that there isn’t the rare instance in which there is a well-meaning public figure who really cares about women’s rights. What I’m saying is that we need to be smarter in how we digest this kind of grandstanding, because so long as we give them the attention they are seeking, these stunts aren’t going anywhere.

Like most women, I have a uterus. Unlike most women, I am able to conceive children, but have been (strongly) medically advised against attempting to bear them due to the daunting health risks doing so would pose. In other words, my eggs are fine, but my basket is inadequate. Because of my condition, I am on a rigorous hormonal treatment that involves a significant dose of progestin-based birth control. Getting pregnant is not just something I need to avoid because I’m not ready for children; it would potentially threaten my life, and the life of any fetus I were to carry.

Now I want to be clear that this is something that I accept and am 100% okay with. The world is likely much better off without my spawn stalking about. Still, that’s some pretty personal information about me that you might think has no business being publicly shared, and you’d be right.

And something that personal has no place being callously manipulated for self-gain, no matter which side of the aisle.
March marked the typical anticipation over the new 2012 U.S. World and News law school rankings and a media frenzy over the dark force building in universe that is the class action lawsuit targeting schools that have supposedly misreported their employment data.

With headlines like “You Should Have Known Better than to Go to Law School” from abovethelaw.com, and “It is Now Completely Clear to Everyone that Law School is for Suckers” from gawker.com, it is obvious that both the legal community and the population at large are debating the current status of the American law school system. On March 20, the New York Times reported that “[t]he organization behind the Law School Admission Test reported that the number of tests it administered this year dropped by more than 16 percent, the largest decline in more than a decade.”

The drop in LSAT test takers may be further affected by the class action law suit against 15 schools, and possibly 20 more. The lawyers behind the class action suit, New York attorneys David Anziska and Jesse Strauss, allege that 15 schools have committed fraud by slanting law graduate employment data as a way to lure new students. Anziska branded the supposed statistic as a “longtime industry dirty secret” to the Courthouse News Service on February 3.

Days after Chapman University School of Law learned of its new rank, down to 110 from 104, in the 2012 US World and News Report, the law school also discovered it was being targeted as a potential defendant in the class action suit, along with 19 other schools across the country, according to Anziska’s website, anziskalaw.com. Other California law schools potentially to be named are Loyola Marymount University Law School, Pepperdine University School of Law, and Whittier Law School. Complaints have already been filed against California Western School of Law, Southwestern Law School, Golden Gate University School of Law, University of San Francisco School of Law, and Thomas Jefferson School of Law.

“We get inquiries from students from schools all over the country and we look at the schools that we believe most likely their information is radically different than the experience of their graduates,” Strauss said.

Strauss and Anziska contend that the culpable law schools purport upwards of 90 percent of their graduates obtaining work which requires a juris doctorate degree within 9 months of graduation. The real statistic, they argue, is closer to 40 percent.

“We’re asking for the difference...between the degree where you have the 40 percent chance of getting a job in the legal field, that’s the reality, versus the one they sold which is these completely inflated job numbers,” Strauss said.

In response to the allegations, some schools assert that they are merely following the guidelines of the American Bar Association. The ABA, in turn, has remained fairly tight-lipped on the litigation and has yet to take a side.

Amy Rotenberg, spokeswoman for the ABA’s Section of Legal Education and Admissions to the Bar did propose reforms to the reporting of law graduate employment data. The reforms are available on the ABA website at americanbar.org. One key reform would not require law schools to publish their graduate salary figures. Despite this change, “Chapman will continue to publish salary information,” noted Chapman Assistant Dean of Career Services, Suzanna Adelizi.

Strauss said he believes the defense that a school was only comporting with ABA standards will be rejected in court. When asked if the ABA or even U.S. News could be added as defendants in the
Depression in Law School

Mary Collins

The Mayo Clinic describes Depression as “a medical illness that causes a persistent feeling of sadness and loss of interest. Depression can cause physical symptoms, too…You may have trouble doing normal day-to-day activities, and depression may make you feel as if life isn’t worth living. More than just a bout of the blues, depression isn’t a weakness, nor is it something that you can simply ‘snap out’ of. Depression is a chronic illness that usually requires long-term treatment, like diabetes or high blood pressure. But don’t get discouraged. Most people with depression feel better with medication, psychological counseling or other treatment.”

My Story

I was diagnosed with Depression and Generalized Anxiety at the end of my 1L year. At the time, I did not realize that I was depressed and, unfortunately, that kept me from getting help. Now that I have gotten help, I realize how much better life can be and how much the condition had been interfering with my schoolwork. I hope I can share some useful information about this disease with you.

It is common to feel depressed after a loss. These feelings should be taken seriously, and a student can often use self-help methods, such as adequate sleep and outdoor exercise.

However, it may also be helpful to see a therapist or physician. Feelings that may seem temporary can linger, becoming major depression, in which case the student should definitely seek help. Major depression can also be caused by genetic predisposition, reduced sun exposure in the winter months, or excessive alcohol use, among other possible factors.

The Journal of American Medical Association ("JAMA") recommends that an individual seek help for depression if they have any of these 5 symptoms occurring nearly every day for at least 2 weeks: Feeling sad or empty; Decreased interest or pleasure in activities; Appetite change with weight loss or weight gain; Decreased or increased sleeping; Fatigue or loss of energy; Feeling worthless or guilty; Being either agitated or slowed down; Difficulty thinking or concentrating; Recurrent thoughts of death or suicide.

Treatment

Treatment is extremely important. By denying yourself treatment, you are abusing yourself and continuing a negative cycle that is detrimental to your health. Jayne Kacer, Associate Dean of Student Affairs, encourages students who may be experiencing depression to take advantage of the many options available.

“I typically recommend that students who may be depressed consider consulting both a physician and a therapist to determine what type of treatment(s) are best for them,” she advised. “Chapman students in need of counseling for depression can go to the Student Psychological Counseling Center on Glassell just north of the law school for treatment and/or referrals … Dr. Gail Stearns, Dean of the Chapel, also is a good on-campus counseling resource available to students.”

Dean Kacer reminds students that it is important to be completely open and honest with health care practitioners in order to get the best possible care.

“If the care received is not working, do not stop,” she cautioned. “Instead, ask the physician/therapist what other help is available.”

Chapman’s counseling services are very affordable and helpful. While some people find meetings with a counselor sufficient, others may need medication and can be referred to a psychiatrist.

For me, both counseling and medication have been very helpful. Regardless of what form your treatment takes, it is important that you forgive yourself for having depression. You are in “good company”, according to depression-help-resource.com, because an average 20 million people suffer from depression in any given year, and even some celebrated people, including Abraham Lincoln, Ludwig van Beethoven, and Michelangelo, suffered from depression. You are not weak, stupid, crazy or defective in any way. You just need some help.

Academic Performance

Depression and other mental illnesses can affect your academic performance. Before I sought treatment, I found that my memory and concentration had become very poor, and I could not remember rule statements.

“Generally, students should seek help as soon as possible both in terms of seeking treatment and also with regard to exploring their academic options,” Dean Kacer explained. “The University is committed to working with students who have all types of medical and personal issues, and the accommodations that may be appropriate for any student are necessarily going to be particular to those student’s needs…A leave of absence is permitted where a professional health provider has determined this course of action is in the student’s best medical and/or psychological interests [or if the] student has had a death in the family or a family crisis has occurred.”

Professors and academic fellows can also be helpful, and both Dean Kacer and Professor Richard Faulkner are available to help with time management skills. The American Bar Association website also provides for more information on depression in the legal profession.

Thank You For Being A Friend

I encourage you to reach out to your classmates. One friend of mine (you know who you are) kept me afloat in my darkest moments, just by talking to me every day. Please take care of each other, look out for signs of depression in your classmates, and most of all, be a good friend.
Ever wonder why so many of your classmates are deciding to get pets while in law school? You’re probably thinking, “I don’t even have time to hang out with my friends, let alone a new pet!” Getting a pet in general can be stressful, and even more so while in graduate school as they clearly take a lot of time and maintenance. Let’s not forget we are already so busy with our program that we may not have any free time to spend with our new furry friends in the first place. While human friends provide great social support and come with some fabulous benefits, this article might convince you of another side to socializing: cats and dogs! Research shows that, unless you’re someone who really dislikes animals or is absolutely too busy to care for one properly, pets can provide excellent social support, stress relief and other health benefits—perhaps more than people! Pets can really change your attitude on life or show you a new perspective on what is going on around you. Not that I am biased or anything, but dogs make excellent companions! Additionally, getting a dog while in law school may even help decrease your stress levels throughout the semester, make you more healthy, and more productive.

Many of us are far away from home, and having a dog can really ease the feelings of homesickness that many of us may experience. Dogs are also a great way to make friends and meet new people! Of course you can always see if any other students are interested in helping you with walks or taking turns dog-sitting, which can be fun! Recently, Dean Kacer has been bringing her puppy, Juneau for some law school TLC. To relieve stress, students can go for a run, walk or just play around with Juneau. Such is an example of the stress-relieving power of canines.

LLM Student, Erica Brenner highly recommends playing with her cats to relieve stress, “They are fun to be around, and they always make me happy!” I know after a long day at school, I look forward to coming home and seeing Jack, my 7-year-old yellow lab bouncing off the walls to say hi to me and just hang out. Not only are dogs fun to have and great stress relief, they are also very savvy and smart! I have had Jack since he was a puppy, and surprisingly I think he is bilingual! He understands when I speak Farsi and English! I might just be giving him more credit because he is such a cool dog and he just happens to have a fabulous owner! Anyway, this is a decision to make on your own, but it is doable!

If you want more info, check the Writ to see when Juneau will be stopping by to say hello and see for yourself.

Denise Vatani
2L: Mounting Pressure, Mounting Debt

Carly Valentine

The 1L year is spent in utter confusion, with wide eyes, a wrinkled forehead and a gaping hole where the thing that used to produce coherent sentences used to be. Now, if you thought 1L year was bad, I’m here to tell you: It doesn’t get any better. Consensus is, we feel dumber after having spent nearly two years in law school.

We have forgotten how to spell, how to write by hand, how to socialize outside of our law school community, and how to do any physical activity aside from walking to our cars in the parking structure. What’s worse, is that we all look about 10 years older than we did when we started.

We now have grey hairs, bags under our eyes, reading glasses, skin so pale we might as well spotlight in a Twilight movie, and a collectively severe drinking habit. Have we all resorted to wearing sweatpants because we can’t fit into our old clothes or have we simply stopped having the time to care about our physical appearance? Either way, we aren’t looking good.

Two years deep and the only thing that has changed is my motivation. Even when I had no idea what was going on 1L year, I still clutched on to the desperate hope that everyone else spent 5 hours Wikipedia-ing every other word, just as I had.

Now, we have become so jaded that we stopped caring that our Professors are speaking and have intuitively tuned it out as the white noise background to our online shopping addiction. An addiction we can’t possibly afford to feed.

On top of still having to figure out what in the world is going on, the pressure is even higher. Now we are supposed to think about taking a meaningful course load, satisfying all the graduation requirements, figuring out if we want to gain a certificate in a specialized field, finding resume-boosting internships or externships, becoming involved in clubs or school-based activities, and in all of this search for our sanity. We are now deep into debt and feeling even lamer about working so hard just to be told how much we fail—the difference between success and failure being a negligible dart throw away.

These are the last years in our lives where we can still schedule our courses to ensure three day weekends.

If there is anything I’ve learned in law school it’s that it doesn’t get any better: 1L, 2L, 3L, they all are life-drainingly terrible.

see 2L, page 15
1L: The Year in Perspective

Zach Begle

6:30 pm: Thank goodness that day is over! Holy brain-freeze, Batman. I’m beat. Now for my hour and a half commute home to Los Angeles. Must…keep…eyelids…open. 8:00 pm: Ok, I made it. Sleep. Wait! I still have 30 pages of Contracts and 20 pages of Torts to labor through. Maybe just a quick nap. Zzzzzz.

What’s that ringing? 8:30 am!!!!!! Splash of water to the face, deodorant to the pits and I’m off. Hour-and-a-half commute back to Chapman. 10:00 am: ok, I have 15 minutes to read five cases. Right. Off to Contracts. Phew, luckily I didn’t get called on, but I did follow along word for word with a few ‘casebrief.com’ peers who weren’t so lucky (we have a paper due this week). Ok, 11:30 am: fifteen minutes to grab a bite from the business building and I’m off to a lunchtime lecture on trial work. 1:15 pm: time for Civ Pro small group… I may never understand the Erie Doctrine. 4:00 pm: volunteer at Legal Aid Society. 5:30 pm: I’m back to Chapman to play a witness for Mock Trial, “I NEVER saw Robert Duffy in the convenience store with the masking tape!!” 6:30 pm: hour and a half long commute back to Los Angeles. Must…keep…eyelids…open. Ok, I made it. 8:00 pm: guess I better get started on that paper…is it only Tuesday?

This single, foggy day in the life of a 1L is typical for many students. Even without my extracurricular activities or the life-draining commute, I know that hectic heartbeat would still be ever wearing me down. When I was asked to write this piece about my 1L experience, I really struggled to distinguish what happened last week from last semester. It all seems blurred into a single, frenzied day.

Ultimately, after trying to recount the fuzzy existence of my year-to-date, I was forced to step back and ask myself, why? We all knew what we were getting into. Before coming to law school, we all heard the horror stories recounting the countless hours of studying, thousands of pages to read, and the dreaded curve. Why did we ever decide to challenge the fortitude of our minds and bodies? Why did we have to mess with a good thing? And why do we continue the self-infliction?

The answer: We can…we do this because we know that we can.

My clearest memory from this year was the strange feeling I sensed driving home after my last exam first semester. It wasn’t that I felt particularly confident of my performance. I didn’t. And it wasn’t that I was excited to go home to three feet of snow in Michigan. I wasn’t. What I did feel was an overwhelming sense of accomplishment. I had ice water running through my veins. I had actually knowingly set myself up to battle through what many consider to be the hardest years of their lives and had come out alive and surprisingly unscathed. Regardless of what my grades would reflect later, I knew that I was standing on a solid, albeit exhausting, foundation.

We have all embarked on a course fraught with what often seems like insurmountable trials of mental and physical willpower. With every finished assignment, comes another loathsome deadline. And when it seems like we need a break the most, that’s when we discover how far behind we are and realize that we’ll sink if we don’t start out-facing the reality of listening fast.

Yet, the juggling act is not without reward. I often find myself quoting Jason Segel on How I Met Your Mother, humming: “Being a lawyer had better be awesome!” But the truth is, I know it will be. Although we all decided to come to law school for one reason or another, I think we all share the same undeniable drive to test our limits. And it is important to remind ourselves; we’ve done this once before. Our nerves, will, memory, and sanity are all battle-tested. We have ice water running through our veins. We are already armed with the confidence to tackle the rest of this year, and whatever comes afterwards…right after a quick nap.
On Tuesday, March 20, 2012, we rolled out the red carpet for Chapman University School of Law’s Public Interest Law Foundation (PILF) Annual Awards Dinner at the DoubleTree by Hilton in Orange, California.

The purpose of the event was to celebrate and support the work of PILF and raise scholarship funds for the annual PILF Summer Public Interest Employment Grant Program.

The event was generously underwritten by Frazer, LLP, Phillips Whisnant Gazin Gorczyca & Curtin, LLP, Todd Spitzer, and the Chapman University School of Law School Student Bar Association. Over 75 generous donors donated items for the silent auction.

The night began with an elegant silent auction, refreshing cocktails, and animated conversation among students, alumni, faculty and invited attorneys and judges. As everyone was ushered into the dining room for a three-course dinner, guests penned in their final bids for everything from dinner with Dean Campbell to coveted tickets to the Los Angeles Lakers and a weeklong stay in Sedona, AZ.

To kick off the formal program, PILF awarded Associate Justice Richard D. Fybel with the 2012 PILF Award for Commitment in Public Service. This is the first such award in an annual program that is designed to recognize members of the legal community who have made significant contributions to public service. Then, Keynote Speaker Todd Spitzer passionately discussed his continuing fight to advance victims’ rights.

I spoke with Jon Hammond, the President of the 2011-2012 PILF Board, to learn more about what his goals were for the 2012 Awards Dinner and Silent Auction and what it was like preparing for the big event.

**What were your goals for the silent auction?**

Generally, we wanted to have a bigger event than PILF has had in the past and raise as much money as possible. In the past, we have combined the Silent Auction with other events, but this time we wanted to have a stand-alone event. Our goal for the Auction is to raise money in order to give out sizable grants for the annual PILF Summer Public Interest Employment Grant Program so that someone who wants to work in public interest this summer could really be able to do so rather than working elsewhere because they were economically required to.

**Was this the first time there was a silent auction?**

No, there has been one for at least the past ten years. Last year PILF raised about $8,000 for summer grants and the most ever raised at Chapman was about $10,000.

**How much money did the event raise this year?**

We grossed over $22,000, part of which funded the gala dinner for our 150 guests. We netted over $15,000 for summer grants, thanks to all of the wonderful donors, sponsors and bidders!

And additional donations are still coming in from BarBri and Kaplan as part of a special partnership that gives $500 to PILF for every bar review course sold for a limited time subsequent to the dinner event.

**How much of that do you expect to give out for grants?**

We have to see how many people apply for grants and what the applications are like. Then we will give out the majority to the chosen applicants.

**When will you award the grants this year?**

The applications were collected through the end of March. After the interview pro-
cess, funds will likely be disbursed at the end of April.

**What do you expect of the recipients of the grants?**

We mainly expect them to be willing to write about their experience over the summer and what their most memorable experiences were.

**Why did PILF decide to award Justice Richard D. Fybel with the 2012 PILF Award for Commitment in Public Service?**

Justice Fybel is a member of Chapman’s Board of Visitors and has done important public interest work on the Holocaust and in many other areas. I personally knew Justice Fybel from working that Court of Appeals, and he was always friendly, approachable, and went out of his way to be accommodating. Dean Campbell personally asked Justice Fybel if he would be willing to accept the award, and he did.

**Will the PILF Award for Commitment in Public Service be an annual award?**

Yes, it will be an annual award. It will be interesting to see where the award will go from here; there are definitely some big shoes to fill in the coming years.

**What were your biggest challenges in putting this auction together?**

It took an incredibly large amount of time, but I had a great team behind me. Kelly Rendon was the Silent Auction chair. Kelly and I did a lot of the work ourselves, but on the other hand, we had a good group of volunteers that helped.

Some of the volunteers were Bobby Waltman, Minhquan Nguyen, Jon Falcioni, Brittany Shirley, Jason Armbruster, Melissa Bohl, Jessica Castro, Erin Sakata, Laila Ni- kaien, Annie Loo, April Livingston, Jaryn Saritzky, Alexandra Harman, Stephanie Brault, Nusha Monwar, and Alison Bollbach. Kelly and I would like to especially thank Professor Finley for helping us so much in getting things going and making this a great event.

This PILF Annual Awards Dinner and Silent Auction was a huge success for everyone involved. It will be exciting to see how the event grows over the years to come.
The Future of 2nd Amendment Litigation

Blaise Vanderhost

On March 26, the Chapman 2nd Amendment Association sponsored a talk entitled “Current Trends and Job Opportunities in Second Amendment Rights Litigation”, a talk by two of the top 2nd Amendment civil rights litigators, Bobbie Ross and C.D. Michel.

Miss Ross, who is an Editorial Board member at Minority Trial Lawyer Newsletter and an attorney at Mr. Michel’s law firm, spoke first, discussing her experience in creating the Second Amendment Subcommittee of the Civil Rights Committee at the ABA. Miss Ross said that she began the project oblivious to the strong anti-firearm sentiment in the ABA; those that knew would have probably not even tried. After being told “no” a number of times, Ross succeeded, and created the 2nd Amendment Civil Rights Litigation Subcommittee, which she now chairs. The goals of the subcommittee are to keep abreast of 2nd Amendment-related case decisions and legislation, to represent its members at relevant events, and to increase its membership. Ms. Ross stated that the subcommittee willingly accepts updates about 2nd Amendment legal developments and student membership.

Mr. Michel, Senior Counsel at Michel & Associates, who has worked as spokesperson for the NRA and California Rifle and Pistol Association and is an adjunct professor at Chapman Law, spoke after Ms. Ross, discussing firearms law litigation in California and the nation in general. Mr. Michel discussed District of Columbia v. Heller, and McDonald v. Chicago, the two landmark Supreme Court cases which decided, respectively, that the 2nd Amendment right to keep and bear arms applied to individuals, not the nation as a collective, and that the right applied to the states via incorporation. Mr. Michel explained how these cases have expanded the opportunities for employment in the field of 2nd Amendment litigation; as gun rights advocates have since begun to test how far they can extend such rights, gun control advocates react by seeking to prevent any further expansions of the rights. Mr. Michel emphasized the importance that young attorneys have a firm grasp of the overarching areas of law they intend to practice in: “You can practice criminal law, and after a while, have a specialty in firearms cases, but you need to know how [criminal defense] works”. Areas of practice that Mr. Michel highlighted include criminal defense, civil rights litigation, rights restoration, recovery of guns confiscated by law enforcement, and assisting gun sellers and specialized businesses, such as training companies, in obtaining and maintaining inventory, and operating their businesses without running afoul of the complex law, which is often vague.

Mr. Michel also demonstrated his rhetorical skills, garnering laughter and applause from over thirty students and professors in attendance. In reference to the idea that “Shall Issue” carry permit laws reduce crime, Mr. Michel said, “When you know 5% of the ducks shoot back, you’re not going duck hunting”. He went on to recount stories about his initial frustration with California’s laws, and how he had been “treated like a leper” for advocating for gun rights. This led him to call the general counsel in Virginia to ask about practicing there. The general counsel’s response was, “I don’t need firearms lawyers in VA”.

After the presentation, the Courier had the opportunity to speak with Mr. Michel and Ms. Ross. They further described how they became involved in 2nd Amendment litigation and what developments they expect to see in the near future. Ms. Ross explained how she “fell into” the line of work after an interviewer suggested she try after a discussion about target shooting. “I started talking with the attorney who interviewed me…the rest is history. I’ve always supported the right to keep and bear arms and enjoyed target shooting, but I had no idea that firearms law was a practice area until I discovered this firm.” For Mr. Michel, however, the decision came from witnessing injustice and to a degree, shrewd business calculations. “I was doing some pro-bono work for a prosecuting agency and I kept seeing gun owners get railroaded. So when I got ready to leave that firm, I was looking for a big group of people who got into trouble all the time, and “gun owners” occurred to me. So I formed my own firm and started going to gun ranges and events and speaking about gun law, and that’s how it began.” For both attorneys, their advocacy is based on a personal, passionate commitment. Ms. Ross explained it in the framework of civil rights, stating that the 2nd Amendment “protects our right to self defense, our right to own firearms and other weapons for self defense”. She continued to explain, “I personally enjoy using firearms…going shooting. I’ve never been hunting but [the 2nd Amendment] protects that as well. [The 2nd Amendment] is important to me because it protects a lot of the things I care about.” It was just as fundamental a right for Mr. Michel, who quoted Thomas Jefferson in describing the Amendment as “Liberty’s Teeth”, without which “none of the other rights in the bill of rights are guaranteed. There’s nothing to stop the government from ignoring them.”

In regards to the future of 2nd Amendment litigation, Mr. Michel noted that several 9th Circuit cases and a handful of district court cases are pending. The issues range from concealment to the use of transfer fees for general police work rather than the cost of background checks, which is their designated use. Furthermore, the two attorneys were anxious about the outcome of this year’s presidential race. With several veterans on the panel of Supreme Court justices, it is probable that at least one vacancy will open in the next four years, affording potential for radical changes in the court’s ideological balance and future rulings. “If Obama puts a couple more judges up there,” Mr. Michel joked, “[Me and Bobbie] will probably be in re-education camps.” Mr. Michel acknowledged “once that balance shifts, I don’t think the court will be shy about trying to undo Heller and McDonald.” “Or at least saying that [the right to keep and bear arms] doesn’t extend outside your door,” added Ms. Ross.

The attorneys’ advice for those interested in this field of litigation was: “learn constitutional law.”
Madness, from page 6

class for whatever, if any, role they played in the situation, Strauss said it would be a very different claim against them and he and Anziska did not believe the addition of the ABA or U.S. World to be necessary.

As it is, though, Forbes Magazine called law school suits as the “next tobacco” in class action litigation on March 16, and while Strauss said he did not know if he would give it such a label, he did see the connection.

“I take each suit on its individual merits,” he said. “Tobacco was obviously a very notorious litigation, and we think that the law school litigation is as well.”

Strauss and Anziska have since hit a roadblock on their warpath, however, when New York Supreme Court Judge Melvin Schweitzer dismissed the proposed action against New York Law School on March 22.

“In this court’s view, the issues posed by this case exemplify the adage that not every ailment afflicting society may be redressed by a lawsuit,” Schweitzer wrote in the opinion.

Strauss said he and Anziska respect the judge’s decision, but it would be appealed, and that the decision would not be determinative of what happens for the rest of the cases. He said he also did not believe the New York decision would affect naming more defendants to the class.

“We haven’t decided that yet, I don’t think the decision itself is any reason to change what we’ve been doing and our strategy the whole time,” Strauss said. “We have 14 suits pending around the country, we’re in front of different judges, even in the state of New York, so this decision is disappointing, but it doesn’t change the overall litigation strategy.”

He further contended that so far the count is one to one, since the motion for dismissal filed by Thomas Jefferson School of Law did not succeed on March 14.

As far as Chapman is concerned, as of March 22, Strauss said he had no knowl-

edge if any plaintiffs had been named. He did say, though, that if Chapman were added, then the class would be any student who attended Chapman Law within the class time period, including current students.

“Chapman is in California, so we’re operating under the California statute, so it’s four years or six years, something like that,” he said. “It’s anyone who attended, so if you showed up first semester, you’d still be part of the class.”

Mary Platt, public relations officer for Chapman Law, said the university cannot comment on any potential pending litigation.

Chapman 2L Chris Hossellman said he believes the lawsuit was frivolous.

“The plaintiffs’ attorneys are just trolling for as many deep pockets as possible,” he said. “Their recent haul brings the total to over 30 including Pepperdine and American University. Reporting post grad job stats is hardly an exact science, and while willful misrepresentation should be punished, a CSO can’t go knocking on every alum’s door to get more precise information.”

When asked if Strauss, who graduated with honors from Brooklyn Law School, had been contacted by his school in regards to the class action, he said no. He said he did see the irony in lawyers suing the schools from which they received their educations.

“It’s ironic but there’s also a certain elegance to it as well because they taught me when somebody’s committed a wrong that they can be held accountable in the courts,” he said. “And I’m doing exactly that.”

As of press time on March 25, no new development regarding the law suit has occurred.

Whatever may or may not happen with the class action, the attitude towards Chapman’s new ranking is not melancholy. Regarding the latest US News ranking, Sheri Ledbetter, public relations representative for Chapman’s Law School, said that though Chapman’s rank may have gone down a few spots, its statistics did improve in several categories this year such as assessment by lawyers and judges, cumulative UGPA scores, and employment at graduation. She said the law school’s bar pass rate dropped from 2009 to 2010, which is the school year applicable to the current ranking.

“What a law school’s ranking will be from one year to the next is difficult to determine,” she said. “We are optimistic about certain key elements that are part of the US News calculation. For example, the bar pass rate that will factor into next year’s ranking is significantly higher than that included in the present ranking. Also, because our plan is to admit a class size of 160 again this year, our student/faculty ratio most likely will improve.”

Chapman was evaluated in March by an ABA site team, a process in which every accredited school participates. The evaluation is a normal procedure for continued approval, and it occurs every seven years and bears no influence on ranking, she said. 2L Chris Hossellman said he is hopeful about both the future ranking of Chapman as well as job prospects after graduation.

“Chapman is a great school, but we’re still a young school,” he said. “It will take time to build the reputation needed to get comfortably into the top 100, but we’re already further along than anyone would have imagined 10 years ago. I’m confident this downward trend is temporary and am encouraged by the strong foundation we have laid.”

As for the job recession, Hossellman said he asked recent Chapman speaker Louis Knobbe, of Knobbe, Martens, Olson & Bear, LLP fame, his prognosis for the practice of law.

“To paraphrase, he said that in his 40 plus years of practice, he had heard about the end of the legal profession more times than he cares to remember, and it hasn’t been true yet.”

2L, from page 10

we can schedule a dentist appointment on a Wednesday without using our lunch breaks just to get our teeth cleaned. The last years we can whimsically take a two week vacation traveling the world on the government’s dime. The reality is, once we become real life lawyers, we will be working 7 days a week, sleeping in standing positions--caffeine coursing through our veins---trying to write a brief.

If there is anything I’ve learned in law school it’s that it doesn’t get any better: 1L, 2L, 3L, they all life-drainingly terrible. So I have decided I’m going to enjoy my life and stop spending every waking minute worrying about law school. Law school is not my life, it is a part of it. And since the law school part of my life doesn’t get any better, I may as well enjoy the rest of it. Next time someone invites me to be a real human being, I am going to take the time to say yes.
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