Professor Rachel Moran of the University of California, Irvine School of Law, lectured on transformative law on October 20th as part of the ongoing Chapman Dialogue Series. The lectures cover a diverse range of topics and provide opportunities for faculty and students to interface with distinguished legal minds. Moran’s lecture was co-sponsored by Chapman’s Animal Law and Environmental Law Societies.

Moran, an expert in civil rights, education, diversity, and tort law, has also been on the faculty of the University of California, Berkeley School of Law. She is the current President of the Association of American Legal Scholars, just one of many highlights on her distinguished resume. Though she jokingly refers to herself as a “lame duck,” she is clearly anything but. Throughout her presidency, she has challenged legal scholars to act with civic mindedness, to ask what they can do to improve society, and to remember a time when lawyers were hailed as the architects of social change.

During the lecture, Moran argued that transformative law is not “arcane or disinterested, but engaging and abstract.” Moran cited *Brown v. Board of Education* as a shining example of a transformative legal success and a catalyst for historic legislative reform. Knowing that focused and sustained attention to a specific topic can accomplish great things, Moran believes legal
Send articles, comments, questions and letters to the editor at thechapmanlawcourier@gmail.com
Animal Law Society: A new approach to law

By Amber Hurley
Jr. Opinion Editor

Animal law is likely not the first area of practice that typically comes to mind when thinking of legal practice. Chapman’s Animal Law Society is attempting to change that by introducing this exciting and fulfilling field to the Chapman legal community. The Animal Law Society’s goal is to inform students about the animal law movement and its commitment to changing the way the law views and treats animals. From a legal perspective, they hope to push forward new legislation that would increase the legal protection of animals and halt disastrous effects of the unregulated treatment of animals. The Animal Law Society (ALS) believes students pursuing a law degree can enrich their legal education by exploring the compassionate and spiritually fulfilling field of animal law. Anne Card, a Chapman Law 3L and President of ALS, hopes the society can begin answering questions like, “Why do companion animals deserve greater legal protections than farm animals,” or “would we continue to support factory farming by eating meat if we

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DIALOGUES: Scholars should form partnerships, embrace controversy

scholars should step away from the notion that today’s problems are too daunting. Instead, they should form partnerships with non-academics, such as theorists or clinicians, and embrace controversy rather than shying away from it. Moran cited the University of Chicago as an example, out of which sprung the Law and Economics school of thought. Both provocative and transformative, it now garners judicial, legislative, and scholarly attention, Moran said.

Finally, Moran called for universities and scholars alike to value transformative scholarship and shift the focus to clinical and pro-bono research. “Adjust our own opinions” stated Moran, “as scholarship and respect are what we judge them to be.”

Transformation, in other words, begins with the self. It is a powerful concept and a powerful call to action.
Chapman co-sponsors the nation’s first and only law school winter abroad program in Australia

By Mary Liu
Jr. Opinion Editor

Chapman Law School recently launched an ABA-approved study abroad program in Byron Bay, Australia. This program aims to fulfill students’ desires for a program that combines academic coursework with an emphasis on international law and enriches networking opportunities with law students from the United States and abroad. Incidentally, it also satisfies the quintessential Southern Californian need for the beach.

Chapman offers this groundbreaking study abroad program in collaboration with Australia’s Southern Cross University School of Law and Justice (SCU). Any student who has completed his or her first year of law school is welcome to apply. There are less than a dozen law school winter abroad programs in the nation, and this program is the only one that allows students to experience the picturesque Aussie summer. Professor Michael Bazyler, a highly-respected program organizer and international law scholar, describes the celebrated resort town of Byron Bay by saying, “you talk to anyone in Australia and their eyebrows immediately go up because they know how wonderful it is.” The region is famous throughout Australia for its natural beauty and pristine beaches, which are within easy walking distance from participants’ classes.

Because classes do not begin until the afternoon, the class schedule provides ample time to surf, swim, snorkel, or just stroll along the beach. Students may choose between two fascinating course options. They can take either “International Trade and Development” taught by Chapman Associate Dean, Timothy Canova, or “Holocaust, Genocide, and the Law” with Chapman Professor Michael Bazyler and SCU professor Sam Garkawe.

Students from across the nation have been involved in this program, including students from the American University and George Washington University in Washington D.C., as well as students from Berkeley, the University of Colorado, and the University of Utah, just to name a few. The Byron Bay program participants meet law students from around the country and benefit from attending classes with local Australian students. In fact, Professor Bazyler proudly notes that previous participants are “still in touch with their Australian counterparts.” This program creates the opportunity for Chapman students to study abroad in Byron Bay, Australia. The program is one of less than a dozen law school winter study abroad programs available in the nation.
ANIMAL LAW: A Different Approach to the Law

From Page 3
had to watch the animals’ lives from birth to slaughter and see the torment that each animal goes through on its way to our plates?” These are just a few of the many questions the society seeks to answer with the help of Chapman students.

Card runs ALS with the help of Vice President and Treasurer, Alexandria Witte (3L), Secretary and Volunteer/Outreach Coordinator, Brian Scott (2L), and Public Relations Coordinator, Mary Liu (1L). Most notable, however, is the 2009 Mascot and winner of last year’s Pet Photo Contest, Animal Law Professor Robert Newman’s Chihuahua, Ruben Newman.

This year, the ALS sponsored a dialogue with Professor Moran, former president of the Association of American Law Schools, who spoke on “Transformative Law”, and two ALS members, Anne and Alexandria, participated in the 17th Annual Animal Law Conference at Lewis & Clark Law School. Speakers at the conference focused on topics such as the link between cruelty towards animals and domestic abuse and addressed the irreversible environmental impact of unregulated factory farming operations.

There are many upcoming events at which students can learn more about animal law from experts in the field. The ALS is planning an animal law panel in mid-November, which will feature Bob Ferber, a prosecutor who specializes in animal cruelty cases, Sonia Waisman, an attorney formerly on the Board of the Animal Legal Defense Fund, and Chapman’s own adjunct animal law professor, Robert Newman, who has his own animal and family law practice. Next semester, they hope to hold a screening of a documentary titled “Death on a Factory Farm,” host an event featuring participants in prison rehabilitation programs who train shelter dogs to become service dogs, organize student volunteers to visit local shelters, and host the “Pet Photo and Mascot Contest” to raise money on behalf of the Animal Legal Defense Fund. The group is also working to promote awareness on the Chapman University campus by persuading the university to buy eggs from cage-free chickens.

To get involved, interested Chapman students are welcome to join ALS’ TWEN page. They are also encouraged to apply for projects sponsored by the Animal Legal Defense League, and to take the Animal Law class when it is offered. Students and alumni may also make a small $15 donation at www.aldf.org to help make a difference in the treatment of animals. For further information contact Anne Card at card100@chapman.edu.

Chapman’s new Mediation Clinic: Students learn skills to settle disputes

By Blake Hanley

Chapman now offers a Mediation Clinic for upper-level students to develop skills as mediators through practice with actual parties. Students are given the opportunity (under the supervision of experienced mediators) to mediate real cases in Orange County Superior Courts. The two current students enrolled in the clinic do most of their mediations at the Laguna Hills Courthouse.

Judge Flynn, the Small Claims Court Judge at Laguna Hills, stated, “Litigants are more sophisticated here, bringing atypical Small Claims cases. This atmosphere provides mediators with a unique opportunity to mediate cases ranging from landlord-tenant law to contract law to lawyer-client issues. In some cases, there are even constitutional issues that are raised.”

Mediation is given great deference at See MEDIATION Page 15

Professor David Dowling and Chapman Law student Jewel Singleton conducting a practice mediation.
When Maurice Sendak published his beloved children’s book, *Where the Wild Things Are*, in 1963, it consisted of ten run-on sentences, less than 300 words, and a handful of dark yet cartoonish illustrations that would become iconic. The narrative was simple: a rambunctious, wolf-costume-wearing boy uses his vivid (emphasis on the “id”) imagination to escape the oppressive confines of his room after his mother grounds him for acting like a “wild thing.” It was an instant classic.

Spike Jonze’s film version of Sendak’s book is an endearingly fleshed-out adaptation of a work thought to be inadapt-able to the big screen. Yet, with the help of co-writer David Eggers, Jonze has created a cinematic masterpiece without straying outside the structural lines of its textual roots. Jonze, who wrote and directed “Adaptation” and “Being John Malkovich,” has proven himself an abstract maverick of the human psyche. With “Being John Malkovich,” he delved into the subconscious of an eccentric actor, while his “Adaptation” deconstructed the futile mental process of an idealistic screenwriter. In “Where the Wild Things Are,” Jonze reveals how a nine year-old boy named Max deals with anger, defeat, and learning how to make difficult decisions.

For such a dynamic lead role, Jonze could not have found a more convincing actor than Max Records. Whether the

**Free DVD movie, television show rentals at Rinker Law Library**

By Julie Anne Ines

*Jr. News & Features Editor*

If you are a law student, you should have learned by now that law school has an abundance of shortages when it comes to resources, especially time.

Some of you have had to meticulously schedule each of your study sessions and meals, cut back on face time with *Grey’s Anatomy* for another week or two.

So what do you do when, miracle of miracles, you have an hour or two to spare after doing your class reading, and reviewing and annotating your class notes and your professor’s past midterm and final exams?

Sure, you can catch some of that sunlight that California is known for. But, you can also rent DVDs for free from the Rinker Law Library’s collection of law-related and culturally significant titles.

Located in the Current Awareness Room on the second floor of the law library, the collection of feature films, documentaries and television shows affords the time-starved law student a convenient and free entertainment option, and also gives him another way to stay informed about the law.

And all you need is your Chapman ID.

The DVDs may be borrowed for up to three days and cover a wide range of topics from AIDS to writers.

Do you want to watch trial-centered movies? See the extensive list of movies listed under “trials,” including *The Verdict, To Kill a Mockingbird*, and *My Cousin Vinny*.

Or if you just want to be entertained, you can check out a tap dancing Richard Gere in *Chicago* or Pierce Brosnan and Julianne Moore as dueling attorneys in the romantic comedy *Laws of Attraction*.

You can find a full list of available titles in the Current Awareness Room on the DVD shelf or just search the law library catalog at www.chapman.edu/law/library.

Do you want to relive some of your classroom experiences? See the movies listed under “law students,” such as *The Paper Chase* and *The Pelican Brief*. 
Time to deliver

By Stephen Frieder
Sr. Articles Editor

As an environmental advocate, I was excited by the nomination of President Barack Obama. Not to dive into an ideological brandishing of the Bush Administration, but it regarded environmental health as utterly irrelevant and a nuisance to economic progress. President Obama ran on a platform promising environmental progress in several areas. Whether he will keep those promises is yet to be seen, but he is off to a fast start.

Tying environmental stewardship to economic progress seems integral to the success of a large-scale environmental agenda. Economic potential is the world’s greatest selling point. In the early 1930s, the United States lacked infrastructure that would carry it into the future. The country was also in the throes of a terrible economic crisis. The New Deal, though it required substantial government investment, sought to solve the multifaceted crisis by developing an infrastructure on the backs of U.S. workers. And it worked. The New Deal sparked America’s surge into becoming the economic powerhouse it is today. We have a similar problem today. The U.S. infrastructure is not prepared for a rapidly changing world. We are almost wholly reliant on oil, a limited non-renewable resource susceptible to volatile price swings and controlled by countries politically opposed to the U.S.

It is dangerous to be so reliant on such an inelastic product. Any dramatic price hike or block to supply would cripple our current infrastructure. The U.S. must proactively provide itself with the flexibility to prepare for such a crisis. Hence, the relevance of some of Obama’s promises: similar to the U.S. of the early 30s, we need to reform a decaying infrastructure. This means rebuilding in a way that makes sense today, not sixty years ago. Given the resource limitations with regard to oil, clean water, clean air, timber, and so forth, any new infrastructure must consume and pollute less. Furthering that agenda is a top priority of the Obama Administration.

One noteworthy move made by the current administration was to dedicate a substantial portion of the economic stimulus package to “green spending.” Seventy billion dollars was dedicated to environmental initiatives such as bolstering mass transit, environmental cleanups and providing grants to local governments who invest in energy efficient infrastructure. The package also provides for twenty billion dollars in green tax incentives. All of the spending programs directly relate to both bolstering the economy and advancing environmental agendas.

The Administration also dedicated itself to invest one hundred fifty billion dollars over the next ten years in clean energy. A primary focus of the plan is to ensure technological development in the U.S., rapidly commercialize those developments, and deploy them around the world – potentially making the U.S. the world’s leader in clean-

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‘Green’ movement: New ‘Red Scare’?

By George Hartline
Staff Writer

It’s about control. On a personal level, most people can relate. Someone says, “I know what’s best for you. I have the most qualifications, and I’m more intelligent.” And to some extent, we all might look at that statement and say, “That makes sense. Let them make the choice.” The problem comes when they have managed to gain that control, which they didn’t even have to take because it was given to them. Then they tell you what kind of cereal you should buy. Now they’re telling you when to eat it, when to sleep, where to live, and what kind of medicine your kids should take. In a personal setting, you might just say, “Hey, I want my control back.” And generally there is not much they can do to keep it. But what if they had some force to prevent your repossession?

Maybe it’s just some kind of threat, such as violence, defamation, or blackmail. We have seen it in the form of the Mafia. Not the Facebook game, but the real life version.

But the scariest version of this is when it goes beyond a private network of control-protectors. It’s when the control-protector has an entire country’s worth of police, military, persuasive, and monetary power to back them up. And they have convinced at least half of the population that they are wonderful, well-intentioned leaders with the individual voter’s best interest in mind. Have you seen a more hyped-up cult of personality in the history of the U.S. presidency than the current one? One of the more recent liberal ideals threatening to take away some rights and give
Why Law School sucks: Finals

By Blythe Harris
Sr. Opinion Editor

Although many things in law school suck - the Socratic method, the giant books, the painful readings, the late-weekend nights spent in the library instead of with loved ones - none seem to compare with the horror of finals. Why are finals so bad? Well, unlike in undergrad, the law school final usually counts for nearly one hundred percent of your grade. One hundred percent of your grade boils down to 180 minutes at the end of the semester. You will never forget your first law school final...

There you are in the classroom: computer set up, notes and flashcards put away, the test before you. Nerves, thoughts of terror, and more nerves seem to pull your concentration away from the test. Sweaty palms touch the keyboard as the proctor directs you to begin. You flip open the test booklet and stare blankly at the first question. You force yourself to answer question after question, bubble in “a,” “b,” “c,” and “d,” write word after word. What if you missed something? What if you forget a rule? So many thoughts swirling in your head, getting in the way of answers that you know are in there somewhere!

For many, the picture painted above may be a vivid experience. For a select few, their confidence may carry them through with controlled nerves. However, it is not just the test itself that is horrible; studying for long hours before the test can be equally stressful.

Probably the most frustrating thing about finals and the immense pressure they exert on law students is that, in my experience, there really is no “right” way to prepare for them. I can remember 2 and 3 Ls telling me what I should do or how I should study, but none of that mattered unless it worked for me. Wading through the sea of advice and the confusing maze of supplements and commercial outlines can detract from your ultimate goal: to learn the material and to perform well on the test. That isn’t to say that all advice is bad or that all supplements aren’t helpful. They can be. The point is to follow the advice and choose a supplement that addresses your learning needs. To this end, it may be helpful for some students to check out supplements that are available...

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Cold Feet: Questioning modern security practices

By Ryan O'Dea

I enter the Ronald Regan Federal Building and Courthouse in Santa Ana at 8:30 a.m. as I have almost daily for the last few months. In my normal, morning fog, I stand in the line of people waiting to pass through the metal detector. I am twenty-people deep in a meandering line of jacket-wearing, umbrella-toting individuals. It must be a jury pool day. Luckily, it seems like most have the protocol down: many have their I.D. in hand, and some even have their shoes off in anticipation, following modern metal detector etiquette.

The woman at the head of the line sits down on a cold metal folding chair as she takes off her large, rubber rain boots, only 18 more to go. The line in front of me continues to dwindle at its slow, yet predictable pace, and before I know

Ambiguous marijuana laws must be addressed

By Kurtis Adams

When it comes to the legalization of marijuana, the ambiguity of state laws is probably the last thing that comes to mind. However, in fourteen states, the legalization of medical marijuana is hotly contested for that very reason.

In California, medicinal marijuana has been legal since 1996, when Proposition 215 was passed by a 56 percent majority. Amended by Senate Bill 420 in 2003, the proposition allows for a registered caregiver to grow and distribute cannabis to patients with a doctor’s recommendation.

For thirteen years it has been legal to cultivate and exchange medical marijuana for “donations,” so long as the entity accepting donations is a non-profit collective. A card-carrying medical marijuana patient can pick and choose a specific strain of marijuana at dispensaries scattered throughout California. However, the potential for abuse abounds.

Under the United States Controlled Substances Act, marijuana is classified as a Schedule I drug, sharing the rank with other drugs such as LSD, heroin, and mesca-

“If a state’s intent is to prohibit medical marijuana dispensaries, clear and cohesive guidelines are required. Such guidelines do not exist, leaving marijuana regulation a vague and muddled mess.”
SOCIALISM: Masquerading as ‘green movement’

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greater control to the government is environmentalism.

Environmental scientists around the globe, such as S. Fred Singer of the University of Virginia, have led an effort to debunk environmental politics. Singer asserts that global warming and ozone depletion theories that politicians like Al Gore promote are simply and factually unsupported. In fact, the founder of the Weather Channel, John Coleman, wanted to sue Al Gore for fraud in 2008 after Gore’s company, Generation Investment Management, began to sell “carbon credits.” That’s right ladies and gentlemen - Gore plans to profit from the “green” movement. You didn’t think he just cared did you? Coleman believes that a legal argument would finally lay the environmentalist’s faulty theories to rest.

After investing so much into the “green” movement, do you think the environmental doomsayers would have any desire to debate their message that “the Earth is going to hell in a handbasket due to pollution; and if you don’t let us fix this, we’re all going down?” No, they have worked too hard to ingrain it into our minds. Even one of my favorite actors, Leonardo DiCaprio, is in on this gig! Although, I bet he thinks he is actually saving the environment.

Where people like Gore look to profit monetarily from the “green” movement, the Obama administration looks to use it as a control mechanism. They hope to be able to tax citizens, regulate companies, and use the “green” movement to further their mission: control the United States (and the world?) by saying, “We know what is best for you, and if you don’t get in line, the sun will melt you!”

Several of Obama’s appointees are admittedly Marxists and socialists. President Obama appointed Van Jones, who has since resigned after his communist and Marxist past surfaced, to the position of “Green Jobs Czar” for the White House Council on Environmental Quality. Jones’ book The Green Collar Economy received rave reviews from Al Gore. Imagine that! Who knew that something so innocent and seemingly good as the “green” movement could be used for such diabolical purposes as a socialist and communist agenda?

Everyone likes the idea of cleaning up pollution and saving polar bears. It is a good cause. But the next time you see a commercial, movie, or speech pushing what you will hopefully recognize as a method of control disguised as “saving the environment,” be wary.
MARIJUANA: States need comprehensive guidelines

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Eric H. Holder Jr. stated, “It will not be a priority to use federal resources to prosecute patients with serious illnesses or their caregivers who are complying with state laws on medical marijuana, but we will not tolerate drug traffickers who hide behind claims of compliance with state law to mask activities that are clearly illegal.”

While this appears to shed light on the cloudy nature of medical marijuana law, the Department of Justice continues to prosecute people who fail to comply with state laws and regulations. But the vague, and often contrary, nature of the local laws may offer a defense. Caregivers, patients, and even arresting authorities are unclear as to what constitutes a violation.

The issue is exacerbated by the fact that most local authorities harbor different perspectives on the issue. Steve Cooley, the district attorney in Los Angeles, is adamant about shutting down dispensaries. He stated this week that “[a] collaboration of numerous agencies, including federal, state and local police agencies, county and city prosecutors, will combat the proliferation of illegal medical marijuana dispensaries in Los Angeles City and County.” Cooley’s claim escalates a 2007 moratorium passed by the Los Angeles City Council which prevents the opening of further dispensaries; while the council has repeatedly extended the ban, it has not yet bothered to enact actual, permanent legislation. Of course, local legislators must be wary of frustrating state legislative purposes.

This inane pas-de-deux has continued in recent weeks as a Superior Court judge in Los Angeles issued an injunction on the ban. In response, the city council almost immediately drafted a new ordinance prohibiting all existing dispensaries formed prior to the previous moratorium. With more dispensaries than any other city in the country, the city council is doing everything it can to get this new ordinance passed. It seems clear that the city council is concerned that dispensaries enable otherwise illegal activity.

Voluminous research indicates several benefits that medicinal marijuana brings to people with serious maladies such as cancer and AIDS. On the other hand, there is a huge potential for profit in selling medicinal marijuana for recreational use; not to mention the risk of minors gaining access. If a state’s intent is to prohibit medical marijuana dispensaries, clear and cohesive guidelines are required.

A sign of hope?

By Lauren Hazarian
Sr. Opinion Editor

By now, I’m sure most Americans have seen the “Hope” poster that became exceedingly popular last year during the presidential election. For those who haven’t seen the poster, a brief description is warranted. The poster, created by Shepard Fairey, is a picture depicting President Obama using the colors of the American Flag, with his head tilted to the side, his eyes looking off to the distance, and “HOPE” written across the bottom of the poster. Last year, the “Hope” poster was available for purchase as a bumper sticker, a sticker, and a poster. Even today, if you look around on the freeway, you are bound to see several cars featuring “Hope” bumper stickers.

Although the poster was successful for Fairey, it has resulted in a legal dispute between him and the Associated Press. The dispute is over whether Fairey used a photo owned by the Associated Press, in order to create the “Hope” poster. In February 2009, Fairey sued the Associated Press claiming that he did not infringe the Associated Press’ copyright in the photo of President Obama, arguing that he artistically modified the photo. In turn, the Associated Press countersued Fairey claiming that he did not violate the photo’s copyright.

Until recently, Fairey denied any wrongdoing and claimed that he had used another photo, not the AP’s photo. This month, however, Fairey admitted that he had in fact used the AP photo to create the “Hope” poster. Since, rumors have circulated that Fairey’s attorneys are considering withdrawing the case. It’s anyone’s bet as to how this saga will end.
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Wednesday, November 18, 2009
6:00 pm to 10:00 pm
Contracts I - U.C.C.*
Formation, Defenses, Breach, Remedies

Torts I*
Intentional Torts, Defenses,
Negligence-Causation Emphasis,
Damages, Remedies

Sunday, November 22, 2009
Noon to 4:30 pm
Real Property I*
Concurrent Interests,
Future Interests, Adverse Possession,
Class Gifts, Landlord/Tenant

Friday, November 20, 2009
6:00 pm to 10:00 pm
Torts I*
Intentional Torts, Defenses,
Negligence-Causation Emphasis,
Damages, Remedies

Saturday, November 21, 2009
Noon to 4:30 pm
Civil Procedure I*
Judgment, Venue, Choice of Law, Hearings,
Joining of Parties/Claims

Wednesday, December 2, 2009
6:00 pm to 10:30 pm
Constitutional Law I*
Justiciability, Supreme Court Authority,
Commerce Clause,
Federal/State Conflicts,
Privileges and Immunities,
Separation of Powers, Due Process,
State Action

Thursday, December 3, 2009
6:00 pm to 10:30 pm
Evidence*
Emphasis in Relevance, Character,
Impeachment, Opinion,
Best Evidence, Hearsay, Privileges

*National University – Costa Mesa Campus
3391 Mission Boulevard - Costa Mesa (across the street from Whittier law School) - Rooms Parked in Lobby

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- 1L Bundle Price for 3 Classes: $160.00
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GREEN: Obama and a sustainable balance

From Page 7

energy technology. This funding may awaken a sleeping giant. No country is as prepared to develop such technology as quickly as the U.S., given our supply of trained scientists and supporting research institutions.

One symptom of America’s rapid growth is wilderness degradation. Though government development interests sometimes outweigh a need for wilderness preservation, such interests cannot be granted absolute privilege at the expense of preservation. Without government initiative to protect certain ecologically sensitive areas, such areas would undoubtedly fall to development groups. In that spirit, President Obama signed the Omnibus Public Land Management Act into law. This bill will protect two million acres of previously unprotected land as wilderness. It also expands the national trail system, protects the land from logging, mining and oil leasing, and authorizes a coordinated federal research program concerning ocean acidification and coastal protection.

It is also a priority of the Administration to further international environmental negotiations. Global negotiations are necessary given that resource depletion and environmental degradation are global issues. The largest countries in the world have realized the need for environmental sustainability since the early ’70s, but little has been done to address those needs. But now that the need to address environmental concerns has crystallized, negotiations have intensified. All of the largest polluters realize the dangers associated with pollution and resource depletion, even if the low-on-facts-yet-high-on-opinion Glenn Beck faithful do not.

The Obama Administration has also made strides to mitigate actions of the Bush Administration, which made several disastrous changes at the eleventh hour of its reign. For instance, Bush eliminated the requirement for federal agencies to consult with professional scientists at the U.S. Fish and Wildlife Service or the National Marine Fisheries Services before taking action which might threaten endangered species, effectively gutting the Endangered Species Act. Obama reinstated the mandatory consulting procedure. Obama also ordered the EPA to reconsider the decision to deny California a waiver to regulate its own tailpipe emissions and reversed the Bush rule that opened the door to mountain-top removal coal mining. Both were important changes that will instigate a move toward cleaner energy.

Another of Obama’s top priorities is to respect and further science. Scientific findings have clarified the cumulative negative impacts human societies have on the planet. Scientific research provides the data that facilitates informed decisions regarding the environment. Despite the crucial fact-finding role science plays, roadblocks and hurdles dotted the path to the legislature during the Bush Administration. Ignorance is not bliss when the repercussions could rob future generations of a healthy environment. In recognition of the importance of science to truth-finding, the Obama Administration dedicated over six billion dollars to fund scientific research, advance technology, and create job opportunities in the field of science. This commitment to knowledge will lead to better informed debates and will provide more certainty for an acting legislature – worthy goals regardless of one’s political beliefs.

President Obama still has a long way to go to follow through with what he started. But as someone who has witnessed the U.S. (one of the world’s biggest polluter) treat the health of the global environment as an ancillary issue not worthy of legislative diligence, I applaud Obama’s initiative to care for the environment. For the first time in almost ten years, an administration is performing real diligence – in dollars and in legislative attention – to environmental needs. It is an old axiom that you should not bite the hand that feeds you. The environment provides humans with everything we need to persist: from the wood framing in our houses to the food we eat. To not ensure a sustainable balance between resource use and resource conservation is to fail future generations. With regard to working toward a sustainable balance, Obama has done very well.
young Max is building an igloo fort in his front yard, sitting in a classroom while his teacher lectures about the inevitable end of the world, or destroying his sister’s room, the line that separates character from actor is almost invisible. “I’ll eat you up!” Max screams at his single mom (Catherine Keener) after feeling ignored when she brings home a date. Though the director sprinkles the obvious Freudian references throughout the film, Jonze refrains from emphasizing such an adult context, focusing instead on Max’s development through his interplay with the Wild Things.

In his mind, Max runs away from home and sets sail in a rickety boat for what seems like days. He lands on an island and discovers a posse of SUV-sized monsters identical to those illustrated by Sendak. The Wild Things instantly appoint Max their king, allowing him to make laws, give orders, and administer a daily rumpus.

Although Max’s adventure is purely his fantasy, there is never any doubt that the imaginative young lad’s experiences are real. The diligent cinematography of Lance Acord and the bouncy, free-spirited musical score by Karen O, lead singer of the Yeah Yeah Yeahs, facilitate the reality of the piece. However, one cannot deny that the Wild Things themselves, who both looked and sounded brilliant, brought the movie to life. Large-scale puppetry might not seem genuine, due mostly to the fact that a puppet the size of an Escalade would have trouble moving freely and would probably look like Jabba-the-Hut when speaking. However, through the resourceful Jonze’s use of CGI to control facial movements and difficult stunts, such as jumping thirty feet in the air or smashing a hole through a tree, the Wild Things appear as highly versatile creatures on screen. They roar terrible roars and roll terrible eyes. The voices of James Gandolfini, Catherine O’Hara, Forrest Whittaker, Chris Cooper, Paul Dano and Lauren Ambrose prove ideal matches as the six principle creatures, all of whom represent one of Max’s developing neuroses.

Eventually, like Dorothy and Alice before him, Max realizes there is no place like home and crawls back out of the rabbit hole. As Max steps into his imaginary boat and waives goodbye, his farewell to the Wild Things is arguably the most emotional scene in cinema history to involve interspecies howling. For the second time, this story became an instant classic.
Don’t let LRW rules throw you a curve

By Jonathan Mason

When students ignore or deliberately manipulate a school policy in their pursuit of a top grade, perhaps it is time to question the policy itself.

The law school administration and the Legal Research and Writing (LRW) professors directly, and plainly inform law students of the LRW “Assistance with Assignments” course policy. The policy states that no person, except a student’s LRW professor and Academic Fellow, may review or edit a LRW written assignment. While a student’s LRW Academic Fellow may, with limitation, orally review a draft for a graded assignment, no other students, professors, attorneys, paralegals, judges, senators, therapists, parents, spouses, kids, or dogs may help with a graded written LRW assignment in any way.

However, several students during the first graded LRW assignment (a closed research Office Memo worth 35 percent of the final grade) claimed they were unaware of parts of the policy. While there is no evidence that these students did in fact receive help from outside sources, the circumstances bring to light significant issues relating to the fairness and the potentially far-reaching consequences of a curved LRW grading system.

The traditional law school curved grading policy makes sense for traditional courses but many students question the fairness of the curve in LRW. The LRW curve certainly creates an incentive to research thoroughly, write early, and redraft; all in an effort to submit a better memo than their fellow classmates. This competitive reality presumably forces students to work harder and longer at legal writing, thereby producing better legal writers who can leave law school with superior writing and research skills that will greatly benefit their clients. Yet some students argue that the competition to beat the curve creates incentives to ignore the course policy because it is based on the honor system and largely unenforceable. Absent this policy, students would be able to take their writing to other students and legal professionals and, some will argue, might even become stronger legal writers in the process.

Students also argue that the LRW course should drop the curve altogether and adopt a pass/fail system, a grading policy espoused by Yale, Penn, and several other top schools. This would allow professors to grade student work, determine grades on a pass/fail basis, and therefore lighten the burden of grading.

Don’t let LRW rules throw you a curve

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MEDIATION: Students learn skills to settle disputes

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The Laguna Hills Courthouse. The judge presiding over civil harassment and other limited civil cases often orders the parties to mediate. Judge Flynn believes mediation is a great opportunity for parties to resolve their conflicts on their own terms. As a result of mediation, parties have devised unusual and creative means to help resolve their conflicts which judges at Laguna Hills have honored. Students in the Mediation Clinic work under the CSP (Community Service Programs). After a simple background check students become certified court mediators under the CSP. Maria MacDougall, a supervising mediator of the CSP, welcomes new mediators and offers optional training and assistance.

Professor Dowling, a former student of Chapman University School of Law, is in charge of the new Mediation Clinic. Professor Dowling says that the purpose of the clinic is to provide students with the opportunity to handle real litigants, real cases, and real problems. The clinic is also meant to provide a service to the community while decreasing the burden and case load on the local courts.

One of the students in the clinic, Jewel Singleton, has stated the following about the clinic: “I am so happy I took this course. I am learning how to deal with real people, and I’m learning how to use techniques that really work in assisting parties to reach an amicable agreement.”

As a third year student I am very happy I did not miss out on this clinic. Enrolling in the Mediation Clinic was one of my best decisions in law school. I am now able to frame questions and pose solutions to very complex issues in a form that encourages settlement and innovative thinking. The ability to effectively deal with a dispute is something everyone should learn. Professor Dowling will not only teach you the skills needed to mediate but he will co-mediate with you until you are ready to solo-mediate. The Mediation Clinic will allow you to put the law books aside and empower yourself with skills to effectively settle disputes.
Career Services in Orange County and Beyond

By Alex Samofalova
Jr. News and Features Editor

For those who live in Orange County, Chapman University School of Law is well known and has a great reputation. So what is the school doing to reach beyond the local community? Chapman Law’s Director of Career Services Suzanna Adelizi shares Career Services’ plans to further the goal of expansion and recognition.

Career Services is publishing a Resume Book which is sent out to about 120 small to mid-sized law firms. In the past, the book was a hard copy and proved costly to distribute. Now, the book will be sent in electronic format, allowing a larger number of firms to have access to Chapman students, making it less costly and more efficient.

In addition, Career Services spends a lot of time setting up meetings, attempting to establish a relationship with employers in Los Angeles, Riverside, and Long Beach counties by meeting with them in person. Also, they meet with faculty and administrators and are active in numerous Bar Associations seeking to maximize their impact. A particular effort was made by Dean Eastman to provide students with membership to the Los Angeles Bar Association. Every month, Career Services attends a Los Angeles recruiter meeting, getting together with recruiters from big law firms.

Chapman is regarded as a school with great professors, students, and a wonderful campus. Chapman also has various academic programs that aid students in focusing their passion in a particular direction. One such example is the Entertainment Law program. Recently, the program was introduced to the Los Angeles Bar Association. In the words of Suzanna Adelizi, the association was “blown away,” and now wants to visit Chapman to learn more. The Long Beach Bar Association, recognized for being a close knit community and having a strong interest in Maritime and Admiralty law, is also a focus for Chapman. Another example lies with our well-known Tax Law program, which is being introduced through a tax law session where professors and students set up CLE presentations to various firms.

Career Services is planning quarterly field trips for students to meet attorneys and build contacts. They are leveraging communications with faculty to use their contacts in all types of law. They sponsor events, such as hosting happy hours with Chapman alumni in West Los Angeles, where students can concentrate on building a professional network. So far, these methods have gained the interest of a dozen or so new employers.

Chapman is making great efforts to broaden its reach, but it is critical, says Suzanna Adelizi, for students to take an active role. Speakers are usually scheduled during lunch time for the convenience of students; but if students do not attend they will gain no value. Enthusiasm is important to those who visit Chapman as well as to those who invite Chapman students, administrators, and professors to their events.

Suzanna Adelizi
Director of Career Services

Suzanna Adelizi
Director of Career Services

CURVE: LRW grading policy prepares students for legal profession

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fail students who put in minimal effort, and provide feedback, while largely making obsolete the “no outside help” policy. The catch is that many pass/fail LRW courses are taught by 3Ls instead of professors with actual research and writing experience. Where LRW is less competitive, there is little need to employ strong legal writers like those who teach LRW at Chapman.

While some students may flout the current policy, a system absent this policy certainly raises fairness questions relating to certain students having greater access to attorneys. It could also be said that such a system without this policy would undercut the very purpose of LRW because there would be less of a guarantee that the student did the work and became a better legal writer in the process. Ultimately, the curved LRW grading policy likely prepares students for the legal profession more than any other course by helping them become strong, focused, and persuasive legal writers. The law is competitive; the attorneys who draft the strongest memos, motions, and arguments tend to carry the day. In the long run, those who conduct the best research, draft and redraft, and submit their best work will likely earn the best LRW grades and become the strongest legal writers. Perhaps this is all the incentive a good law student should need.
it I am on deck. The man ahead of me, wearing a wet, tan trench coat, places his brief case on the conveyor belt and begins to walk through the metal detector. Before he is able to cross the metal detector’s threshold, he is asked to stop by an intense-looking United States Marshall.

“Would you like to take your shoes off, sir?” the Marshall says.

“Sure, sorry,” replies Mr. Trench Coat in a meek voice. What a funny question. Or was that a command? I like laying on the beach, playing the guitar or reading a good novel, honestly I would rather not take my shoes off. In an act of good faith, however, I slip off my dress shoes and give a nod to the Marshall who just flexed his power over footwear. As it happened, Mr. Trench Coat had not removed his steel belt buckle, thus setting off the metal detector. I look down at my feet to pass time while the belt buckle situation is resolved, only to see my big toe poking out of my sock, staring right back at me. Wonderful.

With the belt buckle crisis averted, it is now my moment in the spotlight. My cell phone and wallet are out, I.D. in hand, and shoes off, as I shuffle across the cold marble floor to the X-ray conveyor belt. Three strides into my trek through the security area, I am fortunate enough to step into a puddle of water left by some rain-soaked person. Today is already not going my way. Standing there, with wet socks and a bare toe, I begin to wonder why my feet are being subjected to the elements.

I approach the X-ray conveyor belt station, place my goods in the bin, and ask the U.S. Marshall a question, a proverbial fart in church. Chalk it up to a lack of sleep, no coffee, wet feet, or general curiosity to a fault.

“Why do we need to take our shoes off, sir?” I ask.

Instantly I have the attention of all five U.S. Marshalls running the security station.

“Well, take a look at this photograph son,” the Marshall says, holding up a printed X-ray image of a boot with a revolver in the heel.

“Wouldn’t that have set off the metal detector in the first place, sir?” I further inquire.

“Yes, it would have, though it is easy to hide things in shoes. Also, many shoes have metal support shanks in them, which would require them to come off anyways.”

“Sorry,” I say. “I was just wondering. It just seems like people get so worried about bombs in shoes, they expect them to be checked in the name of safety. It makes people feel safe.” Mentioning the word “bomb” in this situation should be George Carlin’s eighth word not to be said, however I continue on my way.

Metal support shanks in shoes have been commonplace since they were patented in 1979, so this is clearly not a new rationale for taking our shoes off. Sure, it may be possible to hide things in shoes, but what about a large trench coat’s ability to conceal a Ford Pinto on a person?

I eventually make my way upstairs to my externship, a happy ending to the day, although I am still left wondering why our shoes must come off. I am all for safety, seatbelts, bike helmets, airbags and the like. Requiring shoes to come off, for the sake of making people feel safe, should not be a rationale for the inconvenience of cold feet.

If there is a limited amount of time that a security guard can spend searching someone, it should be well spent.
Student Bar Association: Why should I care?

By Jared Kelly

You may hear “Student Bar Association” (SBA) and either keep moving or ask a similar question. Everyone has schoolwork to do, grades or the Bar Exam to stress over, and maybe a job or a life off-campus to attend to. Whether you were ever interested in student government or grew disillusioned with it years ago, student government requires a daunting commitment and affords little recognition. The Chair of Academic Affairs, Amy Sakowski, admits, “Not many will be aware that you hold your position or that it even exists.” One could liken the Chair of Academic Affairs to a ninja, lurking in the shadows, running around, secretly making moves that effect desired political results. In the same way, members of student government are working behind the scenes as unsung heroes doing their time in order to make Chapman activities happen.

The SBA, as a liaison between students and faculty, confers a variety of benefits on the Chapman populace. The facilities, including the lounge and computer lab, fall under the duties overseen by the Student Affairs committee. Issues such as Chapman’s scholastic averages (currently 2.8, with the goal of bolstering it to, say, a 3.0), or that of 1Ls stuck with 5 classes in a single day, are also areas of interest to the Chair of Academic Affairs. SBA organizes events, such as En Bancs, Bar Reviews, Big Sib Programs, and the Barrister’s Ball. The SBA is also responsible for budgeting student government funds, managing and enforcing procedures, interacting with alumni, and creating your own. This can be done by petition. Once preliminary requirements of a constitution, bylaws, and at least 10 members have been satisfied, the organization will then need to be approved by the board. Appropriate categories for student groups are: academic/professional, ethnic/cultural, religious/spiritual, or recreational/leisure. If you don’t want to start an organization but you have a special interest you wish to share with the Chapman community, you also have the option of throwing events based on your interests that might be beneficial to other students. SBA funds are available for hosting these events, provided your interest involves a reasonable and justifiable cause.

Whether as a means of stress-relief or a further extension of your professional interests, there are many opportunities for fun and networking provided by your Student Bar Association. You are already a member so why not take advantage of what is offered? To find out more about upcoming SBA events, add SBA as a “friend” on Facebook, where you will receive invitations to upcoming events. Students are also welcome to email suggestions and requests to sba@mail.chapman.edu. Because the SBA is part of a democratic process, students are encouraged to attend meetings, which are held every 2 weeks on Sundays at 6 pm. Upcoming SBA events are also advertised in The Writ. The SBA invites you to get involved today! Visit the Chapman School of Law website and look under the “Student Resources” tab for further information about your SBA.
AUSTRALIA: School offers study abroad in Byron Bay

To enhance their law school experience with an unforgettable international networking opportunity.

In addition to experiencing an unbeatable networking experience, participants also earn three academic credits over a ten day period. However, in line with true Chapman Law tradition, students should be prepared to engage in rigorous coursework. In addition to attending classes, students are required to take an in-class final on the last day and write a 15-page research paper, due approximately two months after the program ends.

For students interested in attending, the three thousand dollar tuition may be paid with financial aid funding. In fact, the one thousand dollar per credit rate actually costs less than taking a regular course at Chapman Law!

Chapman students also have the option to study abroad in the two highly regarded programs taking place in Cambridge, England and Tel Aviv, Israel. However, a major distinction of the Australia program is that, unlike the other two programs, this program is scheduled conveniently during winter break. Thus, there are no conflicts with summer jobs.

Professor Bazyler also reminds us that the Byron Bay program is “an opportunity for students to take international law courses abroad and feel that they did something very different in law school that they will remember for the rest of their legal careers.” If that isn’t enough incentive, there are always the world-class Byron Bay beaches for all you surfers and beach aficionados out there.

The view from the beach in Byron Bay, Australia

FINALS: Expect to be stressed

In the library and then determine which ones are helpful and which ones aren’t.

Another helpful tool to prepare for finals is taking practice exams that some professors provide on reserve in the library. Taking these after you have outlined and studied will help you evaluate your knowledge on the subject matter. Some professors provide sample answers; examine them and compare them to yours. The areas that you struggle with will quickly become apparent. Often sample answers will also convey a lot about what a professor expects out of an answer with regards to format and structure; take note of this and organize your answer accordingly.

Some professors offer review sessions at the end of the semester - go to them. If you studied beforehand and have specific questions - ask them. If your professor doesn’t offer a review, they do have office hours - go to them. Ask questions about the test or any substantive questions you may have.

Another alternative is to pay a visit to your dedicated academic fellow. If they have taken the professor, then they might have some hints on how their tests are structured.

Again, these are just suggestions. The important thing is to see what works for you and to figure out what your professor is looking for. If you don’t get it right this semester, then try something different next semester. If you are lucky and you get it right, stick with your system and make minor improvements where you can.

Law school finals still suck, even if you are well prepared. They are stressful, and there is no way to get around that. However, you may be able to mitigate the terror by focusing on what you can control: how you prepare. You can make finals not only a challenging experience but also an opportunity to improve your knowledge and understanding of the law. You may even learn a thing or two about yourself along the way.
Need a tutor for any or all of your courses?

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