

9-2002

De Novo, vol 1, no, 1, September 2002

New York Law School

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New York Law School, "De Novo, vol 1, no, 1, September 2002" (2002). *Student Newspapers*. 86.
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Who Am I?

The L, our former student newspaper, and its staff are no more. Instead we bring you *De Novo*, a refreshing new approach to student papers. We are not law school investigators looking to uncover every administrative mishap. While we will have articles concerning school, we want to offer much more. *De Novo* will be a break from the day, a chance for you to breathe a little and smile. Look for articles about life, love, the city, original stories, random information, games and mayhem. Law school can get pretty serious, *De Novo* wants to lighten things up a bit.

We invite you all to participate. The paper is our community paper and so it can only be at its best

when the community participates. There is room for everyone and whatever talent you may have to offer. The only prerequisite is enthusiasm and commitment. Law school goes by fast and before long the current editors will be gone. We will want people to carry on the *De Novo* name.

Most importantly, WE NEED WRITERS! If you are here then you can write. So take up your pen or sit at your keyboard and start writing something. The time to get involved is now.

On behalf of *De Novo* we welcome the class of 2005 and 2006. Have a great year and remember this moment is always new.

Moot Court

THE CHARLES W. FROESSEL COMPETITION

2 0 0 2



THE FOUR FINALISTS:
FROM THE LEFT

PETITIONERS,

JOHN TATULLI,

AND

SUSAN EYLWARD

RESPONDENTS,

NOAH MELNICK

AND

CHRISTOPHER

YAPCHANYK

By De Novo Staff Writer

The only thing missing from the final round of the Froessel competition was a play-by-play announcer and maybe 40,000 fans. However, it felt like game 7 of a subway series with the same energy, excitement and oo's and ah's. Between the judges trumping each other by asking harder and harder question and the advocates coming back with poised artful answers it was hard to figure out who was actually competing.

It was obvious that the final four advocates deserved to be there. Other than rare moments in class where student and teacher debate back and forth one does not usually get to see his or her classmates in action. Watching friends and fellow students argue with the passion, intelligence and charisma that they did was inspiring. It was a fine display of oral advocacy that made all who attended proud. As 1L, Daphne Schlick, asked me "these are only

second years?"

Honorable Denny Chin, District Court Judge for the Southern District of New York; Honorable Sydney Stein, District Court Judge for the Southern District of New York; Honorable Berle Schiller District Court Judge for the Eastern District of Pennsylvania; Dean Matasar and Professor Nadine Strossen served as justices in this year's competition.

The four finalists, Petitioners Susan Eylward and John Tatulli, and Respondents, Noah Melnick and Christopher Yapchanyk emerged from 54 competitors. The Froessel Co-Authors were Adam Brown and Marina Hoppas and the Co-Chairs are Miye Johnson and Dawn Kulick.

While the respondents won Best Team and Noah Melnick walked away with Best Speaker, to say that Petitioners lost would be injustice.

De Novo wishes all the new members of the NYLS Moot Court Association all the best.

"As I Was SAYING..."

by Richard A. Matasar,
Dean and President, NYLS



I love the summer. It's hot outside, but we have air conditioning for relief. We go to work, but every day is casual Friday. The law buildings are kind of empty, but it's easy to find parking. Life goes by slowly. There are flowers to smell. Baseball (when it isn't on strike) is the sport of the day, ambling along at a three hour pace. Restaurants have reservations available without the need to book a month in advance. What a leisurely pace!

Frankly, I'd rather have my eyeballs poked with sticks. Give me the movement, the excitement, the lightening pace, the life of New York Law School at full tilt. The best part of the summer is that it ends and gives every action junkie a fall fix-back to school, pick up where we left off, welcome new students, begin new initiatives, and face daily challenges. That's the real life!

As I was saying last spring (before the summer rudely interrupted), this is New York Law School. We're on a mission to get better. We can't wait to get there. And, we're having fun every inch of the way. We begin this school year with the largest entering class in New York Law School's history. With 700 more applications, 300 fewer acceptances, and 120

more students, we're a "cosy" (a nicer word than overcrowded), hot law school that people are recognizing for its fearlessness. New students are joining a student body that has overcome adversity, embraced the rigors of professional study, and committed to professional development. Together with the faculty and staff of the law school, these students are part of a great experiment in moving legal education forward.

The editors of this newspaper have announced that it will have a new name and attitude—*De Novo*. How fitting. *De Novo* means "anew," "afresh," and "second chance." This is New York Law School itself. We start anew this year—with new faculty, an innovative honors program, the comprehensive curriculum program, evolving curricular niches, the administrative liaison program for first-year students, the emerging Office of Professional Development, an aggressive approach to career planning, a new logo, and our own new attitude.

New York Law School rightly claims that it is a place to Learn Law and Take Action. What is demonstrated every school year is the breadth of this credo. Students, faculty, and staff are engaged in every aspect of the profession. They are involved in public interest, in the corporate world, in voluntary activities, in profit-making ventures, in making the city and country a more just place. The range is stunning. It hammers home a simple point: New York Law School offers the right program for each student. Welcome back.

EVIDENCE FOR SALE

The Los Angeles Times reports that lawyers are bidding, often against each other, for evidence on EBay. The EBay items most popular with lawyers are commercial and household artifacts, historic corporate documents, product catalogs and maintenance manuals that can be used in connection with proving the performance of a product. Asbestos attorneys are especially-active EBay users. There are dozens of auctions every day relating to asbestos. Recently, a 1949 plumbing supply catalog with a section on asbestos products went for \$350. A wiring materials catalog with advertisements for asbestos products went for \$1,325. Said one plaintiffs attorney, "There is no better place to shop and buy real evidence than on Ebay."

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AND THE REASON IS?

By Lisa Petito



As I started the second year of law school I realized I was not the only 2L with this burning desire to know the reason why. As first years we were innocent, naive novices who did not know any better, we believed everything that we were taught was golden. Who knows...maybe for the third years the question has been answered. But for all the 2L's who are still in the dark,

maybe we can get an answer.

Last year we took two semesters of legal writing classes, and another half a semester of legal research. It was drilled into us citations! Citations! Citations! It was clear we had to learn citations in order to be successful lawyers. Every space, period, and capital letter was crucial. It was imperative to learn citations, and we did. The problem was, we learned citations the wrong way. So the million dollar question is: Why are we taught citations from the Association of Legal Writing Directors (ALWD)

Manual? The rest of the legal profession uses the Blue Book citation format. Moot Court, Law Review, the Journals, and most importantly the real world use the Blue Book citation format. So why are we not taught the Blue Book citation format?

For those lucky enough to make one of the organizations mentioned above, they are forced to learn the correct citation format. But what happens to those who do not belong to those organizations, those who believed they were taught the essentials to be a successful lawyer during their three years here at NYLS, only to find upon employment, that they were sadly mistaken?

REFLECTIONS...

By Dwight Day



It's the beginning of another school year when we look forward to whatever we law students, professors, administrative staff, and the rest of the NYLS community look forward to. It's especially exciting for me because it's my final year. In nine months, another class of students will graduate. Two months later that same class of students will take the BAR and wait to see if they are admitted to practice in the various jurisdictions. Only this time, I will be a part of that group. Next year or

the following year it will be you.

I remember very clearly my first day at NYLS. I remember my very first class too. I remember Prof. Purcell's drawing on the blackboard -- explaining away personal jurisdiction. I can see Prof. Saltalamachia in Torts, and Prof. Dubinsky in Contracts. He loved to call on me. Then I had Prof. Zeigler in Lawyering and how can I forget Prof. Eisen and Ruscher for Legal Writing and Research, the class I hated the most. Yes, it was a heck of a semester. But I survived. How different it was from my last semester when I got my best grades ever and when I realized that Constitutional Law was not for me, no matter who the professor was. I came to NYLS shy, but am finally finding my voice. The Socratic method worked after all.

Now I see so many faces that have become familiar. The day division and the evening division overlap. I finally realize that we are all in the same boat but with different destinations in mind. By the time you get to 3L there are no more sections and you are forced to mingle even more. If you are lucky you might develop new friendships. After all, this may be your last chance before you find yourself in the real world of advocacy.

For those of you just joining us you will see that NYLS is not a bad place to be. In fact, I am happy that I am here and I will miss it when I am gone. As one writer said in his article, "law school is not for those who finish first but for those of us who survive to the end." Have a great semester.

ARE YOU SERIOUS?

By David Steingard



Most people don't bother me even if they do possess certain traits that would generally drive the population up the wall. If someone is uncouth I don't take it personally. I figure they have to live with themselves and life has a way of working those things out. However, there are things that get my blood boiling.

I hate when I'm walking down the street and I see someone carrying a really small dog in his or her arms. I can't think of many things more frustrating than that. Maybe I'm not sophisticated enough. Maybe carrying your dog is very posh and I'm just out of the loop. Maybe it is the inherent absurdity of the act itself. Maybe my mind is too small to

get around the fact that this human being is actually carrying an animal down the street. Not a sick animal or a legless animal but one that is supposed to be walking.

They carry it like it's a baby, but it's not. It's a DOG! I don't know why they do it. Is it because the dog's legs are too small to make any real progress? Is the owner impatient with the dog? If that is the case why have the dog in the first place? I am writing more questions than answers because I cannot for the life of me figure this one out.

The truth is the dog is not my real concern. I don't even think dogs should be allowed in the city. My real concern is the person who has convinced themselves that this behavior is okay. I don't really understand how they got themselves in this predicament in the first place. Did they miscalculate the size of the dog, the length of walk and the place where they live? The

point of the walk is to get the dog to exercise. By carrying the dog you provide no reason for the walk in the first place. Put the dog down and let it walk or just get rid of it. Get a hamster. It's about the same size and you don't have to take it out of its cage.

The fact that this person is willing to make the extra effort to care for the "semi-dog" is valliant. But why not get an orphan baby and carry them around the city for a day. I could understand that. When you arrive at your restaurant don't tie them up, but feed them. Job well done! The point is dogs are meant to walk on their own. Is society completely reversing everything that makes sense? Are we now supposed to carry things that can walk and let walk those things that need to be carried? These are tough questions.

De Novo

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De Novo is the voice of the New York Law School community. We keep the community informed and entertained. De Novo is an independent, student-run newspaper and is released once every month while school is in session. The paper welcomes contributions from students, faculty, alumni, staff, and all members of the NYLS community. Please include your name, telephone number and e-mail address with your submission.

The Editors-in-Chief have sole authority for the content of the newspaper. All inquiries or complaints should be directed to them at the address below.

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DISPELLING THE MYTHS OF 1L

by David Freylikhman
For some of us 1L conjures up memories of late nights studying, worries about lengthy readings, concern over grades and the competitive nature of law school. It seemed like first year would last forever and then there was a question over whether it really got better afterwards.

There was the plaguing thought that if you're not in the top 10% or even the top 25%, you wouldn't find a job. There was the concern over a cut-throat atmosphere and having no time to manage your work. Oh and lectures-what about that guy? There's one in every class and he's armed with comments, an outstretched hand, and an answer to everything. Sometimes he'll even shoot you a look or try to cut in while you are speaking.

Eventually you realize that 1L is not as bad as you thought. You embrace the law school taxonomy and find your own place. You find that people are overwhelmingly friendly. You find that everyone secretly hates that guy...I think. (And don't be intimidated - he's not necessarily the best exam taker and most of his comments may just be coming from Legelines). And everyone does, in fact, find a job-regardless of their rank. You realize that 90% of all lawyers didn't graduate top 10% and you learn to reconcile your own place.

I went to UMASS, a large undergraduate school, where lectures consisted of half the class

doing crossword puzzles from the school newspaper. Professors didn't care, let alone call on anyone.

So for me 1L was a gamble in class; so much even, that I tried to choose my seat in a part of the room that I thought I could be left alone. But eventually, almost everyone gets called on and when I did, there was never a problem. In fact, no matter what you say, the rest of the class could care less. They're relieved it wasn't them and will usually congratulate or console you afterwards.

The best way to avoid being called on is volunteering answers. Jumping out at a few easy questions may be enough to keep the professors away and you don't even have to say anything remotely intelligent. People volunteered some asinine stories last year that only made class a little easier to sit through, and occasionally amusing.

Then there's the issue of outlines. People go outline crazy-I definitely did. Mine ranged between 60 and 140 pages...drawing gasps and laughs. Did it help? Yes...was it worth it? No. I put so much into those pages that it became impossible for me to learn. You would be better off summarizing key points and putting it into a few pages to glance and review. Not to mention - It won't take you forever to do.

So don't stress, don't panic and pace yourself. Remember to breathe.

Just remember that law school is

not for those who finish first but rather for those who endure till the end. Along the way, you forge friendships, discover new career paths and test your limits. For me 1L was a good learning experience where many of the best lessons came from outside the classroom. Does it get better after first year? Well, I am not sure it was so bad to begin with.

LaLSA

Latino Law Students Association

WELCOMES BACK ALL RETURNING STUDENTS AND WELCOMES ALL INCOMING STUDENTS FOR A SUCCESSFUL YEAR

DON T FORGET TO SIGN UP AT THE LALSA TABLE ON CLUB DAY AND STAY TUNED FOR OUR FIRST GENERAL MEETING COMING VERY SOON!

MAKE ROOM FOR SECTION D

By Staff Writer

If this is not your first semester at NYLS, you may have noticed that it seems like there are more of us here. Well it's not a figment of your imagination. The administration has added a new day section, Section D.

According to Kenneth Norz, Director of Academic Affairs for Curriculum, a new section had to be created because there was a need to accommodate all the students who decided to enroll. Professors were not affected in that

only one professor ended up teaching an extra session. There were additional legal writing professors hired to deal with the situation and two thirds of Section D has their legal Writing class at 8:30 on Tuesdays and Thursdays. "Law schools across the country are receiving larger number of applications and a larger number of students are enrolling." It's not isolated to NYLS," explained Mr. Norz when De Novo contacted him.

THE WRITING PROGRAM: FRIEND OR FOE?

by Omotolu O. Idowu

The New York Law School writing program. A necessary evil all students must endure if they are to graduate from the law school environment. This program has been criticized widely among the student body; but prior to another student's written outrage (as well as mine)during the fall 2000, I am not sure whether there has ever been public discourse on the efficiency and effectiveness of the program's teaching methods. I should have, but didn't, follow up on my earlier attempt so I am doing so now.

Over the course of this semester I would like to find out whether the writing program has changed since fall 2000 when I was a 1L. I am anxious to hear, not just from the 1Ls taking it this year but from members of the classes of 2003 and 2004. In the end, my hope is that it is a better and more instructive class than before. I remember that during my first week introduction to the class, our professor made a dismal speech that dropped the

enthusiasm and intensified the fear of everyone in the class.

It was the "legal writing is different from undergrad so most of you will do poorly at first" speech. Hopefully the current 1Ls didn't get this "set you up for failure" speech, and if you did, please write and let me know.

Seriously, most teachers cannot tell you emphatically enough how important legal writing is. Yet, why is it that so many students attend their classes, do their readings and assignments, meet with their legal writing professors and still not do as well year in and year out? I would like to know, wouldn't you? Opinions from all students, regardless of year, are welcomed. We would do a disservice to leave such a program, if run in the same way, behind for those who come after us. Please feel free to contact me at oidowu.s@nyls.edu with your comments, observations and experiences with the writing program.

ANNOUNCEMENT

NEGOTIATION COMPETITION: The topic for the 2002-03 competition is entertainment law. Registration deadline is September 27. Client counseling Competition. This year's topic is criminal law. Registration deadline is Oct 31. **NATIONAL APPELLATE ADVOCACY COMPETITION.** Registration deadline is Nov. 15. For further info on the Law Student Division's three national competitions, visit www.abanet.org/lsd

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THE ART OF WAR

by David Steingard

I want to be a trial lawyer, stand on the front lines and persuade judges and juries that my clients are in the right. Using language to elevate, motivate, and agitate. To change people's minds and to persuade the court; that is what I want to do. Had it not been for the Unemployment Action Center (UAC) I would have never had the opportunity to practice litigation this early in my law career.

The UAC is a necessity for anyone interested in trial work or labor related law. Currently NYU, Cardozo, Fordham, Hofstra, Brooklyn and New York Law all assist the UAC by providing advocates from their student body. The UAC offers free legal representation to employees who are seeking unemployment benefits. As an advocate, one works with clients to represent them. The process is an abridged version of what one may encounter as a litigator from interviewing the claimant, to closing arguments and everything in between. Unlike law school classes and moot court, one is afforded the opportunity to practice in a situation where people's immediate future is at stake. It forces a law student to quickly transition from a theoretical world to a practical one. The judges for example, range from very cordial to extremely jaded. One judge has been known to make claimants cry during hearings. However, they represent the range of judges one is likely to encounter in the real world. The chance to get reprimanded by some insane judge is actually quite valuable. The sooner one learns that it is not personal the more effective an advocate one becomes.

The moments I had the most fun this summer were objecting to everything and cross-examining

opposing counsel's witness. In unemployment hearings one of the most important responsibilities an advocate has is to protect the record. The record is all the evidence and testimony that the judge will use to rule on the case. Protecting it happens in two ways. One way is by filtering, if possible, any negative evidence or testimony against your client. Second, and maybe more importantly an advocate needs to watch for moments where your client is not being afforded their due process. Often times judges take the liberty of rushing cases or forgetting some little procedural thing like allowing the claimant to submit evidence or speak. Objections are needed to maintain those abuses for appeal. The objection is a very useful tool and personally my favorite way of accomplishing these goals. If used wisely, it can upset opposing counsel's tempo and derail, if not bring to an end, opposing counsel's line of questioning. It can also spark an argument between the judge and the other side, which is always fun. There is no telling what it will do beyond one's original intention.

It feels great to object the moment that a procedural or technical blunder has occurred. When it happens there is a little hesitation, because one thinks the other side could not have made a mistake, but they often do. Sometimes they are just trying to see how much they can get away with. Maybe the greatest feeling is when one does not even know what one is objecting to, but the judge sustains it. Even small hearings are adversarial and the atmosphere is charged. Objections annoy the other side and protect the client.

In these types of hearings almost everything makes its way into the

record. The rules of evidence are much more lenient than in a trial. The judge actually weighs the evidence based on his perceived credibility of it. Besides the actual evidence and testimony offered, he takes into account what the parties sound like, how they tell their story, and their appearance. The advocate's job is to bring into question the credibility of the testimony or evidence that is detrimental to one's client.

This issue of credibility is a major reason for the UAC's work. As an advocate one tends to represent people who cannot represent themselves. They may speak broken English or not speak English at all. They tend to be intimidated by the process and so as advocates we are their guides. The claimants we represent come into hearings with a couple of strikes against them, mainly for the reasons mentioned earlier. We help them appear credible by crafting their story and practicing with them. Also, by showing up with representation they appear more credible. It is very important to undermine the other side's story. For this task cross-examination can be very effective.

Cross-examination can either be the highest form of fencing where grace, poise and strategy leave you victorious. It can also be a "mosh pit" where brute strength and random movements leave you bloodied and on the floor. Physical wounds heal quicker than emotional ones. Once again the aim is to discredit the employer's testimony or evidence. The satisfaction of this task depends on the strength of the claimant's case. If the client's case is particularly strong it means that the opposition is lying about something. The key is having good questions, both prepared and ones that have

come up during the hearing. On "cross," one has never spoken to this witness before. One has no idea what they are going to say. So a cross-examination is uncharted waters. There is a sense of pride when one accomplishes this task well. It evokes feelings of being a soldier sent to the front lines and returning home with your shield, not on it. Cross examination is a sensitive aspect of the hearing.

The single worst thing an advocate can do on "cross" is to ask the "silver bullet question", think "A Few Good Men" "did you order the code red?" It is the question that one wants to ask. The one that spells it out very clearly for the judge and leaves nothing to the imagination. It is the reason everyone is battling in the first place. The problem is that it does not exist and one must learn that it does not exist. It never happens like it does in the movies. The opposing side will never repent even if asked in a really serious way. The danger is that the witness is unpredictable. If asked the burning question and they do not answer in the affirmative, the case is over. What a good cross will do is bring the witness right to the point where the only reasonable question is the silver bullet. The testimony elicited up until that point should leave the judge with only one inference or conclusion, that the claimant is right.

The benefits of being a UAC advocate are limitless. The quicker law students put theory into practice the better lawyers they will become. The sincere thank you from a client who can now live a little easier, pay the rent or feed their children is a wonderful gift. It is these experiences that make one appreciate the power of being a lawyer and a zealous advocate.

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LEARNING TO SWIM IN THE DEEP END

by Lisa Petito

In mid-September it is hard to think of securing a summer position for the summer to come, but for many of us it is not so hard to think back to the summer past, when we started our first work experience in the legal realm. Each student has had a unique experience in a wide array of positions ranging from working in a firm, to working for a corporation, to working as a judicial clerk, to reviewing and filtering attorney resumes, to working for the Unemployment Action Center.

I worked for the sole attorney of a chemical corporation in New Jersey. Initially, I thought I had secured the job when I worked in the accounting department at the same company the previous summer. Before I left, I spoke to the attorney telling him of my adventure to law school, and my desire to work for him next summer. "No problem, just let me know about a week before you want to start." Wow, that was easy enough! What a relief, one less thing I had to worry about during the academic year.

The "eager beaver" that I am, I contacted the attorney in early April, just to confirm my summer position. The response that I got this time was not so promising. He informed me that he may not have enough work to keep me busy all summer. Now what was I going to do? I thought the best way to find law firms was in the Yellow Pages. So that is what I did. I spent a whole day going through the phone book just calling all the firms in my area. This proved to be less than fruitful. Most places were either not interested, or had already hired their interns. I sent my information to those firms that threw me a bone and acted half interested only to never hear from them again.

I needed a back up plan for my backup plan, but I did not have one. It was April, I had to start preparing for my exams. I had wanted a job that paid but I needed legal experience too. I had to accept the fact that I might get either or neither. I knew my cousin was friendly with a judge, and my brother's friend worked as an attorney in a bank. It was time to start pulling strings. I asked them if they could put in a good word for me. I was given an interview at both places, but of course neither positions were paid. However, I would be getting experience and at this point it was fine with me. One week before school let out I received an email from the attorney at the chemical company saying he had enough work for me. Yes! Now I could get legal experience and get paid!!

The first day at work was kind of light. I was actually filing and organizing documents into different binders. I had hoped this was not the kind of work he had in mind for the entire summer. But the second day when I arrived at 7:30 a.m., I found a note on my chair that read "please review this contract and let me know in what ways we can get out of it, and what the consequence will be if we breach." I panicked when I read the note. The first thought that ran through my head was "Oh no!" "I wanted real work but I can't do this." Although that was the exact question on my Contracts II exam just one week earlier, I had studied for that exam but if I did poorly it was my problem. This was real life with real consequences, and someone was counting on me for the correct answer.

I sat down to read the contract, and thankfully I understood what it was saying, but if we are deemed to breach what happens? After reading the contract over a few times, I racked my brain for most of the day on what happens if we breach because it was pretty clear we could not get out of the contract without breaching. Finally I took from memory what I knew about remedies. I went through each type, *expectation*, *reliance* and *restitution*, just like a Contracts hypothetical, I wrote down what the remedy would be for all three. I even added what little I knew about the Uniform Commercial Code for remedies, which I was asked to make an argument for when I went in to present my thoughts to my boss. "Make an argument? I have no argument, all I know is that this contract is for things that are movable therefore they are "goods," which fall under the jurisdiction of the Uniform Commercial Code, right?" I tossed out a few terms like "buyers/sellers remedies" and "cover" and my boss seemed to be satisfied. I never actually found out how the situation turned out, which proved to be the most disappointing part of my summer work experience, but none the less I completed the task.

My next assignment was to draft a contract. Okay, I learned how to interpret contracts during my first year of law school, but I never learned to draft one! Again I approached this task with little confidence, but since my boss thought I was capable to draft a contract after my first year, then I should be able to. I found some sample contracts, and tried to think of the different parts that make up a contract. We need the parties, the terms, and some sort of consideration. The task proved to be easier than expected and after revising it with my boss, adding and deleting things here and there, the contract was completed. I actually had drafted a sale of goods contract that the company was going to utilize.

Working for a chemical company, I had the opportunity to work on many different types of projects, some more interesting than others, but all proved to be good learning experiences. It is a great feeling when you come to the realization that you possess certain knowledge or skills and people value your opinion because of that knowledge or skill. When my boss asked me what I would do in certain situations, or how I would proceed with different problems, it was an awesome feeling. It was even better when his response was "I think you are right," or "I agree."

I learned a lot from my summer position as a law clerk, but the most important lesson that I learned came from the words my boss said to me my last day on the job. "It is more important for you to give your opinion than for you to be right." I will always remember that advice especially at times when I am unsure of myself. Even if people do not agree with you, they will see that you know how to think.

PEOPLE'S OPINIONS ON POINTLESS PROBLEMS!

NEW YORK
LAW SCHOOL

the question:
What do you think about the new school logo?



"It's not that I dislike the new logo, but I prefer the old one because it has more character."

- Christine Wawrynek
2L



"I like the new logo, but it looks more like an undergraduate logo. The old one is more conservative and professional."

- Phil Biondo 2L



"The old logo is so parochial, graphics are out. The new logo is much more modern."

- Angeline Kwik
1L



"I like the old logo because it preserves the tradition of NYLS. The new one looks more like a trademark than a logo."

- James Burrell
1L



"I think it's ugly. I think the old logo looked better, it was sturdy and it symbolized the oldness of our school."

- Percy Gayanilo
3L



"I think the new logo has no character, the old one had character and it was symbolic of our school's heritage. It fit with the school. The new one just looks like bold print, it's too ordinary."

- Glenn Galati 3L



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YOUR
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6.45

HOW TO PREPARE FOR THE BAR EXAM WHILE YOU ARE STILL IN LAW SCHOOL

1. Find out now what subjects you have to master for the bar exam, and take those courses. The list of subjects on the New York Bar Exam appears at <http://www.NYBarExam.org/barexam.htm>.
2. Wait to say that you "know" a subject until you know it well enough to teach it to someone else. Flash cards are invaluable study aids for learning the basic principles really well. Start now, and don't stop reviewing.
3. Earn the highest grades you can. Bar passage correlates with grades in law school.
4. As early as the summer before your final year in law school, take bar review courses. The only book specifically for the bar exam essays is Scoring High on Bar Exam Essays, by Mary Campbell Gallagher, J.D. (Harvard), Ph.D. It is one of the textbooks in the LTS - Law Training Schools 7-Day Essay Intensive/Retaker School, for the New York Bar Exam. The St. John's Law School Forum called Scoring High on Bar Exam Essays "The best [money] you can spend on bar exam preparation."

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CONSULT KRYSIA

Dear Krysia:

I am a first year. My boyfriend and I have been dating for 2 years. He has been delivering pizzas since I met him. When I told him about law school he was outwardly excited for me but I think also a little threatened. I don't know what his career plan is but I am very set on a professional life as a corporate lawyer. I also told him that law school will be taking up a lot of time and we might not be able to see each other as much. That made him mad. I do love him but I feel that we are heading in different directions and maybe I don't have time for him in my life right now. Help me please.

Sincerely,
Delivered a Dilemma

Dear Delivered:

First and foremost, you have to do what's right for you. Law school is a very important step in your professional and personal life. Relationship troubles can be very distracting and can easily cloud everything else. You have to decide what you really want out of your relationship. Two years are not easy to throw away, but can you see yourself with this guy a few years from now when you're a successful attorney? While he may not have the most attractive job right now, it does not mean that he won't have one in several years. His delivery job should not be a huge concern, unless that's his life dream and you dread the thought. You have to worry about succeeding in law school and whether your boyfriend will hinder that. If he can't understand now that you have less time for him, imagine where he'll be in a few months when you're studying for exams!

Dear Krysia:

Is it true that if you are not in the top 10% of your class you might as well pack up and go home?

Sincerely,
Panic Stricken

Dear Panic Stricken,
Of course not! Just think about it - 90% of students are not in the top 10%. The school wouldn't be around if all of those students failed miserably in their professional careers. Granted, if you are not in the top 10%, your chances of getting a job in a big, top-paying firm definitely decrease. Even getting an interview at one of those firms will be more difficult. Yet nothing is impossible and grades are not everything. My advice to everyone - the top 100% of NYLS, is to have some initiative - our school offers so many opportunities that are neglected by so many. Network, take advantage of Career Services, be a research assistant for a professor, get a mentor, do an externship, join an organization that means something to you, find a good study group, and take a deep breath. Law school will be over before you know it and then the real world begins. Enjoy your time here and study hard. And if you don't make Law Review, fill your resume with other impressive credentials. Then you can unpack those bags.

DISCLAIMER: KRYSIA IS NOT A DOCTOR OF ANYTHING NOR DOES SHE CLAIM ANY PROFESSIONAL STATUS IN RELATIONSHIP ADVICE OR PSYCHOLOGICAL TRAINING. HER ADVICE IS BASED ON HER OWN INSIGHT AND LIFE EXPERIENCE AND WHAT EVER SHE MAY FEEL THAT DAY. FOLLOW HER ADVICE AT YOUR OWN PERIL.



PORTRAIT OF THE ARTIST AS A GOTHIC SCHOOL GIRL:

Teenage angst filled ramblings from the diary of Martin Morris

AT LEAST 1 COHERENT
THOUGHT GUARANTEED

IRAQ AND THE HARRY POTTER PHENOMENON

I was sitting in the bath the other day when it suddenly occurred to me the striking similarities between the soon to be released attack on Iraq and the Harry Potter mania. Like the original release of Harry Potter and the Philosophers Stone, the origination of the Iraq conflict didn't really strike a chord. JK Rowling's book was a wild success, winning the Nestle Smarties Gold Award, the British Children's Book of the Year Award, but it didn't really affect my life in any way. I don't even like kids. Not some Cruella Deville dislike but more of a Oliver Twist indifferent dislike. Likewise, in 1990 when Iraq occupied Kuwait, I was genuinely indifferent to what happened in other countries. I mean, I had my own problems. Life back then consisted of shoulder tapping outside the liquor store, skate boarding, and eating nachos in the 7-11 parking lot. Then suddenly, there was this TV show called "War in the Gulf." I was trying to watch "Duck Tales." Gizmo and Launchpad McQuack were trying to save Scrooge McDuck's number one dime and next thing I know, there's nothing but aerial pictures of smart bombs taking out control towers, tanks, pediatric hospitals or whatever. It sucked too. We didn't even have cable and it was on every channel. After awhile it got so boring we went out for Domino's pizza.

To make a long story longer, both the book and the war were wildly successful. So fast forward to this latest Harry Potter movie. It seemed

kind of pointless but suddenly the TV started telling me I had to go see this Harry Potter. The book was such a success and everyone else was going to see it. The TV told me this every chance it got. Experts were telling us the cultural implications of this Harry Potter. Families were lined up outside the theaters waiting to see this Harry Potter. After the twentieth time those stupid owls flew across the TV commercial, I started thinking that maybe seeing the movie would be a good idea. I go to Burger King, they got these Harry Potter soda cups. I go to Taco Bell, they got these Harry Potter burrito happy food thingies. Why not? I go see it.

It was just as pointless as I thought it would be. Dude's got this face in the back of his head, all these kids flying around on broomsticks. If the games over when the Seeker catches that little fluttery thing what was the point of having all those other little flying kids running around? Three headed dog. It was all just so ignorant.

But after seeing the movie, I found there was this bizarre peer pressure to agree with everyone around me. "Wasn't that so cool with the big green troll?"

"Ah yea" I would say.

"Wow! The bad guy wasn't the bad guy but it was the other guy! What a clever plot twist!"

"Ah yea" I would say. Next thing I know, I actually started to believe that I liked the movie. Agreeing with everyone and the constant TV messages telling me how Americans everywhere loved this Harry Potter and that I should go back to theater

and "fall in love with it all over again."

That movie was even more pointless and retarded the second time. Took my nephew and niece although they didn't deserve it. (The boy's this chronic 'my heart hurts' whiner and that girl is all about 'let's make the boy cry' real embodiment of pure evil). So this movie had 'em running around all over the house like a couple of damn fools. They were all Harry Potter this and Harry Potter that. I was like "Listen. I don't even like kids. You ain't getting no Harry Potter T-shirt." Needless to say we saw the movie two more times, they got the action figures, playing cards and Play Station games.

So now the TV is talking about this attack on Iraq. I think I understand the basics. They are a dark skinned people who talk funny, we told them to do something and they said no. We tried to make them understand about the bombs and the planes and all that kick ass artillery stuff but somehow they remain unconvinced. I understand that we were attacked and that the government has been taking tax money out of my check to pay for these bombs that we never really use. On some level I find it troubling that we aren't bombing someone but I felt the whole Iraq thing was kind of pointless. Then I started seeing these expert interviews of Kissinger saying how the rest of the world will be behind us after we've effectuated regime change, how the Saudis will bitch for a month and that'll be the end of it, how every night when I go to bed Saddam is underneath my bed with glowing eyes ready to grab my

ankle.

I have to admit it now. Although at first I could see no point in it, I'm starting to come around. We've got to attack Iraq. Make no mistake about it. We are a patient people. We are a steadfast people and we got all these really cool laser guided bombs and a new kick ass airbase in Qatar. I want to go see this war. Just the technology alone makes it worthwhile.

As for that Harry Potter, there's a sequel coming out soon. They're gonna have some Chamber Secrets or this Secret Chamber or something like that. My nephew and niece were telling me all about it when we were at Wal-Mart. There was a sale where you could get the Harry Potter DVD along with a free poster for only \$12.99. I just had to buy it. The DVD is loaded with all these extras like deleted scenes, trailers and interviews. Not to mention a flip book with all kinds of pictures, and articles. As far as DVDs go I highly recommend it. The funny thing is that I don't even own a DVD player...

NEW MODEL RULES

Lawyers Licensed in One State May Soon Be Able to Practice Temporarily in Another

by De Novo Staff Writer

By the time we become lawyers, the current rules might not be the same. In August, the ABA House of Delegates passed a far-reaching proposal to ease restrictions on the practice of law across state lines.

According to the ABA Journal, the House finished its work on the temporary practice proposals in less than two hours. One by one, the House voted to approve each of the nine recommended changes to the ABA Model Rules of Professional Conduct in substantially the same form as proposed by the Association's Commission on Multijurisdictional Practice.

The new Model Rules allow a lawyer licensed and in good standing in one state to practice temporarily in another state if he or she:

- Performs non-litigation work that arises out of, or is reasonably

related to, the lawyer's home-state practice.

- Represents clients in, or is participating in, an arbitration or mediation proceeding.
- Provides litigation-related services in a state where he or she is or expects to be admitted.
- Works in association with a lawyer licensed in the host state.

Only one of the commission's recommendations, a proposed Model Rule that would make it easier to gain admission by motion, drew any opposition from the floor. The rule allows licensed lawyers who meet certain conditions to gain admission in a new state without taking its bar exam.

Reportedly, a member of the ABA Board of Governors, said the proposed rule was contrary to the

principle of state judicial regulation of the practice of law. "It would become a national admission-on-motion ticket," he said of the proposal. "And that's just wrong."

Despite the objections, the House approved the rule. It says lawyers applying for admission by motion should be licensed in good standing in another state and should have engaged in law practice for at least five of the last seven years. The rule also requires applicants to have a degree from an ABA-accredited law school and to meet certain ethical requirements.

None of the changes will be binding on lawyers unless they are approved by the states. But most states pattern their own ethics codes on the ABA's Model Rules

P.A.D

Phi Alpha Delta ("PAD") is the largest international law fraternity in the world with 181 law school chapters, including the Tilden Chapter here at New York Law School. One out of every six attorneys in North America is a member of PAD! Therefore, joining Phi Alpha Delta is important because it will open up a wide variety of opportunities to network and come into contact with fellow fraternity members who are now out of law school and currently practicing. PAD is a "full service" law fraternity which provides social, professional, academic and community service programming. PAD's motto is "Service to the Student, the School, the Profession and the Community."

The Tilden Chapter will hold regular meetings to discuss classes, outlines, exams and other issues affecting the New York Law School community. Our Chapter will also participate in District-wide events including "reverse trick or treating" for disadvantaged kids, a Thanksgiving canned food drive, and monthly Alumni-sponsored social events along with students from Fordham, Columbia and Cardozo.

PAD is open to all students; there are no GPA requirements. There is a one-time initiation fee and a one-time chapter fee but no other additional fees are due for the rest of your school career. If you are interested in joining pick up an application from the PAD office in the basement of the student center room L1 or pick one up from the office of student life. If you have any questions or would like to know more about PAD, E-mail us at PAD@nyls.edu.

NEWEST TREND: BANKRUPTCY?

by Anna S. Park

These days one can't help but notice all the recent bankruptcy filings making the headlines of the *Wall Street Journal* and the *New York Times*. First Enron, then WorldCom, Global Crossing, US Airways, Ames Department store...and these are just some of the bigger names frequenting the bankruptcy courts. What does this suggest about our economy? Does this suggest that the U.S. Market is on the verge of collapse? Can Corporate America be trusted?

Bankruptcy laws were created to allow a debtor to divide his assets among his creditors and free himself to a fresh start even if all his debts have not been paid. The debtor can be an individual or a business. Within the complexities of Bankruptcy law, on a basic level there are two types of Bankruptcy proceedings. There is a Chapter 7 filing called Liquidation. Under this proceeding, a trustee is appointed to collect and sell the debtor's assets with which the creditors are paid. Under a Chapter 11 proceeding referred to as Restructuring, the debtor is given the opportunity to reorganize the debt and pay the creditors over time. This type is generally filed by businesses and can be achieved either by downsizing, through the sale of divisions, or through mergers.

According to Professor Karen Gross, an expert in the field of Bankruptcy law, most of the recent bankruptcy filings have been of the latter Chapter 11 type. She explains that based on an annual report released by the Administrative Office of the U.S. Courts, between June 30, 2001 and June 30, 2002 there have been a record total of 1.5 million bankruptcy cases. However, what is significant about this number is that within the last three months the largest numbers of filings have been Chapter 7 filings and the Chapter 11 filings have declined by 4%. What does all this mean? This means that despite all the media hype and the numerous articles written in the *Wall Street Journal* and the *New York Times*, the economy is not headed for an unending downward spiral nor is the Market on the verge of collapse.

Professor Gross attributes the

instability in the consumer and airline industries primarily to September 11. Companies such as Ames Department Stores, Inc., which was not as well-endowed giants like Wal-Mart Inc. could not withstand the aftermath of September 11 which resulted in changes in consumer spending behavior. Consumers were less willing to spend as jobs were lost and as retirement funds eroded away. Similarly, the airline industry also had the challenge of overcoming the psychological bars placed on its consumers. As can be seen by the troubles experienced by United Airlines, American Airlines, and a Chapter 11 filing by US Airways, the bailout offered by the government immediately following September 11, may have been too hasty and not so well thought out to be of much help.

What about the rest of the market? How can we reconcile the current economic situation? There were signs of economic instability, explains Professor Gross. People saw the economy through rose-colored glasses and failed to plan for an economic downturn. In the boom of the 90's there was growth at the top but this growth did not trickle down to the bottom. The economy cannot be sustained when the growth remains concentrated at the top. She suggests that as an investor, perhaps the best way to restore the economy is through restoring the trust in the market and confidence in certain types of companies. Corporate America is not all corrupt and not all companies are like Enron. The difference is taking the time to discern between entities that engage in excessively aggressive (illegal) behavior and those that engage in bold edge-playing, a trademark of the American market. As a consumer, the best course of action is to plan long-term goals and not be alarmed by what the media paints as an abnormal trend in the current economic situation. Bankruptcy is a cyclical and constant part of a working economy. As law students, Bankruptcy is obviously a very hot field with which to be involved. However, especially for first year law students, perhaps the best way to prepare for an uncertain economic

future is to get enough skill sets so that you can counsel your clients for both the good and the bad times.

If you are interested in learning the basic concepts of financial management, there is a one credit course that is being offered on the weekend of October 18th and 19th. The course will be taught by Professor Karen Gross, Professor Ken Kettering, and Barbara Kent. It is a one credit Pass/Pass course. Some of the topics covered are: Credit Reporting, Credit Scoring, Interest Calculations, and Mortgages.

If anyone is interested, please contact Ken Norz at knorz@nyls.edu.

CLUB LAND

Cead Mille Failte, means "One-Hundred Thousand Welcomes" in Gaelic and that is exactly what we in the Irish Law Student Association (ILSA) hope to do over this year to new members. ILSA was not a very active organization in New York Law School last year. However, this year ILSA is under new leadership. My name is Brian J. Kaszuba; I am the President and a 2L. My Vice-President is Lauren Theilander (2L). We are hoping to attract many new members by scheduling many events over the 2002-2003 year, both in school and outside of school.

The Irish Law Student Association can be a great organization for students to join. The Irish-American Community in New York City is a very vocal and active community in many different fields, especially the legal one. This year we hope to schedule presentations on diverse legal and cultural topics by prominent Irish and Irish-American lawyers and politicians. In addition, we hope to provide law students a way to network with other law students as well as faculty and alumni in order to help with future job searches, selecting classes and study aids.

The Irish Law Student Association will also be a way for students to have some fun. There is an old saying that nobody knows how to party like the Irish and we hope to live up to that. That is why over the course of the year we will plan various social events such as planning a huge Saint Patrick's Day Party, with food, drinks, and music. We also plan on attending Irish Rugby matches, Irish fairs, parties, concerts and other cultural events. Not only will these types of activities be enjoyable, but they also will help students learn about the history of Ireland and its rich Irish culture.

We encourage and welcome all students (1L's, 2L's, 3L's and 4L's) who are interested in joining the Irish Law Student Association to attend our first meeting on Thursday, September 19, 2002 at 1:00PM. Room TBA. If you are unable to attend please either e-mail me at Bkaszuba@nyls.edu or BrianKaszuba@aol.com. You can also stop by our office located in L2 in the student lounge of the C Building anytime someone is there. Please do not feel you have to be 100% Irish to join. Anyone who wants to be Irish can be!!

Has Our Northern Neighbor Gone Nuts?

Will the U.S. Eventually Follow Suit?

by Mr. P

"By acknowledging that men and women are entitled to make a formal commitment to live together as a couple, regardless of their gender, Québec affirms its standing as a society that is open and aware that individual differences enrich us collectively."

The Québec government ran the above newspaper ad to publicize the civil union bill, shepherded by justice minister Paul Bégin. To outsiders, the ease with which Québec and to a lesser extent, Canada as a whole, have embraced legal equality for same-sex couples is shocking. It was almost a decade after Stonewall, that the gay rights movement began in Canada. Two months after the Canadian equivalent to Stonewall, legislators in Quebec added provisions banning discrimination based on sexual orientation to the provincial charter of human rights and freedoms.

In June, the legislation which grants same-sex couples full adoption and parental rights, and allows opposite-sex couples a less binding alternative to marriage sailed through Québec's assembly unanimously. Polls showed a majority of Québécois supporting civil union and same-sex marriage.

Canada as a whole could soon be forced to go further than Québec with regard to legal recognition of same-sex relationships. On July 12, the Ontario superior court gave the federal government two years to legalize same-sex marriage, declaring that Canada's ban on gay marriage violates the national constitution.

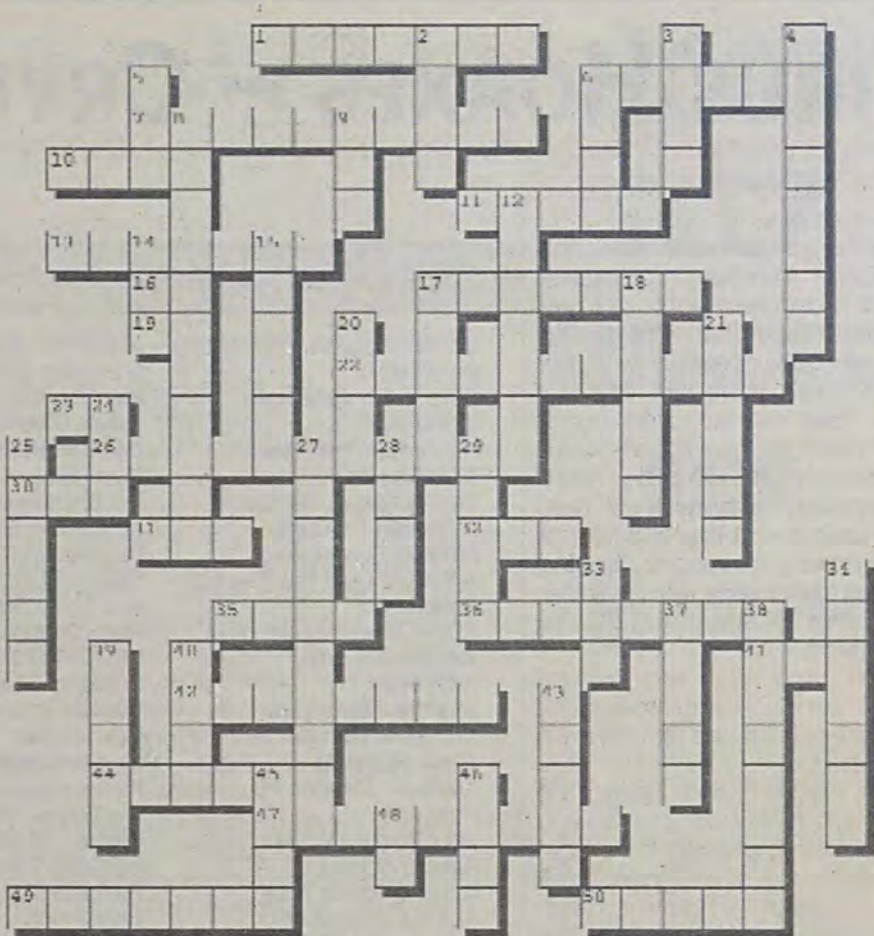
Although the Canadian government is appealing the ruling, a legal process that could take up to five years, most observers believe it is only a matter of time before Canada becomes the first non-European country to recognize same-sex marriage.

In the United States, the battle for same-sex marriage is far more arduous. While in Canada this is a federal issue, in the U.S. it is a state issue. It will be far easier for Canada's Supreme Court or federal parliament to wipe away all legal barriers with a stroke of the pen -not so in the United States where all the states except for Vermont have chosen not to enact legislation providing for same-sex unions.

But more is at play. Reportedly, more than 50% of Québec's children are born out of wedlock and many heterosexual couples are seeking less-formal legal protection than marriage for their relationships. Québec's civil union law was crafted with this trend in mind. If both partners agree, unions can be dissolved at a notary's office. On the other hand, marriages can only be dissolved by a far more cumbersome legal process.

But is this just all fantasy? Could it be that Quebec is just going after the 200 million in tourism dollars brought in by events such as Montreal's gay pride festival? Is it Quebec's way of thumbing its nose at the federal government? After all even the separatist movement is celebrating.

In any event, Québec is the second province, after Nova Scotia, to offer gay and lesbians the option of being joined in a civil union. Maybe they are just doing what is 'right'.



ACROSS

- 1 MOVEABLE OR TRANSFERABLE PROPERTY; ESP., PERSONAL PROPERTY. (7)
- 6 THE NAME OF THE NEWSPAPER YOU ARE NOW READING. THE NAME OF THE NEW NYLS NEWSPAPER. (6)
- 7 A CONTRACT IN WHICH ONLY ONE PARTY MAKES A PROMISE OR UNDERTAKES A PERFORMANCE. (10)
- 10 THE USUAL HOLDING PLACE FOR BIRDS KEPT AS PETS. (4)
- 11 NYLS PROFESSOR OF CRIMINAL LAW, TORTS AND CONSTITUTIONAL LAW. (5)
- 13 A PRISONER WHO IS RELEASED ON PAROLE. (7)
- 16 FRENCH FOR "AND" (2)
- 17 FIRST NAME OF THE CURRENT U.S. TREASURER. HER SIGNATURE CAN BE FOUND ON ALL BILLS BEING PRINTED TODAY. SHE IS MEXICAN-AMERICAN. (7)
- 19 SPANISH FOR "MY" (2)
- 22 A FORM OF REMEDY IN CONTRACT OR TORT AND IS SOMETIMES ORDERED AS A CONDITION OF PROBATION IN CRIMINAL LAW. (11)
- 23 IDENTIFICATION. USED IN A LEGAL CITATION TO REFER TO THE AUTHORITY CITED IMMEDIATELY BEFORE. (2)
- 26 READY-MADE OR ALL-PURPOSE LANGUAGE THAT WILL FIT IN A VARIETY OF DOCUMENTS. FIXED OR STANDARDIZED CONTRACTUAL LANGUAGE THAT THE PROPOSING PARTY VIEWS AS RELATIVELY NON-NEGOTIABLE. (11)
- 30 ONE OF THE LARGEST AUTOMOBILE ASSOCIATIONS IN THE UNITED STATES. ONE MAIN FEATURE IS ITS ROADSIDE ASSISTANCE PROGRAM. (3)
- 31 A COMMON FEMALE NAME. (3)
- 32 A DEFENSE USUALLY ASSERTED AS THE BASIS FOR AN INSANITY PLEA, WHEREBY A MALE DEFENDANT ARGUES THAT HIS CRIMINAL BEHAVIOR IS DUE TO THE GENETIC ABNORMALITY OF HAVING AN EXTRA Y CHROMOSOME, WHICH CAUSES HIM TO HAVE UNCONTROLLABLE AGGRESSIVE IMPULSES. (3)
- 35 ONE OF THE OLDEST INDEPENDENT LAW SCHOOLS IN THE UNITED STATES-FOUNDED IN 1891. (4)
- 36 NYLS PROFESSOR WHO HAS WRITTEN, LECTURED AND PRACTICED EXTENSIVELY IN THE AREAS OF CONSTITUTIONAL LAW, CIVIL LIBERTIES AND INTERNATIONAL HUMAN RIGHTS. (8)
- 41 AKA ELECTRONIC FUNDS TRANSFER (3)
- 42 LATIN FOR "BY WORD OF MOUTH" (8)
- 44 LAST NAME OF ONE OF De Novo's EDITORS. (6)
- 47 THE ABSENCE OF GUILT. (9)
- 49 GROSS INCOME OR RECEIPTS. (7)
- 50 TO GRANT THE POSSESSION AND USE OF PROPERTY TO ANOTHER IN RETURN FOR RENT OR OTHER CONSIDERATION. (5)

DOWN

- 2 A CIVIL WRONG FOR WHICH A REMEDY MAY BE OBTAINED USUALLY IN THE FORM OF DAMAGES. (4)

- 3 A BURDEN; A LOAD; A DISAGREEABLE RESPONSIBILITY. (4)
- 4 AN AGREEMENT BETWEEN TWO OR MORE PARTIES CREATING OBLIGATIONS THAT ARE ENFORCEABLE OR OTHERWISE RECOGNIZABLE AT LAW. (8)
- 5 A TYPE OF DRINKING CONTAINER. (3)
- 6 A NOT-SO-OUTRAGEOUS CURSE WORD USED BY MANY, INCLUDING LAWYERS. (4)
- 8 A CONSENSUAL BARGAINING PROCESS IN WHICH THE PARTIES ATTEMPT TO REACH AGREEMENT ON A DISPUTED OR POTENTIALLY DISPUTED MATTER. (11)
- 9 AKA A TEMPORARY RESTRAINING ORDER. (3)
- 12 THE TYPE OF TAKEOVER THAT IS RESISTED BY THE TARGET CORPORATION'S BOARD OF DIRECTORS (7)
- 14 AN ACTION IN ____ IS ONE IN WHICH THE JUDGMENT OF THE COURT DETERMINES THE TITLE TO PROPERTY AND THE RIGHTS OF THE PARTIES, NOT MERELY AS BETWEEN THEMSELVES, BUT ALSO AS AGAINST ALL PERSON. (3)
- 15 ALL THAT A PERSON OR ENTITY OWNS, INCLUDING BOTH REAL AND PERSONAL PROPERTY. THE PROPERTY THAT ONE LEAVES AFTER DEATH. (6)
- 17 ABBREVIATION FOR THE REAL ESTATE SETTLEMENT PROCEDURES ACT. (5)
- 18 AN ADVANCED STUDENT OR RECENT GRADUATE WHO IS APPRENTICING TO GAIN PRACTICAL EXPERIENCE BEFORE ENTERING A SPECIFIC PROFESSION. (6)
- 20 WHAT SOME LAWYERS TO DO TO THEIR CLIENTS/WITNESSES TO PREPARE THEM TO TESTIFY. (4)
- 21 TO REALIZE OR GIVE ATTENTION TO. (6)
- 24 A COMMON TERM USED ESPECIALLY FOR SOLE PROPRIETORSHIPS. (3)
- 25 EDITOR IN CHIEF OF BLACK'S LAW DICTIONARY -SEVENTH EDITION . (6)
- 27 THE ACT OR PROCESS OF CONTROLLING BY RULE OR RESTRICTION. (10)
- 28 A TITLE BELONGING TO THE WIFE OF A PEER IN BRITAIN. (4)
- 29 IN NYC, THEY ARE USUALLY YELLOW AND ARE A COMMON MEANS OF TRANSPORTATION. (5)
- 33 A TRACT OF LAND, ESPECIALLY ONE HAVING SPECIFIC BOUNDARIES OR BEING USED FOR A GIVEN PURPOSE. (3)
- 34 DEAN AND PRESIDENT OF NEW YORK LAW SCHOOL. (7)
- 37 NOT FAT BUT BIG BODIED. (5)
- 38 NOT AFFIRMATIVE; NOT POSITIVE. (8)
- 39 FAULT, NEGLIGENCE OR NEGLIGENCE (5)
- 40 HAVING NO PRACTICAL SIGNIFICANCE. ONE REASON WHY A COURT MIGHT NOT BE ABLE TO HEAR A CASE. (4)
- 43 A SPECIFIED PARCEL OF LAND. (5)
- 45 LAW STUDENTS HAVE SO LITTLE OF THIS. IT WAITS ON NO MAN. (4)
- 46 A WRITTEN INSTRUMENT BY WHICH LAND IS CONVEYED. (4)
- 47 COMMON WORD USED FOR ALRIGHT OR WHEN IN AGREEMENT. (2)

BRAIN FEED

1. IN WHAT YEAR DID THE VERRAZANO NARROWS BRIDGE OPEN?
2. IN WHAT COUNTRY IS IT NOW ILLEGAL FOR UNMARRIED PERSONS TO HAVE SEXUAL INTERCOURSE FOR THE NEXT FOUR YEARS?
3. WHAT IS THE SMALLEST (GEOGRAPHICALLY SPEAKING) COUNTRY IN THE WORLD?
4. WHAT IS CLAIMED TO BE THE MOST CROOKED STREET IN THE WORLD?
5. WHAT DOES THE WORD "BRIO" MEAN?

1. 1964
2. SWAZILAND
3. VATICAN CITY
4. LOMBARD STREET, SAN FRANCISCO (13 CURVES)
5. VIVACITY, LIVELINESS, SPIRIT, VIGOR
- ANSWERS

VIRUS HOAXES – CRYING WOLF ONLINE

by Dwight Day
Many of us will remember the constant e-mails regarding viruses that were sent out last semester. The other side of the coin is what is called a "virus hoax." While there are a lot of viruses out there, some aren't really out there at all. Virus hoaxes are more than mere annoyances, as they may lead some users to routinely ignore all virus-warning messages, leaving them vulnerable to a genuine, destructive virus. In short it's like crying wolf.

Next time you receive an urgent virus-warning message, be sure to check the list of known virus hoaxes.

The key is, never open an email attachment unless you know what it is—even if it's from someone you know and trust. They could have been unknowingly affected and the virus (which is "smart") sent itself to you.

Remember that virus writers can use known hoaxes to their advantage. For example, AOL4FREE began as a hoax virus warning. Then somebody distributed a destructive trojan attached to the original hoax virus warning.

Always remain vigilant and never open a suspicious attachment.

Here are some tips from *PC World* on how to identify virus hoaxes:

McAfee.COM VIRUS HOAX LISTINGS			
!!UNAVAILABLE!?	MOBILE	AOL4FREE HOAX OR WHAT?	DISNEY HOAX
PHONE HOAX		MANICOMIUM HOAX	SPARTAN HORSE HOAX
GUTS TO SAY JESUS HOAX		BABY NEW YEAR HOAX	ECONOMIC SLOW DOWN HOAX
!0000 HOAX		MISSING CHILD HOAX	St.PATRICK'S DAY HOAX
HAPPY NEW YEAR HOAX		BADTIMES HOAX	ELFBOWL
48 HOURS HOAX		MULTI-HOAX	SULFNBK HOAX
INTEL SPECIAL OFFER HOAX		BIG BROTHER HOAX	FAMILY PICTURES HOAX
A MOMENT OF SILENCE HOAX		MUSICPANEL HOAX	UNABLE TO DELIVER HOAX
INTERNET FLOWER HOAX		BLUEMAN HOAX	FLASHMASTER G
A VIRTUAL CARD FOR YOU HOAX		NEW YORK BIG DIRT	VALENTINE GREETING HOAX
IRINA HOAX		BUD FROGS SCREEN SAVER HOAX	FRIENDS HOAX
ACE-? MOBILE PHONE HOAX		NOKIA SCREENSAVER HOAX	WAZUP HOAX
JDBGMR.EXE HOAX		BUDDYLST.ZIP HOAX	FROGS AND FISHES HOAX
AIDS HOAX		OSAMA VS BUSH HOAX	WIN A HOLIDAY EMAIL HOAX
JOIN THE CREW HOAX		BUGSLIFE SCREENSAVER HOAX	FUNPROG HOAX
ALL SEEING EYE HOAX		PENPAL HOAX	WINDOWS 98 WARNING HOAX
JOKE_FLIPPED		CALIFORNIA.IBM HOAX	GHOST.EXE HOAX
AMERICA ONLINE FLASHNews	FLASHNews	PERRIN.EXE	WOBBLER
HOAX		CAT-COLONIC HOAX	GIRL THING HOAX
Let's Watch TV HOAX		PHANTOM MENACE HOAX	WORK HOAX
ANTICRISTO HOAX		CELCOM SCREEN SAVER	GIRLS OF PLAYBOY HOAX
LIFE IS BEAUTIFUL HOAX		PIKACHUS BALL HOAX	WTC SURVIVOR HOAX
AOL 83 MINUTES HOAX		DANA HOAX	GOOD TIMES HOAX
LOC HOAX		POKEMON HOAX	Y2KGAME
AOL INSTANT MESSAGE HOAX		DEEYENDA HOAX	GREAT GAS-OUT HOAX
LUMP OF COAL		POOL PARTY EMAIL HOAX	YOUR FRIEND D@FIT
AOL RIOT HOAX		DESPITE HOAX	
MACMEBIG HOAX		SANDMAN URL HOAX	

1. **DETECT THE UNDETECTABLE.** Beware of warnings that claim a virus is undetectable. In general, if you keep your antivirus software up-to-date, your system will nab the latest viruses.
2. **STUDY THE SUBJECT.** If the e-mail message's subject line includes

words such as "Urgent," "Warning," or even "Virus Alert," it's often a good indication that you're dealing with a hoax. Read the e-mail message with great skepticism, not great urgency.

3. **BEWARE OF TECH TALK.** Look out for pseudo-technical discussions on

the dangers of the virus. Some hoax messages include pure gobbledygook.

4. **CHECK THE SOURCES.** To create an aura of credibility, a hoax often quotes a well-known company or agency, such as Microsoft, the Federal Communications Commission, or an antivirus company. Check the Web sites of the sources quoted (or see your antivirus vendor's site). Remember also that Microsoft never posts virus alerts via e-mail.

5. **Scrutinize the instructions.** Beware of messages that insist you delete a file manually. True, at times you should do so, but in the context of the other tip-offs, this instruction should raise a red flag.

6. **DON'T SPREAD THE WORD.** False alerts always urge you to tell everyone you know. Genuine alerts never do. Ignore the instructions, delete the message, and don't alarm everyone on your mailing list.

movie review

by Anna S. Park

THE PAPER CHASE: EVERYONE'S MENTIONED IT SO...

The Paper Chase delivers to near perfection the hardships faced by first-year law students. The film is set at Harvard Law School and follows the life of James Hart (Timothy Bottoms) as he vomits, obsesses, panics, loves, and learns his way through first year in law school. The story opens on the first day of Contracts and we see Hart being subjected to interrogation by the school's most notorious professor, Kingsfield (John Houseman). He is, of course, thoroughly embarrassed and from there the film focuses much of its attention on Hart's obsession with trying to prove himself to the Professor. This obsession is elevated to his personal life when he begins an affair with Kingsfield's daughter Susan (Lindsay Wagner). Although this romance is treated minimally its inclusion dimensionalizes the rather flat yet dominating academic theme of the film. It is through Hart's relationship with Susan that we are "enlightened" to the fact that there is more to life than a law school diploma (hence the title).

Watching the film, I was painfully reminded of the first time I was subjected to the Socratic method - A900 Civil Procedure, my first study group meeting and of course the final exams'. It is an accurate and well-made film. Needless to say, I did not like it.

Being in law school, there is absolutely no need for any student to be reminded of what first-year law school is or was like. One simply has to look around to get a taste of what *The Paper Chase* is portraying. Granted, we are obviously not at Harvard Law School nor would I like to think that our professors are as cantankerous as Professor Kingsfield. However, the daily routine of studying, panicking, studying, obsessing, and occasionally sleeping is, as was shown in the film, the norm of first-year law school. A law student does not need to fork out \$3 and waste 2 hours to watch a movie that depicts everyday life.

Focusing the film largely on Hart's academic life works greatly to the film's benefit by maintaining the viewer's attention. It keeps the film flowing as it does not distract with the conventional stereotypes of college love-affairs or overdrawn depictions of collegiate comradary. Both Houseman and Bottoms give realistic and controlled performances. Bottoms portrays an intelligent, easy-going, and friendly guy (a typical mid-western folk!) except when he is obsessing over Kingsfield. Houseman pulls off the role of a stern and legendary professor quite convincingly with very little dialogue. The camera works to his benefit by always shooting him lower and as a close-up, making him look larger than life. I was also surprised by the concise use of legal jargon. Although I've never read the cases mentioned in the film-I am more familiar with Uncle Willy and his conservative lifestyle than with skin

grafting hairy hands-I found myself enjoying the legal banter between Kingsfield and the students.

All in all, although the film is technically a good film I didn't enjoy it. Perhaps when the film was first released (1973) it must have been refreshing for many law students to show the world what they had to go through to become lawyers, or at least explain to the world why lawyers are the way they are. As for me, being a law student in the year 2002, spending the weekend watching long-haired men with sideburns wearing drab corduroy bell-bottoms stressing over all-too-familiar topic of contracts can only be described as painful. Personally, I would recommend the levity and color of *Legally Blonde* any day.

KNOW THYSELF

*Stop this day and night with me and you shall
possess the origin of all poems,
You shall possess the good of the earth and the sun,
You shall no longer take things at second or third
hand, Nor look through the eyes of the dead,
Nor feed on the spectres in books,
You shall not look through my eyes either, nor take
things from me,
You shall listen to all sides and filter them from
yourself.
- Walt Whitman*

An Affair to Forget

by Frank Raphael

Okay, I'm almost there, I thought to myself as I waited for the elevator. I stood on the ground floor of the B building, waiting for the slowest elevator ever invented to come get me and carry me to my office. Once I'm safely behind closed doors I will finally be able to do something I've been dreaming about all day. My legs are rubbing together, my heart is racing, and all I can do is stare at that stupid red arrow that's pointing downward. I've pressed this button four times, and all it will do for me is show me this freaken arrow, promising to lower the elevator to come get me. I know it will come eventually, but when? I don't have all day, I think to myself, so I turn around and look at the steps. The Steps! They are steep and ominous, and to someone who gets no exercise (like me) each step becomes a painful ordeal. To my eyes, it looks like mountain climbing.

Finally, the elevator doors swing open and I breathe a sigh of relief. Dozens of first year students pour out of the elevator, each with a look of horror and regret painted on their faces. This is the year innocence is lost, I think. This is the year optimism turns to pessimism, and hope turns to hate. Eventually, all life will drain from their faces and they will become nothing more than paper pushing robots, doomed to a life of eating, sleeping, and pissing legal B.S. I want to grab them by the shoulder and warn them to turn back now—it's not too late! Oh well, if I have to suffer, they have to suffer. Screw 'em.

As the elevator door closes, I see a bunch of students running towards me shouting at me to hold the elevator, so I do the only sensible thing and pound on the DOOR

CLOSE button as many times as possible until the door shuts inches from their faces. Thankfully, I avoided a crowded elevator ride. I press my floor and tap impatiently on the elevator walls—I'm just dying-DYING- to get to my office now. I simply can't wait another moment.

Fortunately, the elevator ride is not quite as long this time around and I run into the office and I shut the door. I throw down my bag and I reach behind my computer for my smokes. In a moment, I open the window and deeply inhale the rush of nicotine I so desperately need. This takes me back to college when I first started smoking- I fondly recall the instant head rush I would get from a pack of Marlboro lights (lights, can you imagine?) Today I look at the pack of Camels sitting on my desk and dream about that head rush again. Oh well!

Now that I have my Camel my mind wanders to other important aspects of my life. I've had an unfulfilled life thus far—I went to law school on a whim, and I got sucked into the legal profession thereafter because of student debt. Well, student debt and my credit card debts combined—I have a fondness for shopping. Anyway, I went to Yale, and I was offered a high paying job at a top New York law firm that shall remain nameless. I married one of my law school classmates, and realized my dream of living the yuppie life I had always wanted. Now I had money, a great career and marriage. There were no problems in my life...for a while. Soon I began to realize that everything I had been taught in life—school, marriage, etc.—had been a lie. My husband was perfect in every way, except he led a double life like one

of those secret agents. I had always known him to be a quiet, nice guy, but like the wife who discovers her husband is a CIA agent I stumbled on my own discovery—my husband was an asshole! He talked behind my back all the time and apparently had little respect for me. He then left me for a siliconed stripper named Bubbles. Next I realized I hated my job. No one told me that the longer you practice law the more boring it gets. After a while, I just got sick of dealing with other people's legal problems all day, every day. So I quit, and came here to New York Law School. Now I teach students and encourage them to go into the career that I myself ran from. Make sense?

Anyway, I realize that something is missing from my life. I take another cigarette, and realize that I need to get laid. Soon. Very Soon. I love the term, "getting laid" because its so much better than the other phrases. "Having sex" is a little too technical for me, too scientific. "Making love" is way too sappy. I used to make love to my husband, it was so nice and emotional, except he did his thing and I was left there unfulfilled. Now getting laid is just what it sounds like- sex, followed by orgasm (hopefully), and a nice goodbye. Now I need to get laid.

Just at that second I hear a knock on the door. What luck! A sexual delivery! Maybe God has heard my prayers.

"Just a minute," I say, and I put out my Camel and fling it out the window on some kids standing below. I adjust myself and fantasize as to who is behind the door. I turn the knob and hope for the best.

To be continued...

2002 NT7 HEADED FOR EARTH

by De Novo Staff Writer

This summer Reuters reported that a massive asteroid could hit Earth in just 17 years' time, destroying life, as we know it. The asteroid—the most threatening object ever detected in space—is 1.2 miles wide and apparently on a direct collision course with Earth.

According to an asteroid expert at Liverpool John Moore's University in northern England, "Objects of this size only hit the Earth every one or two million years. In the worst case scenario, a disaster of this size would be global in its extent, would create a meltdown of our economic and social life, and would reduce us to dark-age conditions."

However many space experts say they are pretty confident this nightmare scenario will not come about. This collision is the highest threat that has been catalogued, but the scale in terms of the threat keeps changing. If it did hit the Earth it would cause a continental-size explosion...but it is a fairly remote possibility.

The asteroid—named 2002 NT7—was first detected earlier this month by the United States Linear sky survey program.

Scientists at the U.S. National Aeronautics and Space Administration's (NASA) near-Earth objects team and at Pisa University in Italy have carried out orbit calculations to work out the probability and potential date of impact to define the risk it poses. Their calculations show it could hit the earth on February 1, 2019.

So what's the good news? Well, the impact probability is below one in a million, but because the first impact date is so early—only 17 years from now—and the object is very large, it's been rated on the impact risk Palermo Scale as a positive. It is reportedly the first object that has ever hit a positive rating.

Space experts across the world will continue to monitor 2002 NT7. Hopefully, over time, these observations will probably erase the threat it poses.

NOT HA HA FUNNY BUT STILL...

A woman drove a mini-van filled with a dozen screaming kids through the mall parking lot, looking for a space. Obviously frazzled, she coasted through a stop sign.

Hey, lady, have you forgotten how to stop?" yelled an irate man.

She rolled down her window and said, "What makes you think these are all mine?"



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