Legal Education Reform: An Environmental Approach

BY ANTHONY RUFFINO, Managing Editor

LAW SCHOOL EDUCATION reform is again a hot topic among the legal education community. Recently the Harvard Law School faculty voted unanimously to reform the curriculum for all students, and now everyone is talking. The legal education community is aware of this need for reform, but it has yet to figure out the real problem or discover a complete solution.

"Today's law students, on the whole, are brighter, more outspoken and more impatient with social injustice and institutional inertia than their predecessors." This statement could have been written today, but in fact, it was written back in 1971 by Robert A. Gorman for his essay, Proposals for the Reform of Legal Education. This institutional inertia that he refers to is at the core of the academic apathy and professors teach. Many different plans for reform have been proposed, ranging from the modest addition of a few skills courses to a complete overhaul of the whole legal academic system. Stephen R. Marsh, a lawyer and author who specializes in mediation and dispute resolution, has suggested one of the more comprehensive plans, the Academic Support Program (ASP). In his Pragmatic Reform of Legal Education: Three Essays, Marsh promotes ASP, an academic learning system that incorporates the full spectrum of today's teaching methods, from context setting and multi-media to regular assignments and small group meetings.

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The Voice of the New York Law School Community

De Novo is a student-run newspaper that is published periodically throughout the academic year. If you are interested in becoming involved with publishing the newspaper, please contact Anthony Ruffino, aruffino06@nyls.edu.

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SHADOW OF THE KREMLIN: ARTICLE ONE

‘The Yukos Affair’: Russia’s Scheme To Renationalize Its Oil And Energy Sectors

By Charles Barsamian, Staff Writer

Presidents Bush and Putin have much in common. After each won a victory in what some call ‘dubious’ elections, Presidents Bush and Putin ushered in new regimes in what were at one time the world’s largest superpowers. Amidst implementing their domestic agendas, Presidents Bush and Putin took the time to meet in Slovenia in June of 2001 to discuss the future of relations between their respective countries and for the first time, to take a good look into each other’s eyes. President Bush was frequently quoted afterwards as having said that he looked Putin in the eye and saw a window into his soul, and that Mr. Putin had the soul of a straightforward and trustworthy individual who was deeply committed to the best interests of his country. Perhaps what President Bush saw was a glint of opportunism in the eye of the Russian President as he embraced the United States’ newfound waruffs for its former rival.

We are largely aware of the impact of President Bush’s leadership; while Russia has managed to stay under the radar for almost a decade as the Kremlin not so quietly renationalized the oil industry and has since attempted to gain control of the media. Human rights abuses and manipulations of the legal system continue while Russia is lauded in the press as a developing democracy, economic leader, and strong opponent of terrorism.

There have indeed been public blunders during Mr. Putin’s presidency that even the Kremlin could not muffle. In 2006 there were mass protests against Russia’s hosting of the G-8’s annual meeting of economic leaders; the meeting went on as scheduled. That same year a dispute erupted between Russia and Ukraine over Russia’s attempted increase in energy prices. Incidentally this dispute occurred soon after President Yushchenko, a westward looking leader who threatened Moscow’s sphere of influence, assumed power in Ukraine.

The Kremlin sought to undermine Yushchenko’s government, after his refusal to meet the new terms, by cutting energy supplies to Ukraine altogether. Russia eventually backed down under pressure from the EU but received a higher rate than it had initially promised Ukraine.

And who could forget the hostages taken in an elementary school in Beslan in the fall of 2004. The Russian authorities’ intervention cost 343 civilians their lives, including 186 children. Hundreds more were wounded. In the aftermath of this tragedy, Putin’s government was attacked for incompetence in handling the crisis and the President himself for the missteps of the authorities. Soon after, the Russian government launched a parliamentary investigation that found the local authorities responsible for any complications in the operation.

Still there have been no consequences for Russia’s public misdeeds because of its growth as an oil and energy juggernaut. Russia currently has the largest natural gas reserve on Earth, the second largest coal reserve in the world, and the eighth largest oil reserve. Furthermore, it is the second largest oil producer in the world. Since the quiet renationalization and consolidation of the oil and energy sectors, Russia’s bargaining power has increased proportionately with the world’s tolerance for its misdeeds.

Yukos Oil Company was one of the world’s largest non-state oil companies, created during the privatization process following the fall of the Soviet Union in the 1990’s. Yukos produced about 20% of Russia’s oil, which translated into about 2% of world production. In 2003, the Russian government levied back tax claims against Yukos for billions of dollars. The amount allegedly owed per year exceeded the total revenues of the company for each fiscal year. This was the beginning of a scheme to renationalize the oil and energy companies and Mr. Putin’s chance to rid the country of a rich, influential, western thinking businessman with ties to the Kremlin’s opposition. This man’s name is Mikhail Khodorkovsky.

Khodorkovsky, an oligarch who made his wealth following privatization in the 1990’s, founded Yukos as Russia’s most transparent and western company. As Khodorkovsky, and then Yukos fell, the rest of the world seemed unconcerned. Khodorkovsky, once Russia’s wealthiest man, was imprisoned in a Siberian uranium mine and is still serving his sentence. Yukos was picked apart in government-sponsored auctions until it was declared bankrupt by a Russian court in August 2006.

In a White House press briefing by Scott McClellan on December 24, 2004, roughly a year after Russia levied the tax claims on Yukos, Mr. McClellan was asked whether the White House was concerned with the way Russia handled the sale of Yukos’ assets. He responded by acknowledging the concern over Russia having side-stepped legitimate enforcement of tax laws, but seemed to also acknowledge that the solution might be less harmful to investors. Furthermore, Mr. McClellan spoke of Russia’s future in a global economy and the chilling effect the “Yukos Affair” might have on foreign investment in Russia. Of course, he once again made sure to remind the public of how cozy the President’s relationship is with Mr. Putin.

By May 16, 2005 Khodorkovsky’s verdict had been rendered—it took the Russian courts about 10 days to read the 1,000 page decision. The question of Yukos was raised again to State Department Spokesman Robert Boucher. Mr. Boucher echoed McClellan’s response in terms of Russia needing to consider how Yukos would effect its reputation in the eyes of the world, and again reaffirmed his concern over the way the affair was handled.

The United States, however, took no action. Russia was not expelled from the G-8 summit because of the soft policy of helping Russia during its transition to becoming a democracy and more importantly, to its becoming a free-market economy. Again, in a State Department briefing on May 31, 2005, Mr. Boucher admits his skepticism about the legitimacies of the retroactive taxes and of Khodorkovsky’s trial. When pressed by journalists about whether Khodorkovsky will ever get a fair trial, Mr. Boucher again responded with the

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COMING TO AMERICA. In 2007, President Bush implemented a controversial 26-point “Comprehensive Immigration Reform” plan, which adds border patrol agents, calls for construction of a 370-mile fence along the U.S.-Mexican border and increases funds for temporary detention centers, local law enforcement and workplace enforcement. Is it too much?

Immigration Reform Policy: Two Sides of the Story

By Paul Volodarsky, Staff Writer

The Bush Administration, fighting strong resistance from Democrats on a variety of issues, has found common ground with its adversaries when it comes to illegal immigration reform. President Bush and the Democrats have fought against Conservatives on reforming immigration policy to allow for guest worker programs, programs to allow earned citizenship for illegal immigrants, and new measures to improve border security. These measures are a pragmatic approach to the situation that actually exists today rather than the unrealistic deportation and criminalization approach advocated by Conservatives.

The fact is that an estimated 10-12 million undocumented immigrants currently live in the US, the majority of which are from Mexico and other Central and Latin American countries. Conservative groups opposing illegal immigration and advocating deportation of illegal immigrants argue that illegal immigrants are taking jobs away from American citizens and contributing to higher crime rates. Neither of these arguments is based on statistical measures collected by the Federal government.

As of August 2007 the Bureau of Labor Statistics (BLS) reported that the unemployment rate stood at 4.6%, despite the downturn in the housing market. Since 2002 when the annual unemployment rate was near 6% the number of undocumented immigrants entering the country each year was about one quarter of the number entering per year in 2006. The increase in crimes committed by illegal immigrants caused a rise in the crime rate is not supported by the numbers. In 1991 when the number of illegal immigrants entering the country each year was about one quarter of the number entering per year in 2006 the crime rate was 9.8% almost double the crime rate of 5.7% reported in 2006.

Opposition to illegal immigration, and especially to granting some form of amnesty is not a new “hot-button” issue. The American public has protested against the arrival of various groups of people at different points in our history. In the 1880’s Congress restricted Chinese immigration, arguing that Chinese immigrants did not adapt and would take jobs away from American citizens and contributing to higher crime rates. Neither of these arguments is based on statistical measures collected by the Federal government.

The controversial 26-point “Comprehensive Immigration Reform” plan implemented by President Bush comes close to solving our country’s immigration problem. Besides the addition of patrol agents and the construction of a 370-mile fence, the Bush administration aims to increase fundraising for temporary detention centers, local law enforcement and workplace enforcement. On its face, the plan creates a strong defense against both illegal immigration and illegal immigrants already living in the country. However, the plan does so much more. It worthy to quell the heavy influence that illegal immigrants have on our country’s murder and disease rates.

Illegal immigrants murder 4,380 Americans every year, and an estimated 21,900 died from crimes committed by illegal immigrants in 2002, and most were illegal aliens. Mexican, Afghan, and African countries have some of the highest deflection rates (to the United States) in the world. Tuberculosis has ten times the prevalence in those countries than in the United States.

Another point to consider is the strain that illegal immigration puts on our economy. The American government loses money from taxes, American schools waste funds by teaching the children of illegal immigrants, and the nation’s hospitals lose money and space by performing charitable treatment. And it is safe to say that illegal immigrants do not take the initiative to assimilate to our country’s lifestyle as legal immigrants do, throwing the nation into a forever bilingual debate.

Eighteen million men and women immigrated to the United States in the early 1900’s. The immigration periods in the early to late 1900’s symbolized America’s ability to assimilate newcomers. The United States accepts thousands of new legal immigrants every year. Legal immigration stimulates the economy. Those that oppose such “harsh” illegal immigration reform have soiled the word “immigration.” Regardless of what political party is in office, illegal immigration has been accepted with open arms. Despite the current controversies, we may have to wait until December of 2008 to see whether the new plan will have the positive impact that the conservative right believes it will.

And illegal immigrants? Their medical screening is their inherent ability to jump a fence, survive a 90-mile raft ride, or stay incognito on a boat.

When people think of Hansen’s Disease (commonly known as leprosy) images of Ben Hur, Jesus or even Charlton Heston may fill their minds. The disease was all but dead in the United States prior to 2002 (only 90 cases from 1962-2002). Yet an astonishing 5,000 cases were reported after 2002, and most were illegal aliens. Mexican, Afghan, and Cambodian immigrants have soiled the word “immigrant.” The disease has reared its head in many African countries and again in the United States.

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Legal Education Reform: An Environmental Approach

With the addition of graded assignments, students' final grades would be much more reflective of their actual efforts, skill and educational growth. Also, students would have a comfortable setting and an effective forum in which to gain practical experience and to study, learn and discuss any topics that they may not fully understand. However, the small group setting is not a monetarily efficient use of the law school's faculty and resources, which is why most schools still prefer large, anonymous lecture halls. Without a small group setting, weekly assignments would be almost pointless, because professors do not have the time to grade nor the setting in which to discuss each student's work. And further, clinics, although popular, can be difficult and expensive to set up. No wonder law schools hesitate to reform. Although the necessary reforms are easy enough to implement, law schools would rather maintain the status quo and save their money. But what they fail to realize is that by maintaining the current system, they are devaluing the quality and worth of the education they provide and they are contributing to the plague of educational apathy.

Small group settings could include smaller classes with as few as ten or fifteen students, assigned study groups or regular meetings with an advisor. Since learning in a small group is more effective than learning in a large lecture hall, students and professors could cover the same material in less time. Further, small groups could easily and effectively be run by a professor, a professor's assistant, an upper level student or any combination of the three. This relieves some of the demand on professors, and along with less class time, both could help to make small group settings more monetarily efficient. Despite the lack of creativity in developing a new learning environment, many schools have begun creating new clinics, and groups such as the Public Interest Law Institute strongly promote this approach to reform. "The overall objective of the legal education reform program is to foster new generations of more effective and socially oriented lawyers by making legal education more practice oriented, with an emphasis on clinical legal education." Clinics are an excellent way for upper level students to work in their legal field of interest and gain practical experience before they graduate. But clinics are ineffective at curing the academic apathy and anonymity of the IL students. It is these first-year students who would benefit most from building their legal foundation in a small group setting.

Looking back at Harvard, within the past two years, the law school faculty unanimously adopted reforms for its entire law school curriculum. These reforms promote concentrated and focused study and include the addition of classes and clinics in contemporary fields of legal study. Promoting concentrated and focused study is an interesting idea, almost like creating majors for law school. This idea of increased focused goes hand in hand with the creation of clinics and with the general trend of providing upper level students with real world experience in specific fields of interest.

However, like most schools, Harvard misses the mark by failing to realize the importance of the individual student and the actual environment and setting in which students and teachers are working and communicating. Consistently updating curriculum is only a piece of the puzzle of institutional inertia. And although the trend toward gaining practical, clinical knowledge in law school is a step in the right direction, it only affects some students. In this increasingly speedy and globalized world, Robert Gorman's statement rings more true today than it did in 1971. It is the institutional inertia created by an outdated learning environment that breeds academic apathy, which can only be solved by developing a new setting in which to teach the theories and practice of law.

Supreme Court Recusals for Investment Conflicts of Interest

By SHARON SHIAGHAEI, Staff Writer

WHILE ANY PRESENTED case before the United States Supreme Court carries with it both national and vast-reaching legal and complementary social consequences, those cases which involve complex financial securities issues may have a new associated problem.

Such is the circumstance surrounding the case of Stoneridge Investment Partners v. Scientific-Atlanta and Motorola. Stoneridge Investment Partners argue that the silicon company Charter Communications had fraudulently inflated the price of its stocks by giving its equipment vendor, Scientific-Atlanta higher than normal payments, only to be repaid that extra money as "advertising fees." This transaction was. supposedly designed to inflate the company's quarterly in order to meet the expectations of Wall Street Analysts.

The question presented before the Supreme Court is whether "aiding and abetting" is sufficient to warrant liability by judges. Chief Justice Roberts urged Congress to pass. Under federal law, judges can sell stock of a company and also avoid all capital gains taxes and liabilities if they can demonstrate they made the sale to remove a potential conflict of interest. Not only would this remove any potential ethical need for a judge to recuse, but it would also make void any potential tax burdens on the judge when he or she decides to sell stock for such a reason. Therefore, in Stoneridge, both Roberts and Breyer could participate in the case simply by selling their Cisco stock without any tax burdens or consequences.

Some say this sort of recusing and unrecusing by judges seems "strange" and ethically questionable. The judge can always sell the stock and then buy it back after the case has been decided, or perhaps even sell the stock on a selective basis, choosing which cases to hear and which to recuse. Others say that the new federal law encourages judicial responsibility by allowing judges to sell stock with no financial penalties, which will encourage them to act in the most responsible manner and in the best interest of the court. Regardless of which side you take, this issue presents yet another element in the judicial resolution of complex securities cases.

Crossword Puzzle Solution

(from page 8)
Reving the End of Term Rite of Passage

By Josh Block, Staff Writer

Each semester at NYLS students receive an email notification informing them of the two-week period when faculty evaluations will take place. The student handbook has the only readily available official information about the process:

At the end of each semester all students are asked to fill out Faculty Evaluation forms for each of their courses. These forms are micro-fiched and are available for student review in the Library. The Library has faculty evaluations dating back to 1990.

As continuing students may have heard, the form we will use to evaluate our faculty has been changed this year. Changing the form is a needed step to make the process meaningful and not merely a perfunctory end of term chore. The faculty evaluation process should be taken seriously. The evaluations could be a valuable tool for the faculty, the administration and for present and future NYLS students. But for this to be achieved, the entire process, not just the form, needs to be revamped. Below, I have outlined issues and possible solutions or steps that could be taken to improve our faculty evaluation process.

Point of View

1. Evaluations are filled out before the course experience is complete. Evaluations at NYLS are administered as early as two weeks before the final class and as much as a month before the final examination. When the evaluation is filled out the course has not been completed and students have not been able to reflect on the full experience. Professors often rush to get through material and reading assignments can change drastically in the last weeks of the term. Because students have already filled out their evaluations there is little opportunity to address this problem, which will likely influence a student's evaluation. More importantly students have not yet taken the final examination. The exam is a tool for the professor to gauge a law student's knowledge, understanding and ability to apply the material taught. But it is also a student's opportunity to evaluate the course as a whole and for the law student to consider how well the professor's lessons have prepared the student for the final exam.

Of course moving back the evaluation date could present problems: Students will no longer gather in one place and evaluations completed after a student receives a grade have the potential to risk the integrity of the process. To address both problems I would suggest that evaluations be completed through a secure and anonymous web page ("the web page method"). The web page would be active after the exam is administered and before a final grade has been received. A student would not receive a final grade in a class until that student visits the web page and either declines to participate or completes the evaluation. I am not suggesting that the evaluation be made mandatory, only that visiting the web page after the exam would be mandatory. Anonymity would need to be assured; perhaps through a number system similar to the numbers students receive for final exams via the EZ info site.

2. Students do not receive prior notification of the specific day they will be asked to fill out an evaluation. This past semester an email was sent to students notifying them of the two-week window during which they would be asked to fill out an evaluation. With the pressures that law students face in the last weeks before the end of the semester, the evaluation process is given far less attention than it deserves. In order to get a true, honest and thorough evaluation, students should take the time to reflect on their experience before they fill out the evaluation. The evaluation should not be reduced to a pop-quiz-like process with snap responses instead of true reflection. To achieve this goal students should be told in advance the exact date that they will be asked to fill out the evaluation.

PROTECT YOUR INVESTMENT:

Exercise to Protect & Enhance Cognitive Function

By Melissa Nowak, Staff Writer

With tuition and student loan interest rates climbing, a law degree is a substantial investment in one's brain. Why not protect your investment and get in shape while you're at it? Studies conducted by the Salk Institute, a non-profit research institution dedicated to biological research, indicate that physical activity, specifically running, boosts brain cell survival. In fact, a direct correlation exists between the number of miles logged and number of increased cells produced: Notably, these brain-strengthening effects were found to be concentrated in the Hippocampus, a region of the brain linked to learning and memory. In addition to the Salk Institute's study, a five-year study conducted by the Laval University in Sainte-Foy, Quebec indicates that physical exercise has protective effects on the brain and its mental processes as you age, and inactive individuals were twice as likely to develop Alzheimer's compared to those with the highest levels of activity (defined as vigorous exercise 3/week). So why not incorporate physical exercise into your weekly routine? I know, I know. You've got enough on your plate and this is yet another thing to add to your To-Do list. Finding 30 minutes for exercise every few days may not be as inconvenient as you anticipate. I'll address the most common heard excuses from law students, as well as those among the working masses, and offer potential solutions on how to squeeze exercise into your tight schedules.

Frequently Heard Excuse #1: Simply not enough time

Solution: I've heard this excuse from people with a wide array of time constraints—full-time students, part-time students who work full-time, students/employees or student-employees with children—you get the picture. In a completely non-scientific study I have discovered a resounding correlation between the ability of people who juggle multiple responsibilities and the ability to squeeze in exercise. I suspect their secret lies in scheduling 30 minute slots for exercise just as they schedule and plan every other task they must accomplish. When you break down a 48-hour period (the recommended frequency for exercise in a week), 30 minute slots in which one can run or ride an exercise bike are not terribly difficult to find. A few tips for squeezing a 30 minute exercise session into your tight schedule include:  

- Try to schedule your exercise in a time slot where you don't have to change or shower after exercising i.e. before you're heading home, on your way to meet friends for a drink (this accomplishes the dual task of discouraging you from staying out all night dancing at a club since you won't be dressed appropriately nor will your friends want to spend much more time with you as your odor accumulates). Showshoeing post-workout adds another 15 minutes at least to your 30 minute slot.
- Read/work on the exercise bike. The hard covers of stationary bikes easily accommodate a case book, and blackberries can withstand sweat while shooting out work emails. Flash cards are also great to review on a stationary bike, you are so distracted by trying to memorize statutes that you forget you're exercising, and you're so distracted by exercising that you forget you're studying.
- Swim! Riverbank State Park offers open swimming to the public for $2/session. An indoor Olympic size (50 meters) pool and a pool and outdoor Olympic size (1/4 mile). Track tight in front of the pool building! Call 212.694.3665 for pool and location information.
- Plan a brisk walk or run departing from your home. 15 minutes out, 15 minutes back. It's free, and cuts out transit time for your exercise. Listen to your professors' podcasts during your session for motivating, productive accompaniment!
- Spy! Riverbank State Park offers open swimming to the public for $2/session. An indoor Olympic size (50 meters) pool and an outdoor Olympic size (1/4 mile). Track tight in front of the pool building! Call 212.694.3665 for pool and location information.

Frequently Heard Excuse #2: I cannot afford a gym

Solution: I will skip the debate about whether the preventative cost of incorporating exercise outweighs the life-long cost of treating diabetes, hypertension, and various other ailments that accompany the cumulative effect of sedentary lifestyles and offer some low cost tips to fitness.

- New York City Parks Department Fitness Centers: NYC Parks and Recreation offer fitness centers, many with pools and a directory of all their locations on their website for inexpensive rates as low as $50/year. You may not hob-nob with the glitterati but is is common at Chelsea Piers, nor is it high-end equipment of the sort, but the recreation centers do have adequate equipment to get you amply pumped and trim.

"Scrub the pretty people who wanna drop a grand on a fancy gym, I pay fifty bucks a year and look at me, I'm jacked."—Firefighter at the 95th Street NYC Parks Department Recreation Center (he was "jacked") http://www.nycgovparks.org/sub_things_to_do/recreation_centers/ manhattan

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Jugoso & Delicioso!

"Jugoso & Delicioso!" is a column created to help students escape the dull monotony of law school. Isabel and Regina, hereafter referred to as "We," met and instantly bonded. Our column will explore a different topic every month and we will try our best to make it as funny as possible. If you have any comments, suggestions, or topics you want us to explore please let us know at jugoso_delicioso@hotmail.com.

BY ISABEL & REGINA

WELCOME BACK STUDENTS! This column is dedicated to all of you who have been living under a rock for the past 3 months. This column will serve as a forum to ask life's important questions. As you should know, summer 2007 was the summer of the DUI. Here are some of the most memorable drinking and driving stories of the verano.

It is our duty to begin with the most notorious DUI of the summer: Lindsay Lohan. LLo left rehab and a mere 11 days later, she was charged with a DUI and cocaine possession. The arrest followed a car chase and a feud with her former assistant. Lindsay says she's innocent because she was wearing "someone else's pants." How does a 100-pound drunk girl manage to take hostage 3 guys in their 20's while wearing someone else's cocaine riddled pants?

The next notorious DUI arrest may come as a shocker to newbie gossip mongers. However, experienced scoops may remember that Gloc Junior was arrested on two prior occasions. The 24-year-old son of former Vice President Al Gore was booked for drug possession. The deputy searched his car and found a veritable CVS pharmacy, enough to make the entire student body functional during finals week. He was going about at 160 km/hr but the real questions is: Did he make his father proud by being green and driving an environmentally friendly Prius?

Finally, for all of you TLC fans, Papa Roloff from Little People Big World, got his second DUI. When did he get his first? He allegedly failed the field sobriety test and was taken to jail. He claims he only had half a beer, he must be a lightweight. Will this air in the new season? Because maybe then we'll run in.

The real question is why break the law when you can afford a driver? Thank god we live in NYC where we can drink and take a cab home.

Excessive Punishment for Celebrities who Break Law?

BY LESLIE LUIZHENSKY, Editor & Staff Writer

CELEBRITIES WHO BREAK the law are not new to the criminal front. High profile celebrities like OJ Simpson, Michael Jackson, Mel Gibson, and Winona Ryder, to name a few, have all dealt with legal woes in the past. With that said, it comes as no surprise to see that celebrity criminals have taken law breaking to a whole new level. Many dubbed 2006 as the "Year of the celebrity DUI," but the summer of 2007 is definitely giving 2006 a run for its money. Thanks to celebrities like Paris Hilton, Nicole Richie and Lindsay Lohan, the latest wave of celebrity DUls has prompted much interest in the matter, causing many to take notice.

A common notion amongst the general public is that celebrities face easier in the legal system due to their social status and fame. Surprisingly, average citizens are not the only ones who feel this way. Commenting on Paris Hilton's probation violation and DUI charge, Hugh Hefner acknowledged that like many celebrities, Hilton "lives in a celebrity bubble" which Hefner referred to as "sad." Civil Rights Activist and a celebrity in his own right, the Reverend Al Sharpton, called Hilton a "pampered rich girl" who was given consideration that never would have been provided to an average inmate.

In the past few months, legal scholars have explored the topic of celebrity treatment in the U.S. legal system and the position taken by numerous scholars will come as a shock to many. A prevalent perspective amongst the aforementioned scholars acknowledges that celebrities are given unfair treatment, "unfair treatment" which encompasses harsher punishments. Laurie Levenson, law professor at Loyola Law School Los Angeles, has coined Paris Hilton a "pawn in a turf fight." Commenting on Hilton's most recent legal troubles, Levenson stated, "It backfired against her because she's a celebrity. She got a harsher sentence because she was a celebrity. And when her lawyer found a way out of jail, there was too much public attention for it to sit well with the court."

Lenny Baca, Sheriff of Los Angeles County, agrees with Levenson. At a news conference following Hilton's controversial early release from jail, Baca said, "The special treatment appears to be her celebrity status... Under the normal terms of the early release program Ms. Hilton would not have served any time in our jail."

The early release program Baca mentions allows misdemeanor offenders to serve just ten percent of their sentence. Given this accepted Los Angeles County practice, it would appear as though Hilton was rightfully released from jail after she spent about thirty-six hour behind bars in early June 2007. LA County Sheriff's Department Steve Whitmore further reiterated the harsh sentence handed down to Hilton, noting that the early release program was legislated normally, would have meant no time in jail for Hilton. At the most, Whitmore said, Hilton would have been subjected to the implementation of a home electronic monitoring system.

An analysis conducted by the LA Times revealed that at the time of Hilton's premature release from jail, Hilton had spent as much time behind bars as 60 percent of similar offenders. After fulfilling the full 23 days of her sentence, Hilton served more time than 80 percent of those charged with similar offenses. "In cases where the prosecutor prosecute against a celebrity, it magnifies the deterrent effects... You get a greater bang for the buck in pursuing that kind of case," said Jeffrey Meyer, a former New Haven, Connecticut federal prosecutor and teacher at Quinnipiac University School of Law.

Yale law school professor Steven Duke's take on celebrity treatment under the law is consistent with that of Meyer. Duke notes that media attention may alter court treatment. "The result of the criminal process is more appropriate, more in line with the proclaimed values of the process when the press is watching. As a result, celebrities may get treated more severely at sentencing."

With the recent emergence of criminal charges against Michael Vick, Vivica Fox, and Lane Garrison, celebrity law breakers are showing no signs of stopping. Stay tuned to see if their celebrity status ultimately hurts or helps their cause.

Sudoku Solutions (from page 11)
My Space and Facebook: Ruining Careers?

By Nick Zaita

EVERYONE HAS BEEN THERE, sitting in Civil Procedure, when you realize you have no clue what is going on and figure your time would be better spent checking your MySpace or Facebook profile. You never know, one of your friends may have changed their profile pic and you are tired of that kid incessantly raising his hand just to let everyone know “hey, I am the only one to figure out what was going on in Pennoyner v. Neff” or, to be more precise, the only one to have read the case in the first place.

But you have more important work to do. Someone just invited you to join the Facebook group called “I hate people who stand in the middle of the sidewalk,” and you, coincidentally, loathe those inconsiderate bastards. The names of Facebook groups have become one of, if not the most imaginative things done on the internet amongst law students nowadays. No one seems to be figuring out who is playing at the Knitting Factory this weekend, or trying to see how many days are left of the Richard Serra show at the MOMA (do not bother, it finished weeks ago). Now it is just some student creating the group “Hey, law school, high school called and it wants its drama back.”

But who knew that what ends up on your profile may, in fact, end up in the hands of a potential employer or the dean of students and sully your reputation, or worse, get you in trouble with your mom?

In a world where social networking possibilities have grown more and more expansive (for better or worse), so has the ability for more and more people to learn who you truly are. And what better way to do that than by checking your publicly available MySpace or Facebook profiles. This can even lead to wedding bells.

One of my best friends just got engaged to a woman he met on MySpace. Granted they live in Myrtle Beach, South Carolina, and since his taste is not blue-haired old ladies, his social opportunities were few and far between. But without his future wife’s very descriptive profile and variety of pictures, he may have had to adjust his tastes to playing canasta and chasing grannies.

Everyone has posted pictures of some debauchery that they got themselves into that one night when they went to happy hour after their summer job, then straight to 80’s night with $3 margaritas, then straight to puking in a cab? Thankfully, someone took pictures because you don’t remember a blessed thing. And just to make sure no one else misses out on all the fun, you post all the pics on your profile so people can comment on law class, or especially if you were wearing sunglasses indoors. There’s one slight problem: your “friends” are not the only ones who can get their hands on these pictures.

For example, one law student at a New England-area law school discovered that the internet can bite the hand that feeds it. She landed an on-campus interview with a prestigious law firm in Boston and was prepared to fire back to the great question, “So why do you want to work for us?” with an even greater response when... out of a bottle of Cuervo. The caption read, “Just like right before the law school prom.” To top it off, she was a member of a group titled “I Hate Legal Writing.” Blowback from what was once a reliable and comforting break from promissory estoppel.

“I’m sorry,” the associate told her, “but we don’t hire people like you.” End of interview.

That may seem extreme, but is it really unexpected? Everyone has done something that they are not exactly proud of, but it was fun dammit! The point is maybe not that the firm did not want to hire her because she drank way too much tequila one night (again, who hasn’t), but that she was damn enough to post it on the internet for someone just like this associate to see.

Employers are not just looking for people who can spit out the elements of adverse possession, or who can bullshit their way through any argument. They want well-rounded people who can advance their firm, help the partners get that summer home in South Hampton, and not make someone think twice about hiring you just because you had some fun a couple of nights in the East Village. The message: Think before you post. Anyone can be watching. I have to end this article because I need to go delete half of my pictures.

‘The Yukos Affair’: Follow the Big Money Pipeline

Continued from Page 2

need to improve the rule of law in Russia, but admitted that the US had done nothing, other than follow the trial and relays its concerns in press conferences, to dissuade the Kremlin from its actions.

Though the hope was for foreign investment in Russia to be negatively effected by the “Yukos Affair,” foreign investors had long been wary about the climate in Russia and of the benefits and drawbacks of doing business there.

One significant note is that bribery is a way of business in Russia, as it is also the way to protect that business. Only British Petroleum made the gutsy move to become significantly involved in a joint-venture project, which it has since abandoned, or rather sold back to the Russians for a fraction of what it initially paid. In October 2005, Russia’s reputation took another hit when the Transparency International, a watchdog based in Berlin, showed Russia dropping from 90th position to 126, tied with Albania, Niger, and Sierra Leone.

Perhaps the biggest stand against Russia’s misdeeds was taken by Congressmen Wicker and Lantos who co-wrote legislation proposed in the House of Representatives condemning the Kremlin for not adhering to the rule of law. They later expressed in opinion as to why. Oft cited is the explanation that Khodorkovsky crossed Putin by financing the rise of the oligarchs. Mr. Putin also awarded the two judges in the Yukos trial, Anatoly Antoshin and Andrei Grechishkin, as well as the state prosecutor in the Yukos trial, Dmitry Shokhin, and federal prosecutor General Vladimir Ustinov the same ‘honor’.

The ‘Yukos Affair’ raises concerns about the rule of law in Russia regarding the independence of the judiciary and the value of contract and property rights, and further raises issues regarding potential investment in Russia and the climate that awaits those that venture into the market. To truly understand the story of Yukos, we must start at the beginning, after the fall of the Soviet Union and during the rise of the oligarchs.
NYLS STUDENT CHAPTER OF LAWYERS WITHOUT BORDERS

Many of you are familiar with Doctors Without Borders, but how many of you know Lawyers Without Borders. Now you do.

The NYLS Student Division of Lawyers Without Borders seeks to promote the work of its parent organization, Lawyers Without Borders (LWOB), an international human rights NGO that works through networks of pro bono lawyers, non-profits and law students. Our purpose is to assist LWOB with its various worldwide projects and to actively engage in the international human rights movement.

With an emphasis on raising awareness in the NYLS community, networking with other human rights groups and linking students to research projects on real human rights issues, the Student Division aims to promote the enforcement of global human rights without regard to geographic and political borders.

Some Upcoming Events:

Stop Human Trafficking Week
October 22–26.
A week of events aimed at bringing awareness to the reality of human trafficking both home and abroad.

Native American Law Film Screening. November is Native American Heritage Month and LWOB will sponsor 3L Michelle Schenandoah’s efforts to host a documentary film screening to bring attention to a legal dispute over land and mining rights—in which there are human and religious rights violations—on the Shoshone Indian reservation in Wyoming. This documentary was recently viewed at the UN Permanent Forum on Indigenous Issues.

UAEM-LWOB-IP CONFERENCE: The New York Law School Chapter of Universities Allied for Essential Medicines is teaming with the New York Law School Chapter of Lawyers Without Borders and the New York Law School Intellectual Property Law Association to bring you an exciting one-day event where ideas and experiences will be shared on the convergence of human rights and intellectual property practices.

Keep an eye out for more information and events.

Projects and Research:
The Student Division engages in three types of projects: projects directed by LWOB, projects in conjunction with other law schools, and projects initiated by the Student Division. When performing projects initiated by the Student Division or with other law schools, the Student Division is acting independently of LWOB, and the projects are not endorsed by LWOB. To join an ‘ongoing’ project please contact the section of your interest. Contact information for each section is posted on the About Us page on our NYLS website.

Ongoing Projects:

• Assisting LWOB’s Lawyers at Risk Program. Sponsor: LWOB. Section: Research

• Research for Human Rights Watch Monitoring of Europe’s Counterterrorism Laws. Sponsor: NYLS Student Division/NYU. Section: Research

• Research for Praxis on Peruvian Truth Commission. Sponsor: NYLS Student Division/NYU. Section: Research

• Representation of LWOB at weekly United Nations NGO meetings. Sponsor: LWOB. Section: Outreach

Some Completed Projects:

• Fundraising Dinner for Ethiopian Neutral Observers Team. Sponsor: LWOB. Section: Outreach

• Research for International Labor Rights Fund Suit Against Wal-Mart. Sponsor: NYLS Student Division/NYU. Section: Research

• Pakistani Earthquake Victim Aid Drive. Sponsor: NYLS Student Division. Section: Education

• Liberian Law Project. Sponsor: LWOB. Section: Research

• Slavery Reparation Research. Sponsor: LWOB. Section: Research

Contact Info:

NYLS Lawyers Without Borders Student Division e-mail: lwob@nyls.edu.

NYLS Lawyers Without Borders Student Division website: http://www.nyls.edu/lwob. Student Division address: NYLS LWOB Student Division.

Student Life. 57 Worth Street, New York, NY 10013

Global Human Rights Bulletin e-mail: hr bulletin@nyls.edu.


Without Lawyers Without Borders website: http://www.lwob.org

THE FEDERALIST SOCIETY

The Federalist Society chapter at New York Law School stems from the Federalist Society for Law and Public Policy Studies, a national organization of conservatives and libertarians interested in the current state of legal order. It was founded on the following principles:

1. The state exists to preserve freedom.

2. The separation of governmental powers is central to the Constitution.

3. It is the province and the duty of the judiciary to say what the law is, not what it should be.

The Society seeks both to promote an awareness of these principles and to further their application through its activities.

Some Upcoming Events:

October 15: Professor Nick Capaldi, Justice Thomas, and Mr. Roger C. Pilon will be speaking on the Second Amendment.

October 20: Mr. John R. Calhoun, Professor Daniel J. Elazar, and Mr. Robert A. Levy will be speaking on Amending the Constitution.

October 27: Mr. Robert A. Levy, senior fellow in constitutional studies, and a member of the board of directors at the Cato Institute, will be speaking on Affirmative Action.

Keep an eye out for more upcoming events and information and for the first issue of the Federalist Society’s journal, The Federalist: http://www.fed-soc.org/

The Federalist Society website: http://federalistpapers.org/

The Federalist Papers: http://federalistpapers.org/

Contact Info:

Student Division address: Federalist Society, Student Life, 57 Worth Street, New York, NY 10013

Yahoo group: name: Federalist_Society_NYLS_Chapter, email: the.doyle@yahoocom

Michael Doyle, chapter president: mihoyle0@nyls.edu

The Federalist Society website: http://www.fed-soc.org/

The Federalist Papers: http://federalistpapers.org/
Necks explode, but we don’t know whose, nor do we care. The action is incomprehensible.

Necks explode, but we don’t know whose, nor do we care. The action is incomprehensible. Only a handful of kids make it to the beachfront where they are supposed to raid the Wild Seven’s headquarters. The question is: Is that kid from the original going to win again? Is this new pack of students going to triumph? Most students, however, are picked off by Nanahara’s army, in what is supposed to be a bit of poetic justice. Cruel irony? Exercise in absurdity? An apple dunking contest? From that point on, the viewer stops caring about whether the kids are going to kill themselves because that is not what we’re supposed to do. The fecocity of the first film is lost and Battle Royale 2 takes its place among a long list of sub-par sequels.

There is an incredible amount of potential in the changes made to the premise. In the original, each student was left to fend for his or herself. In the sequel however, students were paired up, seemingly at random, so that when one dies, that student’s partner’s neck would also explode. So, the added element: each student is responsible for ensuring that his or her counterpart remain alive and each must adjust their actions accordingly. They involuntarily assume responsibility over another’s life and death. Many of the original’s scenes would also evolve. Paired against the so-called mission, to destroy the Wild Seven, the most painful feature of the first film is lost; the students are now attacking this unknown terrorist figure and not each other. The students are spared the burden of confronting their own classmates. The choices are more straightforward and, for the filmmakers, blatantly political.

Now, this is still Battle Royale, so it’s not a total failure. The first teacher’s daughter, Shiori Kitano (Ai Maeda), contrary to the rest of the film, was a gorgeously executed character. She fulfills on the promise of the several changes in the film’s premise by stubbornly maintaining the survival of her neck. Her other half. Further, she shares a single scene with ‘Beat’ Takeshi Kitano who graces us with a little cameo. It’s a flashback that may be more heart-breaking than anything in the first film. This minor positive moment is offset by the new teacher’s over the top performance. The teacher, Riki Takeuchi, gives us something more akin to Jim Carrey than ‘Beat’ Takeshi Kitano. Picture Count Olaf. He screams and bellows and scowls and we wonder why he’s so frantic. There is a stupid grin that just never leaves the guy’s face and a thick leather jacket that assures the viewer that he’s too cool for school.

Some of the students do reach Nanahara’s island lair where we spend the rest of the movie in brooding contemplation. We can predict, fairly easily, who the fortunate are as we are only introduced to about a half-dozen students. But by then, who gives a damn about the rest of the movie? It’s too long anyway.

Some of the shortcomings with the execution of the original premise must, unfortunately, stem from Fukasaku Kitaj’s premature death during filming.

The Hunting Party: Legal Issues in Film Without the Courtroom Drama, a Synopsis

By Jerry Ray Dial

THERE ARE FEW MOVIES about the United States and the United Nations’ failings during and after the Bosnian Civil War. There are even fewer willing to address this topic in a humorous yet still poignant style. But there is one film that does all of these things and still manages to work a contraband-running midget into the movie. This movie is ’The Hunting Party’ and it is an enjoyable telling of the faults of international bureaucracy. Well, it is at least enjoyable until you realize millions of people have died because of this bureaucratic uh-oh.

The story follows disgraced and downtrodden television journalist, Simon (Richard Gere) as he reunites in Sarajevo with his former cameraman, Duck (Terence Howard). While Duck’s career has flourished, but now Simon is offering Duck a major coup of a story because it seems Simon knows the whereabouts of the infamous war criminal, the Fox.

Rounding out the hunting party, there is a TV Executive’s journalist-in-training, Ben (Jesse Eisenberg) who is looking to make a name for himself and impress his father.

Their search for the Fox, the group is forced into dealing with a UN police force that is handicapped by policies and procedures for investigating the locations of war criminals ‘hiding’ less than 30 minutes from its location. They are also forced into dealing with an overzealous UN military officer whose information is as harmful as it is helpful.

If you take the movie as a story of two men who get off on the adrenaline of reporting wars, it is only an okay buddy flick. But, when you add the premise that two adrenaline junkies are able to hunt down a country’s most wanted war criminal in a matter of days on sheer persistence while the United States and the United Nations cannot (or will not), it makes for a very interesting piece.

Yes, the movie does get a little heavy handed with its lectures on the weakness of international policing policies, but it always seems to find a way to lighten the mood. I found the UN donut scene and the midget scene to be especially funny because who does not love donuts and midgets?

Overall, this is a pretty good movie. Now if you really want a history lesson on the Bosnian War, there are better films out there. But none of them have a scene with Richard Gere in the bathtub. Also, I would not recommend this as a date film not unless you and your date are deep into conspiracy theories. That being said, I did take a date. Not because we are into conspiracy theories, but because I was pretty certain that seeing Richard Gere and Terence Howard discussing mass graves and genocide was more arousing than watching Dane Cook make lame jokes while Jessica Alba falls all over herself.

A Royale Battle to Sit Through the Second Time Around

By Jason Summerfield

The Battle Royale premise: A few years ago, a Japanese Parliament, fearful of the youth, passed an obscure little law, the BR Law. It was an attempt to curb the radical and insubordinate behavior of the youth through a program that only an adult could conceive. A class is chosen to participate in the Battle Royale. Under the guise of a class trip, the students are gashed, brought through a long, dark tunnel and when they awake on an island, the horror-show begins. If more than one class member is alive after three days, all of the survivors die, courtesy of an ominous exploding neck-whippersnapper followed suit in the sec-
youth, passed an obscure little law, the BR

and insubordinate behavior of the youth
conceive. A class is chosen to participate in
ond. And so, the brutality unfolds in
brilliant deadpan intensity, provided the
groin, a knife through the head, an explod­

ago, a Japanese Parliament, fearful of the
Law. It was an attempt to curb the radical
the Battle Royale. Under the guise of a
class' teacher (ex-teacher in the original)

is a brutal viewing experience. Battle
Royale makes us question our own human­

instinct? Certainly some can make that
adjust their actions accordingly. They

are beginning to comprehend
what the hell is going on, the new teacher
rattles off a list of countries beginning
with Japan. What is their common fea­
ture? All were bombed by the United
States in the past century. Whenever, Every

students were paired up, seemingly at
point on, the viewer stops caring

Nanahara is beyond me.

survivors

at least three days, all of the. survivors

me.

that the decision is not always in favor of

is a brutal viewing experience. Battle
Royale makes us question our own human­

The original Battle Royale attacks some­

inevitably confront other generally more

hostile students.

Prior to the Battle Royale, the chosen
class' teacher (ex-teacher in the original)
demonstrates the gravity of the situation
on one unfortunate student; a kick in the
groin, a knife through the head, an explod­

neck. Beat Takeshi Kitano, with a
brilliant deadpan intensity, provided the
necessary service in the first film. Another
whippersnapper followed suit in the sec­
ond. And so, the brutality unfolds in
mesmerizing fashion.

The original Battle Royale attacks some­
thing visceral, something deep within.
It is more than a massacre drenched in digi­
tal gore. It is more than that. It is an
dark, brutal, and painful. It is a brutal
viewing experience. Battle Royale makes us question our own human­

is friendship stronger than the survival
instinct? Certainly some can make that
choice with relative ease, but the tragedy is
that the decision is not always in favor of
friendship.

The original competition included its
share of students that embraced the situa­
tion and chose survival; a sluttily yet ambi­tious Mitsuko (Kou Shibasaki) and the
psychotic transfer student Kitiyama
(Masanobu Ando) more than filled their
quota. The unavoidable tension the
premise creates is difficult to endure.
It has neither the cute and cuddly factor
of Kid Nation nor the resulting poor
management of Lord of the Flies. The
terror doesn’t lie in the inevitable violence
(look to Ichi the Killer or Bad Taste).
It lies in the choices the young class
members must make.

Battle Royale 2 however misses the
mark entirely. It fails, to a large degree, on
account of its blatantly political agenda. As
the students are beginning to comprehend
what the hell is going on, the new teacher
rattles off a list of countries beginning
with Japan. What is their common fea­
ture? All were bombed by the United
States in the past century. Whenever, Every

students were paired up, seemingly at
point on, the viewer stops caring

Nanahara is beyond me.
SPORTING LIFE

Michael Vick's Fate was Never in Question

By Lawrence Metelitsa, Staff Writer

Michael Vick, one of the most exciting players in football, was charged with competitive dog fighting and conducting the venture across state lines. A 19-page indictment alleged Vick was highly involved in

the operation, attending and gambling on dog fights. What turned most people's stomachs was Vick's alleged executions of dogs that did 'not perform well. We now know that Vick has accepted a plea agreement, taking responsibility for being present during dog executions and for bankrolling the whole operation. While these actions are despicable and by no means defensible, Michael Vick was the "victor" of sensationalist justice and a societal double standard. I use the word victim loosely because after all Michael Vick was guilty of these crimes and deserves to be punished.

We will start at the beginning. Michael Vick's cousin was arrested on a minor drug charge. This lead police to discover the home in Virginia that played host to a dog-fighting ring. In subsequent weeks, before an indictment was ever filed we saw sources appearing on ESPN and other nationally syndicated shows alleging Vick's involvement. For weeks and even months it became one of the top news stories, leading PETA activists to boycott Vick playing football. He was convicted in the court of public opinion before any trial could develop.

There was nowhere in the country that could offer Mike Vick a fair and impartial jury of his peers. All potential jurors had been contaminated with speculative and unfounded evidence. It is easy to hate Michael Vick because he has since admitted guilt and taken responsibility for his reprehensible actions. However, even before he announced his plea deal, lawyers and law students alike knew one was coming, he simply had no choice. Vick faced a long uphill battle, one that he was already losing, one that would take a long time and a lot of money by pleading guilty, cooperating and showing contrition Vick will most likely have an opportunity to play football again.

Sensationalist journalism robbed Michael Vick of the possibility of a fair trial because we live in a fickle nation, and the controversial topic of the day is dog fighting. Where are the activists at Cincinnati-Bengals camp to protest a team a has had thirteen of its members arrested for violations ranging from drug, and alcohol abuse to domestic violence and assault? Kobe Bryant was on trial for rape, but was allowed to continue to play basketball. Although his trial reverberated through out all the news and sports shows, and his sponsors suspended his endorsement deals, his past squeaky clean image afforded him the benefit of the doubt. Since figures like Mike Tyson and Michael Vick and even Tupac Shakur were seen as thugs, guilt came attached to allegations. Modern day communication and media now have the ability to implant preconceived notions in every potential juror's head, even though opinions are supposed to be formed in court and not in the Enquirer.

I am fully aware of many of the potential counter arguments to this position, one being, that the rich and famous usually buy

Continued on Page 11

NFL Breakdown: Giants, Jets & Predictions

By Alex Bunaev, Staff Writer

NY Giants/NFC

The NFC is wide open for anybody to make a run to the Super Bowl. The only problem is that whatever team gets in will be smacked around by whoever AFC powerhouse rises to the top of that conference.

The Giants enter this season with three huge questions hanging over them, the answers to which will determine how the team fares. The biggest question is, how will the Giants replace Tiki Barber's production?

It appears that the Giants are satisfied with promoting Brandon Jacobs, the biggest back in the NFL and even bigger than some defensive linemen. He is backed by the capable Reuben Droughns who came over from the Browns after an eventful year. Jacobs will punish opponents and Droughns will keep him fresh for the fourth quarters, when he should thrive. Jacobs will be a beast in goal line situations and will definitely put up better TD numbers than Tiki. The combo, with Jacobs leading the way, should come close to the 1600 rushing yards Barber put up last year.

The Giants will definitely miss the receiving numbers that Tiki put up every year. For the past 8 seasons, Barber never had less than 52 catches in a year. He was a safety valve for Eli Manning. Neither Jacobs nor Droughns possess the receiving skills to replace Tiki's production.

The Giants will probably rely on untested Derrick Ward as a scat back in third down and long yardage situations. The Giants also lost reliable fullback Jim Finn for the year to a shoulder injury. That leaves the blocking duties in the hands of another untested player in Robert Douglas.

The second question is, how will the Giants respond to Coughlin? Last year the team could not wait until post-game interviews to take shots at coach Coughlin, with Tiki leading the way. For a disciplinarian, Coughlin did not seem to be in control of the locker room at all last year. This year he is a lame duck coach, and things may not improve. The Giants will need to focus on themselves instead of how the coaching staff screwed up the game plan.

The third question facing the team is, how will Eli respond to last year's somewhat disappointing season? The key to Eli's success is protection. Once he is rushed, his mechanics get messed up and he misses the throws evidenced by his 18 interceptions last year. If Eli is given time and if he can trust the protection, he can deliver the ball to his many weapons.

He has the reliable veteran in Amani Toomer back along with deep threat Plaxico Burress and tight end Jeremy Shockey. One of the younger receivers is emerging steadily Sinorice Moss or rookie Steve Smith. The defense should be solid with or without Strahan. First round pick Aaron Ross will help an aging cornerback crew. The linebackers are solid with Pierce leading the way. The d-line could use Strahan but keep Umenyiora healthy and they'll be okay.


NY Jets/AFC

The varsity conference boasts the league's top 4 teams with others on the rise. A run to the Super Bowl would mean victories over 2 of the powerhouses, New England, Baltimore, San Diego, and Indianapolis.

The Jets will have a much more difficult time this season. They will not sneak up on anybody, and teams will have a season's worth of tape on Mangini's system. That said, the Jets did improve this season.

Thomas Jones comes over from the Bears where he put up over 1200 yards rushing each of the past two seasons. Although those numbers don't look that great, it has to be noted that defenses did not go out looking to stop Rex Gumbinner. The Jets' rushing attack did not scare anybody last season as little Leon Washington answered his critics from last year. He should benefit from his system.

The player everyone expects to emerge is Darrelle Revis. He played host to a dog-fighting ring. One of the youngsters may emerge, possibly Sinorice Moss or rookie Steve Smith. One of the youngsters may emerge, possibly Sinorice Moss or rookie Steve Smith.

Super Bowl Champ: New England

Continued on Page 11
Michael Vicks’ Fate
Continued from Page 10
their way out of everything. But Vick assembled one of the best legal teams in the country and in the end a guilty man was punished. However, that goes hand in hand with my ultimate point; our legal process is too often dictated by sensationalism, leaving justice by the wayside. A recent example of this would be the Duke Lacrosse case in which a state prosecutor tarnished the names and ruined the college careers of several athletes in order to bring himself notoriety and fame. It used to be innocent until proven guilty, but now it is suspended indefinitely until we know you are innocent.

In this case the backlash on Michael Vick has been unprecedented. He has been villainized more than most of the murderers and rapists in this country. The other day while driving I listened to a rap song on the radio that featured Michael Vick’s name. Rap songs usually talk about murder, money and sex, but yet they are not allowed to mention Michael Vick. Rap song on the radio that edited out his name. 

Were the facts of the Michael Vick case particularly heinous? Yes. Was Michael Vick involved? Yes. Should he be punished? Yes. Should I be able to answer these questions before he was afforded the opportunity to defend himself in court? No. In this case, Michael Vick lost before he even started. Most people know that our justice system is not perfect and that sensationalism has existed for ages, but it still needs to be questioned. Michael Vick may be a bad guy, however he is by no means the worst we have come across. But hating him became fashionable and so his punishment must be fair, right?

Here are the rules of the puzzle—There is really only one rule: Fill in the grid so that each row, each column and each 3x3 box contains the digits 1 through 9. This means that the digits to be entered are 1,2,3,4,5,6,7,8,9. 

This is a row 9 cells wide.

A filled-in row must have one of each digit. That means that each digit appears only once in a row. There are 9 rows in the grid, and the same applies to each of them.

See Sudoku Solutions on Page 6
Spooktacular October Happenings in The City

Whether you're new to the area or a longtime New Yorker, here are some events to check out around the city.

CultureFest NYC 2007
Battery Park
Sunday, October 14, 2007:
11am to 5:30pm.
This free celebration features more than 100 of New York City's arts and cultural organizations. The more than 100 arts organizations in attendance will have exhibitions and programs, in addition to lots of hands-on activities. Live performances will take place on 2 stages throughout the weekend that everyone can enjoy. CultureFEST is a major part of the event as a variety of New York City's finest restaurants showcase their food on-site.

NYC Spa Week
Various Locations
October 15th–October 21st, 2007
In mid-October, more than 80 Manhattan spas (as well as spas in Brooklyn, Queens, Long Island, and Westchester) are offering spa treatments for just $50 each. You can choose from massages, facials, manicures, pedicures, body wraps, and many other delicious indulgences. For more information on participating spas, visit www.spaweek.org.

Big Apple Circus
Damrosch Park, Lincoln Center
Promoted its start in 1974, the Big Apple Circus has been dedicated to preserving the tradition of classical circus. The circus presents acrobats, clowns and animals in a thrilling and welcoming way as it gives spectators an intimate experience. The big top sets up a tent in Damrosch Park, behind Lincoln Center, which seats 1900 in a full circle around a center ring. Tickets are required for the various performances starting at $28.

NYC Horror Film Festival
Various Locations
October 17th–October 21st, 2007
America's largest genre film festival rolls out five days of frightful offerings. The HorrorFest's mission is to support independent horror, thriller, and sci-fi filmmakers. HorrorFest holds contests for best trailers and films to be screened during the festival. Tribeca Cinemas has two theaters running concurrently, an in-house bar and lounge, and concession stands. For more info, visit www.nychorrorfest.com.

The Ghosts of Greenwich Village Scavenger Hunt
If you have good walking shoes and a keen sense of adventure, a haunted tour of Greenwich Village may be up your ally. This scavenger hunt showcases the history of Greenwich Village, complete with "ghosts" of the past, as you pass through a variety of buildings and burial plots, as well as the stories that lie buried within. Tickets are required for the tour and cost $26.50 per person. For more information, call 877-946-4868.

New York's Village Halloween Parade
Sixth Avenue | October 31st, 2007
Whether you knew it or not, the Big Apple is home to the world's largest and, arguably, most famous Halloween parade. Sixth Avenue comes to life with creepy critters, ghouls, goblins, witches and warlocks as the parade makes its way. The parade begins on Spring Street and follows Sixth Avenue to 23rd Street. For those brave enough to participate in this event, the line-up begins on 6th Ave. South of Spring St. and North of Canal between 6:30 and 8:30 p.m. Those interested in watching the parade can assemble on 6th Ave. from Spring St. to 21st St. from 7–10 p.m. Unable to make it down to the parade? NY1 Television will be broadcasting the parade from 8–9:30 p.m.

Blood Manor Haunted House
542 West 27th Street
October 5-7, 11-14, 18-21, & 25-31, 2007
Blood Manor is 5,000 square feet of sheer terror. The Manor's labyrinth includes 11 themed rooms and NYC's only haunted 3-D maze, where guests receive 3-D glasses to view frightening images of demons, monsters and ghouls. Blood Manor is meant to be intense and scary, so the faint of heart beware. Tickets are $20 if purchased in advance, $25 at the door, or $30 for express entry. It is recommended that tickets be purchased in advance to avoid waiting in long lines. To purchase tickets or find out more information, visit www.bloodmanor.com or call 212-290-2025.

Upcoming Events at NYLS

Tuesday, October 2
Advanced Techniques in Professional Development: Part 1
This program is designed to teach you how to target, approach and cultivate professional relationships. It is for students willing to commit to all five sessions. Each session is designed to be interactive, and to build on exercises that you undertake in the week prior.
12:50pm, room A600; 5:00pm, room A600

Thursday, October 4
Reforming Legal Services in the United Kingdom
The British government has taken steps which culminated in a movement to reform the rules governing legal services. Last year, it presented to Parliament reform proposals in the Legal Services Bill. What is the status of the Legal Services Bill? Which proposals have gained support and which have attracted controversy?

In Parliament likely to pass the bill by the end of the year? What are some of the implications for legal practice in the United States and other countries? Lord Kingsland will discuss these and other questions.
4:30pm-6:00pm in the Wellington Conference Center

Music and Art Calendar

Art Exhibits
American Museum of Natural History
Undersea Oasis: An enthralling exhibition of the brilliant color photographs by underwater photographer Idell Conaway.
SonicVision: The American Museum of Natural History, in collaboration with Moby, is launching a groundbreaking digitally animated alternative music show called SonicVision.
www.amnh.org
The Brooklyn Museum of Art
Museum of Modern Art
Whitney Museum of American Art
Modernisms: a presentation of works from the collection, looks mainly at artists working in the first half of the 20th Century. www.whitney.org

Music
10/10: P.J. Harvey @ Beacon Theater
10/11: Alex English @ Hiro Ballroom
Moby DJ Set, The Juan Maclean
10/16-10/21: John Scofield Trio @ The Blue Note
10/17 & 10/18: Bruce Springsteen @ MSG & The E Street Band
10/20: Bill Bragg @ The Concert Hall (@ N.Y.S.E.C.)
10/22-10/23, 10/26-10/28: Morrissey @ Hammerstein Ballroom
10/23: Alicia Keys @ Spotlight Live
10/30 & 10/31: The Black Crowes, Patti Smith @ United Palace
10/31 & 11/2: The Police @ MSG
Check out the Knitting Factory, right around the corner from NYLS. http://www.knittingfactory.com.

Legal Trivia
Provide the name of a 1994 Missouri case discussing whether a cordless telephone conversation is an oral communication.

Entertainment Trivia
Name the five original MTV VJ’s.

Quiz Questions
Hey NYLS, here is your chance to win big. Answer the legal trivia question correctly and you could win a free legal study guide from Kaplan. Answer the entertainment trivia question correctly and you could win two free movie tickets. Email your answers to jstone06@nyls.edu with the heading: De Novo Trivia. Everyone who answers correctly will be entered into a raffle drawing for the prizes. Submit your answers by Friday, October 19th. We will contact the winners and announce their names in the next issue. Good luck!