10-1996

The New York Law School Reporter, October 1986

New York Law School

Follow this and additional works at: https://digitalcommons.nyls.edu/newspapers
HEAD TO HEAD
Scalia Takes On NYLS

By Gila Garber

On September 12, 1996, the Steifel Reading room was packed with an enthusiastic audience. The crowd came to a hush as the sound of three knocks resounded through the room. The audience rose to its feet as the clerk loudly hailed the entrance of the six justices. "Oyez, oyez, oyez. All those who have business before this Court, the honorable Supreme Court of the United States, are summoned to draw near and give their attention, for the Court is now sitting. God save the United States and this honorable Court." So began the twentieth annual Charles W. Froessel Moot Court Competition.

The Froessel Competition

The Froessel Competition is an intramural competition dedicated to constitutional law issues. Selected competitors become members of New York Law School's Moot Court Association. Over the summer, competitors are given a fact pattern which presents two different issues of constitutional law. Competitors pair up into teams of two, and must write a brief advocating a particular side. After the briefs are submitted, the preliminary rounds begin, where competitors argue in three separate rounds. Competitors must be prepared to argue either side of both issues, regardless of the side on which they wrote their brief. After the preliminaries, thirty-two competitors are invited to argue in the octo-finals; sixteen competitors make it to the quarter-finals; eight competitors make it to the semi-finals; and finally, the four top competitors argue in the final round.

The Bench

This year's bench for the final round of the Froessel Competition consisted of the most esteemed justices this competition has ever seen. United States Supreme Court Justice Antonin Scalia presided as the Chief Justice. He was joined by Frederic S. Berman, a New York State Supreme Court Justice; Karen Burstein, former New York State Family Court Judge and former New York State Senator; John E. Sprizz, Judge of the United States District Court for the Southern District of New York; Nadine Strossen, President of the American Civil Liberties Union and New York Law School Professor; Ellisworth A. VanGrande, Senior Judge of the United States Court of Appeals for the Second Circuit; and Harry Wellington, Dean of New York Law School.

The Competition

The four finalists were second year students Lisa Ferlazzo, Erik Levin, Deborah Meyer, and Gina Okum. Each of the finalists put in many long hours working on their briefs and on their oral arguments. The finalists were honored to argue in front of such a distinguished bench.

Moments before the competition, Ms. Ferlazzo entered the courtroom. "I recently attended an event hosted by the New York Civil Liberties Union. I was fortunate enough to meet Dr. Joycelyn Elders and Sister Helen Prejean. You may remember Dr. Elders as the former Clinton Administration Surgeon General who was let go when she failed to take a "right" turn on her views concerning illegal drug use (she dared to consider legalization). And, yes, my fellow friends, people do masturbate. And Sister Prejean is the now infamous woman who is an advocate in the fight to rid our system of the death penalty. My brief encounter with Dr. Elders and Sis-

Continued on Page 8

The Lawyer's Role in the Sports Business Returns

By Sharon Francis-Moore

For one evening in April, NYLS became the center of the sports industry. NYLS's Media Law Project sponsored "The Lawyer's Role in the Sports Business." The panel was the second of a series designed to bring attorneys and executives within the entertainment field to the students of New York Law School. The Media Law Project assembled some of the most well known and powerful people in the sports industry. The panel consisted of David Cohen, legal counsel for the NY Mets, David Denenberg, Associate Counsel for NBA Properties, Inc., Brian Fielding, vice president of Business Affairs at CBS Sports and NYLS Alumni, Gary Gertzog, Vice President and General Counsel for NFL Properties, Arthur Kaminski, President of Athletes and Artists, Phil McConkey, former New York Giant, Robert Manfred Jr., partner at Morgan, Lewis & Bockius LLP, Loren Rich, Assistant General Counsel for the Major League Baseball Players Association, and Dick Schaap, Sports Correspondent for ABC News.

Most of the panelists said that the desire to "give back" was their motivation for participating. Brian Fielding not only wanted to give back, but wanted to stress the importance of networking. Gary Gertzog thought panels like the one assembled by the Media Law Project were "invaluable," and "enlighten students." He expressed his belief that "panels show possible potential routes that students can take to accomplish their professional goals."

David Denenberg had a similar sentiment. "It's good for students to get exposed to people and issues within this industry. "When I was in law school I wanted to know what to do. I had to pound on doors to find the answers." Lauren Rich, the only woman on the panel, had an experience comparable to David Deneberg. "When I started I wished someone had helped me."

Continued on Page 12

Editorial: The Importance of Education

By Jaci Pickens

I recently attended an event hosted by the New York Civil Liberties Union. I was fortunate enough to meet Dr. Joycelyn Elders and Sister Helen Prejean. You may remember Dr. Elders as the former Clinton Administration Surgeon General who was let go when she failed to take a "right" turn on her views concerning illegal drug use (she dared to consider legalization). And, yes, my fellow friends, people do masturbate. And Sister Prejean is the now infamous woman who is an advocate in the fight to rid our system of the death penalty.

My brief encounter with Dr. Elders and Sis-

Continued on Page 4

MOOT COURT FIREWORKS, Pages 8, 9
A QUESTION OF PROFESSIONALISM, Page 6
HE SAID. . . SHE SAID' Movie Reviews, Page 15
SAME SEX MARRIAGES COMING SOON, Page 4

OCTOBER 1996
Sound Off To The Ombudsmans

An Ombudsman investigates reported complaints (from students or consumers), reports findings, and helps to achieve equitable settlement (Webster’s Ninth New Collegiate Dictionary, 1983). The Reporter’s column “Sound Off To The Ombudsmans” is presented for entertainment purposes only.

The Ombudsmans invites all comments “beefs” or questions for publication in this column. Letters will be selected, published and addressed as the editor sees fit. Send all submissions to the Ombudsmans, c/o the New York Law School Reporter, 57 Worth Street, New York, NY 10013 or drop off your submission at the Reporter office located in the student center, the basement of the “C” building.

A Sham for the Shamrocks

The letter written by Jessica O’Kane and Jay McGarry [See Letters to the Editor] is an obvious attempt by the Irish Law Students Association (“ILSA”) to exploit the Reporter’s wide circulation to gain free advertising for an upcoming event. In addition, the arguments proposed by Ms. O’Kane and Mr. McGarry are unfounded and lack insight.

They begin their diatribe by stating that ILSA is one of the most active student organizations, and has been involved “for many years in bringing prominent speakers to New York Law School.” Instead of mentioning any past speakers to augment this statement, however, they immediately plug a future event, making sure to give the date, subject matter, and open invitation for all to attend.

Is it my contention that if ILSA actually had any influential speakers in the past, they would have made mention of them to support their statement. By phrasing their statement the way they did, they allow one to infer that ILSA has not truly had important speakers in the past. Therefore, it is obvious that the second paragraph of this letter is nothing more than an advertisement.

Additionally, ILSA states that the group participates in, among other things, “informing students on educational opportunities abroad, Irish citizenship, and assistance in choosing classes.” I posit that most, if not all of the students who read this reply, concluding the members of ILSA have never been informed about any educational opportunities abroad by ILSA. Moreover, I seriously doubt that anyone has ever had any esoteric knowledge about Irish citizenship purported to them by any of the members of ILSA. Especially since no one in ILSA seems to have actually lived in Ireland, or even speaks with an Irish brogue.

Finally, the last paragraph in the ILSA letter implies that, because I wrote that the members of ILSA are always drunk and never do anything, I have stereotyped them, and I am delaying the peace process in Northern Ireland. This logic is flawed on two grounds.

First, the situation in Northern Ireland has been ongoing far longer than I have been the Ombudsmans. How could I have possibly contributed to the years of turmoil in Northern Ireland when I wrote that column last August? Further, the situation in Northern Ireland came to fruition because of differences in theological perspective and ethnocentrism, and has nothing to do with stereotyping.

Secondly, although I was being facetious when writing last month’s column, what I wrote was true. I recently spoke to a former member of ILSA, and they told me that two years ago, all of their meetings were at bars, and the majority of their time was spent discussing which bars had the best happy hours. In addition, last year ILSA was frequently met at bars, and they invited the entire student body of NYLS to a beer bash at a bar near school. Clearly, the way ILSA has conducted itself during the past three years has done more to convey the image of themselves as drinkers than my column ever could. I am willing to wager that if the members of ILSA’s meetings were made public, most of them would reflect that they spent more time drinking than they did delving into any serious Irish-related topics of discussion.

EDITOR’S NOTE

As our first month together has come and gone, one question looms: Who are we and what have we developed into? Are we the type of people mom and dad would want us to be? Being a flawed human being, I often ask myself that question as I walk towards the back so the people behind me can fit in to the sardine can. I make an effort to say “please” and “thank you” whenever applicable. If I get on a crowded subway car, I will budsman. How could I have possibly contributed to the years of turmoil in Northern Ireland when I wrote that column last August? Further, the situation in Northern Ireland came to fruition because of differences in theological perspective and ethnocentrism, and has nothing to do with stereotyping.

Common courtesies like these (the last one is optional), seem to have lost their place at NYLS when writing last month’s column, what I wrote was true. I recently spoke to a former member of ILSA, and they told me that two years ago, all of their meetings were at bars, and the majority of their time was spent discussing which bars had the best happy hours. In addition, last year ILSA was frequently met at bars, and they invited the entire student body of NYLS to a beer bash at a bar near school. Clearly, the way ILSA has conducted itself during the past three years has done more to convey the image of themselves as drinkers than my column ever could. I am willing to wager that if the minutes of ILSA’s meetings were made public, most of them would reflect that they spent more time drinking than they did delving into any serious Irish-related topics of discussion.

Continued on Page II
Letters to the Editor

Dear Editor,

I just re-read the article by David Drossman, Editor-in-Chief of the Reporter. I am dismayed, appalled and concerned by the article for many reasons—including the tremendous number of blatant spelling and grammatical errors.

I feel it is important for the student body to realize the many fallacies presented in the article. Therefore, I would like to make the following suggestions and comments:

1. Don’t tell people not to take things too seriously if they want to avoid stress. Some people avoid the “stress pitfalls” by taking things seriously enough to feel good about themselves, their efforts and their work. Why assume everyone avoids stress the way you do—by not giving things your all? [Editor's Note: Of course, the best way to avoid stress is to take things more seriously!]

2. To claim that “pure luck and chance control our fate” is a simplistic cop-out. While pure luck and chance certainly do play a role, they do not control our fate; yes, in the field of law, our grades often do. Besides, many students do not get the benefit of a lucky break. Therefore, people need to be taught to rely on their work and their accomplishments and NOT on chance.

3. You claim that “people talking about class rank and the important people they know fosters a more competitive and hostile environment.” I have spent over a year on the eighth floor and it is in no way a hostile or competitive environment. Have you spent enough time up here to know what it is like, or are you making unfounded and banal generalizations? I am fairly certain it is the latter. Most of us do not know the ranks of the others up here, nor do most of us care.

4. As for the “whining” done by those on the eighth floor, I certainly haven’t heard any on the eighth floor. The only whining seems to be coming from your article. When anyone receives a poor grade they should be disappointed, especially if they have not, as students, taken it as seriously as they should have—something you seem to be advocating in your article.

School takes a lot of time. It is extremely expensive, and is important to our future as lawyers. Average grades are not indications of intelligence or of ultimate success but they can be indications of the effort you have given. Why encourage people not to try hard and not to take pride in their work? It is obvious you don’t work hard and do not take pride in your work from the quality of the paper you published recently. Why deny that grades matter to employers, particularly because our school is often not given the respect we deserve in the job market? Your attitude may be the precise reason why our school is not as respected as it deserves.

In closing this article is baseless, trite and embarrassingly transparent. It is an attempt to convince others to develop your sense of malaise and acceptance of mediocrity so you can feel better about the way you have handled law school. There is real danger in your advice. If New York Law School students follow your bad advice, you could be responsible for screwing up their chances to succeed and for screwing up their futures. Congratulations.

Eli Levine
Executive Notes and Comments Editor
NYLS Law Review

Dear Eli,

Read that article one more time and you may see how misguided your response was. I advocate a more “user-friendly” environment at NYLS where everyone is open towards others without vicious competitiveness. Perhaps my article received such fallout because my comments struck home. Or maybe it was closer to the truth than you would like it to be. I prefer to join my friends, the famous "reasonably prudent person," and keep things in perspective. This is only three years of your life, what you accomplish after that is up to you. Keep up the good work, you’re making us proud! By the way, I think you have a call on line one.

RING!
RING!

CLUE PHONE
25 CENTS

To the Editor,

We, the members of the Irish Law Students Association, are outraged at the offensive stereotypes perpetuated by the Ombudsman in your September issue. It is obvious that the Ombudsman does not know anything about our group and its many accomplishments. Furthermore, the Ombudsman’s column proves that this paper would rather engage in cheap shots and stereotyping than substantive writing.

The Ombudsman's column proves that this paper would rather engage in cheap shots and stereotyping than substantive writing

The Irish Law Students Association is one of the most active student organizations. We have been involved, for many years, in bringing prominent speakers to New York Law School. For example, on October 30, 1996 we are fortunate to have Mr. Larry Downes, partner at Gilroy, Downes, Horowitz & Goldstein, and President of the Brehan Law Society, speak at our school. The subject of Mr. Downes speech will be the status of the peace process in Northern Ireland. It is our opinion that the presentation will be of interest to many members of the NYLS community. The speech will be followed by a networking opportunity for students to meet with members of the Brehan Law Society. We invite all faculty and students to join us at this important event.

Other activities that our group has been involved in are: participation in the Multi Cultural Festival at school, informing students on educational opportunities abroad, Irish citizenship, employment opportunities in the metropolitan area and

Continued on Page 14

I Love The Way You Write!

Write For The NYLS Reporter

Writing is easy and fun! Share your interests with the group, and show NYLS that life exists outside of the classroom. Simply write articles, editorials, letters to the editor, letters to the Ombudsman, comments or suggestions on topics of your own choice, or let us come up with the ideas. Your opinions and thoughts are important, and deserved to be shared with the NYLS community. You may write under your own name, a false name or anonymously. No reasonable story refused! Drop off contributions at the Reporter office in Room L2, the lower level of the "C" Building (across from the TV). Or call (212) 431-2100 Ext. 4202 for ideas or more information.

OCTOBER 1996
Same Sex Marriages May Happen a Lot Sooner Than Expected

By Hansen Alexander

The ban on gay marriages, like the Soviet Empire, may end a lot sooner than anticipated.

The conventional wisdom is that the historical, religious, and legal definition of marriage as between a man and a woman is so strongly entrenched that marriage will not be expanded to include “same-sex” couples in the foreseeable future.

Yet anyone who had to argue for the prohibition of gay marriages during last month’s Moot Court exercise can attest to the fact that judges with views across the political spectrum were not as impressed by the weight of history, tradition, and case law behind the definition of marriage as we thought they would be.

Even Justice Scalia, the Supreme Court’s most vehement defender of history and tradition against homosexual rights this past summer in Romer v. Evans, said that justifying the ban on gay marriages on the basis of preventing sexually transmitted diseases, reasoning intimately related to the Supreme Court’s upholding of Massachusetts’ vaccination statute in Jacobson v. Massachusetts back in 1904, was a “loser” of an argument.

The case against gay marriage seemed easy to make for purposes of writing the Moot Court brief. Black’s Law Dictionary and cases such as Dean v. District of Columbia, Singer v. Harris, Adams v. Hewerton, De Santo v. Barnsley, Jones v. Hallahan (not to forget the landmark decision in Froessel v. Wallace) defined marriage as between a man and a woman. The argument that marriage is about morals and civilization and, thus, the domain of the legislative branch and not within the prohibition of the Constitution was firmly supported by the Supreme Court in Maynard v. Hill.

If marriage has been redefined, it is no longer possible to deny the benefits to that go with marriage to gays.

The Hawaii Supreme Court, in making the most favorable ruling yet toward gay marriages, held that the state’s marriage statute violated a homosexual couple’s equal protection rights. Bahr v. Lewin, but went on to declare, “The applicant couples...do not have a fundamental constitutional right to same-sexed marriage arising out of the right to privacy or otherwise.”

Skinner v. Oklahoma suggested marriage and procreation were intimately linked. Gay unions can not procreate. But at this point in the discussion the supposedly airtight case against gay marriages collapses. What about artificial insemination? Artificial insemination seemed to be a subject Froessel judges were far more familiar with than scrutiny tests or fundamental rights.

As early as 1948, a Kings County, New York case, Marks v. Marks, held that the inability to procreate cannot be grounds from preventing people from getting married. More recently, Griswold v. Connecticut in 1965, and Roe v. Wade in 1972 held that the Constitution does not protect marriage because of its link to procreation.

The Minnesota Supreme Court held in Baker v. Nelson that common sense and the Constitution made a clear distinction between a restriction based on race and one based on fundamental differences in sex. When the Supreme Court refused cert to the appeal from Baker v. Nelson, it appeared to close the door on the argument that prohibiting gay marriages was like prohibiting interracial marriages, a prohibition overturned by the Supreme Court in Loving v. Virginia.

But Baker v. Nelson did not close any...
When Professor Ruescher states, "The last day I worked a full day as an attorney was December 17, 1989," he sounds like a cross between a junkie who went straight. He also tells extremely drab material, "Look, if you're late don't even bother coming to class. Go to the diner. Get yourself breakfast. I don't care if the trains are running late!"

Ruescher in a Legal Writing class: "Look, if you're late don't even bother coming to class. Go to the diner. Get yourself breakfast. I don't care if the trains are running late!"

Right now the musicals, "Chorus Line, The King and I, Gays and Dolls, and South Pacific," are in his CD-player. He is, "making a mix for his kids."

Kids? Yes, believe it or not, Professor Ruescher is the father to two girls and one boy. And he is an active father too. When he is not in school, The Professor can be caught hanging out with his family at beaches, fast-food restaurants, and the like. "We try to make every outing an adventure," he says. Professor Ruescher's favorite movie is "To Kill a Mockingbird," and he likes to think of Atticus Finch as his role model. Contrasting his own role as a father to his teaching position at NY Law, "The Professor nonchalantly says, "If I acted at home like I act in class, my kids would have psychological problems.""

Like all NY Law students, when Professor Ruescher is walking into class he is completely prepared and does not need to do any last minute review. Instead he is thinking about the students, and he is planning on how to engage every one of them. Students should know they have a friend in The Professor. He is loud and candid with his intent to cut through all the legal dogma we are required to digest in our other classes, and his main goal is to make us realize that the law and legal research can be easy and fun.

When he attended elementary school, Professor Ruescher used to monitor the first graders on rainy days, and he was always the class clown. And in case you have not guessed, The Professor also performed in several plays during his high school career. Forever a "kid" at heart, Professor Ruescher was always destined to be a dynamic teacher. He thrives off the classroom experience, and he really cares about his students. The Professor was bored by many aspects of the legal practice, but considers law school

Continued on Page 13
A QUESTION OF PROFESSIONALISM

"Winning isn't everything, it's the only thing." - Vince Lombardi

By David A. Drossman

"... primitive and unprofessional"

While sitting at the Reporter table for Club Day, I was witness to a pathetic display of griping and complaining. This was followed by a letter from Law Review which only served to support my premise regarding pompous attitudes pervading Law Review.

This letter was handed to me later that evening with a list of mistakes found in that evening's issue with a request to search for all grammatical and spelling errors within.

Furthermore, I was called "primitive and unprofessional" for allowing an editorial to be printed that expressed an opinion. Webster's Ninth New Collegiate Dictionary defines an editorial as just that, a written piece expressing an opinion.

There was no doubt that the article was an editorial, as the story was obviously based on opinion. Therefore, it would have been unprofessional for me, as Editor-in-Chief, not to print an editorial solely because it did not paint an attractive picture of Law Review students.

It is also ridiculous for Law Review to deny the competitiveness inherent in our curved grading system. Students do not receive good grades for mastering difficult material if their classmates are just as successful. Grades are received through the failure of others to do as well as you.

The competitiveness I spoke of in '1-800 LAW STUDENTS' is fostered by the grading system, as well as the grade-intensive job market. Therefore, the statement by Law Review that free to be seen by anyone, including students and faculty visiting from other law schools, prospective students, outside speakers, and, yes, even Justice Scalia. We at Law Review respectfully request that the Reporter remove all mistake-ridden copies of the Reporter from the newspaper stands before Justice Scalia arrives."

Although repeated references to the Chicago Manual of Style showed errors abound in the September issue of the Reporter, I counted eight commas in the above sentence, which was written by "Law Review." Apparently, no one wished to take credit for that masterpiece. Perhaps correct according to the Chicago Manual of Style, but their sentence is unpleasant to read not only in its content, but also in its form. Is anybody perfect???

Getting back to business, the Reporter does not keep a copy of the Chicago Manual of Style handy for which to refer questions, but the next time I have a doubt I'm sure Law Review will lend me their copy.

As Law Review may or may not know, unlike their organization, the Reporter is a fully-independent student entity, not funded or supported in any way by the Student Bar Association or the school. Subsequently, not only does the Reporter run short on funds to purchase fine publications like the Chicago Manual of Style, but it cannot offer credit and require attendance to maintain a staff of editors to go through newspaper copy with a fine-toothed comb.

The volunteer basis upon which all editors and writers contribute, and the lack of acclaim received for it would obviously cause some of "the most blatant errors" to be found on any publication at New York Law School.

Fear that a copy of the Reporter might find its way into Justice Scalia's hands prompted a "respectful" request to remove all copies from NYLS. If members of Law Review are "perplexed by the outrageous and unacceptable quality" of the Reporter, then perhaps they should transfer schools, because the people writing and editing are their classmates, and will soon be their colleagues. Finally, one thing learned from this experience is that the "unfounded generalizations" about those students [Law Review], were well founded in fact, and, now they are captured in writing. Once again, let's concentrate on becoming professionals.

"... primitive and unprofessional"

"... perplexed by the outrageous and unacceptable quality"

"... primitive and unprofessional"

"... perplexed by the outrageous and unacceptable quality"
weaving

by catboy

he always smoked cigarettes after moving into manhattan he started to chain
an instinctual response to the roaches

maybe if i start smoking parliament menthols, i'll get a date with the virgin white-anorexic american-dream-woman on the billboard on the southwest comer of church and duane.

things were different when we were younger: readings, performances, bands, record release parties, bars that never asked for i.d., the city has it all. law school has the capability of turning us into citizens whose biggest thrill is the difference in the amount of stops on the "a," "c," and "e" trains.

we don't have to let it.
one morning propaganda was shooting a "beck" music-video on my block. in the video, beck, dressed like a cowboy, walks across 11th avenue carrying a boom-box. caterers had set up shop right on 45th street. they chopped vegetables, laughed, and didn't even know who beck was. as usual, the street was littered with used condoms and cigarette butts. beck isn't that great, but why are we in law school? why aren't we shooting our own music-videos in and around manhattan.

the negativity disseminates from our surroundings. word on the street is: people take themselves too seriously.

one of my professors good humoredly put me in my place for bringing up the inspirational qualities of smoking, drinking, swearing, and gambling. after class another student accosted me and said, "well, i hope you learned your lesson. you get what you deserve. you have to learn to put a collar on your behavior." friendly student, i love you.

marissa and i were walking to the subway one evening, and this boy drove by in a truck and yelled, "a walk down this street is a walk through history." at least that's what i thought he had said. he had actually yelled, "i won't go down on you, but i'll go down on your sister."

saturday night on a downtown street, i was hanging out with a friend of mine from bass chocolate. we ran into a girl who i had met at a feminist seminar this past march. she and her companion were coming from a cocktail party which they said was "a real drag." we decided to crash the party, claiming that we knew some boy named "jeff." we made it inside (buzzer, elevator, and carpeting), scored two beers, and started mingling. soon a boy walked over demanding to know who we were. i assumed he was jeff, so i said, "hey jeff, don't you remember me?" as it turned out, this 'boy' was "vick," and "jeff" was somebody else. at this point vick walked over to the real jeff on the other side of the room and had a conference, then vick walked back over to us with jeff watching from the wings. he said: "we don't know who you are, so if you don't mind would you please leave after you finish your beers." i screwed my face up at him as best as i could, but it didn't help. we left. just a thought here: if i was throwing a party, or if anyone i know was throwing a party, there is no way we would throw someone out just because we didn't know them. if we did, we would do it in style. vick's approach was too normal.

i'm on canal street walking to the a-e-e, and this woman in a complete 80s get-up (high heels, spandex, etc.) asks me to direct her to the e-train. since i'm going there myself, i tell her she can walk with me. i practically have to drag her across 6th avenue, because she just stands in the middle of the street waiting for a taxi to run her down. then she starts talking: "my boyfriend left me alone on the e-train because he had to go back to his country. and 3 boys started chasing me, telling me i had a big ass, and threatening to rape me."

"your boyfriend sounds like a real sweetheart. were there any police around?"

"yes."

"did you tell them?"

"no, as soon as they saw the cops they stopped chasing me."

we walk into the subway station, and by the turnstile she scorns me for a token paying me only $1.35. the "a" pulls up, i move towards it, and she demands to know where i'm going.

"how come you're not taking the "e"?"

"because i like the "a"."

"where are you going?"

"hell's kitchen."

continued on page 13
NEED TO KNOW

Moot Court Mania

The Dream Team vs. Seven Angry Justices

Moments before the competition, Ms. Okum said she was "extremely nervous to be arguing in front of Justice Scalia." Mr. Levin commented that "you hope the bench works with you a little, doesn't ask tough question after tough question, and that every once in a while you get a 'soft ball' and you hit a home run."

During the competition, Ms. Ferlazzo's calm demeanor at the podium helped her glide through her argument. "It was like a being in a bubble, where I forgot about everyone watching me and all the cameras on me, focusing only on what the judges were asking me," said Ms. Ferlazzo. Ms. Meyer, walking away from the competition with the highest honor of Best Oralist, Her smooth and persuasive style came across in each of her answers. Ms. Meyer stated that the final round was "like a play, and all I had to do was remember my lines and anticipate the justices' questions."

The justices pounced on the competitors with a continuing stream of questions. At times, the justices interrupted fellow members of the bench to get their question across. Many questions were heavily tainted with the justices' personal views on the issues. As Justice Scalia pointed out at the competition's end, "justices will be speaking to each other more than they're speaking to [the advocate], using [the advocate] as a puppet to make a point."

The interplay of Justice Scalia's conservative views and Professor Strossen's more liberal views led to several jokes which lightened up the intense atmosphere and sparked some laughter. "It was like a play, juggling in front of Justice Scalia," Mr. Levin commented that "you hope the bench works with you speaking to the advocate, using the advocate as a puppet to make a point."

At the closing of the final round, Justice Scalia concluded with a few comments on oral advocacy. He stressed the importance of answering the justices' questions, and pointed out that oral argument can often make a difference in how a case will be decided. Regarding the content of one's argument, Justice Scalia recommended putting "your biggest point first, because you may not ever get off your first point. Put your big guns up front and throw away the bad points."

On behalf of the bench, Justice Scalia concluded that they "enjoyed the argument" and that the finalists did "a very capable job."

The Fact Pattern

Co-authors Heather Keane and Katherine T. Lim penned the detailed fact pattern. The first issue, written by Ms. Lim, addressed whether a marriage statute which restricts marriage to opposite-sex couples discriminates based on sex, and which level of scrutiny should be used to review this statute. The second issue, written by Keane, addressed whether there is a liberty interest in assisted suicide and whether this interest outweighs the asserted state interest under the appropriate balancing test. Professor Strossen felt that "the fact pattern was ingeniously designed to present two challenging and important constitutional law issues, which are also at the forefront of current public policy debates." The ideas for these issues came about through the authors' personal interests and through the debate that surrounds these topics. The names for the characters involved were inspired by the movie "Braveheart."

It was exciting for the authors to watch the competitors breathe life into the story they created. Ms. Lim said that she "had an idea about what the arguments would be like, but throughout each round, people were very creative and made it all very interesting."

The Aftermath

After the competition, the Moot Court Association hosted a reception for the guests, and the Moot Court Association candidates.

Continued on Page 9
Froessel Chairs Kurt Stuckel and Crystal Bardis announced and presented the finalists with awards. Corinne Robinson, a second year student, received the award for Best Preliminary Oralist. Third year students Lisa Aljian and David Crandall took home the awards for Best Brief and Best Team.

Many of the candidates were glad to have participated in the Froessel competition and are excited about becoming part of the Association. “It was fun, it was worth it; but it was a lot of hard work,” commented Ross Weiland, a semi-finalist. Mark Errico, an octo-finalist, added that the competition was “very tiring, and hard to juggle with school and an internship.”

Lisa D’Ateno, one of the Association’s Executive Editors, urges others to compete in next year’s Froessel Competition and points out that “it’s a great experience. You can learn a lot about writing, speaking, and advocacy skills, and you also get to know a lot of people.”

RECOVERING MOOT-AHOLICS

By Kimberly Auerbach

A 12-step program to help those who participated in Froessel Moot Court Competitions, past and present, regain control of their lives. Program organizers will ensure anonymity.

1. How to recover from not getting the phone call.
2. How to recover from getting the phone call.
3. How to come to grips with the fact that you were not the one picked to argue in front of Justice Scalia.
4. How to stop calling your friends, family, and significant others “your honor.”
5. How to stop dreaming about killing your Moot Court partners.
6. How to stop blaming your partners for not making the team.
7. How to start going to classes three weeks into the school year (buying books will also be discussed at this level).
8. What to do with all those cases and piles of paper scattered about your room.
9. How to have a regular conversation without feeling the need to be persuasive and turn the simplest of exchanges into an argument.
10. How to get rid of “Moot Court Face.”
11. How to justify turning your brief in right under the gun (or missing the deadline altogether) when you had a whole month to write the damn thing.
12. How to mend all those friendships you blew off for a month and a half.

Ten Things I Learned From Moot Court

By Hansen Alexander

1. Speak slowly and clearly so the judges can hear what you say.
2. Speak rapidly so you can get all your points in before being interrupted by the judges’ questions.
3. Discuss the public policy aspects of your arguments because any Supreme Court decision has an enormous public impact on people’s lives.
4. Don’t discuss public policy aspects of your arguments because they are the proper domain of the legislative branch and judges shouldn’t legislate from the bench unless they support the issue that is being legislated from the bench.
5. Discuss the Constitutional principles that your argument is based on in great detail so your judges know you have a firm grasp of the law.
6. Don’t discuss the Constitutional principles that your argument is based on because your judges either don’t know anything about Constitutional law or they know way more than you do. In either case, you’re screwed.
7. Be extremely polite to the judges because it shows deference.
8. Don’t be extremely polite to the judges because it sounds condescending or falsely ingratiating.
9. Stand rigidly at the podium, with your hands firm.
10. Move around the podium in a relaxed manner, showing how poised you are.

HAPPY HALLOWEEN!

The Deadline for the November Issue is Friday, October 25

EDUCATIONAL HOUSING SERVICES

353 West 57th Street, New York, N.Y. 10019
Tel: 212-977-9099 FAX: 212-307-0701

212-977-9099

EDUCATIONAL HOUSING SERVICES

353 West 57th Street, New York, N.Y. 10019
Tel: 212-977-9099 FAX: 212-307-0701
Don’t fail your Bar Exam because of your MBE.

Pass. Guaranteed.*
With the MicroMash MBE Review.
It’s the comprehensive, computerized solution, with the official questions from the most recently released MBE.

Worried about your MBE? Concerned that a last-minute seminar, and three days of prep, may not be enough? Not sure if your MBE has the “real” questions?

It's no wonder you're worried. And you're not alone. Set your mind at ease with the MicroMash MBE Review. It uses over 2,000 questions — including the official questions from the most recently released MBE. It includes SMH Bar Review materials. It also includes a built-in personal instructor that pinpoints your strengths and weaknesses, forces you to overcome your weak areas, and drives you hard to your ultimate goal.

It's more comprehensive and disciplined than a seminar. It provides personalized help and guidance every step of the way. It drills you, guides you, and tells you when you’re really ready for your MBE.

All you need is a PC — Windows® or DOS — or an Apple Macintosh®, and this amazing interactive software.

Use it with one of our state packages, or even another provider's state package, and we guarantee you'll pass your Bar Exam.

Call to order or for your FREE demo disks today:

1-800-BAR-EXAM, Ext. 6240
Free Demo Disks!
Call now!

Complete Bar Review packages for 29 jurisdictions!
Including New York!

MicroMash Bar Review
6402 South Troy Circle • Englewood, CO 80111-6424
1-800-BAR-EXAM • Fax: (303) 799-1425 • e-mail: MicroMash@icslearn.com

© 1996 M-Mash, Inc. Registered trademarks: MicroMash, The MicroMash Way, M-Mash, Inc. All other trademarks are the property of their respective companies.

* Complete our MBE Review, and if you don’t pass your Bar Exam, we’ll give you free updates of our MBE Review until you do.

Certain restrictions apply. Call for complete details.
Movie Review: The Trigger Effect

By Charles Hynowitz

Picture a world where everything has gone unglued. There is no electrical power. All the machines and systems which power your life - ATM's, credit cards, telephones, computers at your neighborhood pharmacists - are down because there is no power.

For some reason, the back up power for the radio stations has failed even if they were working, you have no batteries to power your portable radios. How well would you cope? Would you survive? This is the intriguing premise of The Trigger Effect, a new film written and directed by David Koopp.

This moderately successful film, stuffed with edgy interactions between every kind of character and moody, cold but beautiful cinematography, is the first film directed by Koopp after an illustrious career as a screenwriter. It is easy to see why he chose this dark, intriguing material for his first directing effort, and where his storytelling ability helps create the many successful aspects of the film. At the same time, it may help explain why the film ultimately leaves the viewer not caring a great deal about the characters. Where The Trigger Effect works best is where it explores and catalogues the paranoia, culture clash and violence of urban life - the noisy, rude conversations in a movie theater, the young man looking for a fight to prove his manhood, the casual racism and the inability of many of us to find a way to handle this without feeling uncomfortable or damaged or angered. It may strike a little too close to home for some viewers.

The film wins in the casting of Elizabeth Shue. Is there an actress today more capable of being sultry on screen? Watch her drift off and play when her upright, upright husband (Kyle MacLachlan) asks her if she still loves him showed all of the mixed emotions that this marriage has become to her character.

It is the edges of her life which turn her on and keep her going - her excitement at discovering that her husband has stolen drugs in an effort to help their sick baby daughter, and her palpable excitement when the couple's mutual friend, Joe, joins them for company and more once the power blackout occurs.

Where the film fails is in the key area of making the audience care about the characters. As terrific as the Newton Thomas Siegel's cinematography is (if you have not seen The Usual Suspects, rent it just to see how beautiful it looked), it's edginess and quickness serves as a barrier to allowing an audience inside the characters emotional core.

In addition, there is never enough biographical information given to us about the characters. We know where and how they live and we know where they go for the film's climax. We don't know or understand why.

We don't know their history. What does the husband do? Why is she married to him? There is talk of a New York trip and there is a line about butter and checked past the history of which we know nothing about.

Is this some sort of hint back to Leaving Las Vegas? You don't know and because of that, and maybe because this material just strikes a little too close to home, you just don't care.

Poetry Corner

FRIENDSHIP IS COLORBLIND

It should not matter much at all
If one's color is different from our own;
For are we not humans - one and all -
Despite our race or creed or call?

Color is no more than skin deep;
True measure of worth is underneath;
The hand of brotherhood extends to all,
To band together or else we fail.

Friendship - like love - is colorblind,
With power to blot out prejudice in the mind,
Showing respect and equality for all mankind,
Bringing harmony and peace to a better world.

JUDGE NOT

Judge not a man by possess of wealth or fame-
or else we fall.
Judge not by the color of one's skin -
whether he be red or white.
Judge not a man because his clothes are old;
His inner qualities may be equal to wealth.
Judge not by the color of one's skin -
Rather by the worth of character within;
Judge not unkindly of all mankind
Lest you judged unjust and unkind.

By J. Patrick White

"I kept asking to see my baby, but the police would not bring him to me. They told me that if I listened very hard at night I could hear him crying because he was being kept very far away. Everyday I would ask them to bring me my baby. During one of the interrogations, the policemen brought in a tape recorder and said that I could listen to my baby. When they played the tape it was my child saying "Mama, Mama" over and over as he cried."

The purpose of the Truth & Reconciliation Commission is to give the victims of apartheid an opportunity to share their story. The Commission also serves the purpose of educating the minority white population on the horrors of the apartheid system. However, not all the victims at the hearings are black South Africans. There was also testimony from white victims tortured by the ANC, PAC, and other black liberation movements. The Commission hopes that by bringing this testimony forward, the nation will continue in its past instead of merely writing it in a history book and forgetting about it.

The above testimony was given at a hearing I attended at the University of the Western Cape, about a forty minute train ride out of Capetown in southern South Africa. The woman involved, a white African National Congress operative, was being held for a brutal terrorist bombing.

South African Reconciliation

Ombudsman, Continued from Page 2

Moreover, Irish people in general have done much to exacerbate the image of themselves as drinkers. For example, their most widely celebrated holiday is synonymous with the ceremonial serving and drinking of green beer. In addition, many of the bars in New York City are Irish, and it is impossible to consider the terms "pub," and "tavern," without them denoting an Irish image (to one I know ever says, "let's go grab a beer at a French pub").

Further, Ireland's most famous export is Guinness beer. In fact, any trip into a local liquor store will provide proof that the Irish enjoy alcohol. In addition to Guinness, there is Killian's Red, Murphy's Irish Amber, Bailey's Irish Creme, Paddy Irish Whiskey, Bushmill's Irish Whiskey, Jameson Irish Whiskey, Kilbeggan Irish Whiskey and so on.

In view of the comments above, it seems clear that Ms. O'Kane and Mr. McGarry fail to put forth any substantive arguments which would render an apology and retraction from me, or the Reporter. There is no supplementation of proof with any of their statements, and all that they seek seems to be free advertising for an upcoming event.

ILSA is far from being the most respected club or organization on campus, and they only have themselves to blame. Perhaps Ms. O'Kane and Mr. McGarry should spend more time informing people about Irish club's and forgetting about it.

Bebe Dorsen

OCTOBER 1996
Panel, Continued from Page 1

I had to spend time figuring out what to do." She
did not plan for a career in the sports industry; it
came after a career in labor and entertainment law.
Rich stressed the importance of having basic skills
and preparing oneself academically, so when op-
portunities do arrive, one would be prepared to
take them. Most of the lawyers present echoed this
sentiment. Each panelist expressed a desire to elimi­
inate the hide and go seek aspect of getting infor-
mation about the lawyer's role in the sports indus­
try.

The panelists were equally candid about the
industry in which they worked. Gary Gertzog and
Robert Manfred, Jr. both stressed the importance
of learning the areas of anti-trust and marketing.
Gary Gertzog summarized the panelists' feelings
and try to get the best experience possible."

Gary Gertzog, President of the Media Law
Project, offered a taste of Old Italy to students via
a jug of Italian wine. Unfortunately, the Italian
Club president, attempted to distribute the wine.
Are we all not adults here?

LALSA invites all students to
come by its office. It is located in
Room L2 in the lower level of the Stu-
dent Center, "C" Building basement.

The Irish Law Students Associa-
tion's President is
Jessica O'Kane. It is located in
Room L2 of the Student
Center.

The Asian-American law stu-
dents Association is an orga-
nization for students who are
of Asian/Pacific Islander de-
scent, or for students who have
interests in Asian/Pacific af-
fairs. The Association provides
workshops for career development and social events
for fun.

Criminal Law Society
COMING UP WITH THE MANHATTAN DISTRICT
ATTORNEY'S OFFICE

On Tuesday, October 15th, from 1-2:00 PM in Room A700, the
Criminal Law Society will hold the first discussion in its “brown-bag”
luncheon series. Our guest speaker will be Assistant District Attorney
Margaret Clancy.

ADA Clancy is Chief of the New York County District Attorney's
Office Friends Unit, as well as an adjunct professor here at NYLS.
ADA Clancy will discuss the role of a prosecutor in New York City, as
well as discuss the criteria for employment with her Office.

The panelists agreed that the placement of women and
minorities in decision making positions within the
industry has increased over the years, but despite
this increase, the numbers of women and minori-
ties is still considerably low.

Most panelists pointed to the persua­
sive nature of Media Law Project President Lisa Aljian
as the reason for their participation. David Cohen
admitted that his appearance was due in part to
Aljian’s persuasive requests. "Lisa Aljian ap­
proached me, I could not say no." Mr. Cohen gave
students a realistic idea of the industry and the
work involved. He and the other panelists went
beyond the perks and profitability aspects of the
industry to the real work performed.

All the panelists took off their
gloves and got down to basics. They
di­
agreed at times and the discussion ran
from cordial to heated. They slayed the
myths of glamour, perks and soft jobs.
They waded through the muck and mire
of the sports industry. The result was a
lot for the students who attended.

Other panel producers include
sports writer Ovissi Shapiro and stu-
dents Allison Finley, Anna Marie
Creswell, Erin Wolters, Robert Eisen
and Marc DiTomaso.

Panel Discussion:
The Lawyer's Role in the
Music Business

October 17 at 7:00 PM in the Steifel
Reading Room

This panel on entertainment law, which is
free and open to the public, is sponsored by the
Entertainment Law Division of the Media Law
Project. Reservations must be made by calling
(212) 431-2851.

The Program will address issues includ­
ing management publishing and licensing, agree­
ments, negotiations and artist representation. A
question and answer period and a reception will
follow the discussion.

The third in a series of panels on enter­
tainment law, "The Lawyer’s Role in the Music
Business" will be moderated by Christine
Lepera, partner at Gold, Farrell and Marks and
panelists will include: Beth Patterson, Vice-
President at Elektra; Charles Sanders, Harry Fox
Agency; Martin Silfen, Mays and Valentine;
Michael Selverne, Selverne, Flan and
Mendelbaum; Neal Edelson, Vice-President at
BMG Video; and Judith Saffer, Assistant General
Counsel at BMI and President of Copyright
Society.

Media Law Project is a student run orga­
nization focusing on current issues in telecom­
munications, media entertainment and intellectual
property law. The group publishes Media Law and
Policy.
be the door that opened the floodgates for gay marriages, sweeping before it all considerations of case law, statutes, history and the Bible. In overturning the ban on interracial marriage in 16 states, Loving redefined marriage as "one of the vital personal rights essential to the orderly pursuit of happiness by free men." Whether student advocates or judges quite seemed able to articulate the ultimate importance of Loving, there appeared to be an instinctive understanding that the case contained some secret, some power. Even judges who seemed opposed to gay marriages were drawn to Loving: the light to steal Dostoyevsky's metaphor in Crime and Punishment, consistently asking followup and comparison questions.

My guess is that Loving's defining of marriage as "one of the vital personal rights essential to the orderly pursuit of happiness by free men" means that marriage is no longer an economic exchange of procreative rights but rather a right to the pursuit of happiness. If marriage has thus been redefined, it is no longer constitutionally possible to prohibit same-sex marriages. If marriage has been redefined, it is no longer possible to deny to gays the long list of benefits that go with marriage. Legal strategists trying to overturn the ban on gay marriages believe their greatest obstacle is the scrutiny test. Only the Hawaii Supreme Court in Bower v. Lewin has applied strict scrutiny to sexual orientation, the highest level of examination of a statute, which requires "compelling state interest" for its justification.

In 1988 the U.S. Court of Appeals for the Ninth Circuit held that gays in the military were a suspect class and actions against them must meet a "compelling state interest" test. U.S. Army v. Watkins. The Watkins Court nonetheless did not use the words "strict scrutiny." As recently as this summer, the Supreme Court used a "rational relationship" test to strike down the anti-homosexual rights provisions contained in Colorado's Amendment 2, Romer v. Evans. The President's Don't Ask, Don't Tell policy was upheld this year in two U.S. Court of Appeals cases using the rational basis test, Thomason v. Perry and Able v. U.S.

The principle that children are best reared in a family with a mother and father seems to be universal. Moreover, numerous judges pointed out that gays and lesbians rear children and that many municipalities and several states recognize domestic partnership ordinances, which give gay couples some of the same benefits as married couples. Marriage for gays, or its equivalent, exists in the Netherlands, Denmark, and Sweden. Prosevel petitioners invoked Moore v. City of East Cleveland, where the Supreme Court extended the sanctity of the family beyond the limits of the nuclear family.

At a time in which a national crisis rages in children, 1 out of 6 American girls is sexually molested by an acquaint or relative. Gays, contrary to homophobic myths, commit a tiny percentage of child molestation. (At any rate, such stereotyping is now impermissible after the Supreme Court's decision this summer in United States v. Virginia.)

At a time in which great weight is put on the importance of fatherhood, a study shows that lesbian mothers tend to be more concerned with providing male figures for their children than heterosexual mothers.

Erik Levin probably showed good judgment during the Moot Court finals in resisting Justice Scalia's invitation to invoke tradition and history against same-sex marriage, for the history of marriage carries some unpleasant baggage.

Our marriage laws have evolved, it turns out, from the Roman marriage laws and its despotic housefather based on a Master/Slave relationship. Thus the authority of marriage was not based on marriage of man and woman. The woman/wife was a slave and had no more power and authority than her children, even adopted children, slaves, or dependent servants.

Squaring that history with the equal protection clause of the 14th Amendment, particularly in light of the Supreme Court's role as a Court of Equity or "Judicial Round Table" since Brown, is not an easy task.

England's Civil Marriage Act of 1653, which became the foundation for marriage laws in Colonial America, distinctly separated all things worldly from the functions of clergy and the church, clearly subordinating the church's power in marriage to the state.

The Hebrew and Christian ban on homosexual sex, codified in state sodomy statutes, was upheld in Bowers v. Hardwick (even if Justice Scalia had not yet been appointed to the Court) in 1986. To allow gay marriages would violate Bowers v. Hardwick.

Opponents of Bowers v. Hardwick note that the Supreme Court admitted in that decision that sodomy statutes are no longer enforced. The Solicitor General of Colorado probably spoke for all states during the Romer oral argument on October 10, 1995 when he stated, "We don't want to get into the hassle of intrusion into private life." So Bowers' opponents ask how could a fundamental right under the 14th Amendment turn on laws that the states themselves do not take seriously enough to enforce?

Scalia's point to Gina Okum that marriages can be ended and annulled through lack of sexual performance, and that gays do not perform legal sexual acts probably has more bark than bite in relation to Bowers.

First, presumably Scalia forgets foreplay. Second, couples professing that their marriages are not consummated do so because the true reason for most of the divorces, incompatibility, is not available as a grounds for divorce in their states. This is the situation in New York. Third, it is inconceivable that even Scalia would want to drag the Catholic's Church's annulment policy, which amounts to paying off the Church based on a fraudulent claim, through the wall of church/state separation.

In conclusion, the rationale for the traditional definition of marriage as between a man and a woman has become as empty as Moscow's supermarket shelves in the last days of the Soviet Empire.
Welcome to my newly created music review column. This column is for people who actually find time to do more than study; which I hope includes everyone. But since I know time is precious, I will inform you of what music you should actually spend your valuable time listening to.

I will inform you of what music you should actually spend your time listening to.

Before I begin, it should be noted that the CDs I review are CDs of bands that I actually like enough to buy. Therefore, since I actually like the band enough to buy their CD, most of my reviews will be favorable because I don’t want to look like I wasted my money.

This month, as every month, I will review two CDs. This month’s selections are Alice in Chains Unplugged, and Pearl Jam No Code.

Alice in Chains is a really, really good band. A lot of people probably haven’t heard their music, which is sad because these people are missing out. I am the proud owner of their five previous CDs, and I am not disappointed with their latest effort, Unplugged.

By now, everyone knows that MTV Unplugged is an acoustic concert shown on MTV. Then the greedy record companies release the artist’s Unplugged performance on CD so the sucker consumer will buy it.

Well, I am not ashamed to say that I am a sucker, and a happy one at that, because this Alice in Chains CD is excellent. On their previous CDs they had acoustic songs, so Alice in Chains sounds right at home with the Unplugged format.

Although they are considered an alternative/hard rock band, it is their acoustic songs that are among their best, which makes this CD a winner. Even their harder rock songs sound good acoustically. The band didn’t release a single off of the CD because it is really like a greatest hits CD. My personal favorites off of this CD are Nutshell, Brother, Would and Angry Chair. My advice? Put down the books and run to the Wiz to pick up this CD.

With No Code, I was pleasantly surprised, but not thrilled.

I was a little skeptical about getting Pearl Jam’s No Code because I really hated their last CD Vitalogy. Their first two albums were fantastic, but I thought Vitalogy stank. With No Code I was pleasantly surprised, but not thrilled. I feel that there are just too many slow, somber songs on this CD, and that Pearl Jam is really at their best when they are a little heavier.

What does this band have to be so somber about? I wish they would lighten up for crying out loud! But, alas, they are rich and famous and I am just a law student, so what do I know? I will tell you what I know—if this CD didn’t have the harder songs on it, it would be right down there with Vitalogy.

In a recent interview, comedian Jackie Mason said, “So, everyone is telling me I have to vote. But what if I don’t like any of the candidates? It’s like someone holding you up with two guns and asking you which one do you want to be shot with!”

The upcoming presidential election provides most voters with the same choice. Neither candidate seems worthy of more than apathy from the electorate.

A change is needed in today’s political climate. The public must be given a reason to care. The current party system is what has kept the public at a distance. Two monolithic parties which at times are indistinguishable were bound to turn people off, especially when they often act like a one party system.

The time has come to give the American voter a true choice; a true multi-party system where everyone has an equal chance to get their message across. Let the parties multiply. Let them represent everyone and everyone. Let every kook with a soapbox and an audience be able to speak.

But what is stopping them now? Only money, of course. Today, unless you are a Texas billionaire, your political voice cannot be heard. The Democrats and Republicans have made sure of that.

To level the playing field among political parties, a few changes must be made. Capping the amount of money parties can collect would ensure the elimination of political monopolies. In addition, all political advertising should be eliminated. This would lessen the manipulation of the public. If alcohol and cigarette ads can be banned, why not the equally vile political campaign ads? If this was coupled with equal access to the press, then the political deck would truly be reshuffled. Under such a system, all people would be eager to participate.

What does this band have to be so somber about? They are rich and famous.

Although the slower songs aren’t bad, they’re just not as good as the harder ones. One of the songs I just do not like at all is the first single, Who You Are. It’s just boring. Some good songs on the CD are Hail, Hail, In My Tree, and Habit. My advice? Pick this one up if you have some free time, but it’s nothing to rush out and buy.

Now it is time for the second part of my column, the Madonna Watch. I have been watching and loving Madonna since I was eleven, so who better to keep the masses informed on her monthly doings? This month, Madonna is getting ready to have her baby. The legend recently bought herself a $2 million mansion in California to have a private at-home birth. Also this month, Madonna will be on the cover of Vogue magazine, which will feature a fifteen page interview and pictures from her upcoming cinematic masterpiece Evita. I strongly recommend that this issue be picked up, as is sure to be a collector’s item.

So there you have my monthly music review and Madonna update. For my CDs of the month, on a scale of 1-10, Alice in Chains Unplugged gets a big 9, while Pearl Jam’s No Code gets a decent 7 1/2. Next month, I will be reviewing the latest from Sheryl Crow and the live Nirvana CD. And of course, I will keep you posted on any new Madonna developments. So until next month, happy listening, and don’t study too hard!
It's something I don't do very often, but going to see a movie that you have read nothing about and have not heard Siskel and Ebert review can be great. Limited expectations can yield high moviegoer satisfaction. (How do you like that equation?)

This was the situation when Gilda and I decided to see Grace of My Heart, a movie very loosely based on the life of Carole King. The movie takes you on a journey through the life of singer/songwriter Edna Buxton (Illeana Douglas), who eventually adopts the stage name of Denise Waverly. After winning first prize in a Philadelphia talent show in the 1950's, she heads to New York to make it as a singer.

To her chagrin, she realizes that her only route to stardom is writing songs for other performers. Along the way she marries fellow artists played by Eric Stoltz and Matt Dillon. Her life and the lives of others around her provides her with inspiration to churn out hit after hit for her manager, Joel Millner (John Turturro).

Illeana Douglas (To Die For), the unlikely star, is so homely and naive at the outset of the movie, we feel sorry for her. We really begin to care for and respect this woman as she overcomes many an obstacle in her rise in the music industry. Her exaggerated features and thin frame become endearing qualities to us as the movie progresses. Douglas' portrayal of Edna Buxton is excellent, as you really feel the progression of her character's life.

John Turturro (Quiz Show) plays Joel Millner, the manager who has the pulse of what the country wants to hear. Turturro walks the line between "slimy manager looking to make a buck" and "caring father figure" to Edna, in a hysterical fashion. Every time he makes an appearance, you get ready to laugh.

The one segment of the movie that loses me involves Edna's marriage to Matt Dillon's character. Things just seem to drag, as Edna cares for her husband, in his downward descent from musical genius. All in all Grace Of My Heart has a fun soundtrack and an interesting story to tell.

The movie starts off in the 1950's, when Edna (Douglas), a proper young lady with an aristocratic bloodline, comes to New York City to pursue dreams of becoming a singer. It's not long before she's shot down by a bunch of recording studios, and meets Joel (Turturro), a manager from Jersey, who recruits Edna to write songs for his singing groups. At Joel's request, Edna changes her name to Denise Waverly, and begins her career writing songs in the Brill building.

The movie follows Denise's career, mixing in her personal relationships with Stoltz and Dillon, against a backdrop of doo-wop sounds and harmonies. The film is loosely based on singer-songwriter Carole King.

Peppered with bad haircuts, quirky humor, and bubblegum harmonies, this movie showcases some great acting by Illeana Douglas, and great sidekick "shik" by John Turturro. Douglas' character is a very likable sort. She prances on the screen showing off her lanky well-aerobitzed body, attracting facially sweet men who turn out to be not-so-great. These relationships are recycled into the songs Douglas writes, and eventually sings.

Douglas and Turturro did a good job of establishing the close relationship between their characters. Turturro seemed to be Douglas' voice of reason; he was like her subconscious embodied in a goateed-guy from Jersey. I can't wait to see Turturro's next endeavor.

It was annoying to watch close up shots of Douglas belting out her songs with her lips one step ahead of the words. Milli Vanilli should have avoided this pitfall.

This was an enjoyable movie. See Grace, it's worth your precious time.

3 GAVELS

Not For Nuthin', But... By Michael Oelis

What is up with the chairs in certain classrooms in this school? The design of these chairs is outrageous. I mean it's like riding on a seesaw. Every time someone sits next to you, you go flying two feet in the air. When they move their chair out, your chair moves in. And try to swing an unattached chair out without smashing the knees of the person next to you; not an easy task.

Also, if you're left handed, you can't sit in the chair on the left side. If you're right-handed, you can't sit in the chair on the right side. Try it, and your elbow will be swinging in the wind. When your chair buddy sits down, that's the end of your nice neat notes (as if they ever really existed). And that squeaking, geez it sounds like fifty rabid mice running wild. How can anyone concentrate?!!

What these chairs need is a little independence, some legs, some arms, freedom from the desk and the chairs around them and a can of WD-40.
First We Get You Through Law School...
Then We Get You Through The Bar Exam!

Gilbert Law Summaries
Legalines
Over 4 Million Copies Sold

BAR/BRI Bar Review
Relied On By Over 500,000 Lawyers

Call Toll Free
(800) 472-8899
or visit our web site at http://www.barbri.com