The L, vol. 2, no. 4, February 2001

New York Law School
Dean Calmly Warns Students

Matasar addresses student concerns, the rankings, and the shape of things to come at town meeting.

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On February 7th, armed with a microphone and a single-speaker podium, Dean Rick Matasar met with students in the Student Center lobby where students asked questions and voiced concerns. Topics included job placement, bar passage, course grading, and future internal programs designed to attract, maintain, and aid students.

In his usual upbeat form, Matasar responded to students' questions candidly, as well as with humor at times. Though his candor came with some surprise

Matasar, after reviewing the correlation between the bar passage rate vis-à-vis class standing (see “Your Chances of Passing” page 3), shared his concerns with students who fall within the lowest ranking within the school.

“I am going to be the ‘mean dean’ now. Students not cutting it: you are gone,” Matasar stressed. “We do not want to have people who can’t handle the important responsibility of representing others.”

With many in the audience shaking their heads in agreement, students seemed to welcome Matasar’s no-nonsense style and approach to bringing up the standards at the School.

“Right now we have allowed students to stay here who are below or squeaking just below a 2.1 grade point average. This may be five students or so, but are we doing them any favors?” Dean Matasar elaborated in a follow-up with the L. “We know that the bottom 10% persistently does not pass the bar. What favors have we done for them by taking their money, and then when they don’t pass the bar and are in thousands of dollars of debt can’t get a job. It is hard to do this, but we are shirking our responsibilities to this institution if we don’t. We can’t afford this and classmates can’t afford this. I think that students feel good when everyone is working just as hard.”

At the meeting, Matasar also touched upon the issue of our “best” students leaving the school.

“Even if they have scholarships to NYLS, some students are leaving and paying retail to attend other law schools,” said Matasar. “Institutionally, we have to get students to feel good about studying here.”

One confidential source informed the L, that NYLS is in the process of establishing a “dean’s honors list” program to address

Continued on next page
Student Survey Receives Mixed Results

Susan L. Harper

The NYLS Student Affairs Committee has released the results of the 2000 Student Satisfaction Survey. 244 students (193 day and 51 evening) out of the approximately 1300 students matriculated at NYLS during the spring of 2000 took the 21-page survey that covered everything from bathroom facilities to the registration process.

Areas of the School that received high marks for satisfaction were the Bookstore, Financial Aid, Student Life, Accounting, and the Library (with the exception of the photocopiers). These departments received more than 50% in positive responses for overall satisfaction. However, the Registrar, Cafeteria/Food Services, Academic Affairs, as well as the Faculty—in terms of availability, exam expectations and exam feedback—did not fair as well.

Other items which received low sufficiency and satisfaction marks included the reading period, course availability, elevator facilities and overall students satisfaction with their NYLS experience.

The Student Satisfaction Survey was taken shortly after the release of the Summer 1999 NY Bar Exam results, which were at a record low of 58%. Since then, NYLS has turned over in many areas, most notably being the arrival of Dean Rick Matasar, which many believe has boosted morale. Other areas that have experienced personnel changes since the Survey was taken include the bookstore and the Food Services.

"The School is striving to make improvements from last year," Dean Matasar stressed in an interview with the L. For example, he pointed out that this year final exams were graded faster than in previous years.

"This is indicative that we are trying to fix things around here that can easily be fixed," said Matasar. "The School results are disappointing and we want to do better.

I think we will."

Matasar also shared his concern about Survey's results for overall student satisfaction with respect to their NYLS experience, noting the difference between the first-years and the upper classes. Matasar felt that student unhappiness reflected much of what was going on then, as opposed to today.

"Overall people are happier this year. Students are less negative about each other. Last year students were mad at each other. Students have high expectations. If we did this survey today, I am sure the results would be different."

With categories on a four point scale from "disagree" to "agree," the Student Satisfaction Survey contained over 180 questions. Results were broken down by the number of people that responded, percent of the total number represented and valid percent total. Those who did not respond to a certain question were categorized as "missing" within the tabulations. The Survey was conducted by the NYLS Student Affairs Committee.

Professor Rick Marsico, chair of the Student Affairs Committee, shared with the L that based upon the survey results, his committee is in the process of generating a recommendation report due out early April. He also shared that NYLS seeks to survey students annually.

For a copy of the complete results of 2000 Student Satisfaction Survey, contact the Office of Student Life, 431-2851.

NEWS BRIEFS

Wyatt Announces Resignation

Director of Career Services Cyndy Wyatt regrettably announce that she is resigning from her post next month due to family relocation.

"My resignation is a great disappointment to me because I have loved the four and one-half years during which I have had the opportunity to work with the talented students, staff, faculty, and graduates of NYLS."

Wyatt wrote in an email to the NYLS Community on February 3. Wyatt, along and her family, is relocating to the Washington, DC, area where her husband will work for America Online. She served as Director for three whole semesters since August of 1999.

News regarding the appointment a new director of Career Services has not come forth.

Stuck in Elevator

Moments Before Final.

A group of NYLS students were stuck in an elevator in the A Building for 45 minutes in December 2000.

One of the four students, who preferred to remain anonymous, said that initially no one responded when they signaled the emergency alarm. This student, on his way to take a final exam, eventually called Security on his cell phone who did not realize the students were stuck in the elevator. Security thought that they had mistakenly hit the alarm button.

The four students managed to pry the doors open in between floors and climb out. No one was reported hurt.
**Bar Kickoff Fills House**

**Susan L. Harper**

On Monday, January 29, New York Law School held its second annual Bar Kickoff Meeting. Students packed the Ernst Stiebel Reading Room to attend the one-hour informational meeting to learn about the current changes made to the New York Bar exam. Attendees were also informed of bar related programs that they will be able to take advantage of this semester.

Dean Rick Matasar opened the evening's events and shared with the audience that the bar exam is an "unfair test that bears no relationship to the practice of law and had only some resemblance of law school." He assured those in the audience, though, that they can pass the bar on the first try and the school is there to support students in their effort.

"Not everyone passes on the first try. This is not acceptable to me," said Matasar. "Everyone is capable in passing the bar in its first administration. The cost is not embarrassing [when not passing on the first time]. The cost to all is the delay in the beginning of your career as a lawyer."

Matasar further shared that, "No matter how hard you work, you will need to work harder. We know that you can do it."

Bryan Williams of the New York State Board of Law Examiners addresses NYLS at Bar Kickoff 2001 on January 29.

"When I leave here tonight, I want you to have two things in mind," said Williams. "First, you must have and develop some practical approach to retain large amounts of information. And, second, remember principle, application and analysis (PAA) - for the NY essay questions. If you do these, I guarantee you that you will do well.

Williams went on to focus the audiences attention to the new NY Bar Exam format which applies to the July 2001 test. The new format consists of five essay questions, 50 NY short answer questions, the new Multistate Practice Test (consisting of a case file), and a 200-question Multistate Bar Exam.

The NY short answer questions, unlike the Multistate Bar Exam that test for the best answer, concentrates on the right answer. This section also concentrates on the CPLR or New York Practice. Audience members were also introduced to the new Multistate Practice Test where test takers will receive a case file and will have to analyze its contents. Williams said the examiners believe that this section will give test takers "a well rounded exam."

On the essays, besides remembering PAA and substantive law, Williams also stressed keeping your eye out for procedural issues. "I guarantee that the five essay questions will have procedural issues," stressed Williams. Other helpful hints he shared, included "write clear, skip lines, use only one booklet to write answers, remember PAA and don't argue both side of the questions — come to a conclusion."

Finally, Williams shared with students, "for two months of your life dedicate yourself for preparing for the exam. This is not like a law school exam. You've got to get yourself on a schedule and give yourself the appropriate time to study."

NYLS alumna Andrea Risoli '00, who recently passed the NY Exam, shared with the audience how they can sign up for the Bar Buddies Program, an internal NYLS support program for upcoming test takers. "You must believe in yourself in this process," Risoli stressed to students. "Ten people will try to tell you what to do, but that is what Bar Buddies is for — to help you sort things out."

Afterwards, Professor Joe Marino, discussed upcoming programs offered by the School to students this year. These programs include, the Bar FAQs session, Application Workshop, the Bar Jumpstart Program, The Bar Exam Study Skills Challenge Workshop, Faculty Mentor Program and the Bar Buddies Program. Students should check Counselor and the boards for the dates and times of these programs.

**Bar Exam Pass Rates at NYS Law Schools**

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**Your Chances of Passing the First Time**

According to Dean Rick Matasar comments during his February 7th town hall meeting and prior e-mail correspondence with the L, NYLS has been below the statewide average going back 15 years. Even with the School's comeback results from last year, NYLS still falls shy of the 75% NY state average.

Matasar shared with the L that those who fall in the top half of their class have a high bar passage rate. "Last year, the numbers were above 93%.

If you are in the bottom 25% of your class, statistically, those individuals pass the bar exam at less than 50% the first time.

If you are in the bottom 10% of the class, your chances of passing are extremely low. Less than 10% of these individuals pass the first time.

Historically speaking evening students have passed 2-3% higher than their day counterparts. However, last year this reversed and day students passed at around the same rate.

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**THE I WOULD LIKE TO WISH**

**ALL THOSE TAKING THE FEBRUARY BAR EXAM**

**THE BEST OF LUCK!**

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New York Law School
A Public Service Message From Lou

From time to time, we are aware that some members of our community become upset about news articles and editorials written. Past complaints have centered around the L's printing of articles that might appear to criticize the school or student organizations. Apparently, some of the future lawyers of America may prefer that we don't report the truth or selectively exercise our first amendment right of free speech. Well, simply put, the L is not an public relations arm of the school; we are newspaper.

Our goal here has always been the same—to report the truth. If something happens affecting your NYLS experience we will report on it. If it is good for the school, the truth gets told. If the school or a student run organization promotes waste or has poor policies, then we will report that also.

In Brief is the School’s public relations magazine. Additionally, Counselor is the students’ weekly guide to what is happening around the School and recent Professors’ accomplishments.

So remember, we are here to keep you informed and everyone else on their toes.

Thank you for your continued support.

A Public Service Message From Ed

Since our return back to school after Christmas break, I would like to remind everyone that the Christmas notion of good will towards one another is still in effect. I'd like to take the time to thank the SBA and Office of Student Life for the extra comfort of coffee and donuts during finals.

For all the people who keep peering into our office windows when we are at work, stop staring at us like we are fish, and come in and chat. We're friendlier than you think.

OK, my editorial is not really a public service message at all. I just want to say that I am graduating this semester and I am psyched! I hope my fellow June grads feel the same way. For the rest of you: It's closer than you think.

Now everybody knows I am the biggest slacker that ever stepped foot inside NYLS (at least I know it), but I feel like I am working harder this semester than ever before. Marino's course is making third year feel like first... and Amen to that! God knows we need it.
The NYLS Civil Liberties Union presents

The Second Annual

Uncensored But Stiefeled

The First Amendment Talent Show

Are you interested in showing the school how talented you really are?
To enter, pick up a form outside of room L7.
You must register by March 20.

For more information, contact sweaver.s@nyls.edu.

A Career Services Welcome

Cynthia L. Weissman
Office of Career Services

As the most recent addition to Career Services at New York Law School, I wanted to introduce myself to the student body by writing an article in the L. I started my employment here at the end of October and have thus far been involved in numerous activities, as have been my fellow career counselors, both inside and outside of our facilities on Worth Street.

Last month, I attended a career seminar given by a well-known career advisor/attorney. She opened her remarks with the following comment to the mostly student audience - “Do you see the people sitting up front - your career service staff - USE THEM!!! Most in the audience chuckled because “using people” has such a negative connotation. However, this is what I, as well as the other career counselors and support staff in the career service office at New York Law School are here for. However, you, the student, have to take a proactive approach to your job search as well. If we offer suggestions, try to follow through. Career counselors always suggest networking. Statistically, it is how the majority of law students attain their positions. Many are uncomfortable reaching out to strangers for advice and assistance. However, it’s essential.

Recently, a 1999 graduate called me for career advice. She explained that she was unhappy in her current position and did not know where to turn. She was unsure of a practice area or even if she wanted to continue practicing law. I invited her to join me at a networking event at the New York County Lawyers Association. At that bar association event, she excitedly told me that she had arranged for an interview at a top accounting firm. However, she did not know the first thing about working in the legal department at an accounting firm. The panelist speakers were introduced; one happened to be an attorney in the legal department at the very accounting firm where she was having an interview. Following the presentation, this alum determinedly walked over to that panelist to discuss her upcoming interview. The point is - if she had not attended this event, she would not have made a valuable connection that could assist her on her interview and possibly further her career.

Students are not the only people who network. We, at the career services office are networking on a daily basis. We are trying to make connections that will ultimately benefit you. As part of our annual career programming of networking lunches, panels and discussions, our office establishes contacts with alumni and other practitioners thereby bringing them into the New York Law School community. I have reached out to numerous bar associations and organizations to discuss student memberships, cosponsoring events and acquiring general information about the work that they do. I contacted one local bar association that our school has not had much of a relationship with; it turns out, the bar association would be interested in having one of their meetings at the law school. What a perfect opportunity for students to meet and get to know members of the New York Bar! However, to take advantage of this opportunity, you must first attend!

I look forward to assisting students at New York Law School. My office is BS03. Please stop by to say hello.

The Silicon Alley Bust: What does it mean for you?

Christopher Ross
Technology Editor

Even before the year 2000 ended, analysts and the media were saying the dot-com craze had finally gone bust. Should you believe the hype? And if so, what does that mean for you as a possible dot-com job candidate? No, don’t believe the hype! Yes, the market has seen almost a 20% correction and dot-com employees are wondering about their worthless stock options, the long hours and pink slips being handed out, but the dot-com companies are not dead.

They are still good dot-com places to work, such as Yahoo, ESPN.com, CNET.com and Monster.com to name a few.

These companies never bought into the idea of the dot-com business model of willy-nilly spending to simply grab market share at first. Their executives and managers approached dot-com business with traditional business models and expectations.

To date, according to the flop tracker on thestandard.com there have been 93 companies that have gone bust as of February 2, 2000. Thestandard.com’s layoff tracker reports that approximately 52,250 people have been laid off, cut or terminated because of dot-com restructuring, bankruptcies and/or cost cutting. However, those numbers do not give you the whole picture.

Since January 1, 2001 there have been only a few initial public offerings (IPO): none of these included tech stocks. According to IPO.com, several companies, have raised more than 361 million dollars from the venture capitalists (VC), including RetailExchange.com, I-Impact.com, Loud Cloud ‘Marc Anderson’s baby’, Dataplay.com, PlanetFeedback.com, BuyandHold.com and Phonefree.com.

The difference between now and this time last year is the lack of hype and hysteria. You need to look at jobs with these dot-com companies the same way the VCs are looking at them - with more skepticism.

You can no longer accept a job simply because it is a dot-com company that promises to go public. Today, you must evaluate the company that you ultimately accept a job from.

Dot-com companies are now no longer new wave anomalies that Wall Street doesn’t know how to value. Previously, Wall Street did not care if the company’s P/E ratio was a 100x their actual worth and did not make money.

Today, dot-com companies are now viewed as a traditional businesses. They trade at a reasonable P/E ratio and there are expectations to make money — not just spend it. If they are not already making money they must do so in a very short time. Furthermore, they must invest their money wisely on acquisitions, looking towards the future, and not on a single Superbowl commercial.

What does that mean for us in terms of employment?

It means the current job market is more like the job markets of old. You need to review the history of the company, growth potential, where the finances are coming from and assess the product. You should ask yourself familiar questions, such as, would you buy or use this company’s products? And, more importantly, does the company make money?

Although stock options will continue to be offered as incentives to others outside the executive circles, you should expect to be compensated for your job with your salary alone. Should you be offered or receive options you should consider those options as icing on the cake. They are a bonus that may or may not materialize in the future and should not be depended on as income.

In closing we have experienced one of the lowest unemployment rates in decades. Although the unemployment rate has gone up in recent months, we are still experiencing a positive job market. The difference between then and now is that you must be a little more careful in choosing your future employer, just like before. Dot-com no longer means guaranteed success.
The L's Plan Towards Law School Success

So you didn’t get an A: Now what?!

For any law school student, not getting an A can be disappointing. However, it is not the end of the world either. There are several options you can consider in reaction to this:

a) Blame it on the professor and/or fellow students.

b) Jump up and down, pull your hair out and have a hissy fit (My personal favorite).

c) Reevaluate last semester’s activities and tone down on possible areas for improvement.

d) Start looking at Medical Schools.

Answer: e

Before we help you back track or evaluate what was happening last semester, let us first give you a few reality checks.

Reality Check #1: The Big Firms

If you are a 1L and seeking employment in a large firm, you must achieve high grades. Large NYC Law Firms (300+ Attorneys) usually seek summer associates from this School if they are in the top 10%. This means making Law Review.

Grading/writing on to the other co-curricular Journals and making Moot Court, will greatly increase your marketability with large firms, but it is no guarantee. Remember, large law firms are not the end-all and be-all of the legal profession.

Reality Check #2: Never Fear Late Bloomers!

The fact that you did not get an A, should not and does not equate your intellectual capabilities, nor your future effectiveness as a lawyer. Some individuals get the law school game early on. Others, however, only understand how to master law school and exams in their second or third semester. If you are one of these individuals, keep reading on.

Reality Check #3: Slack now, Pay later.

Your actions have consequences. If you have been hanging out, blowing off class, or not coming to class prepared, these actions will more likely contribute to a low grade.

Reality Check #4: Your Choice

Lastly, the fact that you did not succeed in terms of your own grade goals does not mean that you cannot change today or tomorrow. You can and you will—if you choose to.

Yes, you have a choice in this matter.

The difference between those who succeed and those who don’t is how they react to setbacks. It is at that very critical moment you must decide how you will react. What steps will you take? Will you blame your setback on everything under the sun? Will you become jaded and walk around with anger because you did not achieve your desired results? Since you are fellow student at our school, the answer is simply “no.” We are going to point out to you what you can do for yourself right now. Let’s begin.

Get rid of any negative feelings you have now. Anger or embarrassment about your grades is counterproductive. However, use that energy you have now in order to learn what went wrong. Remember, this is an educational institution and you are student of law who must seek out answers to your questions.

Be an Investigator. Make an appointment with your professor and request to see your exam. Put your negative feelings aside and be open to honest feedback. The professor is there to help you—not hurt you.

Review with the professor your exam’s weak and strong spots. Do this so that you are aware of what you did right and wrong. Next, ask your professor to see an “A” exam. Compare the difference between your blue book and the “A” exam. Finally, ask the professor for their advice on areas of improvement.

Back Track to Your Semester Activities.

Many people focus only on their exam activity. Yet, it is extremely important to also focus on your classroom and exam preparation. Why? Your semester activities often factors into your success on the exam. For example, if you were going to take the Bar exam in two months, naturally you would take a prep course and intensively study for two months prior to the exam for at least 10 hours a day. Have you been preparing that hard for your own final exams? Why not? Remember, your actions have consequences. Or, in this matter, your inactions may be contributing to your poor performance on the exam.

Ask yourself the following in order to evaluate your past semester’s activities.

Back Track Evaluation: Check Off

1. Did you read ALL of your assignments, including, footnotes, handouts, problems sets, and hypos given in class? “Read” means reading each and every word. If you did not understand what you were reading or the lesson in class, did you go to the professor immediately for clarification?

2. Did you take notes while you were reading? Brief cases? Type out assigned problems and answers?

3. Did you attend class? Were you really paying attention and actively engaged in the discussion? If you were tired due to work or family commitments, did you take a tape recorder to listen to the session again? Further, did you actually listen to the tape when you got home?

4. If your professor was talking to fast in class or you just didn’t get what the professor was saying, did you immediately raise your hand and say, “Professor, could you please repeat what you said?” or “Could you explain this concept again?” Don’t be frightened, just raise your hand and do it.

5. Did you review your notes after class to reinforce what you have just learned, or to discern what you might not have understood?

6. Did you just rely solely on commercial outlines? Remember, these should be supplements to class material only.

Prior to Exams: Check Off

1. Did you create an outline of your classroom materials, including assigned problems, answers, as well as hypos given in class?

2. Did you obtain copies of the past exams and take them under simulated test conditions? If your professor supplied answers keys, did you read them carefully and note what your professor was looking for in an answer?

3. Did you go to the review session? Some professors hold not one, but two and sometimes even three review sessions, did you attend any of them? Even if you got one thing out of these sessions, you are probably better off than before.

The Exam: Check off

Even if you did all of the above to your utmost ability, ultimately what matters is your performance on the exam. Let’s consider some questions here.

1. Did you recognize the material on the exam? If not, ask yourself, why not? Go back and review the above questions. Ask yourself again (and be honest) did you prepare adequately? After considering the above questions, what steps can you take during this semester to improve your overall performance? Write the answer to this last question now and try to incorporate it into your daily routine.

2. If your exam was a standard law school essay exam, did you answer the question(s) asked of you? Or, did you just give the professor conclusions and forget to provide sound legal reasoning with your answer?

3. Did you panic during the exam? Sometimes people have anxiety attacks during exams. Did this happen to you? If so, do not fret. One way to overcome anxiety or exam jitters is by taking as many past exams as possible so that you are use to the professor’s exam style.

4. Did you use all of the time that was allotted? Many times, students are given 3-4 hours for an exam and rush out after two hours. Why? Who knows? In your case, could taking a few minutes more help you at all?

5. Did you get adequate sleep during finals? Did you pull an all-nighter or were you wired on caffeine that you could not sleep properly and were overtired?

6. Organization— Probably the key to essays. Did you create a road map in your introduction so that professor knew what you were going to discuss? Did you use headings and sub headings so they knew you were switching ideas? Did you write in the name of the cases or statutes you were citing to give authority to your argument? Did use proper grammar and write neatly?

These are only a few questions you should be asking yourself. The point is that there are really no short cuts in law school. Believe us, if there were, we would have found—and printed—them by now!

The most important thing you can do for yourself at this point is to go over the above questions, pinpoint what you are doing right or wrong, and arm yourself with this information to create a plan of action, i.e. a study system that works for you. Only you can do this for yourself and no one else.

You have a choice in this matter. If all else fails, simply remember these words:

“Champions are made from something they have deep inside them—a desire, a dream, a vision. They have the skill and the will. But the will must be stronger than the skill.”

—Muhammad Ali

Welcoming you back to new semester, a new start. Now go study!!

If it matters to NYLS, It’s in the L.
**A Wasted Opportunity?**

**Louis J. Russo III**  
Managing Editor

Well, I hope everyone enjoyed the break. I sure did. I must say I have to laugh when I walk around school and hear everyone complain about the new flat television screen in the cafeteria. If you remember, the Sinkhole discussed waste by the new administration last semester, A.K.A., flat screen monitors in the library. So I guess you could say that the new TV just makes me smile.

Speaking of waste, did everyone enjoy the Bar Pep Rally? I think the most important thing that I learned was to make sure I write legibly on the Bar Exam. Heck, I just figure that if I made my answer illegible I would get a perfect score. I wonder how much the Pep Rally cost? You shouldn’t worry though it will be paid for by the next tuition increase.

Looks like Bar Bri got a little advertising out of the deal. I bet no one even called Pieper to ask them if they would like to add a flyer to the program. I know, “New York Law School is not affiliated with and does not endorse any particular bar preparation program.”

Speaking of Bar Preparation, I am sure many of you are not aware that five years ago City University of New York School of Law (CUNY) had a 45 percent bar passage rate. This year, CUNY had a 74 percent bar pass rating; the highest in the school’s short history. I myself was curious why they have been making such strides in their raising of the bar scores. To my surprise many CUNY students told me that the school has been offering a course—free of charge to all students—on Fridays that covers the Multistate exam. This course has a lecture session along with practice questions and an answer review session. When I inquired about who conducts the program, I was informed Professional Multistate Bar Review (PMBR) does all the work. Amazingly, the course has been offered there for 5 years.

Pace University Law School has also started a program quite similar to the one at CUNY. Starting the last week of January and continuing every Saturday until bar review begins, Pace has a Bar Review session. These sessions also include a lecture, multistate question, answer review and even essay questions. All free of charge to Pace Law students.

I thought this would be a great idea for NYLS too. After one hundred years in existence I would hope that we have figured out the bar exam out. However, judging by our recent bar results, (still less than the state wide average, which according to the New York Law Journal was 75% for the July 2000 Bar exam in New York State, NYLS was 72%) this type of program could help boost our scores. I decided to speak with PMBR and inquire about the program. I spoke with a local Director and the regional director. After a brief conversation with both of them I nearly fell over. PMBR offered the very same program to NYLS School a few years ago! They offered to come to the school on Fridays and cover the Multistate exam with the students. The students would attend for free if the school picked up the bill. Now that sounds like money well spent.

I must commend the new dean and the bar passage committee though; it appears they are trying to implement a smaller less vigorous version of these programs later in the semester. My question is… why wait? Let’s start now. Instead of investing in a ten-thousand dollar TV screen to view the Pep Rally, invest the money into a weekly bar review course that will give the students that show up a head start.

The school and the new dean are making strides but the strides are slow and need to begin now. NYLS needs to distance itself from the schools that are only 10-20 years in existence. Only then will people not confuse NYLS with NYU.

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**It’s Time for a Recount...of the Attorneys!**

**One Woman’s View**

Cecilia Blackburn  
Copy Editor

The new millennium, an alleged new age of enlightenment, provided the backdrop for December's weekend vote recount trial extravaganza in Tallahassee, Florida. This writer, although having been virtually transfixied by the proceedings, particularly with the precision and wit of the cross examination, had one question throughout where were the women attorneys?

Save for one male African American attorney on the Gore team, racial and sexual diversity were conspicuously absent from the courtroom in this particular episode of the recount litigation.

While I must concede (no pun intended) that the Gore team did at least pay nominal attention to diversity in general (December 7th’s appeal to the Florida Supreme court did include an African American female), the overall makeup of the legal teams for the presidential contestants were white males.

The lack of diversity in general, and exclusion of women in particular from the Tallahassee recount trial is a travesty in today’s legal community. Women comprise a fair percentage of attorneys in our country, and their ranks will continue to grow as evidenced by increasing numbers of women being admitted into US law schools. Yet, despite a significant presence of highly competent women in the legal community, it is disturbing to note the message implicit in the recount trial, namely, when there is a really critical legal issue at stake it is more than likely that a white male will be called upon to resolve it. This begs the question: Why aren’t more women called upon to litigate high profile political issues?

It might be fair to suggest that the news media is at least partially to blame for having a certain disempowering effect on women attorneys. For example, when the media focuses on a female attorney, her legal expertise is often minimized in favor of non-legal characteristics.

One well-known female attorney who fell prey to such media characterization was Marcia Clark, prosecutor, in the 1994 O.J. Simpson trial. Sadly, nearly seven years later the only cogent memory I have of Ms. Clark is what the news media bombarded me with on a daily basis—how she was wearing her hair, her marital and child custody problems, and her reputed romantic interest in co-counsel Christopher Darden—rather than her legal acumen and presentation of the issues. Alternatively, when I think of her adversary Johnnie Cochran, what immediately jumps to mind is the news media’s emphasis on his sharp legal maneuvering and clever courtroom sound bites.

During the pendency of the recount litigation I didn’t hear any media commentary about the Bush/Gore legal team’s wardrobe, daunting to one of the more mathematically challenged. Wonder if Yale statistician Nicholas Hengartner might be available to lend a hand?...
Loveless in Law School

Finding love in law school can be just as daunting as finding a copy machine that works. But, keeping love in law school can be just as tough as finding it. Some New York Law School students believe romance and law school make a lethal combination. Can the pressures of law school strain even the "perfect" relationship?

What if your loved one is thousands of miles away? Jim McKnight (2L) gives new meaning to the phrase "long distance relationship." That's because Jim's wife, Pim and his 11½ year old daughter are in Thailand. Jim and Pim look forward to occasional phone calls and holiday getaways. But the distance between them is discouraging for Jim, "when they're not around it doesn't really matter if you do well [in school]."

So, perhaps having that special someone around can actually be healthy for your academic career. According to some students, it's a double-edged sword. Two NYLS students who requested anonymity, Goldilocks (2L) and Rumpstiltskin (3L) agree dating someone in school, especially in the same section, is a "bad idea because you have to spend every waking moment together." After a while you just get sick of each other.

Rumpstiltskin says the drawback from dating someone in school is the inability to break away from talking about school, professors and outlines. On the other hand, law school life is so misunderstood by the outside world, that only those who experience it can really appreciate the demands.

Maybe Leo Moore (3L) & Suzanne Zacharias (2L) can prove that separating school-stress from their love life can be done. They met last year during the second week of school. One look at each other and they knew their search was over. They say, "tension in law school has never affected us. [Our relationship] is still great." Suzanne says Leo understands what she's going through since he's been through it himself.

Of course, there is more to life than law school, it's just easy to forget. New York Law School attracts students from all over the country and around the world. For many of them, school life is all they know when they are so far from home.

Nathalie Mandel (2L) made her journey from Canada and left behind her family, friends and boyfriend to study law. However, even the distance between them isn't enough space for Nathalie. Her boyfriend knows to give her room when she is feeling the inevitable effects of law school pressure, especially during finals.

That's the case for Sonya Chung (3L), whose boyfriend is in Pennsylvania. She says there are benefits to their time apart, "the distance between us gives me time to focus on law school."

No matter how you dice it, dating isn't easy. Some New York Law students think being "loveless in law school" is the only choice.

"Having a relationship during law school is tough." Law school caused Michael Arcati (3L) to weigh consequences before diving into just any relationship. "It's hard to meet people outside of school, so then you make the mistake of dating someone in school." He equates law school with a full-time job, "you want to be professional, but when you start to date someone [at school], you lose that level of professionalism."

For Kelly Bekker (2L) finding love in law school is difficult and she worries she may have to lower her standards. Up until now, she's avoided any relationship that takes up too much of her time, "no strings, no long term commitments." She explains, "I would date someone at school, but big, tall and apparently dumb are hard to come by."

Then, maybe the recipe for a balanced relationship is a dose of professionalism, a heap of support, a dash of excitement and a generous portion of patience and understanding.

Oh, is that all? Miller Hall (2L) said it best when he said, "Look, law school is tough but a relationship shouldn't have to be." Be patient, love one another and, most of all, listen to each other. Just remember, there is more to life than law school.

Nuptial Agreements: Are They for You?

Laura J. Tils

Finances are notoriously the number one cause of disputes and the primary cause of tension between partners and married couples. Nearly half of all marriages in the US end in divorce, amounting to nearly 1.2 million each year. Statistics show that buried secrets do happen, and no one wants to destroy their family business or lose an inheritance over a failed personal entanglement. Furthermore, most individuals seeking a divorce have some concern about the financial outcome of the break up.

Enter prenuptial agreements. They're not romantic, but a prenuptial agreement can offer peace of mind as well a peaceful division of assets in case of divorce or death. A nuptial agreement is a contract, signed by both parties and notarized. Because prenuptial agreements are not filed with the court, the precise number signed each year cannot be tracked, but they are an increasingly popular way to ensure smoother transfer of marital wealth.

Nuptial agreements can be created at leisure, before or after the marriage ceremony, and can shape partners' rights and responsibilities during a marriage. Nuptial agreements can help relieve apprehension of in-laws and preserve family ties, for example confidentiality clauses can prevent divorcing spouses from revealing family or corporate secrets. Or, if one spouse has children from a previous marriage, the agreement can ensure those children aren't financially abandoned.

Nuptial agreements can also help ensure spouses receive their proper share of an estate in the event of death, or require that insurance policies be purchased to ensure an inheritance. Normally, upon the death of a spouse, a will or living trust directs the division of an estate. While the will can give the surviving spouse a greater portion of the estate than required by the prenuptial agreement, if the will gives less, the agreement can ensure the survivor has an opportunity to challenge the will. Probably more controversially, a nuptial agreement can allow one spouse to waive rights to claim the marital share of assets specified by the state, or disinherit a spouse completely.

If the nuptial agreements are signed willingly, they are usually upheld, even those, which are seemingly unfair, obviously favoring one spouse over another. Nuptial agreements can be set aside by the courts for fraud, duress, failure to disclose, or failure to have adequate representation. To avoid challenges, lawyers normally advise couples to catalog their assets, give full disclosure, and use separate, competent attorneys when creating an agreement. A contract can be overturned if one spouse can demonstrate that it was signed under pressure, so increasingly, attorneys are videotaping the nuptial agreements in an effort to avoid later nullification.

People enter into partnerships and marriage, enamored and thinking the marriage is an eternal union; but a marriage is also the merging of estates. Discussing financial and estate planning gets couples in touch with their beliefs and values, and helps them plan for the future. The choice to create a prenuptial agreement will in no way ensure a smooth future, but merely discussing financial responsibilities, ownership, and division of property will help to eliminate some of the uncertainties of partnership.
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-Gemma Waananen, New York Law School
(Passed New York and Connecticut Bar Exams, July 2000; Member, New Jersey Bar)

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The Movie Maven Reviews

Oscar Hopefuls

Hey NYLS! it's the Movie Maven, back again for another semester of film critiquing. Now that the Golden Globes are behind us, it's time to talk about that coveted golden statuette...a little guy named Oscar. This year's Oscar race is the most wide-open that it's been in years - so my job is to steer you the right (Oscar-worthy) direction.

Cast Away
Starring Tom Hanks and Helen Hunt
Directed by Robert Zemeckis
Movie Maven Rates it: LLL

A masterfully heart-wrenching and gripping tale of a Fed Ex executive marooned on a deserted island for four years. Tom Hanks gives the best performance of his career: beautifully understated and subtle, and dare I say...Oscar worthy? In my opinion, he's better here than he was in "Philadelphia" or "Forrest Gump". The film might look boring from the trailers, but it's really engrossing. (Remind me never to fly in a plane again...)

Thirteen Days
Starring Kevin Costner
Directed by Roger Donaldson
Movie Maven Rates it: LLL

Kevin Costner finally makes his much-needed comeback in this movie about the Cuban Missile Crisis of the 1960's. Interesting and well-acted, but the film feels like a History Channel special rather than a movie. However, it is worth checking out for some great performances from the supporting cast - and it'll make you forget "Waterworld" and "The Postman".

Traffic
Starring Michael Douglas & Catherine Zeta-Jones
Directed by Stephen Soderbergh
Movie Maven Rates it: LLLLL

Remember how I said "Almost Famous" was the best film of the year? Well, it still is, but this film is giving it a run for its money. This movie is an absolutely amazing triumph of film from Stephen Soderbergh ("Erin Brockovich"), who artfully weaves together three interlocking stories about the war on drugs. Catherine Zeta-Jones gives a surprisingly good performance - she's much better here than in "Zorro" or "Entrapment" - and she finally gets to show the world that she's a good actress, as well as a pretty face. But the real scene-stealer is Golden Globe winner Benicio Del Toro - look for his amazing portrayal of a troubled Mexican drug enforcer. I cannot recommend this movie enough, and it's well worth your money.

Antitrust
Starring Ryan Phillipe and Tim Robbins
Directed by Peter Howitt
Movie Maven Rates it: L

A cheesy software industry thriller that ends up coming off like a "The Net" rip-off. Tim Robbins seems like he's channeling Bill Gates, and Ryan Phillipe doesn't do much in the film except look cute while staring at a computer screen. The movie does have its moments, and it can be fun to watch at times. Now I'm all for cheesy movies, but I think this one is best suited to the small screen on a Blockbuster Night.

Till next time, film fans...
Happy movie-going!

Ratings Guide:
L : A dud-don't waste your money on it.
LL : Fair-wait for the video.
LLL : Very good-recommend a trip to the movies or video store.
LLLL : Excellent—highly recommend—worth spending your money on a ticket and popcorn.
LLLLL : Superb-run out and see it now!
Benjamin Banneker: The Inventive Spirit of a Genius

Susan L. Harper

After law school, you may find yourself working in Washington DC. If so, when walking through our beautiful Nation's capital, think of man that designed it: Benjamin Banneker (1731-1806).

Few men of his time possessed the intellectual curiosity and early scientific capabilities as this notable inventor, mathematician, farmer, city planner, astronomer and author.

Banneker's maternal grandmother, an Englishwoman, understood first-hand what a lack of freedom meant. She was sent to the American Colonies as an indentured servant. Upon receiving her freedom, she married and freed an African slave, named Bannaky. Benjamin Banneker was born free, since by law the status of African descendants depended on the mother.

Early on, Banneker excelled in mathematics. His grandmother taught him how to read using the Bible. He was further educated at a Quaker school. For fun, he would create and solve math problems and study the stars on the farm where he resided.

This natural inclination towards math coupled with his curiosity to determine "nature's secrets," and his outstanding problem solving abilities led Banneker to become a key contributor to American society.

According to the MIT Invention Dimension home page, citing Louis Haber's Black Pioneers of Science and Invention, and Maryland's African American Heritage site, Banneker grew up on a Baltimore tobacco farm, where he would devise an irrigation system so reliable that crops flourished even in dry spells. In one season during the Revolutionary War, the wheat grown on a farm designed by Banneker prevented US troops from starving.

In his early 20s, upon receiving a European pocket watch from a traveling salesman, Banneker took it apart and built the first mechanical clock in the US. It would keep accurate time for over 40 years.

Astronomy also fascinated Banneker. Often, he sat in his work cabin and studied the stars. He used calculations to successfully predict an eclipse in 1789. His findings also led to predicting sunrise and sunset, weather forecasts, festival days and holiday information. This information was extremely valuable in agricultural rural America. Banneker published these findings annually for over ten years in his Almanac. Because Banneker was also socially minded, he also published poetry and articles against war and slavery in the Almanac.

"The publication of his Almanac had special significance other than being just a useful resource," writes Jessica McElrath at About.com. "It challenged the popular belief of the time that African Americans were intellectually inferior to whites." McElrath shares that in the preface of Banneker's 1796 almanac, the white editor issued this statement:

"The labours of the justly celebrated Banneker will likewise furnish you with a very important lesson, Courteous Reader, which you will not find in any other almanac, namely, that the Maker of the Universe is no respector of colours; that the colour of the skin is no way connected with the strength of mind or intellectual powers; that although the God of Nature has marked the face of the African with a darker hue than his brethren, He has given him a soul equally capable of refinement."

According to Macro Press' biographical sketch on Banneker, Thomas Jefferson said that he did not think black people could learn as well as white people. Banneker, a critic of slavery, sent a copy of his first Almanac along with a letter to Jefferson, who at the time was Secretary of State. In it, Banneker criticized Jefferson's warped position and his owning of slaves, especially when the Revolutionary War was fought for freedom from the British Empire. Although no political reforms occurred, Jefferson acknowledged Banneker's letter and the Almanac promptly. This marked the beginning of a long correspondence. Thereafter, Jefferson promoted the Almanac in Paris and London.

When George Washington announced his plans to move our nation's capital to the District of Columbia, Banneker was placed on the planning committee at the request of Thomas Jefferson. When the lead architect, stormed off the project with the plans for the new city, Banneker recreated the plans of the streets, parks and buildings within two days—strictly from memory.

The city of Washington DC would not be the city it is today, without skill and genius of Benjamin Banneker.

See a copies of Banneker's letters, as well as Jefferson's response, at http://aframhistory.about.com/library/bibanneker_letter.htm

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Word on Worth Street
by Yadhira Gonzalez

How has your time here in law school changed your life?

Carolyn Walker, 2L
Vice Pres. of BLSA
"It has taught me the true meaning of perseverance, determination and hard work."
Future goal: Corporate lawyer (M&A)

Cherita Coy, 1L
Member, BLSA News Journal
"It has taught me to prioritize."
Future goal: Corporate lawyer

Janice Alfred, 1L
"I look at the world differently, with a legal perspective."
Future goal: Corporate lawyer with the opportunity to do pro bono work in family law

Evette C. Ennis, 2L
"It has taught me greater time management, the need for attention to detail and also about myself, my strengths and weaknesses."
Future goal: Corporate attorney within employment law

Craig Battle, 3L
Editor, "BLSA News Journal"
"Now I'm in debt!"
Future goal: To rule the world (Bankruptcy attorney)

Alexis Taylor, 2L
"Law school has changed my way of thinking and analyzing the world, and has opened up the vast possibilities in an intellectually stimulating field."
Future goal: To make a difference and to challenge myself.
Order on the Court

News from the NYLS Basketball Team

The New York Law School Basketball Team has kicked off its season in a royal fashion, with wins over Fordham, CCNY, and two strong law firms. The first game of the season was down to the wire with a one point victory over Fordham. NYLS was up 9-0 in the first half before taking a 5 point lead at the half. Later, Fordham came back and was up by 9 before. However, NYLS came back and sealed the victory with a 11-0 run and clutch foul shooting.

NYLS then dismantled one of the competing firms, beating them by 15, then destroying CCNY by 20 points, capping the night off with a 26 point blowout of a law firm team. The team is led by a strong core of third years. With major contributions from two first years and hungry second years, New York Law School takes its undefeated record and first place standing into Dean Richard A. "Rockin' Ricky" Matasar as the Great Oz leading the chorus in the February 5th performance of the Mock Trial of Dorothy Gale.

Returning Gifts?

The Public Interest Coalition Needs Your Donations!

Shani Friedman

For those of us on the Public Interest Coalition, the spring semester is always the craziest and the most fun as we go all out in bringing together the annual live auction. It's not too late for the law school community to join in the excitement! With less than two months to go, we need donations from everyone!!

If you are a faculty member or part of the school administration, we know you have goodies to bring our way. If you have season tickets to local sports teams, you could donate a pair to the auction. Or the next time you go into your favorite restaurant, spa, bookstore, ask them if they would donate a gift certificate. Or perhaps you know someone who could donate something that they don't want or that they can get through their employers. Books, CDs, plane tickets, clothing, jewelry are definitely items people will want to bid on. When soliciting for donations, PIC's philosophy is that everyone knows someone who can donate and it always holds true.

If you have something to donate, you can drop it off in the Office of Student Life on the 5th Floor (431-2851) up until the day of the auction, although we would like to get items sooner rather than later. This year's auction will take place on Thursday, April 5th and for those of you who thought last year's rocked; this one will be even better. See you there!

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