

2015

Valparaiso Law: 2015 Annual Review

Valparaiso University Law School

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Annual Review

WHERE TRADITION MEETS INNOVATION

2015

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DEFINING THE ISSUES

Valpo Law Blog—building legal journalism skills

A Focus on Co-curricular and Practical Learning

This issue provides a firsthand glimpse into the extraordinary career preparation experiences available to students through co-curricular learning—the Law Review, Moot Court Society, International Moot Court, Trial Advocacy Team, and the Valpo Law Blog. A celebration of the 50-year anniversary of the Law Review showcases the dedication to rigor, research, and resilience that have become hallmarks of Valparaiso University Law School students throughout the years. Valparaiso Law Professor Emeritus Bruce Berner and the first Editor-In-Chief Michael Swygert tell the story.

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MAKE A DIFFERENCE

Your support helps build a better future for tomorrow's leaders

“It’s all about practice, practice, practice.”

Osbaldo Santiago, 3L
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ANNUAL REVIEW ONLINE

valpo.edu/law-annual-review





— LETTER FROM THE DEAN —

As we embark upon a new year, we do well to pause and reflect upon the remarkable events of the past year. We were privileged to host a lecture by *Dead Man Walking* author, Sister Helen Prejean, the inaugural Robert D. Rucker Lecture, the ABA Region 7 Client Counseling Competition, and a lecture from antiracist essayist Tim Wise. Our faculty continue to be sources of great pride through their ongoing legal commentary in notable publications such as *The New York Times*, *The Chicago Tribune*, *The Washington Post*, *Indiana Lawyer*, *Forbes*, and *The Huffington Post*. They lead by example and demonstrate a personal commitment to serving society at large, evidenced by earning numerous distinguished service awards and appointments to community leadership roles.

I am inspired by the positive outcomes our Law School is creating. The re-crafted curriculum, launched in 2013, is driving increased levels of student achievement and engagement. We take immense pride in the fact that Valparaiso Law alumni are highly regarded for their exceptional legal writing and research skills, and that our many live-client Law Clinics continue to deliver legal victories for hundreds of clients a year. We will continue to build upon our legacy in the legal industry and deliver these competitive advantages to our students.

This issue of The Annual Review celebrates Valparaiso University Law School's co-curricular programs: the 50th anniversary of *The Law Review*, shares experiences from the Moot Court, International Moot Court, and Trial Advocacy Team competitions, and highlights the Valpo Law Blog and our outstanding legal writing program.

At Valparaiso University Law School, our mission is to help students discover their passion for the practice of law, deliver the practical skills, experiences and knowledge needed to succeed, and to create leaders ready to serve society and build a better tomorrow. This is our strong tradition, and we are continuing it.

ANDREA D. LYON Dean, Valparaiso University Law School

YEAR IN REVIEW

Valparaiso University Law School is a vibrant and dynamic community in which faculty and students use their talents to explore legal practice and theory, help people individually, and serve civil society as a whole.



Valparaiso University Law School hosted a lecture by *Dead Man Walking* author **Sister Helen Prejean** on January 13, 2015 at the Harre Union Ballroom. Before a standing-room-only crowd, Prejean spoke about her life, her public education ministry, her ongoing efforts to counsel death row inmates and their families, and her participation in the global campaign to seek a worldwide moratorium on the death penalty.

On February 5, 2015, antiracist essayist and public speaker **Tim Wise** delivered a lecture about discrimination and held a question-and-answer session and book signing afterward in the Harre Union Ballroom. The lecture, “But What About Reverse Racism Against White People!?” addressed the issues and statistics surrounding claims of discrimination against Caucasians.



Valparaiso University Law School **Professor Emeritus Bruce Berner** ('67 J.D.) was appointed as chair of a new task force, named Altogether Valpo, to conduct research and promote Valparaiso's values of inclusiveness and diversity throughout the community. Part of the city's ValpoNEXT initiative, the taskforce supports Valparaiso's effort to be the most civically engaged city of its size in the Midwest.



Professor Steve Probst ('02 J.D.) published the *Valparaiso University Law School Guide to Faculty Publications* on the 135th anniversary of the Law School. The bibliography provides a comprehensive listing of faculty publications throughout the school's history dating back to its founding by Col. Mark L. DeMotte in 1879. The publication includes citations to the published books, articles, book chapters, essays, introductions, forewords, and book reviews written or edited by the Valparaiso University Law School faculty. It is available at http://scholar.valpo.edu/law_fac_pubs/312/.

The Honorable Lord Harry Woolf was the recipient of an honorary degree at the 2015 Valparaiso University Law School commencement ceremony on May 16, 2015. Lord Woolf, a distinguished advocate, judge, and public intellectual, has been a dedicated friend and supporter of Valparaiso University. He has hosted students participating in Valparaiso University Law School's annual London and Cambridge summer program for many years, allowing students privileged access to the Royal Courts of Justice on the Strand, the Houses of Parliament, and the Supreme Court of the United Kingdom.



LORD HARRY WOOLF
Lord Chief Justice of England
and Wales, retired 2005

STUDENTS GAIN GLOBAL PERSPECTIVE ON ISRAEL-PALESTINE CONFLICT

Over spring break, 25 Valparaiso University Law School students traveled to Israel as part of the **International Humanitarian Law in Israel and Palestine** course. The course is a joint program with the Sha'arei Mishpat Academic Center in Hod HaSharon, Israel.

D.A. Jeremy Telman, Professor of Law, helped create the course with Dr. Yaël Ronen, Professor of Public International Law at Sha'arei Mishpat, to teach students the law of armed conflict and how it applies to current events in Israel-Palestine.

During the first week, the students met with Israeli Supreme Court Justice Daphne Barak-Erez, spent time in a Bethlehem refugee camp, visited the Yad Vashem Holocaust History Museum, and traveled to Golan Heights to observe the security situation between Israel, Syria, and Lebanon. The group spent the second week in Tel Aviv, where they visited Israeli settlements bordering the Gaza Strip.

Eight students from Sha'arei Mishpat also participated in the program. Professor Telman commented, "Our group of 25 included two Palestinians, so it was very interesting to have Israelis and Palestinians learning the law of armed conflict in Israel together in a classroom setting." Though there were tense moments of disagreement, according to Telman, the Israeli students became friends with the Valparaiso Law students and even had them over to their apartments for dinner near the end of the second week. "I didn't expect success on that kind of level. I was very pleased by that," Telman added.

"I didn't expect success on that kind of level. I was very pleased by that."

D.A. Jeremy Telman, Professor of Law



The **Justice Robert D. Rucker** Inaugural Lecture was held on Thursday, March 26, 2015 at Valparaiso University Law School. Justice Rucker, who received his J.D. from Valparaiso Law in 1976, returned to deliver the first speech in a lecture series named in his honor. His lecture, "Behind the Scenes – an In-depth Journey Through the Inner Workings of the Indiana Supreme Court," candidly discussed Indiana

Supreme Court processes. Justice Rucker has served on the Indiana Supreme Court for more than 15 years, during which time he authored more than 225 majority opinions and 97 concurring or dissenting opinions. Prior to his appointment to the Indiana Supreme Court, Justice Rucker served as a Judge on the Indiana Court of Appeals, having been appointed to that position in 1991 by Governor Evan Bayh.



Valparaiso University Law School Dean **Andrea D. Lyon, J.D.**, was honored at PUSH for Excellence (PUSH Excel)'s 25th Annual Rev. Dr. Martin Luther King, Jr. Scholarship Breakfast. PUSH Excel promotes educational excellence and advocates for equity in funding and allocation of educational resources. The event's theme, "King's Unfinished Agenda," focused on continuing Dr. King's mission to empower young people through academic readiness, strength of character, and corporate financial support.

Valparaiso University Law School hosted the **ABA Region 7 Client Counseling Competition**. Twelve teams from six Midwestern law schools competed by interviewing a client on complex family law matters. Judging panels of two attorneys (including many Valparaiso Law alumni) and one counseling professional then ranked each team based on their interviewing and counseling skills.



Professor Del Wright, Jr. was appointed to the Indiana Supreme Court Committee on Rules of Practice and Procedure. Wright replaced Jeffrey O. Cooper, whose term expired. Wright's term on the committee runs through June 2020.



Valparaiso University Law School **Professor Sarah G. (Sally) Holterhoff** received the Marian Gould Gallagher Distinguished Service Award, the American Association of Law Libraries Hall of Fame's highest honor. The Gallagher Award recognizes extended and sustained service to law librarianship, exemplary service to the Association, and contributions to the professional literature.



Valparaiso University **Immigration Clinic** students **Mayombo Mbanza** (3L) and **Jordan Chelovich** ('15 J.D.) won asylum for an Eritrean man who was tortured and imprisoned for questioning favoritism toward pro-government students at a mandatory military training camp he attended. The man fled his country, seeking safety in several places before arriving in the U.S. in 2010. Mbanza and Chelovich worked for a year to thoroughly corroborate the man's case, establish that his injuries were caused by torture, and secure his eligibility for asylum. Backlogs in the Chicago Immigration Court initially caused the hearing to be continued to 2020, but Mbanza and Chelovich tirelessly lobbied the Executive Office for Immigration Review to procure justice for their client in the calendar year. The man is now living in the Chicagoland area and studying to be an engineer.

The Consumer Financial Protection Bureau recently took action against the nation's two largest debt buyers and collectors for using deceptive tactics to collect bad debts. The **Civil Law Clinic** has been fighting the same battle locally, representing more than 100 defendants in Porter County, resulting in dismissals of more than \$250,000 worth of debt in the last four years. Law Professor and Civil Law Clinic Director **Marcia Gienapp** ('77 J.D.) said the cases are good learning experiences for her law students. "It teaches them the same sort of skills no matter what work they do," she said. "And private attorneys aren't doing it now because by definition these are people who probably owe money and can't afford an attorney."

Now celebrating its 10th anniversary, the **Sports Law Clinic** is one-of-a-kind. "It's a niche subject and there aren't tons of cases. It's also highly time-demanding," said **Michael Straubel**, Sports Law Clinic director and a Valparaiso University Law School professor. Straubel, who is also head coach of the university's cross country teams, said the issue of athlete doping came to the forefront in the late 1990s. The U.S. Anti-Doping Agency began operating in 2000. Since then, it has only lost three cases, two of which have been to the Sports Law Clinic. Each year, the Sports Law Clinic handles about 10 cases of amateur athletes involving doping and drug testing, discipline, team eligibility, gender equity, visas to compete, and loss of scholarship.

A man with glasses, wearing a blue button-down shirt and a yellow patterned tie, is standing in front of a whiteboard. He is holding a white marker in his right hand and writing on the board. In his left hand, he holds a white folder or stack of papers. The whiteboard has some faint, hand-drawn lines on it. The background is a dark, out-of-focus interior.

LAW REVIEW: CELEBRATING

50
YEARS

*The Valparaiso University
Law Review*

IIn the fall of 1966, Valparaiso University Law School Professor Alfred W. Meyer ('50 J.D.) invited six second-year (2L) law students to lunch at a local restaurant on Route 30 called Wellman's. Little did those six students know what they were in for.

Recalls one of those six men, Valparaiso Law Professor Emeritus Bruce Berner ('67 J.D.), "Al told us we were going to start a law review. We didn't think it was truly a free lunch—and it wasn't." In fact, says Berner, "I do not recall that 'no' was an option. None of us would have said no."

The first Editor-In-Chief, Michael Swygert ('67 J.D.), remembers that there had been previous interest in forming a law review. He explains in his history of Valparaiso University Law School, *And, We Must Make Them Noble* (Carolina Academic Press, 2004), a test run in 1964-65 had not been successful. "We thought it was going to come soon, but I'm not sure we knew they'd announce it in the fall of 1966," Swygert recalls. "Professor Al Meyer and Dean (Louis F.) Bartelt ('47 LL.B.) were most significant in the selection of the original board. I was a bit surprised when they appointed me editor-in-chief of the first issue."

*"We had no one
in front of us
who had already
done this."*

Bruce Berner
Professor of Law, Emeritus



**ORIGINAL EDITORIAL
TEAM**

The first Board of Editors, Valparaiso University Law Review, 1966: Bruce Berner, George Valsa, John Yakimow, Peter Wilson, Michael Swygert, Allen Landmeier, and Michael Virgil. Swygert likes to point out that each editor possessed a pair of horn-rimmed glasses. He's the only person in the photo not wearing his.

VOLUME 1, NUMBER 1

As Dean Louis F. Bartelt wrote in the inaugural issue, "The Law Review has made an auspicious debut." Meyer credited members of the Class of 1966 who "agitated for and provided the initial impetus for the present publication." A columnist in the American Bar Association journal, Arthur John Keefe, rendered his opinion that "the issue was very well done and a great credit to the editors." (Law Magazine, 1967).



“A GIGANTIC JOB”

“At that point, I saw it as a gigantic job,” comments Swygert. “Not only did we have to edit, we had to write, we had to edit everything that came in, we had to solicit what came in from the outside, and we all were expected ourselves to write a scholarly note that would be published. Of course none of us knew much about law reviews, except Al Meyer, fortunately. He had formerly taught at Indiana University Law School in Bloomington, and he knew folks there very well. In the fall of 1966, he took the five of us editors down to Bloomington to meet the editorial staff at the IU Law Journal. The editor-in-chief was a man named Arthur Fell. We hit it off when we first met. He was an enormous help in explaining the processes and the problems that we were likely to encounter. When I would have questions, I could call up Arthur in Bloomington,” says Swygert.

A TRIBUTE TO DEAN MEYER

Berner, in an anniversary speech honoring the Valparaiso University Law Review in 2015, shared some reminiscences about Dean Meyer, saying that one of the Law Review highlights for him was Volume 41, Issue 3 (2007). “This was the tribute to Dean Alfred W. Meyer who had died in January of that year. There were articles by Michael Swygert, Alan Morrisson, Ed Gaffney, Seymour Moskowitz, and myself. It was so powerfully appropriate that the man whose vision and stubbornness gave life to the Law Review should be recognized therein.”

DEAN AL MEYER



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Valparaiso University Law Review

VOLUME 1, NUMBER 1

ARTICLES

- THE AMERICAN JURY: A JUSTIFICATION
Tom C. Clark
- FREEDOM OF THE PRESS VERSUS
FAIR TRIAL: THE REMEDY LIES
WITH THE COURTS *Edward G. Hinton*
- THE IMPACT OF THE LAWYERS:
AN INFORMAL APPRAISAL *Dale W. Brooker*
- SECOND GENERATION CONDOMINIUM
PROBLEMS: CONSTRUCTION OF
ENABLING LEGISLATION AND
PROJECT DOCUMENTS *Patrick J. Rohan*

COMMENT

- DIVORCE: CANTERBURY STYLE *Monrad G. Paulsen*

NOTES

- RESTATEMENT OF CONTRACTS (SECOND)—A REJECTION
OF NOMINAL CONSIDERATION?
- THE FUTURE OF RECIPROCALITY: A STUDY IN ANTI-
TRUST DECISIONAL TECHNIQUE
- IMPOSTORS AND FRAUDULENT PROCUREMENT OF NE-
GOTIABLE INSTRUMENTS—DOES THE UCC RESOLVE
THE PRE-CODE CONFLICT?
- FEDERAL HABEAS CORPUS—THE SEARCH FOR A SOLU-
TION TO THE PREMATURITY CONCEPT

REVIEWS

- George N. Beumer* *Daniel R. Gahl*
Burton D. Weckler *Detmar K. Hoepfner*



Valparaiso University Archives & Special Collections

“That was 50 years ago,” Swygert continues. “Arthur Fell and I have been friends since we first met in Bloomington, because he was the editor-in-chief and I was a new editor-in-chief who knew nothing about it.” Berner believes that the original editorial team bonded over a formidable challenge. Whereas ordinarily, 3L students mentor 2L students, he comments, “We had no one in front of us who had already done this.” Berner regards Meyer’s 1966 initiative as visionary: “He saw the day coming when a law school would just not be competitive unless it had a law review.”

THE EDITORIAL PROCESS

What the original editorial team learned from Fell was invaluable, says Swygert. “The important thing that he emphasized was how hard one had to work to be precise about detail. He said you just have to constantly check the citations and the scholarship of your own work, and you have to be very careful of people who submit articles. You have to start with the premise that they have made mistakes. You have to understand that a lot of people who write and make submissions to law reviews are doing so either under time pressure or with the expectation that the editors will do the really hard editing job, so don’t expect that just because it comes in, you can publish it in that form. It’s going to take a lot of work.”

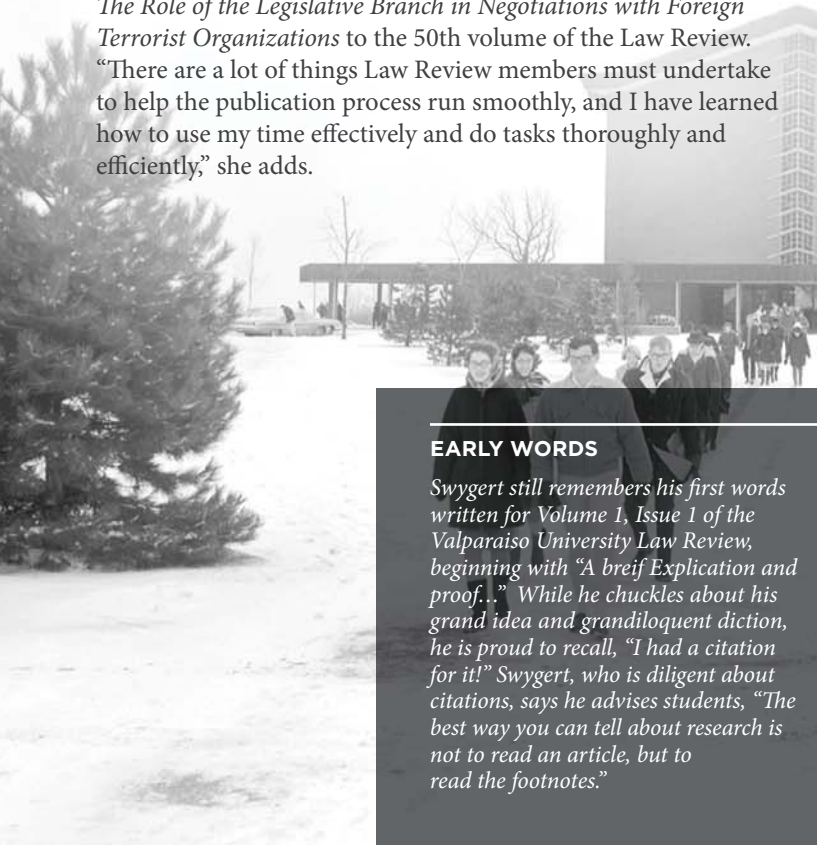
For the inaugural issue, the editorial team had an 18-month window for lining up topics and content, rigorously revising each piece, and delivering the finished product. This painstaking tradition continues, as current Editor-In-Chief Alyssa Spartz (3L) relates the demands of the Law Review’s schedule. In addition to guiding 2Ls and 3Ls through the intense writing and editing process, she is contributing her own note, *A Constant Tug-of-War: The Role of the Legislative Branch in Negotiations with Foreign Terrorist Organizations* to the 50th volume of the Law Review. “There are a lot of things Law Review members must undertake to help the publication process run smoothly, and I have learned how to use my time effectively and do tasks thoroughly and efficiently,” she adds.

Spartz cites the value of co-curricular coursework that prepares Valparaiso University Law School students for the profession. “Being on Law Review helped me become a thoughtful and confident communicator,” she says. “I learned how to streamline processes so that any problems can be dealt with quickly, yet effectively.” Working quickly and effectively is essential, as the current volume includes such hot-button topics as racial bias in the upcoming election, constitutional rhetoric, and defunding terrorism. Sydney Weathersby, current editor of lectures and symposia, says, “When you’re writing, it’s about constantly researching more and more on your topic, making sure your writing is current.”

Berner recalls the rigors and demands of the Law Review as well, recounting his own learning process while he served on the original editorial board. “I got surprised in an interesting way. I had written an article and of course all people at that age think they’re pretty good, and I thought, ‘This is quite an article I’ve written.’ Then I went in with Dean Bartelt and I said maybe two words in the next hour. I noticed there were more red words than black ink on the paper. I always call it ‘Pee Wee Herman meets the Sanhedrin.’”

Indeed, Berner believes, “One of the things writers have to do is accept critique of their writing or they’ll never get anywhere.”

There is no doubt that staff of the Law Review always have to work hard. Berner recalls events around an historic blizzard that struck the area in January 1967, as deadlines for the first issue were fast approaching and there was still much to do. “Michael Swygert arranged—and his wife knows that was not a mistake—he arranged to get stuck at the Law School,” says Berner. Swygert describes the event this way: “When that blizzard started I was oblivious to it because I was in the basement, working away.”



EARLY WORDS

Swygert still remembers his first words written for Volume 1, Issue 1 of the Valparaiso University Law Review, beginning with “A breif Explication and proof...” While he chuckles about his grand idea and grandiloquent diction, he is proud to recall, “I had a citation for it!” Swygert, who is diligent about citations, says he advises students, “The best way you can tell about research is not to read an article, but to read the footnotes.”

EDITORS' COMMENTS

NUMBER 108

“A breif Explication and proof of the Philolaick Systeme,” by Sechariah Brigden, probably represents the first *professional* article edited by *non-professionals* in Colonial America.¹ The editors were recent graduates of Harvard College. The year was 1659; the publication, *Almanack*. The article reportedly was the first description of Copernican astronomy published in the New World.²

A good idea tends to endure. In April 1887 the first student-edited legal periodical³ came off a flat-bed press in Cambridge, Massachusetts. By the birth of the *Harvard Law Review* an institution peculiar to American legal education came into existence.⁴

Institutions tend not merely to endure, they expand. Yesterday, 307 years after “A breif Explication” and seventy-nine years after the birth in Cambridge, there were 107 student-edited legal periodicals in the United States. Today, there are 108.

THIS ISSUE

Articles

The Honorable Tom C. Clark, Associate Justice of the Supreme Court of the United States, contributes “The American Jury—A Justifi-

1. THE ENCYCLOPEDIA OF AMERICAN FACTS AND DATES 22 (Carruth ed. 1959).

Later he discovered, “Big plows had come in so that helicopters could come in and land and take people to Porter Memorial Hospital. We had about 23 inches of snow and it drifted like crazy. I remember there was a custodian trapped there as well. I remember walking to a supermarket through huge drifts and getting a roast beef and cooking it for us on a little stove in the building.” He adds, “We were not the only ones. The event gave me great appreciation for Professor Marshall Jox, who was very studious. He was the Pony Express person, always here, regardless of the weather. He arrived at eight o’clock in the morning. He walked to campus, and it was a decent walk. When he realized nobody else was there but we three, he laughed a little bit, and turned around and left.” The good news is that during this window, Swygert caught up on his work, in an editorial marathon session that brought the team one step closer to the inaugural publication in spring 1967.

CULTIVATING LEGAL WRITERS

Weathersby, still completing her editorial role for the 2015–2016 academic year, already sees a difference in her own professional capabilities stemming from her experience. “I think I’m a far better writer today than when I started,” she says. Spartz agrees, saying, “Writing this note pushed me to think strategically about my writing and created in me a passion for writing that I did not know I had.”

Berner, who went on from his experiences at Valparaiso University Law School to become a Professor and an Associate Dean at Valparaiso Law, to earn the distinction of Distinguished Barrister – Indiana Lawyer (2012), and now, in “retirement,” to serve on several appointed positions with The City of Valparaiso, explains that a role with the Law Review was “seen as a crowning jewel on a resume” in the 60s—and still is today. Swygert, who has authored or co-authored seven books and is still researching and writing today in retirement, remarks, “Without the Valparaiso Law experience I don’t think I ever would have become the writer I became. The seeds of all the things I later did were the outcome of that year and a half. The Law Review is a wonderful institution for me personally. I just can’t overestimate its worth, and I think it’s a wonderful institution for anybody who has the opportunity to participate in it.” 🍷

Law Review Executive Board 2015-16. Top (L-R): Sha’na Harris, Cecelia Harper, Sydney Weathersby, Elizabeth Valeriane, Stephanie Kroeze Bottom (L-R): Ryan Sullivan, Elizabeth Littlejohn, Alyssa Spartz, Maryam Afshar, Dimonique McGruder

Momentous Law Review

TOPICS OVER THE DECADES

On July 18, 1966, Dean Bartelt wrote in a memo to the University Board of Directors: “I can say without qualification that...the publication of a law review will be one of the most significant events in the history of the school.” Indeed, Berner and Swygert both relate pride in the breadth and depth of Law Review content under the stewardship of 50 extraordinary groups of Valparaiso University Law School students through the decades. Berner reminisces about a manuscript written by renowned attorney Roscoe Pound, *The Case for the Law*, which appeared in the first issue. Berner also recalls his own editorial assignment with another article from a renowned legal authority, Tom Clark, saying, “Mike Swygert’s father was a Federal Judge on the Seventh Circuit Appellate Court and was a personal friend of U.S. Supreme Court Justice Tom Clark. He talked Tom Clark into writing an article, *The American Jury: A Justification*.”

The *Valparaiso University Law Review* has tackled such thought-provoking topics as the Americans with Disabilities Act, civil rights, cell phone use behind the wheel, immigration issues, child pornography, freedom of the press, conflict of interest, regulation of the Internet, bioethics, and countless legal conundrums, addressing each with the rigor established under the vision of Meyer, Bartelt, and the early editors.

Berner remarks that over the years, he’s seen the Law Review—and all law reviews—feature “fewer big-picture articles,” addressing instead more “particularized issues.” He attributes this shift to the evolution of law itself. The body of law has grown immensely, he points out, such that law becomes “not so much an overall philosophy and very much about maintenance of smaller ideas, codifications.” Technology, too, he suggests has changed the productivity and perspectives of practicing attorneys. Editorial lineups of law reviews, he believes, do and will continue to reflect more intensive specialization today.

Berner regards the *Women in the Law Symposium* published in 1994 (Volume 28, Number 4) as a triumph. The issue featured lead articles by **Sandra Day O’Connor**, **Ruth Bader Ginsburg**, and Valparaiso University Law School professor **JoEllen Lind**. “The emergence of women in legal education and legal practice is probably one of the most important things that’s happened in the United States over the past 50 years,” Berner says. “That issue of the Law Review received a great deal of play in other law schools,” he comments, saying others wondered why they hadn’t thought of this idea themselves.



TAKING SIDES:

MOOT COURT SOCIETY

Gay marriage, cybercrimes, wiretapping, civil rights, product liability. These are just some of the complex, contemporary issues Valparaiso University Law School Moot Court Society members have tackled recently. Relentless research and arduous practice are a way of life for Valparaiso Law students who choose to participate in Moot Court Society—not to mention a pathway to the future. Says graduate Katlyn Rowe ('14 J.D.), "Moot Court was the starting point of figuring out who I wanted to be as an attorney."

One has to know one's material, explains current Chief Justice (2015-2016) Natasha Corbett, who was part of the team participating in six national moot court competitions in winter and spring 2015. "At the UCLA Cyber Crimes competition, all the judges and attorneys we argued in front of were experts in the areas we were arguing," she says. "We had a judge come out who had specialized in wiretapping law, and somebody from an agency that was supporting privacy law, so all the people we were arguing in front of were experts in cybercrime, security, or privacy rights." Intensive preparation, she says, is key: "One judge asked me to explain the triangulation of cellphones, and I described my understanding of how that works. The event was very grueling but one of the best experiences I've had."

Typically sending five travel teams to competitions across the nation, Moot Court Society places law students in front of highly experienced judges, and this represents the ultimate courtroom challenge. Explains faculty advisor Clare Nuechterlein ('72, '75 M.A., '78 J.D.), "Moot Court Society is one of the longest running traditions of the Law School."

"Moot Court Society is one of the longest running traditions of the Law School."

Clare Nuechterlein
Distinguished Practitioner-in-Residence



Natasha Corbett, 3L

SPRING COMPETITIONS

The 2015 season for Valparaiso University Law School Moot Court Society included traveling to six inter-school competitions: the Mardi Gras Sports Law Invitational at Tulane University Law School in New Orleans, LA; the Cyber Crimes Moot Court Competition at UCLA; the William E. McGee National Civil Rights Moot Court Competition, hosted by Hamline University School of Law in Minneapolis, MN; the August A. Rendigs National Products Liability Moot Court Competition at the University of Cincinnati College of Law; the Duberstein Bankruptcy Moot Court Competition at St. John's University School of Law in Queens, NY; and the Sutherland Moot Court Competition at the Catholic University of America, Columbus School of Law in Washington, D.C., which is the oldest private moot court competition in the country.

Corbett is particularly proud of the team's performance in the Sutherland competition. "Our team placed in the semifinals and our team member Lauren Dietrich won Best Oralist," Corbett says.

The issues are never easy, Corbett says. "At the McGee competition, the issues presented were about same-sex marriage. The Supreme Court ruling on same-sex marriage had not come out yet, but you could tell the tides were turning," she notes. "Our team had to argue against same-sex marriage. There was not a case law supporting that position. The judges felt one way; our team members were trying to argue the other way. They were trying to help the law help their side."

MENTORING FROM THE MASTERS

In Moot Court, students have to know the law intricately and be prepared for any challenge. Corbett explains, "Judges know when you're right and when you're wrong."

Rowe agrees that moot court was a daunting challenge. She recalls, "You're actually litigating and the judges lean into you and pick apart your arguments. I still have nightmares about them tearing apart some of my arguments, but it's a very beneficial program for those who get to partake in it."

Looking ahead to 2016, Corbett explains, "In the spring we're looking at attending four competitions; eight members will compete and there will be a student coach for each team. All student coaches come from the executive board."

Asked what advice she offers Moot Court Society members, Nuechterlein noted a distillation of tips that she and her husband, Christopher Nuechterlein, a Federal trial judge, like to offer, “Seven words, in a nutshell: be prepared, be candid, be on time. There’s lots of other advice that keys off that, but be prepared; you need to know your case frontwards and backwards. Be candid; you need to put everything in front of the court. Every case has bad facts; don’t hide them. Be on time is obvious, but a lot of lawyers who show up late get in trouble.”

CARVING OUT CAREER PATHS

Nuechterlein emphasizes that students learn by doing. “Students learn from being carefully critiqued through all of their practice rounds, and at all the competitions, students are critiqued and offered pointers about what they did well and what they can improve. It’s a very intense activity, but they come out of law school way ahead of the game compared with people who haven’t participated in something like this.”

She adds, “The competitions themselves and the specialized class are very helpful in law school, but even more, the skills learned are highly transferable to the profession and the skills are highly sought after. Students haven’t been out there because they haven’t graduated and taken the bar exam yet, but I’m getting them ready for 35+ year careers.” Many members proceed into careers in public service, she notes.

Rowe, who says she always wanted to be a litigator, comments, “I met judges and law professors from across the country. I’m able to say to friends who are looking for a certain type of work, ‘Hey, I know someone.’” Rowe says the Moot Court experience helped her ignite her passions and solidify where she wanted to take her career. “Moot Court Society helped me to be a well-rounded attorney and it helped me build the confidence in my ability to



Katlyn Rowe, '14 J.D.

form oral arguments. It taught me to write like an attorney and take a problem from beginning to end to address the legal issue thoroughly and effectively.” Today, Rowe is working as an insurance defense attorney, and aspires to become a law professor someday.

Corbett speaks of her aspirations following her 2016 graduation: “When I began law school I was uncertain as to what I wanted to do. Being in Moot Court Society has helped me understand I love appellate law; I love oral argument; I love digging into the issues. All the things we do are transferable skills. I often see people arguing in front of the bench and being flustered, not knowing what to do. My experience has helped me to be more comfortable. I know how to be an advocate and how to be prepared for whatever happens. It’s been eye-opening.”

Rowe continues to appreciate her Moot Court Society experience, recalling, “Whitney Rhew ('14 J.D.) and I won a competition in Orange County. It was an intense competition with Ivy League and other big-name schools. When they announced the winner—Valparaiso University Law School—it was priceless. We realized how valuable our education is, and how valuable our professors are. They have prepared us to accomplish anything.”



Annual

LUTHER M. SWYGERT MEMORIAL MOOT COURT COMPETITION

The 27th annual Luther M. Swygert Memorial Moot Court Competition, named in memory of the father of Michael Swygert (see Law Review story herein) and longtime Judge of the United States Court of Appeals for the Seventh Circuit, was held November 5, 2015.

To prepare for the Competition, students take a specialized course in Appellate Advocacy taught by Professor Clare Nuechterlein. Her class focuses on complex First Amendment issues that are the basis of the Competition briefs and oral arguments each year.

The Society welcomed an all-female judge panel, including Chief Judge Diane Wood of the Seventh Circuit Court of Appeals; Chief Judge Nancy Vaidik of the Indiana Court of Appeals and Valparaiso Law alumna ('77, '80 J.D.); and United States Magistrate Judge Susan Collins.

This year’s issue focused on symbolic student speech when high school students wore buttons to school to protest an upcoming referendum in their city against same-sex marriage. The buttons read “Screw Hate, Don’t Discriminate.” After the school district banned the students’ buttons, the First Amendment Free Speech litigation ensued. Lively oral arguments and engaged questions from the “hot” bench made for a memorable Competition.

Rowe recalls her experience at the Annual Luther M. Swygert Competition: “The judges watch you perform; they watch you litigate. They see you developing skills as a litigator and they give you real-life advice. I was talking to a Seventh Circuit Court judge when I competed, and he gave me advice on how to transfer from one argument to the next argument. He even coached me on how to introduce myself. He told me I have a great ‘attorney name.’ I’ve been able to apply his advice and I became a better litigator from networking as a student.”



BENCH STRENGTH IN ACTION:

INTERNATIONAL MOOT COURT SOCIETY

“The payoff is amazing. You really get a feeling of what it will be like to prepare for appellate-style cases.”

Osbaldo Santiago
2015-2016 President
International Moot Court



Every year at Valparaiso University Law School, an ambitious team of third-year (3L) law students transforms into accomplished oral advocacy mentors, while a new group of second-year (2L) students joins the team. “It’s fun to watch arriving 2Ls really get their first experience with Moot Court arguments and International Moot Court arguments in particular,” says faculty advisor David Cleveland.

In this student-run organization, Cleveland notes, upper-level students organize and run an intra-school International Moot Court competition to prepare team members for ramping up to the international competition circuit. Remarking on the dedicated spirit of student leaders, Cleveland adds, “The 3L students take their roles as administrators, mentors, and teachers very seriously. The students do a great job of setting deadlines and prepping what needs to come next.”

INTRA-SCHOOL COMPETITION

Recalling the 2014-2015 season, Cleveland says, “The upper level students created the problem and mentored the new students who were just joining in the spring. The new students then researched the issue, argued the case, wrote briefs, wrote memorials—the international form of briefs—and argued before a panel of professors at the start of the fall semester.

“That case was called *The Case Concerning Operation: Provide Shelter*. It took place before a simulated International Court of Justice, which is the court arm of the U.N. It had to do with the use of military intervention for humanitarian aid and also issues surrounding activities of troops on the ground of other nationalities, as well as issues of trial *in absentia*. It was an interesting problem drawn from other problems the students had read.”

Cleveland believes the intra-school competition experience is a great introduction for new team members. As students begin examining international law sources, he says, “They learn about sources of law that go beyond the statutes and case laws they are used to in domestic law, and they get mentors throughout the summer for that. The individual one-on-one mentorship with an experienced International Moot Court student is very helpful.”

The co-curricular component fortifies students’ preparation. In the fall, students take a three-credit public international law class that gives them the foundations of the doctrine of international law as well as a one credit class called Appellate Advocacy: International Moot Court, which is a persuasive argument and writing class. From there, explains Cleveland, students perform the intra-school in the fall, the final intra-school argument. To advance to the final, they must argue through three rounds. The final argument takes place before a panel of three judges, or local judges, or law professors.

Finally, students are placed on teams with student coaches, and they begin preparing for inter-school competitions. Judicial participants were Professor D.A. Jeremy Telman, LaPorte County Judge Richard Stalbrink, Professor Robert H. Knowles, and Attorney Marina Takagi. The Best Oralist award went to Marcy Burden, and the Best Memorial Award went to Gurhan Heinert.

As national and international competitions approach, team members practice their arguments up to five times per week, with the support of Professor Ryan Deutmeyer ('14 J.D.), an adjunct faculty alumnus of the International Moot Court, and Professor Cleveland, the faculty advisor. "It's a pretty intense obligation," Cleveland notes, and 2015-2016 President Osbaldo Santiago agrees: "It's all about practice, practice, practice. I have never been involved in an organization that requires so much time." Santiago cites many team weekends consumed with reading, studying, and endless work applying international theories and norms. With that said, though, he adds, "The payoff is amazing. You really get a feeling of what it will be like to prepare for appellate-style cases."



HUMANITARIAN EFFORTS

During the 2014-2015 year, Santiago says his focus turned intensely to humanitarian efforts, as the team focused on complex international legal issues involving political upheaval, such as the Ukrainian-Russian conflict, as well as the question of a nation's legal responsibility for the actions of rebels. At the Susan J. Ferrell Intercultural Human Rights Moot Court competition, which took place in Miami Gardens, Florida January 30–February 1, 2015, participants examined violence in the Middle East and the legality of using YouTube to broadcast messages that would spur further violence.

The issues piqued Santiago's interest in globally emerging legal needs around international humanitarian concerns, such as political upheaval, asylum, and protection of rights. He is proud of the team's performance at the Farrell event: "We came in third for best overall team, and the memorial we wrote came in fourth overall. We were up against seven other prestigious teams from all over the world. To do as well as we did speaks highly of our writing courses at Valparaiso University Law School and our team's extraordinary preparation."

Santiago notes that social media raises particularly crucial legal issues. "The reason for that is that when governments and states start regulating speech—they start infringing on the basic liberties of individuals. Social media is a new platform where people are going to speak, so the forum of where the speech is being made is over the Internet, and some of it isn't regulated. Some of it is. The social media companies have their own policies, too. We're starting to see governments interject themselves into regulating social media. There are also international treaties that come into play, much like our own Constitution and Bill of Rights, that give people the right of freedom of speech. The U.N. Charter and the International Covenant of Civil and Political Rights would be examples. These scenarios open up a whole can of worms," he explains. "We all have basic rights that need to be not only respected—but protected," he believes.

HONING SKILLS THROUGH COMPETITION

Santiago may have found his courtroom sea legs through his International Moot Court experiences. "You find your comfort zone when you're in front of judges. It can be really nerve-racking when they throw questions at you that you don't know the answer to because one—you are really scared being up there, and two—no matter how much you prepare for something, you don't know what questions are going to be asked." How does one tackle these challenges? "One of the things I've been told is, remember, it's just a conversation with the court. You are talking to the judges as if you were talking to anyone else. This was advice to us from one of the professors: A tough question from a judge is a good thing because it shows that the judges are interested in what you have to say. I've grown to appreciate that and that advice has really helped my nerves," says Santiago.

Also active in the Latino Law Students Association and the Student Bar Association, Santiago has nothing but praise for the strength and passion of the team, the coaches, and the professors. Looking ahead to the 2015-2016 year, he predicts, "We're going to do really well!" 🍀

More Competitions

MONROE E. PRICE MEDIA LAW MOOT COURT COMPETITION

Benjamin N. Cardozo School of Law
in New York City

January 28–February 1, 2015

This year's problem focused on the impact of social media in the differences between two clashing religions and a state's attempt to take matters into its own hands and control social media by enacting its own laws governing media in its jurisdiction. Do such laws violate international human rights law?

The team, led by 3L Coach Julie Johnson, wrote Appellate Memorials on the issues. Shannon Kendrick and Michael Sanchez, both 2Ls, wrote on behalf of Deri Kutik, a young man who uploaded a religiously charged video on a video-sharing website. Meanwhile, 2Ls Natasha Ram and Maison Haines argued in the alternative for their client, the Republic of Lydina, stating that the specific law being challenged is valid under the International Covenant on Civil and Political Rights, among others.



(L-R): Maison Haines, Shannon Kendrick, Julie Johnson, James Hoch, Michael Sanchez, Natasha Ram

16TH ANNUAL D.M. HARISH MEMORIAL GOVERNMENT LAW

College International Moot Court
Competition, Mumbai, India

February 9–15, 2015

This year's competition dealt with issues of humanitarian intervention, cyberterrorism, and international investment law between the fictional countries of Antagonia and Ploonkistan. Members Delicia Zayas and Jarryd Morton (both 2Ls) competed in the Oral Rounds at the competition, arguing four separate and current issues of international law. Facing several extremely competitive teams from all over the world, the Valparaiso University Law School team placed 16th place overall. Coach and Researcher Victoria Feddeler (3L) received 13th place in the Researchers Test.

The team spent time with other law schools from around the world and have made invaluable contacts as a result of this competition. All can be proud of the team's achievements, making it to the Octo-Round, and competing against 26 other teams.



(L-R): Victoria Feddeler, Jarryd Morton, Delicia Zayas

PHILIP C. JESSUP COMPETITION

University of Denver
Sturm School of Law

February 13–16, 2015

This was the first year that Valparaiso University Law School competed in the Denver Regional. Competitors Jacquelyn Altpeter, Cassandra Neal, Roy Johnson (all 2Ls), and 3L competitor Connor Nolan prepared Appellate Memorials on The Case Concerning the Secession and Annexation of East Agnostica. This competition case presented questions of treaty interpretation, and how treaties apply under changed circumstances. It also presented questions of the propriety of countermeasures and procedural as well as substantive issues raised by the secession of a province from one country and its annexation by another.

The team then prepared arguments based on their memorials, with the help of 3L Coaches Naila Alam and Tyler Mesman. The Valparaiso University Law School team competed against teams throughout the United States, and Cassandra Neal placed 15th overall in the individual oralist rankings.



(L-R): Roy Johnson, Connor Nolan, Naila Alam, Tyler Mesman, Cassandra Neal, Jacquelyn Altpeter

FOR DRAMATIC EFFECT:

TRIAL ADVOCACY TEAM

There are many professions within the law that do not involve trying criminal cases, introducing evidence, arguing before a jury, or any of the other activities laypersons recognize from countless police and courtroom dramas. Students on the Trial Advocacy Team, however, prepare themselves to do exactly those things. As second- and third-year students, they showcase these skills in competitions throughout the country.

3L Trever McSwain, chairperson of the Trial Advocacy Team for the 2015-2016 academic year, has already amassed a wealth of experience in these areas. “There’s never been a doubt in my mind about wanting to be a trial lawyer and I’m even more convinced now that I can do what I’ve always wanted to do,” he says.

Being a part of the Trial Advocacy Team is a superb way to get hands-on experience in civil and criminal proceedings, McSwain says. He adds, “With this experience in hand, if I had to go to trial for my clients in the Criminal Clinic, I could represent them as well as someone who’s been practicing law for a few years.”

In McSwain’s opinion, trial advocacy competition is a complement to live client clinic experience. “We want to be trial lawyers in the future,” McSwain says. “And while the clinic is a great experience in actually being a trial lawyer, a lot of those techniques are refined and discovered through this trial advocacy experience.”



“I want people to see that there are still lawyers out there that are concerned about their clients’ well-being.”

Trever McSwain, 3L

Students in Trial Advocacy develop the skills to prosecute and defend in criminal and civil trials.



THEATRICALS OF TRIAL ADVOCACY

Trial advocacy includes elements of mock trial, but moving through the scenarios and fact patterns presented for competition often involves going off script, says McSwain, explaining, “While trial advocacy pulls from those theatrical aspects, we come up with a lot of our own material.”

Because trial advocacy competitors argue before a jury (in which competition judges sit unidentified), tactics differ from the comparatively staid proceedings of appellate advocacy competitions. According to McSwain, this often translates to a positively dramatic performance.

Attorney Ryan Rowan (‘11 J.D.), coached Valparaiso Law’s Trial Advocacy Team at the 2014 California Attorneys for Criminal Justice National Criminal Trial Advocacy Competition in San Francisco. He also emphasizes the theatrical aspects of trial advocacy competition. Speaking of the difference between a direct and a

cross-examination of a witness, Rowan says, “I would want my witness to win Best Actor or Best Actress, and I would want to win Best Supporting Actor.” In a cross-examination, Rowan says, “The lawyer is the star of the show.”

ASPIRING TO SERVE AND MAKING A POSITIVE DIFFERENCE

McSwain is looking to change minds in and out of the courtroom. “I think that in this world today, there’s a serious shortage of lawyers involved with criminal law that are in it for something other than money,” he says. “I want to take that back and I want people to see that there are still lawyers out there that are concerned about their clients’ well-being.”

McSwain’s desire to be a trial attorney comes from firsthand experience with poverty’s effect on people’s ability to procure adequate legal services. “I grew up in a really poor neighborhood,” he says, “So I saw people around me getting into legal trouble and having what they thought was poor representation. I want to be there and defend people to the best of my abilities.”



Ryan Rowan, ‘11 J.D.

Rowan certainly shares the calling to invest his time and skills in his community. As a law student, Rowan completed 174 hours of pro bono service, nearly three times the number of hours required. Today, he is Deputy Prosecuting Attorney for Porter County, as well as a First Lieutenant U.S. Army Judge Advocate Officer, and an adjunct professor at Valparaiso University Law School and Ivy Tech Community College. His real trial experience, however, began at Valparaiso Law with an externship in the Lake County Public Defender’s Office. He also served in the New Orleans Public Defender’s Office as part of Professor Derrick Carter’s pro bono work-study program. Rowan says, “That was a wonderful opportunity to grasp the concepts I learned in the classroom and put them into practice.”

Rowan attests to the impact that aspiring to serve others can have on a community. He says, “The more involved you are, the more you learn how important it is to be involved in your community. It’s easier to write a check, but it’s harder to give back your time.”

SIGNIFICANT IMPACT OF COACHES AND MENTORS

Rowan and McSwain both speak highly of the coaching and faculty support received through their involvement with the Trial Advocacy Team. Attorney Trista Hudson ('88 J.D.) is a prosecutor in Porter County, and a longtime coach of the Trial Advocacy Team at Valparaiso University Law School. McSwain says, "She's the reason we know how to include a demonstrative with a witness, she's the reason we know how to cross, and she's the reason we can stand up and say we will be great lawyers one day."

Rowan's career is proof of that. It was through Hudson's involvement with the Trial Advocacy Team that he originally connected with the Prosecutor's Office, and he credits Hudson with coaching him up as a law student from a self-described "long-winded" debate veteran to a trial attorney capable of composing an objection in the heat of the moment and communicating it succinctly.

Valparaiso University Law School Professor David Vandercoy is the faculty advisor for the Trial Advocacy Team. McSwain credits Vandercoy with imparting knowledge crucial to becoming a successful trial attorney—that is, how to be an evidence expert. "The people who are really good at this are evidence experts," McSwain says. Speaking of what he has learned from Professor Vandercoy, he says, "I owe him everything I know about evidence."

"Dean Lyon is really invested in the Trial Advocacy Team, as she was a defense lawyer. She knows the value of these experiences and we're really grateful to her."

Trever McSwain, 3L

Valparaiso University Law School Dean Andrea Lyon is also a staunch ambassador for trial advocacy, with a personal stake in the careers upon which these students will soon embark. "Dean Lyon is really invested in the Trial Advocacy Team, as she was a defense lawyer. She knows the value of these experiences and we're really grateful to her," McSwain says.

Through intense preparation both in the classroom and in competition, members of the Trial Advocacy Team acquire the tools that will make them successful advocates for their clients. McSwain has an additional, short-term goal, however: to win competition gold this academic year. "My vision is to bring us back into that winning category," he says. "Just look out for us." 🍷



Trever McSwain, 3L



David Vandercoy, Professor of Law

1873

1873: Northern Indiana Normal School and Business Institute Purchased and owned by Henry Baker Brown - opened on September 15th with 35 students. Within one year, enrollment was 300. The title - "and Business Institute" was dropped from use during the early Brown years. At the encouragement of President Brown, Col. Mark L. DeMare opened the Northern Indiana Law School on November 11, 1879, with 9 students, 2 of whom were women.

Original Northern Indiana Normal School Departments:
Music, Teacher Education, Commerce

DEFINING THE ISSUES:

VALPO LAW BLOG



D.A. Jeremy Telman
Professor of Law

It takes a committed group of students to cover and comment on the endless opinions and decisions flowing from the United States Court of Appeals for the Seventh Circuit. It takes a particularly ambitious group to suggest the idea themselves. This student-led ambition, however, is precisely how the Valpo Law Blog came to be.

“You can not only advocate for your client or participate in discussion but also sometimes start the discussion.”

Faisal Kutty
Co-Faculty Advisor for the Valpo Law Blog

“The blog was started two years ago,” Professor Jeremy Telman, who is co-faculty advisor, says. He adds, “Students came to me because I have a blog—the ContractsProf Blog,” the official blog for The Association of American Law Schools’ Section on Contracts. With his experience in that field, it was natural for the students to come to Telman with their idea.

A FIRM FOUNDATION: LEGAL JOURNALISM

Telman, however, knew that it would take more than ambition and commitment to bring the idea of a student blog to fruition. “I thought we needed a firmer foundation for the students, so I asked my colleague Faisal Kutty to develop a legal journalism course, which is now in its second year,” Telman says.

Students establish the foundation Telman calls for in Kutty’s legal journalism course through training in how to discuss controversial cases with reporters, how to write objectively versus subjectively, how to network with media members, and how to pitch freelance articles. Writing assignments include letters to the editor, opinion pieces, press releases, and—of course—blog posts.

Though he and Kutty are co-faculty advisors for the blog, Telman says it is now almost entirely student run. He explains the process, saying, “2L writers draft blog posts every other week. They are reviewed by a sort of executive board of 3L writers, some of whom also write.” Telman adds that a team of faculty advisors reads each post before it goes up on the blog.

Kutty is Assistant Professor of Law at Valparaiso and a noted Islamic Law scholar and human rights activist. He blogs for *The Huffington Post*, and his articles have appeared in *The Globe and Mail* and *Al Jazeera*. By taking his legal journalism course, student bloggers get the opportunity to see their work extend beyond Valparaiso University Law School.

Telman says, “Faisal’s program is phenomenal because I think about half of his students are able to publish on law blogs not associated with Valparaiso University.”

This aligns with Kutty’s goals for the course. In the *Chicago Law Bulletin*, Kutty discussed how he intended for his course, legal journalism, to teach students how to use the media as a legal tool. In the article he says, “You can not only advocate for your client or participate in discussion but also sometimes start the discussion.”

SETTING AN AGENDA

In addition to a firm foundation of writing skills and best practices, the blog also needed interest and focus, Telman says. “The original aim, that proved to be both too ambitious and too humdrum, was to be sort of *the* blog that would give timely information about the decisions of the Seventh Circuit Court of Appeals, but the decisions that come out of the Seventh Circuit Court are too numerous, and most are not the least bit interesting,” he adds. To broaden its scope, the Valpo Law Blog (blogs.valpo.edu/law) also sometimes covers Indiana State Supreme Court decisions.

In posts that address such sensitive and complicated matters as marriage equality, terror attacks, the Affordable Care Act, patent law, and net neutrality, how do the student authors break these issues down so the reader is both interested and informed? According to Telman, they rely on basic principles of writing and legal journalism. He explains, “I think you can get to very high levels of complexity so long as no sentence assumes anything that has not already been explained.” Kutty expands on this in the same *Chicago Law Bulletin* article, saying, “If you produce good persuasive writing, you can actually set an agenda and define an issue that people run with.” ♡



Faisal Kutty,
Co-Faculty Advisor for the Valpo Law Blog

36 LAW STUDENT ORGANIZATIONS

Amnesty International // Black Entertainment & Sports Law Association // Black Law Students Association // Business Law Society // Catholic Law Students Association // Christian Legal Society // Client Counseling Team // Equal Justice Works // Federalist Society // The Forum // Intellectual Property // Law Association // International Law Society // International Moot Court // Lambda Student Association // Latino Law Students Association // Law School Running & Fitness Club // Military Veterans Law Association // Moot Court Society // Multicultural Law Student Association // Muslim Students Association // National Lawyers Guild // Parents Attending Law School // Phi Alpha Delta Law Fraternity // Real Property Law Society // Richard Blennerhassett Tax Law Society/VITA // Sports & Entertainment Law Association // Student Animal Legal Defense Fund // Student Bar Association // Trial Advocacy // Valparaiso Environmental Law Society // Valparaiso Law Blog // Valparaiso Law Democrats // Valparaiso Law Republicans // Valparaiso University Law Review // Women Law Students Association

9
LIVE-CLIENT
Legal Clinics

190
APPROVED
Externships

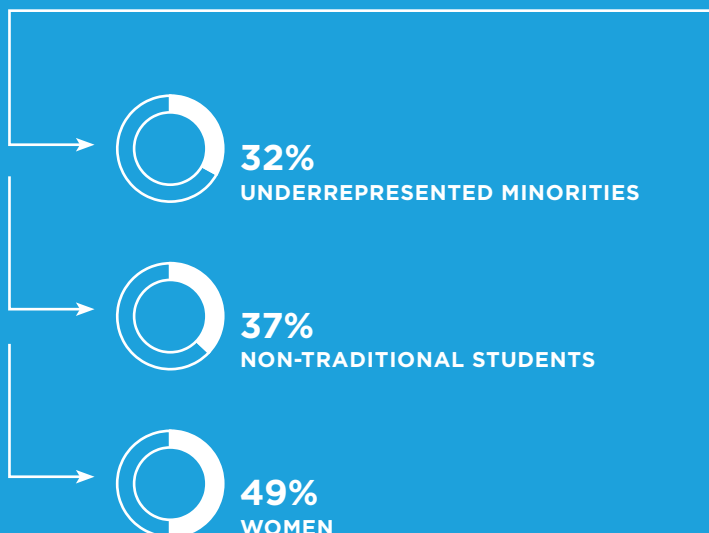
400 average number of clients to receive free or low-cost legal services annually

60
HOURS

of Pro Bono Service for Graduation

Valparaiso Law was one of the first law schools to adopt a pro bono service graduation requirement. The majority of students significantly exceed the 60 hours of required pro bono service, and in total, students complete approximately 7,000 to 9,000 hours each year.

130 total number of students from **21 STATES** and **FOUR COUNTRIES** to enroll as new students at Valparaiso University Law School in 2015.



Areas of Employment for Valparaiso Law Graduates



In 2014, for the students who secured employment, a little over half the graduating class accepted positions in law firms, nearly 15 percent are working in business and industry, and almost 30 percent entered the non-profit sector, including government. Valparaiso Law encourages students to gain valuable perspectives on various career paths by participating in externships and internships.



DELIVERING A CRITICAL WRITING EDGE:

LEGAL WRITING AT VALPARAISO UNIVERSITY LAW SCHOOL

From day one of year one, Valparaiso University Law School students are immersed in demanding writing requirements.

According to Distinguished Practitioner-in-Residence Clare Nuechterlein, writing skills are an integral part of a quality legal education—skills that date back to the dawn of law practice, but continue to be prized even in a rapidly evolving society. She says, “They’ve become innate across legal education in recent years. What’s old is new.”

Professor Emeritus Bruce Berner’s fellow Valparaiso University Law Review pioneer Michael Swygert (‘67 J.D.) says, “That’s one of the things employers and lawyers look for is to what extent have you had any writing experience and editing experience while you were in law school.”

“We hear back from a lot of very good firms who hire our students about how prepared they are.”

Bruce Berner (‘67 J.D.)
Professor of Law, Emeritus

Affirming the importance of gaining writing experience during law school, Nuechterlein says, “We have writing requirements each year in law school, which is kind of unusual, but our students are very well prepared and that’s what employers are looking for. They don’t want to have to spend a lot of time training people up.”

As is the case with all the co-curricular activities at Valparaiso University Law School, there is a significant writing and research requirement in Moot Court Society. Students in Moot Court Society write a 25-page brief in preparation for the annual intra-school Luther M. Swygert Memorial Moot Court Competition. Nuechterlein, who coaches students in moot court, says, “I’ve heard from lawyers over the years that they can’t believe a second-year law student wrote a brief of this magnitude.”

Katlyn Rowe (‘14 J.D.), who won the Swygert competition in her 2L year, says, “I still use my moot court brief as a writing sample and a cornerstone on how to build briefs today. I have it on file at my firm right now and I give it to student clerks to start building things off of.”

Professor Berner furthers the notion that Valparaiso University Law School students have an advantage over their peers when it comes to possessing the writing acumen law firms covet. “We hear back from a lot of very good firms who hire our students about how prepared they are,” he says. Berner tells of how a colleague of his at a firm in Chicago spoke highly of an intern from Valparaiso Law. As Berner relates the story, the firm had three summer interns: one from University of Michigan, one from Harvard, and one from Valparaiso Law. The Valparaiso Law intern, Berner says, according to his colleague, “outwrote the others, easily, every day.”

Swygert, a distinguished author and legal scholar, points to his time as editor of the Law Review as a formative experience as a writer. He says, “It taught me, first of all, about the joys of research and writing.” 🍷

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**VALPARAISO
UNIVERSITY**

LAW

Spring 2016 **EVENTS**



○ **MONSANTO
LECTURE**

Thursday, February 4, 2016

○ **TABOR INSTITUTE
ON LEGAL ETHICS
LECTURES**

Thursday, April 21, 2016
2:30 p.m. & 4:00 p.m.
Wesemann Hall

○ **FOR MORE, VISIT:**

valpo.edu/law/category/events