



Nota Bene, 2004

Nota Bene, 2000s

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4-8-2004

## Nota Bene, April 8, 2004

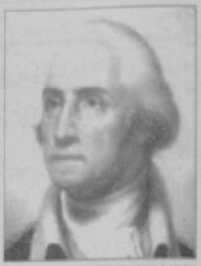
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### Recommended Citation

George Washington University Law School, 15 Nota Bene 6 (2004)

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## Law School Ranking Improves

GW Moves Into Top 20 In *U.S. News* Annual Rankings, Up Slightly From 22.

By ALEX SAUNDERS  
News Editor

*U.S. News and World Report* released its graduate school rankings last week and has placed GW Law School within the top 20 law schools in the country. Additionally, several specialty programs were also highly ranked by the publication.

Although some administrators are enthusiastic about the higher rank, they downplayed its significance.

"I'm sure our students would rather be ranked higher than lower, but the rankings will have no direct effect on students' educational experience," said Dean Roger Trangsrud. Ultimately, the rankings will not change the fact that students "do very well in the job market," he added.

Dean Robert Stanek, Dean of Admissions, also points out that the rankings demonstrate "how well students are doing in the job market." The *U.S. News* report finds that 96.7 percent of GW Law students who graduated in 2002 had jobs upon graduation. Nine months after graduation, the report found that 99.1 percent of the graduates had jobs. This, says Stanek, is one of the most important areas highlighted by the *U.S. News*.

"My general feeling is that we pay too much attention to these rankings,"

### U.S. News Top 20 Law Schools For 2005

1. Yale
2. Harvard
3. Stanford
4. Columbia
5. NYU
6. U. Chicago
7. U. Michigan
- U. Pennsylvania
9. U. Virginia
10. Duke
- Northwestern
12. Cornell
13. Berkeley
14. Georgetown
15. U. Texas - Austin
16. UCLA
17. Vanderbilt
18. USC
19. U. Minnesota
20. GW
- Notre Dame
- Wash. U. St. Louis



Source: USNews & World Report. Graphic by Briscoe/Nota Bene.

said Stanek. He adds that it is valid to distinguish between "groups" of law schools but that when one attempts to make fine distinctions, "it all breaks down."

Trangsrud echoed this sentiment and cautioned that students should not pick their law school based on the *U.S. News* ranking. The location of a law school, the quality of the faculty and the relationship between the students should play a more important role in a decision as important as selecting a law school, he said.

1L Eric Koester, SBA president, said the Law School is headed in the right direction. "It shows that there's a long-term plan to enhance the reputation of the Law School," says Koester. "I think it's nothing but positive."

Alessandro Terenzoni, 1L, said that the new rankings change nothing for him. Although Terenzoni said he now has the privilege of saying that he attends a top-20 school, it will not have a great impact on him. "I think we're well regarded, regardless of ranking," said Terenzoni.

See RANKINGS page 7

## Professor Fires Back at New Calendar

By CRISTINA VON SPIEGELFELD  
Staff Writer

Professor Mary Cheh is implementing a controversial attendance policy for her Criminal Law Seminar and Constitutional Law II classes starting in the fall in response to the faculty's recent decision to compress the academic calendar in part to accommodate the Fall Interview Program.

Her policy requires that just one unexcused absence will result in the student being dropped from the course. Excused absences will be allowed for events such as illness, family emergencies, weddings, and even a broken-down car.



Prof. Mary Cheh

A student, however, cannot miss class to pursue employment opportunities. Thus, participants in the Fall Interview Program (FIP) will not be allowed to skip class to attend a job interview or respond to a call back.

"The message of the school is that the interviewing is more important than classes," Cheh said. "I want to change that message."

Because the abbreviated school year, which Cheh described as "absolutely terrible," results in fewer class sessions in the semester, she said attendance becomes even more important. She added that she is not willing to give up any more of her class time because the new schedule has already accommodated the FIP by allowing one week for students to interview.

Cheh argued that students should be mature enough to balance their school and employment pursuits in a way that does not conflict with their responsibilities and commitments.

The policy has drawn criticism from other professors and administrators. Professor Ira Lupu raised concerns about the distributional effect of Cheh's policy that has resulted in overcrowding in other sections.

"I think that Professor Cheh's new attendance policy is deeply disrespectful of students," said Lupu. "The policy disregards students' legitimate professional ambitions, treats them like children un-

See CHEH page 6

## New LRW Director Announced

By ALEX SAUNDERS  
News Editor

The faculty voted last Friday to name Professor Lori Unumb's successor as director of the Legal Research and Writing Program. Christy DeSanctis will take over the position this year after serving as an adjunct professor in the LRW program for the past two years.

DeSanctis, who earned a B.A. from Duke University in 1992 and her J.D. from New York University School of Law in 1995, has worked with the firm Collier, Shannon, Scott and has taught at the University of Maryland where she has been pursuing a masters degree this year.

3L Mikhia Hawkins served as the Dean's Fellow for the LRW section DeSanctis taught this year and praised her selection. "She's perfect for the LRW directorship," he said. "It's her calling."

Hawkins said DeSanctis showed great interest in both instructing their students and helping him teach, two vital parts of the director's job.

"I learned a lot from Christy about how to teach legal research and writing skills - she gave me a number of suggestions that proved effective," he said. "She always kept me in the loop and ensured there was cohesion between my class and hers."

DeSanctis's students were no less enthusiastic about the decision. "From our LRW class it is clear that she cares about what is best for the students, is responsive to feedback from students, and takes the time to make sure you understand how to improve," said 1L Amir Skaikh. "Christy is really accessible - students can always reach her."

"It was obvious from the first day of class that she had a natural ability to teach," said 2L Amy Swanson. "She will undoubtedly continue the tradition of excellence Professor Unumb has established in the LRW program," she said.

This has been a particularly active year for the Appointments Committee due to the relatively large number of positions to be filled.

"This has been the busiest of my three years on the committee, but also one of the most fruitful and interesting," said Rebecca Hamburg, a 3L and Student Chair of the Appointments Committee.

During the last year, seven new professors have been appointed in an attempt to fill ten open spots on the full-time roster. Nathan Mammen, a 4L evening student and member of the Appointments Committee, said that the new professors are sorely needed and that this "should help the school improve its faculty/student ratio, which has been dismally low when compared with other similar schools."

Mammen says that he first became concerned about the faculty/student ratio when the Law School's ranking dropped during the 2001-2002 school year. Mammen was told by Dean Young that he had authorized the Appointments Committee to do more hiring.

"Well, this year the committee took him at his word, and I think it will pay

See LRW page 6

**News**

Kerry Returns, Brings Dean - pg. 3

Mock Trial Teams Still Dominating - p. 7



**Features**

Three (Hel)L - p. 9

Sexless in the City - p. 11

**Opinions**

Richard Clarke: Friend or Foe - p. 13

How the Law School Really Ranks - p. 15

## NEWS

## EJF Plans Good Times For Annual Fund-Raiser

By JANE YANOVSKY  
Staff Writer

For as long as people at GW can remember, the Equal Justice Foundation's annual auction has brought the Law School community together to raise money for students dedicating their summers to public interest work.

The planning process begins in late Sept. with the selection of the Auction Chairs and culminates in April with a night-long extravaganza, where students part with money they don't have to support their peers who have even less. The festivities come complete with free beer, free food and endless entertainment from some very energetic professors who serve as auctioneers.

Last year, the auction raised nearly \$25,000, which funded between ten to twelve public interest volunteers at approximately \$2300 a person.

This year's auction will take place on Thurs., April 8, at 4 p.m. in LL101, to the theme from the movie "Moulin Rouge." The event's co-chairs, George Wu and Todd Chatman, have ambitious plans and innovative ideas for increasing both the amount of money raised and the spectators' level of enjoyment.

To improve organization and efficiency, three new positions were added at the very beginning of the planning process — those of publicity, solicitations and decorations chairs, whose help has proved invaluable.

"Our program is pretty small compared to many other established schools," noted Wu, "so we looked at what other schools have done in the past." One of the major new fund-raising opportunities this year is the 1% Club. This program allows students with cushy law-firm jobs to donate one percent of their summer earnings to the EJF summer subsidy fund.

"The money will be added to the general pot [of money raised through the auction]. It will go towards next year's auction total," said Wu. Students can sign pledge forms, which were distributed to everyone's mailboxes, in the week preceding the auction, and write out checks at the end of the summer.

"Lots of other schools do it, and we are really hoping that it will make GW's auction and public interest programs more successful," said Alyson Thomas, the auction's Publicity Chair.

Organizations like the EJF exist at most law schools across the country. They are frequently affiliated with national organizations such as the Equal Justice Works and with the schools' public interest offices.

GW's EJF focuses mainly on summer subsidies to students working in public interest jobs and on the Loan Repayment Assistance Program, which aids graduates who pursue careers in the public interest sector. At GW, the EJF functions independently of the school's other programs to supplement the resources provided through the administration.

"EJF subsidies are an alternative to the GW summer grants," explained Wu. "We get a list from the school of people who received the GW money and give our subsidies to those people who have not received school grants." A student cannot receive a grant from both sources, though either grant may be combined with outside grants.

"One of the advantages of receiving an EJF grant is that the auction is the biggest event at the law school, it's a lot of fun to participate in, and our deadline is later than the one for the school," said Wu.

EJF grants are also disbursed in cash, whereas school funding comes as tuition reimbursements. To qualify for the grants, students usually contribute the equivalent of seven donations and seven hours of volunteer work on the auction. Most put in time throughout the year, helping organize and

**Some of the most interesting items going to the highest bidder will be a behind-the-scenes tour of the Supreme Court, lunch with Thurgood Marshall, Jr., and one month of free GW parking. Throughout the week preceding the auction students will be able to review schedules at the EJF table in the law school lounge.**



Finishers in the EJF's first annual Race For Justice watch as runners cross the finish line Mar. 27. The race raised money for the Loan Repayment Assistance Program.

prepare for the big night.

This year's organizers made extensive efforts to ensure that as many people as possible have the opportunity to participate in the fund-raising.

To draw in support from the general community and from those alumni who are not local, the event will feature an auction on eBay.com.

There will also be the usual silent auction, as well as proxy bidders who will place bids for students in the live auction during times when they may have class or are otherwise un-

able to attend.

"The big ticket items will be up between 5 and 6 because we wanted to accommodate both day and evening students," said Wu. Tipped off to the fact that many Jewish students will be observing Passover this week, EJF has arranged for kosher-for-Passover wine and snacks to be available at a separate table during the auction.

Some of the most interesting items going to the highest bidder will be a behind-the-scenes tour of the Supreme Court, lunch with Thurgood Marshall, Jr., and one month of free GW parking. Throughout the week preceding the auction students will be able to review schedules at the EJF table in the law school lounge.

The schedules will list all the donated items and the times during which they will be auctioned off.

According to Wu, many items are usually purchased by groups of students, and releasing the times in advance allows people to plan how and when to place their bids.

But the auction would not be the success it always is without the dedication and commitment of the faculty.

This year's auctioneers will be Professors Mary Cheh, Gregory Maggs, Jonathan Turley, and Eric Sirulnik, along with Dean David Johnson and former SBA President Corrie Westbrook.

"Dean DeVigne is another person

we really couldn't do this without," said Wu.

Wu also warned that the this year's committee is extremely determined to stick with its theme — "Moulin Rouge," so be prepared to be transported back to 19th-century Paris and even possibly see your professors clad in scandalous garb.

In addition, auction-goers will be entertained by the quirky antics of the Law Revue cast, who will perform throughout the evening.

As the auction quickly approaches, the organizers hope to surpass last year's numbers and enable even more students to pursue their dreams of helping others.

"Our message is that as a community, we have to support public interest, and we are providing the most fun way to subsidize our legal careers," said Wu.

For more information on the auction, check out [www.mowabb.com/ejf](http://www.mowabb.com/ejf).

## RACE FOR JUSTICE

The EJF's other major fund-raiser of the year, the first annual Race for Justice, raising money for the school's sadly lacking Loan Repayment Assistance Program (LRAP), took place on Sat., Mar. 27. The morning was gray and rainy, but approximately 55 participants braved the weather to take part in the 5K race around Hanes Point.

The event was the brain child of 3L Jocelyn Stotts, President of GW's EJF.

"There had never been a fund-raiser for the LRAP before," said Logan Hambrick, a 1L student who served as a co-organizer. "We raised \$1800 and received another \$600 from student groups."

The program promotes public interest work after graduation by funding some forgivable loans for dedicated graduates.

The inaugural race proved a success, with students, faculty, alumni and members of the general public cheering each other across the finish line.

The winners in each group: Ryan Smith, Professor Brauneis, Jeff Barham, and Patrick Bebout, respectively, received plaques for their efforts.

"I hope to improve on it more next year," said Hambrick, who plans to increase publicity for the event outside the law school and to maximize students participation. "I am looking forward to it."

So do the other race participants — they just hope for better weather!

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Nota Bene is published bi-weekly by the students of The George Washington University Law School. Its office is located in the basement at 2008 G Street, NW, Washington D.C. 20052. (202) 676-3879.

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NEWS

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NEWS FROM THE GW COMMUNITY

Commencement Week Tickets

The Commencement Committee will be selling tickets next Tues.-Thur. for the week of activities prior to commencement. Tickets are expected to be in the \$40 range and will include a T-shirt. Events finalized thus far include a barbecue on Weds., May 19, and a Booze Cruise on Thur., May 20. The committee is also working to recreate the 1L Section Happy Hours and possibly an event at ESPN Zone.

Mark Your Calendars Now

April 29th is Ben and Jerry's annual free cone day. Free ice cream, all day long. The nearest location to GW is at 1333 19th Street, NW. There are also stores on M Street in Georgetown and at the Old Post Office Building on Pennsylvania Ave. If only Krispe Kreme had a free donut day...

Speak Now Or Bottle It Up 'Til September

There is only one issue of the *Nota Bene* left to be published this year. If you have a story or information to be published before September, email notabene@law.gwu.edu before it's too late. The final issue will be published by the incoming editorial board.

Kerry Returns To GW, Brings Dean

By BRANDON BRISCOE  
Editor-in-Chief

Democratic presidential candidate, the presumed nominee, returned to the University campus for the second time in two weeks Mar. 25 for a rally in Kogan Plaza with former front-runner Howard Dean. The event was an opportunity for Dean to officially offer his support to Kerry and followed a speech on military and foreign policy issues Kerry delivered the week before in the Media and Public Affairs Building.

GW Media Relations Specialist Matt Lindsay said Kerry's first visit triggered his second appearance. "We were pretty accommodating to him, so they were happy to come back. It was easy for them."

University President Stephen Joel Trachtenburg said the University had no political preferences but was pleased to provide a forum for public discourse.

"We have made Kogan Plaza an outdoor classroom today," he said. "I don't know how students at other Universities are spending the Thursday after Spring Break, but you're listening to the Democratic presidential candidate."

The crowd was decidedly pro-Kerry, however. When Trachtenburg made an "offer of hospitality to President Bush," he was met with raucous booing.

Organizers erected a stage behind Lisner Auditorium, facing out into Kogan Plaza. Secret Service and police blocked

off the plaza early in the morning and closed H Street for a block in front of the Marvin Center.

Those with tickets braving the hours-long wait to pass through metal detectors and other security measures to enter the plaza snaked along the sidewalk in front of Lisner. Meanwhile Bush supporters and casual observers lined up behind police tape on the other side of the street.

The rally, which lasted barely half an hour, consisted of brief speeches by Trachtenburg, two GW students who led Dean and Kerry groups on campus, and the two candidates.

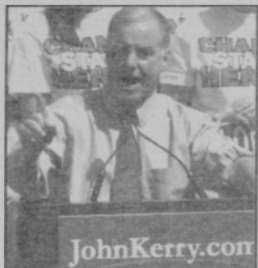
Dean spoke first, praising Kerry, and Kerry followed. Supporters threw T-shirts to the tightly packed plaza crowd, and speakers blared upbeat music while supporters waited for Kerry to arrive well behind schedule.

After the speeches, Kerry and Dean worked the crowd before doing media interviews. Kerry taped a segment with MTV in Lisner while Dean went to Rice Hall to participate in a live, online chat. He encouraged participants to vote for Kerry and organize others to do so in their hometowns.

The duo appeared at a fundraiser later that night with other Democratic candidates and former Presidents Bill Clinton and Jimmy Carter.



John Kerry energizes the GW crowd at a rally.



Howard Dean endorses John Kerry at a GW rally.

SBA Beat  
Westbrook Administration Ends; SBA President Koester Announces New Cabinet; Dean To End Money For Moot Court Board President

By ALAN TAUBER  
Managing Editor

L201 was packed with the new members of SBA President Eric Koester's cabinet. Nearly forty people have been appointed to various positions within the SBA, making this one of the most diffuse cabinets in recent memory.

After introducing his new appointees, Koester went on to discuss other SBA news.

First, he shared a housing survey with the SBA, which he asked all students to fill out. The idea is to help incoming 1Ls find housing in the D.C. area. Koester has asked the Dean's Fellows to distribute the surveys to the 1Ls.

Koester also mentioned plans by the Environmental Law Association to revive the now defunct Environmental Lawyer. Students plan to start the journal unofficially, modeling the current Corporate Law Journal which is entirely student run.

Finally, Koester announced that GW students took over high positions in the ABA Law Student Division.

Chris Jeter was elected to be Chairman of the Division and Eric Meinhardt was elected the Governor of the 11th Circuit which encompasses all the schools in the area.

The SBA then went on to approve the constitution of the Animal Welfare Legal Reform Project, a new student group dedicated to animal welfare.

Later in the evening, the SBA elected to postpone the budget process for student groups until fall.

Citing a lack of time to complete the process prior to the last meeting of the year, Treasurer John Willingham sent out an e-mail to all student groups informing them of the change.

Those groups that will require funds

prior to the budget process next year may submit requests to Willingham for the SBA to vote on at their final meeting.

When student leaders return in the fall, they will find a new budgeting process in place.

Rather than the Treasurer meeting with each group, the newly created Finance Committee will meet with groups and then pass on a comprehensive recommendation to the SBA Senate as a whole. Ad hoc funding will also go through the committee, with the SBA ratifying committee decisions.

In other news, Dean Michael Young decided to cut funding for the Moot Court Board President. For the last four years the Dean has offered \$5000 from his discretionary account to the President of the Board.

News of the cut was relayed by Lorri Kennemuth, the current president, shortly before the Moot Court Board held their elections. The announcement that the President received any kind of funding came as a shock to many.

An informal survey of other campus leaders as well as a conversation with Dean Tom Morrison indicate that other leaders, such as the heads of other skills boards and the editors of journals do not receive any compensation.

SBA President Corrie Westbrook said she did not get paid, but did receive a \$10,000 tuition remission, part of which she distributed among other SBA officials.

This newspaper also pays its staff and editorial board on a per-story/issue basis.

This funding was approved at the beginning of the year by the SBA when they allocated the paper's budget.



Briscoe/Nota Bene

Presumed Democratic presidential nominee John Kerry (right) returned to GW for a rally in Kogan Plaza with former candidate and Vermont Governor Howard Dean. Dean officially endorsed Kerry at the event on Thurs. March 25. Said GW President Stephen Joel Trachtenburg: "We have made Kogan Plaza an outdoor classroom today. I don't know how students at other Universities are spending the Thursday after Spring Break, but you're listening to the Democratic presidential candidate," to roars of delight.

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NEWS

# Critic Assails Anti-Discrimination Laws

BY ALEX SAUNDERS  
News Editor

A discussion focusing on nondiscrimination laws and their effect on free speech yielded strong opinions and responses from panelists on March 29 at GW Law School. The discussion was sponsored by the Federalist Society and mediated by Professor Gregory Maggs. Professor David Bernstein, professor at George Mason Law School, spoke about his new book that outlines some cases of "frivolous" law suits under nondiscrimination laws. Professor Michael Selmi, of GW Law School, rebutted Bernstein's stance by noting that there are some meritless claims under nondiscrimination laws, but that most claims are well-founded.

Bernstein, who recently finished writing a book entitled "You Can't Say That," stated that many anti-discrimination laws limit free speech. "If anti-discrimination trumps the First Amendment, there will be very little First Amendment left," said Bernstein.

As evidence of the negative results stemming from discrimination lawsuits, he noted that realtors are reluctant to use terms like "bachelor pad," "great view," and "master bedroom" for fear of lawsuit.

Bernstein also noted that the "City Paper," for example, has a policy of not allowing classified ads that mention age, sexual orientation or political affiliation because of fear of liability.

This policy, he said, does not allow a person to place an ad reading "40 year-old, lesbian, Republican seeks roommate." Bernstein concluded that this is evidence that these anti-discrimination rules hurt the people they are intended to benefit.

Bernstein, who described himself as a "libertarian-type," also spoke about recent issues with a Columbus Day parade and a gay rights parade as evidence of the fact that "anti-discrimination laws are used by both sides- those who are conservative socially and liberal." Bernstein stated that he does not "play favorites,"

prompting Professor Selmi to respond by saying "but you do."

From a legal standpoint, Bernstein pointed to Roberts v. Jaycees as standing for the proposition that ending gender discrimination is a sufficiently compelling interest to override the Jaycee's right to exclude women from membership. "If this is a compelling interest then anything is a compelling interest," said Bernstein.

Despite this precedence, Bernstein said that the trend seems to be reversing itself. Boy Scouts v. Dale, he said, demonstrates that the freedom of association is being enforced by the Supreme Court.

Anti-discrimination policies, said Bernstein, could be extended to the point of absurdity. He noted that GW Law could be said to discriminate against "dumb people" by having rigorous entrance requirements. He added that an "attempt to eradicate discrimination will lead to a police state."

Selmi attacked Bernstein's position by noting that he did not support Bernstein's contention that attempts to end discrimination will necessarily lead to a "police state."

"If eradicating discrimination isn't a compelling interest, then what is?" Selmi asked rhetorically.

"To say that the First Amendment should trump the Fourteenth Amendment is wrong," said Selmi. The Fourteenth Amendment, said Selmi, incorporates the First Amendment and places equality as "a priority."

Professor Selmi furthered noted that out of 30,000 discrimination cases brought each year only five or six will be "funny and extreme," while most are "deserving and have merit."

He stated that the anecdotes expressed by Bernstein are a compilation of these few meritless cases and that "discrimination cases are the hardest to win." He feels that anti-discrimination laws should be enforced to ensure equality.

"It's not about speech— it's about people's rights," said Selmi. He pointed out that "English-only" laws limit free speech but get little attention from commentators. "It's not about speech, it's about whose speech," said Selmi.

**Professor Selmi furthered noted that out of 30,000 discrimination cases brought each year only five or six will be "funny and extreme," while most are "deserving and have merit."**

# Undefeated GW Mock Trial Teams Clash

## One-Point Regional Victory Sends Team To Quarterfinal Finish In ATLA Nationals.



Before advancing to the national quarterfinals, Sharese Pryor, Patricia Manteiga, Brian Boyle, and Amanda Johnson smile after defeating the only other previously undefeated team in the regional ATLA Mock Trial competition - the other GW team.

In the latest of a string of remarkable performances by GW mock trial teams, four members of the Law School's Mock Trial board advanced to the national quarterfinals at the Association of Trial Lawyers of America (ATLA) Mock Trial competition after defeating another GW team at regional competition in D.C.

The success of Brian Boyle, Sharese Pryor, Amanda Johnson and Patricia Manteiga placed them among the top eight Mock Trial teams in the national ATLA competition.

Although the national competition was held in West Palm Beach, Fla., the team's success began at the regional division held Feb. 20-22 at the D.C. Superior Courthouse.

There, the team of Boyle, Pryor, Johnson and Manteiga went on an undefeated streak that concluded in a narrow victory against the only other undefeated team of the competition - the other GW team of Orlando Juarez, Lisette Carrera, Mike Rigelsky, and Faye Eisen.

"They were an excellent team" said 2L Sharese Pryor. "The ballots were really close, and it came down to one point."

This critical point on the ballot catapulted the team into the national competition in Florida. It was there that Pryor and Johnson, representing the plaintiff's case, and Boyle and Manteiga representing the defendant's case, won three preliminary rounds before advancing to the quarterfinals.

Advancing this far in the competition is an accomplishment that the team is immensely proud of.

"I don't know that anything I do in law school will compare with being on this team," said 2L Brian Boyle. "The experience has been so much more than the lessons I have learned about being a trial attorney. Our team became like a family, and going through regional and national competition together and being so successful is the most rewarding experience I could have asked for in law school."

Pryor also agreed that this might be the most rewarding experience she has had in law school, but more than the personal gain, she also sees this as positive for the whole school.

"Our performance in this competition is proof that GW students are doing great things in this area and are making a name for GW," said Pryor.

The ATLA teams began preparing for the competition in the second week of January. During the six weeks of preparation, the two GW ATLA teams held a total of six practice scrimmages, where the two teams tried the case against each other.

This year's ATLA case packet was based on a personal injury civil suit involving a worker on the set of a soap opera who falls from a catwalk and is severely injured. The suit is brought against the owner of the property, a television network.

Sixteen teams entered the D.C. regional competition from schools including University of Maryland, American University, University of Virginia, Washington & Lee University, Catholic University of America, George Mason University, and Widener University School of Law-Delaware.

In the regional competition GW Team One faced Washington & Lee in the semi-finals, winning by a ballot count of 3-0. This indicated that all three scoring judges cast a ballot in favor of the GW team for their performance in the various elements of the trial.

GW Team Two faced the University of Maryland in the semi-finals, again winning the round with a ballot count of 3-0. This forced a showdown between the two GW teams in the final round of the regional competition.

After a close round, five judges submitted a 3-2 ballot count. This narrow, one-point victory put GW Team Two in the national division where the team of Boyle, Pryor, Johnson and Manteiga reached the quarterfinals.



Professor Gregory Maggs moderates a discussion between George Mason Professor David Bernstein and GW's own Michael Selmi about anti-discrimination laws and the First Amendment.

Photo courtesy of Michael Rigelsky

Saunders/Nota Bene

## NEWS

## Faculty, Dean Question Attendance Policy

CHEH from page 1.

able to make responsible choices about class attendance, and causes unnecessary overcrowding in other sections of the same course."

According to the records office, there are four Constitutional Law II classes offered in the fall. At the close of registration, Professor Barron's class had 136 students enrolled, Professor Dienes class had 89 students, and Professor Lupu's class had 106. Professor Cheh's class on the other hand has only 22 registered students.

Of the 106 students in Lupu's evening Constitutional Law II class, 50 students are full-time students. This, says Lupu, is unusual. "My evening section of Con Law II will now be substantially more crowded because of the influx of refugees from Prof. Cheh's attendance rule," said Lupu.

Disparities in class enrollment are not unusual, Cheh says, and can be explained by various other factors. She points to normal fluctuations in class enrollment and the fact that her Constitutional Law II class is offered at 8:15 in morning.

She also notes that her Criminal Law Seminar class has already filled up despite her attendance policy. Looking at it from a different angle, Cheh says that Professor Lupu should be flattered that so many students want to take his class.

Administrators said they do not object to the policy but expressed concern over its implementation.

"This policy is not unreasonable on its face," said Dean Renee DeVigne. "However, the challenge for Professor Cheh is when an otherwise diligent student does everything possible to avoid an interview conflict with her class, but is given no choice.

"For example, a judge's clerk may indicate that the date for a clerkship interview is not negotiable and the interview involves travel outside of the metropolitan area to the judge's chambers. In those instances, I would like to think that Professor Cheh will not penalize a student who is caught in such a bind by strictly implementing her newly an-

nounced class attendance policy," she said.

Cheh called such a circumstance "extremely hypothetical. Although she said she has not received any complaints directly from students, many have expressed concern about her policy.

"I don't have a problem with FIP interviews not being excusable," 3L Ann O'Connell said. "As long as missing class to sit at a computer and constantly check e-Attorney so that you can schedule your FIP interviews around Professor Cheh's class is excusable."

Jeffrey Schilling said that "Cheh's policy doesn't seem to serve any purpose" and that students are penalized for missing class to pursue employment but can technically miss class for many other reasons. "I won't be surprised if a lot of her students have alarm clock problems in September and October," Schilling said.

Cheh says that she intends to enforce her policy and have students

sign an honesty pledge to abide by her attendance rules. The pledge would then be enforceable under the school's Academic Honor Code.

Other students, however, do not have a problem with Cheh's policy. In fact, as of this writing, her Criminal Law Seminar class has already met its cap. Thomas Janczewski says that students should not miss Cheh's class without a good reason, noting that Cheh is a great professor and feels privileged to be in her class. He also says that Cheh is a very reasonable person and will excuse absences when appropriate.

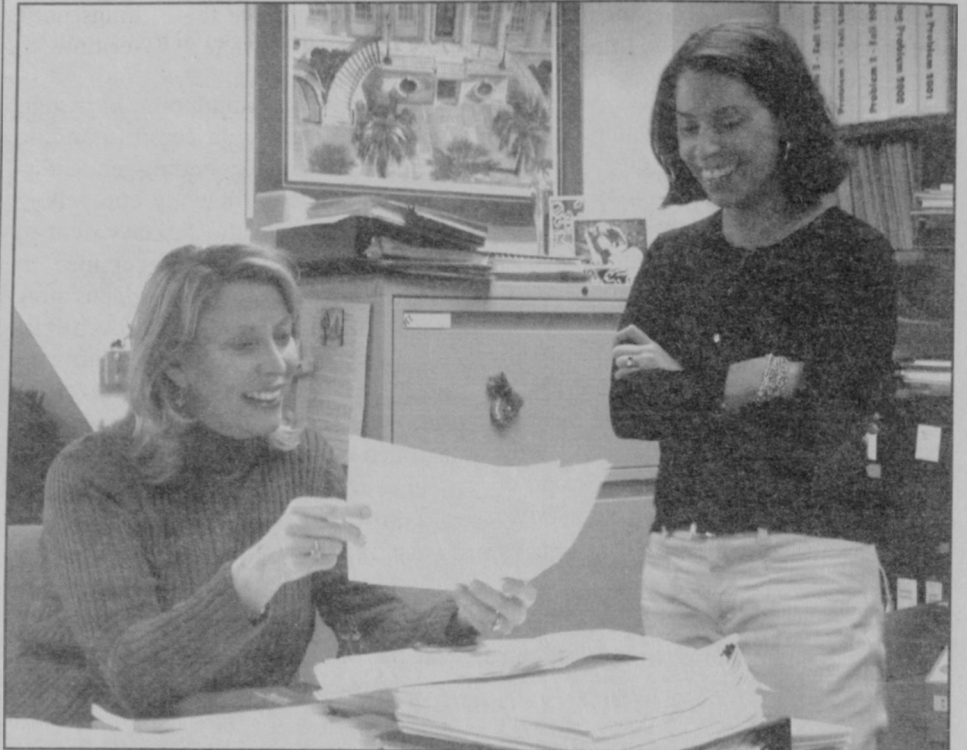
Lupu said that the policy will be especially difficult for evening students who will get an onslaught of extra day students in their sections.

Additionally, Lupu says that all students will have to deal with the problems that come with overcrowded classes.

The bottom line, Cheh says, is that she did not want to be part of the message that interviews are more important than attending classes—a message that Cheh says the school seems to endorse by adopting a shorter school year to accommodate the FIP.

**"I think that Prof. Cheh's new attendance policy is deeply disrespectful of students," said Lupu.**

## Appointments Impact School's Ranking



Current LRW Director Lorri Unumb discusses the duties of the job with incoming director Christy DeSanctis.

LRW from page 1.

huge dividends in the years to come," said Mammen.

Although it may be too early for the hiring decisions to impact the school's ranking, Mammen notes that the *US News* ranking has GW at number 20 this year, up from last year's ranking of 23. "We're on the right track," says Mammen.

Professor Karen Brown, who chairs the Appointments Committee, said the students on the committee have an important role in the decision-making process. When a potential candidate comes to campus to meet with the faculty, the candidate also spends time with the student committee members. These students ask questions in an effort to determine whether they feel that the candidate will make a good classroom professor and if they feel that the person is "accessible," among other things.

"In my three years on the Appointments Committee, I have seen first hand how students' reaction to a candidate can make the difference in a candidacy going forward, particularly where the decision is close," says Hamburg. She says that student input has a "tremendous impact on the decisions made."

Hamburg says that she made a presentation to the faculty after meeting with a candidate and was peppered with ques-

tions about the potential new professor. "The professors fired off more questions than I have ever received, showing that the faculty was keenly interested in the students' point of view," said Hamburg.

Hamburg adds that "each student committee member has sought to make sure that we were representing all of the students at GW Law in the recommendations we make."

Hamburg feels that the new Legal Writing Director will impact every student at GW Law. Because of this, says Hamburg, "student input was vital to ensuring that the candidate selected was aware of student concerns and could effectively meet the needs of students..."

Hamburg said that she and the other members of the student committee are confident that Christy DeSanctis will be responsive to students. Hamburg is confident of this because of "the outpouring from her former and current students in support of her candidacy and our own experience with her in interviews."

The other student members of the committee are Daniel Inkelas, 3L Day; Rebecca Balint 2L Day; Joseph Orzano 1L Day; Kelly Stearns 1L Day; and Nathan Mammen, 4L. Hamburg says that she is "extremely pleased with the dedication shown by the students on the committee."

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## NEWS

## Deans: No Books Cooked For Better Rankings

RANKINS from page 1.

Several of the specialized programs at the Law School received top-10 rankings in the magazine, including the Intellectual Property Law, International Law and Environmental Law programs.

"I think it's great that we promote that," says Koester. "The diverse set of topics recognized as strong areas at GW demonstrates the diversity of opportunities at GW Law and its ability to draw people with very diverse interests," he said.

"Our IP, International Law and Environmental Law programs all continue to be ranked in the top 10," said Trangsrud. "Our J.D. students have as much, or more, interest in having a top-10 reputation in these fields as they do in the overall rank." Additionally, says Trangsrud, these are "extremely popular" and "hot" topics in legal studies. GW's well-regarded specialty programs further add to the potential for strong applicants, he noted.

Melody Reis, a 1L, says that she's not as influenced by the rankings overall but looks to the specialty areas as markers of the Law School's quality.

"Overall rankings didn't matter to me," said Reis. "I'm interested in the International Law program." The International Law program ranked number eight in the specialty rankings in the *U.S. News* report. The school's active recruitment of new professors may also lend to its reputation in the long run, said Trangsrud, who called the past year "tremendous" in terms of new appointments.

Although this will not have an immediate impact on the rankings, the quality of the new professors speaks well for the school, he noted. "We identified the

strongest faculty and persuaded them to join the law school," said Trangsrud. "People who notice these things notice how a reputation changes over time."

Rebecca Hamburg, Chair of the Student Appointments Committee and 3L, feels that rankings will have some impact on the quality of faculty coming to GW.

"I think we're getting a lot of good candidates," said Hamburg, who points out that Diane Shelton, for example, came here from Notre Dame.

"I think when you see people coming from some of the most prestigious schools to GW, it speaks well about our institution," said Hamburg.

Although the newly expanded Law School facilities do not have a direct bearing on the rankings, Dean Trangsrud says that the new amenities in the Law School help bring in more applicants and recruits who are impressed with the facilities.

Brett Franks, a 1L, says that the quality of the facilities should be taken into account for the rankings and adds that he enjoys the lounge areas. GW's new ranking in the report will translate into more qualified applicants and speaks to the quality of the faculty and the facility, said Stanek.

"I'm optimistic; I think the improved rank is going to result in a higher yield of people admitted and an even stronger applicant pool next year," said Stanek. "It's hard to imagine more applications than we've had, but ultimately the ranking tends to affect where students

apply and where applicants attend more than any other factor." The rankings may, said Trangsrud, have a "modest" effect on prospective students' plans.

"Perhaps some prospective students put more emphasis on the rankings than they should, but most are sophisticated enough to know that rank ought not to be the primary focus," said Trangsrud.

"*U.S. News* provides a valuable service in disseminating information," he said. "The mischief is that they purport to objectively rank schools."

Trangsrud feels that it is difficult to compare schools that vary in critical areas such as the size of the school, whether they are public or private and whether they are in a city or in a rural setting. "The information *U.S. News* provides is great," said Trangsrud. "But what sells magazines is the numerical ranking."

One of the factors not considered by the *U.S. News* rankings are the LSAT scores and GPAs of part-time students.

"*U.S. News* has never considered evening students," said Trangsrud. "I don't know why; evening students should be equal partners in the law school community."

Georgetown is the only other law school in the top 25 to allow part-time students.

Last year, the Law School implemented a new policy allowing evening students to switch to the day program after only one semester in the evening program. Trangsrud rejected the idea that this policy was directed at raising GW's

ranking by simply funneling lower scores into the unreported evening section.

"We've always allowed students to switch to the day program. We're proud of offering that option to students," said Trangsrud. "We're not offering it because it gives us some advantage with *U.S. News*."

One factor to consider in the policy, says Trangsrud, is that students accepting their offer to study at GW went up four percent. Because of the higher number of students in the evening program, Trangsrud said that they simply sought to make it easier for students who wished to join the day program.

"We wanted to accommodate part-time students who committed to go to school full-time and give up their full-time jobs," said Trangsrud. This choice is attractive to many students, Trangsrud noted, because students realize that it's advantageous to graduate sooner and qualify for the higher salary sooner.

"We're making things more convenient," said Trangsrud. He adds that if the intention was to skew the *U.S. News* ranking, the number of admitted students might be expected to change. "We could, for example, cut the entering class by half if we really wanted," said Trangsrud.

Stanek says that the applicants are offered entrance into the evening program and then these students often wish to switch to the full-time program.

"We've always accommodated students who want to switch either from day status to evening status or vice versa," said Stanek.

"We're not cooking the books."

**"We're not cooking the books."**

**Dean Robert Stanek**

## Schechter Honored

BY CRISTINA VON SPIEGELFELD  
Staff Writer

Professor Roger Schechter recently won the Pattishall Medal, a prestigious award given once every four years by the Brand Names Education Foundation (BNEF) for excellence in the teaching of trademarks.

Schechter was officially nominated by Professor Robert Brauneis and his former student, Douglass Rettew.



Prof. Schechter

"I couldn't be happier that Professor Schechter is getting national recognition for what thousands of GW students have had the privilege to learn over the past quarter century," Brauneis said. "Roger Schechter is a grand master of legal pedagogy."

Douglas Rettew felt strongly about nominating Schechter because he believes that he was a huge motivating factor in his success in trademark law. Rettew's first exposure to trademark law came through Schechter.

Although not intending to become a trademark lawyer, Rettew became hooked after a few days of Schechter's Trademarks and Unfair Competition class. Schechter also served as a refer-

ence to Rettew and encouraged him to pursue trademark law. Rettew was later offered a position in Finnegan Henderson's trademark group. Rettew was also called upon by Schechter to take an adjunct professor position at GW and teach trademark law.

Included in Schechter's nomination were numerous statements from his former students from the past 20 years who credit him for leading them towards careers in intellectual property law and for providing a solid foundation in this field. Schechter's students also vividly remember his engaging teaching style and the continuing friendship he provides after graduation.

According to Gary M. Gertzog J.D. '83, now Senior Vice President for Legal and Business Affairs and General Counsel of the National Football League, Professor Schechter possesses a "unique blend of intellect, creativity, and humor." These traits, said Gertzog, made Prof. Schechter's class "an excellent introduction to intellectual property law." "The challenges he posed provided a solid foundation in intellectual property law which I have built upon for the last twenty years," said Gertzog.

"There are some professors that you simply never forget," said David Dubosky J.D. '85, Vice President of Games & Licensing of Hasbro, Inc. "He had a unique ability to convey the concepts in these areas of the law in a way that was both

easily understood and highly entertaining."

David T. Levine J.D. '94, Vice President, Business Affairs and Development of Ragdoll, credits Schechter's courses for giving him the knowledge to get his first job at Marvel Comics after his first career path at criminal justice did not work out.

The Marvel Comics job eventually led to an exciting career working at a number of entertainment companies.

"Schechter is not only a great professor, but a great friend, and I have been lucky to develop a genuine friendship with him in the years since I graduated. He is truly a wonderful asset to both GW in particular and the IP community as a whole," said Levine.

"In Schechter's class, laughter and learning blended together until you could not tell which was which. His sense of humor was outdone only by the depth of his knowledge," said Yariv Waks, J.D. '03, an Associate at Kenyon & Kenyon. "This combination would not let you drift off or hide your eyes in a textbook. Professor Schechter grabbed your attention, held it, and made lively discussion the norm, while it was the exception in other classes."

Professor Schechter first taught trademark and unfair competition law in the Fall of 1980 in his first semester as a law professor at GW. He still teaches the class today, and his course continues to be extremely popular and is often allowed to be taught to classes that are over the normal cap of 120 students.

Additionally, in 1989 and 1994, third-year law students at GW selected

him for the Distinguished Faculty Service Award, an annual award given for excellence in teaching.

Christina J. Hieber J.D. '98, an Associate at Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., echoes these sentiments adding that "despite being known as a professor who peppers you with questions during class and is a tough grader on exams, students always highly recommend his classes."

Schechter has also authored frequently-used trademark and unfair competition law casebooks and books.

In addition to his classroom teaching and his books, Professor Schechter has regularly participated in many other pedagogical sessions in trademark law.

Just last year, he participated in moots of counsel for petitioners in *Dastar Corp. v. Twentieth Century Fox Film Corp.*, 123 S. Ct. 2041 (2003), and *Moseley v. V Secret Catalogue, Inc.*, 537 U.S. 418 (2003).

He also served as a judge in a mock argument of the latter case at the 2002 INTA Annual Meeting.

The medal was established in honor of well-known Chicago practitioner, Beverly W. Pattishall, a pioneer in the development of trademark law in the United States, and recognizes educators in the business and legal fields for outstanding instruction in the trademark and trade identity field.

The medal includes a cash award of US \$2,500 and a travel stipend to receive the award in May at the BNEF Gala event at the International Trademark Association (INTA) Annual Meeting in Atlanta.



NEWS

# New Leaders Alter SBA Budget Process

By JONATHAN HALL BACKENSTOSE  
Staff Writer

It's a well worn but apt metaphor that spring heralds change. This is the time each year when the new administrations of student organizations take over and begin planning for the new year.

For the Student Bar Association, this year is a double change with a new constitution, taking effect in Sept. in addition to a new administration.

Traditionally, the spring is also when the SBA determines the budgets for the various eligible student groups and special events at the Law School.

Under the new constitution and by-laws being developed, however, the budgeting process has been moved to September.

Jon Willingham, incoming Treasurer of the SBA, enumerated several expected benefits.

"The end of the [academic] year is hectic," he said. "We wanted to allow the new executive boards to be elected. It will allow for more realistic budgets. The Student Association doesn't know how much it can give till the fall."

He added that this will likely reduce ad hoc expenses. Ad hoc money can be used by an approved student organization after it reaches 80 percent of its budget. Also, ad hoc allocations are important to student organizations on probation as they must use the ad hoc procedure for all expenses until they are off probation.

Probationary status is automatic for any new student organization for the first two semesters of its existence. One current example is the Animal Welfare Legal Reform Project. Probationary status is lifted for new organizations after two successful semesters.

Under the new constitution of the SBA, the SBA will no longer have a Finance and Budget Committee. In its place, there will be a Finance and Budget Committee composed within the Senate. As a consequence, the position of SBA Director of Finance and Budget will be discontinued.

In the Director's place, the Senate Finance and Budget Committee will have a chair. The SBA Treasurer will still be on the committee, although probably ex officio, noted Willingham.

Willingham further added that the responsibility of the Senate Finance and Budget Committee will be broader than the previous committee.

In addition to handling the budgeting, and ad hocs, they will also draft by-laws relating to finance, subject to the vote of the full Senate, he said.

The budgeting process is important for the groups concerned, because this determines, in major part, the funds available for each group to do the programs and events that they desire. For the SBA, there is also an obligation to equitably distribute the funds to best address the student needs represented by the groups.

They also have the difficult task of trying to give student organizations what they want while at the same time not promising more money than will be available.

This can be difficult because at budget time, revenues are just expected projections said Sharmese Hodge, 3L, out-

going Treasurer. The revenue for student organizations and events, including the SBA, comes from multiple sources as follows: the Student Association (SA) allocation, C Fund (Deans), Locker Sales, Program Board (Halloween and Barristers Ball), Commencement, and SBA First Year Programs.

Additionally, there is the Dean's Allocation for the *Nota Bene*. SBA by-laws also require that student organizations hold fund raisers themselves.

Student associations have significant input in the process of budget allocation through their initial budget requests, individual meetings with the SBA's Finance and Budget Committee (FBC), and by having a voice at the SBA budget allocation vote, now to be held in September.

The traditional procedure was that eligible student organizations submitted their budget requests to the SBA. Once these were in, the SBA's Finance and Budget Committee reviewed the submitted budget requests and, taking them into consideration, proposing recommended budget allocations for the various student organizations.

As part of considering each groups budget request, the Finance and Budget Committee generally met with representatives from the groups.

"It was a chance to let them tell us what they wanted and what they planned to do," said Sharmese Hodge, 3L, outgoing Treasurer. T

he groups had a further chance to state their case at the SBA meeting where the budget allocations were approved. "If they are not happy with their budget, they can show up at the meeting and speak" added Hodge.

New budget allocations for student groups have constraints based on their prior budgets.

"If we gave \$200 in the past and they ask for \$500, we might give \$250" Hodge said, "after that, if they are active they can use the ad hoc."

In the past, if a group was not active and didn't use up their budget, the SBA couldn't reallocate or use those funds. With the new changes, if a group is given more money than they use, the money will revert to the SBA after a given date Hodge noted.

In the past, the SBA Finance and Budget Committee was led by the SBA's Director of Finance and Budget and included at a minimum the SBA's Treasurer and any Assistant Directors of Finance and Budget as were appointed.

The outgoing Director of Finance and Budget is John Malarney.

Recent past budgets of approved student organizations are as follows:

| Organization          | 2002/3 | '03/4 |
|-----------------------|--------|-------|
| American Const. Soc.  | 1,470  | 350   |
| Amnesty Int'l Legal   | 1,000  | 350   |
| APALSA.....           | 1,470  | 1,350 |
| BLSA.....             | 1,700  | 1,987 |
| Christian Law Assoc.  | 475    | 250   |
| Corporate Law Society | 837.5  | 950   |
| Criminal Law Society  | 450    | 250   |
| Democratic Law Soc.   | 515    | 450   |
| Entert.& Sports Law   | 1,000  | 1,050 |
| Environ'l Law Assoc.  | 1,560  | 1,800 |
| Equal Justice Found.  | 1,930  | 1,700 |

# Students Violate Code Despite Warnings

## Reports Indicate Few Students Routinely Caught Violating Integrity Code.

By ALEX SAUNDERS  
News Editor

The Academic Integrity Committee will soon disclose the new Report on Violations of the Academic Integrity Code.

This report discloses incidences of student misconduct. In the past two years, there have been three such reports that are disseminated pursuant to Family Education Rights and Privacy Act's "need to know" policy.

Though most students will never have to appear before it, the committee serves a vital function at GW Law as incidences of failure to disclose information on application materials and plagiarism occur every year.

"Every school experiences some honesty issues, we're no exception," says Professor Paul Butler, Head of the Academic Integrity Committee. Butler adds that the number of students that run into these types of issues are a small portion of the law student body.

Butler said that cheating allegations are rare and that failure to disclose is the most typical case the Academic Integrity Committee handles.

"The committee takes any allegation of violating the code very seriously," said Butler. "Every student is obliged to read the code and...students are on notice."

Although the presumptive sanction is a one-year suspension, the punishment for violations of the Student Code of

Conduct can be as serious as expulsion.

Dean Renee DeVigne says that although rare, expulsion has occurred several times in the last two years since new procedures have been introduced.



Dean Renee DeVigne

Additionally, there are instances where a degree previously conferred can be revoked if a student is found to have cheated or plagiarized before graduation.

"Graduation doesn't get you off the hook," says DeVigne.

Prior to the adoption of the new Academic Integrity Code two years ago, violations of the student code were dealt with by the Dean of Students, who would investigate violations and make final determinations.

Under the new procedures, Dean DeVigne acts "ex officio" and facilitates the process when required. This, says DeVigne, allows her to maintain her relationship with students as "counselor and advisor."

The new procedures involve an investigation phase and a vote by the Academic Integrity committee on what action, if any, is appropriate.

Most notably, the new procedures allow one of the student members of the committee to vote; a vote having the same weight as the faculty committee members.

Dean DeVigne says that it is often the student members who call for tough sanctions. Butler also notes that students are just as serious about code violations as are faculty, maybe more so. "Students are the ones asking us to enforce the code," said Butler. "They know how it can corrupt an institution if there is a perception that there's cheating."

Butler says that there is a renewed emphasis on student integrity noting that "years ago there was a sense that academic integrity issues weren't a big deal."

Now, says Butler, the code is being rigorously enforced. "We shouldn't view this as a threat but acknowledge that we play by the rules," said Butler.

**"Graduation doesn't get you off the hook."  
- Dean Renee DeVigne.**

| Organization           | 2002/3        | '03/4          |
|------------------------|---------------|----------------|
| Evening Law Stu. A.    | 1,275         | 1,275          |
| Federalist Society     | 2,057         | 1,900          |
| Forensic Science       | 336.89        | 400            |
| HLSA.....              | 1,560         | 1,500          |
| International Law Soc. | 2,200         | 2,100          |
| JLSA.....              | 300           | 375            |
| Lambda Law.....        | 870           | 750            |
| Law Assoc. for Women   | 2,100         | 1,825          |
| Law Revue              | 5,000         |                |
| MLSA.....              | 200           | 250            |
| Nat'l Lawyers Guild    | 825           | 725            |
| Nota Bene              | 13,800        |                |
| Phi Alpha Delta (PAD)  | 880           | 1,000          |
| Phi Delta Phi (PDP)    | 880           | 550            |
| Soft Ball.....         | 1,410         | 1,625          |
| SALSA.....             | 1,620         | 1,800          |
| St. Thomas More Soc.   | 800           | 900            |
| Street Law.....        | 840           | 900            |
| Stu. Health Law Assoc. | 800           | 800            |
| Stu. IP Law Assoc..... | 650           | 505            |
| SBA Committees         |               |                |
| Commencement ..        | 16,000        | 18,000         |
| 1st-Year Programs      | 8,500         | 10,000         |
| Program Board          | 39,500        | 40,000         |
| <b>Totals:</b>         | <b>94,781</b> | <b>116,307</b> |

TIME AFTER TIME

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FEATURES

# Is Law School Supposed To Be This Fun?

Last column I complained about the March Madness. Well, we're passed March and now it's April, baby! And you know what that means! Or do you? It just means that I procrastinated just enough during that month to push the Bar application back – yet again. Oh well, it'll get done – eventually.

A few weekends ago, I left the worries of law school life and headed to Las Vegas to make it big. Let's just say that I came, I gambled, and I lost. I lost again – and again. I think you get the picture. But Sin City has some other things to offer of which I was not fully aware. Well, I was aware – just not *that* aware.

You see, the great state of Nevada has legalized prostitution. Now when I think of prostitutes, I think of the crack whores you find at the corner K and 15<sup>th</sup> – at least that's what the CDO told me. Anyhow, I saw the hookers at the local Vegas truck stop, coming up to the lonely truckers and attempting to provide "customer service." But I didn't know just how rampant the world's oldest profession was in Vegas. Take for instance, a conversation my friends and I had after a friend had just met a girl at the bar:

*Jeff:* Rich, that girl was pretty cool. I think I might buy her a drink.

*Rich:* Really? I don't think you should do that.

*Jeff:* Hey, she was fun to talk to. I know that her skirt is rather short, but isn't that just the "West Coast" look?

*Me:* I don't know about the "West Coast" look, but you really should make your move now! She's already talking to another guy.

*Jeff:* You're right, Erik! I'm going to get on it now.

*Rich:* Jeff, you really should not go over there – unless you're willing to spend lots of money.

*Jeff:* Rich, what's your problem? Are you jealous that I met a hot chick and you didn't? I doubt she's a gold digger.

*Rich:* Well, she's not a gold digger, but she's definitely after your money.

*Jeff:* What are you talking about?

*Rich:* Jeff, you idiot, she's a prostitute!

*Jeff:* So what?

Okay, I think you get the point. In Vegas, you can't really hit on a girl without ever fully knowing if she's a hooker or just a "hottie." Basically, if you go to a casino or club at night, and a girl's willing to talk to you (i.e., me), then that's a tell-tale sign that she's a prostitute. But if you want to look at the bright side, just think about your getting lucky in Vegas – it'll be your only chance.

After coming back from Vegas, I had to hit the road running with preparing for my final trial for Trial Ad. All I have to say is that I'm glad that it's over.

It went well, except for when I got in trouble for making up facts outside of the given fact pattern. Hey, it helped my defendant's side; and he needed all the help that he could get.

The next morning after the trial, I had to help out with Preview Day. That's usually a fun time because you get to tell prospective students how great our school is. You know, tell them how great the professors are, how social the students are, and how the CDO finds everyone jobs before graduation. Hey, I'm willing to tell them *anything* to get the best students to come here. Who knows, maybe in the next few years we can crack the top 15.

But let me issue a warning: next year's 1Ls look like a bunch of gunners. At one panel discussion, they were asking about outlining, FIP, and what is the minimum GPA for highest honors.

I tried to crack a few jokes to break the serious, stern looks on their faces. But that effort only caused them to shoot back looks at me that made me like the kid in high school whom they despised because he didn't take school too seriously. My bad.

Right after helping with Preview Day, I hit the road to Charlottesville to play in the yearly UVA law school softball tournament.

GW field three teams this past weekend. We had practiced all semester for this event, so we were ready for anything. Or so we thought.

But leave it to the jerks at UVA to tell us to go to the wrong field, only to inform us of the proper field just minutes before we had to play – that new field being on the other end of town. This put us at an immediate disadvantage, and we never recovered.

Throughout the weekend, I saw four of the "better" male hitters strike out at crucial points in the game. Two guys struck out to end the games – both close losses. Another guy, whom we'll call "Erik B.," struck out with the bases loaded in the first inning. We later lost that game by the mercy rule. Ouch. Very ouch.

All in all, it was a good time. I ran into friends from college who were at other law schools. We had a serious flip-cup series against William and Mary. And there were plenty of laughs to go around.

But those fun and games are about to come to an abrupt halt apparently. Word has it that finals are around the corner. I'm not sure who started the rumor, but I choose not to believe it. In the mean time, I'm going to have fun at the EJF Auction and try to start filling out my Bar application – at least one of these days . . .

*A Note from the Columnist:* To all of you who actually believed me that Vanderbilt's mascot was the Commodore 64, you all are a bunch of nincompoops.



ERIK BAPTIST  
**THREE (HEL)L**

***In Vegas, you can't really hit on a girl without ever fully knowing if she's a hooker or just a "hottie."***

# It's Almost Miller Time

Columnist Sets Post-Graduation Priorities; Achievement Not Among Them.

This is my second to last column for this journalistic juggernaut, and I've decided that, because you're going to hear too much philosophical blabbing next time from the *Nota Bene* 3L staff members, I will do no such thing for my last column. I'll do it for this one.

When I was five years old, I sat eating lunch at our neighbor's kitchen table with a bunch of the neighborhood kids, and we discussed what we wanted to be when we grew up.

I decided I wanted to be Spider-Man. Great beginning, right? I think the real point was that I really wanted my life to be exciting and fun.

Twelve grades, a bachelor's degree, and a trip through GW Law later, I'm ready to go back to the Spider-Man idea. The fact is, after three great years here, I'm afraid of heading into a life of work and stress, and I don't know what I want out of my career.

I do know this, however: although I'm unsure of my long-term goals and all too sure of my short term goals (pass the bar), I am determined to fulfill certain-medium term goals.

My medium-term goals are essentially how I hope to live my life in the early years of my career. We've all worked hard with crazy schedules for years.

Some won't see much of a change next year (big firm suckers), but for the rest of us, what will the adjustment to real life be like? What will it be like to go home at the end of the day and have little or no work-related baggage following us into our evenings and weekends? I can't wait, and I have plans.

My first plan seems like it might not be a huge change from law school, but it is. I'm going to drink much more often. Yeah, I get out plenty enough now, but it's always a break from something else.

When I'm out in my working life, I'm going to make drinking something I do in the first place.

Of course, I'll need reasons and/or occasions to drink; not that these are difficult to come up with. The excuse I'm most psyched about lately is to attend high school sporting events.

I'm going to go to happy hour on Friday nights, then head straight to the local high school football game and afterward have a victory party at the nearest bar. What's great is that it works on weeknights, too – lacrosse, soccer, field hockey, etc.

Another medium-term goal of mine is to write a book in my spare time. Perhaps I can tap into the paranoia of new law students and write one of those "this is how you make it through law school" books.

Morons seem to be pumping those out and making fistfuls on that scam. I'd really like to write a novel, though. If I ever do, I promise it won't be anything like the trite crap Grisham puts out.

A very important medium-term goal that I truly am excited about is, at long last, to enter the realm of fantasy football this fall. Finally, I will be able to talk to my brothers and male friends during the months of August thought December!!

I really don't follow the NFL, or even know very much about football in general, but I'm going to throw my money in the ring and

play. Besides, it's another excuse to drink regularly, and as we've established, I'm going to drink a lot.

At the end of three years of law school, I think I've found that stuff like this is what matters most to me.

I'm sure that career success and financial security will come along – I've made it through law school, so my odds are pretty good.

My real concern is getting back to living my life again. I feel like I've made so many things (like my love for drinking

heavily for reasons other than to escape school-related stress) wait on me for the last three years, I'm ready to return to enjoying life.

This concept was best exemplified to me recently as I was walking down an empty hallway in Stockton. I noticed on a bulletin board a flyer for a voluntary writing competition. I was

saddened when I actually thought to myself, "Maybe I should do something like that."

Not that there is anything bad about writing competitions, but seriously, I'm sick and tired of making achievement, both in school and my career, a priority above all else. I'm so glad that, in just a few months, I'll be able to make my own satisfaction my largest priority.

And yes, all the crabby nay-sayers out there can harp and whine about how it won't be like that because I'll either get caught up in trying to succeed or not succeed at all, but that just proves me more right because they missed the boat I hope they can catch.

We've been pushing hard for success for a long time, and it's paying off.

I just hope that my fellow graduating classmates and I can take a bit of our time and effort after graduation to congratulate ourselves and set one important new goal: to enjoy our lives and our success by finally not working so hard, and instead enjoying ourselves.

Because, seriously, the fun of being Spider-Man is way better than the accomplishment that comes from being a workaholic.



CHRIS McCLINTOCK  
**My Mens Rea**

***I do know this, however: although I'm unsure of my long-term goals and all too sure of my short term goals (pass the bar), I am determined to fulfill certain-medium term goals.***

## FEATURES

# Live in D.C.: 9:30, Black Cat, and Ottobar

BY PETER BROMAGHIM  
Music Critic

They're taking away our live livelihood." I watched the Napster file-sharing congressional hearing hullabaloo on C-SPAN, but all I remember is the whiny voice of Lars Ulrich, stating that overly simplified maxim.

How I wished I could have grabbed him by the throat and beat him senseless. "No, man, your livelihood came from getting a crowd of 75,000 screaming fans to thrust the sign of the beast in the air and chug along in unison to your bass drum. And frankly, you just don't rock like that anymore."

I sincerely want musicians to make a respectable living from doing what they love or at least what gets them chicks. But I also want them to earn it, by playing live and playing well. U2 gets it, Phish gets it, and through some magical blend of cocaine and Metamucil, the Rolling Stones still get it.

But where do I find it around the mean streets of the Deece, you ask? Well, with a tip of the hat to the Washington Native, I thought it'd be a good time, with summer on its way, to highlight some good live music spots around town.

You have to start at the 9:30 Club, the crown jewel of the D.C. scene, the perfectly-designed rock club.

Despite being a clean, well-lit, and generally well-run establishment, 9:30 somehow manages to

maintain a bit of dive-bar status. Its two-level layout lets the shorter folks get their money's worth from the mezzanine, and more importantly, it provides some of the best acoustics this side of the Kennedy Center.

The tiered upstairs bar is one of the top places to enjoy a drink in the District, and little amenities like free ice water and a coffee bar cater to every contingent in attendance.

You pay for it, though—tickets can be a bit steep for the student, especially when factoring in the staggering \$8.75 surcharge put on every ticket bought via the internet.

The audience at 9:30 can vary from teenyboppers (it's all ages) to K Street suits on any given night. As far as the acts go, it brings in a blend of both the newbies and the larger tours, including recent stops by James Brown and Bob Dylan.

I'm hoping they'll work out a double bill in the future, something like "Geritol and Jheri present Night of the Indecipherable Stars." It's a good thing everyone knows the words. Between the two of them, would they have any idea which city they were playing?

A short walk down the U Street

corridor, and you're likely to see a line snaking around the corner and hear a homeless guy bellowing "Black Cat, Black Cat."

He may not know it, but he's a concert-going staple, and I often wonder whether the club was named for this large gentleman or vice versa. This chant, coupled with the who-has-the-coolest-tee-shirt contest going on, the Black Cat's line is fine.

The Garfunkel to the 9:30's Simon, the Black Cat more than makes up for what it lacks in comfort with its character. One can view its low ceilings and poor sight lines as an obstacle, or one can laugh every time someone smacks their guitar on the hefty pipe that looms about seven feet above the Cat's minimal stage.

The retro black-and-white checkered tile floor may mean back pain, but the clientele is young enough to handle it or call in sick the next day.

The Black Cat is dark, smoky, and intimate, meaning those that dare the lines and the neck strain can be in for some musical moments on the cheap, as tickets usually run in the eight- to twelve-dollar range.

The Black Cat has long been the District's haven for "I saw them back when..." but a contender is emerging up I-95 in Baltimore's Ottobar.

After moving into a new and bigger space in the last couple of years, the Ottobar is beginning to attract similar acts to its D.C. counterparts, as well as those worthy of publicity but still below many radars.

When the touring acts are sparse, the club fills its schedule with DJ sets, many of them themed, such as eighties retro rock dance nights.

Morrissey or no Morrissey, I recommend going early and getting a comfortable seat with an aerial view in the bizarre low-clearance balcony.

There are plenty of other spots to check out in the area—local acts at the low-key Velvet Lounge in D.C. and Iota in Clarendon, as well as the occasional big name at DAR Constitution Hall.

As for outdoors amphitheaters, Wolf Trap runs the gamut from the wonderful to the washed-up, while Merriweather Post is reserved primarily for the jerry-parrot parking-lot scene.

I'm a little biased against the megabucks arena spectacles, but the best show I've ever seen was the Rolling Stones at FedEx Field last year. Then again, that was the Stones.

Whatever your preference, raising your glass in support of some good live music has to be better than another miserable, crowded night in Georgetown or Adams Morgan, doesn't it?

# Advance Planning Needed For Many Sites

When my grandfather came to Washington, you could just walk into the White House after checking in with the guard. By the time my father was growing up, you needed an appointment. When I was a kid, you stood in a line for about an hour to take a tour, but no advance planning was needed. Now, you have to apply for tickets way in advance so that you can wait on a long line to take the tour; for a while after September 11, there was no tour at all.

Most of the free activities in DC need no advance planning. Some, like the White House tours, need patience, planning, or both. Below is a list of activities you may want to plan in advance if you have guests coming (or just want to go yourself). Please note, most places below don't let you

carry anything inside, especially food and bags (rules vary on cameras). And, of course, parking is a joke no matter what claims the websites make. So, leave your picnic home, carry only your purse or wallet, and take the Metro if you want to get in with your sanity intact.

## White House

The following information is current as to the date of printing, but the rules can change quickly, so please go to the White House web site at <http://www.whitehouse.gov> first. (By the way, whitehouse.org has a spoof White House tour website that lists rules of decency and puts the cost of the tour at \$249 for citizens and \$399 for non-citizens. The site is hilarious, but not accurate.) Here's a warning — you may already be too late if you want tickets for your family close to graduation. Tours are arranged at least a month in advance through your Congressional representative. A list of representatives is available at <http://www.house.gov/house/MemberWWW.html>. Arrangements can only be made for a group of 10 or more people. Apparently, some tickets are given out by the White House Visitor's Center the same day as the tour on a first-come, first-serve basis; they start to give out tickets around 7:30 a.m., but the line can start around 5 a.m. Tours run from 7:30 a.m. to 11:30 a.m. Tuesday through Saturday. Even if you get the advance tickets through your Congressman, the tour may be cancelled if the President's schedule so requires.

You should know that some DC tour operators advertise tours of the White House Visitor's Center — this is not the White House tour, just a display of pictures of famous rooms in the White House that can also be accessed online.

## Washington Monument

The Washington Monument is again open to visitors after the terror-scare closures, but the grounds are now a mess with security-related construction. There used to be huge lines to get into the monolith, but the Park Service decided long lines of people make easy targets, so now you must get tickets first. You can get same-day tickets for free from the visitor's center at 15th St. and Madison Dr. starting at 8 a.m. every day — as usual, tickets run out early. You can also reserve

tickets in advance through the Park Service for a \$1.50/ticket plus \$.50 per reservation. Unfortunately, the strong of leg can no longer climb the 897 steps, but the elevator ride to the top takes just over a minute, and the view is fantastic. There are supposedly Park Ranger-guided tours of the monument and grounds, but you'll need to ask for schedules at the visitor center as plans change daily. The website for the monument is <http://www.nps.gov/wamo/>.

## Congress

Tours of the capitol run every half hour Monday through Saturday from 9:30 p.m. to 3:30 a.m. You can get tickets (first-come, first-served, get there early, etc.) starting at 8:15 from the East Front of the capitol building. If you want to sit in the galleries when

the House or Senate is in session, you'll need to get passes from your senator or representative.

## The Supreme Court

There is good news and bad news. If you want to take a tour on a day the Court is not sitting, you can just show up between 9:30 a.m. and 3:30 p.m. If you want to hear arguments, at this time of year it is advisable to start standing in line at 6 a.m. on the day of the argument (5:30 isn't unreasonable). The first 50 members of the public get in, so long as no one in the front lets their friends cut in line with them (no, I'm not bitter). [www.supremecourt.gov](http://www.supremecourt.gov).

## The Mint

Hey, they make money. What could be bad? Actually, the lines and the lack of a real-person guided tour. You can get tickets for a self-guided tour of the Bureau of Engraving and Printing starting at 8 am at 15th and Raoul Wallenberg place (from a booth across from the Holocaust Museum). The website is [www.bep.treas.gov/](http://www.bep.treas.gov/).

## The Holocaust Memorial Museum

Before the Holocaust Museum opened, it was predicted that on its busiest day it would receive 4,200 visitors. Since the museum opened 11 years ago, that's roughly the number the museum has received on its least busy day all year, every year. Admission is free, but you must get a timed ticket to get into the permanent exhibition available the day of admission (get there early, etc.) or in advance. You do not need tickets to get into special exhibitions, but check in advance. Open from 10 am to 5:30 p.m. every day. <http://ushmm.org/visit/>.

## Other Attractions

Other monuments and museums are free and for the most part have no ticket requirements. However, you should probably plan in advance if you want to make a day of sightseeing. The National Park Service has a good website for visitors to the mall: <http://www.nps.gov/nama/index.htm>. A lot of information on DC sightseeing is available from The Washington Times website at <http://washingtontimes.com/touristguide/story2.htm>.

FEATURES

# If You Can't Be With The One You Love...

Sometimes it's great to be single. There's lots of freedom to like whomever you want (which in Sarah-speak means change your crushes on a daily basis); to try to train for a [half?] marathon; and to devote yourself to quality entertainment like *Charmed* and *Sex in the City* reruns.

You know your Saturdays or Sundays won't be spent lying in bed until it's time to go out again (or late afternoon at least), so in theory you could be productive, but in reality you'll probably be camped out in front of the television recovering from your too-much-fun hangover.

You can walk around your apartment with strange face masks or hair masks or your super cool Batman eye de-puffer without fear of scaring anyone. You can go to school knowing that the kids aren't making fun of your fondness for "deviant sex." And you can sleep on whatever side of the bed you damn well please, including the middle.

The problem with reveling in your single status is that it makes you really not want to go back out on the dating scene. Celebrity crushes (have you seen Julian McMahon?!) quickly take the place of real life ones, and you find yourself wanting to spend the weekend nights eating take out in your sweats or curled up in bed with a good book rather than dancing at the Front Page.

Yes, "retiring" is appealing. Especially when you find yourself constantly (despite your best efforts) somehow in-

involved with law school boys...involvements that offer far too little pleasure in exchange for far too much gossip and drama. Personally, I think I've retired at least a dozen or two times this year alone. Just call me Michael Jordan.

But as wonderfully terrific and drama-free as being alone can sometimes be, it seldom lasts. Unfortunately, we live in a society that wants us to be in pairs.

Some misguided part of society thinks those pairs should only be heterosexual, but I'm sure you've read enough about same sex marriage without me touting its importance and constitutional necessity in my column. And I'm a Catholic from Massachusetts. Go figure. Wow that was a digression.

As I was saying, society wants us to be in pairs. And society is often represented in well meaning friends who assure you that "the perfect guy is out there for you" when you tell them about the latest Mr.

Wrong. Eventually this pressure is bound to make you crack and leave your pleasant retired existence for the trials and tribulations of dating.

But with the decision to come off the bench comes the harder question: who to date?

Are the laws of dating like the laws of search and seizure?

After all, searching (for a mate) and seizing (the opportunity to be with him or her) is exactly what you are doing. So do we then need probable cause to decide that a relationship has potential or is a reasonable suspicion enough?

Back in the day, I thought no standard at all was entirely appropriate: didn't everyone deserve at least one date before rejecting the idea of ever being with him?

I went on a couple of horrible dates before I ditched that notion entirely. Sometimes you just know that things will never work on a romantic level before you have to suffer through an interminable dinner.

Or you just got the friend vibe from

that person...once you're in the friend zone with me, the chances of evolving from it are slim to none, and slim is on a slow horse out of town.

Of course, the other extreme is waiting till you have probable cause to date someone. (Okay, in reality I understand that probable cause is an incredibly low threshold, but I'm sprinkling a little fairy dust here, so work with me.)

Some people, rather than date, wait to "spark" with someone. And I'm talking love-at-first-sight-this-is-it-I'm-off-the-market "spark" with someone.

Yeah, those people will probably be waiting a good long time. Of course, they do get the big payoff (if the feeling's mutual) and the fun of "retirement" or rampant meaningless hook ups in the meantime, so you can't feel too bad for them.

That leaves reasonable suspicion as the most likely candidate for standard to date by. You meet someone, he or she is relatively attractive or witty, or smart, or nice, or can quote from *Keeping the Faith*, or drive stick, or some other random something that interests you.

Going on that very little bit of information and keeping your fingers crossed that he or she is not a serial killer, you ask him or her out (or accept his/her invitation). Maybe sparks will fly, maybe they won't, but you'll never know unless you try.

You may not get to be with the one you love (that mysterious Mr. Perfect just waiting to be discovered), but that doesn't preclude you from "lovin'" the one you're with.



SARAH HENSLEY  
*Sexless In The City*

*But as wonderfully terrific and drama-free as being alone can sometimes be, it seldom lasts. Unfortunately, we live in a society that wants us to be in pairs.*

## My Very Own April Madness

When Dickie V talks about March Madness he knows one thing: It's Awesome, Baby! For three weeks, we remain fixated on an event that pits the best college basketball players from around the country against one another.

On one hand, it's nice that they let the Ivy League and Missouri Valley champions serve as a warm up match in the first rounds. (I hope that at least they put up those kids in a nice hotel - so they get something out of the thrashing they'll likely receive.) On the other, perennial top performers like Duke or Arizona always seem to disappoint me when I count on them to not let me down.

Maybe the fact that March Madness is one of the largest gambling events in our country has something to do with the excitement. Maybe it is because we are wishing for football or baseball season to start up. Maybe we just want to root for the underdog.

Maybe it has something to do with the fact that when you fill out your bracket and pay your five bucks to enter a pool, you suddenly start caring if the point guard for New Mexico is a good free throw shooter. Maybe it is the fact that we are so tired of winter that the pounding of basketballs in March serves like the Groundhog to say, "Only two more weeks of winter."

Whatever it is, something about that tournament makes me forget about the fact that finals are less than a month away. Let's watch games from noon to midnight!

March Madness: It's Awesome, baby.

With the success of March Madness, it was ironic to note that the law school has begun to get into the act. Yup, it's tourney time in the law school: Moot Court's April Madness has begun... and it's about to get exciting.

This is the time of year when that one girl from your LRW section with the rolling backpack that always raises her hand in class can be taken down by the quiet kid from the back of the classroom that seems to have mastered both Solitaire and Hearts.

The kid with the firm job lined up as a 1L might get knocked out by some public interest do-gooder. Sure, the high school national debate champion seems like a no-brainer to make it to the next round, but you never know when he runs into the girl with the low-cut top... I always watch out for the kids with a speech impediments because they just know how to tug on the judge's heart-strings. It is a

crazy time where anything can happen.

It's not like classes where some folks think they can get a jump on the game by volunteering for a research project with their professors. (We all know that blind grading allows some "adjustments" at the discretion of the professor.) This ain't Law Review where grades cloud the issue.

This is all about matching wits and kicking butt. 1L against 1L; Mano a Mano; U.S. v.

Benson. Let's get it on.

In every round of the April Madness tourney, you've got to bring your 'A' game or you could get sent home like the rest of them. Come in too overconfident, and stumble when you admit that the gun was an article of commerce.

Come in over-prepared, and get ready to learn the meaning of the phrase 'Hot Bench.' Maybe you'll just try to wing it and not write anything down... the tournament gods will find a way to give you three judges on the verge of narcolepsy. It's just crazy.

As history has told us, every year there is a 12th-seed that upsets the 5th seed. This year it was that match-up pitting the guy from the evening program with his PhD. in Molecular Biology with the girl from Canada that says 'eh' at the end of all her arguments.

The Evening student seemed to have it all under control until in rebuttal,

the Canadian banked in the operative factor three pointer. Pandemonium!

Sure, they've waited until this weekend to unveil the brackets (in an attempt to keep gambling on the first rounds of the April Madness competition to a minimum, I would guess), but that didn't stop some unnamed competitors (probably from section 14) from compiling their own pool. I thought my choice of Middle Tennessee state over U Conn in the March Madness pool was bold, but this was a whole 'nother world. I picked the upsets big-time.

With the Moots broadcast in the lounges, students had painted their faces in hopes that it would inspire their final four choices on. The chants of "924(c)... Let Benson Free" rang through the hallways and pushed the competitors on.

Sure, I was disappointed to find out that very few of my upsets came true. I just thought that the kid who was home schooled had a shot against that pompous SOB from Yale. He had it all going for him until he conceded the Stewart Rule. Damn you home schooler - you ruined my bracket!!!

In the end, I may not have won the pool, picked the right upsets, or kept Ms. Benson from the slammer, but that doesn't mean I didn't enjoy tourney time. There's just something about this time of year, running pools on Moot Court competitions, and cheering on our favorites that sets this time of year apart.

Moot Court & April Madness: Oh yeah, it's Awesome Baby!

ERIC KOESTER

### Badgering the Witness

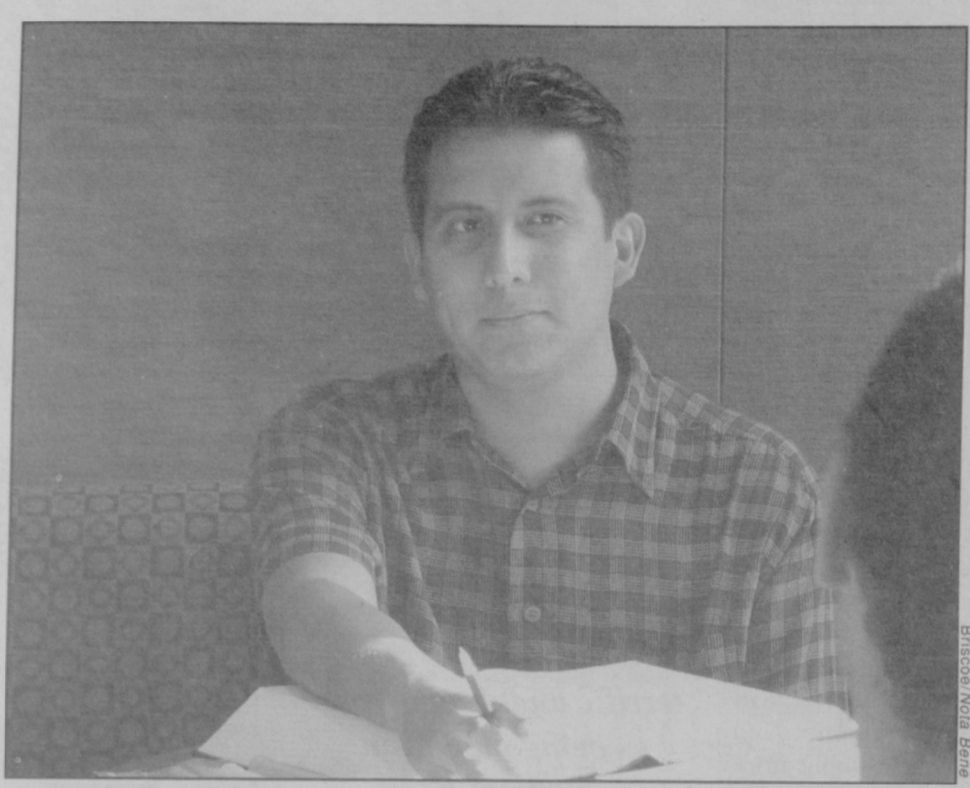


FEATURES

# Against The Odds, Student Defines The Law

## Intimidation Tactics From Government Lawyers And A Difficult Case Fail To Deter Immigration Clinic Student From Preventing His Client's Removal

By BRANDON BRISCOE  
Editor-in-Chief



Briscoe/Nota Bene

3L Remy Taborga used creative lawyering to convince an Immigration Judge to make what Professor Alberto Benitez called a "groundbreaking" decision after a government lawyer told him he had completely failed to do his homework.

3L Remy Taborga thought he had made a big mistake. Working in GW's Immigration Clinic for a client facing a deportation order, Taborga had called the opposing lawyer at the Department of Homeland Security to ask her to support his motion to reopen the case on what seemed like solid legal grounds.

"She just totally put me down," he recalled. "She said, 'You totally didn't do your research, and if you had looked just a little, you would have found all these statutes and cases that say you're wrong.'"

Worried, Taborga quickly sought a second opinion. "I hung up the phone and went to Professor Benitez and told him I thought I had screwed up," Taborga said. "He calmly said, 'Let's look it up and see.'"

Together with Professor Alberto Benitez, who directs the clinic, Taborga reexamined his argument.

Turns out, it was the DHS lawyer who hadn't done the research. "She was completely full of crap," Taborga laughed.

Immigration Judge John Bryant agreed, granting Taborga's motion to reopen the removal case for the Honduran client without even calling the lawyers in for a hearing on the matter.

### Creative And Collaborative Lawyering

The victory was anything but routine. In granting the motion, the IJ adopted what Benitez called Taborga's "groundbreaking" interpretation of the phrase "counsel of record." Benitez said the ruling could have large future implications that make sense and will benefit the clinic's clients. "Remy should be commended for his zealous and creative lawyering," he said.

Taborga acknowledged he had help in proving his theory.

"When the client first called in, we thought we were sunk," he explained. The client had missed his removal hearing because DHS lawyers had served notices only on the clinic, which no longer represented or knew how to contact the client.

"When you have a removal order against you and you missed your hearing - that's two strikes against you," Taborga said. "You're pretty much done."

But Taborga went to work, exchanging ideas with Benitez. "It was back and forth - I would throw out an idea, and he'd shoot it down," Taborga chuckled. "Our theory came out of our conversations about what we could do for the guy."

### History of Service

The clinic had originally represented the client between Feb. of 1999 and Jan. of 2000 when he was previously placed in removal proceedings.

Taborga said the man is in his late 50s and has lived in the United States for about ten years. "He's a nice, old man" he said. "He hasn't both-

ered anyone."

As agreed, then-clinic student Aaron Kless filed an application for Temporary Protected Status (TPS) on the client's behalf, which was granted.

The IJ administratively closed the proceedings in Jan. 2000. The clinic closed its file and had no further contact with the client, although it did advise him in writing to notify the agency if he received any notices from the INS.

During the summer of 2003, the clinic received from the Bureau of Immigration and Customs Enforcement (BICE, formerly INS) a Motion to Recalendar the client's case.

The certificate of service indicated that the Motion was mailed only to the clinic.

The Immigration Court later issued two Notices of Hearing, and likewise both were mailed only to the clinic. No one in the clinic knew where the client was or had contact with him since Jan. of 2000. In Dec., the IJ ordered the client removed in absentia.

Then in mid Jan., the client appeared at the clinic after he learned of the removal order.

### Determining Definitions

Taborga took on the task of getting the removal order rescinded by arguing that the clinic had not been the counsel of record since the earlier proceeding's closure in Jan. of 2000. Therefore, it was not the proper party to receive notices on the client's behalf.

Taborga found no definition of

**"One time, he was so grateful that he offered me money," Taborga said. "It was a big roll of \$20 bills, and he kept offering me a little less every time I said I couldn't accept his money. By the end of it, he was trying to offer me change," Taborga laughed.**

"counsel of record" in the Immigration & Nationality Act or in the 8 Code of Federal Regulations or even in the caselaw. So he constructed an argument based on the definitions of "counsel of record" and "attorney of record" found in Black's Law Dictionary and Ballentine's Law Dictionary.

Those dictionaries define "counsel of record" and "attorney of record," respectively, as being one

who is "entitled" to receive pleadings and other documents for the client, and one "in charge" of the party's business and interests.

Taborga argued that the Clinic was neither so entitled or in charge of the

client's case since Jan. of 2000.

DHS opposed that argument and tried to intimidate Taborga during his phone conversation.

"She knew she was wrong - or at least that she wasn't as right as she said she was," Taborga said of the DHS lawyer.

"Professor Benitez told me not to call her back because she was just trying to psych me out."

### Future Effects

Benitez said the IJ's acceptance of Taborga's argument could have big implications.

"This is a groundbreaking decision because previously IJs required attorneys to be granted leave formally to withdraw their appearances, which could be burdensome, or remain the counsel of record forever," he explained.

"Now, it seems BICE and the Immigration Courts will be under the obligation to ensure that the aliens receive actual notice."

### More To Come

Taborga's victory means the removal order has been rescinded and the case reopened. At a hearing on May 20, he will ask the immigration judge to close the case again because the client is still eligible for Temporary Legal Status, thanks to a recent determination by the Attorney General.

Taborga's clinic duties end with the semester and do not require him to work just three days before graduation, but he says he'll finish the job.

"I feel that I've put so much work into it, and I really know the guy," he said. "I just want to finish it out."

And the client appreciates it. "One time, he was so grateful that he offered me money," Taborga said.

"It was a big roll of \$20 bills, and he kept offering me a little less every time I said I couldn't accept his money. By the end of it, he was trying to offer me change," Taborga laughed.

"I told him, 'It's all right - I'm just here to serve your needs. I don't want anything.'"

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FEATURES / OPINIONS



# How To Prepare Your Laptop To Endure Final Exams Successfully

**E**xams are coming! This is just to remind everyone that if you are going to type your exams on your laptop, you will have to 1) register on the portal when the link to do so goes up, 2) download the software – you have to do this even if you’ve already used it before, because each version is only good for one semester.

Keep in mind, although you can register to take an exam on your laptop until the day before the exam, for Monday exams this is the previous Friday, NOT the Sunday before.

As the end of the year approaches, Murphy’s Law dictates that everything that can go wrong with your computer, will go wrong when you need it the most. Especially because the library help staff is working at half-strength (see related story), you should do what you can to protect yourself and avoid emergencies.

### Viruses

First, update your virus protection. Everyone at the school has free access to Norton Antivirus software. If you haven’t installed it yet, shame on you. A link to the software download is available at <http://128.164.132.15/libserv/burnshelp/index.asp>, along with some other helpful information that might get you through the crunch.

If you already have the software, there are a few ways to update it. The following will work for all machines: Open the “Start” menu, and click on “All Programs”. Look for “Norton AntiVirus [Corporate Edition].”

Click on the program; when it opens, either click the “LiveUpdate” button or go to the “File” menu and choose “LiveUpdate...” – click “Next” whenever the dialog asks you anything.

The whole thing should take all of 3 minutes.

If you have some other form of virus

protection, obviously it would be a good idea to update it; the method is probably similar, but I’m not going to cover other antivirus programs here.

### Backing Up

Somehow, every semester, someone emails around looking for a new set of notes because their computer ate their own. There are several steps you can take to avoid being this desperate individual:

1) Email yourself your notes. You should first compress all of the files with a compression program. You probably already have such a program installed – right click a file, if one of the options is “WinZip,” “Zip,” or “Compress . . .”, then you do.

If not, you can download and install WinZip for free at <http://www.winzip.com/> (you may have to restart your computer after the install). Text files (like notes) usually compress to about 10% of their original size.

If you email the notes to yourself and save the message on Webmail, you’ll be able to access the files even if your computer goes belly-up.

Note: it’s probably better to back up just your notes and not anything posted on the portal. Portal files are usually .PDF

(Adobe Acrobat) files, which are big and don’t compress very effectively; besides, you can download them again if something happens. If you’re backing up for the rest of your life, you can burn both the portal files and your notes to a CD.

2) If you’re using MS Word, you should make sure the program is auto-saving so that your work doesn’t disappear if you forget to hit save or Ctrl-S. Under the “Tools” menu, click “Op-

tions”. In the “Save” tab, make sure “Save AutoRecover Info every:” is checked (in

the lower part of the window), and make sure the number of minutes is set to a relatively low number; I set mine to 4, because losing 4 minutes worth of notes isn’t a

tragedy, while 15 minutes is a third of a class.

You should also check the “File Locations” tab – you can see where your Recovered and Saved files are going if you lose something by accident

*If you’re using MS Word, you should make sure the program is auto-saving so that your work doesn’t disappear if you forget to hit save or Ctrl-S.*

*Interested in Writing for the next edition of the Nota Bene?*

*The Nota Bene is looking for submissions, including news articles, op-ed pieces and letters to the editor.*

*No Experience Necessary; 1Ls Welcome*

*If interested, send an e-mail to [notabene@law.gwu.edu](mailto:notabene@law.gwu.edu)*

## OPINIONS

# Richard Clarke: Smearred or Smearing?

## Non-partisan, Unbiased Clarke Deserves Better Treatment Than Afforded by the White House.

By MARCUS EHRLANDER  
Staff Writer

A few days into the Richard Clarke fiasco, it looked like it was coming to a close. Clarke's book had come out strong, leveling charges that Bush had ineptly confronted terrorism before 9/11 and that he further hindered the war on terror through his misbegotten "pre-emptive" invasion of Iraq. (What again were we pre-empting?)

And the White House had volleyed back, calling Clarke a liar, a cheat and a fraud. "[It's] deeply irresponsible, it's offensive, and it's flat-out false," were White House Press Secretary Scott McClellan's exact words, holding true to the old adage that when the law and the facts are against you, you attack the witness.

Yet, following a round of television interviews in which Clarke responded to the accusations, I was struck along with many others that this was no flake. Then, when I heard Colin Powell and Donald Rumsfeld reach a

**The interesting thing to me, though, more than Clarke's oft-repeated and widely-held opinions on Bush's failures in the war on terror, is his account of Bill Clinton's rather impressive successes.**

that while Clarke was working for the administration he said that they were doing a good job, while he now says that it actually wasn't such a good job. True, we certainly can't have that.

Even some Democrats are saying that Clarke is going too far, though. Do we really need to rehash the question of whether we were prepared for 9/11? Clearly none of us understood the threat from al Qaeda, and that includes Clinton as well as Bush, as well as all the presidents who preceded them.

It certainly seems rather pointless to detail President Bush for a foreign policy he held before 9/11, which bears utterly no relation to the policy he has effected now.

And that may be. What people are missing, though, is that Richard Clarke is not ordinary political observer. He was

the government's number one counter-terrorism administrator in the years leading up to 9/11.

So while a generalized suggestion that Bush should have stopped 9/11 may be misguided, if there is one person who ought to be telling us what went

wrong to allow for 9/11, it ought to be Richard Clarke.

And if George Bush's foreign policy ineptitude led us to lower our guard against terrorism, slacking from the Clinton administration's policies such that we'll never know what it would have taken to stop 9/11 because the Bush administration was asleep at the wheel, then that is something history should know. And Richard Clarke should be the one to tell it, and he should tell it now.

The interesting thing to me, though, more than Clarke's oft-repeated and widely-held opinions on Bush's failures in the war on terror, is his account of Bill Clinton's rather impressive successes. Despite strong resistance by Republicans who charged that Clinton's foreign policy decisions were guided more by efforts to cover up his personal scandals than by real leadership, Clinton used all the political capital he could muster to pursue al Qaeda in Afghanistan, as well as protect our security through thoughtful action in Kosovo, Africa and Israel.

Of course, Clinton made mistakes and left a good deal undone, but Clarke's book suggests that behind the scenes Clinton was doing much more to fight terrorism than was publicly revealed.

In its look back at the Clinton administration, *Against All Enemies* provides a stark reminder of what a real foreign policy looks like, as well as the continuing costs of the conservative witch-hunt against Bill Clinton.

We may never know what Clinton would have done to stomp out Al Qaeda if Republicans had supported him, and we may never know what it would have taken to prevent 9/11. But it's not hard to see why the White House doesn't want the debate

## Bush, Administration Deserve Blame, Not Richard Clarke and His "American Grandstand."

By NICK DIETZ  
Staff Writer

The recent testimony former counter-terrorism chief Richard Clarke gave to the commission investigating 9/11 and the release of his book, which criticizes the Bush Administration, brought the true nature of the Administration to light. I am not talking about what Clarke said or wrote, but rather the White House's astonishing reaction.

Let's look at what Clarke said, or rather what he did not say. Although he rebuked the Bush Administration's seeming reluctance to kill Osama bin Laden before 9/11, he admitted, and rightly so, that killing bin Laden would not have prevented 9/11 since most of the hijackers were already in the U.S. by the time Bush took office. Furthermore, had the United States killed bin Laden before 9/11, many would no doubt have seen the subsequent attacks as al Qaeda's retaliation, rather than an unprovoked assault.

Clarke contends that the Bush Administration considered terrorism to be an "important," but not an "urgent," issue. But even if Bush had considered terrorism to be an "urgent" issue, Clarke readily admits that 9/11 would probably still have happened. Clearly, these damning assertions needed to be vigorously refuted.

While the refutation should have been left to the White House, the 9/11 Commission decided to weigh in and demonstrate its own partisanship during Clarke's testimony, with Republicans assailing him and Democrats showering him with praise and lobbing softball questions.

The Republican Commissioners were outraged that Clarke's book condemns the President, while his previous testimony had not. Clarke pointed out that his book criticizes the President mainly on the Iraq War, and the Commission never asked him about the Iraq War. While this is a smart-ass response, it does have merit. After all, this is the 9/11 Commission, not the Iraq War Commission; Clarke's views on Iraq are completely irrelevant to the Commission's work.

The timing of the book's release to coincide with his testimony, however, is a bit unseemly. But, Clarke notes that the book could have come out months ago if the National Security Council had finished checking it for classified information earlier. Let me emphasize that last part: the NSC had possession of Clarke's book, with all of its incendiary material, months ago. Yet somehow, the fact that this book might be very damaging to the President never made its way over to the White House until the book actually came out.

Apparently to over-compensate for this colossal oversight, Bush's people have taken to the airwaves to condemn Clarke; not the veracity of his allegations mind you, but the man himself. Personal attacks are almost invariably employed when one side is unable to attack the other side's argument, and that seems to be the case here.

However, the ferocity of the attacks on Clarke by prominent figures like Dick

Cheney, Donald Rumsfeld, and Condoleezza Rice has been incredible.

The fact that so many people are saying so many things customarily leads to contradictions and ridiculously stupid remarks such as Cheney saying that Clarke, the head of counter-terrorism, was "out of the loop" when it came to terrorism.

Even worse was Press Secretary Scott McClellan's comment that this was "Dick Clarke's American Grandstand," which is so unfunny it almost brought me to tears. Not to be outdone in the humor department, however, President Bush was quick to make a few wacky comments of his own about how he is "still searching for WMD." This would've been even funnier if he hadn't sent 600 Americans to their deaths in that search.

Bush's people have accused Clarke of being a Kerry supporter because he's good friends with a top Kerry advisor. I love this allegation because the advisor they refer to, Rand Beers, was actually a member of the Bush Administration and left because he opposed the Iraq War.

Bush's people have also blamed Clarke for every terrorist attack from the Clinton Administration onwards, which leads me to wonder why they retained his services, and why Condoleezza Rice put him in charge of the White House situation room on September 11th, while she and other less expendable officials hid in underground bunkers.

As for Rice, she has probably been hurt most of all by Clarke's statements. She increased the damage by steadfastly refusing to testify before the 9/11 Commission, while spending all day attacking Clarke on TV. Finally, and predictably, she caved in and has agreed to testify. Score one for Clarke.

Clearly Clarke's testimony has been damaging to the Bush Administration. No wonder they never wanted the 9/11 Commission created. You heard right, the Bush Administration opposed the creation of an independent commission to investigate the worst American intelligence and security failure since Pearl Harbor.

I guess they thought they might look bad. Well, they were right. At least after its creation, the Administration made it up to the Commission by stonewalling, delaying, not releasing requested documents, and forcing them to threaten subpoenas.

But that doesn't mean Bush is soft on terror, I mean it's not like he opposed the creation of the Department of Homeland Security. ...oh wait, he was against that too. But to compensate, Bush made DHS a feeble agency, allowed the CIA and FBI to remain completely independent of it, so that failures in intelligence sharing are likely to be repeated, and underfunded the agency to such an extent that barely a year after its creation, DHS has already been forced to implement a hiring freeze because it needs more than a billion dollars just to pay current salaries.

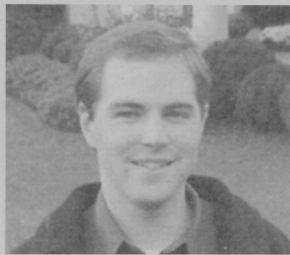
Damn that Richard Clarke. At least he's not attacking Bush's economic plans. Then again, former Treasury Secretary Paul O'Neill already did that. Maybe Bush wouldn't be criticized by so many of his former aides if he weren't such an awful President. Nah, that can't be it. Tax cuts for everyone!

OPINIONS

Recognizing A Few

It's always dangerous to single out a few individuals for the recognition they deserve because there are always others left out or forgotten. I can think of dozens of students, faculty, and staff who deserve a great deal more thanks than they are ever publically afforded at the Law School.

But there are three students in particular whom I've been fortunate enough to work closely with this year and whose contributions to the Law School have been so enormous that they should not go unheralded.



BRANDON BRISCOE  
*Ex Cathedra*

isn't earning anything extra for her additional work.

Despite her overload, O'Connell still managed to do the job better than most DFs. She almost single-handedly, for example, organized a visit from D.C. Superior Court Chief Judge Rufus King, who heard his motion arguments in the Moot Court Room where 1Ls could conveniently watch real lawyers employ the skills being taught in LRW class.

O'Connell - the only person in her class

to make all three skills boards as a 1L - served as Vice President of the Moot Court Board, working to make travel arrangements for competitors. She competed in a pair of competitions herself, representing GW with much success.

As a hobby, O'Connell was a managing editor on the Law Review. Editor in Chief Stan Fisher called her an "all star" for her work.

What's more, O'Connell has volunteered as chair of the advisory committee for GW's chapter of the Sigma Kappa sorority. She was instrumental in the chapter's snagging a space in the new Greek townhouses the University opened this year.

Ask anyone affiliated with any of these groups, and each would swear that despite all of her activities, O'Connell puts their group first. Somehow, she manages to put them all first.

If you don't know Alan Tauber - and that's difficult to believe - then you're missing out, and it's your own fault. Tauber, aside from maybe the SBA president, is undoubtedly the most involved student at the Law School, and he doesn't have a fancy title or tuition remission to show for it.

Tauber is the managing editor of this newspaper, giving up literally his entire weekend every other week to lay out the pages. He also cheerfully takes on the difficult work of reporting tough stories.

When law student Chris Bartock passed away in December, Tauber insisted on writing the story. Although he had the unenviable task of interviewing Bartock's grieving friends and family, he wanted to be sure the Law School community had some sense of the wonderful person just lost.

Tauber also performed in the Law Revue show, and he is the technology editor for the Public Contracts Law Journal. He is on the Moot Court Board and joined Mancina in delivering numerous arguments for visiting high school students.

Tauber is a Dean's Fellow, too, a huge commitment that is mentioned almost in passing compared with all the other pursuits on his plate.

When he graduates in May, Tauber will leave many shoes to be filled. But it's not his work in individual capacities that's so impressive - it's Tauber's ability to be a Jack of all trades, connecting people throughout the Law School that's so impressive.



Board Editorial  
Supplementing the Ranking

It's Nice To Get A Bump From U.S. News, But Students Ought To Recognize and Share GW's Greater Value.



Being ranked the 20th best law school in the country is certainly respectable, and it sure beats those losers stuck in our old 22nd position. But the statistics clearly fail to give a GW Law education and the opportunities available to law students in D.C. the respect they deserve, so we ought to engage in a little publicity of our own.

There's little comfort in jumping only two positions when our ranking jumps a spot or two every year, always hovering in the 23-20 range. In 1997, the magazine ranked us 23rd, and in 2000, we were still at 23. After a brief fall to 25, GW's numbers improved to 22 last year.

But look at the schools ranked on par - or even ahead - of GW and try to tell us with a straight face how students at some of these institutions can possibly walk away after three years of study with the same experience available to GW students.

Case in point is Washington University in St. Louis, which is one of the few schools to show a real improvement over time in the rankings. In 1997, the school was ranked 28 and was 32 just five years ago. This year the magazine ranked it 20th, even with GW, as Washington U. pointed out on its website.

Despite the magazine's figures, GW has a lot more than just our "George" going for us over Washington U. Even a quick glance at the events scheduled for the St. Louis school shows no comparison to the number or quality of panels, speakers, and other activities hosted by GW.

That's to say nothing of the internships and job opportunities available in D.C. compared with those in St. Louis or of the experience and connections of the faculty and adjunct professors at GW who have experience at the highest levels of government and private practice.

None of this is meant as a slight to Washington U., no doubt a fine institution. But we ought to recognize at GW that the magazine rankings don't do our school justice, and we ought to project that message to others.

And the outside world is picking up on this fact, too. Countless alumni - even recent alumni - have passed through the GW hallways in amazement at the drastic improvements made to the facilities in recent years. More are planned for this summer.

Alumni have also told *Nota Bene* reporters on several occasions that they have seen an enhanced view of the school's reputation out in the "real world." They've cited CNN's "Crossfire" program aired from campus and other big media events like John Kerry's recent visits as examples of things that catch people's attention.

Prospective students clearly give the Law School more credit than *U.S. News* does, too. Only Georgetown receives more applications each year, with something like one of every eight law school applicants applying to GW. Georgetown aside, GW rejects more students than apply to any other school.

Despite all this, there is little GW school spirit to speak of. Students seem to buy more into the *U.S. News* numbers or worse.

True, for an annual price tag of \$30,000+, students expect GW to deliver - it's difficult to be excited when students feel they're barely getting what they paid for, no matter how great that education might be. What's more, students often look at the bottom line - jobs - and both the economy and the CDO have left much to be desired lately.

But students ought to have a brighter outlook about the Law School and its place among other institutions, especially when talking to outsiders.

For its part, the Law School administration and staff should do more to instill pride and spirit among students.

Just the rhetoric helps - every time a professor or dean stands up to introduce a speaker, every time a poster is made to advertise an event, every time the website mentions another faculty award, it ought to be said again - isn't it great that students can attend GW Law School and take advantage of these first-class, not 20th-class, opportunities.



Emily Mancina took over as editor-in-chief of the *International Law Review* last April with the journal horribly behind schedule and laboring in office space plagued with dripping ceilings and cluttered with heaping mounds of junk. With the help of 3L Matt Franker, she led the editors and members in a complete turnaround.

Not only did she oversee production of three left-over issues in 2003, but she also led the journal to completion of four more issues in 2004.

When she hands the reins over next week, Mancina will be leaving the new editors with only one volume to finish up this year - the extra fifth issue she decided to add to the journal's offerings to remain competitive with other journals in the field.

For fun, Mancina also oversaw a complete renovation of the journal's office space. Walls were repainted, lead paint was removed, furniture was replaced, and desperately needed computers were added. She made drastic improvements to the journal's policy and procedures to treat members more fairly and make the production process more efficient.

She will be handing over a vastly improved journal that is essentially ahead of its production schedule and well situated to perform even better in the coming years.

All of this required a near-constant presence in the journal house, but Mancina also found time for the Moot Court Board, even volunteering to give several arguments for visiting high school students on Thursday afternoons while other students were enjoying Thirsty Thursdays.

She also helped coach the undergraduate debate team last year, and she teaches an occasional high school class for Street Law. Add to all of that her performance in the Law Revue show, and you can see why Mancina is well deserving of the proverbial tip of the cap.

Ann O'Connell performed the work of two Dean's Fellows on paper, but in reality she did the work of five or six. This year, a small number of DFs were given a group of other DFs to supervise instead of a class of students. But when an extra class opened up, O'Connell agreed to take on both jobs.

The two credits DFs earn each semester do not fairly account for the work required or time spent, and O'Connell

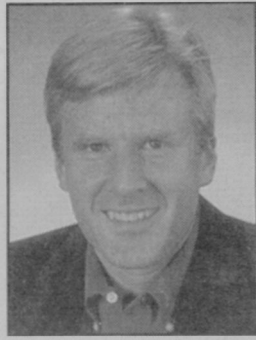


# ODDS AND ENDS

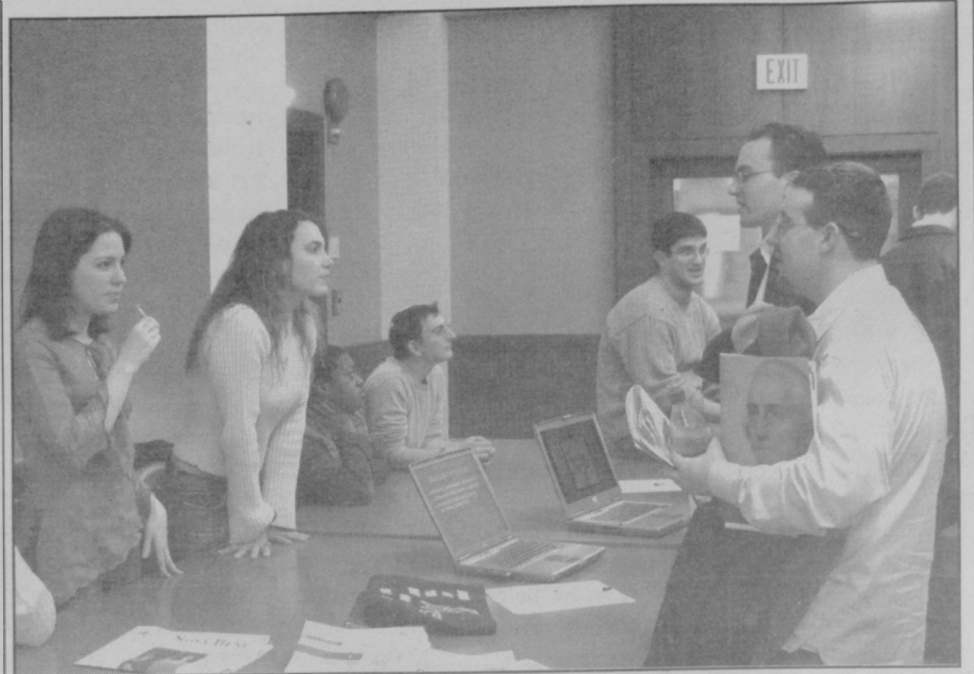
## Quoteable

Professor Robert Brauneis, congratulating Professor Roger Schechter on winning the prestigious Pattishall Medal, an award for legal education given every four years, said what students have known all along:

**“Roger Schechter is a grand master of legal pedagogy.”**

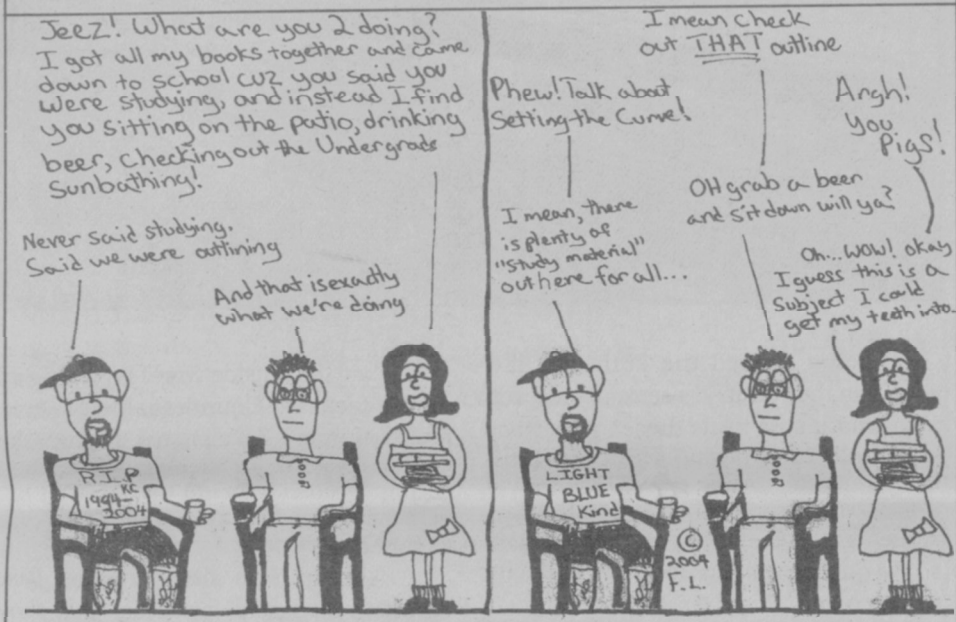


## It's Not Too Late To Turn Back!



ILs Debbie Bernstein and Cristina Antelo speak to prospective GW Law students visiting for Preview Day in the library's Great Room last Friday. Representatives from several student groups were on hand to discuss the various activities law students participate in at GW. The annual event later featured a dinner catered by Subway, flooding the lounges with mingling current and former students.

## The Soft Lounge by Frank Lattuca



## Horoscopes

**Aries:** (March 21—April 19)  
Go ahead and eat it. This paper is kosher.

**Taurus:** (April 20—May 20)  
You will mourn the loss of bar review.

**Gemini:** (May 21—June 21)  
You should start using the new health food vending machine, Shamu. You're only a party hat away from a website as it is.

**Cancer:** (June 22—July 22)  
Your less-qualified section mate made Moot Court instead of you. You should have slept with the judges too.

**Leo:** (July 23—Aug. 22)  
You will be named SBA's Assistant-VP of Counter-terrorism.

**Virgo:** (Aug. 23—Sept. 22)  
Your softball team might have been shut out, but we hear you scored plenty.

**Libra:** (Sept. 23—Oct. 23)  
Didn't make Moot Court? Could it be because you misspelled your own name on the brief?

**Scorpio:** (Oct. 24—Nov. 21)  
Have you seen the CDO posting for that Easter Bunny gig at the mall? Don't sweat it. You're not qualified for that either.

**Sagittarius:** (Nov. 22—Dec. 21)  
GW broke into the top twenty. Good thing hotness of students isn't a factor.

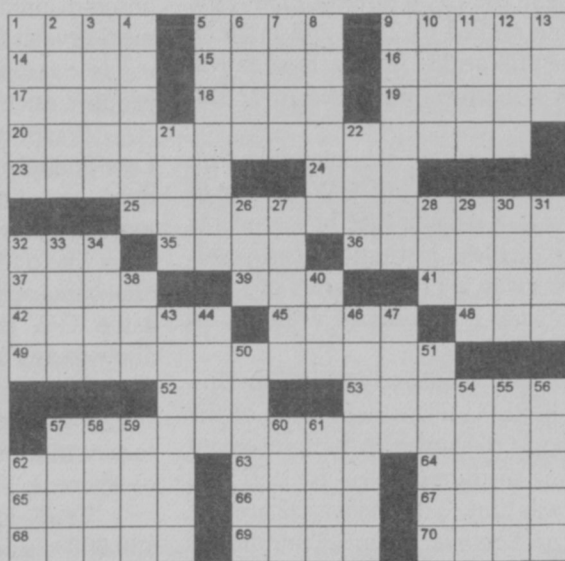
**Capricorn:** (Dec. 22—Jan. 19)  
At the EJF Auction, you will accidentally bid on a trip with Prof. Banzhaf to serve a subpoena on the Hamburglar and Mayor McCheese.

**Aquarius:** (Jan. 20—Feb. 18)  
Your laptop will die just as you're finishing your outlines.

**Pisces:** (Feb. 19—March 20)  
After seven beers at the EJF Auction the Moulin Rouge theme will make sense.

## Crossword 101 By Ed Canty

- Across**
- 1 Seasoning
  - 5 Keith Lockhart's forte
  - 9 Bistro's lists
  - 14 Sandwich starter
  - 15 Earthenware crock
  - 16 Answered the alarm
  - 17 Defendant's answer
  - 18 New Mexico art colony
  - 19 Fastener
  - 20 Kentucky Derby winner, perhaps
  - 23 Method
  - 24 Carte lead-in
  - 25 1040 starting point
  - 32 Scientific workplace
  - 35 External:Prefix
  - 36 Tiger
  - 37 Burn plant
  - 39 Long time
  - 41 Serious disease
  - 42 Latin dances
  - 45 Grass covers
  - 48 Plumber's joint
  - 49 TGIF
  - 52 Controller's employer
  - 53 Felt
  - 57 New York Times, e.g.
  - 62 Tuesday in Paris
  - 63 Challenge
  - 64 Feel for
  - 65 Bermuda, for one
  - 66 Always
  - 67 Actor Kristofferson
  - 68 *The Power of Positive Thinking* author
  - 69 Follows Mardi Gras
  - 70 Perceives



- 7 Scheme
- 8 Square dance movement
- 9 \_\_\_\_\_ Evans:Pen name of George Eliot
- 10 Pennsylvania port
- 11 PBS documentary series
- 12 Consumer
- 13 Theatrical scenery
- 21 Wide shoes for men
- 22 Film director Kazan
- 26 Hwy.
- 27 Unbound
- 28 Aldrich Ames employer
- 29 Overlook
- 30 Created
- 31 Additional
- 32 After-hours
- 33 Ladd, for one
- 34 Secret agent 007
- 38 Inflated feeling of pride
- 40 Instantly
- 43 Not on the internet
- 44 Judicial order
- 46 Apple pie, e.g.
- 47 Ooze
- 50 *Messiah* composer
- 51 Special talents
- 54 Fifth wheel
- 55 Spooky
- 56 Attire
- 57 Hamlet, for one
- 58 Ronan Tynon specialty
- 59 Golden calf, e.g.
- 60 Roof overhang
- 61 Prolific singer
- 62 Household implement

### Quotable Quote

*Time is an illusion. Lunchtime doubly so.*

... Douglas Adams

Answer on page 8.