HOW TO GET YOUR GRADES BY PHONE

DAVID PAUL BLEISTEIN ('96)

There's nothing quite like a good gloat to get your spirits up, especially about a victory over that most implacable enemy, the dreaded L.A. City Parking Enforcement. So forgive me, if I've sinned.

I park on the street. Our parking garage is lovely, but it's also expensive. (Said Mom: "Dear, aren't you afraid of your car being stolen?" I wish someone would.)

Now for The Facts:

Right after school started in August, I parked in front of the wheelchair access ramp under those fat, green Ficus trees directly across from the Rains Library on 9th Street. I got a parking citation. Pursuant to Cal.Vehicle.Code § 22522, the fine was $280.00.

EEK!

I know what the ramps are there for and I applaud their purpose. (I once helped some poor guy in his 300 lb wheelchair up over a curb and almost joined the handicapped in the process.) So call me a scumbag for parking front of it. But they should be clearly marked and this one was not.

Sol resolved to fight. Parking tickets are initially appealable by administrative hearing. That means, instead of going to court, a Bureau employee reviews the findings of one of its revenue collectors in the field. By the hearing officer's own admission, almost everyone is found liable, as I was (surprise, surprise!)

You can appeal the Hearing Officer's findings within 20 days of the date of the decision. If you appeal, you get your case heard de novo in front of a judge who doesn't have to abide by the rules of evidence. What that means is that you get to give your story about what happened and you don't have to be formal about it.

The appeal was held in the county courtroom just off the freeway on South Robertson Dr. The city sent a representative.

So I made my case

cont'd on page 7

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STEP is the only employment program for homeless youth in Hollywood. It teaches youths the skills they need to find and keep jobs, and provides them with a daily paycheck. It really does feel good.

The Los Angeles Free Clinic is seeking volunteers to serve as mentors for homeless and high-risk youth in Project STEP (Short Term Employment Project). Project STEP is the only employment program for homeless youth in Hollywood. It teaches youths the skills they need to find and keep jobs, and provides them with a daily paycheck that serves as an alternative to panhandling.

A key component in the program is a one-on-one relationship with a mentor. For many youths, their mentor is the first adult to show an interest in them, and the only positive adult role model they’ve ever had. For many mentors, this is the most fulfilling and gratifying volunteer experience, they’ll ever had.

The Los Angeles Free Clinic is seeking mentors. If you are interested in volunteering, please contact Craig Fleishman, volunteer coordinator, at (213) 653-8622.

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would establish the negligence of the idiot(s) who designed car lanes that even Evel Kenivel would be unable to navigate. Punditry 101: Who selects these pundits? Its hard to watch the bouf tube these days without seeing one of the following persons commenting on the O.J. Simpson case: Laurie Levenson, Sam Goldman, Bob Pugsley, Peter Aranella, or Erwin Chemerinsky (insert your own nominees here). Those poor family law professors. If only people gave a damn when some surfaced up athlete beat up his wife - maybe then they would get to be on television.

This past week, Whitewater independent counsel Kenneth Starr reopened the investigation involving the death of Vince Foster, a top White House aide and Rose Law Firm partner. The previous non-independent counsel, Robert Fiske (the same man who represented B.C.C.I. king-pink Clark Clifford), concluded that the death was a suicide. At the same time, his investigation revealed that semen stains and blonde hairs were found in Mr. Foster’s underwear. Now, could you please run by me the color of Hillary’s hair again?

DON’T KICK THE DOG! The fact that you couldn’t be bothered to do more than look at the Casenote for Evidence does not justify your kicking Fido! If you really feel that you need to let out some steam after seeing a succession of 70’s, try head butting the brick wall. It really does feel good. Fido will thank you.

There has recently been an increased interest in reviving the NFL’s instant replay rule. Strange enough, this interest has been largely confined to the southern portion of Florida. The NFL is back! As we go to press, the NHL Players Union and the owners have finally come to agreement: Everyone’s salary will be increased, the owners will get fatter and richer (but poorer on the balance sheets for tax purposes), and keeping with a long tradition, the fans will be screwed.

Nevertheless, I will be among those hapless saps who pay over $20 for nosebleed seats in the Forum.

Am I the only one who isn’t exactly enthralled with our bi-annual tradition of spending over $400 for textbooks which a year from now will only be useful in the event that your new puppy is being paper-trained?

To my fellow third years who are not yet employed: faced with moving back in with Mommy or selling your soul to Larry Parker, which would you choose? (One of life’s many dilemmas.)

The Cowboys by 3. The Chargers by 6 (if last week’s crew is still officiating).
This is WESTLAW UPDATE, a concise summary of WESTLAW press releases sent to The Loyola Reporter on a regular basis.

The following databases have been added to WESTLAW for your researching pleasure. Some are treatises that have been placed on-line; others are looseleaf services and others are databases acquired from other on-line services.

For more information on specific databases, call the West Reference Attorneys at 1-800-REF-ATTY (1-800-733-2889). For technical assistance in general, call West Customer Service at 1-800-WESTLAW (1-800-837-8529).

DB NAME is the name you'd use to call it up once you've logged on to WESTLAW.

If any database is not available, let us know.

<table>
<thead>
<tr>
<th>DB NAME</th>
<th>WHAT'S IN THE DATABASE</th>
</tr>
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<tbody>
<tr>
<td>ADA-LH</td>
<td>Comprehensive legislative history of the Americans with Disabilities Act of 1990. Docs include: public laws, committee reports, bill or amendment versions, hearings, excerpts of congressional debates and other &quot;miscellaneous transcripts&quot; relating to the Act.</td>
</tr>
<tr>
<td>BJS</td>
<td>Bennet's Guide to Jury Selection and Trial Dynamics in Civil and Criminal Litigation. Jury selection and trial presentation strategies for both civil and criminal litigation eloquently elucidated in a single volume by noted authorities, Cathy E. Bennett and Robert B. Hirschorn.</td>
</tr>
<tr>
<td>EDR-RAATS</td>
<td>Resource Conservation and Recovery Act (RCRA) Action Tracking System database. Contains &quot;over 8,500&quot; records of administrative and civil actions brought under RCRA brought by the EPA.</td>
</tr>
<tr>
<td>ELI-SENVL</td>
<td>Sustainable Environmental Law database. Full text of Sustainable Environmental Law (a treatise) by Celia Campbell-Mohn, Barry Breen and J. William Futrell.</td>
</tr>
<tr>
<td>FAMLV-LH</td>
<td>Complete legislative history of the Family and Medical Leave Act of 1993. Docs include: public laws, committee reports, bill or amendment versions, hearings, excerpts of congressional debates and other &quot;miscellaneous transcripts&quot; relating to the Act.</td>
</tr>
<tr>
<td>JURIDIAL</td>
<td>12 databases containing foreign materials. (That's all the info they gave us!)</td>
</tr>
<tr>
<td>JW-ADA</td>
<td>Americans With Disabilities Act database. Full text of the treatise Americans with Disabilities Act Handbook, 2nd Edition by Henry R. Ferritt, Jr. Includes main text and &quot;portion(s) of the volume's supplement&quot; as well as &quot;any pertinent ancillary materials as they are reproduced.&quot;</td>
</tr>
<tr>
<td>OJ-COMMENT</td>
<td>The one we've all been waiting for! Ongoing commentary on the O.J. Simpson trial by &quot;various legal experts.&quot;</td>
</tr>
</tbody>
</table>

LLS IS NOT ON THE INTERNET but...

If you're hooked onto the Internet, WEST publishing materials are now available on World Wide Web (WWW). WWW allows users to find information on Internet databases using the "hypertext method."

The URL (Uniform Resource Locator) for WWW is http://www.westpub.com. This can be accessed through Lynx or a graphical Web browser.

For more information on WWW call: 1-800-778-8090 or zap your queries via the e-mail to: westmedia@westpub.com OR webmaster@westpub.com.

See you in cyberspace!
PROP 187 AS SEEN AT A LAW SCHOOL IN NEW ENGLAND

POINT

(name withheld by student's request), New England School of Law, Boston, MA

By the time you read this article, the '94 election will be history and some important issues will have been decided at the voting polls. Perhaps no state referendum has been so highly publicized, so widely criticized, and so crucially important to a state's economic welfare (which is not the type of welfare you stand in line for twice a month) than Proposition 187 in California. When one strips away the accusations of racial prejudice and illustrations of illegal immigrant babies dying in the streets, one finds that Prop 187 is about economic survival. The most important part of Prop 187's success is not whether it's passed in California or whether it withstands constitutional challenges; the true measure of Prop 187's success will be if it acts as a catalyst for the federal government to address the "financial black hole" of providing entitlements and federal/state subsidies to illegal immigrants. States like California, Texas and Florida cannot hope to survive (not prosper, just survive) economically in a climate that appears to reward illegal immigrants who find new ways to elude the international border patrol.

To be sure, I agree with the command of the Statue of Liberty, "Give me your poor, your weak, your tired, your downtrodden," but not at the expense of illegal immigrants sapping the strength of states' fiscal foundation. When 2/3 of all babies born in LA County Hospital are born to illegal immigrants, how can we say that these children are not a part of the solution? Most of the babies did not come across the border to give birth to their children in the U.S. so that they may receive all the entitlements and benefits of U.S. citizenship; something's definitely wrong. Sure, maybe Prop 187 isn't the panacea to this ever-swelling problem; but at least it's a start or a spark that will light a few fires under some people in Washington. Hey, here's a novel idea -- why don't we try to focus more of our attention/money on the citizens of this country for awhile.

COUNTERPOINT

Bobbie Barkman, New England School of Law, Boston, MA

In the event you haven't noticed, states like California, Florida and Texas are not the only fora for debate on immigration in general and Prop 187 in particular. These two pieces were originally published as a "Point/Counterpoint in Due Process, the student newspaper for the New England School of Law. Thanks to the authors for granting permission to reprint here and thanks to R.J. Comer ('96) for bringing this piece to our attention.

What's definitely wrong is not that the 2/3 of all babies born in LA County Hospital are born to illegal immigrants, it's labeling people based on their national background in order to justify racism. Racially a deeply rooted and at the core of this issue, Prop 187's success was not just about the "financial black hole" of illegal immigrants. As the author states, "one of the major reasons to pass the law was to try to appease a group of citizens who felt like they were being over run by illegal immigrants..." But just as importantly the result of Prop 187's passage was to separate people into "us" and "them" categories making it almost impossible to see each other as members of the same global community with the same needs.

The important question to be asked in discussing Prop 187 is who's economic survival are we talking about? Certainly not the economic survival of those whom this heartless referendum seeks to punish. And punish for what? The mere misfortune of having parents not lucky enough to be born in the good ole's U.S. of A. Nothing like prosecuting, judging and convicting whole groups of people before they've even committed an offense. But first, for those not obsessed with the growing immigration problem, let's clarify exactly what Prop 187 will do if passed. California's Prop. 187 seeks, among other things, to deny governmental support to the children of illegal immigrants who are born in this country. Now there's a good solution, "we can't do anything to stop the flood of illegal immigration, so let's crush those immigrants by denying their children the basic necessities of life instead... That'll show 'em, now they're sure to stay in their own country where they belong." Please!

First, addressing the issue of immigration, legal or illegal, if the United States and states like California, Texas and Florida are so wor-
LACK OF FOCUS

OH, MAN! I'M GOING BALD!

Hey, Hillary!
Is Post-Election Trauma Covered?

Wild Kingdom

By Anthony Balilla, Jr.

Damn it. Am I a doctor, or a magician? - Dr. "Space. McCoy"

Kiss my Bony Vulcan Butt!!
Spock
A Growing Crisis in Student Debt?

By Judy Braginski

Colleges and universities increased tuition by 5.6 percent to an average of $3,155 for just more than 3 million students. The program enacted by Congress in 1993 that has helped more than 18 percent) but averaged just $979 per student, the report found.

For example, a new repayment option approved July 1 allows low- and middle-income students who borrowed loans directly from the government to have their monthly loan repayments by extending the amount of time in which they can repay loans. In the past, no matter how much students earned after graduation, they repaid their government-backed loans on a standard 10-year plan. Under Clinton's new program of income-contingent loans, some students could have their monthly loan payments spread out over a much longer period and cut their monthly payments by half. This should reduce the number of graduates who abandon their school loans, says Clinton administration officials, which in turn should save the government hundreds and thousands in bad debt annually.

However, McClintock and other researchers Joseph Boyd and Carol McClintock, legislative director for the U.S. Student Association, says she'd give the Clinton Administration C-plus for its efforts. For example, a new repayment option approved July 1 allows low- and middle-income students who borrowed loans directly from the government to have their monthly loan repayments by extending the amount of time in which they can repay loans.

The cost of college is a pretty pervasive worry among high school students," says Orkisz's English teacher Mary Johannesen. She had assigned her 80 students to write letters to the principal on any topic. She then delivered the letters to the White House when attending the 30th reunion of the president's Hot Springs, high school class because her mother was his classmate.

Seventy-five percent of her students wrote of college tuition fears. "Sophomores are pretty concerned," she says. "The seniors have pretty much given up. They figure since they can't afford the colleges of their choice, they won't apply. A common attitude is 'I'll wait and work awhile and see what happens.' It's pretty depressing."

Clinton quoted a paragraph from Orkisz's letter at a press conference and cited his efforts to improve the educational loan system. In 1993, a student loan program enacted by Congress that has helped more than 330,000 students. The program extends college loans to students and gives students more options on paying back their loans. In addition to paying a fixed-dollar amount over 10 years, new students also have the option of earning repayments on their repayment money with a community service job or can choose to kick in a percentage of their income over their loan's life. "I feel like it makes it easier for students... by reorganizing the student loan program, enabling students to repay their loans on a fixed monthly amount and choose jobs without undue concern for repayment schedules," Clinton wrote back to Johannesen's class.

"Students are also able to exchange public service for educational funding by participating in Americorps," Clinton wrote.

McClintock and others feel the IRS customer service record leaves ample reason to reject the plan.

Education experts warn that sizeable student debt could have long-term effects. They fear students may delay buying a home or starting a graduate school because they don't believe they will be able to pay off their loans.

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However, McClintock and some college officials were alarmed at some of the plan's potential negative effects. McClintock says those extra years of compounding interest will mean students could wind up doubling or tripling their student loans.

Once students are given the option of low monthly payments, many will grab it," she says. Terry Hartle, vice president for government relations at the American Council on Education, agrees. He supported a successful bill by leading college organization.

The government increase the annual repayment rate from what was originally a lower rate, however, there are several key issues that college organizations hope to work out with the government including limiting the tax liability borrowers may face. Under income contingent repayment, borrowers who faithfully pay on their loans for 25 years and still owe some amount would have the rest of their debt forgiven but would have to claim this amount as income. In addition to the new repayment options, students still have the current 10-year repayment option and options for up to 25 years. They can even switch in and out of the array of five loan repayment options currently available. As for Clinton's proposal to have the IRS collect student loans, proponents say repayment could be made easier for borrowers, paid off their loans through withholdings from their pay checks. McClintock and others feel the IRS customer service record leaves ample reason to reject the plan.

Education experts warn that sizeable student debt could have long-term effects. They fear students may delay buying a home or starting a graduate school because they don't believe they will be able to pay off their loans.
In my case, I had difficulty getting a picture that would support my arguments. As was routine, I asked for and got 2 continuances to get evidence.

4. About 2 weeks to a month later, you will get the HE's Report/Notice of Decision in the mail. Expect to be found liable, except for the most unusual situations. The HE who heard my case said that "we have very little latitude" in making determinations.

5. At this point you can either:
   a) give up and forget about it OR
   b) appeal the HE's decision.

At this point, you have the right to either:

1. EEK! a ticket
   a) pay the fine and waive appeal OR
   b) pay the fine and ask for an administrative appeal before a Hearing Examiner at the Administrative Adjudication Bureau OR
   c) pay the fine and run the risk that your vehicle will be booted (and lose all rights to appeal).

3. If you elect choice (2)(b), send in the form provided along with payment of the fine. A hearing will be scheduled, usually in about a month or so.

   The hearings are informal. You're herded into a little room with the Hearing Examiner and sworn to tell the whole truth and nothing but. Then you tell your story to the HE. You may offer any physical or testimonial evidence that may support your argument. The HE will then make a determination based upon his or her application of some rigidly technical rules to the evidence you gave. You will be informed about two weeks later, after you are safely out of the office.

4. Now the pain in rear gets really righteous.

I found that the operator at the other end of the Parking Violations Bureau number were grossly uninformed about such things as venue and procedure. I had to rather rudely insist on talking to a supervisor to get correct information.

a) Venue recommendations. You will have your choice of any of four places to make and adjudicate your appeal: 1) the main courthouse at 110 N. Grand, downtown LA; 2) Valley Division, Civil in Van Nuys; the Robertson Branch in West LA and 4) the San Pedro Branch in San Pedro.

b) Procedure. In appealing the citation to the Municipal court, you become a plaintiff in a lawsuit. You'll have an excellent chance to apply some of that horrible stuff you learned (or forgot) in Civ. Pro. Read and heed: this is a new procedure, so be prepared for people at the courthouse who don't know what the correct procedure is.

You will have to file a NOTICE OF APPEAL - PARKING and a PROOF OF SERVICE OF NOTICE OF APPEAL - PARKING. (It's important to get the right forms) Make certain to supply a phone number for the agency and the correct name and address. Also supply your own name and address AND the address of the court where you are filling the appeal (Be careful; it's not always the same one where the case will be heard!) It is vitally important that you file the correct forms. In general, a third party has to serve the defendant (here, the city), not the plaintiff. But the third-party requirement is waived in a case like this, so you can mail your NOTICE OF APPEAL yourself, or serve it at the office where your hearing was conducted.

I recommend serving by registered mail. That way, if the city loses your NOTICE, they can't move to quash for insufficiency of service because your receipt will furnish proof that you served them.

You will be asked to select a date and time. Mail a copy of your NOTICE to the agency and go for it on trial day.
DAVID PAUL BLEISTEIN ('96)
It's been about a year since the Martin Luther King Jr., day earthquake. For reasons I'm going to get to, concerns over earthquake safety are more salient than ever. I've been a California resident since 1985. I've experienced about one major earthquake a year since I've been out here. I'm not a seismologist but I find earthquakes fascinating, and I've made it my business to learn as much about them as I can.

We all have our MLK earthquake tales. Here's mine.

At about 4:15 A.M. on the morning of January 16, I woke up. (I had to go to the John, the byproduct of a really great MLK-day party.) It was clear outside. Gonna be a lovely day and no school that day, hooray hooray. It was peaceful, quiet in Monterey Park. There should have been chippings chirping, except it was too cold (it got down to 38 F that night). All was well.

A look at the clock, then snap off the light. 4:30 AM.

At or about 4:31, there was a low vibration, like a truck going by. But trucks don't vibrate the entire house and rattle the windows in their frames. About three seconds later (I counted, thousand-one, thousand-two) the house shook. And shook. And shook. It shook violently, up and down and side-to-side, both at the same time. I wasn't frightened, actually. A small frame house like the one I lived in is one of the best places to be in an earthquake. Thus emboldened, I looked side.

I'll never forget what I saw for as long as I live, amen.

The light poles on our street were whipping enthusiastically back and forth, like giant puppy dog's tails, in arcs about 25 feet long; the lights stayed on the whole time. My car bounced up and down on its weak springs like the asphalt driveway was a giant trampoline. It looked like the chrome grille was vigorously nodding; yes yes yes, we're roommates had all run outside; they looked like white underwear ghosts, too terrified to be cold.

I heard something crash to the floor in the kitchen. A woman screamed, a man yelled.

Then the scariest, most bizarre part: Off to the east, turquoise-colored fire blazed in the sky like heat lightning, along with thunder. FLASH buzzboom FLASH buzzboom FLASH buzzboom:boomboom. About three blocks away, on the main street that paralleled ours, high-voltage power lines shaken by the earthquake were "arching" when the shaking brought the wires close together.

Then it stopped.

Our house was okay, except for a bottle of sesame oil that fell to the floor. No one was hurt.

A quick trip around the neighborhood showed a surprising lack of damage. The 7-11 at New and Garfield Avenues had a few bottles fall to the floor. The man at the 24-hour self-serve gas station said the canopy overhead swayed violently, and he got a close-up view of the arcing power lines. Police cars raced around. Otherwise, it was very quiet, like right after rowdy children are told to shut up and they do. 

A few called my parents' home number in Ohio. No answer.

On the radio, people were calling in to various stations describing what they felt where they were and the damage, if any. San Diego, Santa Barbara, Riverside, Lancaster. Clearly, we'd had a BIG earthquake.

I finally got my father on the phone. He'd heard about the earthquake on his car radio at 7:32 AM, EST (3 hour's time difference): "... a large earthquake just occurred in the Los Angeles area at about 4:31..." I told him I was okay.

You all know the rest.

So why does all of this matter? Why is this in a law school newspaper? Because the 1994 MLK-day quake scale and it did terrible damage. I talked to some students and professors who lost possessions, and in some cases, their homes. The "Big One" when it occurs, will be anywhere from 20 to 100 times as strong; somewhere between 7.8 to 8.8 on the Richter scale. It will be a terrible day in southern California history when it occurs; probably one of the saddest bads days most people will ever experience. The key word is "when." This is about as relevant as anything ever gets.

Earthquakes are really human-made disasters. Almost all of the people who die in California earthquakes do so because something people built (not very well) falls on them. We have little to fear from tsunami ("tidal waves") here. As terrible as the big one will be, the odds are almost certainly in your favor to survive it, if you know what to do. After survival, the question becomes how to reduce or eliminate property losses caused by the earthquake. After all, homelessness and/or destitution get a bit distracting on top of law school studies.

In a series of articles for THE REPORTER I'll show you what you can do to avoid the distractions caused by homelessness and destitution. This could improve some people's academic performance, is that salient or what?

As certain as the sun will rise, we'll have earthquakes here in L.A. The forces that cause earthquakes are the same forces that make southern California such a climatically charmed place. That mighty ridge of mountains to the north keeps out the cold, dry, continental air mass that would otherwise give us cold winters and much hotter summers. Those mountains were raised by two plates in the earth bumping against each other, locking up and releasing, causing earthquakes. Thus, in a very real sense, we owe our climate to earthquakes. The MLK earthquake caused the Santa Susanna Mountains, just north of the San Fernando Valley, to rise another foot in height.

The big one will be caused by a rupture of the San Andreas Fault, which lies just beyond the big mountains to the north of L.A. The San Andreas is one of the biggest fault systems in the world, running for about 3/4 of the length of California. Other faults (e.g., the Newport Inglewood fault in 1933) have also caused earthquakes, but they are not as large.

The most recent rupture of the SA was in 1906 in San Francisco. The last time we had a big one down here was in 1857, at a place called Fort Tejon, near Lancaster. Another portion of the SA fault, out near San Bernardino, may have had a giant earthquake in 1745. (This according the geological evidence, not eyewitness accounts.)

The epicenter of the big one will most likely be out around San Bernardino or Palm Springs. Under the seismic gap theory, this area is vulnerable because it has gone the longest without a major earthquake. The seismic gap theory states that when you have a fault and a portion of said fault has not had any earthquakes on it, you have a seismic gap. That seismic gap is considered to be, all things being equal, the most probable location of the next earthquake on the fault. There is a seismic gap between approximately the San Gabriel Valley and the Salton Sea.

All of this is actually relatively good news for LA. In general, the further away from an earthquake you are, the better off you are.
Hypothetical Case Competition

The Science Fiction Law Society of Loyola Law School (Los Angeles) is conducting its first nationwide competition. Copies of the following fictional case have been shipped to all ABA law schools in the U.S. -- for publication in those school's newspapers and journals. If you are interested in competing:

1) Read through the case.
2) Research and compile a complete holding; replete with case and statute law (sources and references can be factual, fictional or both).
3) Submit to either LLS mailbox #420 (John Rogers) or mail in to the address at the end of this introduction.

The deadline for receipt of entries is March 30, 1995.

The top ten answers will be printed in a limited-edition anthology and distributed to all participating schools.

The competition will be judged by two law school professors, one professional law editor and the SFLS board.

Winners will be notified by April 15th, 1995.

Good luck!

For more information or to submit off-campus, please contact:

John Rogers
SF Law Society
LLS-Los Angeles
c/o Daily Journal
915 East First St.
Los Angeles, CA 90012
(213) 229-5351

Hypothetical Case Series

Case #001

Centauri Orbital Station, Inc. vs. Trans-Andromeda Space Lines, Ltd.

Seventh Extra-Solar Circuit Court of Appeals, 23411. 497 F.4th 1002.

Plaintiff, Centauri Orbital Station, Inc. (COS), owner and operator of Centauri Epsilon space station (UNest reg. 2204. CommSec.dot-tag.[01210alp-D]), brought suit against defendant Trans-Andromeda Space Lines, Ltd. (Trans) on several causes of action. Notably here; negligent exposure of a controlled viral species to a known biosphere, hazardous and unlawful cargo practices, statutory violation of maritime freight provisions (StellaMar Reg. 9301 et seq.), negligence leading to the explosive decompression of a populated loading zone, wrongful death (417 counts human, 214 counts non-human), economic loss, wrongful death (subsidiary and collateral), resultant commercial damages.

Trial court, at the request of the Omega planetary assembly, waived decision arguments only.

We choose to accept this elevation and try the case on the facts as they have been presented.

Criminal procedures too numerous to cite have been initiated here and in five other non-human jurisdictions.

- J. Hassinata-Kayama
- M. Ji’al-Chan’a’a (Omega)

Factual summary:

At 11:47 am station time (ST) on Tuesday, October 28 2339, the heavy-load, deep space freighter Amigo Samm, dropped out of hyperspace and entered the Omega system. Unmanned monitors tracked its course into the planet grid without incident. At 2:23 pm ST, the Amigo Samm requested permission to dock at the industrial wharf of the Centauri Orbital Station, a 5,942,000 ton rotating artificial satellite.

Attachment clearance was granted by the station's space traffic control. Three guide tugs brought the Amigo Samm into its airlock slot at 3:49 pm ST.

At this point, accounts differ. Plaintiff asserts that the crew of the Amigo Samm immediately began to off-load dozens of yellow-striped, hermetically sealed biohazard cannisters. Defendant Captain Hiram De La Cruz claims to have obtained an inspection by station customs before beginning cargo removal.

Though that factor will figure into our evaluation, it is not crucial to understanding the events as they played out.

At 6:17 pm ST, a seventy-meter hull crane which was in the process of swaying a flat of cannisters from the cargo hold onto the pier, buckled unexpectedly. Within seconds it collapsed, killing three Amigo Samm deckhands and smashing open four biohazard cannisters on the docking platform.

The containers released thousands of Massero-Chuy viral larvae bodies into the station.

Massero-Chuy, to those not familiar with their history, are a quasi-insectoid viral lifeform; intensely survival-oriented, carnivorous, semi-sentient. Though small in their infant or larval stage, given time and food sources, they will attain sizes approaching those of large dogs. They are a hive (nest/matriarchal) species. Physically, they resemble terran termites.

According to the Amigo Samm’s manifest, the cannisters were scheduled for transfer to the Hyperspace Freight Cannon (a computer-assisted robot launch delivery system operated by Consolidated Shipping Affiliates). COS's customs & agricultural logs concur.

The final destination, as far as investigators can determine, was to be the Pan-Solar BioToxic Research Laboratory on Vilius-5.

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In less than 24 hours, the Massero-Chuy virus had contaminated the forward sections of the Delta wharf, a sixty-slot cargo docking wing of the station. Attempts to eradicate the viral/insects using pesticides proved ineffective.

A quarantine was ordered and martial law was declared.

Several fatalities were reported during the chaotic evacuation.

By 6:35 pm ST of the following day, military vessels had moved into orbit around the station. No traffic was allowed in or out.

A twelve-man Extermination Team, commanded by Col. Jeb Miller, Spc. Fric/Alpha Det. 5th US Marines, specially trained and outfitted for alien combat, was introduced; their mission, to locate the queen and terminate her.

This mission failed, resulting in the deaths of ten members of the squad. At 11:42 pm ST, the military's mobile command unit, fearing a station-wide catastrophe, instructed the station master to blow the main air gates, opening the entire industrial wharf zone to zero-atmosphere vacuum.

Since evacuation had been only partially effected, this caused the deaths of at least 600 dock workers awaiting de-contamination and/or still crowded near the central hub pass-ways. These helpless victims were partially effected, this caused the deaths of at least 600 dock workers awaiting de-contamination and/or still crowded near the central hub pass-ways. These helpless victims were killed in the main docking bay.

The Massero-Chuy infestation had been stopped but the accompanying price tag had been enormous.

Seeking recovery for crushing damages paid to the families of the deceased and for the staggering cost of repairing a de-compressed dockyard, COS now suing Trans-Andromeda, the freightcarrier who allegedly without proper governmental authorization and inspection, brought the viral infection into the station.

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2 A seldom used trial alternative; the lower court will "hear" the case but will defer judgment to the ranking body.

3 For further information regarding the Massero-Chuy virus and its biology, see "Massero-Chuy and Related Alien Viral Life-Forms." by Dr. Helzit Deaterrman, Ph.d. (Univ. of Cornell Press. 2308)

4 See "Epsilon Station Halt: A Study in Disaster." by Admiral Jeb Miller, USMC Ret.
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