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THE LOYOLA REPORTER

VOLUME 21, NUMBER 8

Loyola Law School Student Newspaper

FEBRUARY 1, 1999

People Making a Difference at Loyola

By Javier Aguirre

We all have different reasons for coming to Loyola Law School. Some of us are here to obtain a legal education, while others come to Loyola to prepare us for the legal field. Many of us will credit a professor, an administrator, or other employers for making a difference in our legal education. At times, we fail to recognize those who make our experience at Loyola enjoyable when they provide a service which does not relate to law. Most of us have had the opportunity to eat a meal in the Marriot-run cafeteria. Whether we like the food or not, the workers at the cafeteria attempt and are successful at creating a friendly environment. "The biggest difference between the administration and the cafeteria workers," says second year student, Christopher Doan, "is that the cafeteria workers smile when you ask for something."

So, who are these people that make our sandwiches, cook our meals, and ring us up at the register? They are a group of remarkable people who make sure we have the best meals. And while they prepare our meals, they provide words of encouragement when they see us

stressing over finals. Joey Liu, a first year at Loyola, comments, "They show a lot of character and patience to put up with our stress." Besides creating a stress-free environment, they may speak to you in Spanish if you are trying to learn the language or simply trying to brush up on your skills. Is there any other place where you can get a decent meal and learn Spanish, while going to law school?

Making three meals a day is not an easy task. A lot of preparation, planning, and cooperation takes place between all the workers to make it happen. The cafeteria staff includes manager Grace Duran, supervisor Esterlina Lau, caterer Cristina Suarez, and grill chef Eugenio Martinez. Three grill cooks assist Eugenio: Jose Casillas, Elia Hernandez and Sonia de Sotelo. The staff is rounded out by cashiers Dina Gray and Zdenka Muscet, and utility assistant, Miguelito Gomez. Each of them should be praised for their hard work at the cafeteria. "They are always efficient, they are exactly what Loyola needs," adds Sharon Matthews, a second year student. Sharon does suggest, "they should add more salt to the beans!"

Cafeteria Staff Members



Sonia de Sotelo, Eugenio Martinez, and Jose Casillas

There are three individuals who deserve special recognition: Sonia de Sotelo, Jose Casillas and Eugenio Martinez. Sonia, a grill cook, has been working for Marriot for over six years. Born in Panama, she moved to Brooklyn, New York in 1967, and in 1978, she moved to Los Angeles, where she lives with her younger brother. Sonia tries to make the students feel comfortable and help them ease their stress during finals while prepar-

ing their meals. During the baseball season, she likes to talk about the New York Yankees with other baseball fans. On one occasion, a student brought her flowers and candies for Valentines. That day is a reminder of one student's appreciation for her hard work. While Loyola provides her with a friendly working environment, she credits Professor Benson for his commitment in assisting the employees with their labor issues.

Another grill cook is José Casillas. José was born in Jalisco, Mexico and at age 17 he moved to the United States. Over the past ten years working for Loyola Law School and at LMU, José has made an effort to create a "friendly atmosphere for the students and the administration." He enjoys speaking in Spanish to students who are trying to learn. During any given day, a student will either try to order their food in Spanish or begin a conversation with him in Spanish. He is always grateful to know that students have an interest in his native language.

Behind new meal ideas is the cafeteria's head chef, Eugenio Martinez. A native of Jalisco, Mexico, Eugenio started working for Loyola Law School six years ago after working for two years at LMU. While cooking may be his career, he enjoys spending time with his wife and two daughters at home or at the park. The thing he likes the best about cooking, is the opportunity to introduce new dishes to the menu. His specialties include, Mexican foods like "carne con chile" and "chilaquiles". This year, he began making pancakes in the morning. Once a week, on a sunny day, you can see him

outside at the barbecue grill. When he is not working at Loyola, Eugenio is training for the Los Angeles Marathon, running six miles every other day. He appreciates Dean Levenson's recognition for his work at Loyola and Professor Benson's efforts to provide decent working conditions.

Over the years, working conditions have significantly improved for all of these employees. Loyola Law School is committed to provide their workers with decent wages and benefits. Yet the salary for some Marriot's workers is not enough to support their families. Recently, Dean Gerald McLaughlin and Associate Dean Bob Bride promised to implement the Los Angeles Living Wage Ordinance in the contract with Marriot. The Los Angeles Living Wage Ordinance ensures that workers will earn above the national minimum wage. Currently, the ordinance recommends private businesses to set their wages at \$7.00 per hour with medical benefits, and at \$8.25 without. Associate Dean Bride also announced that over the next three years, the ordinance will be implemented in all of Loyola's existing outside contracts. This commitment to implement the ordinance is consistent with Loyola's mission, "a deep concern for social justice." We should be proud of Dean McLaughlin and Dean Bride's efforts to provide Loyola workers with decent wages and fair working conditions. As we prepare ourselves to act and think like lawyers, we should also recognize Loyola's long-standing commitment to social justice.

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Loyola Alumnus and Student Play Key Role in Internet Governance

By Brian Sanders

In December, the U.S. Federal government transferred the majority of its control over the Internet to the private sector. Loyola alumnus Karl Auerbach and second year law student David Steele played key roles in the transition and were on hand at the White House ceremony marking the event. Both Auerbach and Steele have a history of involvement with Internet governance and policy issues, and are leading Internet engineers who chose to augment their technical skills with a law degree from Loyola.

Auerbach (Cum Laude, 1978) is now an engineer at Cisco Systems, working on advanced network design, and has been involved with the Internet since its rough beginnings in the early 1970's. Auerbach attended both UCLA and U.C. Berkeley, where he received his undergraduate degree. After graduating from Loyola Law, Auerbach founded Epilogue Technology Corp., and later, Empirical Tools and Technologies Corporation.

Steele, a second year Loyola student, plans to practice intellectual property law at the Pasadena law firm Christie Parker and Hale, where he now clerks. Before he came to Loyola, Steele was Engineering Manager at Fibertron Corporation of California, where he designed fiber optic networks used to build the Internet.

Auerbach is a co-founder of the Boston Working Group (BWG), a consortium of Internet experts. This groups includes Steele, which was formed to address deep public and industry concerns over the U.S. government's plan to delegate Internet control. Working together with the White House, the U.S. Department of Commerce, and an international group of Internet leaders, they helped create the new non-profit corporation that received control over parts of the Internet from the U.S. Government. That corporation, the Internet Corporation for Assigned Names and Numbers

CONTINUED: Page 3

"Freedom of expression is the matrix, the indispensable condition, of nearly every other form of freedom."

Justice Benjamin Nathan Cardozo

Palko v. Connecticut, 302 U.S. 319, 327 (1937)

LOYOLA FORUM

SUBMISSION DEADLINES

for THE LOYOLA REPORTER

<u>PUBLICATION</u>	<u>DEADLINE</u>
<i>April Issue</i>	<i>March 15</i>

**ALL STUDENTS AND FACULTY ARE
INVITED TO SUBMIT
ARTICLES FOR PUBLICATION.**

Letters to the editor should be submitted on a 3.5" floppy disk in IBM compatible format. Preferably in Microsoft Word 6.0. Attach a print copy of the article, including your name and phone number. The Loyola Reporter is located in the Student Services Building, Room 224. Either slip it under the door or leave it in the envelope posted outside the door.

All material expressed in The Loyola Reporter reflects the views of the individual writers or advertisers and not those of Loyola Law School, Loyola Marymount University, its faculty or student body. The Loyola Reporter reserves the right to edit or reject all submissions, including ads, articles or other contributions it deems objectionable or outside the bounds of good taste. The Loyola Reporter reserves the right to edit for space and clarity. Complaints concerning the content of the newspaper should be directed to The Loyola Reporter.

We look forward to printing what you have to say!

Pictures anyone?

The Reporter seeks a staff photographer as well as photograph submissions. If you have a photo that you think could tell a proverbial 1,000 words, send it in and we'll give it the once over.

Photographs will be returned on request.

THE LOYOLA REPORTER

Loyola Law School Student Newspaper

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The Loyola Reporter

The Loyola Reporter is a student run campus organization that serves the Loyola Law School community and is published monthly during the regular school year. The law school is affiliated with Loyola Marymount University in Westchester, Los Angeles, California. Copyright 1998. All rights reserved.

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How to Reach us:

The Loyola Reporter is located at Loyola Law School, 919 S. Albany Street, Los Angeles, California 90015. The phone number is (213) 736-8117 and fax number is (213) 380-3769.

Topic: Grades

Editors Note:

Each publication of the Loyola Reporter includes a "Loyola Forum" section in which students, faculty and administration of Loyola Law School are encouraged to enter submissions discussing the specific topic selected for that issue. Next Month's Topic is:

Reporter 20 Year Anniversary Edition

Students Respond to Survey on Grades

By L. A.

Asking law students about grades is like asking Zsa Zsa Gabor her age... you might get slapped! Saying that I was reluctant to survey Loyola students on this topic is an understatement, I was blackmailed into it.

However, despite my initial lack of motivation, I was surprised to find out how much resentment, disgust, and utter hatred students have towards the Loyola grading system. The responses to this survey indicate that the current system may need to be reviewed by the law school administration.

A quick disclaimer: I intentionally did not survey first year students since their answers would be based on only one experience with the grading system. So, with the hope of providing positive feedback and constructive criticism, I offer these student responses to the question:

What is Your Overall Impression of the Loyola Law School Grading System?

"I think overall, it's pretty much fair. However, I think that professors should be required to turn in grades a lot earlier so that we don't have to wait in agony for so long."

3rd Year Student

"In all honesty, I think it sucks! And I'm not saying that because I'm bitter -- I get pretty decent grades. But what I really hate is how I never get the best grade in the class I work the hardest in. I actually think there is an inverse correlation between how hard you work in a class and the grade you get. Makes it seem like professors grade in a random fashion or something."

2nd Year Student

"Why does it take a month to get your grades back for evidence! The final exam was multiple choice. How long does it take to put scantrons into a machine and figure out grades? There's something wrong with the system."

2nd Year Student

"I don't understand the grading system at all. And I don't think professors understand it either. I once asked a professor to explain the grading curve to me and he was even more clueless than I was. I don't know how they figure out grades."

3rd Year Student

"I think the grading system is not perfect, but what's the alternative? Law firms have to have a way of comparing students from different schools. At least with the curve they can tell where you rank in your own school.

What I would like to see changed is the amount of feedback professors give in the bluebooks or after their exams in general. I usually pick up my exams from Graphics and only see numbers in the margins. That's not very helpful. I really like professors who write out a model answer and show the point distribution like Professor Manheim."

2nd Year Student

"I think the system is too slow. We should get our grades back much earlier. The other thing that really bugs me is that you can't put your grades on your resume until you receive them by mail and that usually takes a really long time."

3rd Year Student

"I think the system is completely unfair because it doesn't test how much you learn, but rather how much you learned as compared to your peers. The curve is really messed up if you happen to have some real geniuses in your class who get 98's and 99's on their exams. Law schools should grade in a more objective fashion and not worry about having a curved grade distribution."

3rd Year Student

"I don't like the grading system because I don't think it makes a difference what I do, I always get the same grades. I've tried different things since first year and it really makes no difference. I think professors look at your writing style and your grade is dependent on their impression."

I also think that it takes too long to get grades back. But I feel sorry for professors who have to read through so many bluebooks -- I don't know what can be done about it."

2nd Year Student

"I don't know, I guess it's ok. I just accept it. In my three years at Loyola, it's always been the same. Grades take a long time to come out, and when they do, I usually get surprised by how well I did in one class or how bad I did in another. I guess I'm jaded by now and don't really care. I'm out of here in a couple of months. Good luck in improving the system."

3rd Year Student

"I think the grading system is fine. I think people who complain about it should work harder and get better grades. In the real world you have to compete against other attorneys and if you're not better than your opposition, you will lose. That's the bitter reality, and the law school grading system is just preparing you for it, that's all."

3rd Year Student

"I don't like the way the system puts you in direct competition with the people in your class. I think that fosters a cut-throat environment and limits the amount of learning you do from your fellow students.

Some people in my first year class were very anti-social and didn't help each other out. That kind of attitude exemplifies what's wrong with the legal profession. Instead of mediation, we have litigation. I think that if they taught us how to work together, compromise, negotiate, and be more amicable, the law school would still graduate good attorneys, but more importantly, it would graduate good people."

2nd Year Student

"I never met a litigator who did not think that they were winning the case right up to the moment when the guillotine came down."
William F. Baxter

What Is Going On With Scott Moot Court?

By Sonia Sanchez

Let's get the party started!! The Scott Moot Court Honors Board has been busy bringing Loyola Law School pride and controversy. Last semester, Matthew Hippler and Rachel Richman competed against UCLA Law School, Pepperdine Law School, Cal Western Law School and Southwestern Law School to bring home the California Regional Finalist title, for the National Moot Court Competition.

Where did they head next? NEW YORK, where they competed for four days, starting January 25, 1999. The Jessup Team (Elliott Nahmias, Hyunah Suh, Rose Sorensen and Cheryl Conn) will compete from February 11 through 13 in the Southwest Regional Competition in Salt Lake City, Utah, at the Brigham Young University J. Reuben Clark Law School (try saying that in one breath). The Traynor Team (May Mallari, Alex Rosati, Lesa Slaughter and Robert Kane) will compete on February 26 and 27 in the Regional National Appellate Advocacy Competition in San Francisco.

Back home, Justice Team members (Lobat Ghatan, Michelle Humphrey, Mauricio Rauld and myself) are preparing to read and score all the stellar respondent and petitioner briefs that this year's Scott Moot Court competitors will submit on February 15, 1999. What does the case deal with this year? Well, here are some basic facts:

Pat Harmony is a post-operative male-to-female transsexual

who was expelled from a private woman support group, called Women Healing Women, which is located on a state university campus. Women Healing Women provides free psychological services to low-income women who were victims of sexual assault. Harmony was sexually assaulted when she was a male. When she applied to Women Healing Women, she had already undergone sex reassignment surgery and designated "female" on the forms. Neither the Women Healing Women group, nor its individual members, knew that Harmony was a post-operative male-to-female transsexual. Upon learning this fact, and taking all group members into consideration, Women Healing Women expelled Harmony from the group. Then, Harmony brought a U.S.C. Section 1983 claim against Women Healing Women alleging that she was discriminated against on the basis of gender and transsexualism. We wish all the competitors good luck!

Also, the current Scott Moot Court Honors Board would like to invite all of you to attend the final round of competition, tentatively scheduled for Wednesday, April 14, 1999 in the Moot Courtroom. The top four oralists will argue the case and compete to be named Best Oralist before three prestigious justices (names to be released in the next The Loyola Reporter issue). DO NOT MISS IT -- we promise, you will not be disappointed!

Reporters of the World Unite!

We are looking for staff writers for the Loyola Reporter. Great resume value! Hours are minimal and flexible to fit your schedule.

There is possibility for advancement to an editor position for dedicated staff writers. Training will be provided to the new editors, and the outgoing editors will be lending help and/or advice during the following school year.

Interested applicants should call (213) 736-8117 or leave a message at the Loyola Reporter office in the Student Services building, room 224. The positions are open to evening students as well as to day students.

WE WANT YOUR IDEAS!

Help us to make this newspaper one that serves the Loyola Law School student community. Please send us any suggestions or ideas about how to make this paper more interesting and informative.

Tell us what you want to read. Tell us what you think will make your law school experience more fulfilling and personal. Remember, this is your law school and this is your newspaper. Make the most of it! Please call us at (213) 736-8117 or drop a note in the envelope outside our door at Student Services Building, room 224. We look forward to hearing from you.

The CAN'T WE TALK ABOUT IT? Thursday Communication Series

Professor Hobbs will be the presenter. Bring your lunch to the Moot Courtroom at Noon.

I

HOW TO BE A GOOD LISTENER

#1 February 11- Thursday

"How Many Times Do I Have To Tell You That I Love You?"

#2 February 18 - Thursday

"That's Not What I Said!"

II

HOW TO TALK TO PEOPLE WHO ARE UPSET

#3 February 25 - Thursday

"You No Good..."

ALUMNI: from page 1 (a.k.a. ICANN) was created to meet the needs, and assuage the concerns, of many diverse parties.

ICANN was created through a world-wide consensus among industry, the U.S. government and international governments. Building that consensus required the development of a broad compromise between a large number of interested parties. For example, the international community insisted on equal representation on ICANN's board, although the U.S., historically, had been the dominant force behind the Internet. Also, trademark holders were concerned with protecting their rights on the Internet. Finding common ground between such conflicted parties required considerable effort and flexibility from all quarters.

Auerbach and Steele's year-long effort entailed hundreds of hours of work (done pro bono) and numerous flights from their homes in California to Boston and Washington D.C. Finally, in December 1998, after several intense months of heated debate and negotiation, a compromise was reached, and the transfer of control was concluded.

Auerbach took a direct role in writing the compromise documents - the corporate by-laws which would ultimately

define ICANN. Steele was the group's government liaison, frequently conferring with the Department of Commerce and the White House on behalf of BWG. Steele recalls, "we thought that we had some really good ideas but getting people to listen at first was a challenge -- when the White House started calling us for our opinion, instead of the other way around, that's when we knew we were making progress and really influencing the outcome."

Auerbach and Steele were guests at the White House to witness the ceremony transferring operational authority for the Internet to ICANN. President Clinton and Vice President Gore were both on hand, with a number of other high-ranking Federal officials and established leaders from the Internet community. ICANN is now incorporated in California, with plans to locate in Marina Del Rey, where it will begin the daunting task of designing policy and exercising limited oversight authority over the Internet (the U.S. Government still has oversight control under the transfer agreement).

Auerbach and Steele agree that the Internet and law are often at odds with each other. Auerbach commented, "the Internet does not fit established legal forms; it requires people to go back to basic principles

and rethink things anew. The Internet is causing the creation of whole new legal and social forms. One has to go well back in time, perhaps to the late 1840's, to find a period of comparable change. For those of us who want to improve the world this is a unique opportunity; although the work is hard and often frustrating."

Both also agree that the great effort involved in the formation of ICANN was well rewarded by the creation of a governing body that is representative, responsive and accountable to the Internet community at large (ideals that the BWG members hold as fundamental). Both will continue to participate in ICANN's decision-making process, advising the members of the ICANN board, serving on various committees and supporting organizations appointed to study Internet-related issues.

In October, 1998, the pair spoke to Professor Scott Giordano's Internet Law class on the issue of Internet governance and the planned transfer of control. Professor Giordano commented, "It was a great opportunity for students to talk with two people who helped shape the course of the Internet revolution, they gave the class a perspective that we never could have received merely from reading about it in the newspaper."

"If law school is so hard to get through, how come there are so many lawyers?"
Calvin Trillin

Library Magazine "Routing" Policy Needs to be Changed

By Josh Gross

Have you ever tried to read a copy of one of the news magazines in the law library, only to find that the only issue available on the rack is several months out-of-date?

One glaring example which The Loyola Reporter noticed recently was that of "George Magazine". As of late-January, 1999, the October 1998 issue was the only issue available on the rack for students to read. Five editions of George have been published since the October issue -- yet none of them are currently available to law students!

When The Loyola Reporter investigated why no current editions of this magazine were available to students, our

reporter was brushed off by the law librarian on duty, Professor Estle, who blamed the outdated edition of George on the library's "routing" policy.

Stated simply, the "routing" policy allows library staff members to read magazines before they are put into general circulation in the library. Apparently, there is no time limit on how long a staff member can use one of the magazines -- as the George example confirms.

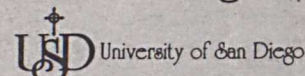
This policy is in dire need of reconsideration. A five month

delay to read a current magazine is simply not reasonable. Considering that student tuition money goes to buy these magazines for the law library, we deserve to be able to read these periodicals in a timely fashion.

Shame on the law library for allowing staff members to hog current magazines at the expense of students. This selfish practice must stop.

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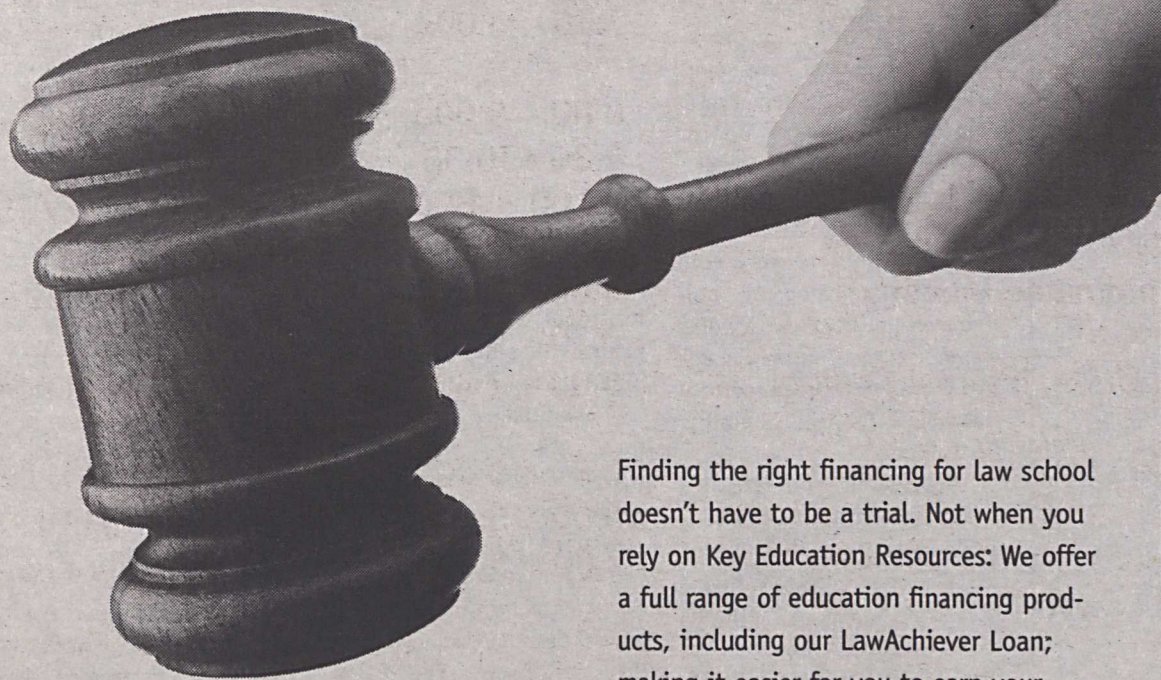
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"No doubt one may quote history to support any cause, as the devil quotes scripture..."
Learned Hand

Loyola Law School Schedule of Events for Week of February 1, 1999

<u>Day</u>	<u>Event</u>	<u>Time</u>	<u>Room</u>	
Monday 2/1	Christian Legal Society - Meeting	12:00 - 1:00	B255	
	Admissions - Student Host Luncheon	12:00 - 1:00	S236AB	
	PILF - Meeting	12:00 - 1:00	MC	
	La Raza - Meeting	12:10 - 12:50	DH	
	Ms. Poehls - Byrne Trial Advocacy	3:30 - 7:30	MC	
	Scott Moot Court - Practice	8:00 - 10:00p	MC	
Tuesday 2/2	Admissions - Student Host Luncheon	12:00 - 1:00	S126	
	Criminal Law Society - William Ginsberg	12:00 - 1:00	MC	
	PDP - Meeting	4:00 - 6:00	MC	
	PILF - Meeting	5:00 - 5:50	H'70	
Wednesday 2/3	Admissions - Student Host Luncheon	12:00 - 1:00	S236AB	
	Ms. Boylan - Tutorial Luncheon	12:00 - 1:00	Bannan	
	Ms. Friedler - Conflicts of Law Class	12:30 - 3:00	B249	
	Ms. Poehls - LR & W Class	3:10 - 5:10	DH	
	Faculty Workshop - Saul Levmore	3:15 - 5:15	Bannan	
	Scott Moot Court - Practice	3:10 - 5:15	MC	
	NALSA - Meeting	5:15 - 5:50	B255	
	WLA - Coffee Talk	5:00 - 6:00	Bannan	
	Ms. Poehls - Byrne Trial Advocacy	5:30 - 9:30	MC	
Thursday 2/4	NLG - Dagobarto Gutierrez, El Salvador Environmental Lawyer	12:00 - 1:00	Quad	
	APALSA - Meeting	12:10 - 1:00	DH	
	Ms. Boylan - Tutorial Luncheon	12:00 - 1:00	C002	
	Admissions - Student Host Luncheon	12:00 - 1:00	S236AB	
	Jazz Mixer - Wes Montgomery	12:15 - 1:15	Bannan	
	Mr. Nissenbaum - Library Staff Meeting	2:15 - 2:45	MC	
	Scott Moot Court - Practice	3:00 - 6:00	MC	
	Friday 2/5	Fr. Merrifield - 1st Friday Mass/Breakfast Forum	7:30 - 8:00a	Chapel
Scott Moot Court - Practice		8:00 - 9:00a	DH	
		8:30 - 10:30	MC	
Admissions - Student Host Luncheon		12:00 - 1:00	S236AB	
Ms. Roberts - Faculty Appointments		12:00 - 3:15	DCR	
Career Services - Committee Meeting		1:00 - 2:30	Bannan	
Faculty Meeting		3:30 - 5:30	MC	
NLG - Speaker from Cuba, Interest Section		5:00 - 7:30	Stu.Lnge.	
Saturday 2/6		Early Bar Conference	8:30 - 5:00	H'70,H'80
		VITA - Training	9:00 - 5:00	MH,DH
	NLG - Dagaobarto Gutierrez, El Salvador Environmental Lawyer	7:00 - 9:00p	Stu.Lnge.	
Sunday 2/7	Early Bar Conference	8:30 - 5:00	H'70,H'80	
Monday 2/8	Admissions - Student Host Luncheon	12:00 - 1:00	S236AB	
	Career Services - Becoming a Lawyer	12:00 - 12:45	B255	
	Christian Legal Society - Meeting	12:10 - 12:50	B213	

"When you go to court, you are putting your fate in the hands of twelve people who weren't smart enough to get out of jury duty."
Norm Crosby

LAW SCHOOL

The Gra

The Loyola Law School Center For Conflict Resolution

IS THERE SOMEONE WHO IS DIFFICULT FOR YOU TO TALK TO?

Does what they say upset you?

Does it upset you to talk to them?

Do you get upset with — yourself —
about it?

Would you like to talk about your communication?

Why don't you go see Professor Hobbs?

He might be able to help with your communication.

His office is Casassa 105.
His telephone number is
(213) 736-1083.

1L QUESTION OF THE MONTH

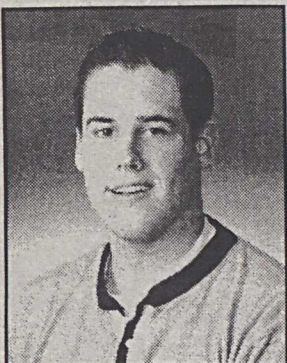
If you could be with
anyone on Valentine's
Day, who would it be?

Will Miller

"Monica Lewinsky"



Dan McCarey
"Hillary Clinton to
see if she's really
heterosexual!"



Elizabeth Sailnas
"Ralph Fiennes
(from the English
Patient)"



Alison Latham
"My favorite
professor."

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Professors Discuss Clinton's Trial;

By Timothy R. Pena

"Welcome to the Grand Illusion,
Come on in and see what's happenin'
Pay the price, get your tickets for the show..."
-Styx

These words are surprisingly prophetic, given the spectacle going on in Washington these days -- somebody is putting on a show out there. Whether by occasional glances at the evening news, or die-hard dedication to C-SPAN, the whole world is watching the impeachment and removal trial of President William Jefferson Clinton.

Yet, this begs the question of exactly **who** is putting on the show -- this Grand Illusion. Is it the Republicans, making much ado about nothing, or is it the Democrats and the President himself, dodging constitutional process? Is the process constitutional at all?

Almost everyone has some opinion about the current proceedings. People are choosing sides, battle lines are being drawn. Currently, the President appears to be a lap ahead of his prosecutors. His job performance rating, continuously on the rise, and there is an almost universally held belief that he will be giving his farewell address sometime in January, 2001.

Drafted by the Constitution's Framers, the events which make up this Grand Illusion have seen the light of day only twice in the last since that time. To delve into the constitutionality of the impeachment and trial of President Clinton, The Loyola Reporter solicited the opinions of several professors of the subject via written questionnaire and personal interview. Professors William Araiza, David Burcham, Karl Manheim and Christopher May responded in writing; Lawrence Solum was interviewed in person, and their responses lie herein. In addition, Professors Manheim and Solum discussed the course they are co-teaching this semester. The course deals generally with the topic at hand, in addition to specifically addressing the Clinton matter. In their responses, the professors provided insight, humor and experience to these current events.

PART I - THE IMPEACHMENT AND TRIAL PROCESS

QUESTION: What is your overall impression of the process thus far?

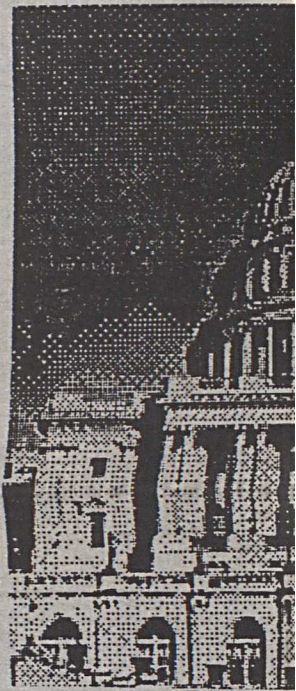
ARAIZA: In a sense, I believe the process has been proceeding the way the framers probably envisaged. They clearly thought this would be a highly political process, with strong passions on both sides, and clearly we've seen that. On the other hand, presidential impeachment is a tool that goes beyond mere politics, since it involves undoing the results of an election, and so I am disturbed by the thought that the pro-impeachment forces are using impeachment as nothing but another political tool. But if the Republicans believe in good faith that the President's misconduct requires removal and undoing of the '92 and '96 elections, they certainly should proceed, although one would hope they would pay more attention to the public's clear verdict that what he did, did not warrant impeachment.

BURCHAM: My impression is that the process is infected with too much partisanship. Obviously, the President cannot be removed unless there is considerable bipartisan agreement that he committed impeachable offenses. Such agreement has been lacking ever since the Independent Counsel referred charges to the House.

MANHEIM: The impeachment process thus far raises serious constitutional problems. This is especially true of the actions by the House of Representatives in (1) delegating core investigative duties to the independent counsel (Kenneth Starr); (2) reporting out Articles of Impeachment by a lame duck congress, which were not to be acted upon until after adjournment; (3) writing Articles that were either vague (Article I) or compound (Article II); and (4) failing to call fact witnesses during the House proceedings, but insisting on witnesses during the Senate trial. The Senate proceedings have been more regular and consistent with precedent. Yet, there remains a significant question of legitimacy with a process that holds key deliberations and votes behind closed doors, and produces results almost strictly along party lines. Questions of legitimacy are compounded by a lengthy and disruptive process where the outcome is nearly foreordained.

MAY: Unfavorable. As with the impeachment of Andrew Johnson, this has been almost entirely politically driven for purposes of perceived partisan advantage, rather than out of concern for what is in the best interests of the constitutional structure or the nation's well being.

SOLUM: My view, from the constitutional point of view, is that the normal procedure ought to be as it is always been. Once the House of Representatives has impeached



On hearing it said that they were drinking too much, the Justices of the Supreme Court decided they would henceforth drink nothing on their weekly constitutional conferences. Justice Story replied, "Mr. Chief Justice, I have very carefully examined this case, and I have to give it my own opinion." Justice Marshall replied, "Justice Story, I think that is the shallowest and most illogical opinion have ever heard you deliver, you forget the

COMMUNITY

and Illusion:

Seminar On Impeachment in Progress

an official, the Senate should be obligated to conduct a fair trial, absent extraordinary circumstances. So the first thing that would hit me about this trial is that it's not a trial. The Senate is not living up to its constitutional duty. Now, no one can force them to do that, but it looks on the surface like they're not.

Why aren't they doing their constitutional duty? A good reason would be that the Senate reaches the judgment that the House of Representatives has abused their constitutional authority and impeached a president for actions where there is no reasonable argument that these are high crimes and misdemeanors. And if that's what the Senate thinks, then it seems to me that the Senate ought to dismiss the charges at the threshold level. If that's not what they think, then I think they've got to give both sides the opportunity to do reasonable discovery, which would be deposing all of the salient witnesses and then conduct a full trial and hear the witnesses on the merits.

So I would say that they're doing the one thing that doesn't live up to their constitutional duty, and they're doing it because it's a political compromise. They're trying on the one hand to say the House of Representatives did do its job - we're not telling the House of Representatives that they've abused their constitutional authority. On the other hand, they're saying, but...there aren't serious enough charges to warrant a real trial. That's a breach of their constitutional duty when they're behaving in a way where there's just no interpretation that could square this with the constitution.

QUESTION: Do you feel the process has been entirely politically motivated, or do you believe that there is a sense of duty to let the process run its course?

ARAIZA: Obviously this is a question to which I have no answer, since it turns on what's going on inside the hearts and minds of the pro-impeachment Representatives and Senators. But I get the impression that, at least in the Senate, there's an awareness of the precedent being set. This may be part of some Senators' inclination to hear at least some witnesses. The House process seemed much less thoughtful and much more result-oriented.

BURCHAM: See question #1.

MANHEIM: Politically motivated. That is not to deny that many in Congress appreciate the delicate and historic task before them.

MAY: See question #1.

SOLUM: It's not that simple. First of all, it's entirely political. It's the House of Representatives and the Senate. They're political bodies - everything they do is politics. But, the question assumes that politics is one thing and constitutional duty is another, but that's not necessarily the case. You can be political and still have the interests of the nation and your constitutional duty in mind. That's actually the core meaning of political...where politics comes from. Has it been partisan? Obviously, it's been partisan all along. There have only been a few moments of bipartisanship, and I think that reflects the fact that the stakes are so high, and there's such lack of trust on both sides. I think if you were a Republican in the House, you would think that the Democrats had behaved in an abysmally partisan manner. I think that if you were a Democrat in the House, you would think the same thing of the Republicans. Neither side can step back and look at things objectively.

QUESTION: Do you think the Senate has acted or behaved better than the House?

SOLUM: No. They've both behaved pretty badly. I think the House made a grievous constitutional error by adopting the Starr Report. I don't think it was constitutional for the independent counsel to participate in the impeachment process; and, even if it was constitutional, it was very unwise. If the House wanted to pursue this, they should have called the witnesses, and we're seeing what happens when they don't now. They don't know their own witnesses, even though they're the prosecutors...it's just absurd. The House completely fell down on its constitutional duty. They either had to have the political courage to put Monica Lewinsky in front

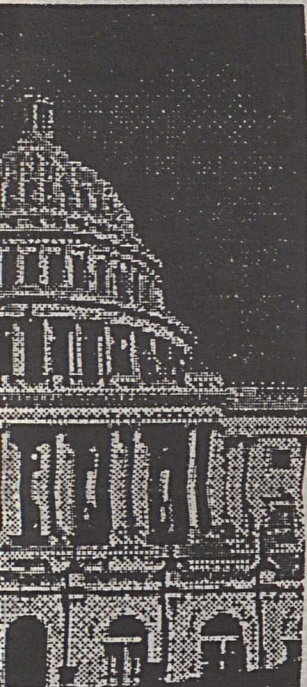
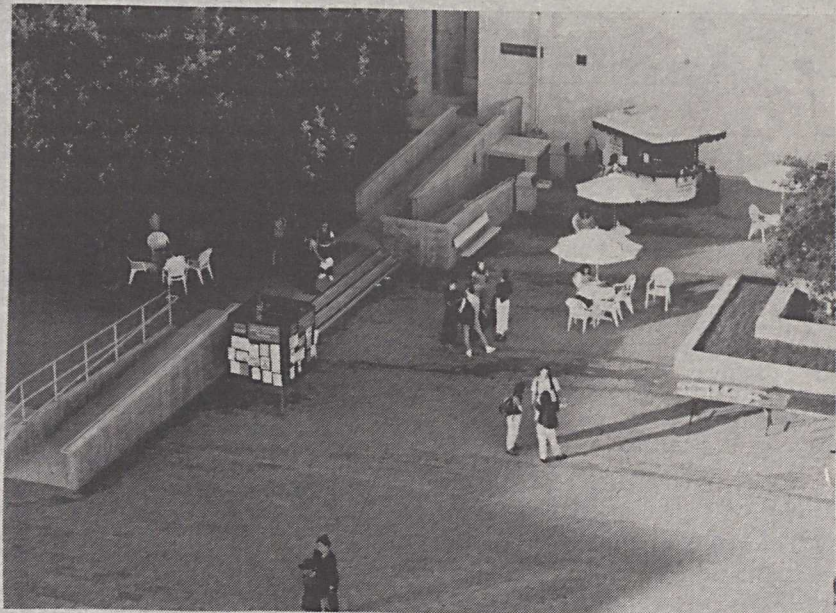
of the House Judiciary Committee or they should have dropped it. What they did, allowing a secret, one sided proceeding to develop the factual record was completely unwise. The Senate's doing an even worse job. They are choosing a course that just can't possibly be in good faith. It stinks. It can't possibly make constitutional sense to conduct an impeachment trial based on a record that consists of the depositions of three witnesses.

QUESTION: What is your prediction of the trial's process and outcome? Who do you think are, or will be, the 'heroes' and 'villains' of the trial?

ARAIZA: It looks at this point like there will be some witnesses called in a relatively quick process, to be followed mainly by a party-line vote on the conviction question (though I suspect a few Republicans will cross over and vote with the Democrats). As the history of this process has shown, however, predictions really aren't worth the time to make them.

CONTINUED: page 10

AROUND CAMPUS



...ation day unless it was raining. The following consultation day Justice John Marshall asked Justice Story to go to the window and see if there was any sign of rain. ...as my opinion that there is not the slightest sign of rain." Not content with the assessment of the situation ...at our jurisdiction is as broad as the Republic, and by the laws of nature it must be raining some place in our jurisdiction. Waiter, bring on the rum!"

A R T S & E N T

Book Review

By Joel Epstein

The Guide to Getting It On!

Published by the Goofy Foot Press

Are law students briefed on how to Get It On?

"The Guide to Getting It On" is one of the most informative books on sex ever published. The Guide is much more than just a 'how to' or 'what to do' book, it is a reference book that reads like a thrilling novel you can't put down.

I was very hesitant to write this book review when first asked. For starters, the book is 668 pages long. Law students have enough reading to do as it is, and I didn't want to add to my workload. Also, I hesitated because I wasn't sure I could write an article about a sex book without being branded a pervert. I had enough trouble just carrying the book out in public, much less announcing to the world that I read the book cover to cover...twice!! And finally, I thought this book wasn't going to tell me anything I didn't already know.

Boy, was I wrong! Reading The Guide provided some of the most entertaining times I've had in years, and it taught me more about the opposite sex than I'd imagined possible.

The first time I opened the book, I blushed reading the table of contents.

With chapters entitled "Hand Jobs," "Oral Sex: Vulvas and Honey Pots," or "Sex Fantasies," it's easy to figure out why. (Not to mention the very explicit illustrations contained in the book - whew!).

However, after reading a couple of chapters, I felt much more comfortable. I started to appreciate the importance of being open and communicative instead of shy or embarrassed about sex. Much of the book focuses on improving sexual relations between men and women. It informs the reader about preferences of the opposite sex and clears up a lot of common misconceptions. Yet, all of the information in The Guide could also be learned by being open and candid about sex with any male or female.

The Guide does not contain any secrets, it talks about sex in a fun, informative, and mature manner which makes learning comfortable, easy and entertaining.

Overall, I highly recommend this book for both men and women. Don't just take my word for it, get yourself a copy, read it with your favorite guy or gal, and Get It On!

Movie Review

By Joel Epstein

A Civil Action

Starring John Travolta and Robert Duvall

The verdict is in and the critics find in favor of Travolta's courtroom drama. If the past four years of courtroom inundation set off by the OJ fiasco, Judge Judy, and Lewinsky-gate has turned you legal-minded kids off from the judge and gavel drama, A Civil Action redeems the genre. With superb acting by Duvall and Travolta, the film reminds you of the excitement and tension available when a judge presides.

The film opens with Jan Schlitman (Travolta) wheeling in a paraplegic kid for a case against an insurance company. This opening scene is sprinkled with montage shots reflecting Schlitman's appetite for fast cars, attractive woman, and fancy clothes. His character is self interested and feeds like a vulture on the misfortune of others. Robert Duvall is superbly cast for the role of the shrewd yet quirky partner of a major firm representing the likes of Beatrice foods, a multi-national conglomerate with a factory in a small town near Boston.

Their paths cross when Travolta is turned on to a case against Beatrice foods (in which eight children have died for mysterious reasons) because of its potential payoff.

Sight of the payoff disappears as Schlitman's unswerving maniacal obsession with the case brings him close to bankruptcy. In one of the most poignant moments of the film, his financial advisor pays for their hotel bill with a credit card pulled from a stack of 200 cards. He states "...credit cards, America's last pyramid scheme." Travolta bets the entire farm on the possibility that money may be made.

Although casting Travolta as the shrewd ambulance chaser is perfect, his limited emotional vocabulary makes it difficult to convince the audience of his emotional progression. In several close-ups, which show a pensive Travolta wrestling with his need to do what's right for the small town versus his desire for personal gain, you can't help but think of his slick characters from Broken Arrow and Get Shorty. His characters are often smooth and collected. His contemplative face looks more like a smirk than deep introspection.

Despite these acting deficiencies, the power of the story and supporting cast make A Civil Action a refreshing drama worth watching.

Music Review

Sugar Ray 14:59

Sifting through Sunday's Calendar section I was surprised to discover the article prominently displayed in the "Pop Music" section. It was a report card styled review of the latest rap acts. That's right. Rap acts in the "Pop Music" section.

The influence of Hip-hop and rap is everywhere. Sugar Ray's sophomore effort is no exception to Hip Hop's ubiquitous presence. Although the first released single, "Everyday", sounds more like Malo's "Mamacita" the rest of the CD explores 80's new wave, hip hop, and even touts a track featuring KRS-1.

Lacing a rock band with rappers and looped beats is not a new occurrence. But for a band who's freshmen effort contained an edgy rock sound, this new sound demonstrates a serious coup. Notwithstanding, the opening track fools you with a heavy metal, grinding clip. You brace yourself for a flashback a-la Metalica at their hardest. What follows is a

mellow, catchy tune on the pain and vulnerability inflicted by a two timing woman. Several of the other tracks reek of 80's new wave pop. You can almost see Oingo Boingo stamped on the production. This obsession is confirmed with a cover of "Abracadabra". If you enjoyed the soft harmonious melody of "Every Morning" then you'll enjoy "Someday". A catchy tune with a sensitivity for the ending of old relationships and the beginning of new.

For a record that pays homage to everyone of its influences, you'd think the album would be scattered and fragmented. Fortunately, for Sugar Ray, they pull it off marvelously. For the Gen-X'er with Thompson Twins and Wham cassettes stashed in the attic and a shelf filled with WuTang and Nirvana, Sugar Ray offers an eclectic mix of sounds that appeals to our equally eclectic tastes.

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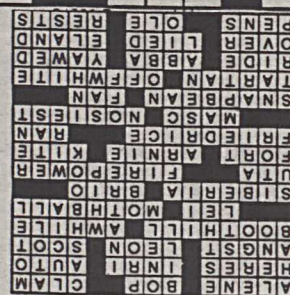
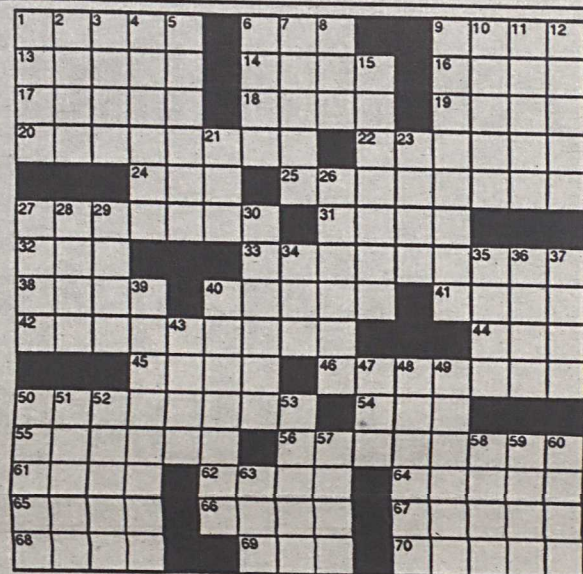
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| ACROSS | 40 Corbin's role | DOWN | 29 Adriatic seaport |
| 1 Coeur d' Idaho | 41 Franklin flew one | 1 <i>Moby Dick</i> captain | 30 Chad's location |
| 6 Jazz style | 42 Donna's inebriated brother? | 2 Lead-in to Letterman | 34 Small-business magazine |
| 9 Simoleon | 44 Participated in a 10K | 3 Sylogist's word | 35 Paladin's first name? |
| 13 "___ mud in your eye!" | 45 Not fem. | 4 Chocolate giant | 36 Greek H's |
| 14 Crucifix inscription | 46 Most like a yenta | 5 Wet Williams feature | 37 Tom |
| 16 Riley or Morris | 50 Orson's quick-tempered brother? | 6 Platypus | 39 Satan, et al. |
| 17 Anxiety | 54 Bleacherite | 7 <i>Nightmare</i> Street | 40 Collection of arms |
| 18 Former boxing champ Spinks | 55 Kilt material | 8 ___ bono (free) | 43 "The Abe Honeymoon" |
| 19 55-Across wearer | 56 Vanna's eccentric brother? | 9 Record of monetary transactions | 47 Rub out |
| 20 Benny's soccer-playing brother? | 61 Astronaut Sally | 10 Saint (Windward Islands nation) | 48 Finn's friend |
| 22 For a bit | 62 "Fernando" singers | 11 Bikini, for one | 49 Get a lungful |
| 24 Kauai keepsake | 64 Deviated, at sea | 12 Tryst locale | 50 Barber's sharpener |
| 25 Lucille's flying brother? | 65 "___ my dead body!" | 15 "___ sitting K-I-S-S-I-N-G" | 51 Unsophisticated |
| 27 Onetime place of exile | 66 Spoke with forked tongue | 21 Sequel-to-a-sequel designation | 52 Eve of <i>Our Miss Brooks</i> |
| 31 Con ___ (with vigor) | 67 African antelope | 23 Senate figure | 53 Dynamite guy? |
| 32 Hagen of the stage | 68 Hoosergows | 26 ___ potatoes (home fries) | 57 Bleach out |
| 33 Tyrone's pyromaniac brother? | 69 ___ Miss | 27 Dictionary abbr. | 58 ___ a Teenage Werewolf |
| 38 Apache, for one | 70 Enjoys a vacation | 28 "Take ___ leave it" | 59 Campground sight |
| | | | 60 Teachers' degs. |
| | | | 63 Short life |



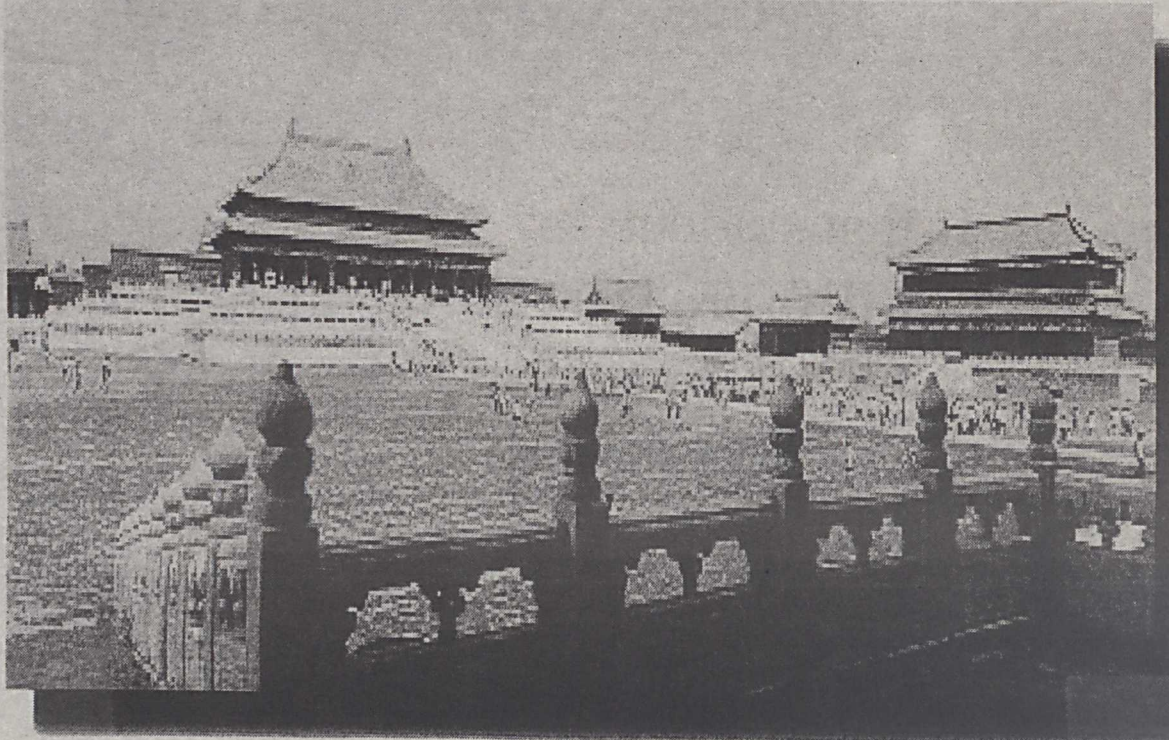
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IMPEACHMENT: from pg. 7 straight partisan vote. I would-

BURCHAM: I subscribe to the conventional wisdom that the President will be acquitted by the Senate.

MANHEIM: My prediction is that whatever verdict is reached, the Congress will be diminished for decades, as it was after the Johnson impeachment trial. This is particularly true because President Clinton has successfully created the public perception that he is competently running the country while Congress is entangled in shenanigans. Perhaps Congress is irrelevant.

MAY: The process has proved to this point to be highly unpredictable. While the safe money is on acquittal by the Senate, almost anything remains possible.

SOLUM: I think that Clinton will be acquitted, and it looks to me like he will be acquitted on something close to a

n't be surprised to see it move a little bit one way or the other. I'd be very surprised if there were less than 45 votes for impeachment; and I would be flabbergasted if there were 67 votes for conviction. There are no heroes for me. No one who has acted well. The President obviously is not a hero here; the President's lawyers have not been heroes. To me, the President's lawyers haven't been great lawyers. I don't think they've served the President well. Clinton should never have been allowed to testify in the Jones deposition; a default was the obvious way out. His lawyers didn't even inform him of the option to default. It would have avoided the whole constitutional crisis. He didn't have to testify in front of the grand jury, and he shouldn't have been allowed to testify in front of the grand jury. The quality of the lawyering for the president has been amazingly poor.

I think that Ken Starr has done an abysmal job - this never should have been revved up. It was completely inappropriate for him to ask for the referral on Lewinsky. The House of Representatives screwed up -- it was completely inappropriate for them to rely on Starr. I think that House managers in appearing before the Senate have done an extremely poor job of presenting their case - they have been far too emotionally involved...too strident...too angry...too defensive, and lately, they have actually been whining. It was a good thing that the Senate reached some sort of bipartisan agreement; but the agreement that they reached was really an agreement just to postpone the hard decisions. Now that we're at the hard decisions, except for Russ Feingold, everyone is in partisan mode. It has not been a process with heroes, as opposed to Watergate, where I think there were heroes on both sides.

QUESTION: Is it too late for a deal?

SOLUM: I'd say no. If it's not too late, a deal is very unlikely. I think that the Republicans are still going to have big incentives for a graceful exit strategy after the depositions are completed. At that point, they're going to have to decide whether they want to have a straight up or down vote. It's conceivable to be that there will be some acceptable compromise that will avoid that straight up or down vote. Things are pretty rigid now, so wouldn't be terribly optimistic.

QUESTION: If witnesses are called, which do you think are the most crucial, and what, if anything might they add to the proceedings?

ARAIZA: I haven't followed the detailed facts enough to comment on this question.

BURCHAM: Based on the extensive record developed by the Independent Counsel, and based on the scope of the two articles of impeachment, I do not believe that witnesses should have been called.

MANHEIM: The Republican House managers have listed three witnesses - (Monica) Lewinsky, (Vernon) Jordan, and (Sidney) Blumenthal. I think their testimony is likely to be dry and add little to the public record. The more interesting question is which witnesses the White House will call. They could surprise us all by naming only one witness - Kenneth Starr. He did poorly in his appearance before the House Judiciary Committee. His testimony before the Senate would drive home again that this has been a politically motivated investigation from the start. It would hurt the Republicans even more than they've hurt themselves so far.

SOLUM: We'll see them live...it's the reason we always have witnesses rather on relying on deposition transcripts. The Democratic argument that the witnesses won't add anything is an argument that would be made in almost every civil case. In almost every civil case, the deposition testimony is far more extensive than is the trial testimony. We depose people for

two or three days...we put them on the stand for two or three hours. It's a ludicrous argument.

QUESTION: Do you think other options, such as censure, should have been utilized?

ARAIZA: It seems to me that censure is a perfectly appropriate procedure, as long as it doesn't involve a fine. Beyond the fact that a fine would presumably violate the Bill of Attainder Clause, it trivializes the misconduct by indicating that it can be fixed by paying a fine. A strong statement from both Houses of Congress that the President's conduct demeaned the office and hurt the country would, it seems to me, send a stronger signal than the party-line divided process we've seen up to now.

BURCHAM: I would have supported a censure motion in the House.

MANHEIM: Yes, I believe it's fully constitutional.

MAY: Yes.

SOLUM: I think censure is unconstitutional. I think that the charges never should have been brought...never should have been investigated by the independent counsel...never should have been referred...the referral never should have been taken up. Given that the referral was taken up, and that the House of Representatives voted it, then the constitutional course is to acquit the president; that's what should happen now. The Constitution specifies the process by which Congress can deal with the President, and that process is impeachment. There's no other process. If censure is viewed as a punishment, then it is a Bill of Attainder, a retroactive punishment enacted by the legislative branch. The Bill of Attainder clause in the Constitution specifies that you can't do that. Now, even if it is unconstitutional, that doesn't mean that a court would strike it down. It's up to the House and Senate to comply with the Bill of Attainder Clause if the only punishment they impose is censure. But, it's still unconstitutional and it would be wrong for them to do it.

QUESTION: If the Lewinsky matter is not one for which the President should be removed from office, is it one over which he should/should not have resigned?

ARAIZA: My sense is that this conduct does not warrant the President's resignation, but this is something on which reasonable people could disagree.

BURCHAM: Under the circumstances as they have unfolded, I do not believe that the President's ability to discharge the duties of his office have been so compromised that he should have resigned.

MANHEIM: Last January, I thought Clinton should have resigned. Indeed, I predicted that President Gore would name Dianne Feinstein as Vice

CONTINUED: page 11

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Emerson

IMPEACHMENT: from pg. 11 President by February 1, 1998. But, I don't believe he can resign now, or it would seriously damage the presidency by validating a politically-based impeachment inquiry and process.

MAY: Definitely not.

SOLUM: I don't know whether Bill Clinton should have resigned, because I have no idea because I have no idea what the political implications of that would really have been. I just can't stand in his shoes. I don't know what it would mean for the nation for Al Gore to become President, what the loss to the nation would have been, what price we would have paid. Those are the relevant questions.

QUESTION: Who exactly is the "vast right wing conspiracy" anyway?

ARAIZA: If the "X-Files" has taught me one thing, it's never to comment on conspiracy theories.

BURCHAM: I don't know.

MANHEIM: I'm not at liberty to say.

SOLUM: Partisan rhetoric. I don't believe there was a vast right wing conspiracy. Ken Starr's an honorable man, although I think in this case he acted very unwisely. But I don't believe he was part of a conspiracy.

PART II - THE IMPEACHMENT SEMINAR

QUESTION: What prompted you to design the seminar on impeachment now in progress? What are your goals for the class?

MANHEIM: Seldom does a current event present the opportunity to explore basic constitutional issues as does this impeachment trial. Several fundamental questions are noted above. Beyond that, the Clinton impeachment raises issues of separation of powers, immunities, and judicial review. Ordinarily, these are dry topics divorced from every day experience. This is perhaps a once in a lifetime opportunity to study issues that formed the framework of our constitution in a relevant and exciting context.

SOLUM: We decided to do it very late. We were at the annual meeting of the Association of American Law Schools. We were at dinner Thursday night, the week before classes started. Professor Pond said we should really have a class on impeachment. Karl (Manheim) and I looked at each other and said, "yes, we should." Then Karl e-mailed Laurie (Levenson), and we just did it...very spontaneously. This is a wonderful opportunity to learn about the separation of powers, which is what this all about, in a very exciting context. From my point of view, I have a very selfish motive for doing the class. This gives me a chance to educate

myself about the great constitutional issue of our day. I'm not sure I'd do all the work if I wasn't teaching the class. It's a great course that could be taught without impeachment being in the news.

QUESTION: From what perspective will the course be taught? Will it be completely objective and observational or have each of you picked a side to present, teaching the course in a pro and con form?

MANHEIM: Our principal goal is to present and discuss the constitutional issues. We realize of course, that this cannot be done in a vacuum divorced from the political tensions created by this impeachment. We express our own views and the students have done likewise. The class is evenly split on the ultimate question of whether Clinton should be removed from office. For the most part, the questions raised have no "correct" answer. Every viewpoint is equally valuable, except for those that are wrong.

SOLUM: We're trying to get the students to express their points of view, and not to impose ours...trying to bring out all sides. We're really not focusing on the factual case against the Independent Counsel. It's a course about the constitutional law of impeachment...the primary focus of the class is really not on the current events, which are moving faster than we can keep up with them.

QUESTION: Where do the students' opinions fall?

SOLUM: It's very interesting. The first session, we took a vote, and it fell out 50/50; so, it's very divided...everything you've heard in the public debate, we've heard in class already.

QUESTION: How has the reaction been to the class?

MANHEIM: Great so far. The class has been the subject of AP and CNN stories.

SOLUM: We started out with around eleven, and it's up to 14 to 16. There are some students sitting in who aren't enrolled in the class. We would have opened it up, but students did not have a lot of notice by the time the class was available. It's a good size, and seems to be working well.

QUESTION: What will happen if the trial ends in the mid-

dle of the course, or is over when this issue of The Loyola Reporter goes to print?

MANHEIM: We've arranged with Henry Hyde to keep the impeachment trial going until mid-April. If he should renege on his promise, we'll continue to discuss issues relating to impeachment. There are more than enough to keep a seminar going for a full semester. Just to be on the safe side, we have it on good authority that Kenneth Starr has opened impeachment investigations of Alan Greenspan and Robert Rubin. Finally, he's going after the real power in the United States.

SOLUM: We really won't change anything we're doing. All the stuff we're doing about the current impeachment, we finish this week (1/27/99). After that, it's a timeless issue. The trial sure doesn't look like it's going to end tomorrow...

PART III - CONCLUSIONS?

The ultimate conclusion to

be drawn from this smattering of opinion, is that the impeachment process is flawed. And yes, the trial will end. Whether it ends tomorrow, election day 2000, or the day Loyola Law School puts a bar and pool hall on campus is anybody's guess.

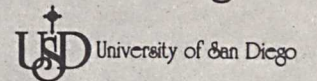
"The Framers knew that this was going to happen," Solum said. "The lesson here is if you can't get bipartisan support, then you probably shouldn't be proceeding forward even if you believe in your own case -- it's just not going to work."

Yet, the process goes on. The nation has been forced to struggle with its own perceptions of right and wrong, definitions of what is and is not sex, and where the line should be drawn between prosecution and persecution. As the nation searches its collective soul while the drama unfolds, the final words of that song by Styx come to mind once more:

*"And someday soon,
we stop to ponder
What on earth's this
spell we're under
Who made the grade,
and still we wonder
Who the hell we are..."*

SUMMER LAW STUDY

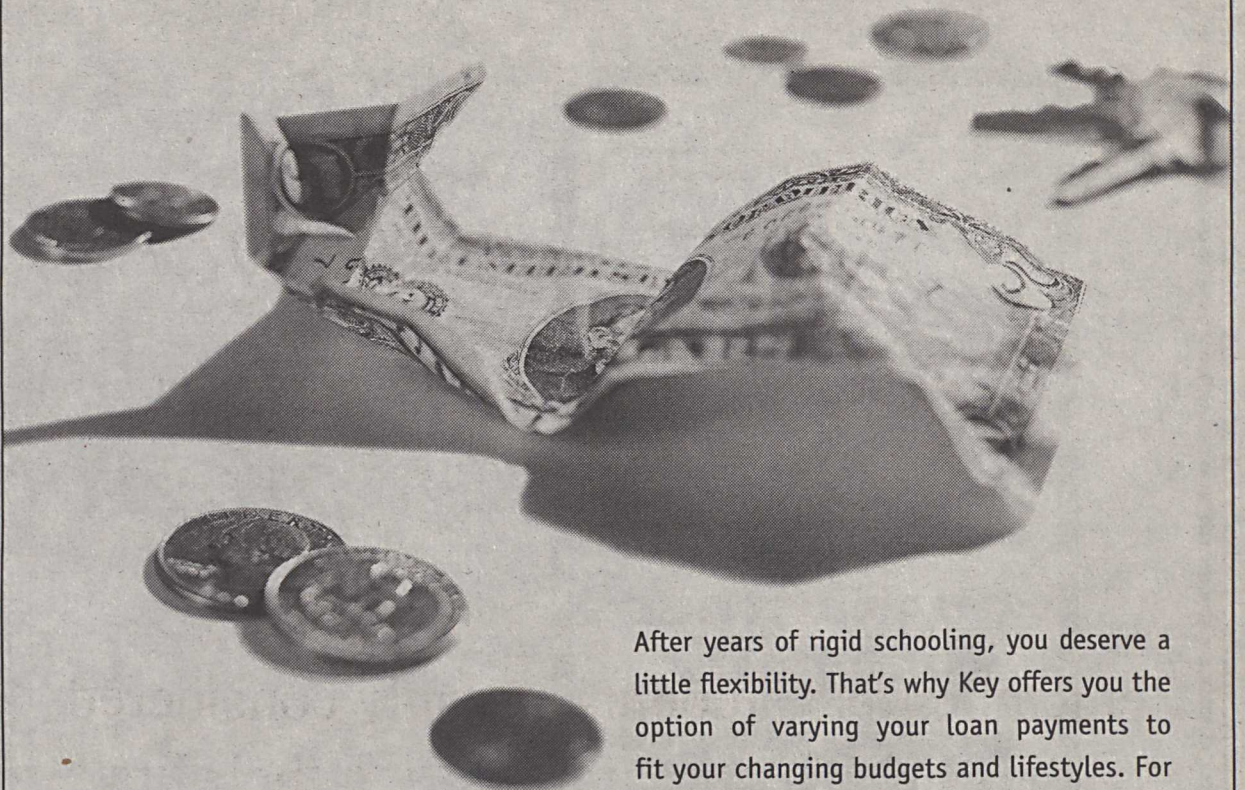
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*"Definition of Litigation: A machine which you go into as a pig and come out a sausage."
Proverb*

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