REVEREND JAMES LAWSON REMINDS US WHERE WE'VE BEEN...AND WHERE WE SHOULD BE

By Tina Calabro

James Lawson went down a path of nonviolent activism. While attending Baldwin-Wallace, a United Methodist school in Berea, Ohio, he discovered a world other than the white world described in American newspapers and radio. He found friends who believed, as he did, that nonviolent protest could be used to make a great difference in the United States.

James Lawson was running an errand for his mother. He passed by a parked car on his way home. A white child, standing in the back seat with the window down yelled, "Hey nigger!" James backed up, reached inside the car and slapped the kid as hard as he could. Feeling triumphant, James went home and told his mother of his victory over the child-racism. His mother replied, "What good did that do, Jimmy...? What harm could a little insult do with all the love that surrounds you? That insult was nothing, just ignorant words from an ignorant child who is gone from your life the moment it was said. That child is gone forever. You don't even know him."

From that moment on, Reverend James Lawson, close advisor to Dr. Martin Luther King, Jr., and cornerstone of the Civil Rights Movement, would never be the same. At that instant Lawson vowed never to hit anyone again if possible. His experience started

"Who Wants to be A Dean?"

An Interview with Associate Dean David Burcham, Candidate for Dean of Loyola Law School

Last Spring Dean Gerald McLaughlin announced that he would step down from his position as Dean of Loyola Law School at the end of the 1999-2000 academic school year. Dean McLaughlin's reason for stepping down is simple, he has served as Dean of Loyola for ten years and wants to return to teaching. Following Dean McLaughlin's announcement, a Dean Search Committee was formed to find candidates interested in becoming Loyola's new Dean. After reviewing numerous applications, the Dean Search Committee narrowed the field to four candidates.

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

Justice Benjamin Nathan Cardozo

I'm afraid we may be departing from the basics. This has never been more clear to me than when I went to make a few copies in the library copier room. There it was staring me in the face. The green monster. I'm sure these machines are older than the law itself. Sure it sounds petty. But think about it for a minute. I had just left the multi-million dollar computer lab in the multi-million dollar, you-don't-have-a-library-for-6-months, network-at-every-couch-space, look-at-the-neat-glass-copier room...machines are older than the law itself.

During my first year, I placed a lot of trust in Loyola. I placed my faith in the administration that they would continue Loyola's tradition of excellence. I also placed faith, too much faith, in the faculty. Unfortunately, that's where I went wrong.

Recently I learned through a confidential source that a Loyola professor wrote the most deplorable recommendations for the students who were in my introductory course. It seems that the professor has been less than forthright in his dealings with me or other students. He has failed to live up to the standards set by Loyola. It is my belief that the professor is not qualified to hold such a position.

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Editorial

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.

Dear Loyola Administration, Faculty, and Student Body:

Before the Professor Ides Civil Procedure debacle is swept completely under the rug, I would like to express a few thoughts and suggestions, and to air the general dissatisfaction / outrage shared by many of my fellow classmates.

If students are capable of obtaining old exams via the Internet or former students, shouldn't professors be capable of and responsible for anticipating this, and taking proactive measures? Furthermore, shouldn't Loyola have a policy requiring such a duty?

The following are two rather obvious measures to prevent the miscarriage of justice our class recently experienced:

1. Never give the same exam that it must be re-administered, at least sufficiently enough to make the students "whole." At the very least, prepare students for the exam, after the blood, sweat and tears we put into studying for it? More importantly, doesn't Loyola have a contractual duty to its students to ensure this?

2. If students are capable of obtaining old exams via the Internet or former students, shouldn't professors be capable of and responsible for anticipating this, and taking proactive measures? Furthermore, shouldn't Loyola have a policy requiring such a duty?

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DEAN: from page 1

Dean Burcham taught Constitutional Law I, Constitutional Law II, Ethical Lawyering, Legal Process, and the Supreme Court Seminar. Finally in April, 1999, Professor Burcham accepted his current position as Associate Dean of Academic Affairs.

Q: How is being the Dean of Academic Affairs?
A: It's challenging. I work a lot with faculty and students, and I enjoy both. Right now I'm working on improving the curriculum offered at Loyola. We'd like to offer more courses in areas of interest to students such as international business and Internet law. However, I also want to improve the bar passage rate, so we can't neglect the core courses.

Q: What would being the Dean of Loyola Law School entail?
A: Being the Dean is like being the CEO of a very loosely organized corporation. Loyola has lots of constituencies. As Dean you have to build consensus between students, faculty, alumni, IMU, and outside foundations. Trying to get these groups to agree on what direction to take the law school is a hard task. However, the core mission of Loyola is to educate students. As Dean you have to make sure you don't lose sight of the core mission.

Q: What personal characteristics make you a qualified candidate for Dean?
A: I work well with a wide variety of people. Being Dean requires working with diverse groups and individuals who sometimes have different interests. When these interests become divisive, a good Dean needs to be open-minded and possess good interpersonal skills.

Q: What changes would you like to implement at Loyola?
A: First off, I'd like to get an on-campus exercise room. (Laughs. Very popular answer.) I would also like to increase the law school's academic counseling function. I'd like to establish a program offering a sequence of courses based on different legal practice options. That way students who come in with a particular interest in mind can make the most of their tuition dollar. I would also like to increase Loyola's endowment. Right now 90% of the operating budget comes from tuition. Increasing the endowment will decrease the pressure to raise tuition.

Q: How would you increase alumni donations / fund raising?
A: The number one challenge is to keep alumni connected, physically involved with the law school. Most alumni have a natural affinity for Loyola. After all, law school represents a huge change in their lives. So it's important to have events such as networking opportunities and the Alumni Dinner. These events will increase the percentage of alumni involved, and also make it easier to ask for money.

DEAN CANDIDATE MEETINGS WITH STUDENTS

Dean Neil H. Cogan (Quinnipiac College of Law)

Feb. 7
12:00-12:30 p.m.
Group Meeting with Students (Student Lounge)
4:45-5:30 p.m.
Group Meeting with Students (Student Lounge)

Feb. 8
7:45-8:30 a.m.
Breakfast with Student Representatives (PH 128)

Professor Linda Mullenix (University of Texas School of Law)

Feb. 10
12:00-12:30 p.m.
Group Meeting with Students (Student Lounge)
4:45-5:30 p.m.
Group Meeting with Students (Student Lounge)

Feb. 11
7:45-8:30 a.m.
Breakfast with Student Representatives (PH 128)

Professor and Associate Dean David Burcham (Loyola Law School)

Feb. 15
12:00-12:30 p.m.
Group Meeting with Students (Student Lounge)
4:45-5:30 p.m.
Group Meeting with Students (Student Lounge)

Feb. 16
7:45-8:30 a.m.
Breakfast with Student Representatives (PH 128)

Professor Antonio Sedillo Lopez (University of New Mexico School of Law)

Feb. 22
12:00-12:30 p.m.
Group Meeting with Students (Student Lounge)
4:45-5:30 p.m.
Group Meeting with Students (Student Lounge)

Feb. 23
5:15-6:00 p.m.
Reception with Student Representatives (PH 128)

"A community is infinitely more brutalized by the habitual employment of punishment than . . . by the occasional occurrence of truncheons."

Wilde
PROFESSOR PROFILE: GARY WILLIAMS
By Yalda Yousefi

Prof. Williams graduated from UCLA with a B.A. in History and attended law school at Stanford. Upon entering his office for the first time, I was overwhelmed by the jazz memorabilia surrounding me. His love for jazz intrigued me, and as our conversation progressed, I was touched by his passion for public interest law.

Q: Why did you decide to go to law school?
A: Actually, a history teacher got me interested. I was a history major at UCLA and sort of got into it. I thought I wanted to teach history. I worked with him a lot and at some point he said, I don't think you're going to be a history teacher, because I was involved in all sorts of things at the campus. He said, you're too active! You should think about being a lawyer. That started it. Then we talked about different things that lawyers do, and I got excited about doing public interest law, and that's when I decided to go to law school.

Q: When you got to law school, what were your long term goals?
A: One of the first things that I got into was to help farm workers get rights to organize at the Agricultural Labor Relations Board. I helped people in a variety of situations at the ACLU; I always felt good about what I was doing, even if I lost. I felt bad about losing, but I knew that I had tried to do what I felt was the right thing. So in my legal career, when I was in practice, I always felt good about what I was doing. That was the best thing about it. Even now when I'm teaching, I always talk about doing public interest law and using the law in a proper way. I feel like I'm still doing that, but in a different context.

Q: What's the best part about being a lawyer?
A: The ability to help other people. I really loved what I did at both places because I helped farm workers get rights to organize at the Agricultural Labor Relations Board, and I helped people in a variety of situations at the ACLU; I always felt good about what I was doing, even if I lost. I felt bad about losing, but I knew that I had tried to do what I felt was the right thing. So in my legal career, when I was in practice, I always felt good about what I was doing. That was the best thing about it. Even now when I'm teaching, I always talk about doing public interest law and using the law in a proper way. I feel like I'm still doing that, but in a different context.

Q: What do you think is the worst part about being a lawyer?
A: (A long hesitation) Um, in practice a lot of it is simply bad work or grunt work and discovery. A lot of it is detailed and can be boring. It's necessary, and to be a good lawyer you need to do that work; but it's not fun. Fun is doing a trial or making a big deal, but the stuff that comes between, I guess, is the hard part. Teaching, no question, is great.

Q: How do you describe your teaching style?
A: Quasi-Socratic. I like to have students participate; I feel better if they're talking to me, so I try to make a real effort to call on people and get them engaged. Hopefully, it's not too-for a lack of a better word - too mean. But, I don't know how my students feel about that.

Q: What are you currently teaching?
A: Ethical Lawyering, and I'm supervising students who took the Civil Rights Litigation class that I teach with Professor Masshe. I have 17 students working at public interest law organizations in Southern California.

Q: Is Public Interest Law your favorite class to teach?
A: Absolutely. Yeah. I like all of my classes. I like teaching Ethical Lawyering and Evidence, but this is definitely my favorite, and it's exciting. It's very new. We tried it for the first time last semester, and the things we were able to do and talk about in class were fabulous. We were able to bring in a lot of practicing lawyers to talk to the class. We created problems for in-class exercises and exams based on situations that were in the news - it was great. You can tell people they ought to take the class next year.

Q: What's the most memorable experience you've had in your legal profession?
A: I represented an African American family trying to adopt their white foster child. It was the most memorable, the most painful, because we lost, yet the most satisfying because my clients are still friends of mine. It is probably about 15, 16 years later and I am still close to their family. In terms of what I was saying about a lawyer's ability to help, that was the ultimate. They had kept the child for about a year and a half when the government tried to take the child away from them. They were really in love with the child, and attached, so on a human level, on every level, that was my most memorable experience with the law.

Q: If you could meet anyone who has been the most influential persons in your legal career?
A: Thurgood Marshall, because of what he accomplished on so many levels, and he's still the most celebrated jazz musician in terms of all of his accomplishments. He certainly shaped music for many, many years.

Q: Who has been the most influential persons in your legal career?
A: Professor Gould both because of what I told you and because he reinforced everything I thought about lawyers and public interest law. He was teaching at Stanford, and while he was teaching he was doing pro bono cases on his own, which is really hard. That's what I did for him as a research assistant and that really inspired me. At that point he could have done legal research and writing and would have been perfectly successful, but he did something that was part of who he was.

Q: What's the most memorable experience you've had in your legal profession?
A: I know you helped organize the Martin Luther King, Jr. Celebration on campus; how did you become involved in that event?
A: Professor Pillsbury and Professor Lawrence asked me to help work on that effort, and of course I was honored and pleased that it went well. One of the reasons I like working at Loyola is that it has a strong public interest emphasis, so the things that I think are really important about the law are part of the curriculum, and part of the life at the law school. And to me the school's participation in support of that event really reaffirms that part of my job.

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By now we are all aware that some students experienced difficulty taking Fall exams on their laptop computers. Numerous stories flooded our e-mail addresses as students began airing their concerns through the student-wide mails and began responding to them with exaggerated claims, legal analysis, insults, and students threatening to “fight for those whose rights were violated.” Obviously, a large portion of the information disseminated was unreliable and completely lacked any factual basis. It is time to set the record straight so students can make an informed opinion about laptop examinations, instead of judging it based on rumors and e-mails.

Contrary to the rumors, no student lost an entire examination taken on their computer. Furthermore, no student received a failing grade due to problems with the software. This is not to say that the process went over without a hitch; there were some minor problems, but none as serious as we may have been led to believe.

The computer exam process began early last Fall when representatives from Loyola’s Office of the Registrar spoke to classes eligible to participate in the program. At this time, they notified students that in order to take laptop exams, students would have to sign up in the Registrar’s Office, download the required software from the vendor’s website, and pay a $5.00 fee. They also distributed handouts detailing the proper procedure and offering some warnings. They warned students against participating in the program if they were not familiar with computer hardware, were unfamiliar with basic software applications, or did not have a reliable computer.

ExamSoft was Loyola’s software vendor. They have a website describing the four steps a student must take to successfully download their software. The first step is registration, where the student inputs their personal information, including their e-mail address. The next step requires the student to allow the ExamSoft computer to perform a system check on their laptop to ensure that the software will function properly when downloaded. At this point if the student did not already have Internet Explorer 4 installed on their laptop, they would have to download it. This was necessary because the Windows operating system is not complete without Internet Explorer 4, and because the system clock is done in an Internet Explorer based program. The third step requires the student to actually download the software. The fourth step requires the student to take a practice exam. The purpose of this five-minute practice exam is to allow the students to familiarize themselves with the software before actually taking an examination.

When a problem arose in the downloading process, the minor glitch was that a small number of students either did not know how to download and install computer software from the Internet, or their laptops did not have Internet access. This is not much of a problem because students either received help from other students or from the library computer center and successfully completed the download.

The more significant issue was that some students did not enter their e-mail address correctly when registering for the software. This surfaced as a problem about three weeks before Fall exams when ExamSoft discovered a potential bug in their software. Rather than make students re-download the software, ExamSoft e-mailed registered students an attachment containing the cure for the bug. But because some students had not entered their e-mail address accurately, they consequently did not receive the e-mail, and thus did not receive the cure.

Learning of the situation, ExamSoft provided Loyola with a “patch” disk, which also contained the software, they gave registered students prior to their exams. Additionally, the Registrar’s Office held two sessions, conducted by the ExamSoft founder, to assist students with the software. These sessions were scarcely attended.

Safety measures were also in place in the event a problem should arise during an exam. The most important ExamSoft safety feature is one that automatically saves a file if the student’s examination on the hard drive if their laptop locks up, power is lost, or they fail to save their exam on disk. In addition, bluebooks were made available in each testing room as a back-up. If a student encountered a problem, they could simply begin writing in a bluebook. What had been typed could be recovered later so that the student would not lose time writing what they had already typed.

The first day of exams was full of delays. Before each exam was given, each student had to copy the files from the “patch” disk onto their computer to ensure that everyone had eliminated the potential bug. This process took longer than expected because some students did not know how to copy the files or experienced difficulty doing so. After this process, which in some cases required 4 minutes delays, the exams were administered. At the end of the day, five students were unable to save their exam to their Virtual Bluebook Diskette, one student’s computer malfunctioned, and three students lost some text. Of these three students, two were unable to recover it. The other recovered the material from the hard drive backup file. Not one student, however, lost an entire examination.

Subsequent to the problems experienced on the first day, representatives of the Registrar’s Office made an announcement before every exam explaining what had occurred so students could decide if they still wanted to use the software. Naturally, some students decided not to, and wrote their exams instead. Only three more problems were reported when students’ computers froze while taking their exam.

Approximately 390 exams were taken using the ExamSoft software. Approximately 12 of these exams experienced some type of problem. In all but two cases, the Office of the Registrar was able to remedy the situation and prevent permanent loss of exam text. The two students who did lose portions of their exam had utilized the “cut and paste” feature of the software and were, unfortunately, unable to paste the text back after they had cut it.

Many other law schools have also used the ExamSoft software. ExamSoft shipped approximately 35,000 Virtual Bluebook Diskettes. While ExamSoft will not release a list of its customers, if a student goes to their website to register as a new user, he/she is given a short list of schools from which to select. Among those listed are: USC, Harvard, Santa Clara, Pepperdine, Whittier, UC Hastings, Wake Forest and Hofstra.

Loyola Law School has met with the president of ExamSoft to discuss the problems we experienced. ExamSoft has assured us that it is addressing the problems and will have a new version available later this semester. It is Loyola’s intent to continue using ExamSoft for the Spring 2000 examination period. But until the administration is confident that the software is working properly, they will reduce the number of classes eligible to use ExamSoft.

On February 4, 2000 there will be a meeting in which the faculty will receive a report of Loyola’s experience with ExamSoft.

Additionally, Associate Dean David Burcham is meeting with a committee of students on February 9, 2000 to address student concerns regarding the software.
DEAN: from page 3

In closing, Reverend Lawson left us inspired and pensive. In order to understand the Movement, we must see King as a prophet—he jested when clarifying that he did not mean "profit" but "prophet." In order to keep the work and message of King alive, we must talk about the Movement, we must see the fight to save the Ballona Wetlands, ELS sponsored panel discussion on land use, planning, and environmental justice, and Earth Day 2000—Get Involved!

For information, call (312) 988-5724, or visit: www.abanet.org/environ/home.html

DEAN: from page 4

Professor Bill Hobbs teaches a trial advocacy class which is a prerequisite to participation in a District Attorney's Clinic. Because of the limited number of placements in the DA's Office, interviews will be necessary for admittance to this class. Students may sign up for interviews for the FALL class of 2000 from Tuesday, January 18th through Monday, February 14, 2000. Sign-ups for interviews are not on a first-come, first-served basis. All students who sign up will be eligible for the lottery, if a lottery is necessary.

Dear Students,

Please see the board outside of Faculty Support (Burns 320) for additional information. If you have questions, please see Bridget in Faculty Support.

--

Jerry Seinfeld
DON'T LET LAW SCHOOL DRIVE YOU CRAZY!

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- Learn to Write Two Exams for Critique
- Learn How to Develop Successful Legal Arguments
- Learn the Relationship Between the Casebook and Legal Exams
- Learn How to Get the Most Out of Class and Study Time
- Learn How to Properly Write
- Learn the Difference Between the A,B and C Essay
- Learn Comprehensive Outlining/Organizational Strategies
- Learn In-Depth Issue Spotting Methods
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SCHEDULE OF SEMINARS

SAN DIEGO
- Saturday, February 19, 2000: Noon-6:00 pm
- Sunday, March 19, 2000: Noon-6:00 pm
- All sessions will be given live at the Villa Hotel, 4000 S. El Camino Real, San Mateo.

SAN MATEO
- Saturday, February 26, 2000: 9:00 am - 12:30 pm, 1:30 pm - 4:00 pm
- Sunday, February 27, 2000: 9:00 am - 12:30 pm, 1:30 pm - 4:00 pm
- All sessions will be given live at the Villa Hotel, 4000 S. El Camino Real, San Mateo.

ORANGE COUNTY
- Saturday, March 4, 2000: 9:00 am-12:30 pm, 1:30 pm-4:00 pm
- Sunday, March 5, 2000: 9:00 am-12:30 pm, 1:30 pm-4:00 pm
- All sessions will be given live at Hope International University (formerly Pacific Christian College), 2000 E. Nutwood at Thane, Fullerton (across from Cal State Univ. Fullerton, Room 37A. Course Director is Professor Mara Feliger, Attorney at Law, Legal Education Consultant)

VENTURA
- Saturday, March 18, 2000: 10:00 am-4:00 pm
- Sunday, March 19, 2000: 10:00 am-4:00 pm
- All sessions will be given live at the Ventura College of Law, 4475 Market Street, Ventura, Room 9. VIDEO PRESENTATION.

CLOVIS
- Saturday, March 18, 2000: 9:00 am-3:00 pm
- Sunday, March 19, 2000: 9:00 am-3:00 pm
- All sessions will be given live at the Ramada Hotel, 8333 Bristol Parkway, Culver City, in the Reception Room.

ORANGE COUNTY
- Saturday, March 18, 2000: Noon-6:00 pm
- Sunday, March 19, 2000: Noon-6:00 pm
- All sessions will be given live at Hope International University (formerly Pacific Christian College), 2000 E. Nutwood at Thane, Fullerton (across from Cal State Univ. Fullerton, Second Floor, Room 215A).

SAN FRANCISCO
- Saturday, March 18, 2000: 9:00 am-12:30 pm, 1:30 pm-4:00 pm
- All sessions will be given live at Hope International University (formerly Pacific Christian College), 2000 E. Nutwood at Thane, Fullerton (across from Cal State Univ. Fullerton, Room 37A. Course Director is Professor Mara Feliger, Attorney at Law, Legal Education Consultant)

VANCOUVER
- Saturday, March 18, 2000: Noon-4:00 pm
- Sunday, March 19, 2000: Noon-4:00 pm
- All sessions will be given live at the Van Nuys College of Law, 901 5th St., Clovis, Room 201. VIDEO PRESENTATION.

SACRAMENTO
- Saturday, March 18, 2000: Noon-6:00 pm
- Sunday, March 19, 2000: Noon-6:00 pm
- All sessions will be given live in the Auditorium at the San Mateo Alliance Hotel, 4000 S. El Camino Real, San Mateo.

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