

THOMAS JEFFERSON SCHOOL OF LAW  
2121 SAN DIEGO AVENUE  
SAN DIEGO, CALIFORNIA 92108

# THE INFORMER

## NEWSLETTER

August 27, 2009

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## Then and Soon:

### The Location of Thomas Jefferson School of Law

#### Then

“WSU Now Controls Old Town Campus” (Originally printed January 1986)

By George N. Smetana

Last month the owners of this institution took a major step in assuring the future livelihood of the San Diego campus by purchasing the building from Great Western Bank.

The school, which utilizes 30,000 of the building's 43,000 square feet, had previously operated on a long term lease which included an option to buy the building. Just last summer the school was presented an opportunity to purchase the

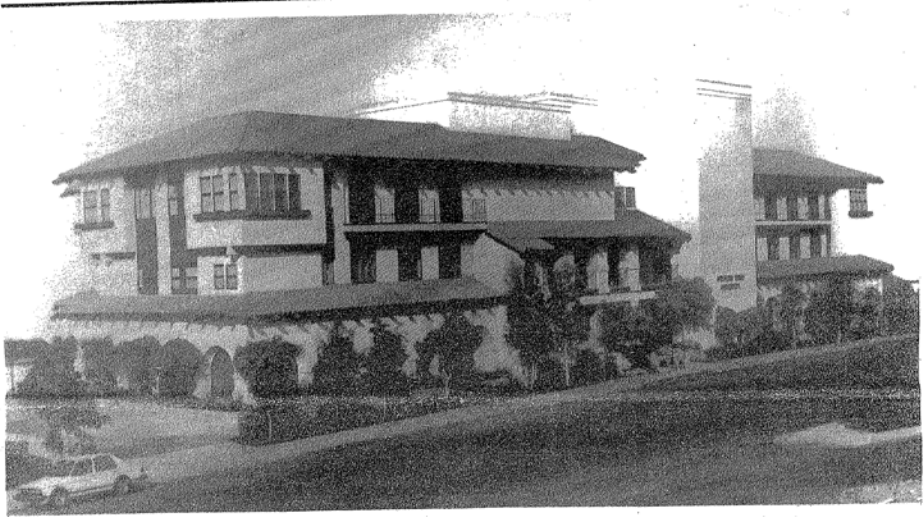
building under its right of first refusal clause, but opted to forego the purchase because the terms were not favorable. The purchaser and former owners never consummated the deal and the building then went into foreclosure. During the foreclosure proceedings another offer was made for the campus, however the terms were much more favorable this time around and the school decided to exercise its purchase options.

WSU purchased the building for \$6.4 million with the bank accepting a \$6.2 Trust Deed.

Dean Hadley Batchelder stated that the owners decided to exercise their purchase option after a critical analysis and negotiations with the bank because it

Continued on next page

### WSU Purchases San Diego Building for \$6.4 Million



The Western State University San Diego Campus located at 2121 San Diego Avenue in Old Town.

### Welcome To The 2009-2010 School Year at Thomas Jefferson School of Law!

By: Christopher Paulos



Volunteers from the Fall 2009 Orientation

If we learn anything in law school it's the importance of precedent, the undeniable influence of tradition, the solid strength of stare decisis, the of interplay history and context, how our current situation has been, can be, and will be defined by the things that have come before it.

In light of this realization, I have recently taken the reins as the Student Bar Association President. My past involvement on the SBA and in student or-

ganizations has included 1L Class Representative. Last year I held the position of SBA Social Chairman, responsible for the Back To School Bash, Halloween Party, Bar Review and Bar-risters' Ball. I have lent my leadership to the Entertainment Law Society as Vice President of Operations and Interim President, proposing and organizing the 1st Annual Sundance Film Festival Retreat. I have voiced our opinions and concerns to the school as a Staff Writer and Editor for

Continued on page three

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turned out that it would be more economical for the school to operate the building than maintaining their lease. Without doubt the investment potential figured into the owners decision also. The Dean also believed that the purchase of the building could only be interpreted as a positive move considering Western States ongoing quest for ABA accreditation but was uncertain as to whether the ABA would consider the purchase in the pending appeal which is now scheduled to go before the ABA House of Delegates in August.

Vice President of Administration Joel Goodman said that, “We are excited about the opportunity to own our building. It gives us maximum control of our future and communicates our ongoing commitment to serve the legal education needs of San Diego.”

Plans call for the continued lease of the third floor to small firms and independent attorneys who may be interested in the facilities because of the law library access.

**Soon**

By *Jeremy M. Evans*

Editor-in-Chief, the *Informer* Newsletter

Early last fall construction began on the downtown site for Thomas Jefferson School of Law’s (TJSL) new campus. TJSL is now fully accredited and is an



The New Thomas Jefferson Campus—Set to Open for the Spring 2011 Semester.

up and coming law school, particularly with the new campus around the corner. The faculty has changed, the administration has changed, and the students are now accomplished attorney’s, public defenders, district attorneys, judges, a former congressman, and much more. In my opinion, TJSL is a great institution but it is no doubt that we have come a far way. TJSL retains the family nature, but the new building is the beginning of another era

in the life TJSL. The new building will be larger, more energy efficient, better looking/more expensive, easily accessible by public transportation, surrounded by restaurants, the Ballpark (PETCO Park), and other downtown activities and culture.

For what began as Western State University, Thomas Jefferson will continue to serve San Diego’s need for great attorney’s, and is returning to downtown

where it all began. Take some time to reflect on what WSU once was to what TJSL has and is becoming – a great law school because of its people and now we will have a great building to compliment it.

Prediction: The local sandwich and salad/sports bar called “Dirty Del’s” on the corner 10th and Island (a block from the new school) will become the “new Kelly’s Pub.”

**The 2L Manifesto**

I’m baaaaaccckkkkk. It is a fantastic thing to say that I’ll be once again sharing the year with you all through the *Informer*. For those of us that have not met, hi, I’m Katie Tooma, I’m officially a 2L and I survived my first year. Now, not only do I get to write a 2L Manifesto, but I am also the Public Relations Director for the Student Bar Association. Yep, all those Facebook messages are from me. (I know you are squealing with delight, because I am!)

After my last manifesto about Charger auditions, I decided to make something even more meaningful (and a little less random) of myself and found my way down to North Little Italy to work for



this incredible small firm. I was extremely grateful for this opportunity as I “cold-emailed” my boss and he gratefully gave me the chance for an externship. He has also graciously given me the opportunity to continue to work at the office in the fall and gain more valuable experience – after all this is my first foray into the law industry.

This summer, while I stalked Facebook jealous of both of my roommates studying abroad in China and France, I worked and took evidence. My evidence professor is the new head of career services, Mr. Frank Mead. I recommend going to see him for anything you may need. He was an excellent professor, but more than that, as an alumnus of Thomas Jefferson School of Law himself, he cares so much about the future of all of us. If you should have any questions, go see him!

My role for this manifesto, aside from attempting to be witty and amusing, is to let you know more about what’s happening around campus. I really encourage everyone to get out of the library and engage the students, staff and faculty. If I have learned anything about getting a job from this summer’s experience, it is the importance of networking. As I previously mentioned, I “cold-emailed” my boss for a job, but it was after I was turned down for another job. I had met my boss at a county bar meeting that I attended for the Entertainment Law Society, and that was how I was able to ask for an externship.

Our peers are some of the most interesting people and I have been able to make some fantastic friends outside of the library (That is, when I actually went to the library. I can see my study group laughing at this right now). However, if you have any questions on

how to get involved more shoot me (or any other SBA member) an email at [tjslsba@gmail.com](mailto:tjslsba@gmail.com). Your nose in a book can only get you so far in the legal profession and I really encourage everyone to balance their time with not just family and school but with a little bit of entertainment and some networking opportunities.

I cannot wait to begin this year and I look forward to meeting more of you, not just through my manifesto but also at other SBA and organizational events!

Lastly, as a shameless plug, check out our Facebook page at [www.facebook.com/tjslsba](http://www.facebook.com/tjslsba) and we are even on twitter at [www.twitter.com/tjslsba](http://www.twitter.com/tjslsba).

\*\*\*If you are a 1L and are interested in writing for the *Informer*, we would gladly like to have you write your version of the 1L Manifesto, Please contact us.



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SBA Retreat

Courtney Darnell, 2L Class Rep.

Prior to the start of school, sixteen of your student colleagues banded together for a meeting of the minds in Santa Barbara. Our goals: innovation, organization, and some fun in the sun. Not only did we leave with a bit of a tan, but more importantly- an enthusiastic outlook for the upcoming year.

We should all be ensured that our fearless leader Chris Paulos would guide us with Yoda-like wisdom and vigor. He rules, not with an iron fist, but with sincerity and a Red Bull-like vision of a “winged” Thomas Jefferson School of Law. We, his posse, are more than eager to act on ideas proposed and implement ways to make this little thing called law school as fun and productive as possible. Only You! Can help us, help you...so come to us with your thoughts, fears, concerns, etc.

Along with webs of creative ideas and tactics, we also explored and got to know each other Purdy well. We ate organically (no Santana’s for us), we had a klepto in our midst, we were introduced to Rich White Mother- \*&@%rs, we loathe Frank Longo, and conquered the art of a tram- poline.



A sneak peak at the cornucopia of events SBA has in store for you all; kickin’ Bar Reviews, a heck-of-a good Back to School BBQ Bash, a 5k Ambulance Chase, better-organized sports teams/games/schedules, and a keep-it-classy-San Diego Barrister’s Ball. Keep an eye on the whiteboards and best of luck in the year to come!

Top—Group Picture of the SBA members from their 1st Annual Retreat.

Below– The Splash! Commission of the New Year.



WELCOME

The Informer since my first semester in the Fall of 2007. It is these experiences that give me the confidence to say that; the group of students who have stepped forward to participate in the 2009-2010 Student Bar Association will strive, like never before, to set the precedent. They are an amazing collection of proud, hard-working people who will not cease to bolster your voices, protect your interests or stand up for your needs as students at Thomas Jefferson School of Law.

Our dedication, efforts and support of the student body at TJSL has been inspired by those who have recently lead the SBA and those we likely shadowed as 1Ls. Their efforts set the course for our continued involvement in the

Student Bar Association, but the rich fuel and priceless reward for our continued participation is the endless spirit and untapped potential of YOU, our peers.

Our school sits upon the precipice of greatness. The books in our library are no different from those at USD, Cal Western or even Harvard for that matter. My experience has shown me that the brains and work ethic possessed by you, my fellow students, are no different either. The impending move to our new campus, the resulting upgrade in resources, and the continued efforts of our professors, staff and alumni have all set the stage for us, the students, to take the reins, perform, and to seize what we have been afforded, in order to achieve more, reach higher, and set the precedent for

those who will follow us. Together we will lead by example, distinguish our school, and establish a lasting pride that it, and you deserve.... I, along with the rest of the Student Bar Association, look forward to serving YOU, our fellow students and peers, over the next year.

Please feel free to contact me at pauloscg@tjssl.edu to express your thoughts, provide input and/or propose any and all ideas that may make our educational, professional and social experience at TJSL more worthwhile, efficient, effective and meaningful. The SBA Office is located on the 1<sup>st</sup> Floor of the CYB Building and is open to all. Please visit.

Be Sure to Calendar the following events:

SBA Meetings (all are welcome!) 8/30 9/13 & 9/27 6pm in the

Student Lounge

Back to School Bash, 8/29 6pm @ the San Diego Rowing Club

Intramural Football Begins on 8/30 SIGN UP ASAP!

Bar Reviews Every Friday Night (except 8/28), Locations TBA!

Public Interest Career Week 9/21-9/25

Student Org. President’s Meetings 8/20 and 9/24 @ 4:30pm

Tri-Law School Networking and Social Soiree’ @ On Broadway, 9/11

Intramural Soccer Begins 9/29 SIGN UP SOON!

OUTLAW Aids Walk 9/27

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# MEET YOUR EDITORS



## Introduction to the *Informer* and my Summer Law Experience

by *Jeremy M. Evans*

Vice-President, Student Bar Association

Editor-in-Chief, the *Informer* Newsletter

It is my duty to the student body, the administration, and the alumni of our law school to manage a great, efficient, and exciting newsletter. The *Informer* will discuss topics from current political issues to law school events and will include a cross-word or Sudoku puzzle, political cartoons, editorials, classifieds, an SBA cal-

endar of events, and of course advertisements (even we need money to run the paper). We will also touch on the lighter side of life and give some laughter to what can be some long nights and days of studying.

The staff for the *Informer* is qualified, driven, and compassionate individuals. The *Informer* Staff is as follows: Ian Van Leer (Chief Editor), Jenni Leys (Creative Director), Brett Goda (Design Director/Staff Editor), Katie Tooma (2L Manifesto), Sarah Robinson-McElroy (ABA Representative), Steven Riley (Love connection by Riley), contributing editors Jon Cooper and Patrick Long, and other potential students who wish to write for the *Informer* (specifically a 1L manifesto writer). We hope that you enjoy the next eight issues, one issue per month, over the next academic school year.

As an introduction to myself, I begin my second year of law school and look forward to being involved in the SBA and several clubs on campus. This summer was an amazing experience traveling to twenty different countries and twenty-nine different cities (a



Nice, France Program: Thomas Jefferson School of Law Students

true blessing of an experience). The “trip around the world” went from LAX to China and Asia, to the Middle East, and then to Europe, then the East Coast of the USA, then the Northwest, then San Diego, only two days later to leave to Chicago for the ABA conference. Upon returning for a few days I left to Santa Barbara for the SBA retreat. The initial point of the trip was to attend the TJSL summer abroad programs in Hangzhou, China and Nice, France (the best experience of my life). In the end, it was that and much more: the people, the food, the smells, the experiences, the sites, the challenges and the growing as a man.

I heard before I left (for the

first time out of the country I might add) that you lose something of yourself when you travel abroad – I do not think that I lost anything (except some nail clippers) – but I did gain perspective. Perspective in life is everything – living in the moment but thinking long term. To all my incoming 1L colleagues and as a reminder to 2L’s and 3L’s, remember to enjoy each other and your law school experiences, but remember that this will be your career and that your actions will have consequences – whether good or bad. Thank you for this opportunity!



## On the Books

By: *Ian Van Leer*

## **On the Books**

### Part One

I first met TJ Law not long after I left college. I had just had an amazing four years that I won’t waste your time with, except that it had something to do with my studies and was why I ended up in law school. With the coming of

TJ began the period of my life that you can call my life on the books.

On the first day of class, after a long orientation full of meetings and lectures of which the point and purpose never fully materialized, I got to know what Thomas Jefferson and life as a law student were all about: the books. This was the young TJ, before the mammoths. And I heard there great and mad professions on subjects new to me: IRAC, torts, civil pro, the “flavors of homicide”—long pondered logic, a touch of capriciousness, a shot of absurdity; I got caught up in all this madness.

For that first summer, after I finished classes, I decided that I’d leave off my studies and get back to TJ in the Fall, get in to the law scene, mix in the whole crazy world of law, the real law that the madman and madwoman

at TJ speak of. I went off in search of that legal experience.

I made my way to Downtown San Diego, to a small law office on the fringes of the Gas Lamp District. It was a general civil practice—a ride on procedure and rule and encyclopedia, a taking of money in a game of research and show.

Man, did I research. It seems everyone I knew was researching that summer. Miller and Starr and Bankruptcy, the bore; clients’ concussions and fiduciary duties and memos addressed to the insured’s frantic financier (his final attempt to salvage poor investments). It was legal madness, an experience, and I dug it.

### Part Two

It was over two months before I saw TJ again. I had just returned from a few weeks break and travel—camping upstate New York, in the Adirondacks, and I caught a Phish show in San Francisco—reading again, for some reason, *On the Road*, ahem, by the time this next semester arrived. And in a rapid and demanding transition I’m back to TJ as a 2L.

I hope you incoming 1L’s can enjoy the ride, and that the 2L’s and 3L’s can hang on for another long year.



*Brandi Haefs*

Advertising Director/Staff Editor/2L Class Representative

As the director of advertising, I would like to create and manage a marketing program for the *Informer* that would consist of increasing advertising along with finding other ways to grow our pres-

ence in the community – in old town and downtown. Part of my job will be to raise awareness but I would also like to contribute and do whatever I can to make the *Informer* more effective and exciting for everyone reading and all involved.

I think we can and should be growing and I would like to reach out to new businesses within our area in an organized way to increase ad-

vertising revenue and expand based on our potential. In addition to the marketing, I would also like to promote our paper and the school in every way I can and plan to contribute several articles as well. I want to make The *Informer* better than ever and have everyone talking about it!





China Program: Thomas Jefferson Students



Cote de Azul, Nice, France



Jennifer Leys  
2L  
Creative Director/Staff Editor

"Fancy thinking the Beast was something you could hunt and kill!"  
– A quote from William Golding's *Lord of the Flies*

Law school as a beast – one to be likened to *Lord of the Flies*, where you throw a bunch of people onto an island, all coming from different ends of the world, and watch their paths collide. Be it for the good – the mind expanding and limiting action that Civ Pro would nuisance my life with – or for the bad – the belligerent babblings of all of us; each believing one knew a better way to study than the others.

One way or the other, we made it through, each finding a studying method that is “best.” Which is ridiculous – because my way is best (meant to be read in all sarcasm).

Back to my theme: *The Lord of the Flies*. Ah, yes, an elemen-

tary book at best, we hovered, we plotted, and we planned to be the best, the most competitive, the strongest, the most liked. And what do we all come out with? Different results. Something I hope 1L's (and all of us really) can hearken from this comparison, is that we are all good at different things and trying to be the best at it all is just a pestiferous struggle. No point, and entirely too septic.

I'd rather learn to the best of my ability, and try to sponge as much information off of the natives (read: experienced law professors) as I can – really get into the jungle.

Let's steer away from bad metaphor land, and get into the meat of it. It's no secret that Civ Pro was a fight to the end for me. At first I thought there was no way that I would get to the end of the year with this class dragging at my heels, giving me calluses along the way. Let me explain.

I left undergrad with a degree in English, leading me to believe that the world was my playground. That rules, laws, and words were meant to be interpreted. Well, no one bothered to tell me that this notion is w-r-o-n-g in law school. Not so strangely, Prof. Julie Young had no problem telling all of us that English majors need to “write less like Foucault and more like Hemingway.” Her words were a strange concept to me at first; especially

considering that Hemingway can be quoted expressing how he thought his writing was sub-par.

Well, la-dee-da, Hemingway was a hit, and now I'm expected to write and think like the man. Fun- nily enough, I had to actually go back and read *A Farewell to Arms*, by Ernest Hemingway, in order to remember how exactly it was he wrote. Remembrance: not one of my favorite authors. Discovery: Hemingway writes completely logically, linearly, and with great attention to detail regarding the facts. This style of writing is not as much fun as I want it to be, but what can a girl do?

I could go on and on about Hemingway, but I won't. I'll just say that while that version of writing may be what is required for tests, briefs, and memos, you obviously won't want to use this article (or any other writing of mine) as a “how to” for law school writing. As a matter of fact, note the way I'm writing right now, and do the complete opposite, and you'll be fine.

Moving on...Once I made it through Civ Pro and the others, I got an externship as a law clerk with the YWCA Domestic Violence Legal Aid Clinic held in downtown San Diego. I did paperwork, talked to potential and current clients, and did more paperwork. Anyone need a divorce done? I'm your gal.

While I do not see myself in domestic violence work, the ex-

perience I gained under the attorneys there was invaluable. Being an extern/ intern is where you can actually apply all of that law school knowledge, (look, Civ Pro, I'm winking).

Now the semester is back sooner than I could have expected, and people keep telling me that 2L is going to be easier than 1L. However, I remain skeptical. This cynicism is based purely on the fact that I had attended an unaccredited law school for a year before attending TJSL. Yes, this does mean that I took 1L twice, (with the exception of the one class that was the bane of my existence, Civ Pro). I thought 1L would be easier for it, but I was wrong and I quickly learned that that school was unaccredited for good reason.

Strangely enough, I have missed the busy-bee like atmosphere of law school. Not the thousands of pounds of homework, but the atmosphere and the struggle itself. Yes, the struggle. I may not be able to kill the beast, but perhaps I can tame it – just a little.

At the risk of bringing back a bad metaphor that I have probably over extended at this point, I just want to wish everyone good luck at getting off of the island.

If you need me, I'll be buried in a book somewhere.



Brett Goda: A Modern Renaissance Man? Sure why not!

*Written by : Alex Balken*

After packing up their belongings and saying good bye to their native Pittsburgh, Brett and his lovely wife Emma began their cross country expedition to San Diego. This greatly anticipated move was the outcome of years of hard work by the newlyweds, and Brett was determined to get off to a running start at Thomas Jefferson.

He came into his first year with the optimism and drive that is indicative of so many 1L's, but he also had a powerful charisma, a “charm” that was molded through years as a used car salesman. He used this charm to become a familiar presence with not only all three 1L sections, but many of the TJSL students, administration and faculty.

After achieving excellence in the classroom, Brett has decided to give back to the school that he loves so dearly by becoming the president of Phi Alpha Delta, and also getting

involved with the student newspaper. Although it has pained him to postpone his campaign for a Democratic seat in the House of Representatives, Brett feels that his philanthropic desires should take precedent at this time.

If you have any questions or input for Mr. Goda, please contact him at [godaba@tjisl.edu](mailto:godaba@tjisl.edu)



## America Bar Association (ABA) Student Representative and Lt. Governor for the 9th Circuit.

*Sarah Robinson-McElroy, 3L*



Sarah Robinson-McElroy, 3L

America Bar Association (ABA) Student Representative and Lt. Governor for the 9th Circuit.

Welcome to Thomas Jefferson School of Law. Congratulations on your acceptance to law school – you have already accomplished a lot. There will be days when you are thrilled with what you are doing--other days you will wonder what you did to deserve such punishment. Just remember three things: (1) Torts is not the most important thing in your life, (2) no one understands the Rule Against Perpetuities, and (3) you *will* survive law school.

Membership in ABA Law Student Division provides students a window to look outside of school and into the legal profession.

The **American Bar Association is the largest professional association in the world.** The ABA provides law school accreditation, continuing legal education, guidelines on rules of professional conduct, and initiatives to improve the legal system for the public. The ABA also helps law students succeed in law school and build their legal careers. The ABA is comprised of over 30 Sections, Divisions and Forums that focus on specific fields of Law. The ABA's Law Student Division is one of the many divisions under the ABA umbrella.

The mission of the ABA Law Student Divisions is to represent law students to the American Bar Association. Some of these goals are to promote the full and equal participation in the profession by minorities and women, shape the policies and priorities that affect legal education, and to create a forum that students can express and exchange views while also providing a voice to advocate those views.

**ABA Law Student Division members can join ABA sections, divisions and forums for free or at discounted law school rates** (typically only \$5-\$20).

These specialties range in subjects from litigation to environmental to international to entertainment and sports law. Students with particular interests, or students wishing to explore a given field, will gain insight into a particular area of law through specialized publications and documents from that section.

As a member of the ABA Law Student Division you will receive **discounts on bar review courses**, discounts on travel and car rentals, an opportunity to receive a credit card especially for law students, and low-cost auto, homeowners, and renters insurance. Members will also receive a subscription to the *ABA Journal*, and *Student Lawyer*, the best national magazine written for law students.

Additionally, Division members may run for school, circuit and national offices. In addition, Division members may seek appointment as student liaisons to committees of attorneys who head the sections and divisions of the ABA. Each of these sections and divisions requires a single student liaison to sit on the committee of the nation's leading attorneys who head that section.

Membership in the ABA Law Student Division offers many career and professional development opportunities, including writing competitions, access to networking opportunities, the annual career fair, legal education programming, and various Law Student Division Meetings and Events throughout the year.

The \$25 annual membership (or 3 years for \$60) is well worth the benefits received. If you have any questions about the ABA Law Student Division, or law school in general, please do not hesitate to contact me at [robinssa@tjsl.edu](mailto:robinssa@tjsl.edu). For more information about the Law Student Division, please visit <http://www.abanet.org/lstd>

## The Verdicts out-TJSL's Attendance Policy Stifles our Civic Duty



*By Jeff Hutchins,*

*2L Class Representative*

Over the summer I had the unpleasant surprise of receiving mail from a San Diego court house. I initial cursed and thought, "Damn, I guess I *didn't* make that camera light". After looking closer and applying my knowledge from Civil Procedure (shout out to Professor Young for being an awesome teacher) I saw the return address was from the downtown Federal court house. Federal courts don't dabble in traffic tickets thus I became a little worried. After opening the envelope part of me wished it was a red light violation because I was served with jury duty.

I am 27 years old so after nine years of eligibility this was my first time being summonsed for a jury. After reading the information provided by the court I became a tad bit excited because the pay is a whopping forty dollars each day. Interestingly enough my wife was also served with jury duty a week later. She was beckoned by the local superior court that pays only \$15 a day.

Thus being not only broke but a

poor law student whom had never witnessed a full trial I began to get excited. I actually wanted to serve on a jury. I figured it might also lead to a networking potential with the counselors. I just took Professional Responsibility over the summer so I knew I was unable to converse with the attorneys during the trial but afterwards I figure I am free to plant some potential job seeds.

It is as this point the motivation for my gripe occurs. I received the letter in mid-July thus I figured I could miss a few days of my summer school class or externship with little consequence. This was not the case because the Federal Court's puts jurors on call for a month and trials can last many weeks. Moreover I was summoned for the middle of the fall semester. Long story short it turns out students can move their dates and limit the time served to a week.

I was ok with missing only a week of school but I didn't want to burn up half my allotted absences. Currently the student handbook only allows four absences for bi-weekly meeting classes and two absences for once a week classes throughout the semester. Thus being out a week of school would only leave me with two absences in all my classes.

I found no mention of jury duty in the student handbook. I was unsure about whom to contact about this dilemma so I emailed my faculty advisor Prof. Kaye (another shout out goes to Prof. Kaye for also being an awesome teacher) who directed me to Kay Henley.

Kay Henley informed me there were no exceptions to the absence rule even for jury duty. Thus my gripe

Continued on next page

## Political Cartoons



<http://mbmusings.wordpress.com/2008/09/03/obama-political-cartoons/>



comes from the fact jury duty is considered one of the four allotted absences. I'll acknowledge and give credence that the policy is likely mandated by the American Bar Association and in the best interest. Nevertheless the majority of businesses allow time off for jury duty.

My gripe ends on a sour note. In order to not jeopardize my \$18,000 I paid for law school I had to move the jury duty to my holiday break. The excitement and joy I had for my soon to be civic obligation was slain by our schools non existence jury duty policy.

Words of Wisdom

By Thomas Jefferson

Before coming to law school I admit that I had expectations, but I did not know what to expect. I figured I would be in large classes, with Professors' teaching the Socratic method. I knew law school would be tough and that I would be up many nights studying. However, I made a challenge to myself that I would work hard, meet as many people with just as many personalities, and have a great time. All of these things have happened and more. The truth of it is that law school

(pause) has been one of the greatest experiences of my life. It is also true that that I have met some of the most promising, interesting, charismatic, funny, and loving individuals while in law school. Law school is not that bad and like everything in life it is what you make of it and what you do with it. Law school is about being challenged, meeting the challenge, and greeting the challenge with a smile. The curriculum and atmosphere of law school creates a big learning curve, but when you pass your first year you realize that the challenge has been met and conquered. Here is a secret: the biggest challenge is adjusting to your new environment – once you get past that it is a straight path – sometimes. Remember to not get lost in books, but lost in yourself, your new colleagues, and the culture of your law school, while keeping an eye on the prize (*always moving forward*). Take the time to get to know your colleagues, professors, faculty and administration, maintenance workers, security guards, and your community.

Lawyers by definition are leaders, but it is up to the individual to become and be the leader. We are the new generation of lawyers and must hold the candle of justice high once it is passed (*and the candle is currently being passed*). Our reputations are everything in the legal field and practicing good manners, honor, dignity, mercy, and intelligence mean more than the rules for defamation, felony-murder, or your legal writing grade. Maybe this is why we refer to being a lawyer as “practicing law” because in a moment your reputation can be taken away and the veil removed from the flaw.

Most importantly, pride has no place in the courtroom or the classroom. When packing your lunch for the day, remember to pack a peanut butter and jelly sandwich, confidence, and humility. Respect yourself and others will respect you.

Wishing you all the best this upcoming school year and please remember law school is the beginning of your career.

Universal Health Care: Yes or No?

By: Robert Udall

For decades, universal health care has been a hot topic addressed on Capitol Hill, from presidential campaigns, state legislatures, colleges, law classrooms and by political TV pundits; from the early years of the Wilson Administration to the failed attempt by the Clinton Administration, the enactment of such legislation has failed, yet the debate has carried on. Today, one need not search very far to hear a discussion regarding universal health care legislation. The Obama Administration is pushing it and the majority of Democrats in Congress are writing it. So, what do you think about it? Where do you stand and how have you formed your argument? Have you looked at the data, or are you reaching into dogmatism? There are generally two sides to the issue, those in favor and those who oppose. The following is a list of arguments:

Those in favor argue:

1. THE MORAL CASE

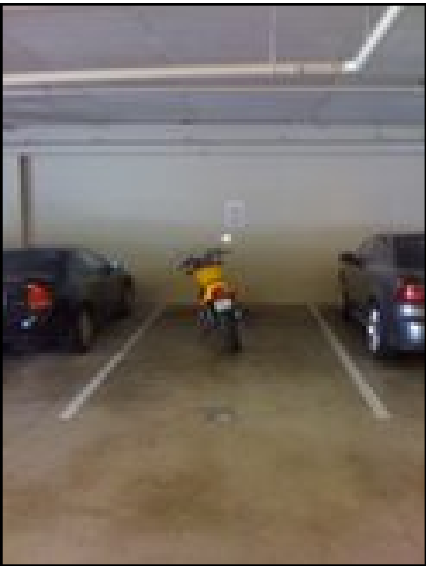
At its root, the lack of health care for all in America is fundamentally a moral issue. The United States is the only industrialized nation that does not have some form of universal health care (defined as a basic guarantee of health care to all of its citizens). While other countries have declared health care to be a basic right, the United States treats health care as a privilege, only available to those who can afford it. In this sense, health care in America is treated as an economic good like a TV or VCR, not as a social or public good.

The most visible victims of America's decision to treat health care as a privilege are the 45 million Americans who lack insurance. In contrast to prevailing stereotypes, 80% of the uninsured are hardworking Americans who are employed or come from working families. However, they are unable to obtain insurance through their work either because their employer does not

Right - Honestly, do you think your that important!

Right - How many bikes can we fit in there!

Below - HWJP - How Would Jesus Park



Soduko Puzzle

1		7		9		4		8
	3			4			9	
		6	5		8			3
6					7		3	
	7	4				9		5
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7					5	6		
	6	5			4		8	
9			2	3				7

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Continued on the next page



offer it, their employer does offer it but the employer share of the premium is too expensive, or they are not eligible for health insurance (e.g. they are part-time or have not worked long enough at the job). [Kaiser Family Foundation. “The Uninsured: A Primer”, 2005]

2. THE ECONOMIC CASE

Financially, medical costs are a major cause of personal bankruptcy. Even without bankruptcy, the financial strain on families can be significant and potentially ruinous.

The patients diagnosed with inoperable late-stage cancer after not receiving preventive care

Employees are finding their wage increases to be smaller and smaller as the cost of providing health insurance skyrockets for employers.

Fewer years of participation in the workforce: The annual cost of diminished

health and shorter life spans of Americans without insurance is \$65-\$130 billion.

People who do not live as long do not work and contribute to the economy as long.

Weakened local economy: A high rate of the uninsured and the corresponding

burden of uncompensated care costs weakens a community’s health infrastructure (e.g. closing or downsizing of local hospitals). Since health care is an important part of a community’s economic base, communities suffer economically.

3. DECLINE IN PUBLIC HEALTH

Adverse effects on public health: Communities with high rates of uninsured

have less effective control of communicable disease (e.g. fewer vaccinations

surveillance of TB) and an overall greater disease burden in general.

Why it is broken:

Unnecessary use of the ER: the ER is an expensive place to receive care. An

average visit to an emergency room costs \$383.11 whereas the average physician’s office visit costs \$60.12. It is estimated that 10.7% of ER visits in 2000 were for non-emergencies, costing the system billions of dollars.

Is it getting more expensive?

Health insurance premiums in 2005 grew approximately 2-3 times the rate of overall inflation (3.5%) and wage increases (2.7%). [Kaiser Family Foundation. “Employer Health Benefits 2005 Annual Survey”, 2005]

4. A POSSIBLE ARGUMENT FROM THE FOUNDING FATHERS

In the wake of the debate over the central banking system, Alexander Hamilton argued that the necessary and proper clause of the United States Constitution gave the Congress implied powers to tax, create and control certain programs they deemed “necessary” for the country. Upon hearing both sides of the debate (i.e., whether the Constitution granted that right to the Congress or not), the Supreme Court in [McCulloch v. Maryland](#) ruled, that, while the constitution did not explicitly give permission to create a federal bank, it had the implied power to do so under the Necessary and Proper Clause in order to realize or fulfill its express taxing and spending powers. Thus, if the Congress today felt it “necessary” to create tax and control a centralized universal health care system, they could do it (see also the implied powers stemming from the “welfare” clause).

The Declaration of Independence states there are certain “inalienable rights” including life, liberty and the pursuit of happiness. If Americans believe in an inalienable right to life, how can we tolerate a system that denies people lifesaving medications and treatments? Similarly, if Americans believe in an inalienable right to the pursuit of happiness, how can we allow millions of dreams to be smashed by the financial and physical consequences of the uninsured? Americans do not need more money for health care; they need more health care for their money.

Those against argue:

1. GOVERNMENT DOESN’T RUN ANYTHING EFFECTIVELY

There is not a single government agency or division that runs efficiently. Do we really want an organization that developed the U.S. Tax Code handling something as complex as health care? The Washington Post ran the following story about the conditions at Walter Reed - the largest government-run military hospital:

Behind the door of Army Spec. Jeremy Duncan’s room, part of the wall is torn and hangs in the air, weighted down with black mold. When the wounded combat engineer stands in his shower and looks up, he can see the bathtub on the floor above through a rotted hole. The entire building, constructed between the world wars, often smells like greasy carryout. Signs of neglect are everywhere: mouse droppings, belly-up cockroaches, stained carpets, cheap mattresses.

— [Washington Post](#)

2. UNIVERSAL HEALTH CARE HAS FAILED ABORAD

The universal system in Canada forces patients to wait over 6 months for a routine pap smear. Canada residents will often go to the U.S. or offer additional money to get their health care needs.

3. THE FREE MARKET WILL FIX ITSELF

Profit motives, competition, and individual ingenuity have always led to greater cost control and effectiveness. Government workers have fewer incentives to do well. They have a set hourly schedule, cost-of-living raises, and few promotion opportunities. Compare this to private sector workers who can receive large raises, earn promotions, and work overtime. Government workers have ironclad job security; private sector workers must always worry about keeping their jobs, and private businesses must always worry about cutting costs enough to survive.

4. UNIVERSAL HEALTH CARE COVERAGE WILL IMplode

Patients are not likely to curb their drug costs and doctor visits if health care is free; thus, total costs will be several times what they are now. Co-pays and deductibles were put in place because there are medical problems that are more minor annoyances than anything else is. Sure, it would be nice if we had the medical staff and resources to treat *every* ache and pain experienced by an American, but we do not. For example, what if a patient is having trouble sleeping? What if a patient has a minor cold, flu, or headache? There are scores of problems that we would not go to a doctor to solve if we had to pay for it; however, if everything is free, why not go? The result is that doctors must spend more time on non-critical care, and the patients that really need immediate help must wait. In fact, for a number of problems, it is better if no medical care is given whatsoever. The body’s immune system is designed to fight off infections and other illnesses. It becomes stronger when it can fight things off on its own. Treating the symptoms can prolong the underlying problem, in addition to the societal side effects such as the growing antibiotic resistance of certain infections.

5. THE CHARITIES AND SYSTEMS IN PLACE WILL NOT DIE

Just because Americans are uninsured does not mean they cannot receive health care; nonprofits and government-run hospitals provide services to those who do not have insurance, and it is illegal to refuse emergency medical service because of a lack of insurance. While uninsured Americans are a problem in regards to total system

cost, it does not mean health care is not available. This issue should not be as emotional since there are plenty of government and private medical practices designed to help the uninsured. It is illegal to refuse emergency treatment, even if the patient is an illegal immigrant.

6. UNIVERSAL HEALTH CARE IS UNFAIR

Healthy people who take care of themselves will have to pay for the burden of those who smoke, are obese, etc. Universal health care means the costs will be spread to all Americans, regardless of your health or your need for medical care, which is fundamentally unfair. Your health is greatly determined by your lifestyle. Those who exercise, eat right, do not smoke, do not drink, etc. have far fewer health problems than the smoking couch potatoes do. Some healthy people do not even feel the need for health insurance since they never go to the doctor. Why should we punish those that live a healthy lifestyle and reward the ones who do not?

My personal conclusion:

Health care in this country is sadly not working. Over 45 million Americans are uninsured. Costs for private health care are going up. These are just the stubborn facts. However, does this mean we, the American people, should just hand over 1/7 of our economy to the government? MEDICARE is broke, MEDICAID is broke, Social Security is broke, the government cannot even adequately administer a “cash for clunkers” program without screwing it up, and yet the government tells us that we should put our faith in them anyway in order to solve this “moral crises” of health care. The logical answer is, like every other industrial crisis, we need to fix our economy and protect our civil liberties—we do not need to inflate the government any more than it is. When the government told us 16 years ago that we needed universal health care, the American people said no and ultimately the industry and the market healed itself, the Clinton Administration turned federal welfare back to the states, inflation was kept low and investments high and the economy took off. The truth is, we, as a nation, are currently in an economic recession and health care costs are rising, but, for the reasons discussed above, the answer is not to force our economy to adapt to the antics of the insurance companies and adopt a government solution, the answer is to force insurance companies to adapt to our economic change and keep the government out. If more and more people drop their health insurance and qualify for MEDICAID, the insurance companies will lose billions of revenue and will be forced to lower their premium demands.



# September 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30 FOOTBALL 6:00 PM 2nd SBA Meeting	31 11:00 AM DEAN HASL Meeting	1 4:30 PM LSRJ Meeting	2 11:30 AM La Rasa Meeting 12:00 PM PAD meeting 12:00 PM IPLA Meeting 12:00 PM APALSA MEETING 9:00 PM ILS Bonfire	3	4 8:00 PM BAR REVIEW	5
6 FOOTBALL	7 Labor day NO SCHOOL 11:00 AM DEAN HASL Meeting	8	9 12:00 PM PAD RootBeer Floats? 12:00 PM Imm. Law Society Presentation 5:30 PM Entertainment Law Society Meeting 6:00 PM Crim. Law Society Meet and Greet Dinner.	10 5:00 PM JSU Meeting	11 2nd ANNUAL...OOL PARTY	12 Env. Law Sty. Kayaking Trip
13 FOOTBALL 6:00 PM PAD Initiation Ceremony 6:00 PM 3rd SBA Meeting	14 11:00 AM DEAN HASL Meeting	15 5:30 PM SDCBA Law Student Reception	16 5:00 PM APALSA PANEL	17 6:00 PM NLG Medical Marijuana MCLE 8:00 PM La Rasa Sevilla Night	18 BAR REVIEW 11:00 AM Tri-APALSA EVENT 5:00 PM CLS Camping Trip	19 11:00 AM La Rasa Demystifying Law School ... CLS Camping Trip
20 FOOTBALL	21 PUBLIC INTEREST CAREER WEEK PILF Resume Workshop 11:00 AM DEAN HASL Meeting 5:00 PM LSRJ Career Panel 6:00 PM Committee Meeting	22 4:00 PM Family Law Society Mock Panel	23 5:00 PM CLS Professor Panel	24 MIDTERMS 4:30 PM PRESIDENTS MEETING	25 8:00 PM BAR REVIEW	26 PAD Golf Scramble SOCCER
27 MIDTERMS FOOTBALL OUTLAW AIDS WALK 6:00 PM 4th SBA Meeting	28 11:00 AM DEAN HASL Meeting 12:00 PM JLR 2nd Amend. Shooting Range	29 BLOOD DRIVE	30 8:00 PM La Rasa Attorney Panel	1 8:00 PM	2	3 ALUMNI PADRES GAMES SOCCER 8:00 PM La Rasa Hike

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## SAN DIEGO COUNTY BAR ASSOCIATION

The San Diego County Bar Association (SDCBA) has a number of events coming up this fall that offer law school students a great opportunity to network with members of the legal community and get involved in the SDCBA, San Diego's oldest and largest law-related organization. The following events are ideally suited for law students looking to get involved:

### Law Student Welcome Reception and Section & Committee Fair - September 15

### Lyceum Mentoring Program – October 19

### Dialogue on Diversity – October 27

### Ethics CLE and Networking Reception – November 4

### I Love A Clean San Diego Beach Clean-Up – November 7

### Stepping Up to the Bar – December 4

### September 15 - Law Student Welcome Reception and Section & Committee Fair

All law school students are invited to a special Law Student Welcome Reception and Section & Committee Fair on Tuesday, September 15 from 5:30 to 7:30 p.m. This event is an excellent opportunity for students to network with attorneys and judges of the San Diego legal community, learn about different practice areas, and explore the benefits of the SDCBA in a fun, relaxed environment. The event is free and open to all students currently enrolled in law school. For more information on the event and to RSVP, visit [www.sdcba.org/lswelcome](http://www.sdcba.org/lswelcome).

### October 19 – Lyceum Mentoring Program Kick-Off

The SDCBA's Lyceum Mentoring Program helps new attorneys make connections with more seasoned attorneys in select areas of practice. During the program's upcoming fall term, third year law students will be paired with attorney mentors. Mentors and mentees meet one another

on October 19 at the fall term kick-off event. The pairing of mentor and mentee is for a six-month time period. During this time the pair is to meet at least three times (including the kick-off event). The Lyceum Mentoring Program is a wonderful opportunity to get one-on-one time with attorneys, and to start to develop long-lasting professional relationships. To sign up to participate in Lyceum, email Janet Grant at [jgrant@sdcbabar.org](mailto:jgrant@sdcbabar.org).

### October 27 - Dialogue on Diversity

The SDCBA's Ethnic Relations and Diversity Committee will hold its annual Dialogue on Diversity CLE and networking event on October 27 at the SDCBA Bar Center. This annual event brings together prominent speakers highlighting diversity efforts in the legal field and also includes a post-seminar networking reception. More information, as well as event registration information will be available soon at [www.sdcba.org/dialogue](http://www.sdcba.org/dialogue).

### November 4 – Ethics CLE & Networking Event

Law students are invited to attend a special CLE seminar focusing on ethics in the legal profession which will be followed by a reception for both attorney

and student participants. This event is a great opportunity to meet and mingle with SDCBA members and also gain valuable insight into the profession. Registration for the seminar and networking event will be posted soon on the event calendar available at [www.sdcba.org](http://www.sdcba.org).

### November 7 – I Love a Clean San Diego Beach Clean-up

As part of Lawyers Giving Back, the SDCBA's yearlong campaign promoting pro bono work, volunteerism and community service, the SDCBA's Community Service Committee is coordinating a beach clean-up event to help keep San Diego's main attraction as beautiful and clean as can be. More information on this event is available at [www.sdcba.org/beachcleanup](http://www.sdcba.org/beachcleanup).

### December 4 – Stepping Up to the Bar

Stepping Up to the Bar is the SDCBA Annual Holiday Mixer and installation of new SDCBA Board members and President. The event is a fun, social occasion and all SDCBA members, judges and law students are invited to attend. Additional event information and RSVP will be available at [www.sdcba.org](http://www.sdcba.org).



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