
The Opinion

12-2003

The Opinion – Volume 13, December 2003

William Mitchell College of Law

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The OPINION

William Mitchell College of Law Student Newspaper

Volume 13, December 2003

Dean Downs Leaves for Warmer Climes



By Deborah Arndell

In 1983, many things were going on in the world, both great and tragic. Let me take you back there, chronologically, and remind you of what the world looked like then:

- *Annie* is performed for the last time after 2,377 shows;
- Bjorn Borg retires from tennis after winning five consecutive Wimbledon titles;
- *Lotus 1-2-3* is released;
- The Ash Wednesday bush fires in Victoria and South Australia claim the lives of 71 people in Australia's worst ever fires;
- The EPA announces its intentions to buy and evacuate the dioxin-contaminated community of Times Beach, Missouri;
- Karen Carpenter dies of anorexia nervosa;

- President Reagan's Star Wars program is introduced;
- Barney Clark, the first recipient of the artificial heart, dies;
- The Washington Redskins beat the Miami Dolphins in Super Bowl XVII;
- The Philadelphia 76ers beat the L.A. Lakers 4-0 in the NBA finals;
- Martina Navratilova wins the U.S. Open, the Australian Open and Wimbledon;
- The Baltimore Orioles beat the Philadelphia Phillies to win the World Series;
- Wayne Gretzky is the MVP of the NHL;
- Greg Lemond wins the World Cycling Championship;
- Sallie Ride becomes the first American woman in space on the Space Shuttle Challenger;
- The U.S. invades Grenada;
- Federal holiday recognizing Martin Luther King, Jr. is created by President Reagan;
- *Return of the Jedi*, *The Big Chill*, *Flashdance*, *Risky Business*, and *Terms of Endearment* hit the big screen;

Continued on page 4

Dean Brooks Fired

By Mary Kilgus

On September 19, 2003, Dean of Students James Brooks was told his services would no longer be required at William Mitchell, commencing the day after December 23.

"I was told that the school is losing confidence in me and I should start looking for a new job," said Dean Brooks.

The reasons for Dean Brooks' dismissal revolve around things he said or didn't say in advising the Student Bar Association.

In September, SBA president Chanel Melin came to Dean Brooks asking whether the SBA had the authority to staff the SBA used book store. Dean Brooks advised her, but was told he should have let the human resource office handle it. Later that month, the SBA was considering stopping funding for student organizations affiliated with political or religious organizations.

"I received a call from Dean Downs asking me to talk to the SBA about this. I said I had a regular Tuesday meeting with Chanel and I would bring it up then. I was told to talk to her that very afternoon and not to wait until Tuesday," said Brooks. This was deemed 'poor judgment'.

Dean Brooks has been employed as the Dean of Students for 20 years at William Mitchell. He holds a



Ph.D. in Education from Catholic University in Washington D.C. and a Masters Degree in Counseling from Wake Forest.

The Dean of Student's job is both administrative and student oriented. Dean Brooks

Continued on page 5

In This Issue

Dean Brooks Fired	1
Dean Downs Goes South	1
John Lott Debate	2
Christmas Poem	3
Serve Up Christmas Korv	5
Bookania.com	5
Common Cents	8
Jingle All the Way	9
Interim Dean Campana	11
Career Services	12
Drop the Puck	13
Columns	
From the Editor	3
The Opinion's Opinion Page 6-7	
Hearsay	6

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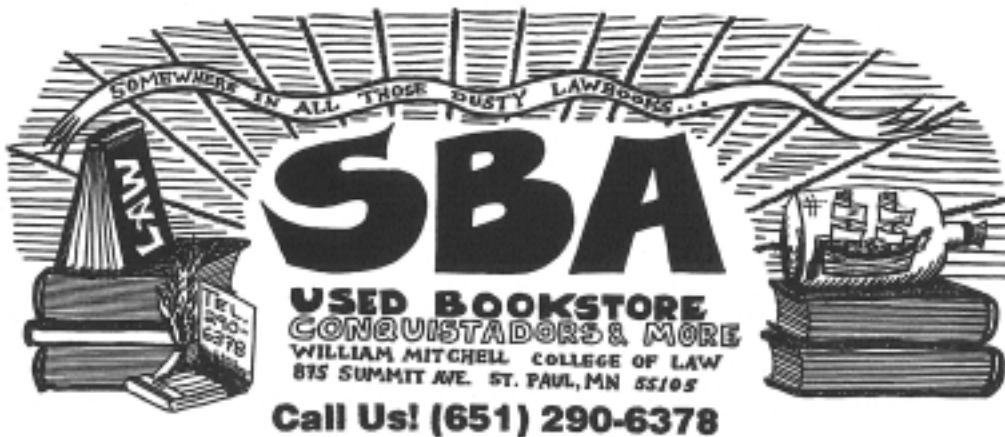
At the SBA Bookstore, a consignment bookstore run by the Student Bar Association at William Mitchell College of Law and is open to Hamline and U of M students to buy and consign their old books. We make only 20% of the price of books, definitely a good deal for students. You can consign your books ANYTIME and we're open all year round. Students often save hundreds of dollars! **Credit for Books Sold!** We are proud to offer in-store credit for consignees. You may now apply the proceeds from any books sold towards your next purchase and no more two months of anxious waiting.

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J. MADISON

John Lott Debate Draws a Crowd

More than 200 attend Federalist-Society sponsored event at Mitchell

By Lori Bower

American Enterprise Institute scholar John Lott Jr. presented to a crowded auditorium of over 200 students, attorneys and community members on November 19 in honor of the birthday of the school's namesake, Minnesota Supreme Court Justice William Mitchell. The student chapter of the Federalist Society invited Lott to debate local attorney David Lillehaug of Fredrikson & Byron. The debate centered on Lott's research for his book, "More

Guns, Less Crime" and legal challenges to Minnesota's Personal Protection Act. Professor Anthony Winer gave an opening address about the life and work of Justice Mitchell, and Professor Wayne Logan moderated the debate. The debate was followed by a question and answer period.

The Federalist Society for Law and Public Policy Studies offers the opportunity for law students and lawyers to engage in debate about relevant legal policy issues and is interested in the principles of separation of governmental

powers. The William Mitchell student chapter of the Federalist Society is committed to these goals through offering programming to William Mitchell and the surrounding community. Upcoming (spring semester) events include:

Brown Bag Lunch & Conversation Series

Monday, January 26, 12-1 p.m., Kelley Boardroom: Senator Brian LeClair "Life in the Minnesota Legislature"

Lawyer Joke of the Month

Two lawyers walking through the woods spotted a vicious-looking bear. The first lawyer immediately opened his briefcase, pulled out a pair of sneakers and started putting them on. The second lawyer looked at him and said, "You're crazy! You'll never be able to outrun that bear!"

"I don't have to," the first lawyer replied. "I only have to outrun you."



The OPINION

William Mitchell College of Law Student Newspaper

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The Opinion reserves the right to edit for clarity, space and editorial content.

Please contact the Editor at mkilgus@wmitchell.edu for specific questions or comments.

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Dean Brooks...

continued from page 1

estimates his job is about 40% administrative, doing such things as managing Career Services, Admissions, the registrar and other duties. The other 60% of his job is student oriented – involving admissions, recruitment, running open houses as well as advising the SBA and other student organizations.

Although the Admission component was removed from his duty list in March of this year, under Dean Brooks' leadership, the school saw its 6th straight year of exceeding admission numbers.

"I designed and implemented our admission criteria system," he said.

Some students don't agree with Dean Brooks's dismissal, however. At its November meeting, the SBA devised a petition to get the Board of Trustees to reconsider Dean Brooks's removal. At last count there were over 400 signatures on the petition.

On November 25, 2003, Dean Brooks was escorted out of the building on the grounds that his presence was disrupting the school.



From the Editor

Times, they are a' changing.
- Bob Dylan

Ok, maybe that quote dates me, but I wasn't even speaking in complete sentences when that line was first sung. It just seems to fit what's going on around here perfectly.

Three Deans leaving, construction, endless parking problems and the usual finals worries seem very dark lately. Since I'm graduating in June (that's the plan, anyway), I've had three years under the 'old regime', so I think I have an opinion. After all, Dean Brooks was the person who called me and asked if I wanted to come to the William Mitchell, a singularly spectacular memory for me. That was three long and arduous years ago. Almost 4. In that time, I had occasion to work with Dean Brooks at the State Fair and other recruiting events, as well as attend various and sundry meetings at which he

was also an attendee. As with most staff and faculty I've met at William Mitchell, I found him to be dedicated to William Mitchell and interested in student stories and generally a very nice person.

I knew right away he had a counseling background, the way he'd tilt his head and listen intently when you were talking.

He didn't always see things my way, but he always said that nicely and respectfully.

It won't be the same without Dean Brooks. Hopefully, things will work out for William Mitchell, since these kinds of changes can sometimes be traumatic. All I know is there will be many different faces at my graduation, and the only familiar ones will be the friends I graduate with and any faculty I might have seen in class who want to show up.

Good luck, Dean Brooks, we wish you well.



Submissions to The Opinion

Articles for the February, 2004 issue of *The Opinion* are due January 15, 2004



Christmas Poem

Filling up your stomachs
with lots of Christmas cheer,

Drinking lots of eggnog
and lots of Christmas beer,

Eating lots of turkey, fruitcake, lots and lots of sugars,
All because your mother's cooking tastes a lot like boogers.

Dean Downs...

continued from page 1

- The second British invasion begins in music, with top-selling albums from Culture Club (*Kissing to be Clever*), The Police (*Synchronicity*), Eurythmics (*Sweet Dreams*), and Duran Duran;
- Number 1 hits include Michael Jackson's *Beat It* and *Billie Jean*, Billy Joel's *Uptown Girl*, Bonnie Tyler's *Total Eclipse of the Heart*, and *Blister in the Sun* by the Violent Femmes;
- *La Cage aux Folles* and *Oliver!* are on Broadway;
- *Hollywood Wives* is released by Jackie Collins, as is Stephen King's *Pet Sematary*; Alice Walker wins the Pulitzer Prize for *The Color Purple*;
- **Matthew Downs joins the staff at William Mitchell College of Law.**

Jump forward to 2003...

Matthew Downs, now Dean Downs, announces that he is leaving William Mitchell College of Law. Almost 21 years have passed, and what better way to celebrate someone's contributions to history, than to share those events and their impacts with others.

Prior to coming to Mitchell, Dean Downs received his B.A. at Houghton College in New York in 1975. He then went on to receive his M.S.L.S. (Master of Science in Library Science) in 1978 from California State University, and his J.D. from Pepperdine University School of Law in the same year. From 1978 to 1983, Deans Downs worked at Valparaiso University School of Law as the Reference

Librarian and then the Director of the Law Library and Assistant Professor of Law.

He arrived at Mitchell as the Director of Law Library, Associate Dean and Associate Professor of Law, and was tenured in 1986. He was made the Associate Dean for Academic Affairs and a Professor of Law in 1988. In July 2002, he became the Vice Dean for Academic Affairs, and currently holds that position.

In the 20+ years that he has been at Mitchell, Dean Downs has taught a range from courses, from First Amendment Seminar to Business Organizations, to Law of the European Union and Property Law. He has been published, and some of his works include *The Process of Legal Research*, *International Business Law Newsletter*, and *The Commission's Notice Concerning the Assessment of Cooperative Joint Ventures: An Assessment*. Leuven Law Series published the latter in 1995, after Dean Downs completed his LL.M. in Belgium at the Katholieke Universiteit Leuven in 1993. His focus was on the law of the EU, comparative law topics, and international business transactions. In his current role as Vice Dean for Academic Affairs, Dean Downs is in charge of all academic programs, with primary responsibilities on curriculum development, faculty recruitment, ensuring compliance with accreditation standards, budget management, and development of collaborative and foreign programs. He oversees the Associate Dean of Skills and Clinics, the Director of the Library, the Assistant Dean of Admissions, the Associate Dean for

Multicultural Affairs, and the Dean of Students.

Although his list of achievements, including lectures and presentations, is too long to mention here, perhaps his greatest contribution has been with the Warren Burger Library at Mitchell. When he arrived here, the library was still where the gymnasium used to be, where the auditorium is now, and in the hallways surrounding the two. Once the Development Office found funding, the library project would be completed in the space that is now the current library. With the assistance of Phyllis Marion and Ann Bateson, Dean Downs handled the program and interior design of the library, and installed the first automated system. Hence, he was one of the "founding fathers" if you will, of one of the most amazing legal libraries in the country. His expertise is there, his knowledge is there, and his ideas are there.

Jump ahead to 2004...

Florida International University (FIU), with 37,000 law students, created a law school two years prior with 450/500 law students, called the FIU College of Law. It is located about 40 minutes from downtown Miami, and has a 56% minority enrollment, designed to meet the needs of southwest Florida. Its current library is housed at FIU in a temporary facility, while a new library is being built. In July 2004, Dean Downs begins his employment there as the Director of the Library and Professor of Law. His primary responsibilities will include collection development of the new library and staff training and development. In addition, he will be teaching European Union law.

Based on his education and experience, and with the progress of the Warren Burger Library at Mitchell, there is no doubt that Dean Downs will be successful. Although he will be missed in his many capacities here, FIUCL is lucky to have him, and we wish him the best of luck in his endeavor. It is difficult to sum up his many contributions, and perhaps it is a quote from Professor Winer that best states what Dean Downs has meant to the College, in a way that a chronology of his successes cannot:

"Dean Downs has devoted unflagging dedication to William Mitchell. In performing his decanal role, he has always put the interests of the College and its students first, even when the actions he took produced inconvenience for, or required sacrifice from, himself. He has also always maintained a vision of the directions in which the College should go, and he has worked effectively to move the College in those directions. He has done this even in circumstances where his actions might have tended to compromise his popularity with some elements of the faculty or other Campus constituencies. This is a virtue in an academic setting, because indeterminacy and indecision can be very destructive in managing institutions of higher learning. Dean Downs' leadership has always evinced both determination and decisiveness."

Best of luck Dean Downs, and of course, thank you; thank you for all that you have done and have had the forethought to pursue.



Serve Up Some Christmas Korv!

By Meleesa Henderson

My grandma force fed Lutheran doctrine like she did the Christmas Korv. Have you ever seen Korv? Imagine a hot dog inflated to the size of those balloons that clowns make into swan or tug boat shapes, and that the hot dog was sun baked and bleached that pasty white/grey color of dead fish on a shoreline. That's Korv. Grandma said that it was made from sausage and potatoes. The potatoes made the meat go farther (nobody had the heart to tell Grandma that concept was kind of like watching a bad movie twice). She swore Korv was a Swedish tradition. I lived in Sweden a few years back, and neither saw nor heard tell of Korv. I even asked a bunch of real, live Swedes if they had ever heard of such a thing. All said no. Perhaps a few Swedish immigrants a couple of generations back, likely during the great depression, invented it. I imagine all those stout little Swedes convinced their chil-

dren to eat it, so as to be in touch with their roots.

Lutheranism was a bit like the Christmas Korv. My family all ate it, at least took a little bite, because it was tradition, and also because in a rural town of 400 there was no other option. We had three churches, and one bar (rather abolitionist-like compared to the town down the road with four bars and three churches). In a small town, people don't "church shop." If you were born Lutheran, then you were confirmed Lutheran, married Lutheran, pot-lucked Lutheran, soft-balled Lutheran, and died Lutheran. My father even recalls the days when there was a Lutheran grocery store and gas station, and a Catholic grocery store and gas station. You always were what your family always was, and even shopped accordingly.

As an undergraduate we are all taught to question everything. I questioned that though a Lutheran by birth, was it, like the

Christmas Korv, a tradition I wanted to continue not only in my own life but that of my children. Don't get me wrong, I miss my little home town immensely and think highly of Lutheranism, but something about life in the city invites reinvention. Here in the cities we are so fortunate to have a zillion really awesome churches. Since the big move here eight years ago, I have tried out a Baptist church or two, a wild and crazy charismatic church, a Lutheran church, and now attend Cedar Valley in Bloomington. Though out of the comfort zone, it has been somewhat liberating!

So many people argue of "church-going" that they have been there done that or that they were burned once and will never go back. Logically, that argument is one of the weakest I have ever heard. We have all had jobs before and some were good and some were bad. However, even if we were burned by a job we go out to get another one. Why?

Because we need to feed ourselves. In like manner we all need to feed ourselves spiritually. Do not let one bad church experience allow you to die of starvation. The stakes are too great for that.

At break, I encourage each of you to take the time to consider what do you really believe and want to carry forward as tradition for yourself and your own family. Wooddale Church in Eden Prairie has an awesome midnight Christmas Eve service that my family's gone to for several years, even though it is not our regular place of worship. It is incredible! Talk about getting you into the Christmas spirit! There are so many other great Christmas services at other churches as well. At least for the sake of tradition catch a great Christmas Eve service, and if you have the chance, make Grandma proud and serve yourself up a fresh serving of Korv!



Bookania.com Provides Quick and Easier Access to Cheaper Text Books



Mike Saxena, along with Jill Pulcifer, Kristina Brooks and John Pham from GVSU, Michigan has been the driving force behind the concept of an online book exchange. This team has been working diligently since March 2002 towards the development of this Web site and is always looking for ways to make this site more user-friendly and effective. Book stores have been the first choice of students looking for text-

books, new and used. But now, through today's technology, the students will have the affordable and easy option of buying and selling textbooks with just a "click" of the mouse.

Bookania.com allows students to post their used books for sale and also buy used text books from other students. Launched just last year, Bookania has already

Continued on page 10

The Opinion's Opinion Page

Letters to the Editor

Dear Editor,

I just got through reading the November issue and wanted to let you know I thought it was great and to let you know that it is being read and appreciated. Your editorial was fantastic! Kudos for explaining why the paper isn't available in print anymore, while still emphasizing the importance of having (and funding) a school paper. I thought the overall

content of the paper was diverse, even including a critical letter to the editor. My favorite piece was Deborah Arndell's *Common Cents* article. Shawn Bakken's column had me laughing as usual, as well.

Thanks for all of the hard work you and all the writers and staff contribute so that WMCL can have such a great paper.

– Jennifer Brown, 3L



**The Opinion
wants to know
YOUR opinion.**

**Tell us what you think:
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H E A R S A Y

Recently at a Saturday morning meeting, one of the deans told SBA representatives that William Mitchell and its administration are stable and normal. As a student, why doesn't it feel that way?

This year is a major crossroads at William Mitchell in several different areas. Dean Haynesworth is retiring the end of the year and Vice Dean Downs will be moving to Florida to take another position there. A major reconstruction and renovation project is in full swing. Classrooms are changing and parking is a nightmare. The change factor is high right now, and the stability factor seems fairly low. My definition of this school year is the antithesis of stable – in fact, I would characterize it as crazy.

One part of this craziness is the disturbing tenor of the departure of Dean Jim Brooks. Dean Brooks exemplifies continuity and stability in his 21 years of service to the College. The e-mail announcing Brooks' dismissal raised more than a couple student eyebrows. The circumstances and reasoning have all been very mysterious. Some words students have used to describe this situation are "sketchy" and "unfair". But why would anyone care what we think? Hmm... more than 75% of the College's budget comes from our tuition. That seems like a good reason to care.

Many subscribe to the theory that one should not complain unless they have a solution or remedy to the situation or problem. I believe that as well. I think most students are accepting the craziness that is this 2003-2004 school year at Mitchell. But, as long as we are tearing down the physical

walls of the school, I think both the students and administration should begin to tear down some other invisible walls. We need to tear down the walls of secrecy and rumors by engaging in honest communication. This responsibility goes both ways—from students to administrators, and administrators to students.

My definition of communication goes beyond groaning and moaning when you have a problem (students) and distributing informative e-mails that sound like they were generated by a White House spin doctor (administration). I mean some good, down and dirty discussion of ideas, problems and solutions in an open and honest way.

It is my challenge to the students of William Mitchell to set the example. We are all busy, but take the opportunities you have to change the future of our school. We have the great opportunity to participate in the dean selection process – get out and do it! Spend some time on your professor evaluations rather than rushing through them to get out of class 5 minutes earlier. Communication goes a long way to dispelling rumors and creating solutions to problems, and it's something that lawyers are supposed to be especially good at. Start practicing now!



The Opinion's Opinion Page

SBA Opinion Survey Rankles

By Jennifer Brown, 3L

On November 18, 2003 the SBA sent a survey to all students about *The Opinion*, our student newspaper. I hope you took the time to complete and submit it. However, I suspect for a variety of reasons most students did not. The timing of this survey seems suspect since it comes at the very end of the semester when we are busy writing papers, preparing for final trials and exams. One has to wonder why the SBA is so rabidly after *The Opinion*. This issue has been going on for two years now with no end in sight. *The Opinion* is a great student run newspaper. The November issue was the most ambitious of the year and shows that the paper just keeps getting better with each issue.

The survey was not very neutral or scientific in my view. Instead of saying, "we may need to increase the student fees again to fund ALL student activities," the SBA attaches the problem to *The Opinion* by asking, "would you pay an additional student fee of \$1-2 per semester to fund *The Opinion*?" Students are given the mistaken impression that if the student fees are increased again it is only because of *The Opinion*. Or that they can prevent the fees from being increased by eliminating *The Opinion*. The real deal is that the SBA is considering raising the student fees again because they didn't increase them enough last year, in order to

adequately fund ALL student activities including, but certainly not limited to, *The Opinion*.

Also, despite having over 1000 students, response to surveys and student elections is relatively low. Fewer than 200 students responded to the survey about the mailboxes. If only 200 students respond to this survey, should we have 20% of the campus decide the fate of our student paper? Or any issue for that matter? I for one miss having a mailbox where a friend could leave class notes or handouts for you if you missed class.

I spoke with a few students this week and one student said she never read *The Opinion*. She said she didn't have time to read it so she didn't think we needed a student paper. But I asked her just because it doesn't have value to you does that mean it doesn't have value? She thought for a moment and agreed that it does have value even if not directly to her. I don't attend every campus event of which there are many (and that's a good thing), but that doesn't mean we shouldn't have them just because I don't have the time or inclination to attend. I understand that they add value regardless of my attendance.

I think if we start engaging in these kinds of popularity contests we are going to be headed down a slippery slope of debating the validity and value of student groups. Should one group not get as

much funding because they have fewer student members than another? Will we fund groups who have been established the longest with the most money? Will we be taking surveys about the popularity of all student groups?

The reason we don't engage in these discussions is because we don't all run the school. We elect (some of us at least) student leaders to do this. The SBA Budget has been finalized and *The Opinion* was funded. So why are we now getting a survey that says "You can assist the SBA in determining the nature and amount of funding to be allocated to *The Opinion* from student fees..."? *The Opinion* was budgeted \$5,750.00. They have not asked for additional money, so why does their amount of funding need to be surveyed? *The Opinion* did receive more money last year. They realized that they would not be able to receive as much this year. The staff has undertaken serious cost cutting measures to try to reduce its budget request by switching to an online rather than paper format.

It seems very dangerous to me to be questioning the validity of a student publication. *The Opinion* is not a student organization and should not be treated like one. We are not taking a survey about the value of the Law Review. I have not read every issue published since I have been a student here, but

that does not mean we should stop publishing it. Conversely, just because every student doesn't read *The Opinion* doesn't mean it does not have value.

I believe this survey is a SBA sponsored witch-hunt and is tantamount to censorship. We don't take surveys about the books that we should have in the library, the articles that are published in the Law Review and we should not be asking if we need a student newspaper! We have had a student newspaper at this institution since 1959 and, incidentally, have only had a Law Review since 1974. My point is not which one is more important or more valuable. My point is that both student-run publications are important and valuable to our school. And we don't need a survey to decide if these publications have value.

If the real issue is money or lack of it (and I don't believe it is) then let's get serious about tightening our belts. As I am writing this, I am sitting in Hachey below one of the televisions, for which \$975.00 of our student fees are paying for cable. Why are we paying so much for this and do we really need it? The sound is always muted, so who can really watch it and even if you want to watch, you would be interfering with the other students sitting around you. To put this into perspective, the amount budgeted for cable is more than the amount allocated to eleven of

Continued on page 10

Common Cents for the Broke Law Student *presents*

Cars are Common, Spots are Sparse, and Parking is a Pain: What Can YOU Do?

“Common sense often makes good law.”

—William Orville Douglas

By Deborah Arndell

Ah, the joys of motorized transportation. There's really nothing like it. It gets you everywhere you want you go; however, it never guarantees you a place to park once you arrive. And if you're a student at Mitchell, well, your chances just decreased ten-fold. Anyone who has ever been a student here knows the difficulty of finding a spot for your beloved four wheels

Suggestions? Of course, we here at Common Cents never provide a problem without offering a few solutions. So here are my thoughts for you, in the true spirit of giving and the holiday season, on how to combat this most grisly of concerns as winter approaches, classes continue, finals approach, stress levels rise and parking spots remain just out of your reach. Those little things you can do to get to class on time, without worrying about where you are going to park that 8-cylinder beast.

- This isn't Yellowstone, so there are no limitations placed on the number of snowmobiles that can legally cruise through Mitchell's parking lot. I believe, from an eyeball measurement, that at least four of these alternative devices could park horizon-

tally in that luxury spot reserved for the Dean. No, they are not a Mercedes, but they will effectively get between 4 and 8 people in the lot and to class on time. If that fails, you could park them on the lawn. They have not yet put lines on that so they can't sell them as "spots" and charge some student \$50 for a place that probably won't be open anyway when s/he arrives. Besides, nothing says "I don't need no stinkin' permit" like a Polaris;

- You could dress in a red suit and white beard, hire a sleigh and 8 reindeer, and call yourself Santa. We've all seen Miracle on 34th Street. Not even Rex would ticket that rig;
- We could all ride motorcycles to class, complete with leather chaps and black boots, and make the outside of William Mitchell look like a second Whiskey Junction. Imagine 60 "bikes" lined up outside, in a row, on the sidewalk. Yeah, that's what I'm talkin' 'bout [in my best Tracy Morgan voice from *Saturday Night Live*]. That might cause the school to create a better parking program, or perhaps, not sell more permits than they actually have spots;
- Domino's and Papa John's have been known to make many deliveries to campus. If you get desperate for a "permit" you could just "borrow" one of these pizza company signs and stick it on top of your car. When you get to class, just put

the sign on top, park in the visitor lot or the 'curve' with your hazards on and head to class. When you're done, take the sign down, stick it in drive, and go;

- With all of the construction going on, you could easily put up a few of those "official" orange cones around the spot you like to park in, so that it is available when you arrive. This is risky. Best to do this after dark, so if you are a night student, this may be perfect. Just don't forget to put them back when you are done;
- Put up a sign that says "Reserved For The Person Who Rarely Uses This Spot But Has It Nonetheless";
- Fake a special event so you can put up several dozen signs that will effectively take away even more spots that were paid for by students;
- Drive a construction vehicle—you'll blend; OR,
- You can always do what other students do, and have done, to manipulate the system in the past and in the present:
 1. Circle around like a bird, driving 40 mph, waiting for the reverse lights to appear on a car already parked. I don't recommend this option;
 2. Give someone the bird when you don't get the spot you thought was "yours" because you happened to be the idiot circling around for 20 minutes, only to find

that when a spot did open up, you were in the far row and someone else who just arrived took it. I love seeing this, or being the person who took the spot, because frankly, you deserve it for not just parking somewhere else and walking;

3. Just park, permit or not, and wait for that first "Notice" warning, followed by the second "Notice" warning. Once you've gotten those, you will want to follow one of the above bullets instead of these numbered recommendations. However, the chances of you getting either of these is slim, so don't buy that snowmobile or motorcycle just yet;
4. Put an old permit [Grotto Lot, Staff/Faculty, last year's student parking tab] on the back of your rearview and follow number 3 above;
5. Get to campus at 7:30 in the morning and stay there all day. With this option you can park on the street with no problems, or follow number 3 above;
6. Park in the church lot across from Mitchell, which is allowed for permit holders. However, if you are following number 3 above, you'll know that if they aren't ticketing in the lot that is connected to campus, they're probably not

Continued on page 10

Jingle All the Way to the Finish Line

December is fast approaching, a month filled with food, fun, frolicking and finals, though preferably not in that order for the sake of your



**Shawn
Bakken's
Sports**

grades. But once everyone is done with exams and papers and hunching over books for hours at a time, highlighter at the ready, it's time to kick back and enjoy some festivities. There's just one problem.

A lot of people out there will decide it's okay to be really naughty during the holidays, then make a New Year's pledge to exercise and lose weight. And then they break that pledge within two weeks because they have such a close relationship with the refrigerator and everything inside. Ah, the memories...

Well, it's time to stop living in the past. We all have to look to the future and choose some physical fitness goals that we'd like to reach and start working towards them *now. Okay, soon. Maybe halfway through January. You know, the end of February isn't too far away...* (And I should probably add that moving your arm to open up the door of the fridge doesn't count for much in the way of exercise.)

If you're ever looking for inspiration about reaching those goals, just ask some of the people who've done a 10-K run, cruised past William Mitchell during the Twin Cities Marathon or prepared for an Ironman competition. They can tell you that all their hard

work led to some huge payoffs. But then again, a description of "I swam, then I biked, then I ran" isn't exactly awe-inspiring, is it? Maybe if there was a 36-bike pileup or someone tossed a couple sharks into the lake, it would sound a lot cooler, I don't know. What I do know is that when I hear about adventure racing, my ears perk up a *lot* faster.

"Adventure racing? Is that when kids in their underwear tie towels around their necks like capes, then run in circles around a tree until they all collapse and the last one to fall down wins?" First off, no, it's not. Secondly, when you're playing that game, you're supposed to wear one of those Indiana Jones-type hats along with the towel around your neck. Hey, if you're gonna do it, you gotta do it right.

Anyway, once my ears are perked up, I hear a lot of interesting stories that could easily be passed down to grandchildren during the golden years. "Hiked through the woods? Hah! When I was your age, we had to fight off rabid squirrels and man-eating

chickadees while running through brambles and sticker bushes that would tear all the skin off our legs and when we got back home, we'd be stumping along without any feet 'cause they got chewed off ten miles back!" Doesn't that sound like a great bedtime story for a five-year-old? I think so, too.

But not all of the stories are quite that scary. And not all of the good ones are made up, either. To get confirmation of that, I talked to someone who joined a team of friends and ran a bunch of races over the summer—my little brother, Justin. No, seriously. Look, stop laughing, okay? I haven't figured out which one of us got the Silly-String chromosome, but he's in a lot better shape than me. If he wants to do a 16-hour adventure race, he can go out and do it. If I want to do a 16-hour adventure race, I come back to reality, plop down in an easy chair and wistfully listen to him talk about it.

Like I said before, someone doing an Ironman can describe the race by telling you, "I swam, I biked, I ran."

Well, an adventure racer can say, "I biked, I ran, I canoed, I climbed up rock walls, I read a map and found a lot of checkpoints without stopping to ask for directions." And the racers aren't all guys, either.

So after hearing some of Justin's favorite stories, I figured I could share a few with all of you to provide some motivation and give you something to start working towards when April finally rolls around. And don't worry about being in excellent shape—various races span a wide degree of difficulty: this first story comes from a race that the team finished in under four hours.

The starting line was in a YMCA camp in Lakeville. For those of you who aren't familiar with the area, it's a growing suburb of the Twin Cities and has plenty of lakeshore property that provides a lot of runoff from fertilized lawns. (As a result, well, let's just say that I tried swimming at one of the beaches this summer and the water smelled like someone had washed way too many pairs of dirty underwear in there.)

So with all those lakes, part of the race involved canoeing around to various checkpoints. At one point, Justin's team saw a shortcut they could take to avoid paddling around a big chunk of land, so they reached the shore, got out and started carrying their canoes. Through a swamp. A swamp that smelled much, much worse than the water. And the smell stuck with them for the rest of the race. But that was nothing compared to what happened next.



Casualties of Adventure Racing

Continued on page 11

Common Cents...

continued from page 8

walking across the street and ticketing anyone either.

- In addition, if you've never been able to get that favorite spot, or any spot, keep in mind that Thanksgiving break is just around the corner. You could drive to Mitchell, park ANYWHERE YOU WANT and just sit there for hours to see what it feels like to be in the lot. This is particularly useful therapy for those who have shelled out the \$50 and never actually gotten to park in the main lot.

Well, so much for being a commuter school. If you have a car, it's the luck of the draw. It's a cruel lottery of sorts. Moreover, if your luck is anything like mine, it goes something like this: if there is a one in 10 billion chance of winning millions of dollars, you'll lose. If there is a 1 in 45 chance of being the student called on in class, you'll "win." So let's face it: you're screwed. It's either time to learn to parachute in, or you're stuck parking three or ten or twenty blocks down Summit. Nevertheless, use this chance young Jedi. Take advantage of the opportunity to meet and greet those unfortunate faculty members cruising in from the Grotto Lot.

And if you happen to see a Santa or two on the main lawn, or several hundred reindeer, don't be alarmed. They're just Mitchell students trying to park, or the real Santa coming to put coal in the stockings of those responsible for such crappy parking, construction or no construction.



SBA Survey...

continued from page 7

the 21 funded student groups. And the amount we are spending on cable is more than the amount allocated to the Jewish Law Students Association, Democrats, WMCL Republicans and National Lawyers Guild combined (\$806.00). I think these four groups or almost any student group could add more value to the students of Mitchell than cable television. Now don't get me wrong, I am not against television (I happen to be a big fan) but cable was one of the first budget cuts I made when I started law school. And if there is a concern about having enough money to go around then I think we should look to the cable bill before we look at *The Opinion*.

The SBA has NO problem spending a majority of our student funds on Blackacre and Greenacre. These events can only be attended by a very limited number of students. And these events promote drinking at student expense. This year's SBA budget allocates \$6350 to these two events. Where is the survey asking if these events add value to our student experience and if we want our student fees to go up to fund them?

I think this survey is an insult to those students who work so hard to publish a great paper and it is an insult to those of us who read it. Leave *The Opinion* alone!!!!

Jennifer Brown, 3L



Bookania.com...

continued from page 5

proven extremely popular with students throughout the US.

Bookania.com has also been noted to help students get more money for their used books. You can find all types of text books listed on Bookania from Accounting to Writing. College students need to be able to go online and get fair money for their used books. Students want to sign up for free and add their books to be sold. Students need their books to be viewed by other students in need for those books. Bookania.com is the answer to all of this. Students can now sell their books online to other students for more money. Similarly students can buy their books online from other students for less money.

Phil Dolci, of Michigan based Grand Valley State University, used Bookania to buy several of his text books. "I bought books at cheaper prices than the bookstore and it was so easy. Bookania also sends automatic emails whenever the books I need are posted on the site. That was great!" said Dolci.

Jen Williams, from California State, turned to Bookania after she realized the books she needed were more than she could afford at the college bookstore. "I am impressed with the prices of books listed on Bookania. I also sold my used books on the site and made some extra cash," said Jen. "I was able to find most of my books and the site is very easy to use."

Nathan West from University of Michigan used Bookania.com to quickly find the books he needed. "I just lost my job, I did not have money, Bookania helped me

save a lot of money. I saved more than \$100," said Nathan. "Using Bookania not only helped me save money but also make some money by selling my used books"

Bookania.com has plans to continually expand the services going forward. "We've seen a growing interest from students wanting to have an online resource with access to affordable textbooks," says Mike Saxena. The website with easier access also includes searching by course number, school, and Title.

Bookania is a website built and maintained by students, it was designed to help students get reasonable money for their used books.

"Students are low on cash anyways and expensive textbooks just increase that burden" says Mike, "Bookania.com can help reduce that burden" The site was developed and is constantly improved by getting feedback from students all over the United States.

For more information on Bookania.com and how it can help students save money on text books, contact service@bookania.com or www.bookania.com

"The man who does not read good books has no advantage over the man who cannot read them."

—Mark Twain

Sports...

continued from page 9

Later in the course, one of the checkpoints had a challenge set up where the team had to fill up a large drum of water using little buckets. Why was it a challenge? The drum had a bunch of holes in the sides. Thus, it was a race to carry buckets of smelly water back and forth to fill up a giant sieve as fast as possible. To speed up the process, the girl on the team (naturally) got stuck plugging up holes with various body parts: two with her feet, a few with her arms and torso... and one with her head. Sure, she was wearing a bike helmet at the time, but if that stuff is streaming down your face mixed with sweat and God knows what else, that's the epitome of sacrificing yourself for the team. And a really good reason for driving home with the windows rolled down.

Perhaps Justin's favorite story came from one of those really long races. And when I say "long," I mean "starting at 4:00 in the morning." Yeah, I know, that's when a lot of us get to bed after a long night of studying, but he was up and running when the starting horn went off and everyone else was running right behind him.

It soon became very apparent that people weren't worried about reading their maps—they just followed the person in front of them like a bunch of lemmings. They all have to go to the same place, so why take the time to notice that the map says you're supposed to continue along the shoreline when the runner in front takes a path off to the right? You know, I'm always going to wonder what other lemmings would be thinking if the lemming in front turned

around and ran back to the lake, giggling maniacally as he passed them by. It's probably best that Justin didn't stick around to ask.

Oh, there are way too many stories he's brought home to share them all here. I don't have the space to explain "bonking," which isn't actually getting pounded in the head with a large mallet like in the cartoons, but not having anything in your stomach to burn apparently has a similar result. It also seems to make Doritos turn into the best tasting food ever at the end of a race. I also can't get into depth about the time he spent three hours getting all of the cockleburs out of his running pants because they went bushwhacking through the woods so much (unfortunately, the legs of someone who only wore shorts suffered a much worse fate).

And I really can't tell you about the time he could have been pulled over by the cops because he was riding his bicycle down a steep hill at 45 miles an hour. That'd probably make another good story for the grandkids, wouldn't it? "When I was your age, we had to ride down mountains at near the speed of light and when we fell, we'd land on sharp rocks that would tear all the skin off our legs and when we got back home, we'd be stumping along without any feet 'cause they got stuck in the pedals ten miles before the last checkpoint!" Hmmm... you know, maybe it'd be okay if you put off your exercise regimen until June or so after all.



Interim Dean Kevin Campana

By Mary Kilgus

Taking the place of Dean James Brooks as Interim Dean of Students comes Kevin Campana.

A graduate of the University of Montana Law School '78, Dean Campana began his career as a county prosecutor. From there, his career path veered into the business sector, and he brings a wealth of knowledge from the business and sales world with him to William Mitchell.

"I became a national and international salesman for mainframe computers. I traveled mostly to Asia and the Middle East," he said. When mainframes became less popular, he became manager of the Wallace Law Registry, now the Kelly Registry. An ailing legal research firm, Campana turned the business around in 3 years. Next he became the vice president of operations at Legal Research Center, a legal information service. "We did research for the U.S. Supreme Court, the New York Supreme Court and many others," Dean Campana said proudly.

Following that stint, he worked for West and Keycite for 2 years.

One day, a corporate headhunter called him about William Mitchell. The Center for Law and Leadership needed someone to run it. Campana was given the job of either fixing the lagging program in three years, or trashing the program. After giving it a shot for two years, he advised Dean Haynesworth that it was financially infeasible to continue the program.



After the conclusion of that program, Dean Campana stayed on for more jobs at William Mitchell, most notably recently was heading up the construction project.

Then he was tapped to step into the Dean of Students spot until a replacement for Dean Brooks could be found.

"I am not applying for the Dean of Students position," said Dean Campana. "I should be finished here by September."

But he still has goals to accomplish before he leaves the position. "That's the way I work. I see things that need to be done and I try and do something about it," he said.

For the moment, Dean Campana is trying to get to know students and their concerns. Recently, he's held meetings with a couple of student groups and spoke before the SBA at its November meeting. Not one to sit around, Dean Campana is hitting the ground running.



Thriving in a Tough Market

by Gina Sauer '90, Assistant Dean for Career Services

As you know, the market is tight. Now that that's out of the way, let's talk constructively about what YOU can do to be proactive about your job search in these challenging times, and what WE in Career Services are doing to ensure your success.

1. Don't Panic. Take comfort in knowing that the legal market is cyclical—it *will* get better. Moreover, William Mitchell's employment statistics have historically been strong, even in tougher times. In the past 9 years, our employment rate has never been under 92%, and it's been as high as almost 98%. So the picture is not as bleak as you may perceive it to be.

2. Network Like Crazy. While it's no good to panic, it's equally counter-productive to sit back and hope a job will fall into your lap. Even in the strongest market, most jobs are never advertised; the number one way to get a job is through word of mouth. That doesn't mean you have to be born into a family of lawyers, or have a platinum country club membership. It simply means you need to avail yourself of the myriad opportunities on-

and off-campus to meet people. Find an MSBA section meeting, MIPLA event, or on-campus program on a topic that intrigues you, and introduce yourself to attorneys who practice in your area of interest. Or stop by our office and we'll put you in touch with alumni/ae willing to meet with you, and even provide you with a networking "script" to get you started.

3. Accept that Job-Searching Takes Time and Effort. It would be nice if everything were as convenient as OCI—push a few computer buttons, and your resumé is magically transmitted to a waiting pool of employers. Sadly, the real world doesn't work that way. And unfortunately Career Services offices aren't employment agencies where you describe your dream job, and we match you with a custom-made, \$90,000-a-year position. Finding a job *is* a job, so you should set aside time each week to network, research employers, etc. The upcoming break is a great time to jump-start your job search.

4. Develop a Strong Resumé. Not only should your resumé *look* good, it

should contain a history of substantive experiences of compelling interest to employers. The whole point is to distinguish yourself from your peers. This doesn't mean you have to have prior legal experience, or have been the CEO of 3M, but you *do* need something on your resumé that demonstrates your abilities. If you don't feel you have meaningful experience, go get it. Remember, experience doesn't have to mean a "real" job: volunteer through MJF, become an officer of a student organization, help MWL organize its next event, or help a professor with her research project. There are lots of ways to convince an employer that you have the skill sets they want.

5. Be Open to Opportunities. Students are often surprised at how little law clerk jobs pay. Part of the reason is that legal employers know you are still learning; they don't feel compelled to pay you exorbitant amounts while they teach you to be a better researcher. Your first clerking job will probably not be glamorous, so don't dismiss an interesting opportunity just because it only pays \$12.00 an hour. Ask yourself, is this a potential stepping stone to my dream job? Will it provide me with exposure to the legal community, and develop my skills? If so, take it.

6. Be Creative About Your Finances. You've got to eat. You've got to get legal experience. It would be nice to find a paid clerkship that accomplishes both, but the two concepts don't always have to go together. Bar-tend at Billy's while volunteering at

the Neighborhood Justice Center. Work for One-Hour Photo ten hours a week and for a solo practitioner another ten hours a week. The end result is the same—there is money in your pocket, and more important, there is legal experience on your resumé—which means that when a more lucrative, paid clerkship does come along, you'll be the one who gets it.

7. Use Your Work Study Award Off-Campus. News flash! Work study dollars don't have to be used solely for on-campus jobs; they can be used to fund positions at most government agencies and non-profits. That's especially important in this market, when many agencies have frozen or reduced law clerk hiring due to budget cuts. If you tell an agency that up to 1/2 of your wages could be reimbursed through federal funding, suddenly it becomes possible for them to hire you. For more information, stop by Financial Aid or our office.

8. Use Us. You already know about the job postings in our office and the online version on our web site. But we can also map out strategies for your job search, suggest employers that might be a good fit, put you in touch with networking contacts, coach you for interviews, and review your resume, cover letter and writing sample. We also have a resource Annex full of handouts on a variety of topics, many of which we've just updated. We're also good cheerleaders when your job search isn't going as planned. So come and see us.

Continued on page 13



Outdoorsy-types could shovel snow this winter for extra income.

9. Know That We Are Always Working on Your Behalf. We are continually conducting outreach to employers, and coming up with new programming, online and hard copy resources, and services for you. Here's a sample of just a few of the projects we're currently working on, and hope to roll out in the near future:

- Conducting an outreach campaign to public employers educating them about work study funding;
- Conducting outreach campaigns to local employers, employers in seven-state Midwest area, and national campaign to Intellectual Property employers;
- Coordinating and hosting the first-ever "Small and Mid-Size Midwest Employers Conference" in the spring semester;
- Forming Job Seekers' Support groups;
- Developing ways to use aptitude testing to help you determine the right area of law or alternative career for you;
- Working with our IT department to create online, searchable employer databases for students.

In addition, take a look at the Events Calendar on our web site (www.wmitchell.edu/services/careers/). We've got lots of programs coming up this spring—one or more is sure to interest you. And one more thing... our subsequent *Opinion* articles will be an "advice column" where we'll respond to your career-related questions. Email us at carserv@wmitchell.edu, and we might use your question in the next *Opinion*!



St. Paul, MN
Wednesday, Nov. 11
By Mickey Tierney

In this monthly column you'll be able to follow your one and only William Mitchell hockey team. Wearing black and playing a mean brand of hockey, the William Mitchell Fighting Eel Pouts have surged to a quick .500 record after the first two games of the year.

The Eel Pouts lost to defending league champions, Blade's, in their first game of the 2003-2004 season by the narrow margin of 4 to 3 in the last week of October. Much more was gained from that defeat than was lost though. "I saw a lot of good things out there in that game," team GM and power forward Ross Hussey said in an interview after the game. "Given that almost every player came to the ice directly from their couches, where their asses have been planted since last Spring, we had a hard time wearing down the opponents out there while keeping our own legs moving tonight. We played well though, I think."

After a huge turnout for game one, 22 skaters plus Mitchell goalie Brian Howard, it was hard to believe that our Mitchell Eel Pouts couldn't wear out a team with only five players on their bench. The Pouts had 15! But the puck had been dropped and the team was on the ice the first time for the season.

In their second game of the year, played on Monday, November 10th, the Pouts rallied back from an early 2-0 deficit to score three successive goals in the second period to take a 3-2 lead over a gritty team sponsored by Goby's bar, on Snelling Ave. Goby's would score two more goals in the game but never take the lead. The Pouts scored on two of four power

Drop the Puck

plays, Howard would stop a crucial penalty shot late in the third after your team in black defended the honor and integrity of William Mitchell during a bench clearing brawl that took two referees and five minutes to break up after Goby player, Durk Gunderson jumped Howard with fists flying. Howard's save on the penalty shot proved not only as the stymie that would take the wind out of Goby's sails, but also set the stage for the game clinching goal by Pout veteran forward Steve Cahill. The Pouts won 6 to 4.

With returning veterans the likes of Cahill, Patton Prunty, Brendan Tupa, Mickey Tierney, and Ross Hussey, among others, and the addition of fresh talent like Dan Gallatin, Steve Hennessey, and Matt Kopp, including the return of national champion Melissa Milbert of South St. Paul, your Fighting Eel Pouts are looking to have a successful season this year and need your support.

"As a part-time student this will be my fourth year on the Pouts. In the past I wasn't half as focused as I am so far this year. This could be our season, baby. We're going for it all this time," said 4L Steve Blake. "And if not, we're going down fighting."

Keep reading *The Opinion* and look for more updates on your William Mitchell Fighting Eel Pouts.



Happy Holidays



from The Opinion