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The Opinion

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10-2004

## The Opinion – Volume 18, October/November 2004

William Mitchell College of Law

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## ANTICIPATING CHAOS & CONFUSION ELECTION LAW FORUM HELD

by Carla Magnuson

On Wednesday October 13, Professor Raleigh Levine and resident adjunct clinical professor Diane Dube presented an Election Forum addressing election law and voters' rights. Approximately thirty students attended. Prof. Dube introduced the topic and gave a shout out to the neighborhood group Got Voice Got Power! {See separate story about her new Community Development Clinic}. Professor Levine laid out the majority of the substance of the talk.

If we as students are wondering why we should be familiar with election law and why we might want to free ourselves to act as voter advocates this November 2nd, Levine offered as an answer; "One word: Florida." While the experience of the 2000 presidential elections spurred voter advocates to push for reforms, the reforms themselves, notably those created under the Help America Vote Act (HAVA) may cause their own share of problems.

She continued to assure us that it is a safe bet that once

the fateful day rolls around conflict and confusion will abound. We may wake up November 3rd without a clear indication of who won the presidential election.

Why might this be the case?

Professor Levine offered the following as contributing to "perfect storm" scenarios:

- 1) a tight presidential race;
- 2) new voters, upwards of one million are signing up to vote;
- 3) new process for tracking new voter registrations;

- 4) less than uniform identification requirements;
- 5) provisional ballots cast by voters who aren't registered due to clerical error will not be counted until days or weeks later if at all, plus different states will treat provisional ballots differently;
- 6) election officials are on their own as far as applying the rules they enforce; and finally
- 7) some areas still have antiquated voting machines

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## Wise Guardians of Knowledge!

By Melessa Henderson

*"A book is a fragile creature, it suffers the wear of time, it fears rodents, the elements and clumsy hands... so the librarian protects the books not only against mankind but also against nature and devotes his life to this war with the forces of nature."*

— On librarians of the year 1327, *The Name of the Rose*, Umberto Eco

Had it not been for the heroic effort and patient compassion of the librarians I would not have survived the crap of WRAP, or ever been

able to scrounge up obsolete sources for law review authority checks. Every one of these librarians has personally helped me through varying degrees of crises. For that I am so grateful! Get to know and value these librarians. They do far more than protect books as they diligently enforce the no food, drink, or rodent policy. Our highly educated and esteemed librarians are an integral part of the WMCL community, an invaluable source of wisdom, and conduits of relief.

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Our librarians – from left to right: Lindsay Matts, Deb Hackerson, Mary Ann Archer, Bill Jack, Jan Stone, Jane Hopeman, and Sonya Huesman. Not pictured, Ardis Jacobson.

## Election Forum

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while others now have shiny new yet questionable electronic/computerized machines.

Prof. Levine then ran through a basic history of voting in the United States. She pointed out that there is no positive right to vote in the Constitution. Although several later amendments prohibited states from outright barring certain individuals from voting on account of their race or sex, states could still institute literacy tests, charge poll taxes, or condition the vote on property ownership. Though we may believe our democracy is all about the voting, the concept of "One Person One Vote" has really only been a reality since the civil rights era of the 1960's.

Some restrictions are still allowed. Nearly all states require registration with the odd exception of North Dakota. States cannot cut off registration until thirty days prior to the day of election under *Dunn v. Blumstein*. Six states, including Minnesota allow same day registration. All states require voters be citizens, born or naturalized. Residency requirements are allowed provided they are in keeping with the holding in *Dunn*. Minnesota has a twenty day residency requirement. All states require a person to be 18 years or older by the day of the election. Many states bar convicted felons from voting. Some states restore the ex-felons voting rights once they have served their time including parole. States may also prevent the mentally incapacitated from voting if the person's voting rights have been legally terminated.

*Interesting factoid: In Wisconsin a voter is not allowed to vote on a race in which they have placed a wager on the outcome.*

Each person is considered to have only one residence. This presents a particular problem for students who may be temporarily residing where their school is located, but may have every intention of moving "back home", or at the very least somewhere else, after they graduate. In Minnesota, if you are a student you can either vote back at home or in Minnesota, you just need to be able to swear you are planning to stay with no present intention to move.

Several students brought up the concern that a residential limbo occurred if a person moved to a state from another so recently they wouldn't meet the residency requirements. Prof. Levine assured the students that they would still be considered residents of the state they moved from and should be allowed to vote in that state. How they got this accomplished (absentee ballot, road trip) was up to the person in limbo. Your best bet may be to avoid changing residences for the first of November, in the case of the general election. If you simply can't help it, request an absentee ballot before you pack up and move. Luckily most students have settled in to their new digs a couple months before November rolls around.

During a stretch break at the middle of the talk, all attendees indicated they were registered to vote by standing on cue. It would have been a tough room to admit otherwise.

Professor Dube then highlighted some potential

## Volunteer Opportunities for Voter Advocacy

**Election Protection:** Voters' rights campaign coordinated by People for the American Way and Wellstone Action. Volunteer duties include handing out Voters' Bills of Rights and providing voter assistance on Election Day. Election Protection will have a telephone line to report problems at polling sights. 1-866-OURVOTE. Check out [www.electionprotection.org](http://www.electionprotection.org) WMCL contact: [mthoughtaling@wmitchell.edu](mailto:mthoughtaling@wmitchell.edu)

**Got Voice? Got Power!:** A local neighborhood drive to get out the vote particularly among new voters. Phone bank volunteers needed hours October 31st 1pm-4pm. 651-603-5906

**Joint Religious Legislative Coalition:** Based out of the Urban League headquarters, group will be providing rides and other assistance. Contact Jody McCardle for further information. 612-870-3670. [jody@jrlc.org](mailto:jody@jrlc.org)

**Just Democracy:** Group, founded and led by law students, will help ensure voters' rights and make sure eligible voters aren't turned away from the polls. FFI see additional *Opinion* article on page 15 and check out the web-site: [www.just-democracy.org](http://www.just-democracy.org).

Chapter president Ray Sobocinski [rsobocin@wmitchell.edu](mailto:rsobocin@wmitchell.edu).

**Minnesota Coalition for the Homeless:** assist easily disenfranchised homeless population. Volunteer duties may include assisting shelters to get their residents to polls, recruit volunteers to "vouch" for homeless residents. WMCL Contact Mike Davey 612-879-9437 [davey@mnhomelesscoalition.org](mailto:davey@mnhomelesscoalition.org).

**Minnesota Participation Project:** Non-partisan "Get out the vote" effort. Volunteers will provide transportation, translation and interpretive services, and general assistance to voters in need. Call Ingrid at 651-645-2433 to volunteer.

problems that might occur at various polling places. People cannot just lurk inside the polling place. A partisan challenger from each of his/her respective parties can call into question a particular individual's voting eligibility. Challengers are expected to challenge in good faith. If there is a problem and you are not allowed to vote for some reason DO NOT LEAVE. You will forfeit your right to vote if you do. Voter advocates should be on hand to help you. Of course these advocates are not allowed to be within 100 feet of the polling place. This may result in some logistical challenges.

Other than the cheerful "I voted" red stickers, no direct

campaigning is allowed within 100 feet of the polling place. If the polling place is on public property this prohibition is extended to the entire property. This could be problematic if the polling place is in a public park building or school that has extensive grounds surrounding it. Exceptions may include the wearing of issue oriented buttons or other accoutrements provided the particular issue is not up for a vote.

Various group representatives then presented opportunities to volunteer promoting voter advocacy and other legal issues pertaining to November 2nd and beyond.

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# From the Editor

**"DON'T VOTE IT ONLY ENCOURAGES THEM."** So read a bumper sticker on the back of a dilapidated green school bus parked in the Minneapolis neighborhood known as "The Wedge". It was 1988 and I was walking around familiarizing myself with my new locale. Newly arrived from a less civilized state to the west, something about the cynical punk rock sentiment appealed to me. "I gotta meet the owner of this bus," I thought.

Either the vagaries of life or the power of my wishful thinking conspired to cross my path with that of the bus owner a couple of years later. The finiteness of the subculture we wound up sharing resulted in his hooking up with the ex-girlfriend of my ex-boyfriend. They made a fabulous couple with a multitude of radical tattoos between them. They furnished their first apartment by dumpster diving.

Fast-forward a decade and a half; he's a small business owner, she's a "stay at home" mom and I'm pretty sure they both vote. As for myself, I've shed my counterculture couture, at least for now. Here I am blending with law students, more or less. My how times have changed.

Just because the dreads are gone doesn't mean the attitude is. So what about my punk rock cynicism? Like others I discussed the

eyesores with, I was (mildly) outraged by the patriotic "Don't Vote" sign posted on Clear Channel Outdoor billboards around the metro. "What is that obnoxious media giant up to now; seeing if they can voluntarily disenfranchise passing motorists? Wouldn't put anything past them." Turns out the billboard demanded the bystanders not vote for a certain deejay at a local radio station. A promotion like that in the midst of this divisive voter season? Those jerks. All right so maybe my cynicism has just shifted to different objects of derision.

I don't know if it's my maturity, my schooling or my response to the last election, but I no longer subscribe to the sentiments on the uptown bumper sticker. Everyone should vote, even if it encourages "them". Particularly if it results in electing some representatives that are more interested in governing than politicking. Pay particular attention toward the bottom of the ticket, because it's the local politicians that are going to make the most direct difference in our lives, even if it's just to restrict parking on Grand Ave.

Please enjoy this special election issue of *The Opinion*. And if it seems especially polarized to you, it's by design, in order to reflect the tenor of the times.

## The OPINION

William Mitchell College of Law Student Newspaper

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**Blackacre photos courtesy of Doug Heeshen, Steve Hennessy, Laura Torres. JD Nat'l Leadership Conference photo courtesy of Just Democracy. Librarian photo by Don Zhou.**

**Special thanks to Professor Iijima for suggesting the "There is Hope" article.**

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### Submissions to The Opinion

Articles for the December, 2004 issue of *The Opinion* are due November 11, 2004.



# NOVEMBER 2

[www.november2.org](http://www.november2.org)

## Guardians...

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**Mary Ann Elizabeth Archer** grew up in Genesco, New York, and has been at WMCL almost five years. In 1953, she graduated from SUNY (State University of New York) at Genesco, with majors in Library Science, English, and History. She got her masters in library and information science from SUNY in 1976, and her J.D. from WMCL in 1990. Mary Ann's previous job was Library Manager of the Dakota County Law Library for eight years, and before that she was a Senior Information Analyst at the Research Laboratories of the Eastman Kodak Company for nearly twenty years. She refers affectionately of her WMCL job as her "Second Retirement Job."

**Sonya Huesman** is from Valley City, North Dakota, and has been at WMCL for four years. She graduated from Concordia in Moorhead, and majored in Psychology, and minored in English and Social Work. In 1994, she received a Master of Arts, Library & Information Science and a JD from the University of Iowa. Sonya thinks "the best part of my job is the variety... [a] typical shift may include helping an upper level student with research for a long paper, teaching a first year how to find a treatise, working with a faculty member on a research project, and helping a pro se patron find the law on a topic... [it] is both fun and challenging." Sonya is married to Ron, who works for the U of M as an analyst in the Office of Institutional Research. They have three children, Mikayla (9), Kylie (4), Matthew (3 months), a geriatric cat Molly (14), and dog Kalli. Sonya

coordinates to make sure her older kids get to piano lessons, soccer games, church choir, and bells practice... and "makes sure Matthew doesn't get forgotten in the shuffle!" As for the future, Sonya says she hopes on "a personal level... to build a cabin on our lake lot... and on a more abstract level, that I am a good parent and that my kids turn out o.k."

**Jane Hopeman**, originally from the Adirondack Mountains of Northern New York State has been at WMCL for four years. She graduated from Carleton with a History major, and then got her MAEd from Washington University, and also studied library science at St. Cloud State. Before WMCL, Jane taught school, was a Reference Librarian in three large law firms, and raised a family (the latter is a work in progress!) When asked what she likes best about WMCL, she responded "the people – students, faculty, and staff!" Jane has three children (with interests in art, law, and medicine), a very tolerant Labrador retriever, and a usually tolerant, long-suffering, and indulgent husband! For the future, Jane hopes for "a more generous and tolerant world... and, time to enjoy it!"

The servant saint award goes to **Jan Stone**. Last spring I did an authority check on a law review article, and I swear some of the sources were from the 3rd or 4th centuries. West and Lexis just don't go back that far. Jan generously spent a ton of her time to help me find the sources, and even had a great attitude through it all! Jan says she has worked at WMCL for "3 years, 4 months and 12 days" and when asked where she grew up Jan responded "if

at all, in St. Paul." Jan got a B.A. from Concordia, a M.S. from St. Cloud, a J.D. from the U of M, and a M.S. from University of Northern Texas. Whew! The race is on between her and Bill Jack! Before WMCL she was definitely a Jan of all trades, having worked as an editor, indexer, law clerk, school media center director, utility infielder for high school English and social studies departments, theater tech, band director, choir director, Medicare claims processor to name just a few. About WMCL, Jan says "the students are a fascinating group—different every year—and I learn so much from them. I'm also really pleased to be working with a group of faculty who are both excellent scholars and also good teachers. A law school with teachers who really want students to learn is far too rare."

The gold medal for a student-name-knowledge-bowl would unequivocally go to **Lindsay Hutchins Matts**. Lindsay grew up in Roseville, and has worked here since July 2002, and became an "official" Librarian this summer. She went to Concordia in Moorhead and has a BA in Communication, Sociology and a Minor in Art. This August she got her masters in Library and Information Science from the College of St. Catherine/Dominican University. At one time Lindsay worked for the Rape and Abuse Crisis Center in Fargo where she answered crisis calls from victims of domestic violence, rape, sexual assault, and child abuse. What Lindsay likes best around here is the students, and that they "make me laugh—not laugh at, but laugh with." Lindsay says she has a "rather large

orange cat named Sam... [and that her] father works at the U as a biostatistician and my mother is an ESL teacher." For the future, she "would like to see people in general become less angry about the state of the world and more optimistic about the future. I think everyone should feel that they can be anything and do anything they set their minds to," and that she wants to pursue a PhD in Sociology or Children's Literature.

**Ardis Jacobson** grew up in North Dakota, and started work at her temporary/part-time/retirement job here at WMCL just over three years ago. Ardis graduated from St. Olaf College with a B.A. Psychology, and the U of M with a M.A. Library Science/American Studies. Before WMCL, she directed a law firm library; provided reference in a law firm library; served as an information specialist for a law firm department; and managed the bill status system for the Minnesota Senate. About WMCL, Ardis best likes the students, faculty and the public and their questions, and also "the wonderful library staff." Ardis states that "very soon my first grandchild will be born," and of the future she hopes for "a just and peaceful world for my grandchild. We can't have small dreams for children!"

**Debby Hackerson** grew up in Apple Valley, and received her B.S. Paralegal degree from Winona State, and her J.D. from WMCL, and currently works on her Masters of Library and Information Science degree through the College of St. Catherine. She has worked here as a part time reference librarian for

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# THE NEW WORLD

"HONEST to goodness the bars weren't open this morning. They must've been voting for a new president or something. Do you have a quarter?" I said yes because I did. Honest to goodness the tears have been falling all over this country's face.

It was better before, before they voted for what's-his-name.

This was supposed to be the new world.

(REPEAT)

Flint, Ford, Auto, Mobile, Alabama,  
Windshield wipers, Buffalo, New York, Gary, Indiana,  
don't forget the Motor City

Baltimore and D.C. now, all we need is;

Don't forget the Motor City.

This was supposed to be the New World.

(REPEAT)

All we need is money. Just give us what you can spare.

Twenty or thirty pounds of potatoes. Or 20 or 30 beers.

A turkey on Thanksgiving. Like alms for the poor.

All we need are the necessities and more.

It was better before, before they voted for what's- his-name.

This was supposed to be the new world.

(REPEAT)

Don't forget the Motor City

This was supposed to be the new world.

(REPEAT)

Lyrics by E. Cervenka and J. Doe, ©1983 Eight/Twelve Music, BMI from the album X: More Fun in the New World, Electra Asylum Records 1983.

Text with fun graphics available at <http://xtheband.com/newworld1.html>



## Guardians...

*continued from page 4*

almost two years and enjoys working with the students and faculty. She is the mother of a six-year-old daughter and three-year-old son. Debby left litigation to stay at home with her kids while they are young and decided to come back to the legal field as an academic law librarian.

My first recollection of **William Jack** was his cameo in WRAP. With that bow tie and regal manner he just embodied academia. Bill, a librarian here since October of 2001, says he was "born on Kent and Holly, just a few blocks from here, and graduated from St. Luke's Grade School, on Summit and Lexington." He is a true renaissance man as he has more degrees than a Minnesota thermometer: a BA in Russian from the U of MN, a MA and PhD in Slavic Languages and Literatures from the U of MI, a JD from Southern Methodist University, and a pending MLIS from St. Catherine's College/Dominican University

(5/2005). Before WMCL, Bill worked as a law librarian at Dorsey & Whitney, and what he likes best here is 'the collegial atmosphere – the way students, faculty, and staff get along.' He is the second of ten children, and last summer he and his wife adopted three kids from Russia, ages two, three, and five. And as far as the future goes, he hopes to "continue doing what I do, and doing it better."

**"Who dares to teach must never cease to learn."**

– John Cotton Dana,  
a New Jersey librarian, 1912.

As my final days at this finest of institutions draw near, the thought of how much was cash spent on this venture makes me wonder if the prize really worth the price. My jury is still at lunch, however the diligence of our librarians definitely weighs on the plus side. They consistently go above and beyond the call of duty, and remind me, "Yes, this is what I am paying over 20k per year for!"



"Kick Juror #4."



# The Opinion's Opinion Page

## If You Don't Vote You're a Moron

By Mike Tierney

It's tragic when some perceive that they have a person in office so bad that slogans like "Anybody But Bush", and "Protect America, Vote Out Bush" pervade, but here we are, and he is that bad.

I'll admit I voted Green in the last election. And after hearing Democrats and Republicans alike tell me that I either wasted my vote or that I actually voted for Bush, I understand how stupid a slogan like "Anybody But Bush" really is. Since when has our electoral system been about voting people out of office rather than voting them in? And for those of you who still believe I "wasted" my vote in the last election, last I checked we were supposed to vote for representation, not parties. Have the Democrats become so out of touch that they can't offer a candidate worth being elected? Well, then they're not the only ones. But the Republican alternative is simply too dangerous to consider.

Whether Bush is that bad of a leader or the guys behind the scenes are that mad, like the would-be war criminal Paul Wolfowitz for example, staying the course is about the worst thing this country could do right now. We got way the hell off course almost immediately; to stay it now would be insanity. No one can simply hate forever, especially not

us. And, Bush still can't say "nuclear." That IS scary! (see the Bush/Kerry "This Land is Your Land" spoof from jibjab.com.)

Watching the first Presidential debate, we heard the President state that "the events of 9-11 must change the way we look at the world". What he meant was that America is now vulnerable. His solution, stop terror before it happens by "constantly being on the offensive". The problem with this plan is that to actually pursue this course of action will result in a) perpetual warfare until we've killed every person who dislikes this country, b) more hatred, thus more killing and infinitely perpetual warfare, and c) trampling on the very essence of our nation's traditions of freedom and liberty. Besides, no military is so strong that it could take on the world; the last guy to try should have been proof enough.

Screw taxes. If you think "those liberals in Congress" cost you a lot, how about a billion-dollar-a-day war? I don't think anyone ever died because their taxes helped someone else. This election isn't about taxes, though. Voters need to acknowledge that now before we invade the next country that "houses and trains terrorists." Every country, including our own, houses or trains terrorists. Ever hear of the School of the Americas?

If you haven't, with all due respect, shame on you.

Remember: Hundreds of innocent people are dying because President Bush made a rash, ill-informed and overly aggressive decision to invade Iraq. But thousands of innocent people died in the terrorist attacks of September 11, right? That is right. But if you say that anyone who did not support going to war with Iraq, or continues to disapprove of it doesn't hate terrorists, or worse yet hates our soldiers, you are in one word, stupid. No one likes terrorists, not even terrorists. And I won't even acknowledge the second assertion, it's the moron in charge of the soldiers people don't like. And of course a world in which Hussein is out of power is a better place, everyone agrees with that; but nonetheless it is not safer for it. The way that he was taken out of power was done in the same despotic, lawless manner in which Saddam governed. We've said to the world if we don't like your leader maybe we'll take him or her out unilaterally.

Our main ally was the English. Yeah, they have a great track record overthrowing governments; and had fun with it for about 300 years until it got really, really old. And yes, the Poles were there, but they still think they actually owed us something for liberating them from the Nazis. The Aussies actually threatened



Senator John Kerry

to vote out their Prime Minister for getting involved and they quickly pulled out; so you can't count them. And the rest of the countries didn't know any better and they've mostly all pulled out too.

Bush was a paranoid bully when he got into office. Our tragedy coupled with his ignorance lead us to where we are today. The events of 9-11 in fact must change the way we look at the world. President Bush was right when he said this. It means we actually have to look at the world. And if you look, you'll see that the devastation in Europe after the World Wars still exists and you'll understand the implications of a global war. Or look to the destruction that our previous meddling in the politics of other countries has wrought in South America and Iraq you'll see how backwards and awful our

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# The Opinion's Opinion Page

## The Choice for Life

By Melessa Henderson

My colleague Michael Tierney suggested he write about why Bush is just like Hitler, and I write about why that would be an extremist misconception. I suggested I advocate free enterprise, and he socialism. From this short list you can see our divergent perspectives. Well, 'tis the season, so we decided to write about liberals and conservatives from various perspectives.

**The Debates:** Now I admit, from the two minutes of the debates I watched, Kerry is the smoother talker, and Bush could use some work, however I do actually appreciate his awkward candor. As my conservative father and I joked, Bush just ain't slick enough to lie to you, as opposed to his predecessor or his competitor. What irritates me about the Kerrys is that they are simply *for* everything; like parents who buy their children's compliance with promises of Christmas gifts they can't possibly afford. Kerry vows to not raise the retirement age and at the same time he is for lower middle class taxes. Balance the checkbook, Kerry. For once, I would rather hear more about what Kerry can legitimately *do*, than what he is *for*.

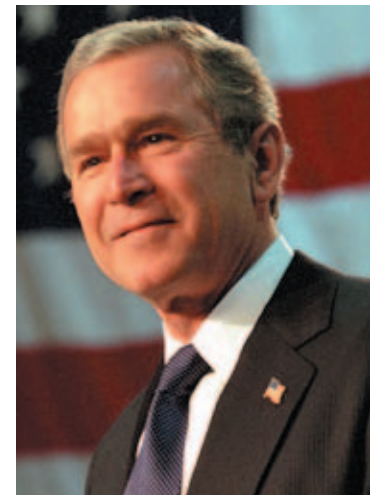
**Abortion:** Teresa's views on abortion are as flip-floppy as her husband as she states abortion "should be rare but it should be safe and legal. And the government should stay out of the bedrooms of

Americans."<sup>1</sup> Ok ole girl, let's dissect these two moronic statements. If we made pot safe and legal, and thus more available, would its consumption be more or less rare? Again, simple economics. Secondly, abortions are generally not done in *bedrooms*, they are done in *clinics*. Do what you want in the bedroom. Just don't get pregnant and take another's life. And as one liberal friend posed to me, if we make abortions illegal won't there be an influx of unsafe abortions done? Why don't we just legalize cocaine then? I have heard many a liberal woman say *she* would never have an abortion, but would never want to deny that *right* to others. Why not just say you would never want *your* kid to do cocaine, but you would want it perfectly available for *other people's children*, aka, those others being people you find less desirable.<sup>2</sup> Heck, if suburban liberals are for abortion, and porn for that matter, why don't we see their petitions to have abortion clinics and sex flick theaters move into their neighborhoods?

Furthermore, why don't liberal females advocate for a male birth control pill, preferably one that makes men sick and at greater risk for various types of cancer? A true feminist, starved for sexual liberation, should advocate for something to prevent sperm development, or creation of new non-intercourse sexual stimulants. Why

don't drug companies produce a drug to eliminate male drive from the ages of 15-20, when most boys are hornier than all get out, and girls would lie if they said they were sexually engaged because they truly needed it? Studies show that males hit their sexual peak at 16 while for females it is at 30 or later.<sup>3</sup> A true "choice agenda" should focus on proactive programs to empower young gals to not cave to the sexual desires of their guys in order to fill the void of their self-images. This would not only reduce unwanted pregnancies and STDs, but also abortions and all of the pain, guilt, and remorse that follows. The current liberal "choice" approach is to advocate for reactive measures such as the morning-after pill or abortion availability. I vote that we teach our daughters to be proactive and that a true choice includes choosing to say "no."<sup>4</sup>

**Ok, on to foreign policy.** In 2003, during W's presidency I might add, the U.S. moved into first place as we gave \$15,791 million in foreign aid. The second ranked country was Japan at \$8,911 million.<sup>5</sup> Don't tell me of our ignorance and discompassion for the suffering of the rest of the people of the world. Other countries may herald increased foreign aid, but show me the bucks, baby! This total did not even include private giving that came from the U.S. citizens, such as through church



President George W. Bush

missions, and other philanthropies.

**Next up: The War on Terror.** Terrorism isn't new, but it has definitely progressed from the old world when plague infested corpses were catapulted over castle walls. The old world solution would have simply been to build a bigger wall. Today, one of the pitfalls of a free and open society is that we have no walls. We do though have equality. Indeed, on his last flight my beloved-84-year-old Grandpa Sjogren, in a wheelchair and near death, was practically strip-searched for who knows what, weapons of mass destruction? Tell me what's more foolish: to hunt down WOMDs in Iraq and terrorists vowed and trained to destroy our nation, or to require seven-year-old girls to take off their shoes in search of a bomb. Let's use some common sense people!

**To close the circle: Welfare.** My Friday night date (86-year-old Grandpa Johnson) is a devout liberal,

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# The Opinion's Opinion Page

## Vote!

*continued from page 6*

past, and now present, actions have been. Like someone so angry they lose all control of their emotions, Bush lashed out without any thought of what he was doing. Please, if you're planning to vote for Bush, or even thinking about it, ask someone from the South if there are still any effects left by the Civil War, or ask someone from South America how they feel about the CIA trained "leaders" that we helped put into power there, or draw from your own experience of a loved one that you pissed off who overreacted and then refused to admit any wrong to the extent of another fight. Generally I'm thinking of how a two year old sometimes acts when you say it's time for bed for this last analogy. Wars can leave deep scars on a nation and a people, and we need to stop trying to wash over these wounds by putting up CIA trained foreign insurgents.

In his first months of office President Bush and this administration pulled out of anti-proliferation treaties, rejected twenty years of environmental debate with impunity and offense, and told the world that we were going to develop a massive missile defense system on our own, refusing to work with any other government, except the English. The guy had no idea about the world then and he still doesn't. 9-11 didn't change a thing for him.

Ok, so are medical malpractice lawyers or greedy business people driving up the cost of health care? Probably both. Do Democrats want to get too involved with your life? Maybe, but then again, the Republicans want government out of everything but your bedroom. Those are the domestic issues. But if you're not so paranoid of your neighbors that you've already purchased your conceal and carry license, maybe you can believe that our global neighbors aren't all out to get us either and realize that there is a lot more to work for than blind fear and rage. I mean Freedom Fries? What has this culture come to? Was that a joke during a time of grave seriousness or a true protest? If the latter, who needs trade with Europe, or military allies, or friends for that matter? That campaign, fully endorsed by this President's White House, was at the same time un-funny and utterly embarrassing.

No one has once said it was wrong to invade Afghanistan. Remember that. Moreover, the UN is set up to monitor rogue nations. If we paid our membership dues it could do it, but I almost forget who holds up those payments; it's been so long since we've made them. The vast majority of societies have been working out how to stop terrorism and warfare for the past 4,000 years. Recently, the Constitution of the United States, then the Charter of the United Nations made great strides towards this end. The absolute fact is

## Every kid deserves a friend!

Big Brothers Big Sisters of the Greater Twin Cities (BBBS) is proud to be partnering with the Council on Crime and Justice as well as the Search Institute to participate in an exciting new mentoring program. Mentoring Children of Prisoners (MCOP) is an opportunity for people to mentor children ages 7-15 who have a parent or significant other family member who is incarcerated.

Children who have an incarcerated parent have a 70 percent chance of following the same path in life. You can show young people the possibility of a positive future, just by being a friend.

MCOP participants will receive training on how incarceration impacts youth, talking about sensitive subjects and much more. In addition, Bigs will have a chance to interact with one another on a regular basis to communicate about their matches. Like all volunteers, Bigs in the MCOP program will receive one-on-one support from a highly trained match support specialist.

If you are interested in finding out more about Mentoring Children of Incarcerated Parents through Big Brothers Big Sisters, please contact Simone Gbolo at 651-491-1277 or e-mail her at [sgbolo@bigstwcities.org](mailto:sgbolo@bigstwcities.org).

that President Bush snubbed both of these when he went to war without making any effort to work with the UN, where past presidents did. Bush merely decided that past efforts to work with the UN were enough, had failed, and he would go it alone. He himself never tried these avenues, and then did not follow the approved conditions for going to war mandated by Congress. This guy is a rogue. Save the fight over lowering taxes for when we've paid for this war, say in 100 years. In the mean time change the way you look at the world, look at it.



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

**Tell us what you think:  
[theopinion@wmitchell.edu](mailto:theopinion@wmitchell.edu)**

# The Opinion's Opinion Page

## Choice for Life...

continued from page 6

forever loyal to an earlier era when Democrats under Roosevelt, gave social welfare checks in the depression. What grandpa doesn't realize is that back then Democrats still believed that "if thou shall not work, thou shall not eat," as he and countless others got welfare checks, however that money was in exchange for cutting trees in sub-zero Minnesota winters for the CCCs up in Ely, or other work programs. Welfare then was not the free ride it is today. Speaking of free rides, the liberal agenda cack-

les "I'll get you, my pretty" as some followers even push to pay for abortions. The constitution I read gives everybody of this nation, poor people included, the right to travel, but it doesn't promise to buy the plane ticket. I truly fear the liberal agenda would foster economic and spiritual bankruptcy for the nation, for not only are we mandated to stomach a literal holocaust as "choice," but would potentially be forced to fund the folly.

<sup>1</sup> James Gordon Meek, *Teresa: Abortion Ends Life*, Daily News World & National Report (April 26, 2004). Teresa also states

abortion is "stopping the process of life." Really? Sounds like murder to me.

<sup>2</sup> See Anne Hendershott, *The Real Racial Disparities-Blacks and Abortion*, (January 31, 2003, 9:25 a.m.) at <http://www.nationalreview.com/comment/comment-hendershott013103.asp>. "The abortions/births ratio for white women was 184 abortions per 1,000 live births; for black women, it was 543 abortions per 1,000 births." Id. I challenge you to find a modern statute or opinion that has greater and graver disparate impact than Row. Eugenics today is alive and well; today we just call it "pro-choice."

<sup>3</sup> Happy birthday to me, happy birthday to me!

<sup>4</sup> Planned Parenthood is such a misnomer. If there were anything **planned** about it, then there would be no need for an abortion or the morning-after pill. A more accurate name would be Reactive Anti-Parenthood. Let's remember getting pregnant is not like getting lupus or polio. As less than 1% of abortions are due to rape or incest, 99% of women who had an abortion **chose** to engage in sex, a **choice** which is unequivocally and predictably proven to be the greatest cause of pregnancy.

<sup>5</sup> See <http://www.globalissues.org/TradeRelated/Debt/USAid.asp>.



## The Third Party Plight

By Sarah Craven

I remember a conversation I had with a co-worker four years ago. It was a slow day, the presidential election was nearing, and the topic turned to politics. I asked Steve if he was going to vote for Gore or Bush. "Neither," he said. "I vote Libertarian." Liber-what? I asked him if he knew he was throwing his vote away. Steve said it didn't matter, he believed in the principle of voting for the candidate he liked. How those words haunt me now.

Four years later, I understand the principle Steve was adhering to, but not the execution. Like him, I am a Libertarian. Most people want to know exactly what symptoms I had before being diagnosed as a Libertarian. If I bother to correct them, these people then ask the

same question, "Do you vote Libertarian? Isn't that just throwing away your vote?" That question sums up the third party plight.

This year, there are presidential candidates running from the Constitution, Green, Libertarian, Reform, and Socialist parties. You could find information about them at <http://www.cnn.com/ELECTION/2004/special/president/candidates/third.parties.html>, but it's probably a waste of your time. Up until I searched for third parties, I had only heard of Ralph Nader, and then only as the mosquito that could suck blood from John Kerry.

These third parties serve a noble ideal. They offer different philosophies and stances on issues that allow a voter to be truly represented. They could let voters back a candidate that the voter agrees

with on every issue, not just one or two. They could be the end of voting against a candidate, or choosing between two evils. All noble, all representing a political process I believe our founding fathers would have applauded.

But, I'm a realist.

In our two party system, there are two candidates that get the attention, the spotlight, and eventually get the votes. Third party candidates are punch lines, after thoughts, ignored. The media only mentions them when they whine about not getting attention. The two major parties only mention them as scapegoats, broadening the plight from throwing away votes to harming viable candidates.

Who is to blame for the two party system? I blame the general populace, for its will-

ingness to compromise viewpoints and not look for political figures that represent its divergent views. I need to blame myself for making that same compromise. I blame the two major parties, focused on their political power and keeping it, regardless of harming voters with inaccurate representation. I can't blame Steve.

I applaud those that vote based on their principles. Someday I might be that brave. If others were too, we could change the political system to recognize the multitude of views and stances that our democratic system allows.

I'm not holding my breath.



# The Opinion's Opinion Page

## HEARSAY

Just when you thought getting called on in class when you hadn't read the assignment was the ultimate in "Oh my god I am so stupid" moments, along comes our new Hachey Complex. It's really pretty pathetic when you avoid the pop machine because you don't understand that the cups aren't hiding somewhere near the machine and you just can't find them but that the ladies behind the counter have them. You need to buy the cup you idiot. What about those miscellaneous counter tops that just seem to be hanging around sans purpose? Sure they have one you just need to be able

to think like a... no that can't be right. The juice vending machine that only took dollar bills? Where's the vending machine that dispenses headache medicine? Then there's the whole "wall surrounding duct work is in the way of your view so you're not sure if the lady is trying to help you or some mysterious other across from you but still out of your sight line" conundrum. We here at *The Opinion* don't generally buy in to conspiracy theories, but it would be an alternative way to weed out students without flunking them out of school.

They did get a clock up in

the fireside room. That first couple days without one was dangerous with those comfy cup holding chairs that stop time and all. Then there are the executive suite leather chairs that really ought to be restricted to all but the most privileged behinds.

Does anyone know which of the two side rooms is the quiet one and which is the "sit around and work out strategy with your partner(s)" one? Probably could just wander into one and stand around and listen and try and figure it out. Could be a problem if each is empty. Maybe the little plaques besides the entrances to the rooms hold the clue.

Then there's the filing room that requires a shuttle. And the two entrances 100 feet apart. There's likely a logical explanation to the seemingly inexplicable. That is what we all came to law

school for isn't it?

The gone but not forgotten Oppenheimer classroom with the little attached plastic chairs did manage to publicly humiliate a student or two. So maybe it's some cosmic force that causes that particular area to be susceptible to design flaws.

On the bright side the food served by the food service appears to be healthier, though that can lead to other non-fried related hazards like allergic reactions to foods not labeled. Plus no more running late for class because you needed to run to the coffee shop for a latte. White rock coffee rocks. And we're really pretty stoked about the fireplace, despite the rumored cost.

Ultimately we are just glad to be able to enjoy the space now rather than needing to visit as alumni.

Is law school taking all your free time? Get your laundry done is only 4 minutes... 2 minutes to drop it off, 2 minutes to pick it up.



### Feel Great!

We separate into whites, lights and darks, check pockets. We then clean using front load washers to give you the very best wash possible. Dry everything on Medium heat and remove it quickly to reduce wrinkling, neatly fold, shrink wrap, and return the laundry in your personal laundry bag, ready-to-wear — and everything is right-side out! (Any garments that can be cleaned in a washer and dryer on normal cycle).

### Two great locations:

**Sel-Dale Laundromat**  
662 Selby Ave., Saint Paul  
Half block west of Dale Street  
(651) 602-0387

**Wash/Dry/Fold  
Professional Laundry  
Services with that Home-  
Care Touch:  
\$1.00 per pound**

(10 Pound min. on all orders)

**Rainbow Laundromat**  
2540 Hennepin Ave, Minneapolis  
In Uptown, next to US Bank @ 26<sup>th</sup>  
(612) 377-3365

## ProJusticeMN.org

Minnesota's Legal Community Serving the Public Good

## LawHelpMN.org

Helping Low-Income Minnesotans  
Solve Civil Legal Problems

Free web site with answers to legal questions, referrals to legal aid offices, and court and community organization information.



# The Opinion's Opinion Page



**Eric Hockman, William Mitchell College of Law**

I am, or rather, I was, an undecided voter in the 2004 election. Since you really need to understand context in order to evaluate an opinion, I will confess that I once registered to vote as a Republican, but I have voted for most of the political parties at one time or another. I also registered as a Democrat once, too. The truth is, I despise the political party system we have developed in this country, which brings me back to my first point. The political parties prevent many Americans from thinking for themselves. We seem to sign on to one or the other without much consideration beyond the sound bite.

I watched, with great interest, both of the conventions on television. I was trying to understand what the real differences are between the candidates for President of the United States, excepting Ralph Nader. Nader is a nut job. Anyone who would vote for a candidate that supports communism is not paying attention to the massive failures of that system around the world. Looking at North Korea, China, and Vietnam, I can't say as I admire the results under that system. I cannot believe even 5% of this country would consider Nader seriously, but there is,

## I'm not undecided now!

as they say, one in every crowd.

I don't like George W. Bush. I don't like John Kerry. I think what Kerry did to his fellow veterans when he got back from the Vietnam War was shameful. I think that Kerry's extremely liberal positions are not realistic and are untenable in the world the rest of us live in. I know I don't like his voting record since he got to the Senate. I am also from New Hampshire, originally, and I know I don't like what he and Dukakis did to the taxes in Massachusetts. It drove all the extreme liberals to Nashua. New Hampshire to escape the excessive taxes. Thanks so much for that. I left for Minnesota, so you can blame Kerry for my presence here.

But I don't like any kind of extreme position. Bush is no better. The absolute positions he has taken on topics such as religion, abortion, stem cell research, tort reform, and same sex marriage, just to name a few, are simply too conservative for the world the rest of us live in. Same sex marriage doesn't bother me at all, in fact, I think it is the right of anyone to get married. How do morals play into an immutable trait? Isn't that like finding that a black man named Dred Scott isn't a citizen because of his skin color? Ridiculous.

So you can see the dilemma that those of us who generally qualify as "undecided" are in. Our choices are between "slim" and "none".

On the one side, we are struck with a guy who thinks that the Bible ought to guide his leadership, and on the other, a guy who thinks the polls ought to guide his leadership. I might favor the guy with the Bible, but that would leave out a lot of people in our country who don't believe in the Bible at all. Don't they get a say? And who's interpretation of the Bible should we be following?

As for the guy who follows the polls, I think we tried that leadership before with Lyndon Johnson. He was such a stunning success; Richard Nixon got elected to the job. Kerry needs to get a backbone and stay with his program, whatever that is.

Since I was having so much trouble figuring out what Kerry was for or, for all that, against, I thought I would go to his web-site and see what he had planned for our country. After reading through his ideas on the economy, education, and all the usual suspects, I realized that all of his plans and ideas were based on and supported each other. If any one of them failed, it could mean serious problems for our collective bottom line. I may not understand much, but I understand the bottom line. I believe it is best described as Line 72 on IRS Form 1040. No need to go look it up - that one is for "tax you owe".

It took some digging, but I found Kerry's detailed plans on his web-site, [johnkerry.com](http://johnkerry.com). I read all of

them. I especially read the one about jobs, since I will be needing one next year. Ignoring the anti-Bush parts, of which there are plenty, Kerry has some really good reasons why manufacturing is important. I can agree with this. So far, so good.

So, Kerry thinks a tax cut is in order to make manufacturers create new jobs. Seems reasonable, but if the manufacturer gets a tax cut, what about the revenue we lost? Kerry does not state where the money is coming from, only that the tax savings to the manufacturer will offset the additional health care premiums. That's nice, but who pays for this? Sure hope it isn't me, I only make \$15 an hour.

I thought about the richest 2%, but there are only so many of them available - 2% of America, if my math is correct. I don't care how much they make, there just isn't a lot there. If, as Kerry's plan indicates, a medium sized firm that hired 100 workers would get a tax cut of \$3,060 per worker or \$306,000 in total, we sure would go through the rich folks' taxes in a big hurry. Mr. Kerry wants to bring back the 2.7 million manufacturing jobs lost under Bush. Great. But 2.7 million jobs, using the example provided, means we need additional tax revenue from someplace equal to \$8,262,000,000. I don't think the richest 2% can (or will) support that.

*Continued on page 22*

# Erudite Entertainment

(ae'roo-dit, adj. 1. learned, educated) + (en-ter-tān-ment, n. 1. fun!)



## One El Bee Wear

Dear Bee Wear,

I'm a one-L and I'm confused. When a professor brings in extra material to read, is it supposed to be instead of or in addition to the material in the case book?

*Confused*

Dear Confused:

You've been warned, dear reader, and advised, countless times. The amount of reading, the briefing, the Socratic method. You have been told sh\*#t.; for, all you've been told, you will have learned by the end of your second week, sans warning.

Let's talk about your nose(or my proboscis).

You know how when you smell something, you usually care not to step in it? So smell!

## A Dead End

by S. Gretzinger

*There arrives a point in a disagreement  
when you must pack up your goods  
and go home for the night.*

*No compromise reached, a dead end,  
take your values, your standards,  
your stubbornness,  
your pride, rights, your dignity, human spirit,  
and eat it.*

*"Fine then! Maybe I will eat it!"*

*Don't feel too sorry for yourself either for if you  
dare to swallow the live, kicking racehorse,  
the other person might just let you eat it.*

*Down go the muscular legs as the wild equine  
stretches and jabs at the walls of your throat.  
Ouch!*

*How sorry must this image of yourself look.*

When you're instructed to skip a case, from a book you normally adhere to rather closely, only to read an opposing case (even an older case) on the same point, watch your step.

If you've been struggling for weeks to understand a professor's comment, having discussed it at length in office hours, researched in treatises and hornbooks, and still cannot convince yourself to agree, do not step.

When you've read a state supreme court case, but been told to doubt that "it's really the law over there", step tender.

In short, dearest reader, remember that that grand personage on the podium is, like you, human. That person comes complete with beliefs, values, and political consciousness. Human, all too human.

**Happy smellin'!**

*But let the whole world see your strength  
as the insane wild-eyed  
mare gags your throat like a birth-giving  
cervix!*

*Oh how the clash of free spirits can be an  
awesome, breath-taking sight  
when the eyes of the free are like  
the eyes of fierce horses.*

*The larger picture, however, just as all violence,  
is disturbingly, shockingly, matte.*

*Men are beheaded like sheep  
at the routine slaughterhouse.*

*Dull thuds. Metal on meat.*

*A falling, tumbling, spritzing, anti climax.  
Come morning and the transformation  
panned out to be an explicitly biological  
curiosity. You are a caterpillar into  
the slimy second stage.*

*Unmoving mixed with dirt, leaves, and decay.  
The matter is settled.*

## Clowning Around with FKG +A

By M.J. Bach

The Clown Lounge is a place to go if you feel like going out, but you don't feel like cleaning up after a long day of studying or work (or, if you're still trying to get yourself moving by 10:30 pm, and you are still in your pajamas). The crowd is easygoing, and the Clown Lounge as a space is definitely dressed down – crusty clown and circus paraphernalia crowds the walls on one side of the small basement room, and the opposite side serves as a rotating gallery for the worst art in the Twin Cities. Last week I remarked paintings that were done on what seem to be the backsides of trailer park wood paneling. My friends and I sat underneath "Cigs", a painting of what seemed to be bleeding cigarettes. Perhaps the artist came up with this concept by sitting in the Clown Lounge, and enjoying the same lung-antiquing, eye-stinging experience I enjoyed on Sept 27th, the night I went to hear FKG + A, an ear-dazzling local jazz group (Scott Fultz, David King, Dean Granros, + Adam Lindz).

FKG + A is nothing but the essentials: it is a jazz ensemble that plays what it plays and wears what it wears. There is no fancy gimmick to their performance technique: no distracting showboating and no overkill fashion statements—just four musicians who know and love their instruments and understand that good music equals teamwork. As they passed around solos on standard and originals, they reacted to each other sensitively and

creatively. When Lindz, the bass player worked up an accented, rhythmic frenzy on the upper positions of the fingerboard, King supported him with a counter-rhythm which sparkled but did not intrude. Granros and Fultz exemplified cool, collected musicianship; they lay back into their solos and made the most of the buoyant foundation the bass and drums were supplying.

As an artist and musician, I get tired of music groups with clever names, funky outfits, and overbearing stage presence. Music seems very often to take a back seat to style these days; music is often complicated by self-consciousness and attitude. FKG + A's energetic, seasoned performance was a confirmation of the value of simplicity and humility in musicianship, qualities I am contemplating a lot these days as I continue to develop a personal relationship with the violin and explore my limitations and potential as a member of a music group. At the Clown Lounge, as the toxic cloud of carcinogens from thenext table filled my eyes and lungs, feelings of joy and appreciation filled my heart as I observed these four musicians celebrating great music by sharing what they share, doing what they do, and listening and reacting with love and excitement

*The Turf Club is located at 1601 University Ave. in St. Paul.*

*Find out more about FKG +A and the Clown Lounge at:*

<http://www.scottfultz.com/fkg>  
<http://www.clownlounge.com>  
<http://www.turfclub.net>

# Erudite Entertainment

(ae'roo-dit, adj. 1. learned, educated) + (en-ter-tān-ment, n. 1. fun!)

## A Nite with Qui

By Crazzie Eddie

Sunday night, having spent the day with Rehnquist, Scalia, and O' Connor, Crazzie E, wishing for some aural relief, skipped down to the then place-to-be, for an opera with Qui. Wait-a-minute! Qui? Who? No, no mon petit chou, not kee, k-wee! Like a pig, boy. The Triple Rock Social Club hosted the Los Angeles-transplanted Minneapolis post-metal/hyper-punk dirge-o-matic duo of Paul Christensen and Matt Cronk. At the very least, thought he, he'd be able to see all the teenies, jumpy, squealy, "Quiieeee, quieeeee!" Praying that the two chanters of doom could exorcise his ConLaw demons, Crazzie, literally, ran from his wagon to the venerated Cedar Avenue rock-haven that bears the three monumental diamonds, shinning in their grimy milieu.

Alas, even at 11:30, Paul & Matt were yet arranging their dangerous apparatus on the scene. There, Eddie came to recognize that he much prefers the Triple Rock on Sunday to the 7th Street Entry on Friday. No smoke goggles needed! On stage, moving, testing, checking, Paul appeared a little skinnier, Matt a little fatter. Crazzie's crazy peeps arrived and he was introduced to Matt's sister once again—who remains super-hot.

The boys began the set with a bit o' intellectual rock. Paul's drums and vocals vis-à-vis Matt's pedal-distorted guitar cover such a range,

that they create a sound operatic. Lest they kick my ass for using such an adjective, indeed any adjective to describe what would merit nothing less than action, I should say Qui tend to operate your tympanic membrane, befuddle your dome. No, the next tune, was their heaviest, *Sport F\*#k*. Matt jumped, turned, slapped giant distorted chords, then spat blood-ketchup on the crowd. The blood missed Crazzie E but showered the dude to his left, and a little on the shoe. A Bedouin woman's chin-tattoo, the blood streamed under Matt's lips to just under his chin. Crazzie, ear-drums stinging, half-afraid of getting blood on his face during the next song, retreated behind the silver metal railing separating the pit from the bar.

The show was a little different than *Baby Kisses*, their first album. Paul sings a little more, wearing the headset now while on the drum-set. They also did a Pink Floyd, Wall, cover with such richness, fullness in their rendering that one would swear they had five back-up instrumentalists hiding behind the stage. They finished with what may be my favorite song off their debut album, *Belt*. "You b\*#ch mama's boy, track-pants,...,bad-ass tats, keep your eye to the floor!"

The Triple Rock is located at 629 Cedar Avenue in Minneapolis.

<http://www.triplerocksocial-club.com/>

## Party for Your Party:

### An Alternative to the Black-Tie Affair

by Jennifer Schultz

The invitation said, "If you haven't been to the Kingman Studios to party, you haven't been to a party... Ever." And what a party it was! This wasn't your stereotypical left wing granola crowd. No. This was an eclectic mix of old and young, professionals, students, artists, models, musicians, and at least one shaman with a full Native American feather headdress. Two women were in costume; looking as though they'd taken part in a beauty pageant, they each wore sashes. One sash bore the title "Miss Information," and the other sash bore the title "Miss Leading."

The ambience was sexy, hot, fun, and playful. The lighting was beautiful and

unique, setting off gorgeous pieces of sculpture made by Brant Kingman himself. The hot new local band, Touareg, played many different sets during the night. Their rich blend of salsa and North African music such as Gnawa and Rai seduced and caused everyone to dance.

When Touareg wasn't playing, the crowd was treated to a performance of belly dancing and fire dancing.

Everywhere you could hear people talking about how much they were enjoying themselves. The drinks were cheap, and all the proceeds went to a good cause: the DNC and MoveOn.org.

I hope to party with the left more often... at Kingman Studios.



Stu's Views

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"Son, someday  
this will all be yours,  
unless we're sued."



## Spotlight on Community:

# Community Development Clinic



By Carla J. Magnuson

For Spring 2005, William Mitchell will offer a new clinic focusing on community development. The clinic will be led by resident adjunct clinical professor Diane Dube. Students will have opportunities to assist individuals or groups presenting community development issues such as affordable housing, developing local small businesses and other neighborhood improvement projects. Prof. Dube examined the community development clinic for William Mitchell as part of her studies at the Hubert H. Humphrey Institute of Public Affairs.

Community development offers a broader array of issues than traditional economic development, along with a geographic focus. The clinic will be patterned after similar clinics operated out of other law schools including the University of Chicago, Brooklyn University and Rutgers University in Camden, New Jersey. Typical cases in a community development clinic involved anything from helping an organization incorporate as a non-profit to developing a long-term plan addressing livability issues in

a blighted area. At William Mitchell the focus will be primarily housing-related issues.

Interviews with organizations in the vicinity of William Mitchell such as the Selby Area Community Development Corporation and University United indicated a need for services clinic students might provide. Students could develop and lead community training on legal issues such as predatory lending, assist concerned citizens on a legal strategy to tackle a nuisance abatement problem, or undertake a legal audit for a neighborhood or residential council. Students may also write model policies or ordinance proposals to address some ongoing problem brought before the clinic by various groups. Professor Dube emphasized the clinic's work would be oriented towards transactional and strategic analysis.

The Community Development Clinic will be offered for two to three credits and space will be available for four students. If a student has an interest in local governance and/or citizen organizing he/she is strongly encouraged to consider the clinic next semester. You can contact Professor Dube by e-mail at [ddube@wmitchell.edu](mailto:ddube@wmitchell.edu) for further details.



### The William Mitchell Community Development Clinic

Law students using

- Education
- Empowerment
- Enforcement

for the benefit of our neighbors,  
our community, and our state.

### Election Forum

*continued from page 2*

Minnesota Justice Foundation (MJF) attorneys Jane Evans and Heather Rastorfer Vlieger invited students to apply for MJF volunteer hours if they plan to do legal work promoting voters' rights.

Pam Costain from Wellstone Action invited volunteers for a voters' rights campaign entitled Election Protection. Teams will be on hand outside polling places equipped with cell phones to report problems to a national hotline. Mike Davey from the MN Homeless Coalition suggested assisting the homeless as a valiant use of a student volunteers time. (See separate article by Mike regarding the federal Section 8 voucher system). Just Democracy Chapter presi-

dent Ray Sobocinski and Vice President John Childholm displayed the [justdemocracy.org](http://justdemocracy.org) web-site and presented their team as an ongoing opportunity to promote democracy through voting. (See separate article by Ray with Just Democracy details).

A video of the forum presentation along with handouts is available at the Registrar's Office Room 119.

To find your polling place go to <http://pollfinder.sos.state.mn.us/>. If you live, literally not figuratively, at 875 Summit Avenue your polling place is the Unity Unitarian Church at 732 Holly Ave.



# Do Your Part – Love the Dry Stuff!<sup>1</sup>

by Ray Sobocinski

Okay, Okay. Suspend your intrinsic demand to really know what the title of this article really means – which I know, is asking a lot. Time is grades. Grades are life. For now. I think. Smile. **Breathe.** Take another one. Good job! Okay, I'll be the first to admit that tweaking the funny bone of law students in print is a skill set that I've not yet accurately honed with any regular frequency – then again, who has the time? I mean, aside from late night<sup>2</sup> re-runs of either SNL, Conan or Carson Daly, we are absolutely parched for a infusion of comic relief!<sup>3</sup> And we're Minnah-soat-ans for gosh sakes!<sup>4</sup>

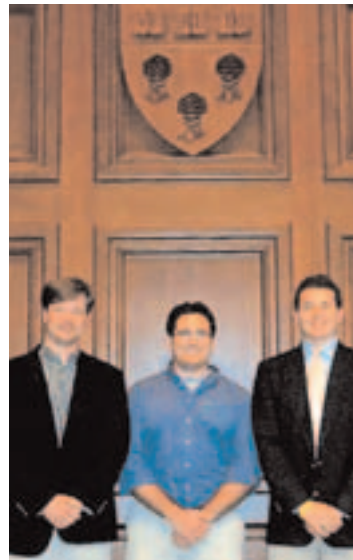
Hmmm. I'm rethinking my introduction here. But it got you to read this far, right? Now, for the big unveiling: this article is really about Election Law! YEAH!<sup>5</sup>

Election law is the forgotten stepchild of us all. No, it's not the oh-so-hip-to-talk-about election going on outside this place – it's about the law *behind* the election. Kind of makes sense, right? You really can't have one without the other.<sup>6</sup> And it's

sooooo dry. But you gotta love the dry stuff! I mean, look where you're sitting. Seriously. Dean Christopher Langdell<sup>7</sup> would be so proud of you.

Election Law and "Just Democracy". Soon, the names will be synonymous for you. The Just Democracy or "JD" for short<sup>8</sup> was formed last spring term here at Mitchell<sup>9</sup> being an offshoot of the major brilliant stoke of Harvard 3L's and national founders Becca O'Brien and Micah May. Your local chapter was one of the first to form in the nation, and the first to form in Minnesota! (We'll condense that into some twisted form of a Hockey cheer for our Fighting Eelpout at the next game!)

The JD project goal is to focus law students unique skills, talents, and energies on ensuring that election laws are upheld. Call it protecting voting rights, call it preventing voting fraud, just don't call it partisan. We are absolute in mandating non-partisan efforts in the truest sense of the word. Too much "partisan-ship" has slipped into the voter protection and election law field. The 2000



*Pictured inside the Ames Courtroom at Harvard Law School are (l-r): Ray Sobocinski, Mitchell President; John Chitwood, Mitchell Vice-President; Jake Rodenbiker, U of Minnesota President.*

campaign was a nightmare for all the political parties. From Missouri to Wisconsin to, yes, Florida (and lots of places in between) voter fraud and many un-American like activities took place. Becca and Micah stumbled upon the brilliant idea of what would happen to future elections if volunteers trained in election law were present at the polls to clarify confusions and to help respond to violations?<sup>10</sup> One result that I foresaw was

establishing a new crop of election law officials and attorneys who were dedicated to the ideals of non-partisanship, to the ideals of the Republic and to the ideals of the law. All too often, election day activities center on rapid, frantic and widely varying voter turnout efforts – which are good, but not good enough for law students. The outside world, indeed, the outside international world is looking at us here in America, like no other country gets examined. Man, are we glut-tions for punishment? Heck no! We're innovators, scholars, and voters! At least us law students! Am I right?!

A week ago, John Chitwood<sup>11</sup>, Jake Rodenbiker<sup>12</sup> and I traveled to Cambridge and the storied grounds of Harvard for the inaugural JD leadership conference. It was an extraordinary weekend of legal discussions, election law analysis and breakout discussion sessions – any hint of legal dryness was quickly abated by the stunning display of election law knowledge by Professor Heather Gerken holding a class in the formations of election law at

*Continued on page 18*

<sup>1</sup> No, I'm serious. Okay, it's a small spoof on the subtitle of our group "The Just Democracy Project". And no, it's not some 70's stoner remix of the Allan Parsons Project. The official title is "Do Your Part. Turn Law into Action – Just Democracy."

<sup>2</sup> No, not just "late night" as in the title of Conan O'Brien's show silly, but in *real* terms of what late nights mean to law students.

<sup>3</sup> The National Broadcasting Company, otherwise known as the proud punk-ass kid of General Electric Co., affectionately styled with the big letters "NBC" which has failed to pay me any royalties for this cute plug. Where are my Entertainment Law peeps?

<sup>4</sup> My name is now Sven for the purposes of this article.

<sup>5</sup> No, do not read with the energy of Governor Howard Dean's now infamous "motivational" tone. (Think that these footnotes are beginning to sound like a Father-Child relationship?)

<sup>6</sup> All apologies to the man, the legend, and the permanent Chairman of the Board – Frank Sinatra.

<sup>7</sup> The original master of us all – Dean Christopher Columbus Langdell, founder of the Socratic method and first dean of Harvard Law School (HLS) and ghostly resident of Austin Hall (Well, maybe. There are some strange things that go on in that place and we're not talking blue-book exams here. And, hey, it is October, Halloween and all that.)

<sup>8</sup> JD – Juris Doctorate and "Just Democracy". Coincidence? Nah.

<sup>9</sup> My own personal rebellion against the radio station call sign: WMCL.

<sup>10</sup> Stopping short of course, of practicing law without a license. Think communication and research skills here people – were law students!

<sup>11</sup> John Chitwood, Mitchell 2L, University of Wisconsin-Madison graduate, husband, father and handsome man.

<sup>12</sup> Jacob Rodenbiker, Minnesota 2L, (we're not going to hold that against him, b/c he just passed on his first choice – Mitchell, to study the finer points of living in a concrete bunker along with his law books), Notre Dame graduate, and metrosexual *ex mero motu*.

# A Harvest of Books for Maxfield Elementary School

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534 Selby Avenue – St. Paul, MN 55102 – [www.stpaulbread.com](http://www.stpaulbread.com)

## Why Maxfield Elementary School Needs Our Help:

Maxfield Elementary School is located at the intersection of Victoria Street and Interstate 94 in the Rondo neighborhood of St. Paul. As one of our neighborhood schools, it serves 400 students, 93% of whom receive free or reduced lunch.

For many of these children, poverty is real. However, like all children, their ability to read is the foundation for their future learning.

## The Journey to Literacy:

Learning to read requires dedicated teachers and it requires good books! Each classroom library in grades K-3 serves from 4 to 10 levels of reading ability – and each student needs access to at least 6 books at their reading level. There is a need for 300 to 400 books per classroom.

Presently Maxfield has an average of 75 to 100 books per classroom.

The teachers, reading specialists and staff of Maxfield Elementary School are committed to helping their students overcome the barriers of poverty by providing them with the best possible learning environment.

***We need you to help us build the classroom libraries in our neighborhood school.***

## A Harvest of Books for Maxfield Elementary School:

A Harvest of Books will take place from October 21<sup>st</sup> through November 19<sup>th</sup> at the Great Harvest Bread Company store on Selby Avenue.

There are three ways you can help with the drive:

- Bring in used books that are appropriate for grades K-3.
- Browse the selection of books\* on display at Great Harvest, and purchase the book or books of your choice. Checks should be made payable to Maxfield School and are tax deductible.
- Get your book club involved! A special flyer for book clubs will list books on the school's wish list. Encourage your book club to pool resources and buy a book or two for the school. Or buy several of the same title for the 3<sup>rd</sup> grade book clubs.

Each contribution will be recognized with a personalized book plate you can fill out when you make your contribution. As a token of appreciation, you will receive a bookmark that is handmade by a student at Maxfield Elementary School.

For more information contact Bonnie Alton at Great Harvest, 651/221-1057, or Haley Morgan at Maxfield Elementary School 651/293-8680, ext. 1121.

\*Books for this event are from *The Red Balloon Bookstore* on Grand Avenue



# Party Like a Law Student

*Fun had by all at SBA's fall mixer, Blackacre. 172 tickets were sold, 130 in advance. Thanks go out to Laura T.*



*Does the fire marshall know about this?*



*The DJ (left) with Evan Tsai.*



*Laura and Evan and friends*

## Election Law...

*continued from page 15*

the start of the conference. That pulse pumping lecture was followed by hearing from leading issue experts such as Adam Ambrogi and Doug Chapin, both from the Election Assistance Commission,<sup>13</sup> who reviewed the Help America Vote Act of 2002<sup>14</sup> and Doug Chapin from Electionline.org<sup>15</sup> who analyzed the state response to HAVA. More breakout sessions were held in which we (as law students from across the country) discussed our local issues and challenged each other at finding remedies and potential solutions to those issues. The three of us soon found ourselves surrounded by those who felt quite jealous of Minnesota's advanced thinking on election laws! There is

little doubt that Minnesota is far ahead of other states in responding to election law issues. The conference ended with more sessions on how best to adapt and ensure the future of the JD project.<sup>16</sup>

As I'm often fond of saying, here, in this country, as Americans, we don't have to re-storm Normandy in 1944 as our grandparents had to do, we don't have the Ton-Ton Macoute slicing us with machetes when we try to vote, we don't have to confront an AK-47 sighted at our heads, or we don't have what the people of Afghanistan are forging through – the Taliban executing us at the side of the road for carrying voter registration cards. All we have to do is get out of bed and stand in line. But we must know that when we stand in that line,

however long that line takes for us to get inside that polling place, that the supreme price our soldiers, sailors, airmen and marines paid – to protect our freedom – was never paid for in vain. That those votes count, that they are counted, and that they are verified with 100% accuracy, and moreover, that those votes are upheld according to the law.

The chapters of the JD project<sup>17</sup> (now at almost 50 law schools in 30 states) will utilize the resources and strengths of their law schools, students, and faculties to make them resource centers of election law – not just during an election cycle, but on an ongoing cycle. A permanent student group. A permanent resource. By doing so, JD encourages civic and community participation and

most importantly, instills that tugging sense of duty in this generation of law students and soon-to-be law school graduates to find their place in taking a stake in the stewardship process of America's democracy.

I look forward to seeing you all at our next event on campus!

*Ray Sobocinski, 3L, is the chapter founder and 2004-05 chapter president of the Just Democracy project. He was 2002-03 chapter president of the Federalist Society for Law and Public Policy Studies and has served in substantial capacities shaping both federal and state public policy for more than a decade.*

<sup>13</sup> Election Assistance Commission (EAC), formed by the American Vote Act of L. No. 107-252, 116 :



<sup>14</sup> *Id.*

<sup>15</sup> [www.electionline.org](http://www.electionline.org).

<sup>16</sup> To not take note of the fine eating and drinking establishments in Cambridge would be a sad oversight. Let's just say that every law student should find a way to get to explore that town! Starting of course, at John Harvard's and working your way around the square.

<sup>17</sup> [www.justdemocracy.org](http://www.justdemocracy.org).

# Son of Julius and Ethel Rosenberg to Speak on Civil Liberties October 28th

By Cedrick Frazier

On Thursday, October 28, at 6:30 p.m. in the Auditorium, Robert Meeropol, Executive Director of the Rosenberg Fund for Children, will be speaking on civil rights in a lecture entitled "McCarthy Era Lessons for Ashcroft's America." The following day he will be speaking at the University of St. Thomas Law School on "The New Face of the Death Penalty After 9/11." Both events are free and open to the public.

Robert Meeropol is the younger son of Julius and Ethel Rosenberg. His parents were executed in 1953 by the United States government after being convicted of "conspiracy to commit espionage" – giving the secret of the atomic bomb to the Soviet Union – based on the testimony of witnesses charged with the same conspiracy, who received more favorable treatment in return for their cooperation.

For thirty years Meeropol has been a progressive activist, author, and speaker. In the 1970s he and his brother, Michael, successfully sued the FBI and CIA to force the release of

300,000 previously secret documents about their parents. He earned undergraduate and graduate degrees in anthropology from the University of Michigan, graduated from law school in 1985, and was admitted to the Massachusetts Bar.

In 1990, after leaving private practice, Robert founded the Rosenberg Fund for Children and now serves as its Executive Director. The RFC provides for the educational and emotional needs of both targeted activist youth and children in this country whose parents have been harassed, injured, jailed, lost jobs or died in the course of their progressive activities. In the past thirteen years the RFC has built an endowment of over \$1.7 million, awarded grants totaling \$1.7 million; and gained 10,000 supporters nationwide.

This event is sponsored by the William Mitchell chapter of the National Lawyers Guild, in conjunction with the Minnesota and St. Thomas Law School chapters at Communities United Against Police Brutality. Please come and hear Mr. Meeropol's insight on civil rights.





# Billy's or Sweeney's or The Onion or Bonfire or O'Garas

Hi. My name is Megan and I'm an alcoholic. I decided to reveal this to the world and to write this piece after discovering that Blackacre is at Nye's Polonaise Room this year. In case you have not heard or noticed the martini posters around campus – it's a bar. Yes, I know Nye's is fun! I got liquored up there many times and polkaed to the Ruth Adams Band. I always wondered how the drummer (God rest his soul) did not fall off his stool. However, I think that before the decision makers at William Mitchell make the decisions, they really ought to consider their population and the types of behaviors they are promoting.

Prior to my admission, I could not believe a person like me would ever or could EVER be an (shhhh) alcoholic. When I envisioned an "alcoholic" I thought of Dennis Hopper in *Hoosiers* – the town drunk who consumes quart of whisky for each meal. But not me. I was a law student dammit! I worked full time. I did not have WV license plates. I didn't drink all of the time. In fact, it was only a couple times a week. And at 25 years old, that's not a big deal! I was what you call a "high-functioning alcoholic". The dilemma was that my body was very fond of feeling intoxicated. As a result, I never stopped at one drink but drank until I passed out. Every time. Toward the end of my drinking days, I started blacking out parts of the night. Considering the judgment of a drunkard, my lifestyle became quite dangerous. My love for vodka gimlets

finally landed me in outpatient treatment my first semester last year. Trying to learn Income Tax while your whole world is turning upside down is quite a challenge. I managed.

My experience with sobriety this year has made me keenly aware of how much our society embraces the bottle. This is compounded for the twenty-something age group where bars are a normal arena for social gatherings. Before, I thought the idea of having fun meant always including liquor because nothing can go wrong when you have a glass of wine in your hand!

What is most distressing to me are the statistics. Many students refine their drinking habits in their undergraduate years. According to a 2002 study published in the "Journal of Studies on Alcohol", 31 percent of college students met criteria for a diagnosis of alcohol abuse and 6 percent for a diagnosis of alcohol dependence in the past 12 months, according to questionnaire-based self-reports about their drinking. The Association of American Law Schools conducted the last major study on chemical dependency and law students in 1993. The survey of 3,400 law students at 19 schools found that 3.3 percent of law students said they needed help to

control their substance abuse, and approximately 12 percent said they abused alcohol during law school. I would bet that these statistics are even higher today. As for lawyers, studies indicate that lawyers engage in higher-than-average drug and alcohol abuse, affecting from 15 percent to 18 percent of the profession, compared with 10 percent of the general population.

Today, every state in the union has a lawyer's assistance plan (LAP) to address substance abuse in the legal profession. In Minnesota, it's Lawyer's Concerned for Lawyers (LCL). But what about law students? While LCL helps students too, our school hardly, if at all, addresses the prevalence of alcohol and drug abuse in our occupation. Instead of prevention and education, we promote Billy's or Sweeney's or The Onion or Bonfire or O'Garas. We are invited to law firms in tall

buildings to drink wine and yuck it up. And lest we forget the 2002 Whiteacre Booze Cruise where William Mitchell students left a memorable impression upon the City of St. Paul!

Instead of perpetuating an already systemic problem, how hard would it be to promote something healthier? How about a foam dance party? Mechanical bull riding? Inflatable "whopper hoppers" on the front lawn? If you are a person who believes that you cannot have fun without drinking, you should question why that is. I know it is a surprise, but I won't be going to Nye's this year. I'm going to sit at home, watch a movie, and chug-a-lug mineral water. My name is Megan and I'm an alcoholic.

*Megan F. is a 4L who works at Legal Aid Society of Minneapolis. She is still on schedule for saving the world.*

*If you believe you have a substance abuse problem and want help, you can contact WMCL Counseling Services at (651) 293-0797. You may also call Lawyers Concerned for Lawyers which is an excellent program for those who suffer from chemical dependence and mental health issues. See related article on page 23. Their number is (651) 646-5590. Finally, the website of Alcoholics Anonymous is [www.alcoholics-anonymous.org](http://www.alcoholics-anonymous.org).*





## To the students of William Mitchell:

The Student Bar Association Board of Governors is off to a good start this year. We've been busy since the summer getting ready for the school year and busy since we've begun.

The allocation of student activity fees was finalized at our September Board meeting. We allocated nearly \$30,000 to over twenty student organizations who will provide a variety of programs to the students. You can find the budget break down on the SBA section of the Student Life-Organizations page.

For the first time, the SBA has a budget policy to bring consistency to the budgeting process. We hoped to be able to establish a policy known to all students, student organizations, and to the Board of Governors to be applied consistently.

I'm excited to report that I think student activity has increased over the last two years. There are a number of excellent student organization leaders this year. I definitely encourage people to get involved—it's never too late! (You could even be writing for the Opinion after you read this!) Whatever your interest is, there's probably an organization to foster it; and if there's not—start your own! The SBA is eager to facilitate the start-up of new organizations and help the current ones.

Black Acre was also a success (see page 17) with good attendance thanks to the Social Committee and its chair, Laura Torres. If you're interested in helping with Green Acre this spring, please let her know.

We also added five new 1L members to the Board and filled the 3L vacancy. Cory Genelin, the chair of the Elections committee, deserves

many thanks for his hard work in making the elections run smoothly.

On October 8 through October 10, Cesar Rodriguez, ABA Rep.; Stephanie Carrier, SBA Vice President/8th Circuit Lt. Governor for SBAs, and I represented William Mitchell at the Fall Round Table. Among the topics discussed was loan repayment and consolidation. As a service to Mitchell students, Ms. Carrier is hoping to bring a speaker from Graduate Leverage to help us better understand our repayment options and how to save money—if you're graduating after 2006, it'll be especially useful as interest rates may become variable.

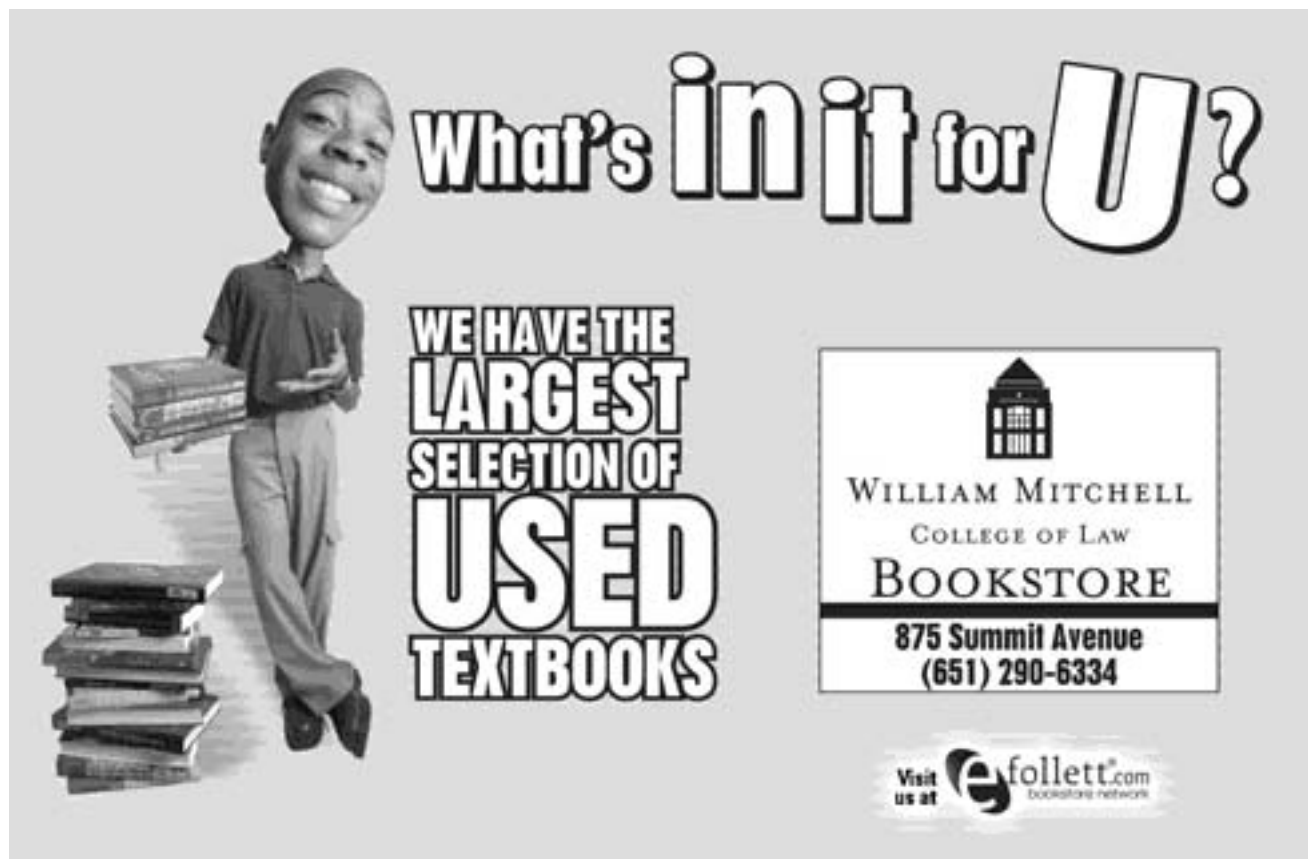
Our facilities committee is also meeting, and if you're interested, you can always join! We're looking forward to opening the new student organization space and to the new SBA space.

Don't forget that our Bookstores committee, chaired by Doug Heesch, is active. The SBA Used Bookstore has been very successful and been a great service to students. But the committee does extend to the Follett bookstore and welcomes all bookstore concerns.

The SBA Board of Governors will meet October 16 and again on November 20. All students are welcome to attend. There is a "soap-box session" available for the first fifteen minutes.

Always feel free to contact me, the other officers, or your representatives with any concerns you have. The SBA is here to serve students. All our information is available on the SBA website.

**Yours truly,  
Conor Tobin  
SBA President**




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# Fighting Eelpout Hockey: It Doesn't Get Any Better Than This.



By Dan Gallatin

Welcome back Fighting Eelpout fans and welcome anew to all you 1L's!

For better or worse, summer has come and gone. Let's face facts, summer is just another burdensome interruption of Fighting Eelpout hockey action.

Mickey Tierney, the emotional and tactical leader of the Fighting Eelpout, returns this year to lead the squad. A jack of all trades, Tierney had this to say in assessment of this year's squad, "We've all come to William Mitchell because of its strict focus on the law. No undergrads running around, and none of the hype that comes with the goings on of a college community. But we're not devoid of a competitive spirit, and when it comes time to put our best up against the best the other law schools have to offer we mop up the competition year after year."

Bryan Howard and Ross Hussey are two more returning third year players who are looking to put an exclamation point on their stellar Fighting Eelpout careers. Howard's acrobatics and

impeccable position play between the pipes last year as the team's goalie kept the Fighting Eelpout alive in many games. And, nobody can forget the goose egg (shutout) Howard posted in last year's inaugural game between the Fighting Eelpout of William Mitchell and the U of M's Fighting Mondales, where we pummeled those students from across the river 4 to 0 with authority. Ross Hussey adds the grit and determination indicative of a William Mitchell student, and that every championship squad needs for success. Hussey was at his best last year during the epic 5-4 win over Hamline in the annual Res Ipsa Cup game, one of the most dramatic Res Ipsa Cup

games ever played, when he scored a clutch goal on a breakaway in front of a capacity crowd.

The offense will be led by the dynamic trio of Bob Dolan, Jimmy Erickson, and Dan Gallatin. Dolan brings speed and skill to the table and is a legitimate threat to tickle the twine every time he steps on the ice. Erickson brings a savvy game to the rink and can score by either dropping a burly shoulder and barreling into the net with force, or by firing a slapper from high in the slot past the best any team has to offer. Gallatin's greatest concern is the rough stuff, but come crunch he's relied on to get a big goal.

The defense is anchored by Matt Thompson, Matt McDonough, Stew Nigg, Paul Kegley, and John Radmer. Thompson and McDonough

are physical studs on the blue line who clear Howard's line of sight in front of the net and punishes opposing forwards. Nigg and Radmer are deft playmakers who play an attacking rear guard.

Rounding out the returning players from last year's squad are Matt Kopp, Larry Lorrence, and Steve Hennessy. Newcomers include John Redpath, Kevin Dobie, Ryan Sorge, Jeremy Eiden, and Roger Mahre.

The action starts October 15th when the Fighting Eelpout square off against an all-star squad of William Mitchell Alumni in the annual alumni game. So stay tuned to The Docket for details and KEEP READING THE OPINION each month. Also, for the first time ever, authentic Fighting Eelpout apparel will be made available. More information on this will be available soon.



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## Not Undecided...

*continued from page 8*

Of course, we are assuming, arguendo (sorry, I love saying that word – makes me feel like a lawyer) that the manufacturers want to hire 2.7 million workers at \$40,000 per year for a lousy \$3,060 in tax cuts when they can have the same thing for \$15,000 per year somewhere else. I'm not a manufacturer, but if I can save \$25,000 for one worker per year compared to one tenth of that number in tax cuts, I go with the \$30,000 every time. It might just be me, but I really don't see the tax cut as much of an incentive. Unless, of course, it is only an incentive to get American workers to vote for Kerry. Sorry guys, the reality isn't quite so nice as the package it came in.

Here is another one. Kerry wants to launch an investigation into China's worker rights abuses, step up funding for workers' rights and anti-abusive child labor efforts, and more forceful efforts to stop illegal currency manipulation by China and other countries. You can sign me up for this, too, but why does China care if we investigate them? More than that, by whose authority can we even investigate? Isn't this also an invasion of China's sovereignty, much like what many people accuse Bush of doing to Iraq? It isn't the same thing as a military invasion, of course, but if China tells Kerry to take a flying leap, as Hussein did to the entire UN, what will we do then? Complain to the World Trade Organization? How about the UN? It sure did a lot of good when Saddam Hussein was sanctioned by that august assembly. I don't think I have ever seen a world leader back

down so fast. With that kind of result, we really ought to go to the UN more often.


You can read the rest of Kerry's plans for yourself, but I will give you a preview – they all say and do pretty much the same thing. There are a lot of promises, but not much backing them up, unless you count the average taxpayer – who, by the way, is the middle-class American Kerry is so fond of. And, if he forgot to mention it, he has no ability as President to “lay and collect taxes.” This would be the province of the Congress, if the Constitution still means anything. And the last time I checked, Congress was mostly Republican. I'm not so sure they will be buying into these tax cuts and expenditures, but this is merely a detail.

So, having read through Kerry's thoughts and ideas, I have to conclude that I do like the direction the United States is going in under Bush. I don't like conservatives, I don't like liberals, but I also don't like it when someone proposes such sweeping reforms without consideration of the impact of potential failure on, well, me. I hope that everyone who reads this will also choose to go and think for themselves. Read what John Kerry has proposed and imagine that you are in charge of the checkbook. Try to pay for all of his plans and goals. They are truly wonderful, I will admit, but so is that lovely Mercedes Benz CLK class convertible. I would like to buy it, but it just would not fit the budget of a \$15 per hour clerk. The same is true of Kerry's plan – I want to vote for it, but I don't think I can afford it.

I was around and working

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 This event is co-sponsored by: ACS, NLG and The Opinion

for an airline when Clinton, Gore, and Congress heated up the last boom and I did not care for the cooling off process. We felt it in the airline business as early as 1998. I'm in law school now, thanks in large part to that downturn. For my money, of which there is about 66% less now than there was then because of my self-induced paycut, there is nothing wrong with slow growth, so long as it is sustained. Since

the economy is improving, and doing it slowly, I'd rather keep the status quo. I know I can afford to keep driving this model for a while – at least it's paid for.



*“One of the penalties for refusing to participate in politics is that you end up being governed by your inferiors.”*

*Plato*



# There is Help & Hope:

## Minnesota's Lawyer Assistance Program

by Diane Anastos

*This is a reprint of an article from the Minnesota Women's Lawyers Journal. Article reprinted with author's permission.*

"There is Help and Hope". Simple but powerful, these words wallpaper Minnesota Lawyers Concerned for Lawyers web site pages and program brochures, as a reminder of what we are all about.

Founded in the 1970's, Lawyers Concerned for Lawyers (LCL) began as a volunteer program providing education, intervention, and support to alcoholic and drug addicted lawyers and judges. A paid coordinator performed the administrative functions, while a volunteer board of recovering chemically dependent legal professionals provided direction. Today, a volunteer board of directors with diverse backgrounds in addiction, abuse, mental health and the legal profession makes policy, while an executive director and assistant carry out the administrative aspects of the organization, and a private employee assistance company provides 24 hour crisis counseling, assessments and short-term counseling.

In 2001, The Supreme Court issued a grant to LCL, expanding its services to include mental health and administer Minnesota's lawyer (judge and law student) assistance program. LCL places an emphasis on the **free and confidential** nature of its services to show its commitment to helping both the professionals and the profession. LCL typically aids lawyers, judges and law

students impaired with: anxiety, depression and other stress related issues, as well as alcohol, drugs, gambling and other addictions. The need for programs like this is clear considering that national studies indicate that three out of every ten lawyers are subject to depression, while approximately one-third abuse alcohol or other substances. Our mission is to help members of the legal community who suffer and those who are affected. Ultimately, our goal is to improve their lives and the delivery of justice.

The core service components of LCL are: crisis response, assessments, referrals, mental or chemical health interventions, short term counseling, on-going support through a mentorship program, peer facilitated mental health support group, mental health therapy group and continuing legal education curriculum which deals with professional development and the effect of chemical and mental health disorders on the legal community.

Contacting LCL is as easy as picking up the phone. Information seekers may also get answers to questions through our web site, emailing us or visiting our office. When someone calls LCL for the first time, she/he can expect staff to conduct a brief initial interview to determine how best to assist the client. Depending on the presenting issue, clients may be referred to Total Employee Assistance Management (T.E.A.M.) for crisis counseling, an assessment and referral by a professional therapist, a peer

facilitated mental health support group, co-ed therapy group or even matched with a mentor.

Some clients call LCL regarding one specific issue, not realizing that a mixture of issues or dual-diagnosis may emerge (depression and alcoholism, for example) through counseling or treatment. Colleagues or judges will contact LCL when they observe unusual behavior displayed in the courtroom, and need guidance as to what action to take. In addition, family members, partners or colleagues may be challenged when dealing with an afflicted lawyer's unwillingness or inability to recognize her or his condition.

Colleagues, friends and family may get directly involved by conducting an intervention with the assistance of LCL staff or volunteers, or choose to communicate their concerns about the lawyer, law student or judge's behavior to LCL for guidance. At times, the concerned parties can emphatically encourage and support the client and persuade her or him to seek treatment. Formal interventions are very effective in motivating someone to accept the help she or he needs, as well as educating friends, family and colleagues about the nature of addiction or other behavioral health disorders and the approach which may be most helpful to the afflicted individual.

Additionally, clients who acknowledge that they have been abusing a chemical, are extremely depressed or face a different addiction, may withdraw and isolate themselves

from those who wish to help or don't follow through on treatment advice. This presents a challenge to LCL staff, friends and family alike to support the impaired person and prevent suicide.

Constant communication and support are critical, sometimes life-saving. LCL offers QPR: Q(uestion), (P)ersuade, (R)efuse, suicide prevention training. The executive director, a certified QPR trainer, trains gatekeepers in how to recognize and appropriately respond to a person in distress. Any law firm in Minnesota may contact LCL to schedule the training.

LCL also offers CLEs which cover disabilities related to chemical and mental health, professional competence and balance, and collaborates with local bar associations and other to participate in programs dealing with subjects such as the impact of addiction and mental illness in the courts and disciplinary system and prevention-related subjects such as life balance for lawyers, law students, judges, women and minorities. Anyone who is interested in these subjects or becoming a member is strongly encouraged to check LCL's redesigned and top-notch web site for more information. Class listings, upcoming events, treatment resources, articles, LCL's newsletter and other lawyer assistance program web sites are just a click away.

If you wish to learn more, please visit our web site at [www.mnlcl.org](http://www.mnlcl.org) or call us at: 651-646-5590 or 866-525-6466. Remember, There is Help and Hope.

# Another PMBR Success Story...

## SPOTLIGHT ON A PMBR SUCCESS STORY:

Houston's Tony Buzbee, a PMBR graduate, is one of the top lawyers in the country. Over the past five years, Buzbee has won verdicts and settlements that exceed \$225 million. Buzbee was recently named by *Texas Lawyer* magazine as one of five "Go-To Lawyers" in commercial litigation for Plaintiffs in the State of Texas. Buzbee routinely handles high-profile, cutting edge litigation. In fact, Buzbee brought and settled the first of its kind antitrust case against the offshore drilling industry, a case which settled for \$75 million. Recently Buzbee was retained by the Basque government in Spain to seek recovery after the sinking of the M/T Prestige, which resulted in an oil spill and damage exceeding \$1 billion. Buzbee gets results. So does PMBR. While in law school, Buzbee took the PMBR course and scored a 190 on the multi-state, the highest score in Texas that year.

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