Don’t Panic! Save Yourself (Jail) Time, Trouble With ‘The Law Student’s Guide to the Planet’

By Nate Kurtis

Spring break is almost upon us. Whether it’s for a visit back home, an interviewing tour de force, or that dream vacation, most of us are getting out of here with extreme prejudice. Imagine it, within a week, roughly one thousand almost-lawyers will invade the “real world” – a place where the words “casebook”, “conclusory”, and “dispositive” mean little to nothing and where beer and spirits are plentiful. What’s the worst that could possibly happen?

We law students know the answer is, of course, a lot of very bad stuff. The real world can probably handle us, but can we handle the real world? Domestically, we’ve had enough jurisdiction to know that when we’re driving across Ohio, with our friends from Oklahoma in the back seat, and we collide with a guy traveling from Florida: it’s time to call Professor Reimann. Internationally, however, the laws get a lot trickier. (Example: in Iceland, interstate car accidents are grounds for honor-bound single combat at the Althing. Really!) For the international jetsetters amongst us, the Res Gestae offers a law students guide to spring break survival.

Better to have it and not need it, than need it and not have it.

Naturally, this sort of guide could only be assembled by someone with a thorough grounding in transnational law and years of experience handling the perils of worldwide travel. Unfortunately, all those people were busy.

In the interest of full disclosure, the majority of my international traveling has been to such exotic locations as: “Florida” and “Pittsburgh.” Once it seemed clear that my travels to Epcot would be no substitute for actual knowledge [though it is a small world after all], I found help. I sat down with International Court of Justice Judge Bruno Simma to find out just what a law student should or shouldn’t do to avoid translational legal entanglements.

Res Gestae: What sort of things would a traveling law student have to do to be brought before the International Court of Justice in The Hague?

Judge Simma: You can not possibly do things bad enough to be referred to the International Court of Justice because we only have two types of cases: advisory opinions, under which law students will not be a relevant topic; and contentious cases. So, the only thing that could happen is that American law students invade Europe, create a lot of damage, are being treated very roughly by police, end up in some prison, some dungeons in France for instance, and then the Untied States could come to the aid of its nationals and bring a case to the ICJ. But, I simply cannot imagine that law students would behave in such a way. Especially at the University of Michigan where everybody gets a grounding in transnational law and comes out of that course with a firm understanding of his or her rights and obligations.

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Editorial: Coke Ban
Can Beat the Real Thing

Recently, the University canceled its contract to purchase Coca-Cola products, leaving the Coke machine in the Student lounge to wither and die. The coke machine is a sad sight. It reminds us of a deserted, soon-to-be-haunted, house which neighborhood youths will throw rocks at and dare each other to touch.

Recently, a lunchtime speaker gave a talk about human rights violations by U.S. corporations. One of the big cases is against Coke for allegations of sweatshop use in South America and the murders of union organizers. What was the student group serving as liquid refreshment with its pizza? You get three guesses, and the first two aren't Pepsi. Other than being illustrative of the disconnect law students seem to have between what they focus on as “law,” (or even “causes,”) and the rest of the world, this anecdote highlights a larger issue. An issue not as large as human rights abuses, but big enough: the underground Coke trade in the law school.

We at the Res Gestae admit our complicity; empty 12-pack containers litter our floor, evidence of the illegal Coke ring we run from Legal Research. On any given day, Coke is being used in classrooms, at lunch, and after hours (even in strictly verboten places such as the law library or near laptop computers). The university's “war on Coke” hasn't stopped the flow of Coke into the law school community; it has only made Coke more difficult to get for regular users.

The current system, not purchasing Coke products but allowing their use, seems to violate the spirit of the anti-Coke movement. (Note that the Tea Room and Faculty lounges proudly serve Starbucks regular coffee that is, to our knowledge, not the blend that's traded fairly.)

The law school could attempt to ban the use of Coke at student functions, but that decision seems difficult to enforce. Moreover, it forces everyone to comply with a somewhat divisive measure, regardless of their opinion, and constitutes a potentially unfair amount of control over student organization expenditures.

Or, the law school could reject the University's decision to stop the flow of Coke through its borders and set up its own distribution system. The snack bar could deal (okay, sell) Coke for a profit. The vending machine would still be a waste of valuable space, but we'd all be able to get our Coke fixes. The LSSS could investigate contracting directly with a distributor for its own Coke machine. End consumers have a better deal if the entire University contracts for Coke, so prices may increase. But Coke enthusiasts will pay the difference, and casual users will switch to Pepsi. Thus, Coke (and not law students) would be punished for alleged human rights violations.

The financial relationship between the university and the law school is widely known but only vaguely understood. It seems unfair that the law school must unwittingly, or unwillingly, sacrifice its refreshment options based on a university initiative. We can have a separate (and constitutional!) admissions policy, but we can't have a Coke and wear a smile?

Ostensibly, part of the University's reason for withdrawing from its Coke contract was to demonstrate that the University of Michigan doesn't wish to patronize a company accused of such violations. Setting aside the sticky differences between allegations and convictions, there's a bigger problem with the University's decision to discontinue the entire contract. This was a message sent on behalf the Law School community, but our own behavior shows we aren't unified enough to speak with one voice.
Ann Arbor Has a ‘Starry Night’

By Matthew Jedreski and Bayrex Marti

It’s 8:20ish. Bette G. Caminker shushes the crowd as a tangible excitement fills the air. She knows a “Star” has arrived, that her four-hour wait in line at Borders was not a waste of her Friday night.

Superbowl XL was not the only major event drawing Americans to Michigan during the first weekend of February. On the road promoting her new book Shine: A Physical, Emotional and Spiritual Journey to Finding Love (304 pages. Collins. $24.95), celebrity, author, Daytime Emmy-nominated talk show co-host, and former New York City prosecutor Star Jones-Reynolds stopped in Ann Arbor to speak at the Borders on Liberty Street. The book tour itself is awe-inspiring: ten weeks, thirty cities, and seventy-five straight days of glamour, mentoring, and hard work.

Caminker cradles a copy of Shine in the crook of one arm and clutches an old picture of a much larger Bette Caminker in the other.

“I did it before Star did,” she gushes, holding up the picture. Caminker, a realtor and former teacher, lost a substantial amount of weight months prior to Jones-Reynolds’s celebrated makeover and cited that bond as just one of many between them. In 2005, the American people witnessed Jones-Reynolds undergo a life-altering transformation of both body and soul. Shine is the result of her experiences, a combination memoir and self-improvement guide that the public is eating up.

Caminker was the first in line and the embodiment of a Star Jones-Reynolds fan. When asked why she was so inspired by Jones-Reynolds, Caminker echoed the sentiments expressed by others in attendance who praised Star’s numerous achievements. Descriptions such as “smart,” “admirable,” “educated,” “a diva,” and “a fashion icon” were most common, with “a professional African-American woman” being the most touted.

The crowd at Borders was as diverse as the ladies of The View: men holding four or five copies of Shine, women holding their life partners, and dogs being held by their masters. A welcome – if unexpected – element was a host of teenage boys, all of whom were buying the book with the hope of having it personalized and immortalized by Star Jones-Reynolds. When asked what, if anything, Jones-Reynolds had ever inspired him to do, fifteen-year-old Danny Soto replied, “To buy the book.” Danny and his friends Will Warner and Steve Botsfome all admitted that they “really liked The View,” and were impressed with Star’s willpower. A willpower that includes, it seems, motivating America’s iPod-Grand Theft Auto-Laguna Beach-Hotpockets-fueled generation to rediscover the simple pleasures of a good book.

Even excited boys, however, were forced to corral their raging hormones when it was announced that Star Jones-Reynolds was in the house. The sober crowd had tensely followed reports of the star’s movements as updates were given regarding her delayed flight. Rumor flitted among the fans, bringing with it speculation that Jones-Reynolds—who was supposed to arrive at 7:00 PM—might not survive the wintry weather. If there’s anything Jones-Reynolds is, though, it’s a survivor. At 8:20ish, nobody remembered his or her previous annoyance.

Jones-Reynolds glided across the large room effortlessly, her newly-sculpted body clothed in sensible-yet-chic.
Submitted by William Tran

How are you handling it? “Are you sad?” “I’m so sorry.”

These weren’t comments regarding Tia Carrere’s Dancing with the Stars exit, Kara’s annoying staying power on Project Runway, or even Reese Witherspoon’s devastating win over Felicity Huffman at the Screen Actor’s Guild Awards. No. These were remarks thrown at me after Michelle Kwan’s withdrawal from the Olympics.

Every four years, people will pummel me with questions like “What’s the difference between pairs and ice dancing?” For this Olympics, the questions all revolved around Kwan (and Johnny Weir’s outfit). People who think “triple salchow” sounds as foreign as “Res Gestae” become experts and say things like, “It’s her last clear chance. She’s lost twice. And she’s old.”

In reality, the skatosphere couldn’t give a damn whether or not Michelle ever wins the Olympics. The skateratti know that she has transcended her sport and the Olympics. So does Corporate America. (Visa and Coca-Cola still air her Olympic commercials despite her withdrawal, and Disney announced a new multi-year endorsement contract with Michelle immediately after her exit.) Peter Ueberroth, president of the US Olympic Committee, wasn’t exaggerating in saying, “Kwan means more to the United States Olympic Committee than maybe any athlete that’s ever performed for the United States Olympic Committee.”

Fair-weather figure skating fans don’t understand that she doesn’t need Olympic gold because they don’t understand the impact she’s had or her place in history. They don’t understand that such a skater comes along once every half a century. A quick browse at her resume: Nine national titles, more than anybody in American history. Five world titles; no American has won more and the last American to win five did so from 1956-1960. Two Olympic medals. She hasn’t finished lower than fourth in any event in 12 years! Her success and longevity in the sport’s most competitive era is awe-inspiring.

But beyond her competitive record, what’s sui generis about Kwan is her basic skating quality. To watch her take an edge is to witness pure majesty. To watch her land simple jumps is to witness utter joy. The only comparable skater was Janet Lynn, who won five national titles from 1969-1973 and also never secured Olympic gold. That’s an elite category that I’d take any day over the likes of recent ladies’ Olympic champions (think: Oksana Baiul, Tara Lipinski, and Sarah Hughes; read: flash-in-the-pan). Oksana, Tara, and Sarah delivered unbelievable performances on the night that mattered most, and their unadulterated joy and abandon were sights to behold. But that was one time each. Michelle has delivered such performances dozens of times for over a decade.

“That’s nice, but she’s not skating her best now.” Whoo there, prosecutor. Yes, Michelle finished fourth at the 2005 World Championships. However, four words: totality of the circumstances. She missed bronze by less than four-tenths of a point on her first try under the new cumulative judging system. She would have won bronze without a Qualifying Round. Guess what event also doesn’t count a Qualifying Round? That’s right, the Olympics. Her score for the short and long programs combined was over 175 points. Emily Hughes’ highest international score? 147.89, in March 2005. Emily Hughes’ score at Skate America in October 2005? 126.78. Armchair judges who think Emily Hughes, who finished third in a depleted field at Nationals, deserved the Olympic spot over Kwan, think again.

In fact, if Michelle hadn’t finished fourth at last year’s World Championships, the U.S. would only have two spots in Torino. The International Skating Union awards Olympic berths based on the country’s performances at the previous year’s World Championships. Furthermore, Michelle had herself gone through a similar situation in 1994. She earned an Olympic berth by placing second at Nationals at the age of 13, but she was bumped off the team because Nancy Kerrigan couldn’t skate at Nationals due to the whack-heard-round-the-world.

Given that Michelle was the most recognizable name in these Olympics, and the controversy over the injury-waiver which put her on the team, her demeanor under the spotlight was professional beyond belief. She never took a shot at Emily Hughes (like I gladly have), and she insisted that US Figure Skating officials monitor her. She demonstrated her fitness under extraordinary circumstances and then patriotically participated in the never-ending Opening Ceremonies (unlike Sasha Cohen). When she realized she was feeling pain in Torino, she didn’t drag it out and hope that it would go away. She knew she couldn’t be at her best and withdrew sua sponte, so as to not hurt the team. She gave Emily Hughes all the time in the world to pack her bags and get to Italy. When NBC offered her the opportunity (and money) to stay and commentate, she graciously turned it down (unlike Kimmie Meissner, who flew to Worlds last year to commentate about how unfair it was that she was too young to compete).

It’s hornbook law that US Figure Skating’s charge is to send the best team to the Olympics. Any American figure skating team without Michelle Kwan is simply not the best. But there’s no need to fret. Michelle has given so much to US Figure Skating already. Am I sad? No. It would’ve been beautiful to see her skate perfectly again, but there really was no need. She’s already done it over and over again, so I’m handling it just fine.

William Tran is a 3L. To learn more, bid on his figure skating appreciation seminar at the SFF Auction.
An Open Apology to Christina Whitman

By Adam David Dubinsky

Dear Professor Whitman,

No one here is a stranger to the concept that some individuals are subject to a higher duty of care than others. Doctors and lawyers possess specialized knowledge upon which their clients rely; public officials are entrusted with the well-being of their constituents. There are certain activities posing such an excessive and inherent danger, however, that anyone engaging in those activities is held strictly liable for injuries they cause.

Each year on the fourteenth day of February, I impress myself into Eros’ service as love’s legionnaire, armed with the entirety of Cupid’s mighty arsenal. I carry in my sling traps fashioned from honey-dipped words and hypnotizing melodies, piercing projectiles launched from tensely taut bows, and such pathologically lust-toxic hips that I must ordinarily contain them in lead undergarments. There is great profit potential in the business, but love is a truly dangerous game to play. All the same, I have been playing it at the community’s expense—that expense fell squarely on you this St. Valentine’s Day.

In the nineteenth century, the frontier of love remained vast and unconquered. Industry captured mankind’s imagination, as did the application of its methods to the heretofore unbroken wilderness of passionate love. As late as 1837, Cupid flit about in diapers, armed with a recurve composite bow with a range of only two hundred yards. No great advances in love technology had been achieved since Mongol invasions spread that bow across the known world in the thirteenth and fourteenth centuries. Every Valentine’s Day perhaps three or four innocent bystanders would suffer painful arrow wounds from an errant shot.

By mid-century, though, the power of steam, coal, and gunpowder had transformed love. Thanks to the telegraph, loved could be reached anywhere and at any time—and it could reach you.

It reached seven men on February 14, 1929. Al Capone ordered valograms for seven of his business partners. Emboldened by their rapid-fire, fully-automatic “Tommy-bows,” five novice cupids cornered the seven behind a warehouse and let loose a barrage of unrequited love so concentrated that it killed the men instantly.

Expressions of love reached an unprecedented level of danger after World War II. Investments in science and research spawned new ways to communicate this love. Television brought love into the nation’s living rooms. The Beatles spoke on behalf of a generation when they sang “all you need is love”—love was to be the cure for society’s ills, and the love industry responded by developing a culture-altering capacity to deliver. Yet suddenly, without warning, outbreaks of severe love-sickness began popping up around the country and the world.

Rachel Carson opened the public’s eyes to the danger of the indiscriminate spreading of love in her 1962 book, Silent Spring. Her apocalyptic tale warned of a dead post-Valentine civilization littered with the senseless bodies of pining fools. Carson helped usher in a new era of sobriety and self-reflection over the previously unrestrained Valentine’s Day love. Today, even after the Reagan administration, love remains a highly regulated industry.

Professor Whitman, when the Headnotes marched into your Federal Courts class at nine o’clock on Tuesday morning, we were aware of the danger. We believed we had taken adequate precautions; but they were susceptible to human error, especially given their rushed treatment as the holiday fell upon us. Like so many in history who have come to regret unintentionally devastating behavior, we pressed on, certain that everything would be all right. Everything was all right, it seemed, as I stepped onto that first table in room 132 to shake my hips at Carey Cuprisin: my voice was far from meltdown and my limbs were absorbing the oscillations of my loins. Yet, when I advanced towards Carey and off that table, something went terribly wrong this Valentine’s Day. I remember seeing the Headnotes’ faces change before I knew what was happening, before my innocence was forever lost. Their smiles contorted into gasps of horror and their hands flew up in warning. But it was too late.

The force of my departure knocked over that table, upon which had been perched a lectern guarding your notes for the day’s lesson, as well as a cup of iced-coffee. It all crashed (and splashed) to the floor. The lectern’s fall was a shell exploding in my ears and the clattering of ice like the rattling of desiccated bones.

I know that nothing I can say will ever repair the damage that was done, nor any amount compensate you for your loss. We righted the furniture, replaced the notes on the lectern, however, and even returned the ice to your cup; nothing can redeem us for our irresponsibility and recklessness. Nevertheless, I offer you our humblest apologies.

It sickens us to have taken your class’s fragile environment for granted. We can put as much ice back in the cup as we want, but that coffee was lost forever. We are seeking no forgiveness. We merely hope that you will find a measure of comfort knowing that our hearts are with you, that we will never again risk the school community’s health and happiness for the sake of profit and the SFF-lobby.

Sincerely,
Adam Dubinsky

Adam Dubinsky is a 2L. E-mail comments about this article to rg@umich.edu.
Attractive Nuisance:
Introducing the Poetry of Wallace Stevens

By Jay Surdukwksi

This week, I introduce two iconic poems by Wallace Stevens (1879-1955). Stevens is one of the gods of high modernism, along with T.S. Eliot, Ezra Pound, and William Carlos Williams. I am proud to say he was also a lawyer (New York University class of 1903).

**Thirteen Ways of Looking at a Blackbird**

I
Among twenty snowy mountains,
The only moving thing
Was the eye of the blackbird.

II
I was of three minds,
Like a tree
In which there are three blackbirds.

III
The blackbird whirled in the autumn winds.
It was a small part of the pantomime.

IV
A man and a woman
Are one.
A man and a woman and a blackbird
Are one.

V
I do not know which to prefer,
The beauty of inflections
Or the beauty of innuendoes,
The blackbird whistling
Or just after.

VI
Icicles filled the long window
With barbaric glass.
The shadow of the blackbird
Crossed it, to and fro.

VII
O thin men of Haddam,

Why do you imagine golden birds?
Do you not see how the blackbird
Walks around the feet
Of the women about you?

VIII
I know noble accents
And lucid, inescapable rhythms;
But I know, too,
That the blackbird is involved
In what I know.

IX
When the blackbird flew out of sight,
It marked the edge
Of one of many circles.

X
At the sight of blackbirds
Flying in a green light,
Even the bawds of euphony
Would cry out sharply.

XI
He rode over Connecticut

In a glass coach.
Once, a fear pierced him,
In that he mistook
The shadow of his equipage
For blackbirds.

XII
The river is moving.
The blackbird must be flying.

XIII
It was evening all afternoon.
It was snowing
And it was going to snow.
The blackbird sat
In the cedar-limbs.

As I mentioned earlier, Stevens was a lawyer, and he was also an insurance company executive. For most of his writing career he lived and worked in suburban Connecticut. He would dictate poems to his secretary, a delightful scene to imagine.

Stevens’ life stands for the proposition that an artist does not have to starve. He spoke of resources as a blessing for his art; and as a devotee of beauty, he liked the “endives and blue grapes” that his salary could pay for. Means informed his work. He’s right. An artist who starves may starve out the art. All poets should go to law school.

Oddly enough, despite his great love affair with beautiful art and music, he rarely ventured too-far abroad. The South and Florida were his major and regular travel ventures. He also loved New York City and would take the train and whirl through the cosmopolitan experience like the blackbird in the autumn winds. “It was a small part of the pantomime.”

This week’s poem is heavily influenced by Japanese short forms, most prominently haiku. What I have always liked is the way
I Know What You Did Last Semester

By Mike Murphy

I stopped bringing my laptop to school. What I lost in the ability to "ctrl-f" cases in my notes, I gained in ability to actually "ctrl-f" my attention in class. But law school classes have their moments of mind-crushing boredom, and in those rare instances my attention turns, of course, to the laptop screens of the people sitting in front of me. It is amazing what we will bring up on our computer screens with upwards of 50 people sitting directly behind us.

Please assume, for the purposes of discussion, that I am not a voyeur, Peeping Tom, or instigator of unregulated wiretapping. I spent two years of law school staring at a laptop. It's damn near a reflex to look at one during class. Laptop screens are colorful, and distracting, and hard to ignore - much like TV screens, fireworks and beer. Besides, you do it too, and you know you do it. So there.

But it doesn't take a village to discover embarrassing facts about someone by looking over their shoulder as they surf the internet. Put another way: unless you are in the back row of a class with no other students on either side of you, someone, possibly many people, can easily see your computer screen. If you check your grades in class, everyone behind you knows your grades. If you talk smack on IM about someone in your section, they probably know. If you read dumb celebrity gossip blogs, not only does your section know, they're probably reading along with you and you're making everyone dumber by the minute.

The most embarrassing and horrible thing I ever saw on someone's screen, last year, still haunts me to this day. One student sitting in front of me would log in to her own e-mail account, then that of her significant other, then that of her relatives. She was reading the sent mail, marking it as "Unread" and logging out. I was horrified, then horrified to realize that by reading these e-mails along with her I was just as horrible as she was.

To this day, I cannot look her in the eye. I thought about confronting her, but that would be paradoxical. Plus she'd probably argue that her spying on other people's e-mail is essential to secure her personal freedom in today's dangerous times, and cite an instance in which she foiled a "surprise" party plot that would have undermined her core values of life. Or some dumb crap like that. Plus, she'd probably be more worried about where the leak to her spying came from then engaging in any sort of moral debate over whether it was appropriate.

It's not as if we're all not aware of the dangers that someone might see our computer screens. Especially hilarious are the moments when a mobile professor walks up the aisles to better engage a student in the back row of a lecture hall. The digital wave of furious window minimization as the professor passes by is a sight to see. If I were a professor, I'd try lecturing from the back of the room sometime. Or put up a mirror.

An even more intense moment of schadenfreude can come on when you're trapped watching someone's computer get the blue screen of death over and over again. It's an emotional drama shooting right to the heart of our worst fears, all while paying hundreds of dollars to be taught Antitrust. And they say law school is boring. You can't help but watch, since it's such a scary moment in every computer owner's life. Then you feel a slight sliver of relief that it's their laptop dying and not yours. So you feel shame.

Speaking of shame: if you have used iTunes to play music on your computer and share your collection, someone on the same network (the law school one for example) has seen your music collection. All of it. They've seen your copy of "Big Willie Style" and your MP3 of "Mambo Number 5." They know you have the entire Backstreet Boys discography.

But you never know! That could be your ticket to meeting fellow Lou Bega fans. I met my good friend Tommy because he sat behind me in Torts class and saw me logging onto The Warehouse, the Dave Matthews Band fan club site. Turns out, he was a member, too. I initially found his intimate knowledge of my web surfing habits more than a little disturbing. But I got over it pretty quickly once I realized we had even more hobbies in common - like beers and the drinking thereof. Considering the rounds that Tommy has ordered for me over the years, I can credit my current state of brain-cell Darwinism to the random location of my seat in Torts. How's that for proximate cause? (You tell me. I don't remember so good.)

In an environment such as law school, privacy is a rare and easily squandered commodity. Most of us lack the enormous ego to assume that the law school would want to know the details of our personal lives. (I submit this column as evidence that I am not like most of us.) Yet through gossip, small-town living, and the occasional lawopen post, our personal lives often become public domain.

If that bothers you, then you might want to think twice before you use your laptop in class to google a word the professor just said, have a passive aggressive IM fight with your girlfriend, or post something slanderous on your blog. We're watching you, and we're judging you.

Mike Murphy is the Editor-in-Chief of the Res Gestae. He is often mistaken for a wingless quail and shot. E-mail Mike at murphym@umich.edu.
Artfully Drafted: Second Annual
‘Term of Arts’ Opening, Sat. Feb. 18
Michigan Hoops ‘06: Just Another Tease?

By Matt Nolan

It’s the look across the room that you know means it’s on – but really doesn’t mean it. It’s the email with the subject line “it’s been too long friend!” that contains only jibberish about male member enlargement, or the letter from Ed McMahon that promises millions. And, for my entire seven-year tenure at Michigan, it’s been Michigan basketball.

Football has been different. Despite a down year for the football team, I feel that I’ve been witness to a pretty good era of that sport. I started as a freshman in 1999 with a Michigan victory over Notre Dame and Tom Brady at the helm as quarterback, and went from there. We played on six New Years’ Day bowl games, got to attend two Rose Bowls, won a few Big Ten Championships, and had some incredible moments and wins. So, no complaints.

Michigan Basketball, however, has been a different story. 1999 was the year we were “going back to The Dance.” Lavell Blanchard and Jamal Crawford highlighted an exciting incoming freshman class, and the Maize Rage, the student section, was founded. A couple of years had passed since Michigan was in the NCAA tournament and we were hungry to get back in. It was inevitable, natural, the world was about to be righted. Or not. Crawford had to sit out half the season because of a minor (and I still think crap) NCAA violation; he left for the NBA and is now the starting point guard for Notre Dame. Our young team would only improve though, right?

Wrong. Crawford’s departure was only the beginning of a downward spiral that soon swept away any remaining hope for the rest of the team. Brian Ellerbe was a horrible coach, and the team had almost as many off-the-court issues as they did on-court. We even lost to Murphy’s Oakland University. After a few years of futility, Ellerbe was gone.

Then it was REALLY time to celebrate -Tommy Amaker, great Seton Hall coach and Duke alum, was coming in to clean up the mess and resurrect the program. His 1st season as coach (2002-03) was a very good one for the team, but NCAA sanctions kept them out of the Dance again. His 2nd season wasn’t as good, but still successful, and while the team was once again left out of the field of 65, they entered and won the NIT tournament with mostly freshmen and sophomores. Time to dance in ’05! Or…

…time to flop, get your starting point guard kicked off the team, have the entire starting roster suffer injury, and so on.

What I’m trying to convey here is that Michigan Basketball has been “on the brink” for my entire time here. In that run, they’ve earned only two victories over Michigan State. So THIS year…with a senior and junior-led team, the same guys who won the NIT two years ago…THIS would be the year.

Or not. I was a believer, but hesitant even through the team’s 10-1 start. The road win at Notre Dame was nice, but the home loss to UCLA looked too much like the old “almost” Wolverines. 2005 ended and 2006 started with a Michigan team still undefined in my mind.

But then! The joy! All the waiting, all the hopes realized! This year must be the year! In one week Michigan defeated the Sparties from East Lansing and the Badgers from Madison, the first time they had beaten consecutive ranked opponents since I was in middle school! Ranked in the AP poll for the first time since high school! Some projections had Michigan as high as a four-seed in the tournament, and after a road win over Penn State the week after, Michigan sat at 16-3 overall, 6-2 in the Big Ten, and tied for the conference lead for the first time in a very, very long time. Hurrah! But…

Lester Abram went down with an leg injury. Smith followed. Michigan got blown out at Iowa, which could be written off as a road loss, but still...then the hammer. OSU at home, the game that the old Wolverines would lose and the new ones would definitely handle. Michigan started up 21-8, but then...downward spiral. Dion Harris gets injured. Daniel Horton flinging passes away like he’s Jack Bauer and the ball’s about to explode. Loss to OSU at home. They’ll at least beat Purdue on the road, but who cares, because Purdue’s the worst team in the Big Ten. Oops. Stomach drops out. Loss to Purdue…wait, no…ass whipping at Purdue. At PURDUE? At least we were able to take out our frustrations on Minnesota, making the Sparties’ loss to them all the more embarrassing, but the question still remains.

Bottom line--after once again, and closer than EVER, promising that they would finally cure all of our pains and end the suffering, the Michigan Basketball team is back on the brink. I’ll be happy with a tournament berth at this point, but I’ll be happier the day this team finally goes wire-to-wire, playing to their capability.

Sigh. At least, it’s just six months until kickoff in the Big House…

3L Matt Nolan is the Executive Editor of the Res Gestae and is experiencing his final opportunity to make the NCAA tournament before leaving Michigan, one of the reasons (the other being Rose Bowls) he returned for his law degree. Cut him some slack for being a bit obsessive and email your comments or thoughts to mjnolan@umich.edu.
RG: Okay. We are probably safe from the ICJ, but to avoid running afoul of any other laws, what sorts of things should a traveling law student absolutely, positively not do?

JS: The part of the law that comes to my mind in that regard is criminal law. You should not engage in conduct which is criminalized under law in these countries. Fortunately, spring break does not overlap with the Oktoberfest, so one trap will not be available to law students. I think that there are few things, aside from just getting drunk and hitting Germans, Austrians, or whoever, which you shouldn’t do. You shouldn’t be afraid of engaging your European counterparts in debates about how they see the United States because that, of course, is a big topic: how we see the Americans in such matters. You should certainly not be shy in that regard. I think the more we talk about these matters, the better. I don’t know whether that is the American law student’s idea of having fun during spring break.

RG: You never know. Let’s say that our traveling law student has just done exactly what you told them not to do and is now caught by the criminal law of another country. What should they do at this point?

JS: I think that what they should do is try to get in touch with the American Consulate as quickly as possible. This is a part of international law with which I am pretty familiar because I dealt with a case where this was a problem for Germans—more than a problem, they had actually been executed already in the state of Arizona, and they had not been informed about their right to ask for the assistance of their consular offices. Of course, nowhere in Western Europe, in the European Union, will you end up on death row. But still. That is the first thing to keep in mind: ask immediately for the US Consulate to be informed about where you are and that you want to speak with them. Of course, there might be circumstance where you would be less interested in getting in touch with your consol; if the way that you ended up in prison is such that you would rather the United States not know, then you don’t have to do it. But, you have a right to do so, and that might be very important.

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-Judge Bruno Simma

RG: Why wouldn’t you want Consular help?

JS: I’ve talked with a number of Consuls posted in Munich, and they said that a large number of their nationals did not want them to know that they had gotten into trouble with the law in order not to have a stain on their records back home. They wanted this to pass and then back home in Prague, or Budapest, or Bucharest nobody would know - for reasons that are understandable.

RG: Let’s fast forward 6 years: you’ve retired from the ICJ and are now traveling the world. What country would you visit based on the laxness of their laws?

JS: Probably from that viewpoint I would not go to the country which is otherwise my favorite, which is Italy. In Italy, someone was not in possession of valid car papers and ended up in a cage in a criminal trial, and that I wouldn’t like. I would certainly not choose the United States because, recently, an Italian professor who entered the United States at Kennedy airport had one stamp or detail not right on his DS 20-19 form, which you need to fill out in order to do any work here. He was handcuffed and sent home on the next plane. In this country, I think one has reason to be particularly nervous about doing things right if you are a foreigner, especially with regard to immigration. Once you are in the country, it may be different. The Ann Arbor police officers always seem to me to be reasonably polite and nice.

RG: Have you had a lot of dealings with the Ann Arbor Police?

JS: Not really. That’s why I say, “they seem to be.” I think I would feel most at ease in a country whose language I can speak and with whose political culture I am reasonably familiar. I think from that viewpoint, I’ll probably not move beyond central Europe much.

The problem is, of course, visiting exotic and unfamiliar locales often brings out the rowdy, troublemaking undergraduate in us all. So, I asked Judge Simma, international law Prof. Reuven Avi-Yonah, and Jay Surdukowski, 3L and Managing Editor of the Michigan Journal of International Law, which countries were best and worst for some of our favorite extracurricular activities:

Prof. Avi-Yonah: You need to have some cultural sensitivity. I wouldn’t deliberately run into trouble by, say, going to China and saying: “It is a terrible thing that you control Tibet,” or “Taiwan really should be a separate country.” It’s just causing trouble. And, every place in the world has some issues that they are sensitive to. If you go to Western Europe that’s a different matter, but if you go to more exotic kinds of places you need to be aware of the local history and culture, and what are the potential sensitive spots. It varies from country to country.”

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Public Intoxication

Judge Simma: I never had a problem in that regard. I guess that in Europe the standards of how to treat severely drunk people are more or less the same. I've heard that in Scandinavian countries, in Nordic countries, there might be more of these people around. I could imagine that if I had to live in a country where, for six months of the year the weather is like Michigan at the moment, I might get a problem with alcohol myself. I've heard of human rights cases in Finland, for example, where the cells where they keep the unconsciously drunk over the weekend were just too crowded, which was considered to be a human rights problem. Hopefully the people in these cells didn't feel what happened to them. So, there might be problems of that kind, but with regard as to the rigidity with which the law would treat you, I think there is one standard and that standard will be humane.

Prof. Avi-Yonah: Worse would probably be Saudi Arabia, or some place like that, where drinking is illegal period. Then, being drunk in public would be a sure indication that you had been breaking the law.

Possession of a Controlled Substance

Prof. Avi-Yonah: Singapore is definitely the worst; they would certainly put you in jail. The Netherlands would probably be the best. There it is practically legal!

Jaywalking

Prof. Avi-Yonah: In Italy, it is perfectly fine because everyone does it! In Japan, I think you might be in trouble because there are so many rules and regulations that are difficult to understand relating to where you are supposed to cross the street. I could never follow them. Also, in general, countries where people drive on the left, you have to be more careful because you instinctively look the wrong way all the time.

Jay Surdukowski: Best-Vietnam; Worst-North Korea/Manhattan (tie)

Assaulting a Police Officer

Prof. Avi-Yonah: That is probably bad everywhere.

Judge Simma: Is that something that students want to do?

If you get drunk enough...

“You should not engage in conduct which is criminalized under law in these countries. Fortunately, spring break does not overlap with the Oktoberfest, so one trap will not be available to law students.”

-Judge Bruno Simma

Judge Simma: Hmm. Well, you might be aware that there may be some slight differences in the readiness of law enforcing officials to make use of their weapons. In that regard, I would very much prefer to do this in a country in which police do not carry fire arms at all, which apparently is still the case at least in the U.K. At least on the television series that I know, they are all very friendly looking.

Overthrowing a Government

Judge Simma: The question would be whether a law student, in a state of intoxication, could be guilty of treason. But, well, take your pick. Maybe inquire among the population what they think of their government. Don’t choose Germany because the Germans still seem to be reasonably happy with their new government. If you go to France, you have to decide if you want to take out the liberal guy or the more right wing guy, whichever might be the next government. Leave the present president in place because he is fading away already. (Said jokingly:) In Italy, I think a lot of people would agree, if you have to choose a country, go to Italy and get rid of Berlusconi. I think you would do most people a favor. Yeah, actually, that would be my first choice.

General Lawlessness

Jay Surdukowski: Based solely on that consideration, Somalia is very attractive because it’s more or less a “failed state,” with no effective government or law enforcement. Of course, shooting a grenade launcher from your car while driving 130 mph down the wrong side of a deserted highway, naked, gets old after awhile.

Prof. Avi-Yonah: The problem is there are countries where the law is very lax but there would be other troubles: Somalia for example, where the law is almost nonexistent but there are informal ways of enforcement that you might run into. Countries where the law is pretty laxly enforced for minor stuff, probably the Netherlands is about as laissez-faire as you can get in Europe at least—while it’s still safe. What you want to look for is a country where the law is relatively lax but where serious crime is not prevalent.

Jay Surdukowski: The basic lesson here is to not travel to Saudi Arabia, Uzbekistan, North Korea, Syria, or the Upper West Side for spring break.

I know those all sound like fun, but before you go off crossing streets with impunity or toppling peaceful regimes, a cautionary note about consequences.

Would one of these international spring break indiscretions end up on a student's bar applications?

Prof. Avi-Yonah: Well, I would think that if you actually got yourself arrested

CONTINUED on Next Page
and convicted then it might. If it happens abroad, presumably there is some chance that nobody would ever know about it; but you, yourself, are supposed to disclose stuff like that when you fill out your bar applications. If somebody who is a recommender knows about it, they are supposed to disclose it. In general, I don't think it is a good practice to put yourself in situations where you have to lie on an official document in order to get something done, because you never know. It may be discovered later and you may be disbarred, and it is not a pleasant situation to face. I would try to avoid getting into trouble in the first place.

Sound advice, but law students are notorious for not listening, so there are going to be times when the merde does hit the ventilateur. Thus, we close our Guide with these surefire quips to help you doninlas your way out of those unwanted international prosecutions.

Fraught in France? Assuage the angered Matre’d with: “Vous avez raison, les escargots sont les mieux sans le ketchup.”

For the troubled traveler in Mexico, use: “Yo bebí el vaso.”


Irked them in Iran? Try: “Fil-haqqan, ana min al-Canada.”

Nate Kurtis is a 1L who will be spending most of his break reading casebooks. Questions, comments, or pictures of things he is missing out on may be sent to nkurtis@umich.edu. No other warranties expressed or implied.

Positively glowed, thanks in no small part to wisely-chosen colors and bold makeup. Her eyelashes looked and fluttered like the wings of a butterfly, and her large ring sang softly in the fluorescent light.

“There were only three women on my flight, so if you’re looking for a man, get on a plane to the Super Bowl!” Her opening joke having been met with knowing laughter that would shake the walls of Jericho, Jones-Reynolds briefly addressed the crowd before settling into her chair. She said that she “hopes Shine will provide an outlet,” in addition to shopping guides and self-assessment tests. The self-proclaimed diva showed her dog, Pinky, whom she said accompanies her on all her travels. (Mr. Reynolds was not present.) She sat down, picked up a pen, and smiled at Bette Caminker.

But before Bette could speak to Star Jones-Reynolds, before the mobility-impaired elderly brought to the front could meet their idol, an RG correspondent was there. Jones-Reynolds said she would be happy to speak with a representative of that reputable news source but was hesitant to make her fans wait any longer.

“One question, Star, just one question!” the star-struck reporter persisted, “what advice do you have for graduating law students?”

Her first response showed her quick wit, as she pushed back with, “Law students shouldn’t spend their time at book-signings with authors who already have their degree.” After realizing that the questioning would not end on that note, Jones-Reynolds finally unleashed the compassion: “My advice for third-year law students is that they work hard to pass the bar [exam]. I went to law school in Texas, took the New York bar and passed it on my first try, and was eventually prosecuting homicide cases at the age of twenty-seven. So make sure you focus on passing that exam, because it will reflect highly on you upon entering any legal market.”

As her security detail observed from a reasonable distance, Jones-Reynolds then turned once again to Caminker, and uttered those four hoped-for words: “And what’s your name?”
**ACROSS**

1. Vietnamese language  
6. Taxi  
9. Showers  
14. Closing stanza  
15. Hasten  
17. *Access Hollywood* co-host  
18. Not young  
19. Indian viceroy  
20. Weltanschauung  
22. Russian rulers  
23. Hearing organ  
24. Sound reflection  
26. Gun type  
30. Hailing from Greece’s capital  
34. Tug  
35. Sacred table  
36. Mineral  
37. Medieval torture device  
38. More sick  
39. Again  
40. Before  
41. Open  
42. Spine  
43. Early Italian civilization  
45. Monetary  
46. Groovy  
47. Spoil  
48. Frown  
51. More lewd  
57. Watered fabric  
58. Gone  
59. Lips  
60. Water jars  
61. Last day of w.k.  
62. Inside out  
63. Sharp inhales  
64. Lakshmi  
65. Genders

**DOWN**

1. Cat sound  
2. Reverse  
3. Excess  
4. Head  
5. Those who gild  
6. Group of singers  
8. Small child, for one  
9. Cowpoke  
10. Online bookstore  
11. Midwestern state

12. Atmospheric research org.  
13. Cries  
21. Tub  
25. Scorch  
26. Shopping or crime, e.g.  
27. Two pints  
28. Sore  
29. Breed  
30. Poe’s middle name  
31. Foot with four syllables  
32. Sports facility  
33. Staircase support  
35. Hindrance  
38. Highland Peruvian dwellers  
39. Oohs and . . .  
41. Hopeless  
42. Groups  
44. Open, as in presents  
45. Air cooler  
47. Muslim scholar  
48. Los Angeles hazard  
49. Soda  
50. Olive and Canola  
52. Distant  
53. Posses  
54. Wild goat  
55. Ireland  
56. “Doh!”

*Answer Key on Page 16*
WALLACE, from Page 6

this poem orders existence around the blackbird. This poem strings the universe together. All of experience is connected within these thirteen vignettes—mankind and nature are linked in inexplicable ways: “A man and a woman and a blackbird/Are one” and

I know noble accents
And lucid, inescapable rhythms;
But I know, too,
That the blackbird is involved
In what I know.

Wallace Stevens built cathedrals of the mind. His work is testament to art’s empire; art is everything in his cosmology, the imagination supreme. One of his most famous poems, “Anecdote of the Jar,” is the tale of a discarded jar in the hillside of Tennessee:

Anecdote of the Jar

I placed a jar in Tennessee,
And round it was, upon a hill.
It made the slovenly wilderness
Surround that hill.

The wilderness rose up to it,
And sprawled around, no longer wild.
The jar was round upon the ground
And tall and of a port in air.

It took dominion everywhere.
The jar was gray and bare.
It did not give of bird or bush,
Like nothing else in Tennessee.

The jar is the most concentrated existence in the scene, it is the power of invention, it conquers everything in sight with its compact ingenuity, its strange grace. It is trash, don’t forget. But it is our trash, our creation, a little of our humanity. It is the reference point.

It is The Sign. It is the poem. It is the foothold of mankind against the wild black night of the universe—

Jay Surdukowski is a 3L. E-mail comments about this article to rg@umich.edu.

Question on the Quad: “What would your self-portrait look like?”

Reporting by Dan Clark and Jay Surdukowski

Jesse Calm, 3L

“My self portrait would be 75 feet tall and would be constructed of writhing naked women wearing bow ties.”

Heidi Manshreck, 3L

“I’m swimming in a sea of awesomeness.”

Barney Eskandari, 3L

“Ah. fuck you.”

Eric “The” Krause, 3L?

“Well, obviously I don’t have a shirt on and I have a roast beef sandwich in one hand, a red bull vodka in the other, my pants are hanging off the hips, and there’s a pensive look on my face.”

This one goes out to all our ladies who be having babies without no drama.
Michigan Law Announcements

WLSA’s Stress Management Workshop and Networking Reception
w/WLAM (Women Lawyers Association of Michigan)

An opportunity to talk with professional attorneys about stress management in law school and in practice!

Tues., Feb. 21, 4:30-6:30
Union, Kuenzel Room (1st floor)

Appetizers to be Served!

Questions? Email Kristen Klanow, kklanow@umich.edu.

WOMEN’S WEEK 2006: March 6-10

MONDAY, March 6
PRACTICAL SOLUTIONS TO SEXUAL HARASSMENT
March 6, 12:20-1:20, Hutchins Hall, room 150
Women attorneys describe their experiences addressing sexual harassment in the legal profession, both personally and through litigating harassment cases, and offer practical advice for students.
Co-sponsored by LSSS and Office of Career Services
OPENING RECEPTION, Monday evening, details TBA

TUESDAY, March 7
WOMEN UNDER THE NEW SUPREME COURT
March 7, 12:20-1:20, Hutchins Hall, room 150
Professors Whitman and Hills discuss past and upcoming Supreme Court cases affecting women’s rights, and discuss how the new make-up of the Supreme Court will or will not affect women’s rights under constitutional law.

WEDNESDAY, March 8
BARRIERS AND SOLUTIONS FOR WOMEN IN PROFESSIONAL LIFE
March 8, 12:20-1:20, Hutchins Hall, room 150
Cindy Shippioni, professor of Business Law at Ross School of Business, will present her research on barriers and solutions for women in professional life.

THURSDAY, March 9
MULTIPLE LAYERS OF IDENTITY: MINORITY WOMEN LAWYERS
March 9, 12:20-1:20, Hutchins Hall, room 150

WLSA BAR NIGHT, 7:00 pm, Full Moon, at S. Main and Washington Sts.

FRIDAY, March 10
SERVICE DAY
Safe House, 12:00-5:00 pm. e-mail Emily at elitznet@umich.edu to sign up.
Take a few hours out of your week to help victims of domestic violence along with other volunteers.

Sponsored by the Women Law Student Association. E-mail Tracy at tschlim@umich.edu

Looking For Insights Into Upper-Class Course Selection?
Mon., Mar. 13, 12:20 pm
138 HH

The Entertainment Media and Arts Law Student Association (EMALSA) Presents:

Trevor Whiffen and Gordon Kirke

Speaking about sports management and the distinctions between acting as an agent, manager, and a lawyer.

Thurs., Feb. 23, 12:15 pm, 150 HH

Judicial Clerkship Application Meeting
Wed., Feb. 22,
12:15 pm
250 HH