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Bigger and Better: Class of 2006 Profile

By John Fedynsky and Jessie Grodstein Kennedy

There was a distinct grumbling at the beginning of this semester within the halls of the law school. It was about the 1Ls. It was less “Who are these people?” and more “How the heck many of them are there? They are everywhere!” The RG decided to get to the bottom of this deluge of first years. So we tracked down Assistant Dean of Admissions Sarah Zearfoss to get the scoop.

We hear that this year’s 1L class is larger than usual. Is that true?

Yes!

How much bigger? Why is it bigger?

We have 407 in the entering class; last year, we had 352; the prior year (2001) we had 361; and the year before that (2000) we had 367. In every year except this year, we were aiming for a class of 350, so as you can see, it is not unusual to to

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Greetings From the Editor's Desk

By Andy Daly

Welcome back everyone. For you 1Ls and other new faces, welcome to Michigan. I greet you with a newly found feeling of excitement and a rejuvenated spirit going into my second year as Editor-In-Chief of the Res Gestae. I know, I know - I am 3L, I am not supposed to be excited. I am supposed to be bored, blasé - just waiting for May so I can collect my diploma. Two events, however, have dragged me from the doldrums of the 3L trudge to enjoy my new lease on law school life.

The first event was last week's Student Organization Fair. I missed last year's fair due to a callback. This year I dragged myself from my basement apartment to go introduce myself to people I didn’t know and was resenting the two hours that was being cut out of my “RapCity: The Basement” watching time. Yet within minutes of being at the fair, I felt like a different person. The enthusiasm displayed by the new students, not just with respect to the two organizations I was representing, but to the idea of student participation in general was immediately energizing. Granted, the Res Gestae table was stocked with entirely too much candy, but the buzz generated by students willing to participate was genuine, and not simply a function of my inhalation of confections.

The second event was the thrashing that the Wolverine football team handed down to Notre Dame this weekend. I will behave myself and control my Boston College-bred desire to rub the Golden Domers' faces in their defeat; it suffices to say that watching that game has definitely knocked a little jade off this 3L. I am almost inspired enough to clean my shower.

Back to the student organization fair, I would like to thank everyone who came by the Res Gestae table and expressed interest in our publication. I would also like to make my annual plea to all students who wish to contribute, in any small way, to feel free to join us this year. To be honest, this is a much more interesting and vibrant publication when more students contribute their opinions and viewpoints. Also, in a continuing effort from last year, we are doing our best to cover the events and programming at the law school. To make it easier for students to participate in this coverage we will be maintaining a “docket” on our office door – Legal Research 116. If you plan to attend an event and would like to cover it – please check our board and sign up.

Finally, we have some news of our own. Congratulations are in order for two of our staff members on their August weddings. Our managing editor, Jessie Grodstein Kennedy, and contributing editor, Sara Klettke MacWilliams, celebrated their respective weddings this past August. I had the pleasure of attending and playing the trumpet at Sara’s wedding. As for the quality of my bugling, let’s just say, for a trumpet player, I make a pretty good law student.
Remembering 9/11: Then and Now

To commemorate last week’s second anniversary of the September 11th attacks, Res Gestae has compiled a collection of past and present reflections. On this page, we have included the thoughts of some current students as well as those of the students who were here in 2001. The quotes come from Vol. 52 No. 1, which was published on September 18, 2001.

“For now, the enemy is faceless, and I can only stand up in the face of that anonymity and scream as loud as I can, ‘I’m AMERICAN! I’m free and I’ll stand up for my freedom!’”

Hannah Mufson, ’02 ‘Til Tuesday

“But above all, I am sad for those individuals who do not have the goodness in their hearts to realize how precious life is, who do not recognize how lucky we all are to be connected in an invisible web of friend and family who love us, and who have unerestinated the overwhelming strength of the human spirit.”

Lauren Gibbs, ’04 Human Spirit

“Simply put, against a zealot diametrically opposed to our very way of life, there is no compromise . . . . bin Laden and everyone who participates in his network of terror must die; every leader of the Taliban must die; everyone who gave a dime to finance the operation must either die or languish on death row.”

Yingtao Ho, ’02 In the Wake of the News

“The time is here for the civilized to embrace rage and retribution and let the uncivilized take their chances in a deadly game they all too deliberately began.”

Anonymous, The Case for Rage and Retribution

“As much as we trumpet that terrorism won’t force us to change our lifestyle, maybe some features of our lifestyle are worth reexamining, and abandoning, if we want to look good in the world compared to the bin Ladens. At some point we may not have a choice but to change; maybe that point has come.”

David Boyle, ’02 Apocalypse When

“The test is in how a nation channels a righteous anger. And in how a nation resolves deep-seated fears that were unearthed as we watched a symbol of our power crumble into powder and dust.”

Harry Mihas, ’02 Never the Same Again

Jessie Grodstein Kennedy, 2L - worked at Environmental Protection Agency in 2001

I was working in Crystal City, Virginia — just one stop beyond the Pentagon on the blue line. Impossibly, insufferably late, I never made it to the office by 9:00. Today, however, I was in relatively early — 9:05. I walked into the bay area of the office where the TV, which normally served as a glorified paper weight, was actually turned on. In a voiceover, Matt Lauer was speaking to a man via the telephone – the interviewee, through a thick New York accent, insisting that there was an American Airlines detail on the plane. The plane that flew into the World Trade Center. I had recently read an article about the terrible navigating system at LaGuardia, how fortunate passengers were that there had been a cataclysmic crash in recent years. So finally it happened, I thought. My father, who extols the virtues of Newark Airport, was proved right.

But then I saw the second plane hit. I raced to the phone and dialed my dad, my mom, my sister, my boyfriend — no answer. Nothing but that amazingly irritating series of notes that let me know that I was never, ever, going to get through. And as coworkers slowly trailed into the office, mesmerized by the scene on TV, there was another loud crash. And the building seemed to shake. The voiceover informed us that the Pentagon was struck. The cloud of smoke, which originated nearly a mile away, was visible through the window. I walked out of the office, my feet barely able to support my weight.

I still shake just thinking about it.

John Fedynsky, 3L - U of M 1L in 2001

When the towers were hit, I was in Criminal Law with Professor Susanna Blumenthal. I heard some rumblings in the Quad about the news and went back to my apartment, where I watched TV. Reports about the Pentagon flashed on the screen. I watched in dumbfounded awe as the second tower collapsed. Seeing that event live penetrated me more than any of the replays.

I dragged myself to my 11:15 a.m. civil procedure course with visiting professor Ana Merico-Stephens. Most of my section was there. Everyone knew what happened and was quietly beside themselves. Prof. Merico-Stephens noted how emotionally charged things were and deferred to us as to whether to hold class. Soon, Dean Lehman canceled all classes for the day. One student asked if anyone doubted the safety of family and friends. Many did, so we decided not to have class.

The next day, each professor briefly mentioned “yesterday’s events.” All soldiered through the day, lecturing and refraining from cold-calling students. During civil procedure, there was an awkward moment when we heard military jets rumbling overhead and sirens wailing nearby. Televisions were stationed throughout the Law School. People seemed numb. On a personal note, I did not feel normal again until driving home a few days later to Detroit. I went by the airport and saw a long line of jets approaching for safe landings.

I could not help but smile.
Speaker Offers New Insights on Middle East

By Jessie Grodstein
Kennedy

Contrary to the old adage, familiarized to most by some venerable sixth grade teacher, history doesn't repeat itself all the time. For if it did, the political world would be far easier to navigate; human beings (even those elevated to political office) do have the capacity to learn from their mistakes. Rather, there are subtle differences that make the study of history - and its relation to modern events - challenging to predict. In his address to law students on September 10, Todd M. Endelman, Professor of Modern Jewish History at the University, discussed some of those differences in his presentation "When Anti-Zionism Becomes Anti-Semitism."

According to Endelman, a key difference between Holocaust era anti-Semitism and modern anti-Semitism, relates to the current makeup of Western Europe. Absent the political and economic instability of the inter-World War period, modern Europe is a far different place than it was seventy years ago. While the Europe of the 1930's featured an array of right-wing political parties who wished to undo the process of Jewish emancipation, modern European political parties are more pragmatic, and, according to Endelman, "less concerned with being tied to true-blue ideals."

One of the ways in which the political landscape reflects this shift is in the fact that the left-wing parties, which had historically come to the defense of Jews (i.e. the Dreyfus Affair of 1890's France), is now a source of criticism - particularly in the realm of current Israeli policies. This observation leads into Endelman's key point, that modern anti-Zionism can, and does, easily cross the line into anti-Semitism.

Zionism, which was popularized by Theodore Herzl in the late nineteenth century, is the movement advocating the return of Jews to Israel. Anti-Zionism, which Endelman defines to include the practice of questioning the legitimacy of the state of Israel, crosses the line when it is turned into a morality play - when there are good guys on one side and bad guys on the other. Of course the bad guys in this script are always Israelis.

What is interesting to note, however, is that this demonization of the other side exists in both camps - American Jews, for example, have been faulted for demonizing those who support the Palestinian cause. A student remarked on this point noting that Palestinians are forced to be quiet when faced with the criticism that singling out Israel as the bad guy crosses the line into anti-Semitism. "I'm sorry but, as a Palestinian, Israeli aggression is all that I'm focused on," he admitted.

Perhaps this is the part of the problem. The truth that Israel engages in practices that are deplorable, just as do the Palestinians, is a fact of the Middle East conflict that is impossible to ignore. To point the finger at the other side, while lionizing one's own cause, is disingenuous.

Endelman recognized this point, and presented an interesting theory as to why the modern anti-Semitic outbursts (such as the attacks on synagogues, cemeteries, and kosher food shops in France this past April) have recently flared up in Europe. Modern anti-Semitism is, in fact, related to the Holocaust. All of the criticisms that fell on Europe (particularly France and Germany) as a nest of the worst and most horrific regime in the modern era - (the recognition that Nazism is the functional equivalent of evil) - is now being deflected onto Israel. "For centuries Jews and others berated Europe for not living up to its own Enlightenment ideals," Endelman noted, "But if everyone is capable of being a miserable killer, then why should Europeans be singled out?"

And this was perhaps the most interesting insight that Endelman contributed to the all-too mired ground of the Middle East. Several students were interested in Endelman's presentation, which was sponsored by the Jewish Law Students Association. They pressed him on the problem of media coverage, colonialism, and his assertion that Israel has the right to be Jewish just as France has a right to be French. And the ensuing discussion, which lasted well past its 1:20 scheduled end, was reason enough for me to miss my 1:30 Trademark class. My apologies, Professor Eisenberg.
My Life As a 1L: Beverly Hills 48109

By Michael Murphy

Like most 1Ls, I spent the first couple of weeks of classes for getting everyone’s name from orientation and looking in vain for the bathrooms on the first and second floors of Hutchins Hall.

Now that I’m settled in, I cannot shake the feeling that I’m in some sort of Bizarro High School Sitcom World where all the students are 30-year-old actors playing teenagers. We’ve all heard this comparison before, and it’s not untrue; the lockers, dances, and same class schedules do seem awfully familiar. I’ve noticed that the name of the game, like in high school, is simple; try to be cool, and avoid embarrassment at all costs.

Then and now, I suck at this game.

Example: On the first day of classes here, I took the wrong book to Contracts. I had a few minutes, so I left my staff, went downstairs, and as I came back with the right book, I realized: I didn’t remember which classroom I just left. I never bothered to look at the schedule, or even the room number as I walked in. I just followed people from my section. Now, it’s almost class time, and I’m standing in the hallway with my Contracts book, looking and feeling like a complete moron. The high-schoolness of the situation was not lost on me—I really ought to have been stuffed into a locker or given an atomic wedgie at that instant to add proper insult to injury.

But I’ve learned and grown in the years since Jeff Gadja used to step on me as I sat on the grass at recess. Over time, I’ve learned that you can get away with anything if you look like you know what you’re doing. I retraced my steps, casually looked in each door, then made a complete guess, striding in confidently… into the right classroom. (I have also learned over time that you can get somebody to stop stepping on you if, as they’re doing it, you grab their ankle and ruin their expensive white tennis shoes by dumping ketchup on them. If you’re out there, Jeff, you remember that, baby? Yeah!)

There’s more. In Torts on Friday, as the lecture started, I blasted that stupid windows chime at serious Quiet Riot Arena Rock volume. Luckily, two other laptops quickly answered my call with chimes of their own.

NOTE: To turn that sucker off, Go to the Control Panel, click on “Sounds and Audio Devices,” then on the “Sounds” tab, and scroll down in the program events window. You’re looking for “Start windows” and “Exit Windows,” and there should be a little speaker next to them. Click on those, and change the “Sounds” option underneath the window to “(none)” (it’s all the way at the top of the pull-down menu). There! Now you can turn your computer on in class and not hammer on the mute button. Your professor will thank you for it.

Oh, yeah. Speaking of my professors; I’m not sure what they think of me. See, nobody told me when I had my ID card picture taken that it was going to be used in the Facebook and the seating charts for all of my classes. So, the week before orientation, when I had it done, I figured it would be like my undergrad ID. You know, I’d whip it out when I went to work out, or get into a basketball game, or whatever. I thought “who’s ever going to see this?” So, on my ID card, I did “Le Tigre” from the movie “Zoolander.” It’s a softer look, for catalog shots. I know. While it’s really fun to show my ID to people now, in many ways I blew my chance at suave respectability here before I even registered for classes.

Finally, in a continuation of my quest to do embarrassing/scandalous things in public so as to derail (or ensure) a future career in politics, I somehow bonged a beer off of a rooftop two weekends ago. I was on my way from tailgate party to tailgate party after the Houston game, and some undergrad kids challenged me. In public. What was I supposed to do? It was an experience so akin to the party scene in “Old School” it still troubles me. I saw those kids out there again before the Notre Dame game, and they called me “Frank the Tank.” Little bastards.

If my first two weeks here are any indication, I may as well just give up already on the idea of being ‘cool’ or ‘fly’ or ‘hip’ and just do what I always do; be myself and don’t worry about it. If any of you other 1Ls are struggling with a recreation of social status in a new environment, you might want to try not bothering. If you were nerdy or something before, just be that way here. Keep it rolling. It’s easier and more fun, I think.
enroll a class that is larger than the target: 2000’s entering class was about 5% over, and 2001’s was about 3% over. This year, from the outset I was aiming for a slightly larger class of 380. The impetus for that was the state budget cutbacks; having more students in the entering class would mean less need for tuition increase. (That said, we certainly wouldn’t have increased the class if we couldn’t have done so comfortably and while maintaining the same very high level of talent in the student body. By objective measures, we certainly achieved the latter, since we have a higher LSAT/GPA combination than ever before.

Did the size of the incoming class come as a surprise?

In all events, 407 is more than 380 – about 7% more. So yes, it was a surprise! Our yield increased from 31% last year to 35% this year. Why did that happen? I wish I knew, so that I could know whether it was going to happen again next year. Some hypotheses: (1) a bad economy meant that fewer people ended up getting great jobs and so changing their mind about law school; (2) perhaps some people deposited conditionally, waiting to see what the outcome of the lawsuit would be, and when we won, their conditions were satisfied; and (3) rumor has it that one particular 1L is a fearsome recruiter who persuaded lots of people that Michigan was the best choice for law school.

What issues/problems/implications does the size of the class raise for the Law School? The faculty? Upper-class students? The 1Ls themselves?

I don’t think this will raise any particular problems for the law school; 27 more people means fewer than 7 people more per section, which simply translates to being called on slightly fewer times over the course of the semester! Seriously, Dean Baum told me in the summer that we could comfortably accommodate 306 people in the fall class; we came in at 305. (For the record, the rumors that I “persuaded” a few last people to withdraw are simply rumors, and not provable in a court of law.) I like to think that the principal implication of all this is a very positive one – i.e., that Michigan is more popular than ever. It is far better to have a large and academically strong class than it is to be working the waiting list in late August, begging people to join you; several of our peer schools were in the latter position, and trust me, they weren’t happy about it.

Class of 2006 At A Glance

| Applied: 5440 | Median of Those Enrolled GPA: 3.60 |
| Admitted: 1163 | LSAT: 167 |
| Enrolled: 407 | |
| States Represented: 42 | Class Composition: |
| Michigan Residents: 24% | Male: 51% |
| Non-Michigan Residents: 76% | Female: 49% |
| Foreign Countries Represented: 7 | Minority: 30% |
| Undergraduate Institutions: 145 | |

Note: Some of the above data is subject to change. In particular, students can apply for residency until the third week of September. Dean Zaurfoss estimates that the final percentage of Michigan residents will be 25 to 26 percent. There is also the possibility of last minute no-shows, altering the number of enrolled students.

Getting Involved: Student Groups

Welcome 1Ls at Student Organization Fair
Simma said that America pioneered the settlement of international disputes between states by an impartial third party in the Jay Treaty of 1794 with Great Britain. "The Jay Treaty gave birth to the modern method of international arbitration," he said. In that treaty, three "commissions" dealt with 1) settling America's northeast boundary with Canada 2) financial compensation for individuals' losses during the Revolutionary War and 3) financial compensation for individuals' losses during the pre-Napoleonic wars.

Simma called the Jay Treaty's arbitration provisions "a landmark in the settlement of international disputes." The reasons for America's pioneering spirit were 1) a desire to appear equal to Britain 2) the need for a cheap alternative to war and 3) federalism problems that required implementation of war settlement on the federal level under the treaty power.

America's progressive attitude continued through the 19th Century. Simma cited the case of the Alabama, a confederate warship built in Britain. The Union objected to the ship but Britain failed to stop its delivery. Wartime damage caused by the Alabama—upwards of 70 ships captured or damaged—combined with other factors put America and Britain on the brink of war. Simma noted that "bells rang in Geneva" in 1872 when arbitration settled the dispute (Britain paid $50 million in gold) and prevented war.

This attitude, though somewhat tempered, continued through the next decades as America pushed for permanent institutions for international arbitration, as well as for the concept of compulsory arbitration in which arbitration could proceed without the consent of one of the state parties.

Presently, though, America is much less welcoming of third party international dispute settlement. Simma traced this shift to the International Court of Justice's "shocking" exercise of jurisdiction in 1984 over American activity in Nicaragua. Since then, America has limited its relationship with the ICJ by, for example, seeking to control the composition of judicial panels. Simma dubbed this phenomenon "participation with influence." America has also made reservations to treaties with provisions granting compulsory jurisdiction to the ICJ.

Elsewhere, the World Trade Organization is under the constant threat of American withdrawal from its dispute settlement mechanisms. Finally, Simma brought up the "sad note" of America's "offensive" opposition to the International Criminal Court. America refused to ratify the treaty creating the ICC, insisted through the U.N. Security Council that peacekeeping operations be extended with the condition of immunity from the ICC, and pursued bilateral treaties with ICC member states to exclude America from the ICC's jurisdiction.

But on a final, positive note, Simma mentioned that America continues to honor existing binding commitments to the ICJ and other third-party institutions for the settlement of international disputes.

At the end of his historical account, Simma restated to rousing applause his conclusion as to how power has complicated life for America vis-à-vis international adjudication. This semester, Simma is teaching "Leading Cases in International Law."
Maybe It's Really Different This Year

By Matt Nolan

Every football season at Michigan begins the same way... almost. Sometime around July (or for some of us, February) anticipation begins for the upcoming season. We read an article or two about the team, get a sense of what the strengths and weaknesses are going to be, and set our expectations for the year.

At Michigan those expectations are rarely less than championship caliber, but those of us who have been around for a few seasons are usually hesitant to get our hopes up too early. We have seen what Michigan teams with high expectations have done in the past. We remain apprehensive about where our team will finish.

Waking up on Saturday morning for Michigan's showdown with the Fighting Irish, fans could feel a difference in the air. After beating up on cream puffs Central Michigan and Houston by a combined score of 95-10, we knew we were in for a fight against the team that always finds a way to win.

I walked out of my apartment onto State Street at noon and the first thing that caught my eye was a Michigan fan dressed in maize and blue camouflage suit, capped with a Michigan football helmet and flag in his hand. Walking toward the stadium I wondered, "is this the year? Is this really the year when we win the games we should, and also win the games we can?" I instantly told myself to stop thinking ahead, to focus on one game at a time, and to win this game before thinking of the next.

As I turned right from State Street onto Hoover I saw more Michigan fans. Some wore headgear, some had perfectly styled hairdos. Some looked as if they were 102 years old, others were pushing their 2nd birthday. Despite all of the differences these fans had two things in common: first, they all donned maize and/or blue, and second, they all wanted a Michigan victory.

In 1999 Michigan fans watched the Tom Brady led Wolverines go up 27 – 7 at home against Illinois only to blow the lead (and the season’s national title hopes) to lose 35 – 29. In 2000 we saw the most potent offense in the history of Michigan Football (and what a history it is) lose three games by a total of seven points because of a horrific defense. In 2002 a great Michigan team stalled repeatedly in the red zone while controlling the game against hated Ohio State and lost 14 – 9.

2002 also saw Notre Dame steal the Michigan game 25-23. This year's game was going to be big.

Tailgating is a big part of football Saturday, and at Michigan, lots of the tailgaters are alumni. To get a parking spot in the victors' lot on football Saturdays alumni need both a) money and b) connections. Scott Steiner, of WWE (or WCW) wrestling fame, was the first personality I saw. Desmond Howard was the second. Except for these rare faces I recognized, one would never know that the majority of the tailgating was being propagated by a bunch of millionaires and executives. Walking through the lot, the only people I saw were Michigan fans, and Michigan fans only.

This is the power of Michigan Football. Whether $30,000/year or $30,000,000/year, everyone wears the same “M” shirts and chants the same “Let’s go Blue!” cheer in the Big House. Six or Seven times per fall, 111,000 people come together to practice the religion that is Football Saturday in Ann Arbor.

This Saturday held something extra, though. We were not gathering to witness the sacrifice of another mid-major opponent: we were playing Notre Dame, the school that along with Michigan holds the most storied tradition in all of college football. The school that wrecked our hopes early last season. This game would be the game that solidified our expectations for the season.

As the Michigan team took the field to the sound of 111,726 fans (a new NCAA attendance record) cheering and screaming, the energy in the crowd could be felt, an energy that I had not felt since being at Michigan. The fans prayed that Big Blue was going to win this game, and we were going to help them do it.

Almost instantly those dreams could have been quelled. When Michigan fumbled on the first series and gave Notre Dame the ball on Michigan’s 38-yard line, we could have despairsd and written the game off to another big game choke-job by John Navarre and Chris Perry. Over the last two seasons both have been turnover-prone in important games, and while they looked good against CMU and Houston, Michigan faithful had every reason to believe this was their resurfac ing as the tanking duo of old.

But instead, the crowd got louder.

This season felt different, and those 111,726 fans hailing from California to New York, from Miami to Houghton, MI were not giving up on this team. Three Michigan defensive stops and one yard gained by Notre Dame later, we were justified.

Michigan never looked back. Rather than becoming a one-dimensional offense or giving up big plays on defense, every aspect of the team held strong as Lloyd Carr’s team rolled up a 38 – 0 victory, the largest victory in the series’ history, and the first Michigan shutout of Notre Dame since 1902. John Navarre became Michigan’s all-time passing leader. Chris Perry put his name on the top of the Heisman ballot.

Most importantly, Michigan showed the season may really be different than the others, and for once brought the fans’ anticipation of greatness to fruition.
As I walked out of the stadium through Alumni Plaza I looked down the street at a literal sea of maize and blue, all moving in unison back toward their real lives. Despite our return to our respective lives on Monday morning, though, for at least one weekend we can all revel together in one of the greatest moments in Michigan football history, and feel comfortable thinking those lofty thoughts we’ve wanted to think since February.

Got an Opinion? Send it to us at rg@umich.edu

Want to cover an event? Check the docket on our door at 116 Legal Research and sign up!

Anti-Discrimination Policy Inhibits Student Choice

By D.C. Lee

In his first public announcement of the 2003-04 school year, Dean Caminker reminded the Law School community, in case you forgot, that the University of Michigan Law School is a welcoming and supportive place for all its students, regardless of race, color, national origin, ancestry, religion, creed, age, sex, marital status, sexual orientation, handicap, or Vietnam-era veteran status. Presumably, the Law School is also a welcoming and supportive place for all its non-students regardless of these enumerated characteristics, but it’s not clear the Law School is a welcoming and supportive place for all its legal recruiters.

According to Dean Caminker’s announcement, the Office of Career Services is open only to employers who certify in writing that they do not discriminate on the basis of the above mentioned categories. The “don’t ask, don’t tell” rule regarding homosexual activity in the military would thus preclude military agencies from recruiting at the Law School. If the Law School had its way, military agencies would be excluded from recruiting through the Office of Career Services.

The University, however, has instructed the Law School that its resources must be made available to all public agencies, regardless of whether they discriminate according to sexual orientation.

The purpose, then, of Dean Caminker’s announcement is to reiterate the faculty’s commitment to “inclusiveness” and to note that the “presence of military interviewers within the Law School should not be misunderstood to reflect a decision by the School to endorse the ‘don’t ask, don’t tell’ policy in particular, or discrimination in general.” In other words, the Law School promotes inclusiveness with a policy that’s excluding in nature. In other news, the Law School does not endorse discrimination unless the discrimination serves the greater good of diversity, there’s a compelling state interest, and the means used to achieve that greater good are narrowly tailored.

Assume for a moment that the University did not force the Law School to allow military recruiters on campus. The Law School’s policy creates a social loss. Military recruiters would not recruit on campus unless students expressed some interest to work for these agencies, but by not allowing these agencies to recruit on campus, the Law School makes it more difficult for interested students to find jobs. Moreover, students with a moderate level of interest would no longer have the opportunity to explore these employers in greater detail (as compared to firms who send recruiters to the Law School).

But the military’s policy is discriminatory in nature, Dean Caminker says. Yeah, it is. It’s a terrible, bigoted policy. So what? Granting an organization access to the labor marketplace does not necessarily signal a tacit endorsement of that organization’s views. In fact, the Law School goes out of its way to let its students know where it stands on the issues. And this is where the Law School’s involvement should end. Because students must deal with the consequences of their employment decisions, students are in the best position to make discriminating choices about legal employers. Thankfully, the University has made the debate about military recruitment moot, but it’s troubling to realize how freely the Law School is willing to usurp students’ decision-making ability and expertise.
Michiganders Unite: State Bar Has Much to Offer

By John Fedynsky

One drawback of being at a national school is forgetting to think locally. Most people here – students and faculty alike – focus their attention on lofty federal law and on far-away places like Washington, D.C., New York City, Chicago and Los Angeles. Then there are the international law buffs, who are fine in their own right too. Many of us through the course of law school see little more than a few square miles of Ann Arbor, the I-94 corridor and the airport, which is an altogether different, deprived constituency.

But there is a significant minority of us who intend to remain in Michigan and practice here. And we often get lost in the shuffle. Sure, the lower tuition is great, but how many experts in Michigan law are on the faculty? Other law schools in Michigan offer courses on state and local law and on specialized topics such as Michigan no-fault insurance law. In particular, I would like to see a seminar or a course on the Michigan constitution. This institution is, after all, the home of Thomas Cooley, perhaps the greatest expositor of state constitutional theory ever. To the extent that the Law School intellectually is a shining mansion on a hill, I find it puzzling that we can so consistently neglect our own backyard, not to mention the legacy of Cooley.

My point is not to tear down the international programs or the academic emphasis on federal law here. The game need not be zero-sum. At a university, different disciplines can coexist. The Law School should embody that same ideal. Limited resources – many of which come directly from the Legislature in Lansing – is no excuse for entirely neglecting an area of law that deserves some attention. And if the reason is snobbery – i.e., “we don’t want to be ‘regional’ like Wayne State Law School or any ‘other’ (cough) inferior (cough) law school in Michigan – then that reason is a sad institutional commentary indeed. Being a top-notch national law school and a regional center for Michigan law are not mutually exclusive concepts. Beefing up one need not entail watering down the other.

Admittedly, student organizations and clinical law programs do a lot for the local legal community, but more can be done. Toward that end, allow me the following sales pitch. The State Bar of Michigan has a Law Student Section. Every student at the Law School is eligible to join. Benefits include awareness of developments and issues in the profession, networking opportunities, and, perhaps most interestingly, locking in a practice number.

Every lawyer in Michigan gets a so-called P-number. Think of it as a lawyer’s professional social security number. Since they are given chronologically and must appear on all documents filed with a court, opposing counsel can immediately have some idea of when you took the bar exam. Silly as it sounds, the lower your P-number, the more seriously you are taken professionally. Registering with the section as a 1L or a 2L can significantly lower your future P-number. (Caveat: while a student, you actually get an S-number, which is not guaranteed to be your P-number. But established practice is that students are all but assured of keeping the same number.)

In addition, each law school in Michigan has three voting members and one alternate member on the Law Student Section Governing Council. Currently, I am the Law School’s only representative. We are the official representatives of Michigan’s law students and act as liaisons to the many sections of the State Bar. Interested candidates may arrange an interview with me. We are particularly in need of interested 1Ls or 2Ls.

The Council, which meets every month on Saturday mornings, also exists to promote student activity in the State Bar and to further professional opportunities among law students. This Saturday, September 20th, we are presenting our fall event: a symposium on solo practice called “How to Make Money and Stay Out of Trouble.” It is an all-day event at Thomas M. Cooley Law School in Lansing featuring some impressive speakers and practitioners. Even if you are not interested in being a solo practitioner, the symposium is a great networking opportunity, particularly for meeting law students from other schools. Contact me for a program, a free ticket, and (space permitting) free transport.

If you are not planning on staying in Michigan (thanks for still reading!), I recommend joining your state’s bar association if you know where you will be. If you are not sure but Michigan is a possibility, then joining the Section now is still a good investment. At this stage, it is never too early to get involved.

Despite the message that many of our professors and casebooks send, a whole lot of law is made and administered on the state level. There is plenty of opportunity right here at home. Think locally!
ACROSS
1. Like a lion
6. Health resort
9. Siren
14. One-celled protozoan
15. Skillet
16. Lend one of these
17. Has flexibility
18. Annoy
19. Russian rulers
20. Twin
22. Bathroom fixture
23. Ginger or pale
24. Protection
26. Open wine
30. Controversial topic
34. Do the math problem again
35. Andrew ___ Webber
36. No
37. Jeer
38. K-mesons
39. Eject
40. Breakfast food
41. Put on
42. Ghost
43. Parallelogram
45. Precious
46. French abbot
47. Brainy
48. Dishonoring
49. Dominican Republic neighbor
51. Politicians sling it
52. Single
53. Indigenou...
Announcements

Federalist Society Organizational Meeting
Tues., Sept. 16 12:20 P.M. 150 HH FREE PIZZA!!

Law & Econ. Workshop
“Mandated Disclosure & Stock Returns: Evidence From The Over-the-Counter Market”
Allen Ferrell, Harvard
Thurs., Sept. 18 3:40-5:15 P.M., 238 HH

Environmental Law Society First Fall Meeting
Wed., Sept. 17th 12:15 P.M. 138 HH FREE PIZZA!!

National Environmental Law Moot Court Competition
Informational Meeting:
Thurs., Sept. 18 4:00 P.M. 118 HH
soderda@umich.edu

Externship Info Meeting
Friday Sept. 19 12:30 P.M. 218 HH

Criminal Law Society General Meeting
Wed., Sept. 17 12:15 P.M. 132 HH

Send Your Student Organization Announcements to rg@umich.edu