

The Brief

Student Newspaper of the University of West Los Angeles

SBA President Resigns

Says the UWLA
Administration is an
Obstacle to her Duties

by JERRY FRIEDMAN

Our Student Bar Association president, Tracy Clegg, resigned from office on March 26, 2004. She explained that her administration was unable to work with the UWLA administration to improve the student academic environment. After her resignation, SBA faculty advisor, Prof. Kopkin, remarked that, "Tracy did a terrific job as SBA president. It's a tough role and she devoted much time and energy to working for the students."

What makes the role so tough that its president quits?

Clegg first served the SBA as its 1L treasurer. She worked closely with former President Elizabeth Phillips because the 1L treasurer had the least funds to manage, hence the most time to help other officers. A lot of officers quit during Phillip's administration due to dropping out or having other priorities, making Clegg a very welcomed assistant.

In April 2003, Clegg was elected as executive president, and she assumed the position in June. Her administra-



Former President Elizabeth Phillips, resigned President Tracy Clegg and Graduating Class President Brent Kendall at the SBA Presidency Installation, June 2003.

tion was similarly afflicted as Phillips's: several elected officers, including Clegg's vice president and treasurer, left the SBA because they dropped out of UWLA or had other priorities.

Clegg also inherited accounting irregularities from the previous SBA administration. Phillips's accounting was in order, but she had found it difficult to keep them in order because of back-dated transactions and unexplained debits coming from the UWLA Financial Office.

Phillips explained, "Our monthly accounting from the Financial Office included a \$20 credit for every student who registered matched with the student's name. Sometimes a \$20 debit would appear with a student's name, and I assumed that the student had dropped out. But one time, a debit appeared with a student's name whom

I knew had not dropped out."

While Phillips admitted she was more of a monitor, unwilling to vest time or energy into questioning the accounting irregularities, she described Clegg as an investigator.

In June 2003, Clegg asked CFO David Wolff for the last five years of SBA accounting in order to plan her administration's budget. Clegg said that request was never honored.

"When the administration ignores requests by student organizations, it shows the school doesn't care about the students," Clegg noted.

Clegg did receive an accounting for Fiscal Year 2002 (July '02-June '03) from James Lew in the Financial Office, but starting in April 2003 the report lacked itemized transactions.



Staff of The Brief

Jerry Friedman
EDITOR IN CHIEF

Prof. Lynn Feldman
FACULTY ADVISOR

Application for a Staff Position

I am a UWLA/SFV student and want to contribute.

Submission Policy

The Brief is taking article submissions. We have an open door policy and appreciate all contributions made. Please submit letters to the editor, articles, etc., for consideration in any of the following three ways:

thebrief@uwla.edu

The Brief
c/o School of Law Office
University of West Los Angeles
1155 W. Arbor Vitae St.
Inglewood, CA 90301

Place your submission in *The Brief* box in the School of Law office.

Articles and letters on disk or sent via e-mail are preferred. Please contact us at (714) 321-1211 or by e-mail with comments and questions.

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Dear Students,

My friends hear from me all the time that the light at the end of the tunnel is bigger than one behind me. Now, looking forward, I can see trees, birds and the sky. When you smell the fresh air outside the tunnel, you'll know what I mean.

I will graduate in May. Now is certainly the time when we need a new editor in chief.

Please drop a note off in *The Brief's* mailbox by May 31 if you'd like to be editor with a note with your qualifications (none needed) and why you'd like to be editor.

The Brief's staff has graduated too. For *The Brief* to be the student voice, it needs speaking students. Otherwise stories are left to rumor and rumor is left to imagination. Join *The Brief* and enjoy being a student with a open mouth.

Jerry Friedman

**UWLA Student
YAHOO! Group**

It is so difficult to organize among students; the campus walls are limited and administrated, not everyone has a mailbox, and there's little time to talk it up with students whom you don't share a class with.

The Brief has started a Yahoo! group. To join, send any e-mail to:

UWLA-subscribe@yahoo.com

To keep non-students out, you either need an existing member to confirm you're enrolled at UWLA or you'll need to tell the School of Law or the School of Paralegal Studies that *The Brief* can call either office to verify your enrollment.

The School of Paralegal Studies has so far not honored *The Brief's* request for a student directory because of the confidentiality clause on the Student Directory form says only UWLA paralegal students will receive copies of the directory, and because the editor of *The Brief* is enrolled in the

**Be published!
Be read!
Write an article
for *The Brief*.**

**Represent yourself,
your club, or your
alter ego.**

**Next Deadline:
June 15, 2004**

School of Law. If a paralegal student would drop a copy of the paralegal student directory in *The Brief's* box, UWLA will be safe from breaching the clause, and *The Brief* will be able to invite all UWLA students into the Yahoo! group, not just students from the law school. You may want to slip it into a generic envelope first.

After you're a member, send messages to your fellow students at:

UWLA@yahoo.com

The Rules

The Yahoo! group is meant for announcements by students and student groups much like a bulleting board. It's also prime for school news.

There won't be any censorship of discussion but for the sake of the many students, please discuss things relevant to UWLA, law, politics or student activities.

There will be abundant censorship of commercial posts by non-students who sneak onto the list. Students are free to advertise for themselves but it is not the forum for junk mail.

Thinking Like a Lawyer

by TRACY CLEGG, SBA PRESIDENT

"...the invisible tyrant is fear. To many, escape is death. Living death... [The living dead] are digits on a balance sheet, and digits are dead. Despite what they think, what they say, what they do, or how hard they work, they remain digits... Their protests are like screaming into the void... They cannot be freed. At last the trap becomes synonymous with life."

—Gerry Spence,
From Freedom To Slavery



Mr. Spence is a trial lawyer who is revered by many of the country's most successful lawyers. His curriculum vitae contains a list of civil verdicts in the millions of dollars, he has never lost a criminal jury trial, and his reputation is to give the silenced a voice against the power structure – usually the money.

"Living dead," according to Mr. Spence, are those who occupy their space in life rather than forge his or her path through life. As critical, intelligent thinkers, we are the persons who make things happen rather than let them happen to us. Everything that surrounds us, affects us and then becomes pertinent to our places in life. We become living dead by sitting by and watching the comings and goings with no remark or concern for what or why.

Information given to you is questioned. As a student of the law it is your second nature to ascertain the validity, source, and process by which the conclusion is reached. No one here is a "digit" occupying the space with no opinion or thought. The unique and colorful backgrounds of virtually every student, renders this student bar a powerful force. When the time arises to employ this power, draw from your personal library of experiences, determine what makes sense and what is

nonsensical, and forge the path.

Considering the survival-type personalities of our students, a minimal amount of effort put forth by each of us could result in support of one another in our studies, and preparation for our future careers.

If at each time in our life we were told something and simply acted (or failed to act) without questioning or independently researching, many of us would probably not be where we are today. If we leave the screaming to someone else it will always be into a void if everyone is waiting for someone else to scream.

In June when I became your Student Bar Association President, I was excited to work for all of you to provide stimulating dialogue by way of guest speakers, provide study support groups for one another, bring legal professionals to our school to share experiences, and other similar things. It was not my goal to run for SBA President. During the election process last year, only one student had shown interest in being a representative to the student body. I accepted the nomination solely as an alternative to no student government on our campus. I could never blame anyone for being diligent about studying, and attentive to family and financial matters. However, it is very difficult to stay motivated in this volunteer position when the people for whom I am working cannot spend a few minutes to give some input or opinions. I believe the key is every student offering a little bit rather than nothing.

Emails: sba@uwla.edu, telephone calls: (310) 342-5243, and notes in SBA mailbox are all welcomed. Knowing what is important to you or what you care about gives the Student Bar Association some direction, support, and purpose. When the SBA president knows there is something a student needs, or wants to comment upon, it will be acted upon.

THE FEDERAL GOVERNMENT'S REPRESSION OF DISSENT: WHAT ACTIVISTS AND THEIR LAWYERS NEED TO KNOW ABOUT FEDERAL GRAND JURIES & FBI INTERROGATIONS

Saturday, April 24, 2004
9:00 a.m. - 12:00 p.m.

(Registration begins at 8:45 a.m.)

Southwestern University
School of Law – Room BW 390
675 S. Westmoreland Ave.,
Los Angeles, CA 90005-3992

(Near Vermont Red Line Metro Station; \$5.00
parking available at Wilshire Place entrance to Law
School)

Political activists are increasingly being interrogated by the FBI and many are being subpoenaed to testify before federal grand juries. This program will provide information about the federal grand jury and investigatory process and what activists and their attorneys need to do when confronted with a government investigation.

This program is free to activists and lawyers. 2.5 Hours of MCLE credit will be available.

Please RSVP by calling (323) 653-4510 to ensure receipt of the Program Materials.

Hosted by NLG's Southwestern
University Law School Chapter



NATIONAL LAWYERS GUILD -
LOS ANGELES CHAPTER

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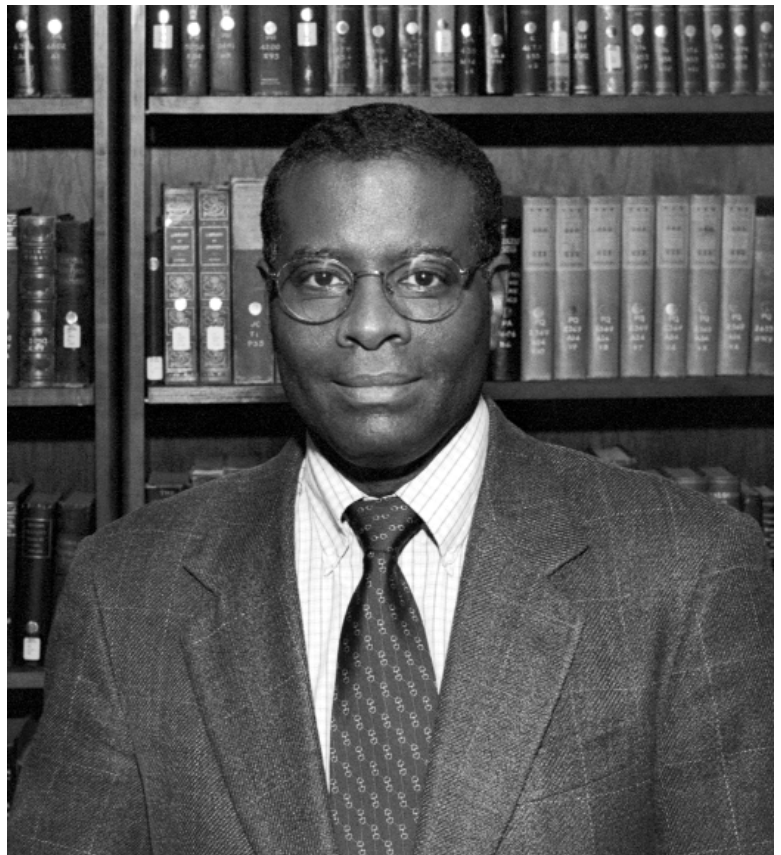
Boggs Resigns

by JERRY FRIEDMAN

An icon of UWLA, Professor Roy Eugene Boggs tendered his resignation effective Oct. 6, 2003. Prof. Boggs has worked with us at UWLA for nearly ten years, having seen ten generations of law students come and go.

We owe a debt of gratitude to him for his skill, attention, encouragement, and contributions to making UWLA a good place to invest so many years of our lives.

One of Prof. Boggs's favorite books is "The Law of the Land" by Henry Reynolds (Penguin Books (1987)). Prof. Boggs would often tell a story about how some aspect of practicing law came to be. Did you know that the profession of lawyers came from disputes between medieval lords? The lords did not want to risk their lives by fighting each other, so they hired a champion, usually a knight, to fight for them. The people of the age believed that god would bless the lord who should win the dispute, so the lord with the surviving knight would also prevail in the medieval litigation.



Memorandum from Dean Arvin to UWLA Community

"Professor Eugene Boggs has resigned his position as a full-time faculty member with the School of Law effective Oct. 6, 2003. Professor Boggs has accepted another professional opportunity. The University appreciates Professor Boggs' ten years of service. During this time, he has distinguished himself as an advocate for students and strong supporter of the mission of the institution. We wish him well."

Q&A with Dean Arvin

E: Why was Prof. Boggs terminated? What was the effective date?

D: Prof. Boggs tendered a letter of resignation to be effective October 5th. [Above] is an e-mail memorandum I sent out last week to this effect.

E: What would have happened with his class load in future semesters (after the effective date)?

D: In prior years, Prof. Boggs had taught *Litigation Procedure* during the fall semester, and *Ethical Lawyering and Employment Law* during the summer term. He began working with the *Legal Aid Clinic* over the summer. *Lit Pro* is no longer offered as a separate class as it is now a part of *Lawyering Skills Practicum*. Other full-timers and/or adjuncts will pick up the *Ethical Lawyering* class, *Legal Aid*, and the elective.

E: Anything else you want to tell the students?

D: The message I would like to get out to the students is "Do not allow this to become a distraction from your studies." Students need to concentrate on doing their reading, preparing for class, and keeping their focus on making it through the semester successfully. In addition, I believe that President Brown will be addressing this issue soon.

From Professor Boggs

"I want to express my profound gratitude to all among the students, faculty and staff at UWLA who have conveyed to me their expressions of regret at my departure from the university, and their appreciation for my efforts as a teacher, colleague and co-worker over the years. You've been a source of great comfort and inspiration."

Eugene Boggs
Oct. 9, 2003

Prof. Boggs discusses his story and keeps updates on his web site: www.eugene-boggs.com.

Dear Students:

As we come to the conclusion of the school year, I am delighted to announce that we are in the process of formulating plans to move to our new location in West Los Angeles at the end of the year. The transition to our new location marks the end and the beginning of a new era in the history of UWLA. As you know, the cornerstone of the mission of UWLA is the premise to provide access and affordable education, in particular to those that might not otherwise have the opportunity. The move to our new location will serve to help further realize the achievement of this goal.

A word about accessibility. We will continue to place emphasis on accessibility while at the same time recognizing the importance of educational standards that comport with the success of our students. Our standards are not used so much to exclude, as they are to promote the opportunity for meaningful participation and achievement by our students of their desired goals. Our outstanding faculty is in the process of designing and implementing an academic support program for the upcoming year that will highly enhance the prospect for success of those students that avail themselves and utilize it.

Rising cost and tuition is a perennial problem for a private institution. I truly respect the outstanding faculty and administration that we have and I believe that they should be fairly rewarded for their services. They and their families should not bear the brunt of sacrifice in pay in order to enable our students to attend UWLA with reduced tuition. We are over 90% tuition dependent. What that means is that the conventional university typically derives 60-85% of their tuition revenues and the remainder from fundraising. That formula does not work for our university for a number of reasons. First we are a graduate school. The loyalty of most of our alumni has already been gained at this point by their undergraduate alma mater. Because the majority of our students are older and further along in their lives, the other priorities of family, home and the payment of student loans leaves very little afterward for our alumni to give back to UWLA. Unfortunately, although I have consistently heard our students proclaim that they will give back upon graduation, the reality is that we receive only about 7% per year of our income comes from fundraising. That means that the bulk of our revenue source must come from tuition.

I sit on the board of a university in Pasadena that primarily trains teachers and their tuition is higher than ours. When you compare our tuition to that of many of our competition, it pales by comparison. So although no one likes to increase the cost of education, bear in mind that UWLA really is quite a bargain, especially when you take into consideration that it leads to such a high income earning profession. To fully consider the issue, just think what we would do if UWLA no longer exists!

Having said that however, please know that I am very sensitive to the burden that high tuition imposes on our students and my administration and I will do everything possible to balance the resource needs and cost of tuition of our institution with sensitivity to its impact on our students. We are also looking for more scholarship opportunities for our students to help in some way to reduce the force of increased tuition.

Finally I am equally pleased to announce the opening of the Hugh and Hazel Darling writing center on campus. I encourage you to stop in and take advantage of the resources and expertise in the center.

Good luck on your finals.

President Robert Brown
April 6, 2004



AN OPEN LETTER TO THE
WEST L.A. AND SAN FERNANDO STUDENTS FROM PROFESSORS
STEVE BRACCI, BRUCE LANDAU, AND SARA BERMAN-BARRETT.

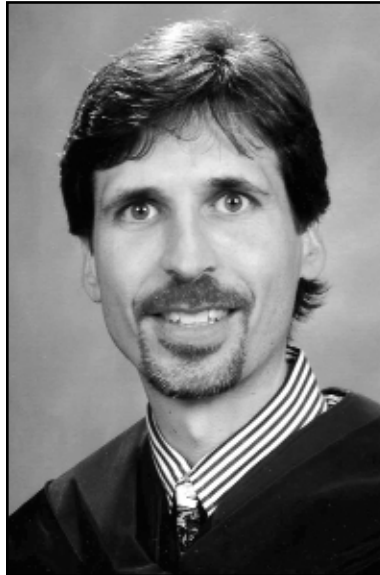
FOR THOSE OF YOU WHO HAVE SEEN US MOVING BOXES FROM OUR
OFFICE AT THE WEST L.A. CAMPUS, AND OTHERS OF YOU AT THE SAN
FERNANDO CAMPUS WHO HAVE BEGUN TO WONDER WHERE WE ARE
THIS SCHOOL YEAR, WE WANT YOU TO KNOW THAT GIVEN THE
UNIVERSITY'S DECISION TO MAKE SUBSTANTIAL CHANGES TO THE
ACADEMIC SUPPORT PROGRAM, WE WILL NO LONGER BE OFFERING
OUR PASS ACADEMIC SUPPORT SERVICES THROUGH UWLA. WE
WILL, HOWEVER, CONTINUE TO OFFER FIRST YEAR AND UPPER
DIVISION LABS, REVIEW SESSIONS, WRITING WORKSHOPS, AND BAR
REVIEW, PRIVATELY, THROUGH WWW.PASSLAW.COM.

WE HAVE ENJOYED OUR WORK WITH ALL OF YOU ON THE WEST L.A.
AND SAN FERNANDO CAMPUSES OVER THESE MANY YEARS AS LAW
PROFESSORS AND IN THE RECENT PAST IN ACADEMIC SUPPORT. IT
HAS BEEN MOST REWARDING TO HELP YOU IN OFFICE HOURS AND
LABS, BY PHONE AND BY EMAIL. WE HAVE BEEN DELIGHTED THAT SO
MANY OF YOU WORKED SO DILIGENTLY WITH US TO MASTER YOUR
COURSE WORK AND DEVELOP CRITICAL LEGAL WRITING AND
ANALYTICAL SKILLS. AND WE HOPE THAT THE WORK WE HAVE DONE
TOGETHER IN ACADEMIC SUPPORT HAS HELPED PAVE YOUR ROAD TO
SUCCESS ON THE CALIFORNIA BAR EXAM

WISHING YOU SUCCESS IN YOUR STUDIES AND LEGAL CAREERS,
STEVE BRACCI, BRUCE LANDAU, AND SARA BERMAN-BARRETT

WWW.PASSLAW.COM

The Brief recognizes
David Rutan, Esq.
for its first annual
Law for the People Award



Rather than honor police chiefs with dismal civil rights records, *The Brief* is proud to institute an annual award to recognize lawyers, law students, and legal workers who serve the people beyond the scope of their employment alone.

David Rutan, who graduated from UWLA in 2002, has these answers for you:

Q. Tell us about your background, personally and academically.

I spent the first 13 years of my life in New Jersey. From there I spent significant time in Massachusetts, North Carolina, Florida, Texas, finally ending up in California after hanging out on the strand in Hermosa Beach over a spring break.

I came from a conservative family where those who challenged the status quo were criticized. As I matured, I began to realize that most of the rights that we take for granted came about as a result of people and groups challenging the status quo.

I have spent a large percent of my 40 years on this planet in school. Along the way I've picked up a B.S. in Math, a B.S. in Electrical Engineering, an M.S. in Mathematics, a Ph.D. in Electrical Engineering, and finally a J.D. from UWLA.

Q. Why did you decide to become a lawyer?

I had spent the 10 years before entering law school as an electrical engineer. The work was interesting and usually challenging, but at the end of the day, it was nothing more than a box of electronics. At the same time, I became more involved with the animal rights movement. Going to numerous demonstrations where we would speak against animal cruelty, I began to see the need for legal support for the activists. Activists too often are unfairly bullied and oppressed by police forces. Free speech is what has made the U.S. the great country that it is, and I want to ensure that such rights continue, regardless of the oppressive police and the effects of the PATRIOT Act.

Q. How you choose UWLA, and what are your reflections about being there.

I chose UWLA because of its location and night school program. I was happily surprised at the quality of instruction that I received from the teachers who rarely complained about our lack of enthusiasm and instead would bring the law alive and the class in their teaching styles.

Q. Tell us about your work as a legal professional.

Although I am mostly a full-time engineer at the moment, I handle some of my company's patent and trademark work as well as a corporate law issue or two. Outside of my engineering company, I have helped a number of activists charged with political crimes. I have also assisted in fighting injunctions filed to stifle speech with one anti-SLAPP motion recently granted against the City of L.A.

I've also handled some small matters for friends and acquaintances on things from harassment, trademarks, to dog-off-leash tickets. My real love is supporting activists as a legal observer at animal rights demos, union strikes, and peace rallies.

Q. Briefly explain your work as a legal observer of the grocery strike.

Through the National Lawyers Guild, which I strongly encourage all students and faculty to join, I was privileged to join the grocery workers in their strike against the Vons, Pavilions, Albertsons, and others. There were numerous strike locations where the police would incorrectly tell the strikers what they could and could not do resulting in less

SBA continued, from page 1

SBA president for the graduating class, Brent “Buzz” Kendell, CPA, said, “I looked at the accounting, and there were some [questionable] immaterial amounts here and there. I didn’t see the bank account but I saw a balance on the books which made sense to me.”

In July 2003, Clegg requested a meeting with President Robert Brown and CFO Wolff to discuss what needs to be done for an itemized accounting of SBA funds spanning the last five years. In Sept., Brown delegated that meeting to Dean Anne Arvin. The meeting designed to clarify the accounting matter never occurred. Finally, on Dec. 3, 2003, Arvin furnished a partial accounting via e-mail (see e-mail clip, at right).

When Clegg brought the difficulties in receiving an accounting of SBA funds and accounting concerns directly to Brown’s attention, he asked Clegg, “How would you feel if one of your clients came to you asking for an accounting of their trust?”

Clegg replied, “I would give it to them. It’s their money.”

Brown then said, “The SBA funds are not your money.”

Whose money is it?

Clegg admits she doesn’t know. SBA advisor Kopkin doesn’t know either. He referred me to Assoc. Dean Cervi who in turn deferred the answer to Pres. Brown because *The Brief* also asked him. However, Brown has declined to answer.

Even without an administrator’s answer, some analysis of what the SBA is might reveal who owns the money.

The UWLA Student Bar Association is simply a union of UWLA students. Its purpose as stated in its constitution is, “...to establish a stable form of student self-government...” The SBA includes an elected treasurer who “shall be responsible for the safekeeping of the Student Bar Association’s funds”. Further, “The General Fund of the SBA is funded by student activity fees assessed

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> From: Arvin, Anne
> To: Student Body Association
> Sent: 12/3/03 1:18 PM
> Subject: SBA Funds
>
> [...]
>
> The numbers for WLA are:
>
> $5,104.49 is the balance now. Of this, however, $1,275.25 should go to
> graduation expenses for 2002 per the allocations in place at that time
> (very late invoices received from suppliers that were not deducted from
> the SBA previously). This would leave $3,829.24. Add to that $20 for
> each student enrolled at WLA for the Spring 2004 semester. The first day
> count at WLA was 119, so 119 x $20 is $2,380. This amount added to the
> amount still remaining in the totals $6,209.24 .
>
> The numbers for SFV are:
>
> $2,293.06 is the balance now. Add to that $20 for each student enrolled
> at SFV for the Spring 2004 semester; first day count at SFV was 143. 143
> x $20 is $2,860. This amount added to the amount still remaining totals
> $5,153.06.
>
> [...]
>
> Anne Arvin
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E-mail from Dean Arvin to SBA President Clegg was sent to answer Clegg’s request for an accounting of funds.

at each enrollment period and delivered by the UWLA administration to the SBA Treasurer.”

So the SBA is supposed to operate with the Financial Office giving the SBA treasurer ‘student activity fees’ each term. Based on the SBA’s constitution, the General Fund is owned by the students and managed by the SBA. Clegg believes this was changed years ago when the SBA mismanaged its funds held in an independent account. UWLA bailed the student union out of being broke and took over its accounting. *The Brief* has asked President Brown for the history behind UWLA taking control of the SBA General Fund, but he has declined to answer.

Mismanaged funds does not demand an accounting takeover. Neither would a mismanaged presidency demand that UWLA take over the SBA. UWLA has no power to take SBA funds for any purpose other than what its constitution expresses, and it expresses that the SBA controls the fund. Thus, by exercising control of the SBA General Fund, UWLA is violating the SBA constitution.

Similarly, if UWLA mismanaged its funds, we would not expect the SBA

to take over the Financial Office.

If the SBA was plagued with thievery we might want an independent organization to take temporary control of SBA funds in order to restore faith in the SBA treasury. But that is not the story here.

More importantly, as the SBA is the student *self-government*, UWLA has no *right* to control SBA funds. If UWLA was offered the right at some time, UWLA should decline and recuse itself. A union that has to ask the counter-organization for its own funds is a facade, subject to the counter-organization’s interests in order to receive its capital. Exit autonomy.

Why would the SBA have an elected treasurer unless it has a treasury? If the SBA had intended for the Financial Office to act as treasurer, it could have stated as much in its constitution. Of course no such statement exists, for that would be an absurdity.

By ignoring repeated requests for a complete accounting for one full year, and by delaying other requests and then only furnishing fragments of what was requested, the Financial Office has raised alarm in the SBA and *The Brief* alike. What *The Brief* admits could be a

complex misunderstanding, or a benign albeit unlawful seizing of SBA funds, now appears to be scandalous. Student funds may have been converted. The longer the Financial Office delays full disclosure of the SBA General Fund, the greater the alarm sounds. All this during a time of “financial exigency” is all the more alarming (see *infra*, Losing Faculty).

Thus far, the Financial Office has not disclosed a full and voluntary accounting of the General Fund: it offers balances without traceable transactions, and it expects by fiat that the balances would not be questioned.

Clegg explained that she, as SBA president and de facto treasurer, is accountable to the students. She cannot blindly accept an inadequate accounting. She is in the crossfire, unable to get clear answers from one side yet responsible for those answers to the other side.

Even if a conversion has occurred, but was made in the best interest of the students, it remains conversion and it remains a conflict of interest between the students and the administration. The SBA cannot function as a student self-government without having management and control of its funds.

Clegg has been given the runaround in her pursuit of answers. “After asking one administrator for three months for information, she would be told that she should have asked someone else,” former President Phillips said. “Why couldn’t she have originally been directed to the right person?”

“I am concerned that the Financial Office gave Tracy such a difficult time in gaining her necessary financial reports,” Phillips continued, “because the reports are mandatory for the president to perform her fiduciary duties. When the SBA president is disabled in this way they are [sic] unable to plan student functions.”

President Brown’s office has not answered any questions about the SBA General Fund to *The Brief*.

Why the SBA needs Autonomy

This accounting problem was one symptom of the general conflict between Clegg’s administration and President Brown’s. The general conflict was the agent of Clegg’s resignation.

Clegg explained that before the SBA could implement its projects, approval would be needed from the UWLA administration, especially to guarantee funding from the SBA General Fund. The approvals typically took a long time. Clegg believed that was because they weren’t priorities of the school, or approving administrators were unavailable, such as by being on vacation.

“[Because of this system] a great deal of time is taken to get things done,” she said.

Normally this is a recipe for disaster, and disaster happened on March 22 when Clegg tendered her resignation. In an e-mail, she wrote, “I have spent hundreds of hours to try to make some things easier, or to do something nice for the students, most of which could not be accomplished because of various obstacles.”

In many schools, there is a degree of tension between students, faculty and the administration. That tension can form strong and symbiotic bonds, or frail and parasitic bonds, based on the respect and cooperation expressed between the parties. The degree of tension at UWLA is very high, and not at all symbiotic. Consider this example:

In Clegg’s last week before deciding to resign, she sought to make a more cooperative atmosphere between the law students and our partnering high school students. A high school teacher informed Clegg that Animo’s principal was told by Brown’s office not to speak to Clegg because she was not following proper channels.

President Brown confirmed this with *The Brief*, “[Seeking to speak with the Animo High School principal] was laudable on the part of Ms. Clegg and I understand that she was attempting to seek solutions on certain issues involv-

ing the usage of the classrooms by Animo. However, her protocol was totally inappropriate without gaining the permission of [my] administration. ... You can easily see how a third party, not fully knowing of the complete contractual relationship, might unduly be exposed to certain positions and results that were diametrically in opposition to their intention.”

If Clegg represented herself on a false authority vested from the UWLA president, Brown’s concern is everyone’s concern. No facts have been suggested that Clegg was going to do anything but open communication between the SBA and Animo. Brown’s administration could have partnered with the SBA for the betterment of all parties, but instead it sabotaged Clegg’s diplomatic initiative.

A better solution may have been Brown advising the Animo principal that Clegg was not authorized to renegotiate any contractual intention, but otherwise Clegg was elected to speak on behalf of the law students, and that his office would do its best to work with whatever Animo and the SBA deem best for all students on campus.

President Brown seems to be stuck on protocol. The burden of establishing protocol should rest with Brown’s administration, as it has more time and resources to develop protocol. Our SBA presidents are not career administrators with training and experience in school policies and procedures. They are volunteers. So when a question of protocol comes up, Brown rightfully bears the burden of communicating protocol to the SBA.

Yet, as reported, Clegg’s efforts to learn the expected protocol has been ignored by Brown and Wolff.

The Brief proffers that there should be no protocols except when necessary. We are not in litigation, we are in cooperation. And a cooperative academic environment should be intent on implementing programs for student enrichment and ameliorating problems as they arise, not intent on following procedure. Lawyers and law stu-

dents should recognize that too many rules delay resolution, and using rules as an excuse to divert progress is a cancer which will kill if left alone. While abundant rules may have purpose in court, they have no purpose at our esteemed university.

"Maybe I got too confrontational," Clegg said about her presidency. "Maybe I poisoned the well."

When she talked about her relationship with Dean Arvin, Clegg did not withhold her appreciation. "[Dean Arvin] was extremely receptive and responsive to working with me. ... She really handles her business [well]."

Clegg spoke of the times meeting with her that Dean Arvin would begin the meeting visibly exhausted, but would quickly regain her energy while working through the meeting's agenda. When asked to reconcile being "too confrontational" with her amicable experiences in the Dean's office, Clegg replied, "Maybe I was too confrontational with the wrong people."

Losing Faculty

Dean Landau, who was also a professor at UWLA, was fired around June 2001. *The Brief* never received an official explanation about Landau's departure and we do not want to perpetuate rumor, but the sentiments of the students at the time was that Dean Landau was loyal to the students and school.

Profs. Boggs and Oring had their contracts cancelled in Oct. 2003. They too were part of the family of UWLA, respected as experts in their fields, and unquestioningly loyal to the students and school. As of the publication date, *The Brief* has learned that Oring has retained counsel but is currently looking forward to an informal resolution. Boggs has not been able to resolve his termination through court-supervised mediation.

Addressing the Dec. 2003 meeting of the UWLA Board of Trustees, one student said that the perception of these changes in faculty is that the administration is not in touch with the

wants of the student body. Whatever the truth behind these changes is, the school is failing in its responsibility to communicate the truth to the students.

Regarding Boggs and Oring, the official statement tendered by Brown's office in a memorandum, and repeated by Dean Arvin and a trustee at the meeting, was that the students should not be concerned about the terminations, but instead should concentrate on preparing for the upcoming final exams. Some students have done both.

UWLA has educated its law students to be skeptical and analytical. While starved of the facts enjoyed in exam hypotheticals, clearly Boggs does not fit the profile of a frivolous litigant. He is a Harvard graduate, earning his law degree from Berkeley, and specializing in contracts and employment law. He taught professional ethics. Oring too has a reputation of dignity and expertise.

The school has only said that it terminated them for "financial exigency," yet we are in better financial shape now than we were only a year ago. Where is the exigency?

Clegg has gathered letters and petitions from students who wanted these professors reinstated or at least an explanation why they left. She has spoken to the Board of Trustees along with other concerned students about these losses and the suffering morale of the student body, yet the only response has been "don't be concerned about it."

What Makes a School?

In these and other ways, UWLA treats its students as children, and itself as parent. Telling students that they should not be concerned when the dean and professors are removed is what would be expected from a parent who doesn't want to be bothered by, or be accountable to a child.

The administration and students are not parent and child, we are partners. UWLA is populated with educated adults, not naïve children. As Prof. Barrett reminds us in Business Organizations class, a partnership is

like a marriage: full and voluntary disclosure, complement with fiduciary duties and a duty of loyalty.

When the students establish a union, elect officers, and expect the officers to improve the academic environment, the school administration should work in good faith to make the union a success.

Instead, by working against the SBA, the school administration has shown that its agenda pre-empts the students' wants. The school administration treats the SBA as a nuisance, which in turn causes a decline in student morale.

The downward spiral UWLA presently suffers stems from this dysfunctional partnership. UWLA's best chance to survive and flourish is with an esteemed student body carrying a high morale. Students who are grateful for the UWLA experience will invariably attract and recruit new students. New students will replenish UWLA's coffers. And with this revenue, tuition will diminish, student programs will improve, as will student morale and UWLA's reputation.

The opposite is now in play. Students are frustrated with UWLA becoming more corporation with a parental board than a partnership, concerned and vocal students are treated as children, student morale drops, students leave and fail to recruit new students, school revenue wanes, programs and faculty are cut to save money, student grades suffer, and the school desperately follows the corporate model to raise funds.

One corporate fundraising strategy is recognizing popular political figures, such as LAPD Chief William Bratton at our Sixth Annual Bernard S. Jefferson Award Banquet. Bratton is not an alumni, not even a lawyer, and clearly not a role model for UWLA students. He has a deplorable record of having his police profile minorities thereby putting them at seven times greater risk of suffering from excessive police force (see www.amnestyusa.org/rights-forall/police/nypd/nypd-03b.html).

When prospective students look at the spirit of UWLA and see the Chief Bratton was given an award, which students do you think will apply?

Conclusions

“If I had advice to give the next SBA president,” Tracy said, “it would be to set up a meeting with Brown, Wolff and Arvin to determine what the proper protocols were to get things done.”

Despite much of the reporting, rationale and rhetoric in this article,

The Brief contends that Brown’s administration is able to reverse the downward spiral. The remedy is simple enough. Brown’s administration only needs to listen to the faculty and students with full attention, and partner with them for mutual goals rather than administrative goals alone. The more the administration insulates itself from student ideas and activism, the more students will regret enrolling.

The students should have a sovereign SBA, a sovereign press, and a responsive school administration.

Through the SBA if not independently, the students should have a clear understanding of how our money is managed and spent.

When the administration’s paradigm changes, when faculty is retained and hired instead of administrators, when the SBA operates wholly independent of the administration’s influence and control, when the students, faculty and administration act in partnership, the spirit of UWLA will return.

A Racist Among Us

Not everyone shares the dream

by D. GABRIELLE REEVES

The amazing synthesis of culture constituting our UWLA / San Fernando Valley student body reflects America’s true face, a face of countless colors.

Racial intolerance, ignorance and bigotry are a slap to our comprehensive face.

I recently got blatantly ‘slapped’ by a fellow student. This student (hereafter the racist) told me point blank that he hates white people; he hates what ‘whites’ stand for. Admittedly, I did not think to ask for his definition of ‘white’, but the racist, who so adamantly hates white people, has shockingly white skin.

Initially, I was stunned; I did not speak out. My silence was tantamount to acceptance of this pernicious bigot. Every time the racist said hello was another strike in the face. My shock has not worn off, in the least. However, to quote Martin Luther

King “Our lives begin to end the day we become silent about the things that matter.”

I still believe in equality and seeing beyond color lines. I am also sadly cognizant that the racist is not alone in his dim-witted, broad-based hate. In such a situation as flagrant racial hate, turning the other cheek can prove lethal, and staying silent would be turning the other cheek. Thus, I am compelled to speak out.

As I write, Martin Luther King Jr.’s “I have a dream” speech is playing. Dr. King’s speech does not encourage hate. Dr. King’s speech and his shocking death are testamentary to the devastation that racist hate wreaks. Dr. King spoke of all men being created equal and that being created equal obligates equal treatment. Dr. King’s dream involves seeing beyond color lines and judging on individual merit.

Obviously, not everyone shares the dream.

Discrimination against and hatred for those who are ‘different’ has been an ongoing nightmare of humanity for centuries. To blatantly boast of hating an entire race for the wrong doings of a few or the wrong doings of ancestors long dead seems a stubborn adherence to perpetuating hate and exemplifies the ignorance that caused the original harm. Such

hate makes genocide, slavery and mass destruction a continuing possibility.

Some cognitive disorder must manifest when the racists themselves have been victimized by bigotry. The victim is acutely aware that ignorance was the basis of their maltreatment, yet they do not see their ignorance in the parallel.

Am I naïve to believe society has greatly progressed in social acceptance? Am I daft in thinking that classmates and friends see beyond color lines? Are we not law students learning to analyze objectively? How can there still be people, especially a fellow student, who proudly proclaim hate for an entire race (as well as various other ‘categories’ of people)? I still believe the majority of us share the dream, but nightmares like the racist are still lurking.

All of us at UWLA/SFV are created equally, as are all people. When you look at your face in the mirror next time – think about it. Do you hate all _____ people? Do you realize the ramifications of such thinking? Do you tolerate it in others?

Education, even a legal education, doesn’t erase ignorance. Perpetuating racial hate is ignorance exemplified. Don’t be the racist.

The dream is still attainable.

A Reality Check: Understanding the War on Terrorism

by KARMELE MELAMED

Since the terrorist attacks against the U.S. in New York City and Washington D.C. on September 11, 2001, our country has been forced to engage in a serious unconventional war against terrorism. For many Americans the “9-11” attacks were indeed a shock and the current battles against Al Qaeda and other terrorist sponsoring nations are equally difficult for the public to grasp.

Unlike other wars in American history, the current war against terrorism is being fought on several unique fronts. Not only are our soldiers fighting on the battlefields in the Middle East, but also intercepting intelligence in cyberspace, freezing terrorist funds in the banking realm, and undertaking covert military actions against terror networks worldwide.

Moreover, the current Bush administration has gone even further to cut terrorism out at the root by forcing the international community to pressure certain rogue regimes to stop supporting terrorism or face military repercussions. The administration’s strong stance against terrorism abroad and handling the threat of terrorism on our own soil has brought sharp criticism from many sources abroad and at home.

Yet these opposition groups have failed to understand the serious gravity of the war against terrorism and the lives of millions of innocent people which are at stake today.

No rational thinking individual or government in the world would be in favor of war, including the United States. Our nation was founded on the principles of democracy and resolving our problems through peaceful discourse. Likewise our nation has experi-

enced its fair share of war and the horrors of losing loved ones while gaining emotionally and physically maimed veterans.

Nevertheless since the last century, America’s role on the world’s stage has been to enforce justice and freedom to every corner of the globe, often by even resorting to war when peaceful methods have failed.

Today our nation has arrived at a crossroads once more and we have entered into a war with Al Qaeda and potentially with those nations that support terrorist groups. When the Taliban regime in Afghanistan refused to halt their backing of Al Qaeda and terrorist activities against the U.S., our military with the aid of the international community engaged in a military campaign to remove them from power when through diplomatic means failed. With the U.N. and international law on our side, we resolved the serious threat posed by the Taliban and our government is now also taking the same steps against Iraq.

While other nations might accuse America and President Bush of being a “bully” in provoking war, the current administration has taken many initiatives through the U.N. to have Iraq surrender its weapons of mass destruction before Iraq hands the weapons over to terrorist organizations like Al Qaeda. Our allies in Europe, the Middle East, and Asia have been somewhat blinded by economic incentives offered to them by Iraq, to acknowledge the rule of international law which prohibits Iraq from having weapons of mass destruction in the first place.

Unfortunately, the U.S. may have to again enter into a war with Iraq alone to uphold international law and our freedoms at home when the rest of

world is willing to “bend the rules” for terrorist sponsoring nations like Iraq. At the same time, the war against terrorism does not end with Iraq but continues with the U.S. using both diplomatic and military options to prevent such nations like Iran, North Korea, Lebanon, Syria, and the Palestinian Authority from aiding and funding terrorism worldwide.

While many of the administration’s critics in the U.S. and elsewhere are opposed to the U.S. acting as the policeman of the world, the cold, hard reality is that there is no other country on the face of the earth willing and capable of upholding the principles of international law and justice than the U.S. If America does not engage in international diplomacy at first and also display military strength to eliminate terrorism and the faces of evil worldwide, then the world may fall into a state of chaos.

Therefore inactivity by our nation is not an option we can pursue or else we may face dire consequences in the near future.

Domestically, the war on terrorism has sparked a particularly strong outlash by voices on the left end of the political spectrum on issues ranging from civil liberties of those associated with terrorism, to homeland security, and the potential war with Iraq.

Those opposed to the administration’s handling of potential terrorists, claim that these enemies of America have been held in custody for prolonged periods of time, not given proper counsel, exposed to coercive interrogation and treated unfairly, all of which are violations of the U.S. Constitution.

These arguments are all fair and perhaps there have been some unconstitutional activities by the U.S. govern-

ment, however we are living in time of emergency and war. The Supreme Court has ruled in several WWII cases that in times of war and emergency, many of the rights guaranteed by the Constitution can temporarily be withheld from the enemies of the state for the sake of national security.

Similarly today, our nation is at war and faced with enemies who have been indoctrinated with radical fundamentalist Islamic beliefs and reject our laws and only seek to destroy us. When dealing with such non-rational ruthless killers, the U.S. government must put the security of the American public above any supposed rights these potential terrorists might have.

While McCarthy-type witch trial and Stalinist methods of torture should most defiantly not be an option for our government to employ, we should take certain bold steps to gather information from those involved in terrorism in order to save the lives on millions of innocent Americans.

The U.S. Court of Appeals in separate districts last year, ruled differently as to the rights potential terrorists might have in the U.S. during times of war and the issue may shortly be heading for the U.S. Supreme Court.

Nevertheless, the stopping, questioning, and even brief detainment of an individual who may look like they might be involved with terrorism may not sound like the free America we all are used to, but these steps could radically prevent catastrophic terrorist calamities from occurring.

Being a U.S. citizen of Middle Eastern decent myself, I have personally been questioned because of my looks while traveling domestically and internationally. While the questioning and stopping were somewhat intrusive and

uncomfortable, I fully accepted and welcomed the heightened awareness by law enforcement because it was for my own and the public's benefit.

Unfortunately, having an increase in security and even racial profiling is the price we must pay for our security. As much as the opponents to many of these extraordinary measures may object, there are no alternative solutions to providing security for Americans during these uncertain times of war.

Lastly, many liberal Americans, particularly numerous well known Hollywood celebrities, have been at the forefront of the anti-war in Iraq movement. Thousands of anti-war protesters have taken to the streets of San Francisco and Washington D.C. to voice their outrage with the administration's option to go to war with Iraq. Likewise many actors and actresses, such as Barbara Streisand, have been particularly vocal in denouncing the administration's choice of going to war with Iraq, even if Iraq were to be found in violation of U.N. Security Council resolutions.

It has indeed been entertaining and comical to witness these celebrities talk Middle East politics amidst the national debate over the issue of war. While all dialogue is essential to a democracy and should be encouraged because it is a right provided by the Constitution, one is left wondering when Ms. Streisand or the other celebrities became experts in foreign policy.

Moreover, when did these celebrities receive their law degrees or graduate degrees in international law and diplomacy?

The truth of the matter is that every American must listen to and

determine the facts for him or herself rather than listen to the "talking heads" or celebrities on T.V.

Realistically, there is no question whether Iraq's totalitarian regime has weapons of mass destruction and will use them, but the real question is when it will use them.

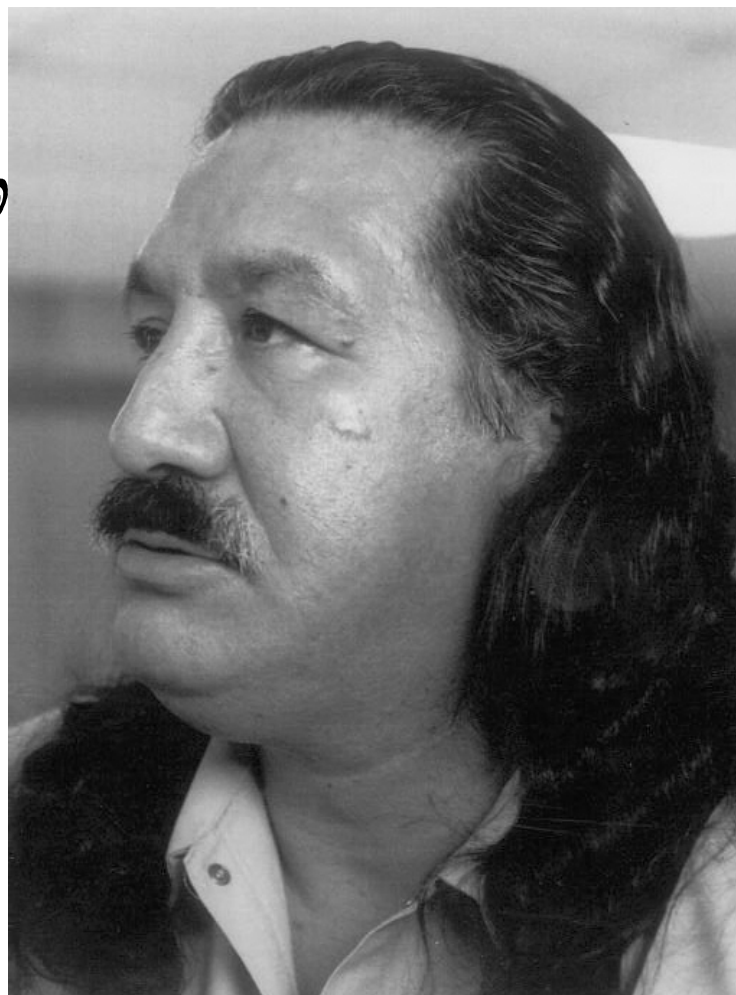
During the 1980s, Saddam Hussein used lethal chemical weapons to kill thousands of his own people in Iraq and his enemies in Iran. Such an irrational and cold-hearted murderer if given the opportunity, would not hesitate to act the same way against the U.S. or our allies in the region.

With the ever increasing threat of terrorism against the U.S., Hussein could possibly assist the terrorist in attacking us by giving them weapons of mass destruction. Hence it has fallen on our shoulders as the only remaining superpower on earth, to preserve our own lives and humanity from the brink of destruction as we have done time and time before. Our government is a democracy which values the rule of law and will always choose a path to peace if possible, yet when there are no other alternatives but war, we must stand up and fight for the freedoms we cherish.

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In the Spirit of Crazy Horse

*Leonard Peltier still in prison
twenty-seven years after
prosecutors admit they don't
know who committed the crime...*



DICK BANCROFT (1996)

by DAVID McINTIRE and JERRY FRIEDMAN

Even the most casual student of judicial history should be aware of the more egregious mistakes in American justice. The case of Leonard Peltier is one such mistake.

Leonard Peltier is a Native American activist who was an early member of the American Indian Movement. AIM was formed at a time when virtually every minority group in the U.S. was organizing and becoming active in an effort to protect their communities and cultures and to gain a political voice in the country.

In 1973 members of AIM joined with some local and traditional Native Americans to stage the occupation of the village of Wounded Knee on the Pine Ridge Reservation in South Dakota. The occupation was initiated as a protest of ongoing injustices against native people, multiple treaty violations and current abuses and repression leveled against the tribes. This occupation lasted over two months with the fed-

eral government sending in units from the 6th Army to support local, state, and federal law enforcement personnel. Peltier was not present at the Wounded Knee event but the occupation lit a fuse that would ultimately explode in his face.

Following the occupation at Wounded Knee, federal law enforcement agents from the FBI and BIA began to steadily increase its presence on the Pine Ridge Reservation. An increasing number of federal agents supported the corrupt tribal government of Dick Wilson as well as his band of anti-traditionalist vigilantes known as the GOON's (Guardians of the Oglala Nation). This heavy police presence did nothing to calm tensions between the two sides; indeed it served only to foster mistrust and fear due to the relentless harassment and violence against the traditional Native Americans.

It was during this Reign of Terror that hundreds of local traditionalists were beaten, abused and arrested on specious charges.

**Be published! Be read! Write an article for *The Brief*.
Represent yourself, your club, or your alter ego.**

There were also sixty-four Native Americans who were murdered. The murders remain to this day unsolved because they were never properly investigated, such as a woman found in a ditch, shot in the head, which FBI forensics concluded death was caused by drunkenness and exposure.

Because of this constant harassment and violence the traditionals on the reservation sent out a call to AIM requesting that they send some representatives to help them defend themselves. AIM responded immediately and sent several activists to assist the locals to organize themselves and to provide a tough, armed deterrent against the GOONs. The AIM members set up camp on the private ranch belonging to the Jumping Bull family. Leonard Peltier was one of the AIM leaders staying at the camp along with Dino Butler, Bob Robideau and several other men, women and children.

On June 26, 1975 two FBI agents, Jack Coler and Ron Williams, drove onto the Jumping Bull property purportedly in pursuit of a burglary suspect named Jimmy Eagle who was riding in a pickup truck.

A fierce exchange of gunfire started without warning. When the shooting stopped one Native American, Joe Killbright Stuntz and both FBI agents were dead.

All of the AIM members escaped despite the best efforts of the police to contain them. Peltier eventually fled to

“Amnesty International considers Leonard Peltier to be a political prisoner whose avenues of redress have long been exhausted... Amnesty International recognizes that a retrial is no longer a feasible option and believes that Leonard Peltier should be immediately and unconditionally released.”

Amnesty International,
April 6, 1999

Canada believing that he could never receive a fair trial in the U.S.

Butler and Robideau were arrested and put on trial for the murders of Agents Coler and Williams. There was no hard evidence linking the defendants to the killings, yet there was evidence of the FBI intimidating witnesses. The jury concluding that they were firing in self-defense; the two AIM leaders were acquitted.

The government focused its efforts on Peltier who had since been arrested in Canada. In order to facilitate his extradition the government presented an affidavit from a Native American, Myrtle Poor Bear, who claimed to be Peltier's girlfriend, saying she witnessed Peltier shoot the agents. Based on this sworn affidavit Peltier was returned to U.S. custody. Later, it was revealed that nothing in the affidavit with the possible exception of the woman's name was true. She had never met Peltier and was not present the day of the shootout. She admitted later that she had been threatened and intimidated by the FBI into signing the affidavit. Nothing has ever been done with respect to this illegal extradition.

Peltier's judge conducted his trial very different than Butler and Robideau's judge. In Butler and Robideau's trial, the judge allowed the

“I have been reading in Leonard Peltier's book, and about an hour ago I spoke with him ... He is a remarkable person and the depth of his spirituality shows ... I would hope that the campaign to have him freed will succeed. I certainly support it very passionately ... Because it is a blot on the judicial system of this country that ought to be corrected as quickly as possible.”

Archbishop Desmond Tutu,
April 18, 1999

defense to present evidence showing a pattern of FBI misconduct: using false affidavits, intimidating witnesses, and coercing testimony. Peltier's judge would not allow this evidence to be presented. No witness could credibly place Peltier in direct contact with the dead agents. No forensic evidence could conclusively link Peltier's weapon to the bullets that killed the agents. The bullets that killed the agents could have been fired from an AR-15, the kind of weapon Peltier was carrying that day but there were several AR-15s used that day. Further, the bullet casings found near the agents were shown to be incompatible with Peltier's weapon. Radio transcripts of the agents conversations leading up to the fatal shootout indicate that they were following a red pick up truck. At trial the vehicle was described as a red and white van, a very different vehicle and one that could more easily be associated with Peltier.

In the years following Peltier's trial a number of previously classified documents have been released through the FOIA. These documents indicate several discrepancies in the government's case including conflicting ballistic evidence. At Peltier's trial the federal prosecutor claimed in summation that... “we proved that he went down to the bodies and executed those two young men at point blank range...”. At the appellate hearing however, the government attorney conceded, “We had a murder, we had numerous shooters, we do not know who specifically fired what killing shots... we do not know who shot the agents.”

This pattern of government behavior has continued through years of appeals and parole hearings keeping Peltier in prison for nearly thirty years, far longer than most people convicted of similar crimes. The Leonard Peltier Defense Committee continues to work towards obtaining his freedom.

So why is the old case of a forgotten Native American relevant today? It's relevant today because the methods employed to convict Leonard Peltier are still in use. In fact they are being applied more broadly, even more open-

ly by the government. Peltier was pursued by the FBI under their Counter Intelligence Program. COINTELPRO as it was known was notorious for allowing the government to routinely violate the Constitution in pursuit of political extremists including anti-war and civil rights activists, AIM, the Black Panthers the American Communist Party and others. Because the FBI deemed such undesirable groups to be threats to national security they routinely engaged in unethical and unconstitutional activities against them. This included illegal wiretaps and surveillance, harassment, disseminating damaging rumors, coercing testimony, intimidating witnesses, etc.

It's not too hard to make the connection from COINTELPRO to what has been going on since the passage of the PATRIOT Act in late 2001. The government has capitalized on legitimate fears fostered by 9/11 and used those fears to bully the populace into believing that it is better to surrender some liberties for the sake of security. This intimidation is being applied most effectively against the immigrant community in this country. In previous

“The United States government overreacted at Wounded Knee. Instead of carefully considering the legitimate grievances of the Native Americans, the response was essentially a military one which culminated in the deadly firefight on June 26, 1975... The United States government must share responsibility with the Native Americans for the... firefight... the government’s role can properly be considered a mitigating circumstance.”

Judge Heaney
8th Circuit Court of Appeals
1991 letter to Senator Inouye

years people who overstayed a visa or fell out of status for one reason or another rarely faced any real repercussions. Now even the slightest delay in your paperwork getting processed can mark you for a deportation hearing. Entire families have been detained on the flimsiest of pretexts sometimes with the whole family kept in jail except for one minor child who ends up in foster care indefinitely. John Ashcroft wants to make it possible to strip someone of their citizenship by merely labeling them as being “associated” with or “supporting” terrorist groups. He is continuing efforts to lower the threshold for obtaining search warrants and wire taps. The cages at Guantanamo Bay are filled with “illegal combatants” who have no access to legal help or their families and have no way of determining when or if they may get the chance to defend themselves against unknown charges. This country seems to have taken one giant collective leap into Franz Kafka’s *The Trial* in our efforts to protect ourselves from terrorists.

What was done to Leonard Peltier, Geronimo Pratt, Mumia Abu Jamal and countless others is being done on a much broader scale than ever before. If we don’t remember Peltier and how he was illegally imprisoned, then we don’t deserve the freedoms we have left. If they can do it to him, they can do it to you, your friend, or your client.

Judicial history, like any other history, is important to study because it can and does have direct and specific relevance to current and future situations. What has occurred in the past not only shapes how we collectively view things but it can serve as an instructional guide as well. As the saying goes, those who do not remember the mistakes of the past are condemned to repeat them.

“[Regarding FBI use of falsified testimony] ... I have nothing on my conscience at all.”

U.S. Prosecutor Lynn Crooks

UWLA Chapter of the National Lawyers Guild is forming!

Write to jerry@activist.com to become a member or to ask questions.

The National Lawyers Guild is an association dedicated to the need for basic change in the structure of our political and economic system. The Guild unites lawyers, law students, and legal workers as an effective political and social force in the service of the people (see www.nlg-la.org).

The aims of the UWLA-NLG Chapter are to:

- to eliminate arbitrary discrimination, such as racism, sexism, and other forms of elitism;
- to safeguard and strengthen the rights of the traditionally downtrodden, such as workers, women, farmers and other minority groups, upon whom the welfare of the entire nation depends;
- to maintain and protect our civil rights and liberties in the face of persistent attacks upon them;
- to use the law as an instrument for the protection of the people, rather than for their repression.

“...to the end that human rights shall be regarded as more sacred than property interests.”

LAW SCHOOL	July 2003 Bar Exam						CA Accredited Tuition Comparisons	
	FIRST TIME TAKERS			REPEATERS			Tuition Dec. '03	Semester Equiv.*
	TOOK	PASS	%PASS	TOOK	PASS	%PASS		
Cal Northern School of Law 1395 Ridgewood Drive, Suite 100, Chico, CA 95973-7802, (530) 891-6900, www.calnorthern.edu	11	4	36	10	1	10	\$330/semester unit	\$28,050
Empire College 3035 Cleveland Ave., Santa Rosa, CA 95403-2122, (707) 546-4000, www.empcol.com	15	5	33	12	2	17	\$339/semester unit	\$28,815
Glendale University 220 North Glendale Ave., Glendale, CA 91206-4454, (818) 247-0770, www.glendalelaw.edu	8	2	25	10	0	0	\$285/quarter unit	\$32,775
Humphreys College of Law 6650 Inglewood Ave., Stockton, CA 95207-3861, (209) 478-0800, www.humphreys.edu/law	10	2	20	4	0	0	\$273/quarter unit	\$31,395
John F. Kennedy University 100 Ellinwood Way, Pleasant Hill, CA 94523-4817, (925) 969-3550, www.jfku.edu/law	28	3	11	52	3	6	\$576/semester unit	\$48,960
Lincoln Law School of Sacramento 3140 "J" St., Sacramento, CA 95816-4403, (916) 446-1275, www.lincolnlaw.edu	34	10	29	26	3	12	\$330/semester unit	\$28,050
Lincoln Law School of San Jose One North First St., San Jose, CA 95113-1227, (408) 977-7227, www.lincolnlawsj.edu	23	3	13	29	1	3	\$474/semester unit	\$40,290
Monterey College of Law 404 West Franklin St., Monterey, CA 93940-2303, (831) 373-3301, www.montereylaw.edu	13	4	31	14	1	7	\$400/semester unit	\$34,000
New College of California 50 Fell St., San Francisco, CA 94102-5206, (415) 241-1325, www.newcollege.edu	21	7	33	21	0	0	\$372/semester unit	\$31,288
San Fernando Valley College of Law 21300 Oxnard St., Woodland Hills, CA 91367-5058, (818) 883-0529, www.sfvlaw.edu	9	3	33	26	3	12	\$585/semester unit	\$48,140
San Francisco Law School 20 Haight St., San Francisco, CA 94102-5802, (415) 626-5550, www.sfls.edu	15	1	7	24	3	13	\$335/semester unit	\$25,460
San Joaquin College of Law 901 5th St., Clovis, CA 93612-1312, (559) 323-2100 or (800) 522-0994 (California only), www.sjcl.edu	28	8	29	20	4	20	\$500/semester unit	\$42,000
Santa Barbara College of Law 20 E. Victoria St., Santa Barbara, CA 93101-2606, (805) 966-0010, www.santabarbaralaw.edu	4	1	25	22	5	23	\$280/semester unit	\$23,520
Southern California Institute of Law 1525 State St., Suite 202, Santa Barbara, CA 93101-2500, (805) 963-4654, www.lawdegree.com	2	2	100	4	0	0	\$250/semester unit	\$21,000
Trinity Law School 2200 North Grand Ave., Santa Ana, CA 92705-7016, (714)836-7500, www.tiu.edu	15	2	13	45	1	2	\$540/semester unit	\$45,360
University of La Verne 320 East "D" St., Ontario, CA 91764-4128, (909) 460-2000, law.ulv.edu	10	5	50	35	6	17	\$685/semester unit	\$57,600
University of West Los Angeles 1155 West Arbor Vitae St., Inglewood, CA 90301-2902, (310) 342-5200, www.uwla.edu	26	9	35	102	7	7	\$585/semester unit	\$49,140
Ventura College of Law 4475 Market St., Ventura, CA 93003-7774, (805) 658-0511, www.venturalaw.edu	3	0	0	19	5	26	\$250/semester unit	\$21,000

* Quarter unit equivalents are based upon \$ per unit x 115 (unit program) divided by 4 (year program at average) 21 (units per semester year).
Yearly cost divided by 4 (year program at average) 21 (units per semester year).

The Ides of March 2003

at the Los Angeles Anti-War Demonstration

PHOTOS by JERRY FRIEDMAN



An LAPD squad forces a breakaway demonstration off of the public sidewalk.



The dual themes of the demonstration.

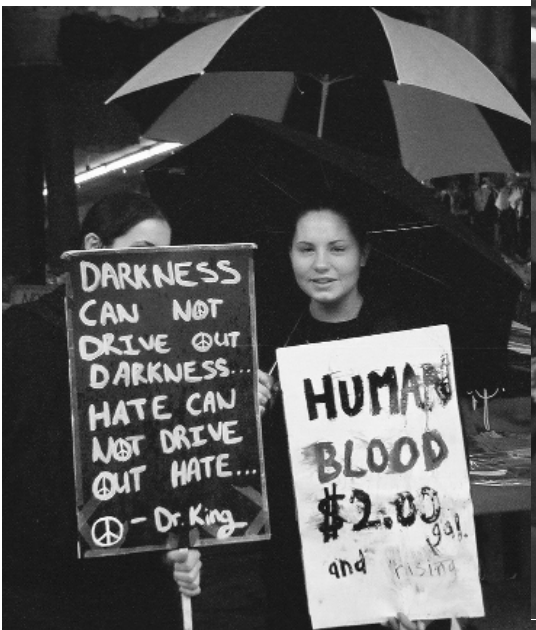




The LAPD form a barricade before advancing on the breakaway demonstrators.



Aude links national topics.



Alexandra Paul (from Baywatch) and friends.



Gaye Huston-Gath, 58, and husband, Jim Gath, 53, arrested by LAPD. Mrs. Gath complained when LAPD tackled a young demonstrator, and was arrested for interfering with police. Mr. Gath, a co-founder of USA Today, took her hand and urged her to leave, so he was arrested for lynching.

In a phone interview, Mr. Gath said, "It took a sergeant and fifteen cops with batons to arrest a kid. I never want to hear the L.A. cops complain about their budget being cut. Cut their budgets by another third and make them go to work. Make them stop picking on grandfathers and grandmothers for doing nothing."

effective speech. The National Lawyers Guild attended protests at many different sites to help educate the strikers and the police as to what the strikers' rights actually were. This in turn created more effective speech. Strikers went from standing only on certain parts of the sidewalk and not speaking, to following people to their cars while educating them on why they should support the strikers.

Robert M. Myers, a civil rights lawyer and coordinator of the National Lawyers Guild Legal Observer program, has this to say about Dr. Rutan.

"David was trained as a legal observer last year at a training program held at UWLA Law School and has attended a number of demonstrations," Myers noted. "He has volunteered at a number of events to help protect the First Amendment rights of demonstrators. The Los Angeles Police Department is notorious for interfering with free speech rights and David and other legal observers work very hard to prevent this type of police abuse.

"For example, during the grocery worker strike, David was present when LAPD deployed over 40 officers, some in riot

gear, because union members and other supporters from the community dared to exercise their first amendment rights. With his video camera at the ready, David let the LAPD know that any misconduct would be captured on film."

Q. What is your future interest in law?

Besides supporting the animal rights movement, I am most concerned with the PATRIOT Act and its effect on speech. I look forward to doing what I can to challenge its provisions as cases come about.

"David Rutan is my hero with wide open eyes for whatever is necessary and needs to be done. This 'Mench' needs an accolade!" –Coby

Q. Do you have any sentiments to pass onto UWLA law and/or paralegal students?

I passed the bar on the first try. I credit



this to briefing almost every case and being prepared for class. During the bar, there were numerous times when I recalled particular lectures by Professor Boggs, then-Dean Bruce Landau, Professor Oring, Dean Arvin, Professor Barrett-Berman, and others in order to answer the question. I credit them for my Bar success.

Q. Do you have a favorite quote from an inspirational leader?

"We will remember not the words of our enemies, but the silence of our friends."
–Dr. Martin Luther King, Jr.



The Brief

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