

Seton Hall University

eRepository @ Seton Hall

Newspapers

Seton Hall Law Archives

3-1-2010

The Cross Examiner

Seton Hall University School of Law

Follow this and additional works at: https://scholarship.shu.edu/law_newspapers



Part of the [Law Commons](#)

Recommended Citation

Seton Hall University School of Law, "The Cross Examiner" (2010). *Newspapers*. 214.
https://scholarship.shu.edu/law_newspapers/214

INSIDE

3

Law journals prevail

What do sanctuary cities, Oscar Pistorious, baseball, and the Ninth Circuit Court of Appeals have in common? They're all articles and comments that you will see in the upcoming issues of Seton Hall's law journals. Editors explain the process and what their publications mean to them.

5

On death and other certainties in life

With tax season bearing down on most Americans, law students find themselves asking relevant questions such as how to handle student loans and whether or not students can (or want to) file as a dependant. Take a look at a condensed version of what every law student should know as April 15 approaches.

9

A message from the president



Student Bar Association President Jim Hlavenka shares his thoughts on the current issues affecting Seton Hall Law students, from Barrister's Ball to the proposed tuition increase.

CONTENTS

2

LIFE IN THE LAW

4

FEATURES

8

OPINION

11

BEYOND THE FOUR CORNERS

Faculty set to vote on 6 percent tuition increase

Students must pay more for law school to remain competitive, administration claims

Amy Sieminski, Meghan Chrisner,
& Michael McDonough
Staff Writers & Editor-in-Chief

Seton Hall Law School's Budget Committee has recommended a 6 percent tuition increase for students. The Budget Committee's proposal will be voted on at the next faculty meeting on March 19. No students were present at the Budget Committee meeting at which the 6 percent number was approved, nor was the tuition increase announced earlier in the year. The Budget Committee, appointed by law school Dean Patrick Hobbs, consists of Professors Deborah Herrera, Kristen Boon, Wilfredo Caraballo, Lori Nessel, David Opperbeck, Charles Sullivan, and Erik Lilquist, who is also Senior Associate Dean, as well as Assistant Dean for Administration and Finance Terry DeAlmeida and Director of Financial Resource Management Karen Sokol.

As word of the proposed tuition increase spread, students took advantage of and attended the once-a-semester "Ask the Deans" forum on March 3 in the auditorium to question the rationale behind the policy change and the manner in which the decision was made. In what is typically a mild hour-long session to answer student questions, Mr. Hobbs, Mr. Lilquist and Associate Dean for Curriculum Claudette St. Romain instead faced nearly two hours of intense student inquiries.

"Every year we need to evaluate if we have put ourselves in the position not only to maintain the quality of our education, but also to ensure that Seton Hall improves as an institution," said Mr. Hobbs. He noted Seton Hall's commitment to hiring and retaining top quality faculty members. As a result, the law school administration must offer competitive salaries and benefits to faculty members that have offers from other schools. "It is expensive to bring people into this institution, especially with rising health care and pension costs," Mr. Hobbs said.

The administration sought to reassure students that the investment in legal education is worthwhile, emphasizing that the effects of a six percent tuition increase would be minimal in the context of a law student's future legal career and ultimately contribute to the value of a Seton Hall Law degree. "Don't think for a second that you shouldn't continue to invest in your law school education," Mr. Hobbs said.



Courtesy Seton Hall Law

Tuition rising: Dean Hobbs says a tuition increase is necessary because of rising costs.

"There's not a lot of fat in our budget," Mr. Hobbs added, explaining his fear that cutting any more from the budget would be the equivalent to "cutting to the bone" and hurting programs essential to the law school's livelihood.

In an interview with *The Cross Examiner*, Mr. Hobbs reiterated that his main objective is to balance cost considerations with Seton Hall Law's reputation. He explained that one of the steps to improve the school's ranking is hiring new "extraordinary talent," to take advantage of the hiring freezes at other schools. Of the six new staff members joining the Pirate Law community five will fill positions already in existence at the school, and only one is new. Mr. Hobbs maintained that these investments will pay off down the road by enhancing in the school's reputation and quality.

According to Mr. Hobbs the 6 percent increase represents approximately \$2.4 million, but that the 6 percent is not final and "Everything is on

TUITION INCREASE continues on 7

Seton Hall Law keeps rising: Apps for admission at all time high

Danald F. Burke Jr.
Executive Editor

Seton Hall Law applications for the class of 2013 are up over 10 percent. The school is on track to exceed 4,000 applications for the incoming class, the highest application volume in school history.

The increased Seton Hall Law interest has driven up the average LSAT and GPA scores. Last year's average of 160 was the highest in school history, and that number will no doubt increase as Seton Hall Law emerges on the national stage.

"I attribute both the increase in applications and the continued quality improvement of applicants to the growing recognition of Seton Hall Law School both regionally and nationally," said Gisele Joachim, Dean of Enrollment Management. Ms. Joachim attributed the increase in applications to what her office is doing to increase Seton Hall Law's profile in New Jersey and throughout the country. "We host many events both remotely and here, at the law school, to introduce prospective students to both faculty and current students so that they can get a good 'flavor' of what Seton Hall Law is all about," she said.

Yet Ms. Joachim also noted some external factors as well. "Students choosing to further their education, especially in difficult economic times, focus not only on the positive quality of student life here at Seton Hall, but also our historically strong bar passage and employment rates," she said.

In the midst of one of the worst economies in American history, many people are going to law school to improve career prospects and wait out the recession. In September 2009 the number of LSAT test takers rose

**APPLICATIONS RISING
continues on 7**

PIN auction garners school-wide support



Courtesy Seton Hall Law

Bidding: Professor Franzese displays her auction skills.

Evan Haggerty
Staff Writer

Do you know what \$2,000 worth of pasta looks like? Sixty lucky bidders will soon find out.

On Feb. 18, during live auction bidding, Professor Paula Franzese placed a prize one dinner for 30 featuring her family's famous penne à la vodka. As the bids rose and the tensions grew, it was clear there were two contenders: 11, Sections B and M. After a tightly-contested auction, Section M claimed victory until Professor Franzese, displaying her continued kindness, announced both sections would be winners of the coveted meal.

Pasta wasn't the only double order on the menu, as Dean Patrick Hobbs offered double dishes of golf and basketball alike. Instead of four Big East basketball tickets and hosting a round of golf at Fiddler's Elbow Country Club, the Dean graciously multiplied his offer, making not seven, but 14 people's lives now complete.

The live auction capped a four-day fundraiser presented by the Seton Hall Law Public Interest Network (PIN). The annual, student-oriented event raises money for the Public Interest Summer Fellowship program and the Public Interest

PIN AUCTION continues on 7

LIFE IN THE LAW

Forced into the private sector Reconciling the allure of public sector work with its bureaucratic obstacles

Patrick T. Smith

Staff Writer

There are a number of ways people react after being laid off. Some yell, some plead. Some cry, some drink. Others blame those in positions above them.

I shined my shoes.

Two weeks ago, I was laid off after four years of employment as a criminal analyst with the Jersey City Police. Due to massive state and municipal budget deficits, 278 employees were given a "Thank you" and a pink slip.

As a law student, I realize that I am in a much better situation than most (if not all) of those involved in the layoffs. My circumstances give me a certain amount of confidence to the point that I'm almost dismissive of the entire ordeal. But my reason for being dismissive is not the bright future that lies ahead of me, but the utter lack of hope that existed in my former employment.

After college, I desperately wanted to work in local government. Being raised in an Irish family, I firmly believed in the John F. Kennedy ideal of choosing public office over profit in the private sector. This faith was instilled in

me by my father, who served as a local union president in Jersey City for 20 years. His hard work and determination led me to believe that public service in my hometown would be rewarding, as well as an excellent place to start a career.

Then my expectations met reality. For four years, I was paid a below average salary, yet lived with the constant belief that the following week I would be promoted. Unfortunately, this belief had little basis in reality. No logical next step existed toward advancement. Eventually, law school presented a way out.

But law school acceptance was accompanied by a new



Joe Luppino/Espresso

Newsweek magazine editor Fareed Zakaria recently spoke about America's need to attract more well-educated Americans away from the financial world and into the public sector.

My experience raises a few questions. Why would anyone enter at the bottom when they can buy their way in at the top? How can the government attract qualified individuals when no path for advancement exists within the public sector? Which is more plausible: a school janitor being promoted over time to the position of superintendent, or a former stock broker

becoming president of the United States?

After class on the day I lost my job, I returned to my apartment and stared at my termination notice. I wasn't angry or upset. Instead, I felt relieved, as if I had been granted the chance to correct a mistake. Sitting on the couch, I looked at the letter and thought of the work I had done and great people I had met. Then I looked at the reward for all of my work. I placed the letter under a stack of LRW research and reacted in the only way I felt adequately summarized my emotional state.

I shined my shoes.

Which is more plausible:
a school janitor being
promoted over time to the
position of superintendent,
or a former stock broker
becoming president of
the United States?

Then the question answered itself by way of a termination letter.

Great expectations from leading litigators Legal professionals offer real world advice for students

Supreet O. Sandhu

Staff Writer

The gap between law student and lawyer is two sheets of paper thin, but no abyss could be more intimidating. Yet, according to the advice of several established New Jersey attorneys, comfort awaits: accept that "the law is a jealous mistress" and our addiction to caffeine is pretty permanent, but have faith that when you find the right place - you can and will be happy.

How did you make it here?

When asked how they made their way to where they are now, a full-service, general litigation firm in New Jersey, the answer is inevitably varied. Most clerked first, others went from small or solo firms to large firms, and then found their happy medium. A majority of the firm's attorneys are Seton Hall or Rutgers alumni, but many come from similarly competitive schools like St. John's, Cardozo, New York Law, Fordham, Columbia, or cross-country schools like the University of New Mexico and Nova Southeastern University.

Having the right stuff

One of the biggest concerns as we delve into the dense, required material that makes up our 1L and most of our 2L years is whether the skills we're learning actually translate to practice. I was told that the most utilized skills are effective research and critical analysis. Litigators must of course know the rules of evidence and both civil and criminal procedure. For the most part, however, you learn the most about the practice of law, not from law school, but from IGLE courses, clerkships, and experience in your first years as an associate.

Paying the bills

As students at one of the most expensive law schools in the country, many of us fear the burden we will carry until we can pay off the debt assumed to attend Seton Hall. But don't panic; plan. The first real decision to make

in respect to your loans is what kind of firm you want to work at. Try to balance quality of life and the rate at which your loans are

paid. Your level

of comfort

at a firm will

greatly impact

how much you

enjoy being a

lawyer. As I

inquired about

the NYC/NJ

difference in

salary, I was

told that an associate who works only a couple

of years at a NYC firm could earn as much as a partner

at a NJ firm, but that a NY associate essentially sacrifices

his life and is known as a "mushroom associate - kept in the dark and fed shit." Such firms exist in NJ as well, but

keep in mind: while student loans aren't pretty, they have

the lowest interest rate of all your loans. Many attorneys

rolled together the loans of their significant others, so

while the monthly payment is great, they claim it hasn't

impeded their lifestyle as much as expected.

The time flies

Be prepared to give up control over time. Life as a litigator is constantly subject to the whims of your clients, making it hard to ever really plan ahead - a strain on personal relationships. Additionally, since legal work is mainly project-driven with stringent deadlines, associates are forced to put in long hours. In his first few years of practice in general litigation, Matt [real name omitted], a Seton Hall Law graduate, routinely stayed at the office until 11 p.m. However, the number of hours worked really depends on the type of work and firm you enter.

The almighty billable hour

Picking the most difficult transition, some attorneys spoke about the practical struggle to constantly keep track of time. For an experienced attorney who needs to bill eight hours a day, that usually means being at the office for

ten hours. For a new attorney, billing eight hours means being there 12-13 hours to account for interruptions and for motions that may have actually taken you 12 hours, but shouldn't have. Others identified the change in atmosphere from law school to work life. Law students are trained to be competitive, but practically speaking, first year attorneys need to mellow out, be polite and respectful, and make every effort to let the adversary do the right thing and not involve the court.

The problem of relationships

In terms of what to expect of life with your significant other, it comes down to finding someone who is willing to commit to the reality that the work and life balance is not so balanced. For those who met in law school, a popular golden rule was to leave work at work. Workplace environments have grown more respectful of the desire to have both a family and a career. However, this ultimately depends on the culture of your firm. While many alluded to the idea that there are no real part-time jobs for attorneys, there are still opportunities for temporary leave. One associate, with a 2 year old and another on the way, created her own part-time schedule, working three days per week, 9-3 p.m. and one day, 12-6 p.m.

Just do it

The clearest advice was: Get a job. Don't think you're too good for an offer. If you don't like it, you can always change directions - which many attorneys claimed to have done. When interviewing, be humble and sincere. Do not fake an interest you don't have or tailor your answer; it's fine to say you just want the job and it doesn't matter what it is. Almost all resumes look the same. Present an appealing personality that would positively contribute to the office.

Special thanks to the attorneys at Chason Lerner & Lamparello, P.C. and other firms who contributed to this article.

QUOTES

FROM DEAN HOBBS

"I am writing to you to announce that the tuition increase for the coming year will be no higher than 4.9%."

"I have taken to heart all of your ideas, and your expectations that our faculty and administration commit to real "belt-tightening" in order to lessen the financial impact on the student body."

"I appreciate the many students who have provided me with their perspectives about the development of our budget and our priorities."

UPDATE: Dean Hobbs caps tuition hike at 4.9 percent

Percentage is less than called for by Budget Committee

Joe Luppino-Eposito
Design Editor

In a surprise announcement, Dean Patrick Hobbs notified the Seton Hall Law School community that the increase in tuition for the 2010-2011 academic year would be no higher than 4.9 percent. Earlier reports put the number at 6 percent. All fees will also stay at their current levels.

Mr. Hobbs made the announcement via e-mail on Monday, March 15, 2010, after Volume I, Issue 1 of *The Cross Examiner* went to print. The *Cross Examiner*'s initial report was based on the Budget Committee's conclusion that called for the 6 percent increase, as well as the subsequent "Ask the Deans" Forum in which the law school's administration explained the proposed increase.

"I believe that we will be able to accomplish this tuition cap without compromising excellence in teaching or course offerings, and while still providing our students with critical opportunities, including clinical placements, skills courses, writing opportunities, academic programming, externships, career counseling and alumni services," said Mr.

Hobbs. Seton Hall Law has also made a commitment to providing for more financial aid in the next year, according to Mr. Hobbs.

The strength of the law school's bar passage rate and job placement after graduation were also highlighted by Mr. Hobbs, with New York and New Jersey bar passage rates about 90 percent and 94 percent of 2009 graduates finding work in the months since they left Seton Hall Law.

Mr. Hobbs also stated that he was happy to get feedback from students regarding the initial reports that the tuition would increase by 6 percent. "One of our strengths as a law school has been our ability to communicate with each other," he said. "I have taken to heart all of your ideas, and your expectations that our faculty and administration commit to real "belt-tightening" in order to lessen the financial impact on the student body."

Mr. Hobbs also thanked Deans Erik Lilquist, Claudette St. Romain, and Gisele Joachim, as well as Student Bar Association President Jim Hlavinka for their work throughout the entire process.



Courtesy Seton Hall Law
Smaller steps: Dean Hobbs believes Seton Hall Law can meet its goals with a 4.9 percent tuition increase.

The *Cross Examiner*
Seton Hall Law Review
Circuit Review
Journal of Sports and Entertainment Law
Legislative Journal

unique opportunity for academic and professional career advancement.

"What makes all the work worth it is what being on a journal can do for you," says 3L Jason Halpin, Editor-in-Chief of the Seton Hall Law Review. "The number one thing is just to have a journal on your resume. It tells potential employers that you've gotten good grades and that you're very good at writing and editing."

"On top of that, if you're fortunate enough to have your comment published, you get to see your name in print, which is a really satisfying thing."

In this economic climate, journal membership is an excellent way to distinguish one's self. Regardless of whether the future holds a clerkship, associate position or public interest work, the skills journals provide can put members ahead of their colleagues once school fades into the past and the real world beckons. In the first year on a journal, every member must write a note. Researching a novel legal topic, citing every authority relied upon, and meeting with a full time professor-advisor, this is one way of fulfilling the Advanced Writing Requirement that Seton Hall will accept instead of participation in an AWR class. After three drafts, the notes approach a level of precision that will produce fond feelings of near parent-like devotion in their authors. However, if the comment is one of the few selected for publication, the author must produce an even finer-tuned piece, one that accurately reflects changes in the law that have occurred since the note was researched or that shows a depth of analysis and insight worthy of being featured in the journal.

Seton Hall Journal of Sports and Entertainment Law anticipates publishing two articles: "You Can Only Race If You Can't Win: The Curious Case of Oscar Pistorius & Caster Semenya," by Shayna M. Crincoli and "It's No Game: The Practice and Process of the Law in Baseball, and Vice Versa," by Ross E. Davies. In addition to two student notes, the journal's next edition will include a full transcript of the group's Feb. 26 symposium, including panel discussion on the effect of the

they seek to join. After the packets are completed and returned, each journal picks new members based on the writing, competition, GPAs and preference rankings. Some journals also require a personal interview.

Journals offer 1Ls, 2Ls, part-time, fulltime, and evening students a

outlook is not. In comes the mortgage meltdown. Your aspirations of earning millions as a corporate attorney are deteriorating faster than Tiger Woods' reputation. Firms are cutting back and not hiring brilliant attorneys, such as yourself. Not to fret, my colleagues, there is a two word solution: Solo practitioner!

You know you've always wanted autonomy. Are you a crappy interviewer? As they say in cheesy late-night infomercials, have you always wanted to be your own boss? Do sharks market concern you? Be sensible. Open your own solo practice! I know you have questions. I'm broke, how do I open my own practice? Where will I gain the experience? And clients don't grow on trees. How do I compete with big, bad firms with Ivy League trained attorneys, offering a trillion services?

Take a deep breath. Though opening your own practice might seem intimidating, it is not an option that any student should rule out. With some flare and an entrepreneurial spirit, one can start a successful solo practice and make a decent living. You can gain experience and make contacts by taking on court appointed cases and pro bono initiatives. Find a seasoned attorney to act as your mentor who can

National Football League's Rooney Rule and financial and estate planning required for professional athletes and entertainers.

Seton Hall Law Review Vol. 1, 40, Issue 1 will include an article about the effect of sit-down strikes (common in the 1930s) on labor law, with a particular focus on the restraints subsequently placed on union conduct. Other featured article topics include providing means for counsel conducting internal corporate investigations to produce trustworthy results and how the Supreme Court's decisions regarding arbitration have strayed from the purpose set out in the Federal Arbitration Act by, in part, giving arbitrators too much power.

Seton Hall Legislative Journal will feature the Bankruptcy Symposium transcript as well as an article concerning recent Housing and Urban Development legislation. The journal will include two student notes: "Recommending an Apportionment Formula For the European Union's Common Consolidated Corporate Tax Base" by Editor-in-Chief Michael Mahoney, and "Sanctuary Cities: The Reason Illegal Aliens Are Getting

with your hours and meet clients in coffee shops, at little league baseball games, or wherever they desire, in addition to your principal place of business. Stay affiliated with a larger firm as counsel, which will allow you to pass along complex cases you can't handle and also give you access to greater resources.

Okay, I'm sold, sign me up. Now how the heck do I afford all of this?

Just like any other small business, starting up a law firm requires investment capital. Don't panic. You can easily cut costs while setting up shop. To start, share office space, malpractice insurance costs, telecommunications/internet costs and a secretary with other attorneys. You can be more frugal by operating out of a home office (in pajamas)! Most clients are not worried about how your office looks, but rather the outcome of their case. So whatever your venue, be professional and you'll get the clients you want.

Though starting up a solo practice is no walk in the park, with the right attitude and a little resourcefulness, even the guy snoring in the back row of Con Law can become partner before age 30!

Away With Crimes?" by Kerry C. Planer.

Seton Hall Circuit Review put out their most recent issue last fall, featuring articles on the history of prosecutorial discretion in the federal court system and whether the Ninth Circuit should be redirected. Student comments were written by Kathryn Windsor on arbitration standards and Steven Marino on proving incompetence to stand trial. The publication, the only circuit-focused journal in the country, recently received national recognition when a note written by Justin Conforti was cited in a brief to the United States Supreme Court. The note was entitled: "Somebody's Watching Me: Workplace Privacy Interests, Technology Surveillance, and the Ninth Circuit's Misapplication of the Ortega standard in *Quon v. Arch Wireless*."

The standards are high, the work is extensive, and the rewards, thankfully, are commensurate. Be prepared to focus on law just a little longer than finals, and make this the year you write onto a journal.

Law Journals Preview: From the write-on to the Supreme Court, and a look at what to expect

Gianna Cricco-Lizza
Staff Writer & Copy Editor

The end of finals can mean the beginning of freedom or a coveted summer internship. Or, for those who attend the mandatory late spring informational meeting, it is time for the trial-by-fire "journal write on," where aspiring members receive a packet and head off to write a 10 to 12 page note during the first two weeks of summer.

"There is some amount of subjectivity that goes into reading and grading the submissions, so you need to do something above and beyond correct Bluebook usage," says 3L Justin Conforti, Editor-in-Chief of the Seton Hall Circuit Review. "Graders don't want to read 100 pieces that all recite what the court held and what the dissent said."

"What we're looking for is a writer who expresses a unique point of view regarding the legal aspects of the problem, and in a way that demonstrates the writer's ability to communicate clearly, adhere to the basics for good writing, and - perhaps most importantly - follow directions," Mr. Conforti added.

Blawg quotes, law review articles or other materials may accompany the case, but participants are not to engage in outside research. The packet also contains a notoriously treacherous "Bluebooking Exercise." At the informational

meeting, all appropriate rules are laid out and interested students rank the journals they seek to join. After the packets are completed and returned, each journal picks new members based on the writing competition, GPAs and preference rankings. Some journals also require a personal interview.

Journals offer 1Ls, 2Ls, part-time, fulltime, and evening students a

unique opportunity for academic and professional career advancement.

"What makes all the work worth it is what being on a journal can do for you," says 3L Jason Halpin, Editor-in-Chief of the Seton Hall Law Review. "The number one thing is just to have a journal on your resume. It tells potential employers that you've gotten good grades and that you're very good at writing and editing."

"On top of that, if you're fortunate enough to have your comment published, you get to see your name in print, which is a really satisfying thing."

In this economic climate, journal membership is an excellent way to distinguish one's self. Regardless of whether the future holds a clerkship, associate position or public interest work, the skills journals provide can put members ahead of their colleagues once school fades into the past and the real world beckons. In the first year on a journal, every member must write a note. Researching a novel legal topic, citing every authority relied upon, and meeting with a full time professor-advisor, this is one way of fulfilling the Advanced Writing Requirement that Seton Hall will accept instead of participation in an AWR class. After three drafts, the notes approach a level of precision that will produce fond feelings of near parent-like devotion in their authors. However, if the comment is one of the few selected for publication, the author must produce an even finer-tuned piece, one that accurately reflects changes in the law that have occurred since the note was researched or that shows a depth of analysis and insight worthy of being featured in the journal.

Seton Hall Journal of Sports and Entertainment Law anticipates publishing two articles: "You Can Only Race If You Can't Win: The Curious Case of Oscar Pistorious & Caster Semenya," by Shayna M. Crincoli and "It's No Game: The Practice and Process of the Law in Baseball, and Vice Versa," by Ross F. Davies. In addition to two student notes, the journal's next edition will include a full transcript of the group's Feb. 26 symposium, including panel discussion on the effect of the



Hire yourself

How to become a sole practitioner

Prabhakaran S. Bedi
Staff Writer

You had a bold master plan. Get into a top-notch law school, destroy your first year classes, make law review and thrust your way to the top. You were annihilating the competition, even landing a position assisting on a pro bono project your 1L summer. Now you're a 2L. Grades are still hot, but the summer job outlook is not. In comes the mortgage meltdown. Your aspirations of earning millions as a corporate attorney are deteriorating faster than Tiger Woods' reputation. Firms are cutting back and not hiring brilliant attorneys, such as yourself. Not to fret, my colleagues, there is a two word solution: Solo practitioner!

You know you've always wanted autonomy. Are you a crappy interviewer? As they say in cheesy late-night infomercials, have you always wanted to be your own boss? Do shaky markets concern you? Be sensible. Open your own solo practice! I know you have questions. I'm broke, how do I open my own practice? Where will I gain the experience? And clients don't grow on trees. How do I compete with big, bad firms with Ivy League trained attorneys, offering a trillion services?

Take a deep breath. Though opening your own practice might seem intimidating, it is not an option that any student should rule out. With some flare and an entrepreneurial spirit, one can start a successful solo practice and make a decent living. You can gain experience and make contacts by taking on court appointed cases and pro bono initiatives. Find a seasoned attorney to act as your mentor who can

provide advice and contacts. Search for large firms willing to pass some of their overflow to you. Once you prove that you can do quality work, the referrals will roll in. Competing with Big Law will take effort, but it can be done with great success.

Offer your clients exceptional quality work, but also focus on things that Big Law cannot provide. Traditionally, business in America has been built on a handshake and honest, good faith. Confucius say, personalized service with a big smile. Be flexible with your hours and meet clients in coffee shops, at little league baseball games, or wherever they desire, in addition to your principal place of business. Stay affiliated with a larger firm as counsel, which will allow you to pass along complex cases you can't handle and also give you access to greater resources.

Okay, I'm sold, sign me up. Now how the heck do I afford all of this?

Just like any other small business, starting up a law firm requires investment capital. Don't panic. You can easily cut costs while setting up shop. To start, share office space, malpractice insurance costs, telecommunications/internet costs and a secretary with other attorneys. You can be more frugal by operating out of a home office (in pajamas)! Most clients are not worried about how your office looks, but rather the outcome of their case. So whatever your venue, be professional and you'll get the clients you want.

Though starting up a solo practice is no walk in the park, with the right attitude and a little resourcefulness, even the guy snoring in the back row of Con Law can become partner before age 30!

National Football League's Rooney Rule and financial and estate planning required for professional athletes and entertainers.

Seton Hall Law Review Vol. 40, Issue 1 will include an article about the effect of sit-down strikes (common in the 1930s) on labor law, with a particular focus on the restraints subsequently placed on union conduct. Other featured article topics include providing means for counsel conducting internal corporate investigations to produce trustworthy results and how the Supreme Court's decisions regarding arbitration have strayed from the purpose set out in the Federal Arbitration Act by, in part, giving arbitrators too much power.

Seton Hall Legislative Journal will feature the Bankruptcy Symposium transcript as well as an article concerning recent Housing and Urban Development legislation. The journal will include two student notes: "Recommending an Apportionment Formula For the European Union's Common Consolidated Corporate Tax Base" by Editor-in-Chief Michael Mahoney, and "Sanctuary Cities: The Reason Illegal Aliens Are Getting

Away With Crimes?" by Kerry C. Planer.

Seton Hall Circuit Review put out their most recent issue last fall, featuring articles on the history of prosecutorial discretion in the federal court system and whether the Ninth Circuit should be redistricted. Student comments were written by Kathryn Windsor on arbitration standards and Steven Marino on proving incompetence to stand trial. The publication, the only circuit-focused journal in the country, recently received national recognition when a note written by Justin Conforti was cited in a brief to the United States Supreme Court. The note was entitled: "Somebody's Watching Me: Workplace Privacy Interests, Technology Surveillance, and the Ninth Circuit's Misapplication of the Ortega standard in *Quon v. Arch Wireless*."

The standards are high, the work is extensive, and the rewards, thankfully, are commensurate. Be prepared to focus on law just a little longer than finals, and make this the year you write onto a journal.

Chasing Amy:

Professors: The lynchpins in the book publishers' machinations



"Chasing Amy"
Amy F. Sieminski

Amy F. Sieminski is the author of "Chasing Amy," a regular consumer advocacy column aimed at chasing down unnecessary financial burdens for students.

Of all the costs associated with a legal education, none is more of a pain in the neck than textbooks. Literally, a pain in the neck and back, and most

of all, the wallet. Most of students have simply accepted staggering textbook tabs, with the average student spending nearly \$4,000 on books over three years. So what's being done and what are the options?

It is no secret that the rising cost of textbooks is of principal concern to students. But is it a concern to the administration? To Professors?

When it comes to selecting texts, "Professors are the captains of their own ships," says Professor Charles Sullivan, adding that cost is a rare consideration when assigning books. Asked if costs were a consideration in picking the text for Professional Responsibility, Adjunct Professor Fergan Mouzon answered frankly, "No."

What about the blinding pace at which new editions are released? "It used to be every 8 years, but now it's down to about 4 or 5," explained Professor Sullivan, who also admitted that he is not likely to select a third edition when a fourth is available, even if there has been no change to the substantive law.

What's the thrifty student to do? Professor Sullivan suggests that students ask if the old edition is still viable. For those really concerned with "pinching pennies," he advises skipping the statutory supplements in favor of online versions.

While the administration may not pick the books, they do set the cost estimate students use to budget for the year. Currently this estimate is \$1,200.00; however, this figure is behind the times. Rutgers Law advises \$1,313 (\$875 for part-time), Columbia suggests \$1,448, and Fordham comes in at \$1,600 for estimated textbook costs.

Seton Hall's administration needs to reevaluate its estimate, take into account the realities of modern book prices, and include the costs of course supplements and other additional materials.



Sullivan

Options: Bookstore or Crookstore?

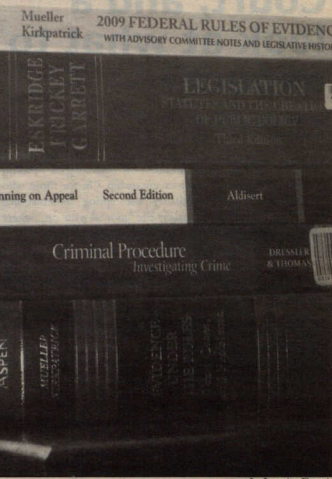
So you have gathered up the 1200 books you need to buy your books... where do you go? The first place that many students begin their book hunting is naturally the in-house bookstore. But alas, is it the best deal? The bookstore is run by Barnes & Noble, not Seton Hall, and thus only offers the prices the enterprise agreed to pay to the publishers, not deals the school found for its students.

It is a given that the bookstore's sole function is to provide books, not to buy them. But the fact remains that many students faced with the options of keeping the books, selling them online, or selling back to the bookstore, choose the latter. The maximum price that the bookstore will pay out for a book is 50 percent of the selling price. This percentage drops if the book will not be used in the next immediate semester, was used when purchased, or if the professor has assigned a new edition. These factors will lower the price, perhaps wholesale, or even to nothing at all. Used books are typically sold for 75 percent of the cost of the new book, representing a 25 percent markup over the 50 percent they paid for it.

But where does this profit go? Not to the school, but to Barnes & Noble.

Online

By second year, many students come to learn that if price is your concern, then the internet offers a plethora of options for a savvy searcher. But caution should be exercised, despite the lure of big bucks savings. Shipping can be both expensive and time consuming. Additionally, few websites stock every text out there, so it is important to have an arsenal of three of four trusted sites. Hal.com, Textbooks.com, and Amazon.com are reliable, but note that you may not be dealing with the companies themselves, but purchasing from individual sellers to whom all payments and communication will be made.



Light reading: Cash-strapped law students find it hard to control costs of attendance because of high book prices.

Think before you pick

If Seton Hall wants to impart the sense of community it touts to its students, there needs to be more faculty consideration for the financial burdens students face. Professors should not, of course, sacrifice the quality of their teaching by using books and materials that are subpar. All that is asked is that some consideration be given, when choosing textbooks, to the colossal debt students bear on their path through law school. Open and honest communication about possible alternatives would be a great start, and with the technology already available, solutions are possible that both satisfy professors' standards and ease students' bottom line.

The law school love lessons everyone should know

Tips to get closer to making Dean Hobbs' orientation prediction come true

Miss Information Columnist

Each year on the first day of orientation, Dean Hobbs tells incoming first-year students to look to their left and right, because one of these people may end up becoming your spouse someday. Some students probably blow off these lighthearted remarks, but you can bet that others take it as a promise that they will find their true love somewhere on the ramps of Seton Hall High. Well, for some of you that may be true, but tragically—statistically speaking at least—for others this will not be the case. The three years you spend in law school will bring you many things—stress, stress, possible weight gain (or for the lucky few maybe even weight loss), lack of self esteem (or maybe self-assurance for that fortunate minority at the top of the class)—but there is no guarantee that law school will bring you true love. In fact, many students find that the pressures of law school and the drama that comes with it creates a huge strain on existing relationships, whether with a significant other or friends and family. But those

that are able to get through law school with relationships intact often find that their bond is much stronger than it was three years prior.

With all of this said, the law school dating game can be quite tricky and a few guidelines might be helpful for the first year students interested in trying their hand at law school love:

1. Don't smooch (or, god forbid, smooch) in public at a school event.
2. If you do break rule number one—don't do it more than once, and if you do it more than once, at the very least—do it with the same person.
3. Date within your section at your own risk. Remember if you date who sit next to during every class, if (or when) there's a fight, or even just small disagreement (like a slight skirmish over the intricacies of the Erie doctrine) may make it difficult to concentrate in every class, until it's done. Sections are inherently competitive and

While dating in law school may be fun, it is not our main purpose and we all need to keep our eye on the prize—which is a J.D., not that hottie with a body in your Con Law class. Unless, of course, it's Professor Alexander.

being competitive with a significant other, while it may work for some, certainly does not work for everyone. Sections become families and sometimes

families can be more cutthroat and heartless than strangers. Plus, incest is bad.

4. Don't leave love-letters in the mailboxes and never write love notes on an attendance sheet.
5. Do not air your dirty laundry with a public brawl at Fall-Fest Party or other school event. Always remember that classmates will soon be colleagues, and it would be quite uncomfortable if ten years down the road your adversary reminds you of that shouting match you had at Barriers with your girlfriend (now wife) in front of a senior partner. Just sayin'.
6. Remember that just sitting in the library does not mean you are actually studying. While new crushes are exciting, and certainly more fun than outlining for

Property, our purpose here is to actually earn a degree, which typically requires one to spend more time actually focusing more on legal doctrines than whether your new flavor of the month is on G-chat. It probably seems impossible that one could spend 12 hours in the library, yet only 12 minutes actually learning something, but take it from someone who knows—not only is it possible, but it shows when the bursar finally posts grades. Moral of the story here folks is that while dating in law school may be fun, it is not our main purpose and we all need to keep our eye on the prize—which, by the way, is a J.D., not that hottie with a body in your Con Law class. Unless, of course, it's Professor Alexander.

If you stick with these tips, you may not find love and you may not find A's, but hopefully you'll survive the next few years with a heart intact and a Juris Doctorate in hand. And maybe, for a lucky few out there, when you pick up that diploma from Dean Hobbs on graduation, you'll have a ring on the other hand too, just like he promised.

Law student tax FAQ's: Because some things are certain in life

Zachary T. Bernstein & James R. Cowan III
Staff Writers

Disclaimer: This is neither an authoritative or exhaustive explanation of the tax code, but merely an informative guide. None of this should be considered tax advice or the practice of tax law.

With tax season bearing down on most Americans, law students find themselves asking relevant questions about our liability to the extended palm of Uncle Sam. Some very basic questions arise when it comes to the responsibilities as individuals caught between college and real life. Difficulties range from student loans to dependent status to deciding to file jointly or not. Here is a *Reader's Digest* explanation for some of these hair pulling, teeth clenching, miserable and (unfortunately) all-too-important questions about this certainty of life known as taxation.

Given the complexity of the tax code, we all know that

there is much more to deal with as we climb down the rabbit hole and into the depths of the tax inferno; by no means do our authors claim to be tax professionals or experts. However, as we have begun to ask ourselves these questions lately, we hope this bit of information is a good launch pad for your upcoming tax season.

Thankfully, there are people here at SHU Law who can answer these questions thoroughly, and many of you have or will learn these concepts in your Federal Income Taxation course. Just don't go lining up outside Professor Kaye's or Coverdale's door on April 15.

While there is no sense in losing your sanity over taxes, try to remember the mood in your home on the days leading up to Tax Day every year. Although the spring may mean baseball and nice weather, that look in your father's eye during tax season is a reminder of the daunting reality we must deal with every year for the rest of our American lives. Have fun!

What is...

Gross Income?

Gross income includes everything you received in money, goods and services, but does not include any student loans or qualified scholarships for tuition and related expenses.

Earned Income?

Earned income includes wages, tips, and compensation.

Unearned Income?

Unearned income includes interest, dividends, and capital gains, social security payments, some private pensions, and certain annuities.

Gross Receipts?

A gross receipt is a slip of paper that serves as proof that you took your girlfriend to White Castle on Valentine's Day.

Tax Time?

Time to gather up everything you've saved that hasn't gone to Seton Hall Law and send that along to the federal and state governments.

Who has to file for 2009?

You are a dependant and:

- ✓ You had unearned income of more than \$950
- OR
- ✓ You had earned income of more than \$5,700

You are NOT a dependant and:

- ✓ You file as an individual with a gross income of more than \$9,350
- ✓ You are married filing jointly with a gross income of more than \$18,700
- ✓ You file as a head of household with a gross income of more than \$12,000

"In this world nothing can be said to be certain, except death and taxes."

Getting credit where credit is due

SHU Law students may be interested to know the advantages they or the person who is claiming them as a dependent may take from certain educational credits. These credits, which can be claimed dollar for dollar against your tax liability for educational expenses incurred during the year.

The American Opportunity Tax Credit is a partially refundable credit of up to \$2500 per student. This credit is refundable up to \$1,000, which means you may still claim the credit up to \$1,000 beyond any tax liability. While this is only available for the first four years of post-secondary education, 1Ls who completed their undergraduate degree in four years and immediately enrolled in law school will be eligible to claim this credit. During your undergraduate degree you must have been enrolled at least half time during one semester of the school year, and for any Pablo Escobars out there, this credit is not available if you have a drug felony conviction on your record. Finally, this credit phases out between \$80,000 and \$90,000 for people filing individually, and between \$160,000 and \$180,000 if you or the person claiming you is married and filing jointly.

The Life Time Learning Credit is a non-refundable credit up to \$2,000 per tax return. Non-refundable means that you can only receive the credit up to your tax liability, and "per return" means if you and a sibling both qualify for the credit, your parent(s) may only claim up to \$2000 total. The advantage is that this credit is less limited than the American Opportunity Credit. It is available for all post-secondary education, and for all courses to improve job skills whether or not that course is taken in pursuit of a degree. This credit is still available if you have a felony drug conviction, as well. Like the American Opportunity Tax Credit, this credit has a phase out, but at lower income levels. If filing individually, the phase out lies between \$50,000 and \$60,000; if married filing jointly, it phases out between \$100,000 and \$120,000.

Remember:

Only one of the educational credits can be claimed, per student. The educational credits can be claimed by the eligible student (if s/he is the taxpayer), the taxpayer's spouse, or another person claiming the student as a dependent.

How can I be claimed as a dependant?

If you are a qualifying child:

- ✓ You are the child, step-child, foster child, sibling, half-sibling or step-sibling of the taxpayer;
- ✓ You were under the age of 24 and you were a full-time student (as of December 31, 2009);
- ✓ You have lived with the taxpayer for more than half of the year;
- ✓ You have provided less than half of your own support for the year;

AND

- ✓ You are younger than person claiming you as a dependent.

If you are a qualifying relative:

- ✓ Your gross income is less than \$3,650;
- ✓ The person claiming you provided more than half of your support for the year;

AND

- ✓ You are the taxpayer's child, foster child, stepchild, or a descendant of any of those. You may also be the taxpayer's sibling, step-sibling, or descendant of a sibling; OR the taxpayer's father, mother, or ancestor or sibling of the father or mother; OR a closely related in-law.

If you lived as a member of the taxpayer's household all year

Need help?

For those of you with Adjusted Gross Incomes under \$49,000 needing help with your taxes, the Volunteer Income Tax Assistance (VITA) program run by the Center for Social Justice starts March 19, and is available every Friday and Saturday afternoon (except for Easter Weekend) until April 15.

Finnegan's Feature:

Women's Law Forum

Women and men alike welcome at upcoming WLF events

John F. Finnegan III

Managing Editor

Each month, *The Cross Examiner* will profile a student organization or Seton Hall Law personality that contributes to the unique fabric of our vibrant law school community. This March *The Cross Examiner* selects the Women's Law Forum, one of the most active student groups on campus.

Sitting in Café Denti on a late February Friday afternoon, you can hear the brisk wind whipping outside the glass windows. While the winter cold has yet to thaw inside the cozy confines of the Café, the Women's Law Forum (WLF) is in hot pursuit of its latest endeavor.

"On Wednesday, April 7, we will be coordinating a 'Take Back the Night' march," says 2L Katherine Freed, Chair of the WLF. Clearly invigorated by the forthcoming event, she describes in great detail how it will begin at Rutgers Law School with a twenty-minute inspirational talk. Participants will then march to Seton Hall Law, where everyone is encouraged to share their feelings and experiences in an "open microphone" setting. The communal event, which is designed to raise awareness about sexual abuse against women, will conclude with a reception in the SHU Law Atrium, as the entire community – men and women – galvanizes around the event's life-affirming mission.

"Take Back the Night" is not the only event that the Women's Law Forum is intimately involved with on campus. With roughly twenty-five active members, and a committed Executive Board headed by Ms. Freed and 2L Jessica Bland, the WLF is also participating in the "Race for the Cure" 5K road race on April 25 at 9 a.m. at the Essex County Branch Brook Park. Raising money for breast cancer research, it promises to be a fun and rewarding experience.

Additionally, on March 23, the WLF is proud to welcome Ms. Taghrid Hikmet to speak on campus and award her the prestigious Sandra Day O'Connor Medal of Honor.

Judge Hikmet is an inspiring legal figure for both men and women. She became the first female judge in Jordan and was a member of the Jordanian International Assembly to the International Criminal Court. Judge Hikmet also became the first Muslim woman to serve as a judge on the United Nations International Criminal Tribunal for Rwanda. Bringing a deep reservoir of diverse personal and professional experience, Judge Hikmet will undoubtedly deliver a memorable address to the Seton Hall Law community.

In addition to these major initiatives, the Women's Law Forum provides its members a host of networking opportunities. With guidance from faculty advisor Professor Paula Franzese, and immeasurable support from Mrs. Cindy Wilson, the WLF has invited current students, alumni, and practitioners to discuss pressing issues such as career development and striking a healthy balance between professional aspirations and family life.

The Women's Law Forum is keenly attuned to charges in technology that allow law firms to increasingly offer employees a better work-life balance. Ms. Bland, who sits on the WLF Executive Board, notes that as technology improves, and competition increases from online firms with low overhead costs, law firms are forced to implement progressive flex-time opportunities. Firms once reluctant to offer flexible schedules will now risk losing competent talent to budding online competitors. Thus, tradition yields to economic necessity, allowing both women and men to strike balanced, long-term careers.

Given all the WLF promotes, it is difficult to be contemplative in the midst of such a busy schedule. However, when asked what the future holds for the WLF, both Ms. Freed and Ms. Bland pause to reflect on what the WLF has meant to them, and where they see it moving forward. Each is enthusiastic about the newly elected 2010-2011 WLF Executive Board, with Ms. Edvie Clark as Chair and Ms. Jennifer Bennett as Co-Chair.

Ms. Freed believes the WLF will "continue to develop independent female leaders and provide networking opportunities for its members." Equally positive in her outlook, Ms. Bland predicts that the WLF will present the Sandra Day O'Connor medal next year to another distinguished woman in the law.

As Ms. Freed and Ms. Bland depart from the table, the wind continues to swirl outside the Café. But surely, the genuine passion and energy that imbues the WLF will continue to stoke the flames of ideas, initiatives, and action here at Seton Hall Law School.

Where are they now? Dan Davila

Francis M. Giantomasi

Humor Columnist

If you ask an everyday law students what they truly love, you'll get a variety of answers. However, if you pose that question to the type of law student who raises his or her hand to say things like, "Actually, Professor, don't let us out early – I think you forgot to go over one of the cases from the text," the answer will undoubtedly be "landmark cases." Cases like *Marbury v. Madison*, *McCulloch v. Maryland*, and *Brown Machine v. Hercules*. Of these landmark cases, however, one stands above the rest and will define workplace demeanor for years to come. That case is *Epstein v. Entropy Enterprises*.

"You know, at the time, I really never thought it would be as big of a deal as it was," says Dan Davila, the controversial former Regional Sales Manager of Entropy's Hartford offices whose meteoric rise to prominence within the (now beleaguered) company is nearly as legendary as his fall from grace. "I thought it would all just blow over, but I was so wrong. Story of my life."

Dan Davila had his sights set high from the moment he started with Entropy. "I started in the mail room, but one of the sales guys, I think it was Pepe Sylvia, he broke his leg snowboarding. They temporarily promoted me to the sales department, but I was so good that they had no choice but to keep me there." The sales environment allowed Dan Davila to thrive. "I won salesman of the year twice! The guys around the office called me the Dick Burton of Sales!" Dan was on the fast track to the big time, soaring ranks. His big city dreams, however, were derailed by two simple words – "party time."

"If it wasn't for that liar Colleen Epstein, none of this would have happened," recounts Davila. "She made up this whole fantasy world and people bought her story. Do you think I really brought her into my office, whipped out a bag of cocaine and said, 'Party time!'? I mean, who does that? Seriously?" That moment proved to be a turning point in Dan Davila's life. "After that, it all fell apart. My wife left, took the kids and shacked up with my old boss Charlie Herrera. Entropy fired me before

"Do you think I really brought her into my office, whipped out a bag of cocaine and said, 'Party time!'? I mean, who does that? Seriously?"

the trial even began. Let me tell you, when it rains, it pours."

In the years since the trial, Davila relocated to Fort Pierce, Florida, in part to escape the notoriety that the trial caused. "It's nice because back in New England I could barely go out to dinner without someone coming up to me, spilling a bunch of salt on the table and yelling, 'Party time!' Down here, the worst I have to deal with is the crummy weather." As for his next move, Davila remains undecided. "Haven't got around to looking for a new job. Once the severance runs out, I'll get back on that horse. It shouldn't be too bad. It's not like I'm a law student graduating in the next few years or something like that."

Davila was not the only person affected by the trial. "It was the worst decision I've ever made," says Colleen Epstein. "It didn't win me any friends at work, especially after the testimony was made public. I'd be in Entropy's lunch room and people would say things like 'I guess this is a big step down from eating at Ruth's Chris,' or 'Hey Colleen, you brought lunch in from home? I figured you would have ordered the lobster!' It wasn't my fault that I ordered the lobster. He insisted that I order the lobster! I even asked him, 'Who in their right mind gets lobster at a place like this? It's a steakhouse!'"

Epstein was victorious in the courtroom, winning an eight-figure judgment plus punitive damages. However, she "barely saw a dime from that," as she puts it, due to Entropy's subsequent bankruptcy following dismal sales of their flagship product. "In retrospect, I'm lucky that I got off of that sinking ship as early as I did," says a smirking Davila. "The Eyephone sent them straight into the ground. I don't know who was dumber, Entropy for banking on people actually wanting that iPhone rip-off, or Colleen Epstein stealing them and expecting me not to find out."

The Cross Examiner congratulates the Gressman and Riccio Competition Finalists on their tremendous accomplishment

We encourage all students to attend the prestigious Gressman Finals at 6 p.m. in the Auditorium.

May the Best Oral Advocates Win!

HAZARD ZET FORWARD!

TUITION INCREASE: Law school administration supports decision of Budget Committee to raise rates by 6 percent

continues from 1

the table." Mr. Lillquist, also interviewed by *The Cross Examiner*, presented a different take on the numbers, stating that the 6 percent represents \$1.8 million in additional revenue needed from tuition to cover the costs of the proposed budget. Though Mr. Lillquist asked the Budget Committee to "whittle down" the 6 percent, he revealed that the number would not dip below 4.7 percent, due to cuts to the law school's external funding and the loss of clinic grant money. As for endowment money, Mr. Lillquist explained that much of it is reserved for specific uses, such as scholarships.

Currently there have been no cuts to existing programs at the school, but Mr. Lillquist stressed that the administration is always evaluating the budget, and has had to make some "painful decisions" in dealing with decreased funds. He reiterated Mr. Hobbs's point that there is not much "fat"

to cut at Seton Hall. The wine and cheese parties and flat-screen televisions are minuscule costs, Mr. Lillquist said, and that cutting for real effect is more important than cutting for appearance.

While an increase of around 4 percent was widely anticipated, the administration knew of the additional 2 percent increase as early as January, yet this news only reached students in March. Both Deans expressed disappointment over the lack of communication by the administration. "I am not happy with the quality of dialogue," Mr. Hobbs said, pointing to the fact that no student was present at the Budget Committee meeting last December. Mr. Lillquist echoed this sentiment, but maintained that he is willing to discuss financial decisions at any time in his office.

Student Bar Association Treasurer Sean Camoni is the only student who sits on the Budget Committee. Mr. Camoni was unable to attend either of the two meetings where the tuition increase was discussed due to scheduling conflicts

and miscommunication with Committee Chairperson Deborah Herrera. He maintains that he followed up to see what occurred at the meetings, but was not notified of the tuition hike until meeting with a committee member on another issue on March 1. "Somewhere, it was not given enough urgency to making sure a student was present at the meetings," says Mr. Camoni.

One professor, speaking on condition of anonymity, stated that the administration has reversed the process by failing to hold a school-wide budget policy meeting earlier in the academic year to bring faculty at large and students into the discussion. The professor stated that a better process would be for the Budget Committee to take those discussions into consideration and announce the tuition hike in September, instead waiting until March and acting through its appointed committee.

Patrick Skerban and John F. Finnegan III also contributed to this report.

Professor Baroni lands top spot at Port Authority

Joe Luppino-Espósito
Design Editor

Governor Christopher Christie (Class of 1987) appointed Adjunct Professor Bill Baroni to the position of Deputy Executive Director of the Port Authority of New York and New Jersey. Mr. Baroni will vacate his current position as state senator for Mercer County.

According to *The Record*, Mr. Baroni said that he "understand[s] the enormity of the task before me." Mr. Christie praised Mr. Baroni as someone who will be "a very, very zealous advocate for the interests of this administration and the interests of the people of the state of New Jersey."

Mr. Baroni has served as a Republican in the state senate for two years. Prior to his election to the senate in 2007, Mr. Baroni served in the New Jersey assembly for two two-year terms.

This semester, Mr. Baroni is teaching one section of Election Law. In Fall 2009, Mr. Baroni taught Legislation Law and Professional Responsibility.

One of the most pressing issues for the Port Authority is the construction of a new mass transit tunnel

between New Jersey and New York. In 2008, Mr. Baroni co-signed a letter asking New York to take on more of the costs of the project.



Baroni Christie

PIN AUCTION: Thousands raised for summer fellowships

continues from 1

Loan Repayment and Assistance Program.

From Feb. 15 to 18, tables lined the atrium, displaying a plethora of valuable and one-of-a-kind items offered in silent auction. Silent bidders could bid on a series of items ranging from outings and dinners with professors, to sporting event tickets and Broadway shows, to beer, wine and themed baskets donated by the 11 schools.

For those uninterested in bidding or the ensuing bedlam, there was much fun to be had in purchasing tickets for the wine raffle or buying a piece of Louisiana-made King Cake to keep with the green-purple-and-gold Mardi Gras theme. And yes, the cake was made in New Orleans.

Finally, eight jars were set to collect contributions for the annual "Pie in the Face" event, which occurred Thursday in the atrium. Jeering students looked on as Professor Wilfredo Garaballo was piced by a former student, while Student Body Association President Jim Hlavinka and Professor Charles Sullivan traded whipped cream blows.

The Public Interest Summer Fellowship program offers a \$4,000 stipend to students working full-time for 10 weeks in a public interest organization or other entity that provides legal services to underserved populations. Last year, the auction raised over \$20,000, which was distributed among



Courtesy Seton Hall Law

Sold to the man in the snowflake sweater: Students bid on a number of items, including golf trips.

34 students who worked nationally and abroad in public and government jobs during the summer of 2009.

The PIN executive board, under the direction of 3L Christina Coiro, devoted significant time and effort to the project, establishing the auction as a four-day staple in the atrium. PIN advisor Madeline Kurtz and more than 30 student volunteers were also vital to the auction's success.

APPLICATIONS RISING: Prospective Class of 2013 is a record-breaker by the numbers

continues from 1

19.5 percent from the year prior. The December 2009 number rose a lesser, albeit significant, 12.6 percent.

The Class of 2013 applicant pool is diverse, coming from universities large and small, public and private. Notably, all Ivy League schools are represented; all but 2 of the 10 campuses of the University of California system are represented; and nearly all of the

public university flagship campuses across the country are represented, from the University of Arizona to the University of Alaska.

Seton Hall Law received the most applications from Rutgers University, followed by Penn State University—University Park, New York University, University of Maryland—College Park, and the George Washington University.

LexisNexis®

Prepare to Practice

The content of the training is based on identified skills that the legal market has indicated new hires lack when beginning work at their firm, corporation or clerkship.

Attendees will get **400 points**, an entry into the raffle for a **\$1000 Brooks Brothers gift certificate** and a **Camelbak Water Bottle** (first 100 attendees).

Sign up at www.lexisnexis.com/myschool.

Questions?

Contact Heather Whyte-Kattas, Esq., at heather.whyte-kattas@lexisnexis.com



The inaugural issue of The Cross Examiner

Dear Readers,

Why a newspaper? What sort of "news" occurs at a law school? Who will write the articles? Do you really have time for this? Are you insane?



Michael McDonough
Editor-in-Chief

These, among others, are the questions people have asked since I first began talking about launching a school newspaper last April. Most law schools have newspapers and ours once did. Newspapers serve the worthy purpose of promoting communication and providing transparency. Our law school is an amazing institution. We have nationally recognized professors, a capable and energetic Dean and administrators, and a vibrant engaging student body. We have a vast range of student groups, journals, teams and a hard-working Student Bar Association. This paper will strive to promote communication and awareness between the multitude of Seton Hall Law entities, and (cross) examine policy decisions.

Nearly every candidate at last year's SBA Executive Board election speech session cited the lack of communication as a source of frustration that needed to change. At first I thought a giant electronic news-streaming ticker in the cafeteria was the answer. Then I toyed with the idea of a school crier, marching the halls

and proclaiming school news while shaking a bell. Ultimately, there is no quick communication fix, but *The Cross Examiner* can help. We plan to feature and interview student groups, leaders, professors and random students to share perspectives and inform you on what is happening here at Seton Hall Law.

With communication comes transparency. Having a newspaper is an essential way to ensure that policy decisions which affect you and your legal education are made carefully with your best interest in mind. There is no issue too big or too small, whether it is a tuition increase or a change in textbook policy, *The Cross Examiner* will be there.

Over 20 students came together to write articles, edit, take pictures, and design this first edition for the month of March. We have a talented team and we plan to print monthly. Anyone is welcome to help - we'll never ask for a resume, a GPA, or a reference - only a committed effort. If you have an idea or an issue you want to cover, please contact me today at TheCrossExaminer@gmail.com.

Like the other editors, I love and respect our law school dearly. It is the mission of *The Cross Examiner* to promote communication, awareness, and transparency throughout our closely knit community. Thank you for reading and supporting *The Cross Examiner*.

Hazard Zet Forward,
Michael G. McDonough
Editor-in-Chief

THE CROSS EXAMINER MARCH 2010, VOLUME I, ISSUE 1

The Cross Examiner is produced by students at the Seton Hall University School of Law. The opinions expressed in articles, photos, cartoons, or ads are those of the writer(s) or sponsor(s). Neither the University nor the School of Law is responsible for the content of The Cross Examiner.

Editorial Board

Michael G. McDonough, Editor-in-Chief
John F. Finnegan III, Managing Editor
Donald F. Burke Jr., Executive Editor
Joe Luppino-Espósito, Design Editor
M. Molly Hurley, Senior Advisor

Copy Editors

Frank Gonnello Jr. • Gianna Cicco-Lizza • Ryan Byrnes

Advertising Editor
Annmarie Dennehy

Parting Shots

Celebrate Saint Patrick!

Today is the Feast of Saint Patrick, the Apostle of Ireland. Born in Scotland in the year 387, his parents Calphurnius and Conchessa were Roman nobility. Calphurnius held the office of decurio, or senator, in the Roman colony of Gaul, which included present day Britain. At the age of 16 Patrick was captured by Irish marauders and sold as a slave to an Irish chieftain and druid high priest, Milchu, in Dalriada, present day County Antrim. During his captivity he learned all the details of druidism, the religion in Ireland at the time, and mastered Gaelic, the language of the Irish people. He tended

Milchu's flocks for six years. He eventually escaped and returned home. He studied for the priesthood with the intention of returning to missionary to his former captors.



Donald F. Burke, Jr.
Executive Editor

Determined to win the hearts of the Irish people from paganism, he is said to have performed many miracles and used the shamrock to teach the Irish about the trine nature of God. By his death in 461 he had converted the entire island to Christianity. He is remembered as a gentle, pious and humble man whose complete trust in God should serve as an example for all Christians.

An old Irish legend promises that on the last day, though Christ will judge all the other nations, it will be St. Patrick sitting in judgment of the Irish, a people he truly loved. Thanks to Saint Patrick, everyone enjoys the privilege of calling themselves Irish on Saint Patrick's Day. So this year, in the midst of kegs, parades, and corned beef and cabbage, take a moment to remember this great saint. CÉAD MILE FAILTE!



Andy Coan
Beannachtai na Féile Pádraig!
(Saint Patrick's Day Blessings to You! in Gaelic)

Discretion is the better part of valor

How did Earl Warren evolve from a Republican governor of California to one of the most liberal Supreme Court justices ever? How does one reconcile Warren's internment of Japanese-Americans during World War II with his historic expansion of civil rights for African-Americans and voting rights for all Americans? And as future lawyers, ask yourselves this: should we, as Seton Hall law students, care about these questions?

You cannot answer any of the above by reading *Brown v. Board of Education* or examining the precise language of *Reynolds v. Sims*. But pick up a copy of Jim Newton's penetrating biography *Justice For All: Earl Warren and the Nation He Made* and you will learn Chief Justice Warren's fascinating story.

You will understand how Warren's humble roots in Bakersfield, California indelibly shaped his compassion for the poor and guided his sense of fairness from the bench. As Republican governor of California, you will marvel at Warren's bi-partisan support and realize that his appreciation for consensus drove his dogged pursuit of a unanimous opinion in *Brown*. Most poignantly, you will sense the depth of his personal affection for President John F. Kennedy and feel the profound sadness that enveloped the Warren Commission, which investigated our thirty-fifth President's assassination.

Seton Hall Law trains us to think critically so that we may one day offer pragmatic solutions to legal, business, and ethical dilemmas. With this goal firmly in mind, here is a friendly suggestion to all SHU Law professors: offer positive

discretion to students who are willing to read and develop research projects on legal biographies and works of historical non-fiction that animate the wider context of our future profession.

In a Constitutional Law class, for example, offer positive discretion to an ambitious 1L who is willing to read Cliff Sloan and David McKean's *The Great Decision* and give an in-class presentation on the political and personality clashes that culminated in *Marbury v. Madison*.

In a Criminal Law course, make positive discretion available to any student willing to research the merits of deontological versus utilitarian justifications after reading *Code of the Street*, Elijah Anderson's provocative account of the insidious nature of inner-city crime.

And in a Business Associations class, a student could earn positive discretion by developing an independent business ethics presentation after reading *Street Fighters: The Last 72 Hours of Bear Stearns, the Toughest Firm on Wall Street*.

The particular classes and books are mere suggestions, and they should not obscure the larger point: reading outside the classroom sharpens students' analytical thinking, which will only make us better lawyers down the line. And that is why we should, and do, care.



John F. Finnegan III
Managing Editor

The Editorial Board would like to thank all the hard-working committed students who helped build this paper.

Each month, as the editors opine on various "parting shots" relating to our lives in the law, feel free to write in (under 300 words to: thecross examiner@gmail.com) and express your alternate view, inquiry, or approval of any "parting shot" or issue you care about.

A double standard for terrorism

Sean Camoni
Staff Writer

A man with a grudge against the American government committed an unthinkable act of destruction, killing innocent people in a misguided and futile attempt to force his world view into being. The incident happened in Texas, and afterward, a trail of clues led investigators and the media to warning signs that had gone unnoticed. In the wake of the tragedy, disturbing video footage played on repeat on the cable news networks while talking heads speculated wildly with very little factual information.

This story describes not one tragedy, but two. On Feb. 18, Andrew Joseph Stack lit his house on fire with his wife and daughter inside and flew his small Piper aircraft into a federal building housing Internal Revenue Service offices in Austin. On November 5 of last year, military psychiatrist Major Malik Nadal Hasan opened fire at Fort Hood military base in central Texas. Mr. Stack's family escaped, but one federal employee was killed and 15 people were injured. Major Hasan killed 13 and wounded 30. Both were Americans. Both wrote online about their grievances with the United States government. Both killed innocent people, espousing abhorrent philosophies to justify their actions. But the response to these two events has been markedly different.

Some immediately labeled the Fort Hood massacre an act of terrorism. The magazine *The New Republic* proclaimed the killings an "act of jihad." President Obama was widely criticized for not calling Major Hasan's actions an act of fundamentalist Islamic terrorism. Senator Jay Bailey Hutchinson (R-Texas) suggested the motivations were more personal than ideological, stating that Major Hasan was unhappy about an imminent deployment. Major Hasan was eventually charged with 13 counts of premeditated murder. There have been no terrorism charges.

Mr. Stack spent months writing an anti-tax, anti-government screed that he posted online the morning of Feb. 18. He concluded that his only solution was violence. Within hours of the plane crash, some Facebook pages celebrated Mr. Stack as a hero. Images of "Don't Tread on Me" flags, and Thomas Jefferson's quotation about the blood of tyrants and patriots watering the tree of liberty emerged across the internet, causing Facebook to remove several pages it believed were actual threats. Newly seated Senator Scott Brown (R-Mass.), likened Mr. Stack's government-aimed anger to frustrations he heard on the campaign trail. "No one likes to pay taxes," President Brown said. Rep. Steve King (R-Iowa) called the attack a sad incident, but said if the IRS had been abolished when he first advocated it, Mr. Stack would not have had a target. Repeatedly, Mr. Stack has been portrayed as a lone, disturbed man, nothing more.

Federal criminal statutes under Title

Either these men are terrorists, or they are not... Terrorism is terrorism, no matter the skin color, religion, or national origin of the perpetrator. And in the United States, terrorism is a crime.

18 of the U.S. Code define "domestic terrorism" as "activities that (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State; (B) appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and (C) occur primarily within the territorial jurisdiction of the United States."

Major Hasan's intentions remain unclear. If he wanted to die rather than deploy to a war zone, and this was his deranged method of suicide, then the intent elements of terrorism would not appear to be met. However, if his communications with a radical American cleric abroad in Yemen or his speeches and writings directed at fellow soldiers at home reveal evidence of an ideological bent, then the intent standard could be met. Under federal law the actions need only "appear to be intended" to bring about one of the three categories of results to qualify as terrorism. While a genuine issue of fact exists with respect to intent, a strong argument could be made that Major Hasan's actions would satisfy the statutory definition of terrorism.

Mr. Stack's intentions are clear from his online manifesto. He concluded that violence was the answer, and hoped that "the American zombies wake up and revolt; it will take nothing less." His actions appear intended to intimidate or coerce the civilian population, influence government policy by

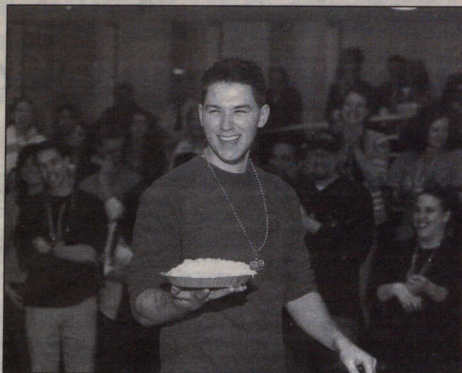
intimidation or coercion and to affect the conduct of government by mass destruction and assassination.

Under U.S. law, Mr. Stack's actions constitute terrorism. And yet, no one has publicly used that term.

A lamentable double standard exists in America when, for committing like acts of violence, a Muslim man with an Arabic name is immediately labeled a terrorist, and a White man with a biblical first name and an Irish surname is not. Either these men are terrorists, or they are not.

As journalist Matt Duss writes, terrorism is not "any violence by any Muslim anywhere at any time for any reason." Terrorism is terrorism, no matter the skin color, religion, or national origin of the perpetrator. And in the United States, terrorism is a crime.

As a nation, we will never be able to defeat an idea we cannot even define.



Courtesy Seton Hall Law

All smiles: President Jim Hlavenka cares deeply about Seton Hall... and pie. *Cross Examiner* Legislative Correspondent Patrick Skeehee (left) watches on in approval.

A message from the president SBA President Jim Hlavenka weighs in on the issues affecting SHU Law students

Dear Seton Hall Law Students,

I am thrilled to be writing from Seton Hall Law's official student newspaper, *The Cross Examiner*. It is extremely rewarding to see a student idea presented last semester come to fruition only a few months later. The *Cross Examiner* is a testament to the will of Seton Hall Law students—to not only speak, but to act.

The SBA has already had a busy year, and is actively pursuing many initiatives on behalf of the student body. While we have addressed individual student concerns on a weekly basis, the SBA has also tackled small and large scale concerns of the student body as a whole. Some of our most

The SBA continues to request alternative career panels and job postings within the Office of Career Services. We are also working with the IT Department to connect alumni with current students via LawNet.

important initiatives include an ongoing discussion with the administration regarding exam grading, posting delays, and student proctor training and guideline development. Most recently, and of great concern to the entire student body, the SBA has taken an extremely active role in discerning and disseminating the facts and reasons for the proposed tuition increase next term.

You may have also noticed the result of SBA projects focusing on student convenience, such as the installation of outlets on the tops of the library desks and a station to wash water bottles and containers in the cafeteria. Your feedback on these issues has been very helpful, and we encourage you to continue to reach out to the SBA with additional concerns and suggestions.

We have all undoubtedly been affected by the economy and an uncertain legal market. The SBA continues to request alternative career panels and job postings within the Office of Career Services. We are also working with the IT Department to connect alumni with current students via LawNet. To mitigate student unease over the economy, the SBA has also focused on what we can control: student

happiness within the building. Last month, Seton Hall Law experienced its first ever Pirate Pride Week, where Seton Hall students came together to celebrate what makes Seton Hall great—its student body. We held a student organization fair, hosted a 1L Brain Bowl, cheered on the Pirates basketball team at the Prudential Center, sent student volunteers to St. John's Soup Kitchen, and danced the night away at Winterfest. Up next, the SBA will host a series of live comedy

shows on campus to lighten the law school atmosphere and remind students that laughter can in fact coincide with the law.

Fall Fest, Holiday Party and Winter Fest were large successes this year and we are looking forward to capping off the year with an unforgettable formal Barriers' Ball. Barriers' Ball is scheduled for April 17 at the East Brunswick Hilton Hotel from 8 p.m. to 12 a.m., with a cocktail hour beginning at 7 p.m. We are expecting record low ticket and hotel room prices, so please save the date! Our remaining SBA meetings will occur on March 21 and April 10 at 10 a.m. in Room 272. While all students are encouraged to attend, if you cannot make it, please find our meeting minutes posted on LawNet.

As always, please do not hesitate to get in touch with the SBA by e-mailing me at James.Hlavenka@student.shu.edu, stopping by the SBA Office on the second floor adjacent to the Center for Social Justice, or by contacting one of your SBA Representatives. We look forward to hearing from you and continuing our tradition of addressing important issues on behalf of the student body and enhancing the law school experience for all students.

Hazard Zet Forward,
Jim Hlavenka
SBA President
James.Hlavenka@student.shu.edu

Point/Counterpoint:

HOPE or NOPE?

A good first year, despite Republicans' best efforts

Michael J. Patterson

Guest Writer

It's official, no...he...can't!

That line, uttered in a Saturday Night Live skit portraying President Obama, increasingly seems to be the mantra of the Republican Party. If one were to believe the average far-right critic, Obama has surely guaranteed himself the pitiful status of a one-termer. Viewed objectively, this line of reasoning is preposterous. Obama averaged a 57 percent approval rating during his first year in office – tying with President Reagan and besting Bill Clinton's 47 percent. However, poll numbers alone are no indicator of a good President. For that, we must look to Obama's efforts and achievements over his 13-plus months in office.

On the international front, Obama has worked to bring the U.S. military commitment in Iraq to an expeditious end. At the same time, the President has overseen a surge of forces in Afghanistan to push the Taliban back and achieve a lasting victory. Furthermore, dozens of high-level Al Qaeda members have been killed or captured. In fact, just this February top U.S. spies, working with the Pakistani government, captured the Taliban's top military commander, Mullah Abdul Ghani Baradar. Separately, Obama has succeeded in repairing our national image, severely damaged by the arrogant go-it-alone approach of the previous administration.

Domestically, Obama has been similarly busy. In his first month in office, the President pushed for the now infamous stimulus package. Estimates of economic research firms, such

as Macroeconomic Advisers, IHS Global Insight and others, show that the stimulus has added between 1.6 and 1.8 million jobs to our economy. In the area of civil rights legislation, Obama has probably made more of an impact with the stroke of his pen than any other president in decades. The first bill signed by the President upon taking office, the Lilly Ledbetter Fair Pay Act, amended the Civil Rights Act of 1964 to further the cause of equal pay for equal work for American women. In October, Obama enacted the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. This law, for the first time in American history, commits federal resources to investigating crimes of violence targeting LGBT Americans. Such legislation helps make America a better place for all its citizens, and will have an enduring impact on the lives of countless people.

What Obama has achieved has been in spite of near unanimous opposition from the Republican Party. Naturally, there is honest and genuine disagreement over some of Obama's policies from members of the right. However, there is also hypocrisy and mindless dissent. For example, former Vice-President Dick Cheney, along with other conservatives, has criticized the Administration's decision to try Umar Abdul Mutallab (the Christmas Day bomber) in civilian court. This is despite the fact that the Bush Administration also charged would-be terrorist Richard Reid in the federal courts. Here, the only distinction I can come up with is that the President who is now the "decider" is a Democrat.

Then there is the opposition of a more sinister nature. For example, after Obama traveled to Copenhagen to personally make the case for bringing the 2016 Olympics to the U.S., video from conservative groups showed cheers when the United States lost the bid. Even worse, right-wing protests, under the backing of certain media outlets, erupted in a few cities last year. In these so-called Tea Party "rallies", angry, homogeneous groups of people carried posters of a misshapen Obama dressed as Hitler. Passions were heated further when irresponsible members of the Republican political body accused Obama of seeking "death panels" for the sick and elderly. Accusing the President of supporting death panels for Grandma is not playing the part

of the "loyal opposition", to quote House Minority leader John Boehner. Instead, it is utterly irrational and outright spiteful. President Obama has his

faults, to be sure. He took longer than I would have preferred to take up the mantle of repealing the bigoted policy of "Don't Ask, Don't Tell", which forces too many Gay and Lesbian Americans to choose between the person they love and serving the nation they cherish. In addition, giving Sen. Reid and Speaker Pelosi virtual carte blanche control in shaping health care reform has resulted in a legislative mess. In short, the President has sometimes fallen victim to his own unabashed pragmatism. However, despite a few missteps and the unbridled opposition of an increasingly extremist right wing, Obama has had a first year of measured successes. For the good of the nation, let's hope this continues.

Michael J. Patterson is the former president of the Law School Democrats.

GOP riding a wave of recoil from Dem overreaching

Gregory D'Alessandro

Guest Writer

In his first fifteen months in office, President Obama has done more for Republicans than anyone else in the past two decades. His predictable overreaching, radical policies, and lack of economic realism have created numerous opportunities for conservatives to move into power. The recent elections of Chris Christie, Bob McDonnell, and Scott Brown are not the cause of a Republican resurrection; they

are the consequence of arousing the instinct of self-preservation among the majority of voters who know in their gut what defines the American Dream.

This administration has challenged the foundation of our national identity – our ambition to pursue our own interests without governmental restraint, threaded into the reality that virtue is in the best interest of each. If Mr. Obama insists on fighting to fundamentally transform our great nation, then he is going to have to fight us on our fundamentals. The President has taken the debate over whether individuals are capable of managing their own lives in a truly free society away from the academic elite, bringing it back into the dining room and out to the voting booth.

From day one, Mr. Obama's election caused economic peril with a record setting 500 point drop in the DJIA and a five percent drop in all indexes. Historically, the relief of uncertainty following presidential elections results in a jump in stock prices. It appears that the only certainty his election has produced is protracted uncertainty.

According to Bloomberg, 80 percent of American investors believe that Mr. Obama is anti-business and does not possess the ability to improve the economy. Haphazardly spending \$787 billion on pork and infrastructure projects does nothing to stimulate an economic cycle. While these short term contracts do create arbitrary jobs, they are too attenuated to have any significant effect other than to necessitate the eventual raising of taxes. Additionally, whatever menial "tax cuts" are included in the stimulus bill are nothing more than an illusion when the same bill precipitates expenses in greater excess, producing a net loss.

The administration seems incapable of understanding that jobs are a byproduct of a healthy economy with intrinsic value of their own that is derived from an employer having something for an employee to do. Until

Mr. Obama ditches Keynesian theories for proven supply-side free market principles, ten percent unemployment and seventeen percent underemployment will be the norm. Business owners and investors know this and will not invest their capital until it becomes lucrative to do so. The money is anxiously waiting on the sidelines, but fear that it will be promptly taxed away and regulated to

When the left is in power they can't resist revealing their arrogant and tyrannical intentions.

waste significantly increases the risk of putting it back in play. Girmo is still open and Mr. Obama reversed most of his defense proposals once he was briefed

on military intelligence, embracing Bush anti-terror tactics – that's a good sign. At least he realizes the difficulty in "fundamentally transforming the United States of America" into a socially dependent, uber-managed economic utopia while constantly being terrorized.

When the left is in power they can't resist revealing their arrogant and tyrannical intentions. The problem is that their constituents don't agree with their radical views and in most cases voted for the moderate image they presented before the left assumed unbridled control. When Mr. Obama and the congressional supermajority were put in power, Democrats unanimously rejected at the opportunity to implement the laws and policies they had longed for. The rub is that it is very hard to implement such changes when they are passionately opposed by most Americans. Mr. Obama has given 411 speeches and 21 news conferences in his first year to persuade his followers to stampede dissenting citizens, and in doing so has proved an utterly incompetent leader.

Confidence in his own policies will lead to Mr. Obama ousting Rahm Emanuel, Tim Geitner, Eric Holder, and Janet Napolitano; lack thereof will lead to him holding on to them otherwise failure will reside in his policies and not the people implementing them. If Mr. Obama plans on running for a second term, expect him to move to the middle, like President Clinton did. If he really is a one-term guy, as he recently signaled, expect him to attempt to implement as many permanent liberal policies as he can as well as to veto sensible Republican bills during his last two years in office, despite surmounting opposition.

Regardless, there is much to look forward to – remember, it took Jimmy Carter to get a Ronald Reagan and, that a supermajority in both the House and the Senate can always repeal imprudent laws.

Gregory D'Alessandro is the president of the Seton Hall Law Republican Society.

Love what we have to say?

Hate what we have to say?

Please send letters to the editor at TheCrossExaminer@gmail.com

We will print them! ... probably.

Early focus on public education as New Jersey's 214th legislature commences

All signs point to approval of Schundler as education commissioner

John Kelly
Staff Writer

Education proposals have grabbed the attention of several members of the New Jersey General Assembly at the start of the State's 214th legislature. Appointed by Seton Hall Alumnus and New Jersey Governor Chris Christie, Acting Commissioner of Education Bret Schundler addressed the Assembly Education Committee on Feb. 18 on a number of education proposals. The two-

Bills to Watch

A355 - establishes a permanent Inter-district Public School Choice program

A415 - provides an additional month for school districts to complete annual audits

A1894 - requires that school districts meet conditions before awarding tuition assistance or added employee compensation

A2260 - extends the ability to use buses manufactured for an additional five years

time gubernatorial candidate and former mayor of Jersey City received praise from lawmakers on both sides of the aisle - a sign that confirmation of Mr. Schundler as the next Commissioner of Education is probable.

The Assembly Education Committee also considered four bills aimed at education reform:

A355, sponsored by Assemblywomen Mila M. Jasey and Joan M. Voss and Assemblyman Paul D. Moriarty, seeks

Public School Choice program. This bill comes nearly half a decade after the five-year Inter-district Public School Choice program (established in 2000) expired on June 30, 2005.

A415, sponsored by Assemblymen Scott T. Rumana, Joseph Cryan, and Patrick J. Diegnan Jr., provides an additional month for school districts to complete their annual audits.

A1894, sponsored by Assemblywomen Caroline Casagrande and Mary Pat Angelini and Assemblymen Joseph Cryan and David P. Ribble, requires conditions to be met before school districts provide tuition assistance or additional compensation to employees furthering their education. Some conditions include restricting the qualifying educational institutions to duly authorized institutions of higher learning and only providing the assistance or additional compensation when applied to a

course or degree related to the employee's current or future job responsibilities.

A2260, sponsored by Assemblymen Patrick J. Diegnan Jr. and David W. Wolfe, extends the service period of school buses manufactured on or after Jan. 1, 2007 from 10 to 15 years. For buses manufactured before that date, they may remain in service if they comply with the standards set forth by the Federal Clean Air Act.

All the bills were seemingly well received; each has been reported out of the committee for a second reading in the Assembly. At this point, legislators may begin to make amendments to each bill before a third reading and vote, except for A355, which has been referred to the Assembly Appropriations Committee.

All of these bills will impact the state's education system, and warrant careful attention in the weeks and months ahead.

BAR REVIEW: It took one e-mail to start a new tradition

continues from 12

October and held "Newark Review #1" at mmmBello's Pub. The bar provided three hours of drink specials and free food. By all accounts the night was a success. There were at least 70 people there at all times and we're guessing that at least 150 people showed up throughout the night.

In February Bello's invited us back for Newark Bar Review - Round 2, offering even better deals than the first go-around. They closed the upstairs to the public and extended the event from 7-10 to "7-P". In addition to the free food, cheap drinks and an exclusive environment, the bar provided ping pong balls and keg cups, and set up a beer-pong table upstairs.

It felt more like a house party than an open bar. We were socializing. Moving forward we have considered several other bars in Newark including McGovern's, Scully's, Hell's Kitchen, and Brick City Bar and Grill. But the more feedback we get from people, the more it seems apparent that Bar Review has come to mean Bello's.

And, we don't have any problems with that.

The owner, Manny, and his staff love Seton Hall Law students, and they have consistently given the law school community the best specials of all the local bars in Newark. Manny even agreed to host a special Friday edition of the Bar Review on February 26, offering the normal array of food and drink specials.

And that's the long and short of the Unofficial Seton Hall Law Bar Review. As Doug put it to me when he first pitched the idea, "Just assured, it has nothing to do with studying and everything to do with socializing."

Once the date is set for Round 3 we'll let you know. We hope to see you there!



Courtesy Phil Ryan

Classes down, bottoms up: mmmBello's Pub in Newark has played host to two of the Unofficial Bar Review events, where students can enjoy the atmosphere and one another.

The Saints went marching in... all over Peyton Manning

Caroline Oks
Staff Writer

How lucky are we that the Colts did not win the Super Bowl?

Yes, the Saints were the team with the heart of gold, hailing from a city in need of some good news.

But the most important take away from the 44th Super Sunday is was an extremely humbling experience for Peyton Manning and his fans. A Colts victory might have led people to mistake Manning as a contender for the title of "best quarterback of all time," a title he does not yet deserve.

Greatness is based on Super Bowl rings. Many quarterbacks have more rings than Manning: Terry Bradshaw and Joe Montana have four; Tom Brady and Troy Aikman have three; and John Elway, Ben Roethlisberger, Bob Griese, Jim Plunkett, Roger Staubach, and Bart Starr, have the privilege of donning one on each hand.

Peyton Manning does not have one championship. But that's the same number as Trent Dilfer, thought to be the worst quarterback to ever win a Super Bowl. Even Peyton's younger brother, Eli, added his one ring five years earlier in his career (fourth season) than Peyton (ninth season). Thanks to Super Bowl XLIV, we can even include Drew Brees, with his shiny new ring,

in the analysis. Unlike Peyton Manning, Brees handled the pressure of a Super Bowl by not avoiding turnovers in critical moments. Brees, who led last year's highest-scoring offense, also threw for a completion rate of 82.1 percent, while Manning had a significantly lower rating of 68.9 percent.

Please, spare the excuse that it is not a sport where one man can be a game-changer. Enter Tom Brady of the New England Patriots. He won the Super Bowl over the Rams in 2002 with a no-name receiver squad and minimal experience as an NFL starter.

I concede that Manning holds the NFL record for most MVPs by a single player. In fact, Manning may well be the most decorated quarterback in history when it comes to individual acknowledgements. But how many of those MVPs would he trade for Super Bowl rings?

There are several quarterbacks with greater legacies than Manning, and as such, should be considered greater quarterbacks.

Though not Manning's contemporaries, the three greatest quarterbacks of all time are probably Dan Marino, John Elway and Joe Montana. I realize Dan Marino never won a Super Bowl, but he played with some of the worst defenses of all time, and never had an able running back to lessen some of the load. Marino is a rare exception, and I doubt even

Manning would consider himself to be in the same league as these 1980s legends.

As for active competition, Tom Brady has a plethora of accomplishments that make him a more viable contender for "greatest." Brady holds the record for most touchdowns in a season; he is the only quarterback to go 16-0 in a regular season; he won three Super Bowls, which would be four, if not for one of the biggest upsets in sporting history, and he won his first Super Bowl as an underdog, unproven quarterback no one believed in.

Tom Brady essentially came from nothing. He was picked in the sixth round of the NFL draft after barely playing as a starting quarterback for Michigan, whereas Manning was the first pick overall and second in votes for the Heisman. People always believed Manning would be great, even his dad was a successful quarterback in the NFL. Tom Brady was unknown until Drew Bledsoe's injury gave Brady a chance. He has done everything for the Patriots and created a legacy from scratch.

Is Brady the best quarterback of all time? It's probably too early to say. It takes a lot of leadership, athleticism, and longevity to be deserving of such an accolade. But does Peyton even belong in the all-time best quarterback conversation?

Let's wait and see if he can even win another championship. Then we'll talk.

Oks has written in previous issues, and he is just getting started.

BEYOND THE FOUR CORNERS

Red Bulls charge into new Harrison stadium

Terence Steed

Staff Writer

The first steel girder of the new Red Bull Arena was put in place on August 18, 2009. After eighteen months of watching the silver structure rise up in Harrison on the PATH train or from the library, the gates open for the inaugural season on March 20.

Major League Soccer

All sixteen MLS teams operate under a hard salary cap that is split amongst twenty-four players. Last year that cap was set at \$2.3 million with players making anywhere from \$18,000 to \$415,000. Then there is the Designated Player who exists outside the cap with pay determined solely by the team (see David Beckham - \$6.5 million). This year's specific rules have not been announced, but there will not be drastic changes.

Last season was particularly difficult for the Red Bulls. Five wins, six draws and a healthy nineteen losses say it all. They were terrible and Giants stadium did not help (sorry nostalgia throw-ball fans but rubber turf and soccer don't mix). But don't be downhearted; the corporate overlords in Austria (Red Bull) have imported a new Scandinavian coaching staff and several European and Latin American players to go along with some exciting draft picks and the players' work keeping from last year. The new blood, combined with the shiny new \$200M stadium that seats 25,189 (all covered by a translucent roof), has created high hopes after a good preseason that saw the team emerge undefeated from a tournament in Spain.

Who to watch

Recent NCAA champion Tony Tchani was the Red Bull's



RBNY/Getty Images

Face-off: MLS soccer action will take place inside the new home of the New York Red Bulls.

first pick and despite being a rookie, he is expected to play immediately. All signs point to Tchani playing in Europe in the future. Next, Senegalese forward Mac Kandji has a bag full of dribbling tricks. With his skills, size and strength, he only needs better support and service to have a breakout season. Finally, New York's own Designated Player and Captain, Juan Pablo Angel. The 34-year-old Colombian played for Argentina's super club River Plate before moving to Europe for several successful seasons with English club Aston Villa. Angel may not be flashy, but after only three seasons Angel has set the club record with 48 goals in 81 games.

The new season begins at 7 p.m. on March 27 against the Chicago Fire.

How much?

Tickets are as low as \$22 behind the goals and \$45 at midfield. If you and/or friends want to attend several games consider splitting a partial season or season ticket package. That will get you four (\$80), eight (\$152), or fifteen (\$299) endline tickets which you can use separately or as a group (five people go to three games).

Getting there

Simply take the PATH train one stop to Harrison, walk a couple blocks south and turn left.

For more information on tickets or the schedule go to <http://webmlsnet.com/t107/schedule/2010> or contact ticket sales representative scan.foster@newyorkredbulls.com. To explore the stadium check out http://www.seats3d.com/mls/new_york_red_bulls. Fan club Garden State Supporters will meet every pregame for drinks at mmmBello's Pub.

In addition to writing for *The Cross Examiner*, Terence Steed is a New York correspondent for www.Goal.com.



RBNY/Getty Images

A stop away: Red Bull Arena is just one stop up on the PATH train in Harrison.

Move over Barbri, Kaplan: Time to make room for a new "bar review" in town

A few 2Ls put together informal social events for fellow students

Phil Ryan & Doug Ver Mulm

Staff Writers

It started with an e-mail:

TO: Phil Ryan
FROM: Doug Ver Mulm
SUBJECT: Law School Rankings
BODY: Link to SubtleDig.com's newest list of rankings.

(Note: These rankings aren't the U.S. News & World Report variety. They purport to rank "quality of life" at the top 102 law schools and are distributed and described as "Law School Party Rankings".)

In addition to the link there was one sentence message from my friend, and classmate, Doug Ver Mulm. The message? "Phil, what are we going to do about this?"

To say that Seton Hall Law wasn't ranked very well would be a major understatement. We were tied for the 98th spot and grouped with a handful of other schools under the title, "Where Fun Goes to Die."

I took Doug's e-mail more as a joke at first. I mean, what could we really do about it? And what does it matter whether someone ranked us at 98? It's not like Doug, our classmates and I didn't often frequent the local bars. For that matter, it's not like SHU Law students don't hang out.

The Student Bar Association hosts Fall Fest, the Holiday Party, Winter Fest and Barristers Ball each year. Student Organizations host Bocce Ball tournaments, flag-football, dodge-ball and Thirsty Thursdays (to name a few).

Even the scholarship events, alumni functions and administratively-hosted gatherings tend to be a good time and usually involve both food and drinks.

Needless to say, the answer to Doug's question wasn't readily apparent, so we figured we should probably head to the bar and figure something out.

Fast forward to July 1, 2009. The solution. It was Doug's brainchild. The "Unofficial Seton Hall Law Bar Review."

And that's how it started. We wanted to

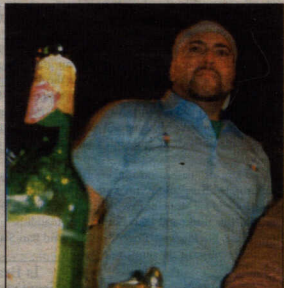
socialize. We wanted to provide a reason, and ultimately a venue, for people from school to get together, take a break and enjoy each other's company.

The inaugural event was in September at The Dubliner in Hoboken. For our first event, it was pretty successful; our best guess is that there was a revolving attendance of about 50 people throughout the evening, with as many as 70 people in attendance at one point in the night.

After the first event we transitioned to a Newark-centric focus. That wasn't a random decision. We consciously made the choice for two reasons:

First, events close to school on Thursday evenings work better with student schedules.

Second, local bars often support Seton Hall Law, and it was important for us to return the favor.



Courtesy Phil Ryan

In the zone: Phil Ryan is one of the primary organizers of the Unofficial Bar Review.

We brought this new mindset into

BAR REVIEW continues on 11