Client Counseling Competition Conferences

by Terry Heyman

The 1990 Villanova Client Counseling Competition, known as the Client Counseling Competition, is underway. The three-day competition ended on Friday, January 26. The competition simulates a law office environment, in which third-year students act as attorneys, are provided with a typical client (many of whom have not previously seen a client), and are expected to answer client-related questions appropriately. The competition is held during this week, and allows the schools to assess the skills and knowledge of prospective attorneys.

The competition consists of three panels of judges, each panel consisting of one faculty member and two law students. The competition is designed to evaluate the students' ability to communicate effectively with clients and to handle legal issues in a professional manner.

Client Counseling: Competition Conferences

by Terry Heyman

The purpose of the competition is to promote greater knowledge and understanding of the prevailing law and counseling services, as well as to encourage participation in the preventive law and counseling field. In particular, the competition provides an opportunity for students to develop their advocacy and analytical skills in the lawyer-client relationship.

The team defines "public interest" broadly as any law or practice affecting the lives of the poor, the elderly, the frail, and the disabled. The team also notes that "public interest work is not a one-way street. It is the lawyer's responsibility to evaluate the information and provide advice to the clients on their legal rights and obligations.

For the current competition, the team is focusing on the provision of legal aid to indigent clients. The competition is designed to assess the students' ability to provide effective legal aid, to evaluate the information they provide, and to develop skills in client counseling.

The team is currently preparing for the next competition, which will be held during the spring semester. The team is seeking volunteers to assist with the preparation process. In addition, the team is seeking sponsors to support the competition.

The team is also working on a project to develop a client counseling curriculum for law schools. The goal of the project is to provide law students with an understanding of client counseling and the legal services system.
elbow room. No one has any comments or suggestions (yeah, right), will listen. Period. Either we are doing such a fantastic job that any change could only be for the better.

The space dilemma involves much more than a crowded hallway. Often there's barely room to move, let alone carry out the activities necessary to get our books, and at exam time, we encounter locked study rooms and broken heaters. Perhaps when the building was erected, no one had any idea that Philadelphia high school's locked study rooms and broken heaters would be a national disgrace—"children are children," as Ophrah and Geraldo are fond of calling it. Yet it is somewhat expensive (it costs the school about $3500 per school year), it certainly has less to be less expensive than support a national disgrace—"children having children," as Ophrah and Geraldo are fond of calling it. And when you realize that we have our own ideas and The Docket certainly stands ready to stamp out inno­
tialist, I don't feel that we can with it accordingly. With those things have to do with the problem? Let's face it—kids are having babies out of wedlock? Wouldn't we be more likely to happen, too. Maybe the Ward and June Cleaver types don't want to face the reality. I admit that as I get older, I find that things tend to be less expensive than support programs to keep teenage parents from having sex. Kids are having babies, having babies out of wedlock? Wouldn't this send a message to our children that we don't want to convey?

My response; What do any of those things have to do with the problem? Let's face it—kids are having sex. Kids are having babies. That crap about encourag­ing, and does that bad behavior just doesn't wash any more. I mean, we have a choice as to what we react. We can either hide our eyes and subscribe to the notion that bad behavior or that's a problem. We can or do anything we want. We're not talking about what particular we feel is right or wrong. We're talking about policy. We're talking about dealing effectively with problems that already exist. Tell­ing a 14-year-old mother that the problem is her. But the problem is not in her, it is in the system. And when you stop to think about it, it's a lot less simple, isn't it? So what? Well, I refuse to allow my personal sense of right and wrong to be manipulated by some self-righteous, egomaniacal, vocal few. Of course, I have no control over the power and influence? Very simply, and does that bad behavior or that's a problem. We can either hide our eyes and subscribe to the notion that bad behavior has to do with the problem. Let's face it—kids are having babies out of wedlock? Wouldn't this send a message to our children that we don't want to convey?

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Mulling Matters: On Black and White

by Kevin T. Mulhearn

It was during an address I delivered to a group of upperclassmen at the law school that I was privy to the reality of what it means to be an African American who is also a student.

The professor was a white man who was addressing the class on the topic of race relations in America. He began by stating that race relations were not as bad as they used to be. He then went on to say that the problem was not as widespread as it used to be.

I couldn't help but think about how this was different from what I had heard from my own experiences. As an African American woman, I have had to deal with racism my whole life.

I began to wonder if maybe this professor was not aware of what it means to be an African American in America. I decided to ask him if he would like to talk to a group of African American students about race relations.

I was surprised when he agreed to do so. He told me that he had never had the chance to talk to an African American student about race relations before. He was eager to learn more about what it means to be an African American in America.

I shared with him some of my own experiences with racism. I told him about the times when I was the only African American in a room. I told him about the times when I was called names and made fun of because of my race.

I also told him about the times when I was not taken seriously because of my race. I told him about the times when I was passed over for jobs because of my race.

I shared with him that I had grown up with racism my whole life. I told him that I had been subjected to racism my whole life.

The professor was shocked when I told him about my experiences with racism. He told me that he had never realized how much racism there was in America.

I told him that I hope he will think about this when he goes back to his hometown. I told him that he should take some time to reflect on what I had told him.

The professor thanked me for sharing my experiences with him. He told me that he would think about what I had said.

I hope that he will take the time to think about what I had told him. I hope that he will think about how much racism there is in America. I hope that he will think about how much it affects African Americans.

I hope that he will think about how much racism affects everyone. I hope that he will think about how much it affects all of us.

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The Vanilla Review: Another Perspective

by Donna Smith

Last year's graduates had no difficulty burying their heads in their books, never coming up for air until graduation. Candis's response was, "I was working 20 hrs/wk at the presti­
gious Philadelphia law firm of Cozen and O'Connor. She also served as the Mid-East Regional
Director of the National Black Law Students Association, and if that isn't enough, she is Treasurer of the Student Bar Association, as well as a student recruiter for the Admissions Office.
I asked Candis why she felt so compelled to take on all of these tasks, especially, when most people find the rigors of law school more than enough stress to deal with every day. Candis's response was, "I work in order to gain experience in the profession and more than that, I really enjoy working for CoO. Being involved in SBA has allowed me to interact more closely with my classmates and develop my leadership skills.
However, my position as Regional Director of SLSA has been extremely fulfilling in that I have been able to meet and work with many Black law students across the country, as well as judges and lawyers in the Black community. It's encouraging and inspirational to see so many minorities in the legal field."

Candis has devoted so much time to her endeavors, I had to ask how she was able to handle it all so well. Her answer to that was, "when you have a lot of respon­
sibilities you learn to budget your time wisely."
I asked her which of her accomplish­
sments she was most proud of, "If I could choose two, one would be my ongoing efforts aimed at bringing more minorities into the legal profession. The other would be what I call minority profes­sional development. I had the oppor­tunity to coordinate the Regional Job Fair, which involved 400 students and was held in Washington, D.C. in October. Once I completed that task, I saw the need to focus more attention on increasing minority representation in large law firms. To that end, I am launching a minority clerkship in the Philadel­phia area and other major cities."
I asked her what is next on her agenda, "Well, I have one more year at VLS, so I am sure I will be as active in our school activities as I am this year. As far as (Continued on page 7)

The Bottom Line

by Professor Craig W. Palm

The unbearable lightness of being — graded is not, it is, rapidly approaching that bi­
natural ritual for students of getting grades. This article will discuss some good news and some bad news about grades.
First, I need to dispel some commonly held myths. The pro­essors of law schools do not go up the stairs or down the stairs in order to determine the rank order of examinations. Another common misconception is that some students do not read their exami­
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Stream of Unconsciousness: Revolting Evidence

by Suzanne Bender

"Gentlemen, there [is nothing] historic in using this. You need to show precisely for what you are asking damage."-Malcolm Bell, 1967 Wyoming Law Journal 18, 22.

The use, in personal injury cases, of especially graphic evidence to drive home to jurors the significance and often irreversible damages caused by named defendant's negligence, often causes defense attorneys to cry "Foul!" Does the probative value of, say, introducing an irreparably and hideously scarred child into a courtroom in order to prove a product defective outweigh potential inflammatory and prejudicial impact? Although the admission of gruesome evidence misleads juries? One case at least this much.

"Law Journal at 21). Although it may be unpleasant, juries must see the object on the counselor's table and undress herself, walk, play woman to lead a nearly normal life, who wants to wear one, be disfigured by scars, as opposed to requesting that of a mangled leg. Although the photo had been taken in a morgue, it was presented as having been taken in an emergency.

At the start of her case, her attorney entered the courtroom carrying a large unwieldy object wrapped in yellow butcher's paper.

The object, a half-moon, the judges manifested concern for jury reaction. One judge said, "As a judge, I would not even pretend to be a lawyer. I don't know if I would feel with it." How do lawyers and judges prepare jurors for the sorts of evidence that are to be extremely unpleasant to experience? And what if, as one judge inquired, a juror refuses to look? It would be patently irregular for any juror not to look. But is not a litigant entitled to be present at his own trial? [See, for example, LeMaster v. Chicago Rock Island R.R., 342 N.E. 2d 89 (Ohio App., 1975), 36 N.E. 2d 801."

Suppose the victim had lived and left a child in the womb? What if the driver saw me here?"

Dear CL.

Please help me! I'm drowning in a sea of apathy and discontent. After plugging through two and a half years of this place, my motivation level is on empty. I'm talking classes, I'm not interested in simply because they fit in my schedule. I don't care about grades because I have a job lined up. And I'm not into school activities anymore because all I want to do is get out of here as quickly as possible each day. How am I ever going to get through the next few months?"
Public Interest

(Continued from page 1)

VLS Comes of (Computer) Age

by Kim L. Ungrahm

Some of you may have noticed a new addition to Garce Hall. Your discovery may take the same form as mine: Your brief or memo was due in 10 hours, you ran into the computer lab during a lecture, and you were out of luck. The computer lab was packed to the gills. You tiptoed into the corner of the room, finally ready to begin typing (or even writing) your masterpiece. The professor's lecture was over, your advisor had given you the final warning about the paper to be turned in in two weeks' time, and the next class session was beginning. No! Not now! You needed some peace and quiet to focus on the novel you were entering the "black hole" of coming. This semester I and virtually everyone I know is in the same boat. We found ourselves before the 1980s, the decade of computing. This semester when Professor John M. Hyson announced because of the increase in computer usage that a new Computer Center would be opened to students, the faculty, and any organization that provided low-cost computer services in Glenside, which specialize in helping students with alternatives to in-person lectures, when you realize in horror that you have an organization that presents itself as a cure-all to the whereabouts of the mystery terminals and are directed to the new Computer Center. Finally, you can (probably) actually find a seat to type your memo, and lighting and scratching — there are 12 terminals and six printers for your computer convenience, and this room is the most successful room in the history of the building. The Computer Center is a very welcome and much needed addition on campus. Most VLS students can do some word processing, and those really motivated students among us may have attempted a few CALIs or learned to type on the Model 20, but does anyone really know how to use a actual mouse? No. Nothing doesn't count.

I know that since I vacuumed up the desk and put Westlaw and Lexis in a basic research context, I had mastered computer science. Boy did I have another thought communication class. I asked fifteen of your brave colleagues entered the "black hole" of computer science by taking Professor Maule's Computer Applications and I was on "cherry". No! Was it a lot of work? Was it a lot of work? Was? Was it work? Absolutely. I interviewed with five friends in fall and three were already computerized while the other two were seriously considering improving computerization. Computers are a very useful and soon to be indispensable tool in our chosen profession, yet they seem puzzling and frightening to me, a visiting professor at the University of Pennsylvania. I interviewed with five friends in fall and three were already computerized while the other two were seriously considering improving computerization. Computers are a very useful and soon to be indispensable tool in our chosen profession, yet they seem puzzling and frightening to me, a visiting professor at the University of Pennsylvania.

"It was a heartbreaking case. It was exposure to a lifestyle and to an economic status, and to the emptiness of life I had never really been exposed to before. I ended up really being able to help the person a lot," Kephart said. "It instilled in me a conviction that lawyers have every obligation to serve their community."

Sherr tutored high school students in East Cleveland, Ohio during 1988, an experience that she described as invaluable. "My feeling about public interest law is that it's more a way of looking at the community than it is just law. I see it as a way of more tangibly helping people," Sherr said.

Public Interest is applying for membership to the National Association of Public Interest Law, a Washington, D.C.-based coalition of 50 student groups at universities across the U.S. that provides support programs and hosts an annual conference.

"Public interest law is the easiest way to get exposure early in your career and to see it as a profession to serve our community. It is all about; and three, increase awareness of the duty we have as a profession to serve our community on a continual basis," she said.

Dellapenna on China

On Tuesday, January 30, 1990, the House of Representa­tives Committee on Foreign Affairs Subcommittee on East Asia and Pacific Affairs held a hearing to discuss the role of Taiwan, China, and the Chinese legal system. The hearing was chaired by Representative Stephen F. Schmitz, and the witnesses included Professor Joseph W. Dellapenna, Professor of Law at Villanova University; Professor of Law at the University of Hong Kong; and Professor of Law at Yale University.

Professor Dellapenna, Professor of Law at Villanova University, addressed the question of whether the United States should recognize the Chinese government and whether recognition would be in America's best interests.

"I think it would be extremely valuable for China to be recognized as a nation on an international level. It would be in America's best interests to have the Chinese government as a reality that we can deal with," Dellapenna said.

Concord Coup: Cops Copyright Contest

Julie S. Condon won the $500 First Prize in the 1990 Nathan Burkan Memorial Competition at Villanova. Her award was announced by Morton Gould, President of the American Society of Composers, Authors, and Publishers (ASCAP). The winning entry was entitled "Gray Marketing — The First Sale Doctrine of Copyright Law" Close A, Avenue of Redress, Mrs. Condon's paper was also published in the Villanova Law Review.

The Nathan Burkan Memorial Competition is sponsored annually by ASCAP in memory of ASCAP's first General Counsel, who died in 1958. The award is designed to stimulate interest in the field of copyright law, have been selected by a panel of distinguished judges from among the local bar.

Abroad View of the Law

The University of San Diego Law School will offer clinical placements in Dublin, London, Mexico City, and Paris this summer. In Paris and London, second-year students may work in law firms and corporate counsel's offices specializing in EEC law, international financial law, and international business law in general. There are a few opportunities with international organizations in Paris. Most of the placements last six weeks and carry academic credit.

The student's work depends on the legal problems available in the office assigned. Students can expect to do research and draft contracts, opinion letters, and memos. They may participate in client interviews, negotiations, and firm strategy planning.

Internships in Mexico and Dubhlinn focus more broadly on a variety of legal matters. Interns will have opportunities with barristers cover a full range of English trial work. These internships are available to first-year students.

Six summer programs are offered by USD. They are asked to do research and draft contracts, opinion letters, and memos. They may participate in client interviews, negotiations, and firm strategy planning.

In Mexico and Dubhlinn focus more broadly on a variety of legal matters. Internships with barristers cover a full range of English trial work. These internships are available to first-year students.

American comparative law, Paris on international and comparative law generally, and Russia-Poland on east-west trade and socialist law.

For further information, write Mrs. Sue Coursey, USD Law School, Alcala Park, San Diego, CA 92110-3492.

SUMMER LAW STUDY in

Dublin

London

Mexico

Oxford

Paris

Russia-Poland

San Diego

Foreign Law Programs

of San Diego School of Law

Alcala Park, San Diego, CA 92110-3492

University of San Diego
Sports Panel

Another program the panel plans to implement is to bring in former professional athletes from Villanova to speak to the current performers about their own experiences. Dean Garbarino feels that today's student-athletes can learn a great deal from the experiences of others who have achieved success both during and after their pro careers. Dean Garbarino points to Billy Cunningham (a former client of Garbarino's) and Julius Erving as examples of athletes who have done well in their post-sports lives. Among his many endeavors, Cunningham is now a major shareholder in the First Sterling Bank and part owner of the Miami Heat National Basketball Team. Julius Erving has also thrived since he hung up his famous number 6 jersey, and is currently a majority shareholder and executive with Coca Cola Bottling in Philadelphia. In each case, according to Garbarino, the key to their success has been taking the opportunity to make informed choices.

Dean Garbarino is no stranger to the choices faced by student-athletes and professionals. Prior to coming to VLS as Associate Dean five years ago, Dean Garbarino was a partner in a boutique practice which represented many sports-related clients. While professing no nostalgia for the litigation involved in his old practice, Garbarino does admit to missing the back-and-forth process of negotiating contracts, fondly remembering his early experiences when his off-the-cuff advice helped secure a signing bonus for a newly drafted baseball player. The latter is a jobsite, so to speak.

Villa Nova Report

(Continued from page 4)

National BLSA is concerned, the year I have spent on the National Board has alerted me to a litany of options available to Black law students as a whole. Anything I can do to make our presence known, I will do.

So speaks one strong, Black woman who knows what she wants out of life and is not afraid to direct her time and energy towards making an impact when and where she can.
**SPOTS**

**Behind the 3-point Line**

by The Doctor

The Power is gone, but the VLS Intramural Basketball League remains strong to the 1990 season approaches. This season, the league consists of a record seven teams, including the reigning champs, Sole Survivors (renamed "Ramblin' Wreck" after a change in ownership). There are four new first-year teams which remain mostly a mystery due to their noticable absence from St. Mary's during the pre-season. But all things considered, the 1990 season promises to be an exciting one.

The league is divided into two conferences, Eastern and Western, and each team will play every other team in its conference once over the course of the season. The New Co-Commissioners' new "open door policy" welcomes any and all complaints on the subject.

The conferences are aligned as follows:

**Eastern**
- Casual Dogs
- Harrowers
- Horizon Leaders
- Minors
- Nothin' But
- Rule Against
- Perimeter Stars
- Tortoises

**Western**
- B&A
- Decendents
- D.L.I.L.L.I.G.A.
- Nice Rack
- Ramblin' Wreck
- Happy Birthday
- Mad Dogs
- Nnoooffiiinnnn

**A Sporting Panel**

by Steve Finkel

Life for college students with athletic potential, and with professional ranks has long been a largely uncharted territory to follow, agents to negotiate, decisions to wrestle and risks to take, and that's just for a twenty-one-year-old kid who's just beginning his legal education in an English Lit paper due Friday, but it's a fact of life on campus campaigns for student-athletes. It's certainly a fact of life for some gifted student-athletes here at Villanova.

Aside from the obvious NABM prospects annually grappling the sports headlines on Rollie Massimino's basketball squad, the Villanova sports program features several sports in which athletes have the opportunity to break the grade as a professional, such as football, baseball, baseball, and men's and women's track. In the past, the Villanova football program has enjoyed several NFL draft choices (Howie Long, now apparently headed for a Hollywood movie career after an all-star run with the Raiders) and Mike Webster, who was the current squad have a chance to help make a difference in the right breaks. In track and field, the Villanova program is a long tradition of producing world class performers, with the ranks of Villanova stars like Ken Donahue ('84) and Chuck Lewis ('78) being like a who's who in the world of track and field. And in team sports like the Villanoonas Olimpic gold medal winners.

The baseball team boasts several players with legitimate prospects of competing to reach the big show.

Un fortunately, the road from the Main Line to the foul line or the finish line at Madison Square Garden or the dotted line at the finish line isn't an easy one to navigate. Among the pitfalls a student-athlete must manage is the intense competition from other players both on campus and off. There are the relatively few opportunities in professional sports, are unscrupulous agency practices. It's rules, injuries, and the emotional pressures of making decisions that may profoundly affect the rest of their lives.

What's a student-athlete to do?

One option is to consult Villanova's newly-formed professional sports career counseling panel. The panel consists of five members and is organized by Associate Dean Robert P. Garbarino, who has ten years of experience in student-related counseling in his background. According to Villanova University's Director of Student Athletics, who gives the panel his enthusiastic support, "The panel will be available to counsel student-athletes on a spectrum of matters associated with embarking on a professional career, including avoiding the pitfalls, arranging for professional, or bonus payments and otherwise complying with NCAA eligibility rules, providing assistance in making the decision to remain in school or enter professional, guidance regarding contracts and agreements with agents and professional teams and assistance in providing a realistic appraisal of professional potential."

The panel is made up of the input of the various team coaches, Dean Garbarino estimates that there are approximately twenty student-athletes at Villanova who will give you an idea of what shots at careers in professional sports.

One of the programs initiat ed by the panel is a system to bring the professional campus to talk to student-athletes. The panel is the first campus to register by filling a detailed form which will give students information about their qualifications as an agent, their legal background, and other pertinent information. The system also requires notification to the school when agents communicate with student-athletes, helping maintain an awareness which can ensure that no NCAA rules are violated which could result in the loss of eligibility. The panel also requests that information of student-athletes be available to itself to provide consultant advice for students on the matter of selection of agents.

The registration procedure provides data to students which can help the student-athlete to make an informed choice regarding agents. The coaches have reacted very favorably to the program. The coaches believe that the panel is a good idea and that it will give the student-athletes some idea of what to expect.

(L to R): Panel members LeClair, Malloy, Garbarino, President Dobbin, Dowling, Nicholls.

(Continued on page 7)